

## 2015 MdLP Convention

LP of Virginia two-time statewide candidate Robert Sarvis was our speaker at our annual convention held on Super Pi Day (March 14). He is a veteran of two campaigns, fundraising, and ballot drives. Each candidate in Virginia needs 10,000 signatures to get on the ballot. The state party doesn't have a huge infrastructure, and it was difficult to get those signatures. He suggests having an early convention to get the petition drive started quickly. In-state petitioners work better. It is a very difficult process to get signatures, some grocery stores don't allow petitioners. The process worked by hitting the ground early and to be willing to pay for it. They don't get a validity rate because the state stops counting once the threshold is reached. Conclusion: *It's about money* (\$2/sig). Bill Redpath tells people to be ready to bring \$10-20K to get on the ballot. There is a 10% threshold in VA to get on the ballot.

Mr. Sarvis' two opponents were almost universally loathed. They drew equally from both sides of the aisle. That brought a lot of people to the polls who had previously given up and hadn't bothered to vote. There is no better way to get the word out than getting media coverage. You have to provide something that will induce them to cover it. His message was positive. Slogan 1<sup>st</sup>: open-minded, open for business. He went to as many places as possible, and let the media know that he was actively campaigning across the state. As soon as he got one article in the *Richmond Times Dispatch* he got more attention. Polls went to 5, 6, 7 percent, drawing national attention. His campaign manager built up relationships; local TV helped. Still, it was very frustrating the way people react – as soon as they hear *third party* they think they don't have to care. Eventually he got stopped at malls

by people recognizing him. Mr. Sarvis relates that it was a really great experience, but quite an undertaking. Statewide candidates need to rely on local affiliates; need a state party infrastructure throughout the state. Bringing in young people is necessary to continue the work done by long-timers.

Young people are willing to *vote* for a third party candidate, but not necessarily to *join* a party. They have been taught solutions that are not solutions; they need to learn about the unintended consequences.

On rhetoric: rhetoric of the left and right are radically different; each is distrustful of anyone who doesn't speak in that language. It is a minefield to talk with them, and one might be assuming a shared understanding that isn't there.


Suggestion: pound an issue that resonates with the public, and it will get media coverage. Always let the media know what you're doing, saying something that *people want to read*. He would like to see some local papers started by libertarians, niche newspapers.

More and more people have an idea of what libertarianism is about. It can be a help or a hindrance. It is generally a good thing, except for the fact you can't *reach* most people. If 30 people show up to an event, that is a tiny fraction of the voting public.



He did some mail fundraising, most by email, producing \$200K in the Governor's race, and \$70-80K in the Senatorial.

Audio/video of the speech is at:  
[LPmaryland.org/audiovideo-files/#Convention2015](http://LPmaryland.org/audiovideo-files/#Convention2015)



# Cookout

## Picnic and Central Committee Meeting

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# Chair's Report



Lots of stuff happening with the Maryland Libertarian Party this summer!

The Libertarian National Committee will be getting together on July 18 and 19 in Alexandria for its upcoming meeting. Following the meet-

ing on Saturday, the LNC will be hosting an event to celebrate the one-year anniversary of the purchase of the new headquarters in Alexandria.

The Libertarian Party is the only non-establishment party to own its own headquarters.

Freshman state delegate Robin Grammer, Republican from the sixth legislative district, will be addressing the Maryland LP on July 29<sup>th</sup> at the North Point library in Dundalk. This is your chance to meet delegate Grammer and discuss issues important to you.

Mr. Grammer is the former chair of the Maryland *Campaign For Liberty*, and was a big supporter of Dr. Ron Paul in 2008 and 2012.

The Maryland Libertarian Party will be having its annual summer picnic at the home of Dave and Renee Sten in North East, in Cecil County, on August 8<sup>th</sup>. The picnic is always a great time at the Stens, especially with their hospitality and their property overlooking the Elk River.

We will also be introducing and debating several constitutional amendments, and discussing other party business during the Central Committee meeting. And our LNC regional representative, Dr. James Lark, will be joining us as usual, so you can ask him about matters pertaining to the national party.

2016 will be an election year, and my goal is to run a full slate of candidates for the federal offices (one U.S. Senate, eight U.S. House seats), and have candidates on the ballot for at least half of the races in Baltimore City.

This is an excellent opportunity to get our message out to the city of Baltimore, in light of the issues with the War on Drugs, police misconduct, and the lack of jobs and hostile business climate. If you are interested in running for office – or just thinking about it – please contact me at your convenience, and I can get you the details on how to get on the ballot, and point to resources to help your campaign.

Thanks to Delegate David Moon and those of you who came out to meet and speak with Mr. Moon. David, a Democrat from the 20<sup>th</sup> legislative district, spoke to the group for over two hours, particularly on ballot access and civil liberties issues, and was surprisingly and refreshingly candid about his own party and lack of support on these issues; he referred to himself as something of a Libertarian several times.

I look forward to seeing everyone at the picnic and delegate Grammer's appearance on July 29<sup>th</sup>!

— Bob Johnston

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Check LPmaryland.org regularly for the current event calendar, news, email listserves, photo album, and more!  
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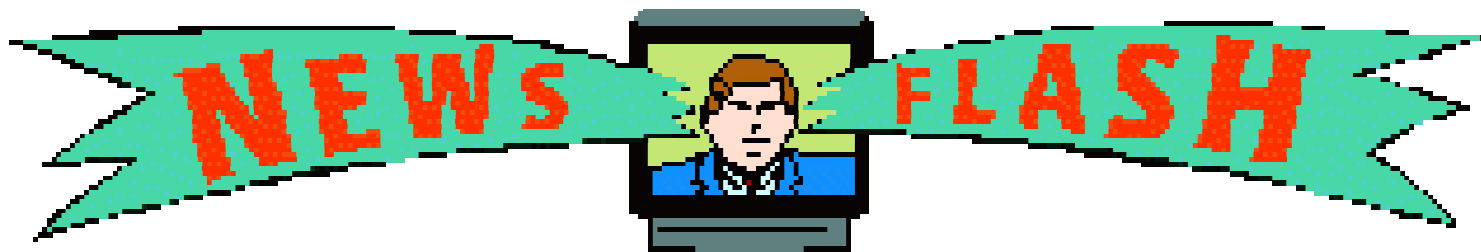
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**In the News**

The *Baltimore Sun* printed Dan Reed’s editorial on June 1, “Can a tax save Baltimore? Scrapping the property tax could help the city rebound from the riots.”

On June 24, the *Baltimore Sun* posted Doug McNeil’s comment “Televising the trial in Freddie Gray's case” on its website.

*Congratulations to our public advocates. Please send in reports of your successes, too!*

**Maryland voters registered Libertarian:**  
**15,935**

Party Spokesperson Lorenzo Gaztañaga 443-414-6539 Lorenzo\*LPmaryland.org

**State Executive Board Officers**

Chairman	Bob Johnston	443-310-5373	Chair*LPmaryland.org
Vice Chairman	Eric Blitz	410-812-7265	Vice-Chair*LPmaryland.org
Secretary	Robert E. Glaser	410-363-6626	Secretary*LPmaryland.org
Treasurer	Michael Linder	410-569-2186	Treasurer*LPmaryland.org
Membership	Stuart Simms		StuSimms*LPmaryland.org
Website	Mark Grannis	301-841-7530	MarkGrannis*LPmaryland.org
Legislation	Tim Sutton		TimSutton*LPmaryland.org

**The executive board meets monthly. All meetings are open to Central Committee members. Check the website or contact an officer for date and location.**

**County Affiliates**

	Anne Arundel County	Eric Gorr		AnneArundel1*LPmaryland.org
	Baltimore City/County	Susan Gaztañaga	443-414-6539	Baltimore*LPmaryland.org
www.LP-CC.org	Cecil County	Dave Sten	410-287-2823	Cecil*LPmaryland.org
	Wicomico County			Wicomico*LPmaryland.org
	Harford County	Michael Linder	410-569-2186	Harford*LPmaryland.org



# PICNIC



**What:** Libertarian Party of Maryland Annual Picnic

**Date:** Saturday, August 8 (rain or shine)

**Location:** 16 Partridge Lane, North East, MD 21901 (Dave Sten's home)

**Schedule:** 2:00 pm: picnicking

4:00 pm: Central Committee meeting (no charge)  
Constitutional amendments to be voted on

**Cost:** \$ 8.00 mailed to Box 176 (or pay by credit card on website) by Aug. 3  
\$10.00 on site

**Food:** will be provided (hamburgers, hot dogs, potato salad, macaroni salad,  
beer, soda, juice, water)

**Bring:** folding chairs

**Camping:** feel free to camp out on the grounds Friday and/or Saturday night

**Directions:**

Take North I-95 to exit 100 (North East). Merge onto Route 272 South toward North East and U.S. 40. Continue south on 272 about 2.4 miles to the U.S. 40 intersection, and continue south on 272 (Main Street) through the town of North East. On the other side of town Main Street becomes 272 South and is a two-way road. Continue south for another 5.5 miles. Turn left onto Elk River Lane. (Note: You will notice that Elk River Lane is near when the shoulder of the road disappears and the speed limit changes from 50 mph to 40 mph.) Travel 0.6 miles and then turn right onto Elk River Lane (Elk River Lane is a dirt lane. Dave will make sure that signs directing people to the picnic will be visible.) Follow Elk River Lane for 0.4 miles, and turn right onto Partridge Lane. (There is a row of about 20 mailboxes at the turn for Partridge Lane.) Travel a few hundred feet to Dave's house (small blue cottage on the left). Turn into his driveway, and continue through the grass along the line of trees – the location is at the bottom of the hill.



**Activities:**

- Beach Volleyball
- Tetherball
- Horseshoe Pits
- Paddleboat
- Canoe
- Powered Boat
- Swimming



Note: \$8.00 cash toll on I-95 and Route 40 northbound, but free southbound on both. No toll on Route 1.

**Don't miss it!  
Last year it didn't  
even rain!!!**

## Minutes of the Central Committee of the Libertarian Party of Maryland — Saturday, 14 March 2015

**Opening:** The Libertarian State Central Committee of Maryland met at *Squire's Restaurant* in Dundalk, Maryland. The meeting was called to order at 3:36 pm by chairman Bob Johnston.

**Attendance:** the Credentials Committee consisted of: Robert Glaser; Mark Grannis; and Tony Spezio. It validated that 19 Central Committee members were in attendance for the meeting. One proxy was represented. The Central Committee rolls consist of 29 members.

**Minutes:** The minutes of the 26 April 2014 Central Committee meeting were accepted as submitted.

**Treasurer's report:** was accepted as submitted

**Chair's Report:** Bob Johnston reports that we have 72 members; we have 15,324 registered voters as of 2/28/2015. We are the only party that has been growing in the last two years. July 1<sup>st</sup> is the filing deadline for 2016 candidates, has some potential candidates now. The National Convention is the last week in May 2016, we will have about 21 delegates. The candidates present who ran in 2015 spoke briefly: Shawn Quinn, Leo Dymowski, Scott Soffen.

**Vice-Chair's Report:** Eric Blitz reports that we are working with Delegate David Moon on a ballot access bill to change the current 1% registration requirement to 10,000. We don't know whether it will get out of committee this year, but are cautiously optimistic. We are collaborating with other groups on marijuana bills: legalization, decriminalization fix bill, expungement.

**Jim Lark, LNC Rep:** commends our progress; we are seeing a membership drop nationally and statewide even though we had many fine candidates; is concerned, though might not be a significant problem. In 2015 trying to ramp up outreach efforts. Doesn't know of any new presidential candidates for 2016.

**Program Committee's report:** the Program Committee recommended no changes to the State Program.

**Officer Elections:** the following were nominated as officers: Robert S. Johnston III, Mark Grannis, Michael Linder, Robert Glaser, Eric Blitz, Stuart Simms, Tim Sutton. As there were no

more than seven nominations and there were no objections, the nominations were voted upon as a slate; a unanimous voice vote approved the slate.

### **Proposed Constitutional Amendments:**

1. (Proposed by Robert Glaser) Article V, Section 7, sub-paragraph A3:

Was: ... Notice of this meeting shall state the time and place of the meeting and shall be mailed to all members of the State Central Committee at least ten days prior to the meeting, addressed to the residence of each member...

Proposed: ... Notice of this meeting shall state the time and place of the meeting and shall be mailed or emailed to members of the State Central Committee at least ten days prior to the meeting, addressed to the postal address or email address of each member on file...

Vote: passes unanimously on a voice vote

2. Eric Blitz proposed an amendment to Article VI regarding Local Central Committee formation; requires extensive discussion, withdrawn for future submission.

The Investigating Committee for the proposed amendment is Bob Johnston, Robert Glaser, Shawn Quinn, Dave Sten, Jack Jones.

**Dave Sten:** is working on a research project to determine the effectiveness of registration drives; will be using mailers and facebook advertisements against a precinct not targeted to determine a dollar value per registration. The project is to be complete by end of April, so will start within two weeks.

**Announcements:** Eric Blitz asks for emails of those interested in debating the proposed local affiliate amendment; OAI is looking for volunteers to take over Maryland. Robert Glaser has license plate applications on hand and MdLP caps for sale.

**Adjournment:** the Central Committee thanks Bob Johnston for arranging the convention; the meeting adjourned at 5:04 pm.

— *Robert E. Glaser*

## Minutes of the Investigating Committee on proposed Constitutional Amendment

The Investigating Committee of Bob Johnston, Robert Glaser, Shawn Quinn, Dave Sten, and Jack Jones met at *Squire's Restaurant* in Dundalk, Maryland on April 5, 2014 at 5:13 pm.

Proposal 1: there was no objection. The Committee adjourned at 5:15 pm.

— *Robert E. Glaser*

The Executive Board reviewed and reached consensus on four proposed amendments to the party constitution. The first provides for the direct election by the State Central Committee of the Chairman of the party, rather than allow the newly elected Executive Board to select a Chairman from its members. The second proposal replaces the current voting method for Chairman and the Executive Board, known as transferable preferential voting, with simple plurality voting. The third proposal amends the rules for forming local Central Committees. This amendment would require a petition by 25 Central Committee members living within a county to petition for formation and then an affirmative vote by the State Central Committee to form a local (County) committee. The amendment clarifies that local committees cannot charge a separate fee for membership, standardizes the naming of future local committees, and mandates that local committees cannot adopt a platform or program that contradicts the state Program. The fourth proposed amendment eliminates the Finance Committee and stipulates that the Executive Board must approve all party expenditures, either through the adoption of a budget or by separate resolutions. These four proposals will be submitted to the State Central Committee for its consideration at the August 8, 2015 meeting, to be held at the site of the annual MdLP picnic.

— *Eric Blitz*

# Ocean City: America's Favorite Family-Statist Fun Destination

You know summer is coming when you begin seeing him on TV. Rodney, the fictional Ocean City lifeguard, appears every year in an ad campaign that is virtually guaranteed to be amusing, and sometimes a little too close-hitting, touting OC as a convenient, affordable vacation destination. If you haven't seen the 2015 commercials yet, they are the same commercials as in 2014, in which folks like you and me sadly waste their vacation days doing mundane things like getting their driver's licenses renewed and helping their in-laws move. You can also enjoy past ad campaigns on YouTube. In those spots, Rodney goes deep into urban business districts and suburban tract housing to rescue people from their quotidian summer lives and bring them, on the boardwalk tram no less, to the beach.

What Rodney didn't tell you, however, is that in 2014 the city of Ocean City attempted to make a few changes to its boardwalk scene that are inimical to liberty. The first was a gesture which the city acknowledges is symbolic: the posting of signs every few boardwalk blocks admonishing people: "No Profanity Please" and "Be Courteous."



These signs were the subject of much lively discussion in 2014. City Council members acknowledge that the First Amendment prevents the city from turning this suggestion into a law, as Virginia Beach, VA, did. But I have to wonder: if the city can't enforce it, and we beachgoers can still say whatever we want, why waste taxpayer money producing and posting the signs?

As well, my objection to the city's exhortation to "keep it clean" matches those of the city's own attorney, Guy Ayres, who pointed out the city might be treading on thin Constitutional ground should it try to enforce such a ban: "What you think is foul language may not be what I think is foul language. You get into a very questionable area of constitutional law," he said. In light of this observation, one wonders how Virginia Beach is getting away with it.

Equally disturbing to those who treasure economic liberty is the ban the city of Ocean City enacted last year on the sale of laser pointers, button-retracting knives (switchblades) and apparel bearing obscene messages. The rationale they gave for banning the first two is their potential for harm. However, regarding the laser pointers I see a slippery slope emerging. If the point is to keep the wielders from harming others, the sale of such items wouldn't be the issue; possession and use would. So, I wonder why they haven't yet taken the slippery step of banning the possession of laser pointers. After all, laser pointers are available in many stores besides the Boardwalk shops. In fact, as a corporate trainer who considers such pointers an essential work tool, I have at least one laser pointer in my possession at all times. I see a razor-thin line between the putative purpose of protecting people from harm and criminalizing citizens like me every time we set foot in the OC city limits. Interestingly, a commercial pilot who was recently interviewed for *The Atlantic* stated that a green laser was pointed at him as he took off from the Riyadh, Saudi Arabia, airport, and he found it no more than a distraction. Somewhat annoying, but he could maneuver through it. So basically, the rule is protecting us from nothing.

I don't need to explain to you, the liberty-loving audience, why I'm against the ban on "obscene" apparel. I should point out, however, that as with the laser pointers, banning the sale of such garments is just a slippery step to banning the wearing of such apparel, whether it was purchased on the Boardwalk, purchased elsewhere (hello, Rehoboth Beach!), or even produced at home using your PC and iron-on T-shirt transfer paper from Staples. So basically, the city is infringing on shop owners' choices to sell items they think will make them money in a free market.

OC has your back, though. It cares about you. It cares so much that it allows one particular religion to pray and recruit for your salvation on public property. In direct defiance of the First Amendment, public property, which is what the entire Ocean City beach is, is used to win souls for Jesus Christ. It does this by the sand sculptures, complete with New Testament quotes, outside the Plim Plaza Hotel at Second Street and the Boardwalk. Oddly, no one seems to voice open objection. In a fitting piece of poetic justice, every so often Mother Nature comes along and destroys the sculpture with a good, strong storm, such as Superstorm Sandy. Given the opportunity to keep public property secular, the city of Ocean City allows the First Amendment violation to be rebuilt anew. Where's the ACLU when you need them?

In 2015, OC will be demonstrating its caring for you in another way: it will enact a ban on smoking on the boardwalk, beginning May 1. Smoking and vaping will be permitted only in a few designated areas at the rear of the beach. Apparently the city thinks that without their "help," beachgoers will not be able to find a place to breathe smoke-free in the ten miles of open air that constitute the Ocean City shoreline. Apparently government needs to protect us from the rapidly shrinking minority of tobacco smokers, which according to a 2014 Gallup poll now stands at 17.0% of Marylanders, and about 20% of Americans in general. Besides the "overreacting" aspect, the law seems to be contradictory in that it bans smoking on the boardwalk, but allows it in an area of sand very close to the boardwalk, thus allowing the secondhand smoke they purport to protect us from very near boardwalk users. Also, the law is a blunt object by treating smoking and vaping as equally harmful activities. I suspect the debate on whether vaping is as harmful as smoking will rage on in the mainstream media for quite a while, but the bulk of evidence, plus just common sense, tells me cartridge vapor is nowhere near as harmful as combusted tobacco smoke.

I love the beach so much I left Baltimore after nearly twenty years to live in Berlin, about eight miles from Ocean City. In summer 2014, though, I was there only once. There are several other great beaches within my reach that don't encroach on my civil liberties and give me the same beachy pleasure. I do intend to return someday to OC, though... wearing a T-shirt of my own design featuring a photo of George Carlin and a list of the Seven Words You Can Never Say on Television. I might even carry my laser pointer. Come and get me, coppers.

— Beth Woodell



“Politics is the art of looking for trouble, finding it everywhere, diagnosing it incorrectly and applying the wrong remedies.”

— *Groucho Marx*

“A politician is a man who will double cross that bridge when he comes to it.”

— *Oscar Levant*

“I don’t make jokes. I just watch the government and report the facts.”

— *Will Rogers*

“The majority never has right on its side. Never I say! That is one of the social lies that a free, thinking man is bound to rebel against. Who makes up the majority in any given country? Is it the wise men or the fools? I think we must agree that the fools are in a terrible overwhelming majority, all the wide world over.”

— *Henrik Ibsen*

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# 2015 Maryland Legislative Review

Eric Blitz summarizes the legislation relevant to libertarian issues from Maryland's 2015 General Assembly session, such as ballot access, marijuana legalization, police conduct, access to public information, civil asset forfeiture, regulatory impact review, expungement, and many other topics. Any opinions expressed are those of the author and not official positions of the Libertarian Party of Maryland. Eric is an attorney and the Vice Chairman of the Libertarian Party of Maryland.

## Ballot Access

HB626, sponsored by Delegate David Moon (D-Montgomery), with co-sponsors Delegates Brooke Lierman (D-Baltimore City) and William Smith, Jr. (D-Montgomery), sought to replace the current standard of 1% of all registered voters necessary to maintain ballot access (the other method is receiving 1% of the vote for the highest statewide audience) with a flat 10,000 registered voters affiliated with a party. This makes sense because for a petition to re-establish the party you need 10,000 signatures of registered voters. Currently, the Libertarian Party of Maryland has over 15,000 registered voters affiliated as Libertarians, thereby establishing that we meet the minimum threshold of support for ballot access in Maryland. If the law had passed, we would automatically qualify for continued ballot access so long as we maintained 10,000 registered voters. This would have ended the potential for expensive, time-consuming, and ultimately wasteful efforts in ballot access petitioning for both the Libertarian Party of Maryland and the Green Party of Maryland (if they increased their registrations from their approximately 8,500 affiliations). While we had a much more receptive response before the House Ways and Means Committee, like last year's bill it failed to receive a vote from the committee. We'll keep on trying each year until we get this bill passed.

## Enforcement of Maryland Constitutional Rights

SB319 provided for awarding reasonable attorneys fees and expenses to prevailing plaintiffs claiming violations of Maryland constitutional rights or the Maryland Declaration of Rights against the State and local governments. The statutory cap in damages against governments would not have applied to such awards, nor would the cap on contingent fees. This would have been an important mechanism in holding the state and its political subdivisions accountable to abide by the Maryland Constitution and Maryland Declaration of Rights. The bill was cross-filed in the House as HB28 but neither the House nor Senate Committee gave it a vote.

## Marijuana legalization

SB531/HB911 sought to legalize the use, possession, growth and distribution of marijuana in Maryland, similar to the Colorado law. The Libertarian Party of Maryland and the Marijuana Policy Coalition of Maryland worked hard to build support for these bills, including: organizing and sponsoring a legislator's only forum on marijuana policy; an advocacy training event for volunteer advocates; a lobby night; testimony before committees; email, letter and phone call contacts to representatives; and legislative lobbying. For a detailed summary of the bill, please review this document produced by our coalition partner, MPP. MDT&RBillSummary 2015. Sadly, the bills did not receive a vote from either of the respective House or Senate committees. We hope to have a better result in 2016, with the expected increase in public support for legalization and focus on the issue through the presidential campaign. There is a possibility of six other states passing legalization bills in 2016, including California, which may increase momentum for passage in Maryland.

The bill we did get passed is generically known as the para-

phernalia fix bill. SB517 decriminalizes the use and possession of paraphernalia associated with the use of marijuana. The bill also made it a civil violation to use marijuana in a public place, with a fine not to exceed \$500. There were provisions with respect to use in a vehicle and a relaxation of police search rules included in the original bill which we opposed and were stricken via amendments. The bill was passed by both the House and the Senate. UPDATE: The bill was vetoed by the Governor. It is unclear whether the legislature will vote to overturn the veto.

## Other Bills Relating to Marijuana

HB803 Hemp legalized! This bill legalizes the growing, harvesting, possession, sale, etc. of industrial hemp. It was passed by both houses and was signed by the Governor. UPDATE: Federal law may still limit hemp production in Maryland. No brave 10th Amendment language from the General Assembly.

SB456 provides a small fix to the medical marijuana law. It requires a court to dismiss the charge (rather than give a \$100 fine) for possession of marijuana and/or paraphernalia for medical necessity in certain circumstances. The bill was passed and signed by the Governor.

HB433 Marijuana Disclosure requirements-state outreach campaign on the purported health hazards of marijuana, that a person is still subject to arrest by the federal government (especially on federal property, parks, military bases, etc.) and that it is illegal for banks to do business with marijuana businesses (proceeds of marijuana) and a few other subjects. This bill, sponsored by Impallaria (R), was filed last year as well, went nowhere in committee, and received the same fate this year. Thankfully, this bill was dead on arrival.

HB121 revised the mandatory minimums for specified drug-related offenses. The bill was passed by both the House and Senate. UPDATE: The bill became law. The Governor did not sign or veto the bill, so it became law by operation of the Maryland Constitution.

HB393 sought to make marijuana use and possession in a vehicle a separate crime and thereby carve out an exception to decriminalization of possession of less than 10 grams of marijuana. The bill received an unfavorable report by the House Judiciary Committee which was a win for us.

## SWAT Teams

SB173/HB338 sought to limit the deployment of a SWAT team to instances where there is a significant imminent threat to human life, welfare, and safety and the use of regular patrol officers is insufficient to meet that threat. It required a supervisor to create a written report supporting the determination that these factors exist (and whether pregnant women, children or the elderly are suspected of being present) before deploying a SWAT team, except when doing so would substantially endanger the lives of civilians or police personnel. The bill also imposed substantial reporting requirements on police forces that use a SWAT team, which should help with the transparency problems associated with such deployments. Those reporting requirements used to exist, but the law expired via a sunset. The bills did not receive a vote in



either of the respective House and Senate committees.

### **Police Body Cameras**

SB482 was first passed by the Senate while its companion bill failed with an unfavorable vote in the House Judiciary Committee (chaired by Joseph Vallario). The House then took up the Senate bill and it was passed. The bill has been signed by the Governor. The bill is emergency legislation, meaning that it went into effect upon the Governor's signature on April 28, 2015. The bill authorizes the use of digital recording devices (including body cameras) by police and makes it legal for such cameras to record oral communications of citizens by regular police officers if they are in uniform and is prominently displaying their badge or insignia, the officer is reasonably complying with standards (yet to be developed) for use of such devices, the officer is a party to the communication, and law enforcement notifies the individual of the recording as soon as it is practicable to do so (unless it isn't, or is otherwise impossible). The bill sets up a Commission to develop the standards for use of body cameras to be reported by October 1, 2015 and then used by the Maryland Police Training Commission to develop and publish (online) the standards that will be applicable. The bill also sets forth 17 issues the MPTC must address in developing the standards. The party will be monitoring this Commission's work. I share some of the concerns of the ACLU of Maryland that there are insufficient privacy protections with respect to the recordings. This issue will likely be addressed by the General Assembly in 2016, after the report from the Commission is presented.

### **Other Police Conduct Bills**

HB954 was passed and signed by the Governor. It requires annual reporting (due March 1st of each year) of all officer-involved deaths (those resulting directly from an act or omission of a law enforcement officer who is on duty or while off-duty but within the scope of their official duties, as well as all deaths of police officers, to the Governor's Office of Crime Control and Prevention. The reports must, at a minimum, identify the age, gender, ethnicity and race of the deceased and the officer involved, a brief description of the circumstances, the date/time/location of the death. Sadly, what was removed from the bill was language which would have included within the report a description of the disposition of any investigation, inquiry or disciplinary proceeding resulting from the death. The reports are then made to the General Assembly by October 15th of each year (with a description of the past three years' information required by such reports).

HB363 provided that the commission of a misdemeanor or felony (that have an incarceration penalty of a year or more) by law enforcement officers while in the course of their duties constitutes misconduct in office. That misconduct in office is a separate offense that can lead to up to a 10 year sentence, to be served consecutively and not concurrent to the underlying offense. The bill was filed by Delegate Curt Anderson at the request of the Baltimore City Administration and received an unfavorable report by the House Judiciary Committee.

HB365 sought to shift all felony prosecutions of police officers (both state and federal) for violations during the course of their duties from the local office of the State Attorney to the office of the Attorney General. The bill was filed by Delegate Curt Anderson and received an unfavorable report by the House Judiciary Committee.

HB112 provided that the State Prosecutor may investigate the death of an individual who dies as a result of an action or omission

of a police officer (while on duty or for off-duty, if the activities are within the scope of the officers duties) if the State's Attorney for the jurisdiction in which the death occurred does not file an information or seek a grand jury indictment in the case. This would have provided an important secondary review in these cases. This bill was cross-filed in the Senate as SB653, but both bills received unfavorable reports by the House Judiciary Committee and the Senate Judicial Proceedings Committee.

Note that Delegate Rosenberg introduced a similar bill, which would apply to any use of force by a police officer, which was HB438. The bill granted the State Prosecutor the authority to investigate immediately, concurrent with the authority with State's Attorneys. That bill received an unfavorable report by the Judiciary Committee and was withdrawn.

SB413 requires police departments to report information for traffic stops that track race and requires the development of a model policy against race-based traffic stops. An amendment added a sunset after 5 years. The bill was passed by both the House and the Senate and has been signed by the Governor.

SB882 provides small enhancements to the Baltimore City Civilian Review Board (applicable only in Baltimore City) by expanding the scope of its jurisdiction to police forces of the Baltimore Watershed, the Baltimore City Community College, and Morgan State. It is unclear why the addition of the University of Maryland and the Maryland Transit Authority police forces (while acting in Baltimore) were struck by amendments, but they were. The bill improves the definitions of abusive language and harassment by police officers and adds two new non-voting advisory members to the Board, representatives of the ACLU of MD and the Baltimore City branch of the NAACP. The bill was passed and signed by the Governor.

HB771, another Baltimore-only bill is, requires the public reporting on "community policing" information (on the BPD website). One part of the bill will assist in the reporting of the instances of the use of force that resulted in the admission to a hospital, when the injury occurred as a direct result of an officer's actions. It also requires the reporting of citizen complaints about the use of force by officers. It was passed and signed by the Governor.

### **Public Access to Government Information**

The Libertarian Party of Maryland is a coalition partner in Marylanders for Open Government. The coalition had amazing success in getting three bills passed and signed by the Governor this session. Because the changes to these laws are more comprehensive than can be reasonably described here, a separate article will be published describing the details of the bills, but here is a summary:

SB695/HB755 amends the Maryland Public Information Act to establish the State Public Information Act Compliance Board, an Office of the Public Access Ombudsmen, revisions to speed up the disclosure of public information and improvements to the denial of records process. The bill also adds statutory damages (not to exceed \$1,000) if the custodian knowingly and willfully fails to disclose documents available under the MPIA. As important, there is an uncodified section of the bill that sets up a reporting process for findings and recommendations for further improvements to the Public Information Act, including a review of the statutory duties of the Compliance Board, the merits of merging the state open meetings law compliance board with the new board, the use of fee waivers, an analysis of the denial process used by

custodians, an analysis of the kinds of records requested, and the State law exemptions outside the Act.

HB674 was passed and signed by the Governor and simply requires all government units (agencies, counties, municipalities, etc.) that are subject to the Maryland Public Information Act to identify their custodian(s) of records and provide their contact information publicly, on websites if they have them, and report them to the Attorney General's Office so that office can put them on their website and in their public information act manual. This is an attempt to relieve some of the ambiguity that citizens have in identifying who they should make their requests to and how to reach them.

SB444 was passed and signed by the Governor. Prior to this law, official custodians should have considered (as a best practice) whether to designate certain types of records as immediately available (because they clearly fall within the scope of the MPIA) and to create a list of such types of documents. With this law, that is mandatory, all custodians must make those determinations and create such a list. This is an important bill because not all custodians were doing this and failing to do so unnecessarily slows down the process and increases costs to both the government and the applicant requesting records.

### **Expungement**

SB651 allows expungement of any record of a criminal conviction for a crime which is no longer a crime. This would also apply to prior convictions of marijuana possession of less than 10 grams. This will help in our future efforts to reduce the over-criminalization problem in Maryland, by prospectively addressing the expungement issue. This bill was supported by the Libertarian Party of Maryland through testimony before the House Judiciary Committee (HB124) and both bills were passed by both the House and the Senate. SB651 was signed by the Governor and HB124 vetoed as duplicative.

### **Civil Asset Forfeiture**

SB528. There was quite a tug of war between the Senate and House on the two cross-filed bills and the Senate ultimately prevailed. This is a bill reforming civil asset forfeiture laws relating to controlled dangerous substances (CDS) offenses. The party program calls for ending pre-conviction asset forfeitures. The bill does not end abusive asset forfeiture, but nonetheless provides some good (if minor) reforms. The bill provides:

- Currently the owner of property bears the burden of proving that they had no knowledge of the CDS violation in certain CDS asset forfeitures. The bill shifts that burden back to the State with respect to "innocent owner" claims involving CDS violations when the assets involve vehicles, real property and assets used in the purchase of CDS (or traceable to the exchange).
- The exclusion of a minimum of \$300 on many CDS asset forfeitures, removing some of the small money claims.
- Removes a provision that allowed forfeitures when assets are in close proximity to CDS, paraphernalia, and a few other items, which should require prosecutors to prove asset forfeiture authority under other more relevant indicia of a relationship to a CDS offense.
- Property must be immediately returned to the owner if the owner is not charged with a CDS violation in connection with the property within 90 days of the seizure. Removed by amendment.

- Seized property cannot be transferred to federal law enforcement unless the case is prosecuted in federal court under federal law or by consent.
- Changes the burden of proof by removing a rebuttable presumption that the property can be forfeited, if the state meets a burden of establishing, by clear and convincing evidence, certain CDS offenses.
- The reporting requirements were struck by amendment.

The bill was passed in the House on an 85-53 vote and 47-0 in the Senate. UPDATE: The bill was vetoed by the Governor. It is unclear whether the legislature will vote to overturn the veto.

### **Proposed Regulations – The Impact on Small Businesses**

HB939 establishes an Advisory Council on the Impact of Regulations on Small Businesses in the Department of Business and Economic Development; requiring the Advisory Council to take evaluate and report on the impact of proposed regulations on small businesses. The bill was passed and signed by the Governor. While this sounds good in theory, it is not clear that such regulatory impact statements have a significant effect on the content or passage of regulations. It would be useful for someone from the Libertarian Party to volunteer to monitor this council and report on its effectiveness in reducing regulatory burdens.

### **Electronic Cigarettes**

HB026 added electronic cigarettes (vapor included) to the prohibition against indoor smoking that applies to regular cigarettes under the Clean Indoor Air Act. This bill died after receiving an unfavorable report from the House Economic Matters Committee. This is the second year in a row this proposed law failed with an unfavorable report.

HB489 Prior law made it a criminal misdemeanor to sell electronic cigarettes to minors. SB007 changed the offense to a civil infraction and reduced the fine from \$1,000 to \$300, unless the offense follows a prior violation within 2 years, in which case the fine is \$500. The bill also added "components" of electronic cigarettes (and products to refill or re-supply them) to the general prohibition on sales to minors. The bill passed and was signed by the Governor. (The Senate's companion bill (SB007) was also passed by both houses, but was vetoed as duplicative).

### **Abortion**

Both HB492 and SB511, which attempted to outlaw abortions over 20 weeks, failed to get votes in their respective committee hearings and went nowhere.

### **Medically Assisted Death with Dignity**

SB676 allowed medical professionals to provide medicines to terminally ill patients (those with a terminal condition that is likely to result in death within 6 months), after a competency evaluation, so that the individual may end their life (through self-administration). The bill had a very significant set of procedural protections, both for the patient and doctors. It defined a medically assisted death as a death from natural causes and prevents exclusions of coverage under insurance contracts which could define such a death as a suicide (or otherwise non-coverable). The bill failed to get a vote in the Judicial Proceedings Committee.

### **Religions Exemption to Vaccination Mandate**

HB687 sought to remove the religious exemption from the vaccination mandates of the state. The current exemption is already limited if there is an epidemic or emergency. The bill received an unfavorable report from the Health and Government

Operations Committee and was withdrawn.

### Draft Registration through MVA

SB72 and HB196 sought to change the conditions of driver's license pass-through registration for the Military Draft (Selective Service) by making registrations information sharing applicable to both females and males (currently it only applies to males) and most importantly, removing the right of all applicants for a driver's license to opt-out. Currently there is a protection under current law that if you refuse to consent to your information being shared with the Selective Service, that refusal cannot be used as a reason to deny a driver's license. Neither bill received a vote in their respective committees.

### Drinking Age

SB213 sought to lower the drinking age to 18, but only for active military. It received an unfavorable report from the Education, Health and Environmental Affairs Committee.

### Motor Vehicle Checkpoints – Motorcycles

HB917 prohibits police officers from targeting only motorcycles at motor vehicle checkpoints. Sponsored by Senator Raskin, this bill was passed and signed by the Governor.

### Restoration of Voting Rights after Felony Disqualification

SB340 removes parole and/or probation from the period of disqualification so that citizens are only disqualified from registering to vote because of a felony conviction during their period of incarceration. A substantial amount of procedural requirements to

facilitate offenders being registered after completing their sentence were struck from the bill by amendments. The bill also makes it illegal for a person who is currently incarcerated and disqualified from voting to vote or attempt to vote, punishable as a felony with imprisonment for not less than 1 year not more than 5 years. The bill has been passed by both the House and the Senate. UPDATE: The bill was vetoed by the Governor. It is unclear whether the legislature will vote to overturn the veto.

### Segregated Confinement

HB301 requires state correctional facilities to file detailed annual reports on segregated confinement in excess of 22 hours per day. It builds transparency with respect to the use of segregated confinement. The bill received an unfavorable report in both of the respective House and the Senate committees.

### Charter Schools

SB595 provides substantial amendments to the public charter school system. This bill was requested by the Governor and passed after many amendments and legislative maneuvers. It was signed by the Governor. The bill provides moderate improvements but those interested in the details should read the bill directly, as it is too complex to describe in this forum.

*This article was taken from Eric's post on our website. Check regularly for updates and ways you can help with pro-libertarian legislation in our state.*

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# Libertarian Party of Maryland

## Membership Form

Name: .....

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County: .....

Email: .....

Phone (day): .....

Phone (evening): .....

Phone (other): .....

Federal law requires political committees to report the name, mailing address, and occupation and name of employer for each individual whose contributions aggregate in excess of \$200 in a calendar year. Political contributions are not tax deductible.  
Occupation: \_\_\_\_\_ Employer: \_\_\_\_\_

Anyone may become a member of the MdLP. To become a voting member of the Central Committee, your voter registration must be Libertarian (or request it if the state does not permit Libertarian registration, and not be registered with any other party): verbally certify your registration status and your agreement with the non-aggression principle with your affiliate officers or the state Secretary. For more information, contact Stuart Simms at [StuSimms\\*LPmaryland.org](mailto:StuSimms*LPmaryland.org).

<b>Payment Information</b>	
<b>Maryland/county-only dues</b>	<b>\$ 20.00</b>
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<b>Monthly Credit Card Donation:</b>	<b>\$ _____</b>
<input type="checkbox"/> Check <input type="checkbox"/> Mastercard <input type="checkbox"/> VISA <input type="checkbox"/> Discover	
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### I'd like to volunteer for:

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- County organization
- Campaign help
- Public Relations
- Other: \_\_\_\_\_

**Libertarian Party  
of Maryland**  
**P.O. Box 176**  
**Abingdon, MD**  
**21009-0176**



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## COMING EVENTS

Stay up-to-date on MdLP activities with our online calendar-of-events: visit [LPmaryland.org/events/](http://LPmaryland.org/events/) (often!). Check page 3 for contact numbers not listed here.


July 18-19 (Sat/Sun): Libertarian National Committee meeting in Alexandria, VA ([www.LP.org/ju115-1nc-meeting](http://www.LP.org/ju115-1nc-meeting)). Reception on Saturday evening 7-10 pm celebrating HQ one year anniversary ([www.LP.org/ju115-1phq-party](http://www.LP.org/ju115-1phq-party)).

July 29 (Wednesday): 7:00-8:30 pm. House of Delegates Robin Grammar meeting, Baltimore County library North Point branch, 1716 Merritt Boulevard, Dundalk.

August 8 (Saturday): 2:00-5:00 pm. MdLP annual picnic. Page 4  
Memorial Day weekend 2016: Libertarian Party national convention in Orlando, FL.

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