

LIBERTARIAN PARTY OF FLORIDA PLATFORM

As Proposed April 22, 2021

Platform Committee Members:

John Thompson, Chair
Ricardo Mejias, Vice Chair
Christopher Rose II
Cody Moser
J Mark Barfield (ex-officio)

STATEMENT OF PRINCIPLE

We, the Libertarian Party of Florida, oppose the initiation of force to achieve political or social goals.

PREAMBLE

We, the Libertarian Party of Florida, stand for a free and prosperous Florida based on the principles of personal responsibility, individual liberty, and economic prosperity. We unite to engage against the transcendental potency of the State in order to defend and promote liberty, the prerequisite of which man may best participate in his own development. We oppose the initiation of force to reach social and political goals. Instead, we adopt the non-aggression principle; an idea that has been present in cultures and traditions for millennia.

Libertarians seek a society built on the pillars of individual liberty, equality under the law, and defensive use of force—a society in which all individuals are sovereign over their own lives. This most desirable method of organizing society is the natural order that arises when the inalienable rights of individuals to life, liberty and property ownership are respected and protected.

Individuals must be free to honestly and peacefully pursue their own interests and pleasures so long as it does not involve coercion, fraud, or violate the equal rights of others. Libertarians welcome the peace, prosperity, and diversity that freedom brings.

I. STATE GOVERNMENT

1. Federal Armies and Florida

In the absence of a declaration of war by the United States Congress, we oppose deployment of federal troops on Florida soil, except to defend our State in the event of foreign attack. We oppose sending Florida National Guard troops overseas. We call for a return to pre-2007 requirements in securing gubernatorial approval for the President to activate a State National Guard.

2. The Right to Bear Arms

We support the unfettered ability to possess, carry, and modify firearms and accessories for purposes including but not limited to self-defense and to secure the rights of the free individual. We support open carry and constitutional carry initiatives in Florida. We oppose all restrictions on firearms, ammunition and accessories, unless mandated by private property owners on their premises.

3. Undelegated Powers Belong to the States or the People

We support the Tenth Amendment to the U.S. Constitution, which reserves to the States and the people thereof all powers not expressly delegated to the federal government, nor prohibited to the States elsewhere in the Constitution. We urge the Supreme Court to overturn *Wickard v. Filburn*, as this act is used to nullify the Tenth Amendment by expanding federal regulatory powers over the States.

4. Equal Protection of the Law

We support equality under the law and condemn any law that either rewards or punishes any individual based on race, ethnicity, religion, gender, gender identity, sexual orientation, or any other group identification. Each person has the same inalienable rights. It is the State's duty to protect those rights for everyone equally.

5. Private Property and Markets

We recognize private property rights as an extension of self-ownership, the most basic human right. One of the functions of government is to protect the rights of all people in its jurisdiction.

This includes private entities having the right to voluntarily transfer ownership of their private property free of government price or quantity controls, intervention, or taxation.

6. Sunset Amendment

We support a systematic review and sunseting of laws, regulations, and administrative guidance that do not meet the stated intent of the of the elected officials at the time of writing.

7. State Government Accountability

Agents of the State should not be above the law. We advocate ending the immunity of all government officials, employees, and departments, from suits for compensatory damages. We oppose caps on restitution payments. We support the Florida Whistleblower Act and the Florida False Claims Act.

8. Government Transparency

We support transparency and believe that Sunshine laws should apply to all public employees wherever and however they meet. All meetings and minutes must be readily available to the public and recording devices should be welcomed. There should be no laws prohibiting or limiting electronic recording devices and reporting of any public official, including law enforcement, while performing their duties.

9. Government IDs and Data Bases

We oppose the participation by the State of Florida in the federal Real ID Act and similar federal identification or database mandates designed to collect or share data on individuals not accused of crime.

10. The Right to Privacy

We believe in the right to privacy for all peaceful individuals and condemn any attempts to subvert this right. Detaining, searching, or seizing persons or their property should always require a warrant from a State or Federal court based on probable cause of a crime being committed.

11. Monopolies

Government should never protect, maintain, nor regulate the legal monopoly status of any corporation whether public or private, or of those corporations' ownership of any company or business. These actions create an unfair playing field and are beyond the scope of small and limited government. We believe all services, especially utilities, should operate in a free and highly competitive market, whereby benefit to the consumer is raised and costs are lowered.

12. Federal Grants

We call for an end to federal spending on grants to States and local governments, coupled with an equal reduction of federal taxes. All public projects should be funded locally. Persons living and working in Florida should not be responsible financially for non-federal services to citizens in a different State.

13. Marriage and Divorce

We believe marriage is a private contract between consenting adults. As such, government need not be involved in authentication, documentation, or limitation of the institution. We support abolishing licensing requirements and restrictions, recognizing these as undue burdens upon individuals and their personal lives. We favor written and witnessed prenuptial agreements to determine the dissolution process in the event of death or desired separation.

14. Mobilization of the Population

There shall be no restrictions to the organization and mobilization of the population. This includes unrestricted ability by the whole of the people to obtain weapons, training, or supplies to defend the territory of Florida in order to secure a free and prosperous future for Floridians.

15. Immigration Law Enforcement By State and Local Governments

We oppose all policies or programs that enlist State and local government employees to enforce federal immigration laws or that require local and State authorities to comply with federal immigration law enforcement.

II. ELECTIONS

1. State Regulation of Political Parties

The only electoral duty of the State government should be providing for fair and efficient conduct of elections. Political parties, like any private voluntary group, should be free from government control and allowed to establish their own rules for nomination procedures and conventions.

2. Election Ballot Choices

We support Ranked Choice. We oppose Top Two primaries as this disproportionately suppresses minor political party representation in the general election. We also support including the option of None Of The Above (NOTA) on all ballots. In the event that NOTA receives a plurality of votes in any election, a new election should be held for which none of the losing candidates shall be eligible.

3. Campaign Finance Laws

We advocate the repeal of laws that have caps on contributions to candidates or parties, and the acceptance of alternative monetary donations such as crypto-currencies as valid campaign contributions.

Campaign finance laws should be repealed because they are unwarranted restrictions of free speech or association. We recognize that disclosure of campaign contributions in public databases is valuable information to make good voter decisions, but it conflicts with our desire to protect personal privacy.

4. Ballot Access

We support open ballot access for all parties and individuals who wish to hold public office. There must be no barriers to entry for prospective political parties and candidates, including unattainable signature requirements, exorbitant fees, or other measures which limit ballot access to a political duarchy. In addition, Section 99.103 of Florida laws, which refunds 95% of the 3% candidate filing fees only to parties with a voter registration at or above 5% of the total, should be repealed.

5. Fiscal Responsibility for Political Parties

We advocate an amendment to campaign financing laws requiring parties and candidates to pay their own way to their public offices *independent of taxpayer money*. Although legislation has been passed ending the public funding of major party political conventions and no presidential candidate has accepted public funds since 2008, these measures are not enough and this option must be removed.

III. Courts

1. Nullification Power of Jurors

We support the right of defendants to a fully informed jury, which would require judges to instruct jurors of their authority to judge not only the facts, but also the justice of the law according to their own good consciences. If a jury of peers deems a law unjust, oppressive or inappropriately applied, it has the right and duty to acquit the defendant.

2. Victims' Rights

We support restitution for victims of crimes or civil infractions at the expense of the perpetrator. The victim must also have the right to require the prosecutor to drop charges before a trial or pardon the perpetrator after a conviction (without necessarily foregoing the restitution), provided the victim is not threatened or coerced.

3. Private Adjudications of Disputes

Private adjudication of disputes by mutually acceptable arbitrators or mediators should be encouraged, prior to utilizing the public court system, while retaining the right to appeal to a court. We also believe that the current laws on private adjudication contain an unnecessary amount of overregulation that should be removed.

4. No-Fault Laws

No-fault divorce laws are preferable to divorce laws that require assignment of fault, since a divorce is a family and civil case, not a criminal case. For mandatory personal injury insurance, we oppose no-fault laws, damages must be paid to the victim by the insurance company of the driver at fault.

5. The Right to Trial By Jury

The right of trial by jury must be allowed in all criminal cases and in civil cases where the value in dispute exceeds the value of one ounce of gold. We support the right of jurors to (a) take notes during the trial, (b) submit written questions to witnesses and the judge and (c) be provided with the judge's instructions in writing and (d) be able to discuss evidence among themselves at any time.

6. Civil Asset Forfeitures

The use of civil asset forfeiture to enforce laws circumvents constitutional protections. Seizures of property obtained from criminal actions should only occur after the perpetrator has been found guilty and only for the amount of any fine specified by law that the guilty cannot otherwise pay. However, the property may need to be secured until the end of the trial, except for access to funds to pay for legal counsel and living expenses. The proceeds of the fine should go to the victims of the crime, or if they cannot be identified, to private organizations that help crime victims.

7. Gender Equality in Parental Rights

We support equal treatment and oppose sexual discrimination in any judicial proceeding adjudicating a parental right, privilege or obligation concerning his or her child.

8. Attorney Licensing

The Bar Association must cease to be the official Florida organization to which all attorneys must belong. The legal profession must be opened to competition; its clients and purely private organizations should be the judges of the quality of attorney services.

IV. PUBLIC SAFETY

1. Law Enforcement

Law enforcement cannot guarantee individual safety. As such, we advocate that law enforcement is not the first line of defense for individual safety, but a second line of defense intended to render assistance to those requiring it. Self-protection is a personal responsibility. Individuals have the right to defend themselves and to possess the means to do so. Decreasing the self-reliance of the citizenry leads to an overemphasis of policing and an increased segregation of law enforcement personnel from the people they are paid to protect. Those in law enforcement are not above the community, but members of it. As such, we call for the removal of qualified immunity from all agents of law enforcement.

2. Militarization

We support the separation of federal military units from law enforcement and disaster relief. Local agencies should not accept weapons, equipment, nor training from the federal military.

3. K-9 Units

We support the end of the use of K9 units by law enforcement for the purpose of circumventing the right to privacy and to perform unwarranted searches.

4. Prisons

State prison facilities must only be used for the incarceration of individuals who have violated the natural rights of other people. Non-violent criminals should not be housed at the expense of the public. Instead, non-violent criminals should be kept on parole, closely monitored, limited in their interaction with sensitive populations, and required to pay restitution to those whom they have wronged. The imprisonment of citizens should be undertaken with the strictest of scrutiny, as the incentives of prison operators and the mechanisms by which they are compensated are ripe for abuse.

5. Red-Light Cameras

We oppose the use of red-light cameras as a photo enforcement tool as well as any third-party non-law enforcement agency issuing fines of any kind.

6. Involuntary Institutionalization

We are opposed to involuntary institutionalization, unless for emergency medical purposes or in situations where an individual's autonomy and self-control is lost temporarily and they present an imminent hazard to themselves or others.

7. Private Security

As individuals with rights to govern ourselves and our property, we support the ability to extend those rights to private security firms for the purposes of defending our life, liberty, and property.

8. Sheriff's Jurisdiction

The power of arrest should be reserved to county sheriffs and their assigns. Outside agencies should be required to obtain permission from the sheriff prior to acting in the sheriff's jurisdiction.

9. Quotas

We oppose law enforcement “quotas” of any kind as a requirement or incentive in any law enforcement agency or activities.

10. Federal Drug War

We oppose acceptance of federal funds by the State of Florida, or agencies thereof, which are earmarked for continuing the War on Drugs.

11. Probable Cause

Police roadblocks, Rights-Free Zones, and searches without probable cause should be abolished. This includes U.S. Customs and Border Protection’s 100-Mile Border Zone which covers our State in its entirety.

12. Pandemics

Government must never overstep its bounds, even in pandemics. We strongly oppose any misuse of authority by government in order to limit, restrict, prohibit, or close establishments on private property. During times of public health crises, we call on members of government to facilitate the transfer of information and public health updates, as to allow the people to judge for themselves the health risks posed to them.

V. VICE LAWS

1. State Victimless Crimes

Criminal sentencing should be reserved for crimes which have a discernible victim. The punishment should be appropriate to the crime.

We oppose all laws and regulations that attempt to protect individuals from the consequences of their own behavior. While not necessarily condoning such activities, we advocate the repeal of all laws criminalizing gambling, possession and sale of drugs, and sexual relations between consenting adults. All those presently incarcerated or ever convicted solely for the commission of these victimless crimes must be pardoned and their records expunged.

2. Prohibitions by Private Organizations

Private voluntary organizations, such as communities, clubs, unions, private universities or businesses may enforce rules that prohibit certain activities, such as gambling, prostitution, drug-free or smoke-free dorms.

VI. Paying for Government

1. Paying for Government

Government must use voluntary means of supporting State services such as donations and user fees. We believe in voluntary means of raising revenue, not taxation, which is backed by force or the threat of force to guarantee compliance.

2. No New Taxes

The State of Florida has levied enough taxes on its citizens and trade partners, as such, no new taxes ought to be levied for new government projects. New projects must be funded from existing revenues by reducing inefficiencies or cutting current spending.

3. End Taxing Favoritism

As long as we have taxes, equal protection of the law requires that for each type of tax, the rates should be the same and the tax base should be calculated in the same way for every individual or business.

There should be no abatements, subsidies, credits, refunds or other preferential treatments as incentives to businesses to invest or create jobs, or as a privilege to individuals or classes of individuals, such as age, race or location. Such tax favoritism should be unconstitutional.

4. State Agency Budgeting

Legislative budgeting of government has historically failed to control spending or the size of government. Therefore, we support amending the State Constitution to require a supermajority of the legislative houses to approve a total budget that exceeds that of the previous year and annual auditing of all funds spent made available by request as well as posted on State websites.

5. Competing Currencies

The State and local government shall accept payment in the form of gold and silver and other competing currencies.

6. Localism

In support of Localism, we prefer home rule as it is the most local jurisdiction of government, over ones more removed in State or Federal, as these entities largely consist of legislators from other jurisdictions.

VII. Economy

1. State Regulation of Private Economy

We believe in the free market, which is the separation of the State from the owners' use and their right to engage in transactions of their private property.

Private property ownership should always include the right to buy, sell or exchange it at whatever terms agreed between buyers and sellers. We oppose State laws or regulations of the private sector of the economy that interfere with transactions agreed to by individuals, such as controls on prices, wages, rents, amount sold, employment terms, ownership share terms, or any other contractual terms that respect the same rights of other persons.

State regulations, taxes or incentives should only be used to prevent the damaging effects external to the world of private properties and markets. These are mainly the pollution of our common property such as air and water, since most of it cannot be private property and has to be shared by all, which leads to its overuse and abuse.

2. Business Regulations

State regulation of industries such as insurance and communications, and professions such as medicine and law, must end. They should be covered by the same laws on property rights and responsibilities applicable to all, enforced by the courts, and regulated by voluntary private trade or consumer groups.

3. Alternative Currencies and Legal Tender

The State shall not impose any regulations or restrictions on alternative currencies to the U.S. Dollar, nor shall it enforce legal tender laws.

4. Price Regulations

The State shall not impose regulations on the prices of goods and services. The value of goods and services is best determined by the market.

5. Government Favoritism

We reject favoritism in any form to any industries, companies or other organizations. We oppose all grants, loans, loan guarantees and investments in business by any State or local government and all regulatory schemes that create privileges or disadvantages to any business or industry.

6. Restrictions on Sales and Possessions

We oppose legal prohibitions or restrictions on the sale, purchase or possession of any goods and the sale or purchase of any services.

7. The Sharing Economy

We support the sharing economy and oppose all legal restrictions that could be imposed on it because they limit its growth, enjoyment and the flexibility of choices of those who work in it or purchase its services. Examples of these restrictions are requiring the firms that bring together buyers and providers to: (a) classify the providers into the highly regulated category of “employees” or (b) require them to meet specific qualifications. The terms of all relationships should be determined only by those involved in it.

8. Terms of Employment

All of the terms of employment contracts, such as wage rates, hours worked, benefits and work rules, should be decided only between or among the parties involved: the employers and employees. The State should not legislate the terms of employment contracts.

9. Business and Professional Licensing

All governmental units in the State must abolish business and occupational licenses and be removed from this process. The right to commerce is inherent, and a business license tax does not benefit the public nor provide consumer safety, therefore should not require the permission

of the State. Business and professions should only have to adhere to liability laws, laws against fraud and all the other laws that apply to everyone.

VIII. Welfare and Charity

1. Welfare and Its Alternatives

Government run organizations that currently provide welfare and charitable services must be privatized with the directive to continue services in the charitable private sector. These programs will transition to voluntary funding, after a reasonable period of time during which government subsidies would be reduced and organizational adjustments would be made.

In lieu of more radical solutions, we also seek more pragmatic alternatives, such as a negative income tax (NIT) or minimum incomes to completely replace the current system of transfer payments and government services at lower costs with more administrable outcomes.

2. No Interference With Private Charities

The government must not interfere with or prevent individuals and organizations seeking to provide private charity. Florida cities should also be moved to liberally interpret the 11th Circuit's Disposition in *Fort Lauderdale Food Not Bombs v. City of Fort Lauderdale* (2018) which concluded that the act of giving to the homeless is protected under our First Amendment right to Free Speech.

IX. Education

1. Parental Responsibility and Choice of Schools

Because parents or guardians are best situated to decide what is in their own children's best interests, it should be their right to decide their choice of school, type of school organization or homeschooling for them, and the responsibility of no one else to pay for it.

2. Civil Liberties in Government Education

All individuals, regardless of age, are entitled to their rights codified in the constitutions of the United States and Florida.

Random drug tests and locker searches without probable cause, censorship of student publications or speeches, disarming of adults, school promotion of religion, suppression of

student religious expressions or other restrictions of civil liberties in government-run schools violate those rights and should not be allowed. Since the ultimate responsibility for the education of children should lie with their parents, compulsory schooling and truancy laws must be repealed.

X. Environment

1. Measures to Prevent Environmental Damage

Protecting the environment requires a clear definition and enforcement of individual rights and responsibilities regarding resources like land, water, air, and wildlife. Oceans and waterways may not be deeded lands, but are to be protected and conserved similarly.

Where damages can be proven and quantified in a court of law, restitution to the injured parties must be required. Immunity shall not be given to any industry, processor, or individual, related to damages occurring through these mediums, such as chemical run off. Other unowned mediums such as air, radio frequency, light, and sound should also be treated similarly when damages occur. Civil remedies are best pursued to make whole any victims.

2. State Land Privatization

We look forward to the day when all property not required for police and court functions are returned to private ownership and control. Privatization of all public land not critical to government operations, may deed lock its future use for conservation or commercialization.

We oppose the creation of new government parks or wilderness and recreation areas. Such parks and areas that already exist should be transferred to non-government ownership. Pending such transfer, their operating costs should be borne by their users rather than by taxpayers.

3. State Withholding of Clean Energy Technology

The withholding or prohibition of clean energy technologies by any government, military, or public entity, is viewed as equal to racketeering, and we oppose such manipulation of markets and such secrecy.

XI. Health Care

1. Personal Health Care Rights

The most fundamental property right is an individual's right to own and control his or her own body. All individuals have the right to determine their own healthcare needs and treatment. Government should neither interfere nor impose upon the practitioner-patient relationship.

2. Euthanasia and Advance Directives

The right of people to extend or end their lives with dignity should not be infringed. We support the freedom to use living wills and durable medical powers of attorney.

3. The Choice of Health Care Methods

We support free choice for healthcare services, products and procedures, including the right to use experimental treatments

4. Free Market Regulation of Healthcare

We favor free market regulation for all healthcare related matters, such as medication, providers, hospitals, insurance, testing, and the advocacy of same.

5. Medical Boards, Standards and Equipment

We support voluntary medical boards and the free market establishment of industry standards and practices, and oppose government-created barriers to entry. The manufacture of medication and medical equipment should not require approval by government.

XII. SECESSION

1. The Right to Sovereign Secession

We recognize secession as a political right that sovereigns reserve to sever any relationship which they voluntarily enter. The exercise of this right should not eliminate any legal or moral obligations to uphold the rights of others, including any debts owed.

2. Local Self Government and Secession

We recognize and affirm that the sovereign State of Florida is in a voluntary relationship with the Union of States, and the sovereign individual is in a voluntary relationship with the State of

Florida. We favor these entities, as they see fit, having regular and deliberative debate discerning the state of their union between them and larger bodies of government.

XIII. INCLUSION

The Libertarian Party of Florida ratifies and hereby includes in this document the platform of the national Libertarian Party.

XIV. OMISSIONS

Our silence about any other particular government law, regulation, ordinance, directive, edict, control, restriction, regulatory agency, activity, or objections should not be construed to imply approval.

Appendix

LIBERTARIAN PARTY OF FLORIDA PLATFORM

As Revised Feb. 22, 2020

Platform Committee Members:

Ricardo Mejias, Chair

Rob Casterline, Secretary

Kevin O'Neil

John Thompson

J Mark Barfield (ex-officio)

STATEMENT OF PRINCIPLE

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PREAMBLE

We, the Libertarian Party of Florida, stand for a free and prosperous Florida based on the principles of personal responsibility, individual liberty, and economic prosperity. We unite to engage against the transcendental potency of the State in order to defend and promote liberty, the prerequisite of which man may best participate in his own development. We oppose the initiation of force to reach social and political goals. Instead we adopt the non-aggression principle; an idea that has been present in cultures and traditions for millennia.

Libertarians seek a society built on the pillars of individual liberty, equality under the law, and defensive use of force—a society in which all individuals are sovereign over their own lives. This most desirable method of organizing society is the natural order that arises when the inalienable rights of individuals to life, liberty and property ownership are respected and protected.

Individuals must be free to honestly and peacefully pursue their own interests and pleasures so long as it does not involve coercion, fraud, or violate the equal rights of others. Libertarians welcome the peace, prosperity, and diversity that freedom brings.

I. STATE GOVERNMENT

1. Federal Troops In Florida

In the absence of a declaration of war by the United States Congress, we oppose deployment of federal troops on Florida soil, except for a deployment to defend Florida in the case of foreign attack. We do not support sending Florida National Guard troops overseas for foreign conflicts or missions. We favor a return to the pre-2007 requirement for the governor to approve before the President can activate a State National Guard.

We also oppose sending State National Guard or Coast Guard personnel to foreign wars, conflicts or missions. We support the separation of federal military units from law enforcement and disaster relief.

2. The Right to Bear Arms

We support the unfettered ability to possess, carry, and modify firearms and accessories for purposes including but not limited to self-defense and to secure the rights of the free individual. We support open carry and constitutional carry initiatives in Florida. We oppose all restrictions on firearms, ammunition and accessories, unless mandated by private property owners on their premises.

3. Undelegated Powers Belong to the States or the People

We support the Tenth Amendment to the U.S. Constitution, which reserves to the States and their people all powers not expressly delegated to the United States, nor prohibited to the States elsewhere in the Constitution. We oppose the expansive interpretation of the interstate commerce clause which practically nullifies the 10th amendment. We urge the Supreme Court to overrule *Wickard v. Filburn*, the decision that was critical in expanding federal regulatory powers.

4. Equal Protection of the Law

We support equality under the law and condemn any law that either rewards or punishes any individual based on race, ethnicity, religion, gender, gender identity, sexual orientation, or any

other group identification. Each person has the same inalienable rights. It is the State's duty to protect those rights for everyone equally.

5. Private Property and Markets

Private property is all property owned by non-government entities. We recognize the rights to private property and self-ownership as basic human rights. Therefore, one of the functions of government is to protect the private property rights of all persons under its jurisdiction. This includes private entities having the right to voluntarily transfer ownership of their private property, free of government price or quantity controls, intervention or taxation.

6. Sunset Amendment

We advocate a sunset amendment to the Florida Constitution requiring: (a) a repeal of most existing laws about regulations, agencies, departments, taxes and expenditures, staggered over the next ten years, and (b) an expiration of all new or renewed laws at five years. A law can be reauthorized by the legislature, but if reauthorized, a referendum is held to confirm or overrule the reauthorization.

No new laws with materially the same provisions as the ones repealed or expiring and not reauthorized can be passed by the legislature within the next three years.

7. State Government Accountability

Individuals and State agents should not be above the law. We support expanding Chapter 768.25 of Florida Statutes to end all immunities from suits for compensation of damages against any Florida government agency or its public officials or employees when they commit any illegal act, and removing the caps of payments for damages. And we support having guilty officials pay for restitution. We also support the Florida's Whistle Blowers and False Claims Acts and awards for whistleblowers.

8. Government Transparency

We support transparency and believe that Sunshine laws should apply to all public employees wherever and however they meet. All meetings and minutes must be readily available to the public and recording devices should be welcomed. There should be no laws prohibiting or limiting electronic recording devices and reporting of any public official, including law enforcement, while performing their duties.

9. Government IDs and Data Bases

We oppose the participation by the State of Florida in (a) the Real ID Act or similar federal identification or database mandates and (b) Federal or State programs designed to mine or share data on persons who have committed no crime.

10. The Right to Privacy

We believe in the right of privacy for all lawful persons and condemn any attempts to subvert it. We hold dear the 4th amendment of the U.S. Constitution and Section 23 of the Florida Constitution, both of which forbid the government from intruding on the personal life of individuals.

Therefore, we oppose all government searches, seizures and measures to collect, mine, share or distribute data on persons, without a warrant from a State or Federal court, or not based on probable cause of a crime being committed.

11. Government and Monopolies

The State has no business protecting, maintaining or regulating legal private monopolies or owning public monopolies or any other business. These actions create an unfair playing field and go outside of the bounds of government responsibilities. This includes having “natural monopolies” such as electricity, natural gas and water.

We believe these services should all operate in a free and competitive market, where service quality is highest, and prices are lowest.

The Florida Public Service Commission must be abolished and all regulations in the industries it covers must end. The right to offer services that are now monopolies must not be curtailed.

12. Participation in Federal Grants

We believe that federal spending on grants to States and local governments should end and federal taxes reduced by the same amount. If States see a need for what some grants provide they can replace the federal taxes with State taxes. In particular, we oppose federal programs which violate the life, liberty or property of individuals by incentivizing drug arrest, which have no effect on public safety, with funding for police departments.

13. Marriage and Divorce

Marriage should be a private agreement between individuals, regardless of sex, sexual preference or gender and the State must not be involved in the ceremony, documentation, limitation or

licensing of marriages. All the terms of the marriage should be specified in a marriage contract that supersedes any law. The contract should be the evidence of the marriage.

If a contract does not cover some parts of the distribution of properties, alimony or child custody and support in a divorce, the divorce laws apply. Disagreements over the interpretation of the contract would be first submitted to a mediator, and if not resolved there, to a family court.

14. Mobilization of the Population

There shall be no restrictions to the organization and mobilization of the population. This includes unrestricted ability by the whole of the people to obtain weapons, training, or supplies to defend the territory of Florida in order to secure a free and prosperous future for Floridians.

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2. Election Ballot Choices

We support innovative voting methods that increase efficiency and voter turnout, and save taxpayer money, such as a “none of the above” choice (with a new election without the losing candidates if it wins) and rank choice voting; and we should consider proportional representation. We oppose “Top Two” primaries since these keep minority parties from being represented in the general election.

3. Campaign Finance Laws

We advocate the repeal of laws that have caps on contributions to candidates or parties, and the acceptance of alternative monetary donations such as crypto-currencies as valid campaign contributions.

Campaign finance laws should be repealed because they are unwarranted restrictions of free speech or association. We recognize that disclosure of campaign contributions in public databases is valuable information to make good voter decisions, but it conflicts with our desire to protect personal privacy.

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1. Nullification Power of Jurors

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2. Victims' Rights

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Private adjudication of disputes by mutually acceptable arbitrators or mediators should be encouraged, prior to utilizing the public court system, while retaining the right to appeal to a court. We also believe that the current laws on private adjudication contain an unnecessary amount of overregulation that should be removed.

4. No-Fault Laws

No-fault divorce laws are preferable to divorce laws that require assignment of fault, since a divorce is a family and civil case, not a criminal case. For mandatory personal injury insurance, we oppose no-fault laws; damages must be paid to the victim by the insurance company of the driver at fault.

5. The Right to Trial By Jury

The right of trial by jury must be allowed in all criminal cases and in civil cases where the value in dispute exceeds the value of one ounce of gold. We support the right of jurors to (a) take notes during the trial, (b) submit written questions to witnesses and the judge and (c) be provided with the judge's instructions in writing and (d) be able to discuss evidence among themselves at any time.

6. Civil Asset Forfeitures

The use of civil asset forfeiture to enforce laws circumvents constitutional protections. Seizures of property obtained from criminal actions should only occur after the perpetrator has been found guilty and only for the amount of any fine specified by law that the guilty cannot otherwise pay. However, the property may need to be secured until the end of the trial, except for access to funds to pay for legal counsel and living expenses. The proceeds of the fine should go to the victims of the crime, or if they cannot be identified, to private organizations that help crime victims.

7. Gender Equality in Parental Rights

We support equal treatment and oppose sexual discrimination in any judicial proceeding adjudicating a parental right, privilege or obligation concerning his or her child.

8. Attorney Licensing

The practice of law in Florida (like the practice of any other job, business or profession) should not require a State license from Florida Board of Bar Examiners (most of whose members have to be lawyers). The Bar Association must cease to be the official Florida organization to which all attorneys must belong. The legal profession must be opened to competition; its clients and purely private organizations should be the judges of the quality of attorney services.

IV. PUBLIC SAFETY

1. Law Enforcement

Law enforcement cannot guarantee individual safety. Self-protection is a personal responsibility. All individuals have the right to defend themselves and to possess the means to do so, as guaranteed by both the federal and State Constitutions.

We advocate that law enforcement is not the first line of defense for individual safety, but a second line of defense intended to render assistance to those requiring it. We advocate that all legislative action available to strengthen the protections of an individual's self-evident and sovereign right to self-preservation be taken and that no legislative action that weakens the individual's ability to self-perform a defensive action be allowed.

We advocate that an over emphasis on policing leads to a separation of the law enforcement officers from the average individual. We advocate that law enforcement is not above the citizenry, but part of the citizenry. Law enforcement officers are part of our communities and not separate from them. Decreasing the self-reliance of the citizenry to police themselves, leads to increased segregation of Law Enforcement Professionals from the people they are paid to protect. This is why we prefer the term "peace officer" to "law enforcement officer" as law enforcement implies blind adherence to the law even if the law violates the rights of the citizenry.

We advocate for the removal of sovereign immunity from law enforcement officers to allow for civil and criminal penalties to be applied to officers who bear false witness, or sign fraudulent warrants.

2. Prisons

State prison facilities must be used only for the incarceration of individuals who have violated the rights of other people, including their life, liberty, or property.

Non-violent criminals should not be housed at the expense of the public. Instead, non-violent criminals should be kept on parole, closely monitored, limited in their interaction with sensitive populations, and required to pay restitution to those whom they have wronged.

Imprisonment of citizens should be avoided or undertaken with the strictest of scrutiny, as the incentives of prison operators and the mechanisms by which they are compensated are ripe for abuse. This is especially true of private prisons which have historically been shown to be riddled with corruption. However, if private prisons were incentivized based on performance, such as achieving low recidivism rates and prisoner evaluation, they may be better than government run prisons.

3. K-9 Units

We support the end of the use of K9 units by law enforcement for the purpose of circumventing the right to privacy and to perform unwarranted searches.

4. Red-Light Cameras

We oppose the use of red-light cameras as a photo enforcement tool as well as any third-party non-law enforcement agency issuing fines of any kind.

5. Involuntary Institutionalization

We are opposed to involuntary institutionalization, unless for emergency medical purposes or in situations where an individual's autonomy and self-control is lost temporarily and they present an imminent hazard to themselves or others.

6. Militarization

Law enforcement must not accept weapons, equipment, nor training from the Federal military.

7. Private Security

As individuals with rights to govern ourselves and our property, we support the ability to extend those rights to private security firms for the purposes of defending our life, liberty, and property.

8. Sheriff's Jurisdiction

The power of arrest must be reserved to only the Sheriff and police granted to operate under the Sheriff. All other agencies must not have the power to arrest in a Sheriff's jurisdiction.

9. Quotas

We oppose law enforcement quotas of any kind as a requirement or incentive in any law enforcement agency or activities.

10. Federal Drug War

We oppose the acceptance of Federal funding and grants for drug-related offenses of any kind.

11. Probable Cause

Police roadblocks, "rights-free zones", and searches without probable cause should be abolished. This includes U.S. Customs and Border Protection's 100-Mile Border Zone which covers the State of Florida in its entirety.

V. VICE LAWS

1. State Victimless Crimes

Criminal sentencing should be reserved for crimes which have a discernible victim. The punishment should be appropriate to the crime.

We oppose all laws and regulations that attempt to protect individuals from the consequences of their own behavior. While not necessarily condoning such activities, we advocate the repeal of all laws criminalizing gambling, possession and sale of drugs, and sexual relations between consenting adults. All those presently incarcerated or ever convicted solely for the commission of these victimless crimes must be pardoned and their records expunged.

2. Prohibitions by Private Organizations

Private voluntary organizations, such as communities, clubs, unions, private universities or businesses may enforce rules that prohibit certain activities, such as gambling, prostitution, drug-free or smoke-free dorms.

VI. Paying for Government

1. Paying for Government

Government must use voluntary means of supporting State services such as donations and user fees. We believe in voluntary means of raising revenue, not taxation, which is backed by force or the threat of force to guarantee compliance.

2. No New Taxes

The State of Florida has levied enough taxes on its citizens and trade partners, as such, no new taxes ought to be levied for new government projects. New projects must be funded from existing revenues by reducing inefficiencies or cutting current spending.

3. End Taxing Favoritism

As long as we have taxes, equal protection of the law requires that for each type of tax, the rates should be the same and the tax base should be calculated in the same way for every individual or business.

There should be no abatements, subsidies, credits, refunds or other preferential treatments as incentives to businesses to invest or create jobs, or as a privilege to individuals or classes of individuals, such as age, race or location. Such tax favoritism should be unconstitutional.

4. State Agency Budgeting

Legislative budgeting of government has historically failed to control spending or the size of government. Therefore, we support constitutional changes to rules such as requiring a supermajority of the legislative houses to approve a total budget that exceeds that of the previous year and annual auditing of all funds spent made available by request as well as posted on State websites.

5. Competing Currencies

The State and local government shall accept payment in the form of gold and silver and other competing currencies.

6. Localism

As a principle, we recognize Florida as a diverse and vast people. As such, we seek to support the most local forms of government, rather than further afield governments, such as State or Federal.

VII. Economy

1. State Regulation of Private Economy

We believe in the free market, which is the separation of the State from the owners' use and their right to engage in transactions of their private property.

Private property ownership should always include the right to buy, sell or exchange it at whatever terms agreed between buyers and sellers. We oppose State laws or regulations of the private sector of the economy that interfere with transactions agreed to by individuals, such as controls on prices, wages, rents, amount sold, employment terms, ownership share terms, or any other contractual terms that respect the same rights of other persons.

State regulations, taxes or incentives should only be used to prevent the damaging effects external to the world of private properties and markets. These are mainly the pollution of our common property such as air and water, since most of it cannot be private property and has to be shared by all, which leads to its overuse and abuse.

2. Business Regulations

State regulation of industries such as insurance and communications, and professions such as medicine and law, must end. They should be covered by the same laws on property rights and responsibilities applicable to all, enforced by the courts, and regulated by voluntary private trade or consumer groups.

3. Alternative Currencies and Legal Tender

The State shall not impose any regulations or restrictions on alternative currencies to the U.S. Dollar, nor shall it enforce legal tender laws.

4. Price Regulations

The State shall not impose regulations on the prices of goods and services. The value of goods and services is best determined by the market.

5. Government Favoritism

We reject favoritism in any form to any industries, companies or other organizations. We oppose all grants, loans, loan guarantees and investments in business by any State or local government and all regulatory schemes that create privileges or disadvantages to any business or industry.

6. Restrictions on Sales and Possessions

We oppose legal prohibitions or restrictions on the sale, purchase or possession of any goods and the sale or purchase of any services.

7. The Sharing Economy

We support the sharing economy and oppose all legal restrictions that could be imposed on it because they limit its growth, enjoyment and the flexibility of choices of those who work in it or purchase its services. Examples of these restrictions are requiring the firms that bring together buyers and providers to: (a) classify the providers into the highly regulated category of “employees” or (b) require them to meet specific qualifications. The terms of all relationships should be determined only by those involved in it.

8. Terms of Employment

All of the terms of employment contracts, such as wage rates, hours worked, benefits and work rules, should be decided only between or among the parties involved: the employers and employees. The State should not legislate the terms of employment contracts.

9. Business and Professional Licensing

All governmental units in the State must abolish business and occupational licenses and be removed from this process. The right to commerce is inherent, and a business license tax does not benefit the public nor provide consumer safety, therefore should not require the permission of the State. Business and professions should only have to adhere to liability laws, laws against fraud and all the other laws that apply to everyone.

VIII. Welfare and Charity

1. Welfare and Its Alternatives

Government run organizations that currently provide welfare and charitable services must be privatized with the directive to continue services in the charitable private sector. These programs will transition to voluntary funding, after a reasonable period of time during which government subsidies would be reduced and organizational adjustments would be made.

In lieu of more radical solutions, we also seek more pragmatic alternatives, such as a negative income tax (NIT) or minimum incomes to completely replace the current system of transfer payments and government services at lower costs with more administrable outcomes.

2. No Interference With Private Charities

The government must not interfere with or prevent individuals and organizations seeking to provide private charity. Florida cities should also be moved to liberally interpret the 11th Circuit's Disposition in *Fort Lauderdale Food Not Bombs v. City of Fort Lauderdale* (2018) which concluded that the act of giving to the homeless is protected under our First Amendment right to Free Speech.

IX. Education

1. Parental Responsibility and Choice of Schools

Because parents or guardians are best situated to decide what is in their own children's best interests, it should be their right to decide their choice of school, type of school organization or homeschooling for them, and the responsibility of no one else to pay for it.

2. Civil Liberties in Government Education

All individuals, regardless of age, are entitled to their rights in the constitutions of the United States and Florida.

Random drug tests and locker searches without probable cause, censorship of student publications or speeches, disarming of adults, school promotion of religion, suppression of student religious expressions or other restrictions of civil liberties in government-run schools violate those rights and should not be allowed. Since the ultimate responsibility for the

education of children should lie with their parents, compulsory schooling and truancy laws must be repealed.

X. Environment

1. Protection of Common Property

Libertarians believe that a function of government is to protect rights and responsibilities, including those involving private property, but also common property, mostly air and water and some land, that are shared by all. Common property in air and water is unavoidable because most of it moves and cannot be contained. And being commonly available to all, not private, it is overused and abused.

2. State Land Privatization

Aside from public safety, there is no greater concern for the people of Florida than having a safe, healthy environment. We look forward to the day when all property not required for police and court functions are returned to private ownership and control. Privatization of all public land not critical to government operations, may deed lock its future use for conservation or commercialization.

We oppose the creation of new government parks or wilderness and recreation areas. Such parks and areas that already exist should be transferred to non-government ownership. Pending such transfer, their operating costs should be borne by their users rather than by taxpayers.

3. Right to Sue for Pollution Damages

Every individual must be able to exercise the ability to sue for damages for the trespass of any individual, business, government or other entity that damages or pollutes their property. We support efforts to hold all individuals, businesses and governments accountable for the damages they cause.

4. State Withholding of Clean Energy Technology

The withholding or prohibition of clean energy technologies by any government, military, or public entity, is viewed as equal to racketeering, and we oppose such manipulation of markets and such secrecy.

5. Measures to Prevent Environmental Damage

Oceans and waterways may not be deeded lands, but are to be protected and conserved similarly. Immunity shall not be given to any industry, processor, or individual, related to damages occurring through these mediums, such as chemical run off. Other unowned mediums such as air, radio frequency, light, and sound should also be treated similarly when damages occur. Civil remedies are best pursued to make whole any victims.

XI. Health Care

1. Personal Health Care Rights

All individuals must have the right to control their own bodies, which is the most important property right, in part, by determining their own health care needs and treatment.

Governments must not interfere with or impose terms or conditions on the practitioner-patient relationship. The right of people to extend or end their lives with dignity should not be infringed. We support the freedom to use living wills and durable medical powers of attorney.

2. Privacy of Medical Records

On their personal medical records patients should have their choice of levels of privacy.

3. The Choice of Health Care Methods

We support free choice for health care services, products and procedures, including the right to use experimental treatments.

4. Free Market for Medical Testing and Advocacy

We support the use of free market regulation for medical testing and advocacy.

5. Government Regulation of Medications

Government shall not regulate, tax, nor prohibit the production, ownership, or sale of medication.

6. Government Mandated Health Care or Its Insurance

Government shall not mandate medical health care or require insurance providers to administer or cover treatment.

7. Medical Boards, Standards and Equipment

We support voluntary medical boards and the free market establishment of industry standards and practices, and oppose government created barriers to entry. The manufacture of medication and medical equipment must not require approval by the government.

XII. SECESSION

1. The Right to Sovereign Secession

Sovereign individuals are in a voluntary relationship with their State and its Union. And the States entered into a voluntary relationship with the Union of States. These State deliberative bodies shall, from time to time, have active debates about the Union of these States.

We recognize and support the right of individual and political sovereigns to secede, as long as they conform to legal and moral obligations by not violating the rights of others. This applies to all citizens and to the member States of the Union of States, including Florida.

We do not advocate for Florida to secede from the United States. But we could advocate it if the Federal Government engaged in serious violations of the U.S. Constitution by a tyrannical government.

2. Local Self Government and Secession

We support the right of all local jurisdictions (such as counties, cities, school districts and special districts) to determine their political geography and government structure, including representation systems, election dates, and elected and appointed officers.

Local governments should be able to agree to merge with other jurisdictions, to split into different ones, to apply to Congress to be admitted as a State or to become a part of a different State or an independent nation; and for cities to change the county where located, not be part of a county, or merge with its county.

XIII. INCLUSION

The Libertarian Party of Florida ratifies and hereby includes in this document the platform of the national Libertarian Party.

XIV. OMISSIONS

Our silence about any other particular government law, regulation, ordinance, directive, edict, control, restriction, regulatory agency, activity, or objections should not be construed to imply approval.

REVISIONS

- Revised at the LPF Annual Business Meeting Feb. 22, 2020
- Revised at the LPF Annual Business Meeting May 4 and 5, 2019
- Revised at the LPF Annual Business Meeting May 6th and 7th, 2017
- Revised at the LPF Annual Business Meeting June 6th and 7th, 2015
- Revised at the EC vote on September 7th, 2015
- Revised at the LPF Annual Business Meeting May 25th and 26th, 2013