



The Libertarian Party of Kentucky - Membership Review Committee Case 2020-1 May 21 and June 4, 2020

Part 1: Introduction

After several rumors spread across social media, a formal complaint was submitted by email to Dale Gillespie (Committee Chair) on May 19, 2020. In his complaint, a County Vice Chair alleged that a former Libertarian US Senate Candidate had publicly spoken out in violation of the Non-Aggression Principle and LPKY statement of principles in a livestream. He wrote, "He (former US Senate Candidate) stated on camera that some of his "favorite laws to enforce" are DUI and child restraint laws."

The phrase "favorite laws to enforce" was stated by his interviewer, a fellow member, but not the member in question. This relevant portion of the interaction can be viewed starting at 18:20 at <https://www.youtube.com/watch?v=sZT55ryVrIM&t=1457s>.

The member clarified that arresting a person for DUI does not "tax his conscience." From 22:15 - 23:20 the member states that if you are significantly impaired, you do not need to be behind the wheel of a car. 23:18 - 24:00 the member states that child restraint devices and booster seat devices are the same thing because children under 18 do not have the reasoning necessary to make that choice on their own. The member went on to call it unfortunate that the state said they needed to make a law, but then referenced an occasion that where he pulled a lady over driving with a child's head outside of the sunroof. He went on to call this a bad decision.

Part 2: Enforcement of DUI Laws

After some discussion, the Committee UNANIMOUSLY voted to DISMISS the complaint that publicly advocating for DUI laws violates the NAP or LPKY Statement of principles. The UNANIMOUS opinion found was:

As driving while impaired is wanton endangerment of others, the former Candidate's advocacy for enforcement of DUI laws are defensive action and therefore is not an advocacy for the initiation of force.

Part 3: Enforcement of Child Restraint Laws

Initial discussion occurred on the enforcement of child restraint laws on May 21st. Due to deadlock and time constraints, the committee voted unanimously to recess.

During this recess three things took place. Attempts were made to contact the committee's fifth member to no avail. Also, the former Senate Candidate spoke out on social media about leaving the party. Finally the County Vice Chair claimed on social media that he was having second thoughts about his formal complaint.

When discussion reconvened on June 6th a MAJORITY decision was reached by 3-1 to dismiss the complaint that the former candidate's advocacy of enforcement of child restraint laws. Robert Perry joined R. Daniel and D. Gillespie in the majority opinion. Charles Altendorf dissented.

The MAJORITY Opinion found was:

In reviewing the video, it is evident that the member does not feel conflicted about doing his job as a member of law enforcement when he feels it is protecting innocence. Innocents may mean adolescents who are being allowed to put themselves in precarious positions by those who are charged with watching out for them. Innocents may mean those who would be less safe to be on the road due to those who choose to drive while significantly impaired. In both cases members may disagree on when intervention is warranted, but it is obvious from the context that the member in question is expressing an interest in defending life, rather than social economic or political gains. Thus, the complaint that the described conversation is a clear violation of the NAP and LPKY statement of principle should be dismissed.

The DISSENTING Opinion found was:

The phrase "Child Restraint Laws" can be a very broad idea. It can obviously mean parents arrested for not putting infants in car seats and driving rapidly down open highway. Taken to extremes, it might also mean arresting parents for teenagers riding around a farm in the back of their pickup. It would be nice to hear the former candidate elaborate on his limitations of this idea as well as what he would enforce or has enforced in the past.

During the process of finalizing this case, it was brought to the attention of some committee members that the Vice Chair may have said on social media that he would like to withdraw his complaint. This is an invalid reason not to have some clarification from the former candidate on the breadth of his child restraint law advocacy. If this committee requests party members submit

formal complaints and doesn't recognize emotional banter on social media, then it shouldn't dismiss complaints solely based on banter. Social media can make spirits run high, but it is the duty of this committee to ensure formalization of the process, so it is fair for everyone.

Members Present at Both Meetings

Dale Gillespie (Chair, also D3 Chair)

Charles Altendorf (Secretary, also D6 Chair)

Randall Daniel (Member, also D2 Chair)

Robert Perry (Member, also D2 At-Large)

Member Absent at Both Meetings

Harlan Compton