



NEW MEXICO LIBERTY

“Let Freedom Ring”

The Official Newsletter of the Libertarian Party of New Mexico

lpnm.us / lpofnm.blogspot.com

March 2015

LPNM Annual Convention

Saturday, April 18, 2015

10:00 am – 5:00 pm

Location: Room 2403, [UNM School of Law](#)
1117 Stanford NE
Albuquerque, NM 87106

A Note about *New Mexico Liberty* –

If you’re reading the electronic edition, the blue text means that it’s a clickable link. I use the text of the link so that if you have a print copy instead, you can type the URL text into your browser’s address bar.

Hope that helps!

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Suggested Donation: \$15.00

Admission Free with new membership or renewal

Scheduled Speakers:

Kerry Adams: Columnist, Rio Rancho Observer

Marisa Salazar

[Marita Noon](#)

The LPNM’s Internet Resources

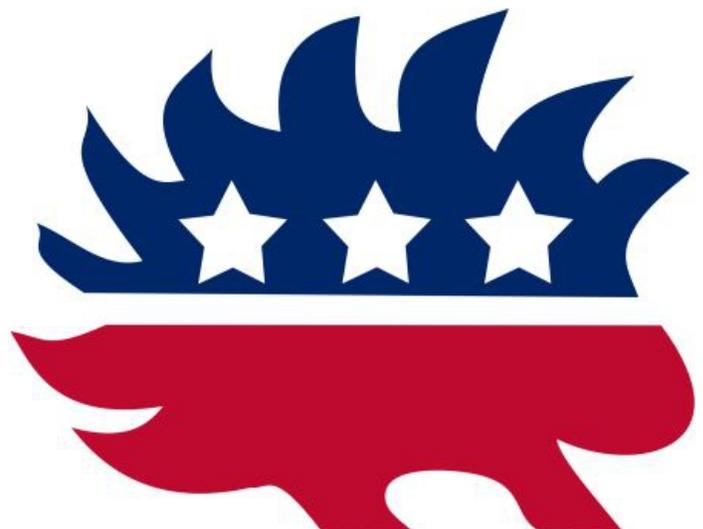
Official Website – lpnm.us

Official Blog – lpofnm.blogspot.com

LPNM Discussion – groups.yahoo.com/lpnm-discuss

Facebook group – facebook.com/groups/lp.of.nm/

YouTube channel – youtube.com/lpnmchair



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Criminal Justice Reform

By Carl M. "Marty" Swinney

Crime may be one of the best things that ever happened to politicians. Consider the unhappy facts: almost every voter has been victimized at one time or another; everyone is angry, or frightened, or possibly resigned to a deteriorating situation. In response to the public-opinion polls, the professional office-holders and office seekers are assuming predictable postures and repeating the phrases they think we all want to hear. Everybody is criticizing lenient judges, plea-bargaining prosecutors, and parole boards who usurp the intent of the law to punish and restrain felons. Most politicians pay lip service to the "WeTIP" and "Neighborhood Watch" programs, not even noting that these are local activities that have grown up outside of politics and of government.

I suggest to you that the function of a legislator is to legislate, not to deliver "pep talks" to a depressed electorate, so what this paper will concern itself with has a lot more to do with laws and new approaches of a political sort than it does with the ritualistic opposition to evil that we are hearing from the two "older" parties and their candidates. Some may disagree, but please remember that no elected official or aspirant to office can maintain his or her integrity if they mislead you or prey upon your fears in order to gain prestige as your elected representative. I would also like to remind you that government at all levels is very skillful at spending your money, but incapable of creating a Utopia.

* * * * *

Crime is not going to disappear. This should be quite obvious, for mankind, throughout history, has tried everything from unspeakable brutality to blaming law-abiding victims for creating criminals—and nothing has ever worked quite as well as we would like.

Perhaps we have overlooked a significant fact: that "society" is not a "thing" or a being or a separately-existing entity. There is really no such "thing" as "society"; there are only individuals. What we call "society" is, in reality, nothing more than the aggregate of the separate, individual interactions of millions of individual human beings in a given geographical area. Society, as such, has no rights. Each individual person does. Crime is a violation of the rights of the individual.

These violations occur when a person's right to his body or to his rightfully-acquired property is denied him. Violence, theft, fraud and coercion are, therefore, crimes. Whenever individuals act voluntarily, without trespassing on the rights of others, no crime can exist.

Unfortunately, not everyone sees it this way. There are those who believe that their personal codes of morality require them to force their neighbors to behave similarly. So laws forbidding many forms of voluntary behavior are common. Politicians, quick to respond to popular demands that uniformity be imposed in the name of morality, denounce otherwise harmless people.

This, I submit, can only create victims.

Also unfortunate is the fact that this zealous persecution of Also unfortunate is the fact that this zealous persecution of scapegoats usually intensifies as things continue to go wrong. Rising crime rates have convinced many citizens that things are out of control. The natural response is to crack down harder. Paroles are rescinded, sentences lengthened, laws of evidence are changed questioned, such as the perfectly obvious right of owning a firearm.

I therefore propose that we consider the consequences of repealing all

pointless victimless "crime" laws (and they are all pointless) and of concentrating on nothing more than the defense of the rights of the individual.

The difficulties faced by our State and Federal criminal justice systems are defined and viewed differently by the various groups concerned with criminal activity. For the penal bureaucrat, funding for new facilities is a pressing concern; for the victim, justice and restitution may be the only important goal; and for the otherwise non-involved citizen, crime prevention is vital. Still other views are obtained from parole officers, policemen and attorneys. There is no sector of the criminal justice system that is willing to admit to being satisfied with our nation's response to criminals. The most distressing aspect of this dissatisfaction is that it is always expressed in terms that place responsibility for perceived failures upon others. Police agencies, for example, cite budget cutbacks as hindering their enforcement capabilities; the assumption implicit in this complaint is that more money will somehow allow police to lower the crime rate. Prison wardens take a narrower view, simply pointing to overcrowding. Whether they see incarceration as some form of crime control is irrelevant: they are mandated to receive and to hold criminals, and this is made difficult by politicians or "uncooperative" taxpayers (who must, ultimately, foot the bill). Thus, each sector of the criminal justice system blames tight-fisted taxpayers or some other part of the system for the shortcomings of the whole.

Because of heightened public concern, each separate segment of the system is able to publicize its narrow functions and demands, implying that its individual performance is exemplary under virtually impossible circumstances. Our criminal justice system is actually at war with itself and with the public!

This scramble for attention and increased funding has several effects, none of them positive:

First, placing blame on others publicizes the shortcomings of the entire system and increases the feelings of frustration, danger and powerlessness felt by the individual taxpayer and citizen. It is in the nature of bureaus to provide conclusive evidence that their need for more money is legitimate, if not downright urgent. This is best achieved by what I call "the view to alarm". Competition for budget increases is conducted in the language of fear, exaggeration and defensive rationalizations. As an example of this, please refer to the billboards once erected around the city by the Los Angeles Police Department in their bid for a pay raise: it pictured a helpless woman about to be attacked or car-jacked—or robbed or raped or murdered. The viewer, presumably, was free to select his or her own particular "worst crime".

Second, hard feelings are inevitable. Judges must surely resent their characterization as being "soft on crime" and taxpayers often feel preyed upon by the system as a whole. Yet, if the overall perception of the criminal justice system as inefficient and unresponsive is ever to be erased, a spirit of rational planning and genuine cooperation will have to prevail.

Third, many so-called "solutions" are mere aggregates of the demands of the agencies within the criminal justice system. The politicians may take each demand at face value (a dubious procedure at best) and add up the total.

This invariably means higher taxes. Few ever question the wisdom of rewarding a system that is woefully inadequate.

Fourth, increasingly harsh measures may be called for. With each segment of the system publicizing the failures of others, the frustration of the individual voter can boil over into demands for a stern approach.

The lines between speedy justice and summary justice, between proper punishment and cruel punishment, between law enforcement and vigilantism, may become blurred.

It seems clear that a continued dependence on the individual parts of the criminal justice system for suggestions in the improvement of the system as a whole is not likely to affect the crime rate significantly (if at all) or to produce anything but accelerating tax increases and further erosion and encroachments into our already-precarious Constitutional rights. Attempting to reduce the difficulties which crime causes by spending vast and ever-increasing quantities of money will surely serve the best interests of the agencies and professions involved, but how or whether the public might benefit is neither clear nor certain.

Why A New Mexico “Invisible” LLC?

By Sherry Heim

If you want to protect your assets while remaining invisible, New Mexico has the best LLC in the world.

A LLC is like a partnership, without the liability and without actually having a partnership. As is true with a corporation, it is a legal entity that stands alone but the LLC lacks the bookkeeping issues and annual meetings that corporations must adhere to.

If you wish to remain invisible, a New Mexico LLC is what you are looking for. Only the name of the company, the address of the principal office (it can be anywhere in the world where mail can be received for your LLC and forwarded to you) and the duration of the LLC are required for the Articles of Organization. NM does not require that the names of members be included and no annual reports need to be filed. You can change location and members without having to report any of it.

The laws in all states require that LLCs have a resident agent in that state who can receive official communications and send them on promptly to the owner or manager of the LLC.

Often the use of the LLC is to hold title to owned real estate, vehicles or to rent safe deposit or mail boxes, keeping you free from being stripped of any of that property in a lawsuit or having your address information tracked or attached to a vehicle registration, which is often public record.

The fee for this very cool service? \$99.00 per year after payment of initial 3 years. More information on New Mexico Invisible LLC is available through the following links and through the Office of the Secretary of State. The links below for the Secretary of State are for information on how to fill out the forms and also a link to the forms.

<http://keepyourassets.net/the-invisible-new-mexico-llc/>
<http://www.edaps.org/new-mexico-invisible-llc/>
<http://www.northwestregisteredagent.com/newmexico-anonymous-LLC.html>
<http://www.sos.state.nm.us/uploads/Files/Corporations/dllc.pdf>
<http://www.sos.state.nm.us/uploads/Files/Corporations/dllc-i.pdf>

A Call for New Mexico to Apply for a Convention of the States to Amend the US Constitution

by Elisheva Levin, Outgoing LPNM Secretary

As I write, members of the New Mexico House of Representatives are hearing a Joint Resolution being read from the floor, a resolution to apply to the United States Congress for “a Convention of the States under Article V to place clear restraints on these and related abuses of power.” Some members of the LPNM have been working individually through citizens’ action groups such as COS and the Tea Parties to bring this resolution before our legislators in order to use Article V of the US Constitution as the last peaceful effort to bring the run-away federal government back under Constitutional control.

Article V of the United States Constitution authorizes two methods to amend the Constitution of the United States. Using the first, the US Congress proposes amendments, debates and votes on them, and then sends them to the states for ratification. All 27 amendments passed to date were added this way.

The second method, in which the several states apply to have a Convention of the States to Amend, has never been tried. Anti-federalists, who were concerned that in the case of “an elective despotism,” the people would have no recourse short of revolution, proposed it. On September 15, 1787, when it looked as though Congress would have the sole means of amending the Constitution, George Mason rose to insist upon it. In James Madison’s notes on the Convention, we read that: *Col. Mason thought the plan of amending the Constitution exceptional & dangerous. As the proposing of Amendments is in both the modes, in the first immediately and in the second, ultimately on Congress, no amendments of the proper kind would ever be obtained by the people, if the government should become oppressive, as he verily believed would be the case.*

Those of us who are working to restore liberty through the Convention of the States believe that the government has indeed become oppressive and is in the process of placing us under the despotism that Jefferson and Mason feared.

There are some individuals, who see the devaluing of liberty pervasive in our government and the civil society, and worry that the Article V Convention is a Constitutional Convention, and that the delegates sent by the states could negate the Bill of Rights and reduce us all under abject tyranny. However, the Convention of States is not a Con-Con, and the delegates will be bound by their state legislatures to consider only amending the Constitution. Because the Article V Convention of the States requires a two-thirds majority to meet, and any proposed amendments must be ratified by three-fourths of the state legislatures, any amendments would require the same process for ratification as does the more convention method. Because the Convention of the States is a method prescribed by the Constitution, it cannot legally invalidate the Constitution. Although it is certainly possible to have a lawless Convention of the States, it is unlikely, whereas we live now in absolute certainty that the federal tyranny will become harder and more repressive as the run-away federal government continues to willfully violate its very constitution.

I believe that we have little time left us to restore our constitutional republic and defend our lives, liberty and property from an increasingly insatiable Leviathan that is eating out the soul of our Republic. The Convention of the States to Amend the Constitution is our last, best hope of retaining our liberty outside of a revolution. When all is said and done, should we fail and be required to take up arms to defend our rights, I want to be able to tell my children that we tried all peaceful and constitutional means available to us.

Libertarian Party of New Mexico
Enrollment / Renewal / Donation Coupon

(Please print in all areas)

Name _____ Address _____

City _____ State _____ Zip _____ Phone _____

Email _____ Employer _____ Occupation _____

I am registered to vote as "Libertarian" in the State of New Mexico and wish to join or renew as a caucus member. I am paying \$25 annual dues. I will receive a one year (12 issues) subscription to the LPNM state newsletter "New Mexico Liberty" (the national "LP NEWS" IS NOT included) and I will have delegate status at state conventions. **I certify that I do not advocate the initiation of force to achieve political or social goals.**

Signed _____

I am not registered to vote as "Libertarian" in the State of New Mexico **and/or** I do not wish to sign the statement opposing the initiation of force to achieve social or political goals. I am paying \$25.00 for a one year (12 issues) subscription to the LPNM state newsletter *New Mexico Liberty* (the national *LP News* is **NOT** included). I understand that I will receive no other benefits.

I am making a DONATION to the LPNM in the amount of \$ _____

TOTAL of DUES or SUBSCRIPTION plus DONATION \$ _____ to be paid as follows:

by enclosed CHECK payable to "LPNM" (Sorry, we cannot accept corporate checks)

by CREDIT CARD (circle one): VISA / MASTERCARD

Number: _____ - _____ - _____ - _____ Expires: ____/____

Signature: _____

Government mandated notices:

- The US Postal Service requires us to notify you that the annual *New Mexico Liberty* subscription cost is included in your LPNM membership dues of \$25.00.
- The Internal Revenue Service requires us to print "political contributions are not tax deductible" on all fundraising appeals.
- The Federal Election Commission requires us to ask for the employer and occupation of each individual whose contributions aggregate in excess of \$200 in a calendar year.

The preceding notices alone should be enough reason to join the Libertarian Party, the only political party working to increase your freedom.

COPY OR PRINT, FILL OUT, AND SEND TO:

LPNM
c/o Ron Bjornstad
918 IVORY RD SE
RIO RANCHO NM 87124