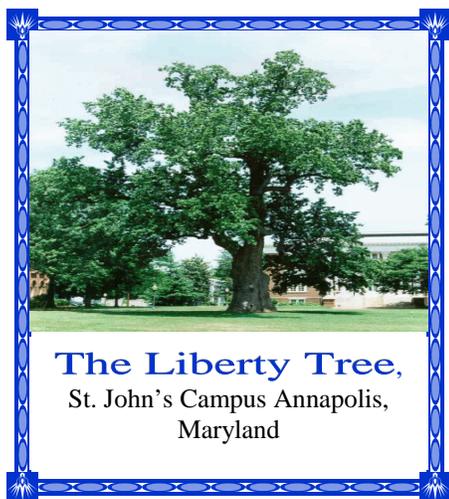


LIBERTY TREE

Vol. 8, No. 12 — November, 2006

From 67% favored to 90% opposed South Dakota Ballot Surprise

An editorial by Neil McIver



The Liberty Tree,
St. John's Campus Annapolis,
Maryland

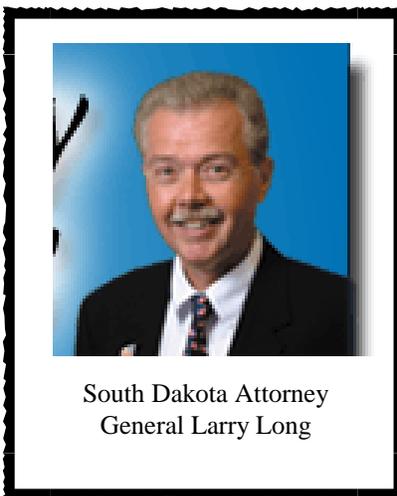
Perhaps the biggest ballot issue in the country for patriots this past election was South Dakota's Amendment E. This would have modified the SD Constitution to mandate the creation of a special grand jury to review judicial conduct and when warranted, refer a judge for trial for a suspect action or ruling. Three convictions, called "strikes", against a judge would mandate removal from office and a reduction of retirement pay.

With 46,800 valid signatures putting Amendment E on the ballot (state population is about 771,000 by 2004 figures), its many foes had reason to be concerned. They ranged from banking institutions to a number of corporate businesses that are satisfied with their present degree of influence and control over the courts. In a rare lobbying twist, even the SD legislature passed a resolution urging citizens to vote against the measure.

Enter State Attorney Larry Long, upon whom the duty falls to craft the ballot wording of Amendment E as it is to appear to voters on election day. Armed with a new state law passed specifically for the event, Long not only describes Amendment E in persuasive language, but present its likely consequences.

"Citizens serving on juries" he begins in listing the "judges" that the ballot targets ("judges" come sixth and last on the list). "Their decisions may be reversed on appeal, or they may be removed from office for misconduct or by election." Long's continues with commentary having nothing to do with the proposed amendment, except (could it be) as argument against its necessity?

After pointing out the lack of any current financial penalty, Long writes "This allows them to do their job without fear of threat or reprisal from either side." Of course, this comment does not describe the amendment but is purely Long's favorable opinion of the benefit of the current law.



South Dakota Attorney
General Larry Long

Finally Long describes the amendment, and remember, this is all how it appeared on the actual SD ballot: "The proposed amendment to the State Constitution would allow thirteen volunteers to expose these decision makers to fines and jail, and strip them of public insurance coverage and up to one-half of their retirement benefits, for making decisions which break rules defined by the volunteers. Volunteers are drawn from those who submit their names and registered voters."

Break rules "defined by the volunteers?" JAIL is about the "laws" broken by judges, not volunteer defined rules! And who are the "volunteers?" A majority of South Dakotans are registered voters, but Long lists them second to "those who submit their names." Submit their names to whom? The voter stands, pen — or perhaps mouse — in hand, perplexed in wonder.

But Long isn't finished: "If approved, the proposed amendment will likely be challenged in court and may be declared to be in violation of the US Constitution. If so, the State may be required to pay attorneys fees and costs." Editorializing on a state ballot at its worst.

How did voters react? According to state figures, on November 7th the

"Woe to you, scribes and Pharisees, hypocrites! For ye are like whitened sepulchurs, which indeed appear beautiful outward, but are full of dead men's bones, and aof all uncleanness. Thus ye also outwardly appear righteous to men, but within ye are full of hypocrisy and iniquity.

Noah Webster's 1833 Bible,
Matthew ch. 23:27-28

(Continued on page 2)

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amendment was defeated by about 295,000 to 35,600. If this count is correct, then it means 11,000 fewer people voted for the amendment than had signed the petition to put it on the ballot in the first place!!!

A 60-40 victory is commonly considered a landslide. A 70-30 victory is very rare and victory very much foreseen and often taken with a yawn. Victories on the order of 80-20 are unheard of except in the most unusual situations where candidates run with no more than the formality of opposition. But with 90-10 something is seriously wrong. Was the JAIL ballot initiative so unpopular as to be a lost cause from the start?

Not according to a Zogby poll. Less than 2 months before the election the following question was put to 504 respondents:

Amendment E called the Judicial Accountability Amendment will be on the ballot this November. The amendment would allow the creation of a citizen's oversight committee or special grand jury which would hear complaints of alleged judicial misconduct against judges. If a judge is found guilty three times of having engaged in judicial misconduct, he or she would be removed from office and could never serve in any judicial capacity in South Dakota again. Will you vote for Amendment E or will you vote against Amendment E?

Results: 67% in favor, 20% opposed with the balance undecided -- well over the landslide benchmark in "favor" and also in line with the extraordinary petition support for the amendment (6% of all South Dakotans). Subsequent polls showed favor dropping marginally in the days before the election but still in the 55% favorable range.

So how did it drop from 55/67% in favor to 90% opposed? Logically, one of two things must have happened. Either the loaded ballot wording carried a huge amount of weight among voters OR the vote was stolen. Is 'stolen' too conspiratorial a term? Mind you, this was not a relatively narrow 55-45 defeat, but a 90-10 defeat.

The amendment defined a judge as "Justice, judge, magistrate judge, judge *pro tem*, and all other persons claiming to be shielded by judicial immunity" a definition from which Long somehow managed to make citizens serving on juries the principle targets. Exactly how such a citizen jurist could be "permanently removed from office" and deprived of his "judicial retirement," as required after a 3rd conviction is something where Long is, well, short on explanation.

What can we learn from this?

If, in addition to the ballot wording fraud, vote counting fraud was also involved, then there may not be much that can be done. Mayoral candidate Randy Wooten was left to ponder this reality last month as he was informed by the City Hall of his small Arkansas town that his campaign was so bad he failed to win a single vote. He contests the finding, as he stubbornly maintains that he did indeed vote for himself. The 18-18 tie between the other two candidates was scheduled for a run-off election, though it's unclear why City Hall expected anyone to switch sides the second time around. Votes were collected on a never-to-be-trusted electronic voting system, quite possibly the Diebold model that leaves no paper trail and for which a vote-counting virus had already been demonstrated on some televised shows. A virus which, if well written, would neatly delete itself when voting was completed destroying all evidence of it's handiwork.

Fraud possibilities aside, proponents of Amendment E promise to be back in 2 years and they are expected to rewrite it to address Long's slanted claims. Perhaps with narrower language they can limit the damage that the ballot writer's pen can impose. Careful consideration needs to be given to the propaganda attacks that such initiatives attract.

And money. Opponents of Amendment E ranged far and wide including major financial businesses, lawyers groups and many other interests that have enough endearment to the existing judicial machinations to make sizeable contributions to fund an anti-JAIL campaign, which might explain the modest drop to "only" 55% approval in polls shortly before the election. Campaign funding was stacked 10-1 against the amendment.

Of course judicial accountability is needed and sorely lacking. It seems to be the only occupation where accountability for wrongdoing or poor performance is somehow considered spiteful, cruel or mean as though we should feel sorry for the performers. Long claimed judges may be removed from office for misconduct under present law, but how often does that happen? If SD judges are comparable to their federal counterparts then Long should also have noted that in its 215 year history, only 12 federal judges have ever been impeached, and of those only 9 were convicted or resigned prior to trial. Are we to believe that under robes of black, judges are truly angels of white?

All humans need accountability and here's hoping South Dakotans who've fought so hard and well for this initiative will rise again.

**Visit our website at:
www.Save-A-Patriot.org**

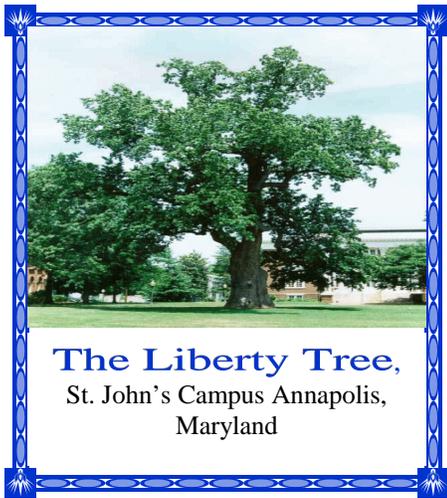


LIBERTY TREE

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TIME IS RUNNING SHORT!!

An editorial by Jim Kerr



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I saw on the NBC Evening news last night, a story about how Citco Petroleum Corp., a subsidiary of Venezuela's state-owned oil company which runs roughly 16,000 gas stations in the U.S., was donating several million gallons of discounted home heating oil to poor Americans here in Baltimore as part of a plan by Venezuelan leader Hugo Chavez, to help needy U.S. communities. This was the first I heard of Americans receiving charity from other nations, like America has given generously for years to third world countries and Israel. But there may be political reasons as well. President Bush and his bully-boys have threatened to invade Venezuela for some time now. Through the ongoing US campaign of lies, distortion, and manipulation, the International Trade Cartel ("ITC")¹ has been arranging the overthrow of Venezuela's democratically elected government for quite some time now. This is because Venezuela has been uncooperative with the ITC and their imperialistic interests. The ITC has punished non-compliant nations. This is a smart move by Venezuela, since this will probably diminish the effectiveness of anti-Venezuela ITC propaganda in the near future, and concomitantly diminish the chances of Bush et al. going to war there. As we can see, the ITC monopoly on propaganda is not absolute.

The ITC manipulates us by their media not

only by lies and spin, but by withholding information.

Were you aware of U. S. saber-rattling against noncompliant Venezuela and other Caribbean nations? Or have you heard of the genocide in Zimbabwe and South Africa? I haven't—at least not on mainstream media sources. You would be shocked to hear of the bloodbath going on in southern Africa. I think it is telling that George Orwell's book *1984* doesn't seem quite so shocking to people anymore. It appears that most Americans believe that Ignorance is Strength; after all, they seem to believe everything the "Ministry of Truth" tells them.

To find reliable mass media sources that will tell us what is really going on in this country (at least to some degree), we have to go foreign sources. Pravda, a prominent and old Russian news outlet, for example, released an article on December 5, 2006. It was entitled, "*Land of the Free, Home of the Brave. America now has staggering 7 million jailed citizens.*" Excerpts are as follows:

"As many people around the World continue in their amazement over the total moral economic collapse of the American Nation, a possible new clue as to why this [sic] so was revealed this past week with the U.S. Dept. of Justice announcing the staggering rate in which their government has been jailing their own citizens, and which now

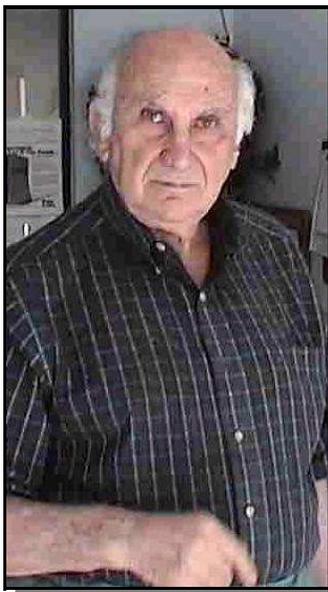
1. I use the term "International Trade Cartel" to emphasize the fact that it is the business interests that run things these days, as opposed to the other two primary jurisdictions that have, from time to time, run the show: religious authorities and civil government authorities. History teaches us that one is always predominant over the other two. For instance, the Catholic Church used to be the apex of the power pyramid for years, just as Islamic religious authorities run things in some countries today. When King Henry VIII became unhappy with Rome, he set up his own church which, of course, was run by the government; and so, the civil authorities became the ultimate authority in England, for years. In a fascist society, business interests are the ultimate authority, which is the situation we now have in America, England, and most nations today. Globalism causes fascism to thrive. In a libertarian society, neither the civil, religious or business interests predominate, because there is no overlap between the three jurisdictions. The libertarian system comes right out of the Bible.



stands at 7 million Americans * * The once great American Nation has now become the greatest jailer of human beings the World has ever known. More importantly about these numbers however, is the debilitating effect they are having upon the American society as a whole due to the fact that these horrific numbers are a direct reflection of the Totalitarian Fascist Nation that they have truly become. So draconian has life in the US become, in fact, that their Nation's internal security police, the FBI this past week received permission to monitor all American citizens by eavesdropping on their cell phones, and which according to these reports, they are able to do even if the cell phones are turned off."*

The article then goes on to quote from a British news source, *The Guardian*, in which it is written:

"The slowdown in the US economy, which has sent the dollar into freefall over the past fortnight, will have devastating knock-on effects



Irwin Schiff has been an active patriot for over forty years. He has authored many books, including *The Federal Maffia*, which a federal judge banned.

Irwin is a true patriot, and must have been effective in resisting tyranny, for the government has shown that it greatly feared his free speech, and felt it necessary to squelch it, hence his incarceration.

If you wish to write or send a card to Irwin, to give him some encouragement, his address below.

Irwin Schiff
08537-014
Federal Correctional Institution
P.O. Box 7000
Fort Dix, NJ 08640

in markets around the world, analysts warn. As the US slows, and consumers in the world's biggest economy feel the buying power of the dollar in their pocket declining, global growth will be hit hard, economists say. The greenback took yet another turn for the worse on Friday, after a survey of the US manufacturing sector showed output declining for the first time in more than three years."

And the announcer on CBS Evening Lies tells me that when the stock market makes a drastic plunge, that there is "profit taking." Yeah, right; "and chocolate rations are up, double-plus good, eh what?"

The Pravda article concludes:

"It has been well said by others, that when the American War Leader Bush announced after September 11, 2001 that the American Nation was in danger of losing its freedoms, he was more right than many of these helpless people knew, but not to any terrorist have the American people lost their freedoms, but from the actions of their own government has this been done."

You shouldn't have to go to foreign sources to get this information.

I have written before,

"One of these days, Joe 6-pack will wake up one morning, open the refrigerator, and discover that there is no beer in there. And this will startle him so much, that he will begin to wonder why!"

By the time that happens, it will be too late. We need to solve our Nation's problems NOW! Before it is too late.

On the bright side, Save-A-Patriot's radio effort is bearing fruit NOW! The station in Florida is a big hit locally—the following message was received from TV Channel 9, in Tampa Florida: "GREAT TALK SHOWS. THANKS FOR BRINGING IT TO CITRUS COUNTY!"

We are currently looking for an FM station so that we can begin to spread our message across these united States.

Yes, resisting government tyranny one person at a time (e.g., via casework, lawsuits) is worthwhile; but now we *MUST* do this en masse! Thank the Lord, we are more at the forefront than ever before, despite recent setbacks. Will you join our efforts? Your future, and the future of

