



HUMAN RIGHTS NETWORK NEWS

VOLUME 22,

NUMBER 2,

OCTOBER 2012

VOTE “NO” ON EXTREME LEGISLATIVE REFERENDA

During the 2011 Montana Legislature, right-wing lawmakers referred five issues to the ballot for a popular vote by using our state’s legislative referendum process. With a simple majority vote in both the House and the Senate, these legislators were able to bypass the Governor’s veto power and put issues directly to a vote. The Montana Supreme Court threw two of these measures off the ballot:

- ◆ LR-119, which would have changed the way we elect justices to the Montana Supreme Court.
- ◆ LR-123, which would have negatively impacted Montana’s budget by creating automatic tax rebates and credits that mostly would have gone to the wealthiest Montanans, thereby limiting the ability to invest in Montana communities.

All of the right-wing legislative referenda undermine our shared values of dignity, security, and fairness. What follows is information about the three legislative referenda that remain on the November 6th ballot.

LR-120: Parental Notice

LR-120 would make it very difficult for young women to access abortion care. The Religious Right has attempted to pass various versions of this proposal for over a decade after a parental-notification law was ruled unconstitutional in 1999. LR-120 is part of a right-wing agenda that aims to further erode a woman’s right to decide if and when she has children – including the right to access abortion care.

The truth is that the vast majority of teens in Montana involve
(No On LRs, cont. on page 2)



To avoid vetoes by Gov. Brian Schweitzer, right-wing Republicans referred referenda directly to November’s General Election ballot. Governor Schweitzer had his opportunity to veto many dangerous bills passed by the 2011 Montana Legislature. Now, it’s your turn! Vote against LR-120, LR-121, and LR-122.

Human Rights Network News is a publication of the Montana Human Rights Network, a non-profit organization. Contributors: Kim Abbott, Jamee Greer, Travis McAdam, and Rachel Carroll Rivas

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their parents or guardians in their decision to access abortion care. Of Planned Parenthood of Montana's 22 patients under 16 in 2011-2012, only one did not tell a parent. Planned Parenthood of Montana's chart audits show that 95% of minors younger than 16 obtaining an abortion include their parents in the decision. In all cases, the young women included a trusted adult in their decision, and all minors received unbiased counseling. The bottom line is that young women who do not include their parents or guardian have good reason for making that decision.

LR-120 isn't about protecting young people. It's about a much larger agenda to restrict women's access to the full range of reproductive healthcare. The real issue for our communities is about unintended pregnancies. There is productive work we can do to make sure that teenagers have the information they need to make informed decisions and reduce unintended pregnancies. LR-120 doesn't do that. The best way to protect our daughters, sisters, and friends is to foster strong, caring families and create the opportunity for good education.

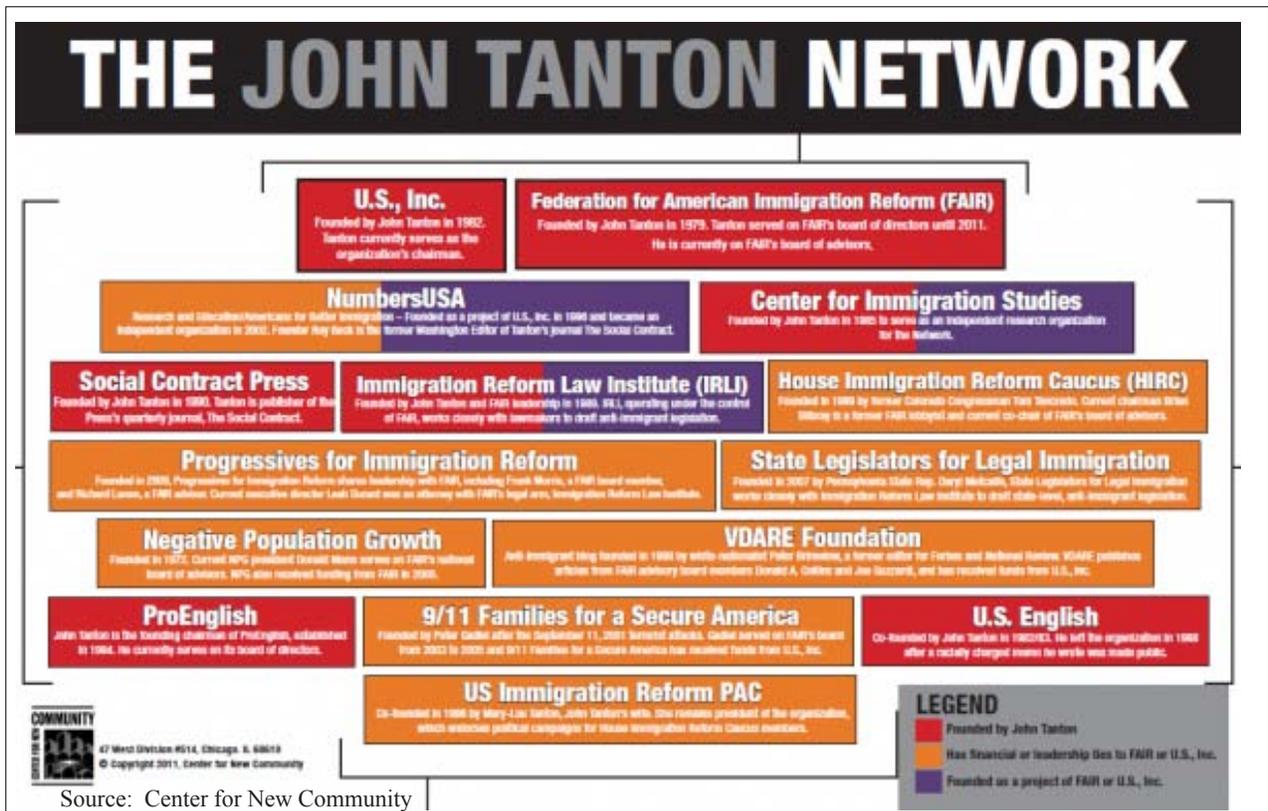
We can begin talking about responsible, appropriate relationships and sexual behavior from the time our kids are young and create an atmosphere that assures them they can come to us.

Everyone has the right to determine the structure of their family and if and when they have children. Young Montanans have that right, too. We can do our part to make sure that our youth have the information and support to make good decisions and become responsible adults. We are urging you to vote against LR-120.

LR-121: Denying State Services

If passed, LR-121 would prohibit the State of Montana from providing certain services to people who are not US citizens and who "have unlawfully entered or unlawfully remained" in the United States. Policies like LR-121 are part of a large anti-immigrant effort to criminalize members of the immigrant community and create state-level immigration laws. Some of these attempts have received a great deal of attention.

(No On LRs, continued on page 3)



John Tanton and his constellation of anti-immigrant organizations attempt to influence immigration policy at the federal, state, and local levels. Supporters of LR-121 frequently reference material from the Tanton-founded FAIR.

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For example, Arizona's SB 1070, which passed, took effect, and was challenged all the way to the US Supreme Court, started a national dialogue about the dangers of various states enacting their own immigration laws and standards. Large organizations like the Federation for American Immigration Reform (FAIR) push out model legislation to state legislators and local elected officials. FAIR, categorized as a hate group by the Southern Poverty Law Center, was founded by John Tanton. He has stated that he wants to make sure that "European-American" (meaning white) society and culture is prioritized. FAIR has hired white supremacists, promoted eugenics, and supported various racist conspiracy theories.

Needless to say, the model proposals promoted by groups like FAIR aren't homegrown ideas. Instead, they are part of a much larger anti-immigrant movement. Wherever these policies are being debated and passed, the intent is not to solve a problem. The purpose is to mobilize resentment among neighbors and instill fear in an already-vulnerable community. We need comprehensive immigration reform at the federal level that respects basic human rights and recognizes economic realities. We don't need costly, inefficient policies like LR-121, which hurt our communities and marginalize Montana immigrants.

The Network opposes LR-121 for many reasons. It is bad public policy that hurts our communities and costs us money. Montana has a rich history of being an open and welcoming place. Immigrants from all over the world helped to build our state, and immigrants from all over the world continue to be a part of what makes this state a great place to live.

If LR-121 passes, everyone who applies for the state services covered by the referendum will be affected. This measure is intended to punish, scare, and marginalize the immigrant community in Montana by instilling fear in these individuals and families and denying them access to basic services. But it is important to note that this costly and ill-advised law would have a sweeping and immediate effect on every Montanan applying for numerous state services.

LR-121 requires that the State of Montana determine the citizenship or immigration status of every applicant for the following: services for victims of crime, employment with a state agency, ability to attend any public university in Montana, student financial assistance, issuance of a state license or permit to practice a trade

or profession, unemployment insurance benefits, vocational rehabilitation, and services for the physically disabled.

It is unclear exactly how LR-121 will work if it passes. The state will determine some details as it implements the policy. What we do know is that it could force state employees to check every applicant's identity against a federal database. The state could decide that only certain documents are considered proof of citizenship (like a passport or birth certificate). In that case, if a Montanan applying for services cannot immediately prove their citizenship or immigration status by presenting these documents, the state would be required to verify status through a federal database.

If a Montanan isn't in the database and comes back a "no match," state employees are required to report that person to federal authorities. This duty-to-report provision is an unprecedented level of interference between state employees, who are providing services, and Montanans who need to access services. It would mean that state employees would be forced to report Montanans they are serving to federal law enforcement, if the people applying aren't in the database. This could split families apart and cause real harm in our communities.

The State of Montana is a great place to live and work. LR-121 is confusing, unnecessary, and hurtful to people who live here. We are urging Montanans to vote against LR-121.

LR-122: Protesting National Healthcare Reform

LR-122 attempts to prevent Montana from implementing parts of the Affordable Care Act (ACA) through state statute. Specifically, this measure "prohibits the state and federal governments from requiring the purchase of health insurance or imposing any penalty, tax, fee or fine on those who do not purchase health insurance." Earlier this year, the US Supreme Court upheld the provision of the ACA to which LR-122 objects. Also, the State of Montana cannot dictate federal law through a state statute. Should LR-122 pass, it will be challenged in court, and it will do nothing except waste state time and money.

The Affordable Care Act, which was passed by the US Congress and signed by the President, put in place many regulatory reforms on insurance companies that are already making insurance work better for Montanans. Insurance companies can no longer deny policies

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ALASKAN COX CONVICTED OF MURDER CONSPIRACY

MONTANA ACTIVITY INTERESTED FBI

In May 2010, the Network issued a briefing paper sounding the alarm about an anti-government event to be held in Missoula that month. One of the scheduled speakers was a radical militia leader from Alaska named Schaeffer Cox. Prior to the so-called "Liberty Convention" in Missoula, Cox had already toured Montana touting his anti-government ideology to local right-wing groups.

Evidently, the Network wasn't the only entity concerned about Cox.

and queen of dissidents, Cox told convention attendees that Alaska was "on the edge of blood in the streets in Fairbanks," and that he had 3,500 men under his command. He claimed that his militia could have anyone it believed to be tyrannical put to death. He said:

"They [the government] only understand us if we speak in their language of force...I have a hunch that they will

rate escapade of disguises and chases with the "Feds" through airports while he and his wife were flying back to her home state (Montana) for the convention. He discussed how he and his family were hiding in safe houses.

According to the Convention's main organizer, Mona Docteur, the Network's warnings in the press leading up to the Liberty Convention helped ensure low turnout at the event. However, even the sparse crowd of 250 was visibly taken aback by Cox's speech. They writhed in their seats, and some attendees even left as his comments became more and more extreme.

It turns out that Cox wasn't all talk. In June 2012, Cox was convicted of nine federal charges, including conspiracy to kill federal law enforcement officers and possession of illegal weapons. Coleman Barney, a "major" in Cox's militia, was convicted of gun charges and sentenced to five years. Lonnie Vernon, a militia foot soldier, was convicted, along with Cox, of gun and murder-conspiracy charges. Cox and Vernon face sentencing in November 2012 and could receive life sentences.

The convictions are the most recent example of a history of conflict between Cox and Alaskan authorities.

In March 2010, Cox faced charges of second-degree felony assault for choking and punching his wife in front of their two-year-old son. He ended up pleading guilty to a lesser charge of reckless endangerment and received a suspended sentence. Afterwards, he bragged that there were 80 militia supporters
(Cox, cont. on page 6)



Schaeffer Cox (middle) and two other members of his Alaska Peacemaker Militia, Coleman Barney (left) and Lonnie Vernon (right), were convicted in a plot to kill criminal justice employees.

The FBI began watching Cox sometime after his initial Montana speeches. Through informants, the FBI compiled a case against Cox and other members of his Alaskan militia for plotting to kill a judge and law enforcement officers.

In May 2010, Cox did speak at Celebrating Conservatism's "Liberty Convention" at the Adams Center in Missoula (see the August 2010 edition of *Network News* for more). Calling himself and his wife the king

only see that light when it is a muzzle flash. Know what I mean? We can't beat them at the polls, because we can't overcome the votes bought with money stolen from us...Declare war. I have....It takes only a few more people willing to kill for freedom than those willing to kill for tyranny."

He also talked about an elabo-

FROM ARIZONA “PATRIOTS” TO GOLD BARS IN MONTANA:

OATH KEEPERS ACTIVE AT HOME AND ABROAD

Stewart Rhodes, founder of Oath Keepers, hasn't confined his activities to Montana since moving here in 2010. Rhodes and his organization continue courting anti-government “patriots” both at home and across the country.

Rhodes started Oath Keepers in 2009. The group wants law enforcement officers and military personnel to sign onto an oath that encapsulates many of the ideas promoted by the “patriot” movement's one-world government conspiracy theories. For more on the Oath Keepers, see the Network's briefing paper at <http://mhrn.org/factsheets-advisories.html>.

Rhodes has commented he “actively support[s] the revitalization of the state militias.” However, he has tried to keep that activity away from Oath Keepers. “We need to keep the two different missions separate,” he claimed. “We will reach more of them [potential recruits] if we don't have official ties to citizens militias.” In March 2011, Rhodes gave a presentation at Valley Victory Church in Evergreen, MT, where he encouraged attendees to form militias.

Later in 2011, Rhodes and Oath Keepers inserted themselves into the small-town drama of Quartzsite, AZ, which was dealing with an attempt to recall the mayor, a dispute between the mayor and police chief, and an online video that declared

martial law was at hand. The Oath Keepers organized rallies in Quartzsite with the regional Arizona Tea Party and Sons of Liberty Riders, a right-wing “patriot” bike club.

As the Quartzsite's political battle continued, Rhodes, from his Kalispell law office, filed “notices of claim” for two Arizona activists that faced police action. The local “patriots” were seeking damages of \$350,000 for the offenses of political reprisal, First Amendment retali-



Stewart Rhodes, founder of Oath Keepers



ation, and false arrest. The town manager responded by filing a complaint with the Arizona Bar Association against Rhodes for unlawfully acting as an attorney without a law license. The Arizona Bar reprimanded Rhodes for practicing without a license in Arizona and fined him \$600.

Rhodes hasn't seemed phased by the Arizona Bar Association's slap on the hand. The reprimand did put a dent in his resume, which he uses to tout his legal and military credentials as supposed proof of his legitimacy at the same time he runs a “pa-

triot” group.

By the end of summer, Rhodes was presenting on “gun rights, dangers to gun rights like the Colorado Theater Shooting and the UN's attempted gun ban treaty, and a few other related issues” at the Perkins Restaurant in Evergreen, MT. And, in September, Rhodes attended the Constitutional Sheriffs and Peace Officers Association National Convention (CSPOA) in Las Vegas.

Former one-term Arizona Sheriff Richard Mack organized the CSPOA event and founded the organization. Mack has been a frequent speaker the last few years on the anti-government and Tea Party circuits in Montana. He tours the country trying to get sheriffs to adopt his brand of county supremacy, which follows the tradition of the white supremacist Posse Comitatus.

The Posse viewed the sheriff as the highest legitimate law officer in the land. It believed citizens were not subject to state or federal authorities. For the Posse, it was up to the sheriff to use force, if necessary, to prevent any perceived encroachment by federal institutions, especially when it came to tax and firearm regulations.

Mack believes it is up to the sheriff and militias to save America from “utter despotism.” Like Mack, Rhodes and Oath Keepers promotes the supremacy of the county sheriff.

(Oath Keepers, cont. on page 7)

(Cox, from page 4)

ready to “storm the building” to protest the domestic violence charge.

Later in March 2010, he was “monitoring” an arrest as part of his response to an alert from his “Liberty Bell” network. The Liberty Bell notifies other “patriots” if somebody believes their rights are being violated. The “patriots” receiving the alert are supposed to rally to the location where the supposed abuse is happening.

While responding to an alert, Cox failed to tell an officer that he was carrying a concealed .38-caliber pistol. Cox pleaded not guilty to a misdemeanor charge of weapons misconduct.

While awaiting trial on the weapons charge, Cox and his fellow militia members started concocting the plan that eventually led to the current convictions. Authorities stated Cox planned to bring his family to Montana but would return to Alaska to engage in “guerilla

warfare.”

Back in Montana, many of the local groups that Cox spoke to in 2009 and 2010 aren’t attracting the big crowds they were a few years ago.

In the Bitterroot Valley, Celebrating Conservatism has been relatively inactive since late 2010. After serving as its leader, Docteur was relegated to selling Goji Berry juice as a weight-loss product. This summer as she faced health problems, Docteur and her supporters tried to revive Celebrating Conservatism to raise money for her alternative cancer treatments.

While their numbers may be down, the remnants of Celebrating Conservatism and the anti-government groups that promoted Cox in 2009-2010 continue to be a salient force in Montana. The conviction of guest speakers and national leaders like Schaeffer Cox is another reminder of what can happen when anti-government rhetoric starts to move from talk to action. □



One of the Network’s board members sent in this photo earlier this year. It was from a steel bridge over Ashley Creek on the west edge of Kalispell. The bridge is part of the Rails To Trails bike path system. Someone had scratched various white supremacist slogans into the bridge. The photo displays “Sieg Heil=It means ‘Hail Victory’” and “WPWW,” which stands for “White Power Worldwide.”

(No On LRs, from page 3)

to people who have pre-existing conditions. They can no longer drop people’s coverage just because they get sick. Because of these reforms, young people are able to stay on their parents insurance policies for longer (up to the age of 25).

The ACA also implemented a “medical loss ratio” which ensures that at least 80% of premium revenue actually goes to paying for medical care instead of corporate administration and profit. Additionally, the ACA set up a system to make infor-

mation about insurance policies easier to access for those who are looking to purchase policies for themselves and their families. It also expanded the Medicaid program and set up a system that will offer various levels of subsidies for people who can’t afford private insurance, as well as tax-credits for small businesses that provide coverage for their employees.

LR-122 is a politically-driven statement against healthcare reform that solves nothing and cannot be en-



forced. It simply wastes time and energy that would be better spent making sure that Montanans can get access to the healthcare they need. We are urging Montanans to vote against LR-122. □

(Oath Keepers, from page 5)

Back in Montana, Rhodes and Oath Keepers continue making headlines. A recent case involved them coming to the rescue of a Montana man who filed bankruptcy without reporting the \$66,000 in gold and silver buried in his backyard.

The man, Renn Bodeker, previously ran for the Montana Legislature out of Sanders County on the Constitution Party of Montana ticket. The Constitution Party of Montana combines tenets of extreme Christian fundamentalism with anti-government ideology.

Following his wife losing a decade-long battle with cancer, Bodeker faced piles of medical bills. When he filed for bankruptcy, he didn't list the gold and silver as assets. As a way to avoid criminal prosecution for failing to report assets, he signed a waiver to his homestead exemption, which led to him having to vacate his house.

Rhodes and Oath Keepers energized their supporters by claiming the bankruptcy court sought to exhume Bodeker's deceased wife from the property. Rhodes has called the treatment of Bodeker "brutal and callous." Oath Keepers involvement, and that of other anti-government groups, has resulted in death threats against Bodeker's original attorney in the case. She has requested

a protective order from the court.

The gold and silver helps explain how Bodeker and Oath Keepers found each other. It appears that, like other anti-government "patriots," Bodeker converted his assets to gold and silver because he believes in various conspiracy theories regarding the worthlessness of paper currency. During one of his runs for the legislature, Bodeker railed against taxes and declared that "every citizen is sovereign," an indication he held beliefs similar to groups like the Montana Freemen. As an armed forces veteran who espouses anti-government notions, teaming up with Oath Keepers was a logical result. □

Dear Montana State Employee friends, we are excited to be part of the *State Employees' Charitable Giving Campaign!* This is an opportunity for state employees to give to non-profits like MHRN through their payroll. The campaign officially runs through November 2. *Our code is 5018.* As always, we are thankful to our many supporters!!

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JUDGE IN RACIST-JOKE INCIDENT TO TAKE “SENIOR STATUS”

Chief US District Judge Richard Cebull will assume “senior status” next year, which means he will retire from active service but will continue to hear occasional cases. The announcement came in October, as a committee of the US Ninth Circuit Court of Appeals continues to investigate him for judicial misconduct.

In late February, Judge Cebull circulated a racist and misogynistic e-mail from his official e-mail account during regular business hours. The e-mail contained a “joke” denigrating President Barack Obama and Obama’s mother. Following the *Great Falls Tribune* breaking the story, Judge Cebull’s actions generated a nationwide media firestorm with people across the country calling for his resignation (for more, see the May 2012 edition of *Network News*).

In early March, the Network filed a formal complaint with the Ninth Circuit charging that Judge Cebull violated both the Judicial Code of Conduct and the public’s trust. The Network also launched an online

petition where people could add their names to the chorus calling for Judge Cebull’s resignation. Nearly 3,000 people signed the petition. In early April, the Ninth Circuit appointed a special committee to investigate the allegations of misconduct. The investigation is ongoing.

In early October, a US Courts website posted the notice about Judge Cebull moving to “senior status” in March 2013. Judges in that status continue to hear cases, usually to help reduce the workload of active judges. It will be up to Montana’s two US Senators to make a recommendation to the President to fill the judgeship.

“We still believe that, if Judge Cebull cared about judicial integrity, he would resign from office,” said the Network’s Travis McAdam. “While it’s a positive step that he will be entering semi-retirement,

we still don’t think he belongs on the bench. His actions earlier this year have given the public good cause to forever question his integrity, fairness, and impartiality.” □



Judge Richard Cebull