

LIBERTAS

— INSTITUTE —

Advancing the cause of liberty in Utah



2015 ANNUAL REPORT



MESSAGE FROM THE PRESIDENT

They said it couldn't be done. They were wrong.

"They" is an abstraction of many people with whom I spoke, or whose comments I saw online, as I founded Libertas Institute over four years ago. There was abundant skepticism that our principles could find their way into public policy—that our agenda would have an audience in the legislature.

Our results this year—which you'll learn about in this report—provide ample evidence that our focused strategy is succeeding. And 2016 is going to be even better.

This is not to say that Utah is a bastion of liberty, or anywhere close. We've made improvements, but this was also the year that the Utah legislature passed two massive tax increases, taking away an additional \$150 million from Utahns. Even worse, this was done in a year where taxpayer revenue produced a \$700 million surplus for the state! The government's greediness knows no bounds.

Fortunately, we're in a great position to effect change. We've built up enough credibility that our message is well received by legislators, and covered often by reporters. And our support base has expanded to the point that elected officials recognize that if they vote against liberty, their constituents are going to find out, and many of them will actively convey their displeasure, in whatever form that might be. Our watchdog abilities are now well established.

As you can see to the left, we acquired new office space at the beginning of the year—in Lehi, with excellent freeway access and enough room (at least for now) for our growing team. The conference room has been a hub of nonstop activity, whether for our busy interns or the legislators, activists, and concerned citizens stopping by to strategize or discuss policy.

I'm thrilled with our success this year, and eager to share it with you in the pages ahead. I remain ever grateful to our donors who make this work possible. If you're not yet one of them, would you please consider supporting our work? We've demonstrated our ability to leverage every dollar for maximum impact. We'd love your support.

In liberty,

Connor Boyack
President, Libertas Institute



FREEST CITIES

ABOUT

Protecting the right to life, liberty, and property applies as much to Salt Lake City and St. George as it does to Washington, D.C. But too often, city officials believe that their “general police powers” exempt them from any restraints on their regulatory power. This leads to arbitrary—and in some cases, asinine—laws that restrict the behavior of individuals endowed by their Creator with natural rights.

These laws are rarely challenged, allowing cities to collect revenue and micro-manage residents without any significant opposition. The Freest Cities Index—a first-of-its-kind analysis of city laws—helps reverse this trend through transparency, highlighting how well (or poorly) Utah’s top 50 most populous cities are respecting and protecting individual liberty, private property rights, and the free market.



INDIVIDUAL LIBERTY

Do you need your city’s permission before protesting? Is there a daytime curfew? What about campaign contribution limits, firearms restrictions, or limitations on loitering, alcohol, and smoking? These metrics and more are included in the Individual Liberty category to test each city’s regard for freedom.



PRIVATE PROPERTY

Many cities arbitrarily limit the number of dogs, chickens, or bees you can have on your property. Short-term rentals like Airbnb are often banned. And cities levy hefty taxes and burden residents with debt through bonding. How does your city measure up in protecting your property rights?



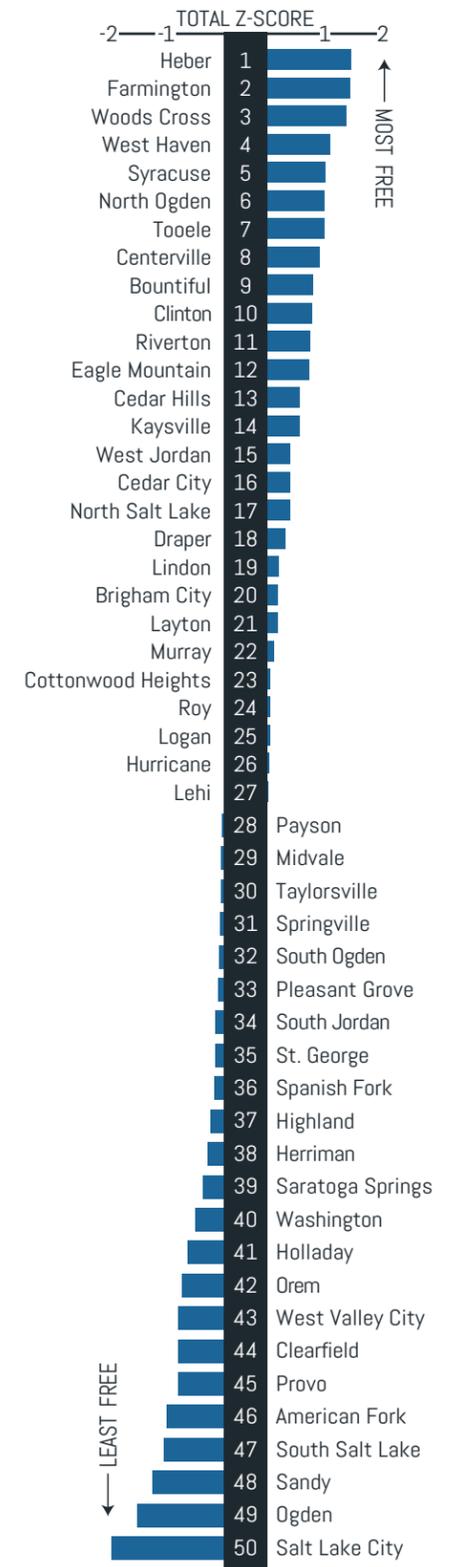
FREE ENTERPRISE

Utah’s Constitution explicitly requires a free market, yet many cities own and operate businesses that directly compete with private alternatives. We track this data along with tax rates, licensure requirements, and restrictions on how and when businesses can legally operate in each city.

HOW FREE IS YOUR CITY?

CATEGORY RANKINGS

CITY	IL	PP	FE
American Fork	10	50	39
Bountiful	6	10	17
Brigham City	8	38	20
Cedar City	44	11	10
Cedar Hills	11	20	15
Centerville	21	9	11
Clearfield	48	47	16
Clinton	30	3	22
Cottonwood Heights	41	4	41
Draper	1	15	45
Eagle Mountain	33	22	2
Farmington	27	1	6
Heber	5	5	7
Herriman	32	39	29
Highland	16	23	43
Holladay	46	18	42
Hurricane	17	36	23
Kaysville	50	7	3
Layton	40	19	19
Lehi	38	42	9
Lindon	31	16	26
Logan	26	28	25
Midvale	15	31	33
Murray	2	35	35
North Ogden	9	8	12
North Salt Lake	19	13	27
Ogden	42	48	47
Orem	36	27	46
Payson	34	33	18
Pleasant Grove	37	41	13
Provo	45	40	38
Riverton	7	17	14
Roy	22	21	34
Salt Lake City	49	49	49
Sandy	47	34	48
Saratoga Springs	20	44	31
South Jordan	12	37	36
South Ogden	29	29	32
South Salt Lake	35	46	44
Spanish Fork	43	30	24
Springville	25	24	37
St. George	13	43	28
Syracuse	14	12	4
Taylorsville	23	14	40
Tooele	3	25	5
Washington	28	45	30
West Haven	24	6	8
West Jordan	4	26	21
West Valley City	18	32	50
Woods Cross	39	2	1



See how free *your* city is at
FREESTCITIES.ORG

POLICY SUCCESSSES

As Utah's free market "think tank," Libertas Institute proposes a number of policy reforms each year to improve Utah's laws and increase freedom in the state. Our ideas fortunately tend to find a receptive audience in the Utah legislature, leading to positive change in protecting life, liberty, and property. Here are a few of the successes we had in the 2015 legislative session.

PROTECTING PARENTAL RIGHTS

**HOUSE
BILL 356**

House 71 - 1

Senate 25 - 0

Many Utahns will recall the story of Parker Jensen, who at the young age of 13 was diagnosed by a doctor with a cancer called Ewing sarcoma. His parents disagreed with the diagnosis and sought a second medical opinion, but the state repeatedly and aggressively intervened to frustrate the family's efforts—and attempted to force young Parker to undergo the prescribed treatment.

The state finally backed down in the courtroom, and a decade later, Parker is cancer-free, has married, and is now a father—a significant fact since had he been forcibly subjected to chemotherapy by the state, he may likely have been sterilized. Parker's case, unfortunately, is not unique; many others have been wrongfully and forcefully subjected to medical treatment by the state based on a single diagnosis.

House Bill 356, sponsored by Representative LaVar Christensen (54% Libertas Index ranking), enacts a number of provisions to protect parental rights by limiting the ability of the Division of Child and Family Services (DCFS) to take children into custody. The bill passed the House 71-1 and passed in the Senate unanimously.

Parents now enjoy a greater legal recognition of their right to seek a second medical opinion in allegations of medical neglect and to oversee the medical care of their child who may already be in state custody. The authority given to DCFS is also narrowed in several other areas to minimize the potential for abuse.



ASSET FORFEITURE TRANSPARENCY

**SENATE
BILL 52**

House 66 - 0

Senate 26 - 0



Our organization has been at the forefront of reforming civil asset forfeiture in Utah—the legal authority for the government to seize (steal) property from a person who has not been charged with, let alone convicted of, a crime. Unfortunately, these reforms have relied on anecdotal stories we've been fortunate to encounter.

Believing that sound public policy comes from both principle and data, we felt it important to require prosecutors to proactively disclose every instance of forfeiture so that lawmakers, activists, reporters, and others could have a complete understanding of how often forfeiture occurs in our state.

Senate Bill 52, sponsored by Senator Howard Stephenson (75% Libertas Index ranking), requires the government to furnish an annual report disclosing information for each seizure, including: the type of property; the alleged crime; the law enforcement encounter that led to the forfeiture; whether the property was transferred to the federal government where the legal standards are lower, allowing the government to more easily seize the property; and other data. SB52 passed both chambers of the legislature unanimously.

THE RIGHT TO... RAW MILK?

**HOUSE
BILL 104**

House 61 - 11

Senate 28 - 0



Several years ago, the Utah legislature legalized the sale of raw milk, but under strict regulations. At the same time, the legislature prohibited cow shares—a common practice where several families would share ownership of a cow, and divide up its milk for their use and consumption.

Of course, this prohibition violated property rights; while it was legal for one person to own a cow and drink its milk, it was against the law for two people to jointly own the cow and drink its milk. While raw milk enthusiasts tout its qualities and health benefits, our interest was strictly to repeal the prohibition that violated the right of individuals to jointly own and use property.

House Bill 104, sponsored by Representative Marc Roberts (97% Libertas Index ranking), corrected this issue by repealing the prohibition and replacing it with the express legalized authority to operate a cow share, albeit for a limited number of animals. The bill also prohibits the Department of Agriculture from enacting regulations for cow share participants. Despite significant opposition from farm, dairy, and retail industries, HB104 passed the House 61-11 and passed the Senate unanimously.

FORCIBLE ENTRY

SENATE
BILL 82

House 67 - 3

Senate 25 - 0

Last year, Libertas Institute's work positioned Utah as a leader among all the states on the issue of police reform, bringing national attention to our work. This year we doubled down on our efforts to bring better balance to the authority given to law enforcement officers to forcibly enter a person's home.

Senate Bill 82, sponsored by Senator Urquhart (56% Libertas Index ranking), imposes several new requirements on officers before authority may be given by a judge to enter a person's home using a no-knock or knock-and-account warrant. Officers are now required to wear uniforms that clearly identify them as police; after knocking, they must wait a reasonable amount of time for an occupant to answer the door; and, significantly, officers are now prohibited from using forcible entry when the alleged crime is drug use or possession, in the absence of a separate alleged crime.

Despite opposition from several government agencies, SB82 passed the Senate unanimously and passed the House 67-3.

Utah taxpayers will be required to spend \$4.4 billion on public schools this year. There are *many* ways to reduce this cost and bring efficiency to the system. One small idea we advanced—unsuccessfully—was to simply require transparency for parents of high school students.

Senate Bill 33, sponsored by Senator Aaron Osmond (53% Libertas Index ranking), would have required high schools to provide parents of incoming students with a sample early graduation schedule explaining how their child might graduate on an accelerated schedule, if desired.

Additionally, the bill would have increased an existing Centennial Scholarship—given to early graduates and applicable towards college tuition—from \$1,000 to \$2,000 as an added incentive to take this route. Doing so would, despite the scholarship cost, decrease taxpayer burden by eliminating the other costs associated with a full year of high school education.

SB33 passed the Senate on a 24-2 vote but failed in the House with 31 votes in favor, and 41 against.



TRANSPARENCY FOR PUBLIC SCHOOL PARENTS

SENATE
BILL 33

House 31 - 41

Senate 24 - 2



PEEPING POLICE

SENATE
BILL 226

House 68 - 0

Senate 25 - 0

A 2001 U.S. Supreme Court case, *Kyllo v. U.S.*, addressed the use of thermal imaging devices by law enforcement officials, and the ruling held that such devices could not be used without a warrant as they constituted a search.

“Where... the government uses a device that is not in general public use, to explore details of a private home that would previously have been unknowable without physical intrusion, the surveillance is a Fourth Amendment ‘search,’ and is presumptively unreasonable without a warrant,” the majority opinion reads. The ruling also anticipated the development of better technology—radar devices that would “enable law officers to detect individuals through interior building walls.”

Despite this warrant requirement, many police officers use these devices without judicial approval. Senate Bill 226, sponsored by Senator Mark Madsen (81% Libertas Index ranking), requires police officers to obtain a warrant if they wish to use radar or other technology that allows them to see through walls, into a residence or other structure. They must also provide notification to the people on whom they use this technology, and are required to destroy any data they collect using such a device that does not pertain to the person or persons named in the warrant. SB226 passed both the Senate and House unanimously.



KEEPING YOUR HEALTH INFORMATION PRIVATE

SENATE
BILL 119

House 55 - 17

Senate 27 - 0

In 2013, some employees of the Unified Fire Authority (Utah's largest fire agency) discovered that some vials of morphine stored in ambulances at a few fire stations had been emptied of their contents. The police were alerted, as theft was suspected—but instead of interviewing people who had access to those ambulances, the Cottonwood Heights Police Department searched and downloaded the prescription drug histories of every employee of the Unified Fire Authority. No warrant was issued in this search.

This easy access to the private health information of every Utahn violates the Fourth Amendment; just as officers would be required to obtain a warrant to enter your home and look in your medicine cabinet, they should be required to seek judicial approval before doing so virtually.

Senate Bill 119, sponsored by Todd Weiler (50% Libertas Index ranking), corrected this issue by locking down access to the database and requiring a warrant. The bill passed the Senate unanimously and passed the House 55-17.



MEDICAL CANNABIS

THE NEED

Tens of thousands of Utahns are in chronic pain, or suffer from a variety of medical conditions that prescription drugs do not adequately treat. These individuals can—and some illegally do—benefit from cannabis as an alternative treatment option.

Worse still, Utah is one of the leading states in terms of opiate overdoses; 21 Utahns die each month, on average, from prescription opiates. States with legal medical cannabis have seen their overdose rate decline by over 25%. Thus, five lives can be saved each month through legalization.

THE BILL

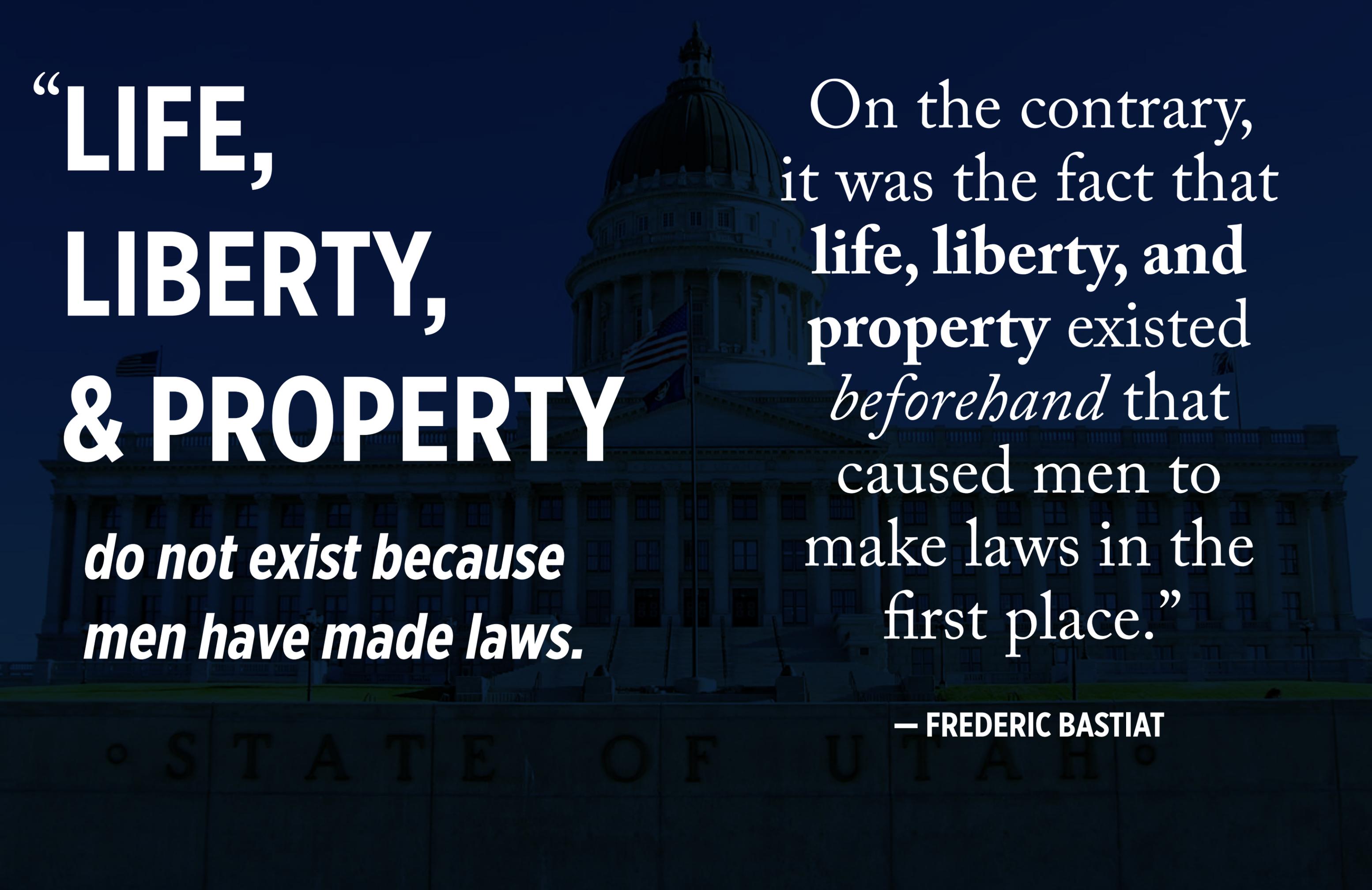
The first attempt to legalize medical cannabis in Utah, in the 2015 legislative session, failed by a single vote in the Senate. Throughout the remaining months, we worked closely with Senator Madsen, the bill's sponsor, to refine and improve the language to increase its chance the following year. This research effort has included many dozens of meetings with patients, cannabis business owners, doctors, lawyers, activists, and government bureaucrats in an attempt to craft a bill that will help those in need, while being tightly regulated enough to find support in the legislature during the 2016 general session.

THE CAMPAIGN

As the organization leading the effort to legalize medical cannabis, we've had to engage in significant fundraising, marketing, and outreach efforts to build public support. Fortunately, it's working; four independent public polls have each confirmed that over 2/3 of Utah voters support the concept behind our efforts.

We've held public meetings throughout the state, written op-eds, conducted numerous media interviews, and engaged the public through strategic social media campaigns. We are confident that our efforts will bear fruit in 2016.



The background of the image is a dark, blue-tinted photograph of the Utah State Capitol building. The building features a prominent central dome and classical architectural elements like columns and arches. An American flag is visible on a tall pole in front of the building. The overall scene is dimly lit, creating a somber and formal atmosphere.

**“LIFE,
LIBERTY,
& PROPERTY**

***do not exist because
men have made laws.***

On the contrary,
it was the fact that
**life, liberty, and
property existed
*beforehand*** that
caused men to
make laws in the
first place.”

— FREDERIC BASTIAT

° STATE OF UTAH °



2015 LIBERTY FORUM

Over 350 Libertas Institute supporters attended our annual Liberty Forum this spring to hear from legislators, get a report on our successes from the legislative session, and hear from our keynote speaker, Peter Schiff—a well known economist, author, and libertarian commentator.

We also presented a number of awards, including our annual Liberty Cap award, given to an individual—a legislator, political activist, business leader, community volunteer, or other public figure—whose efforts have furthered the Institute’s objectives in a recognizable and significant fashion. This year’s recipient was Annette Maughan, president of the Utah Epilepsy Association, for her work in educating lawmakers on the importance and benefit of medical cannabis.

Each year’s Liberty Forum is bigger and better than the last—and we have ambitious plans for 2016’s event!



EXCLUSIVE INTERVIEWS

Libertas Institute regularly features stories of interesting issues and individuals, often breaking news before traditional media outlets. Here are a few highlights from 2015:



HEATHER GARDNER

In 2014, Libertas Institute helped pass legislation to provide parents the right to opt their children out of statewide assessments. In an interview with Heather, we blew the lid open on the Utah State Office of Education issuing memos allowing schools to violate this law.

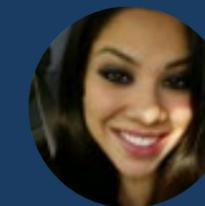
Read: LibertasUtah.org/Heather



STEPHEN PALMER

Like hundreds of Utah families, the Palmers rent out extra space in their home on services like Airbnb and VRBO. In our interview with Stephen, we broke the story of his city, St. George, imposing fines on property owners for renting their homes on a short-term basis.

Read: LibertasUtah.org/Stephen



ENEDINA STANGER

Opiates nearly killed her. Cannabis saved her life. Confined to a wheelchair with excruciating pain, Enedina suffers from a rare disease—but her use of cannabis landed her with a Class A misdemeanor. Now she’s speaking out about why legalization is needed.

Read: LibertasUtah.org/Enedina

LAW ENFORCEMENT TRANSPARENCY

Because of our efforts, Utah is now the only state to require police officers to transparently provide reports when using force, including deploying SWAT teams.



“There are simply no good statistics on police tactical operations in America. The federal government doesn’t keep track, and neither do the states — with one exception: Utah.”

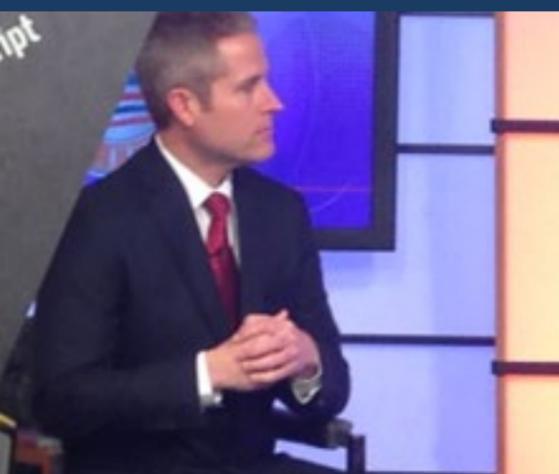
The Washington Post

“The good news in Utah is that the state has become something of a trailblazer when it comes to police reform, and more change is on the way.”

Last year, legislation proposed by Libertas Institute brought transparency to law enforcement work, specifically as it relates to SWAT team deployments and forcible entry home raids. The bill—which passed almost unanimously—required a report for each of these incidents, collecting 16 data points including whether a warrant was issued, the suspected crime, how many shots were fired, and whether anyone was injured or killed. Utah is now the only state to require such a report.

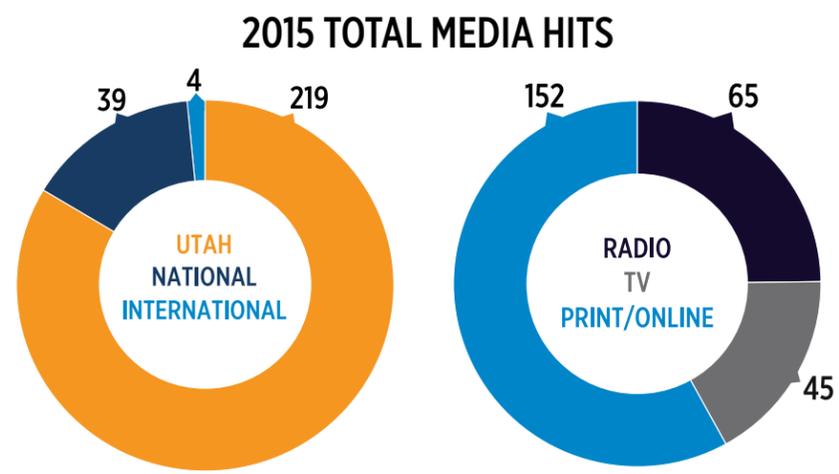


Information collected throughout 2014 was compiled into the first report, published in the fall of 2015. It can be read at LibertasUtah.org/2014Force.



IN 2015, WE WERE FEATURED IN...

KCPW **2** **Deseret News**
Associated Press **Daily Herald**
610 KVNU **Daily Mail** **FOX NEWS channel**
The Salt Lake Tribune **kuer** **90.1**
npr **CITY WEEKLY**
Talk RADIO 105.7 FM 570 AM **The Washington Post**
The Washington Times **KSL TV 5** **YAHOO!**
se STANDARD EXAMINER **The New York Times** **FOX 13 KSTU SALT LAKE CITY**



LIBERTAS NEWS
 world - business - finance - lifestyle - travel - sport
TOTAL NUMBER OF OP-EDS PUBLISHED: 13

Our earned media in 2015 increased 345% over the year before!



REACHING A NEW GENERATION WITH THE MESSAGE OF LIBERTY

TuttleTwins.com

Our unique series of children's books takes the concepts and principles from classic liberty texts and makes them accessible to kids by introducing them through fun stories accompanied by beautiful illustrations. There is nothing like this series; it stands alone in providing young children a foundation of freedom. We see it as an investment in the rising generation.

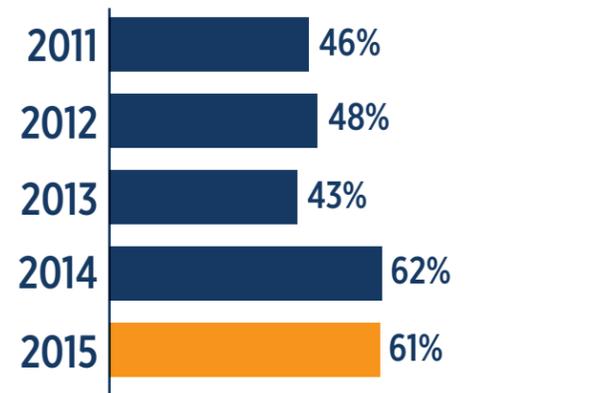
The second and third books in our Tuttle Twins series were published this year. We've sold more than 10,000 copies to families around the country, and the books are now being translated into several languages. We couldn't be happier with the extremely positive feedback our readers send us. As one parent wrote, "My children *love* these books, and I love that they are learning about liberty!"

RANKING THE LEGISLATURE

2015 LEGISLATOR INDEX

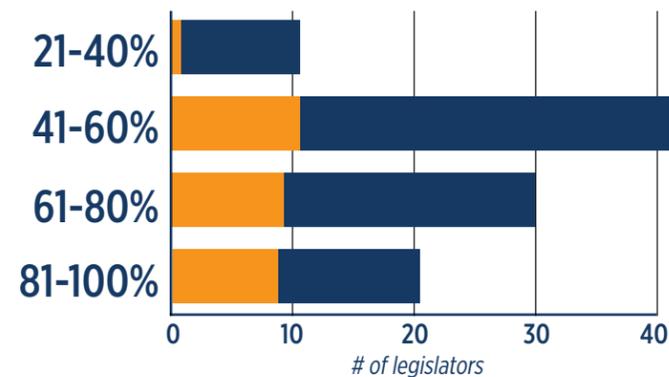
Elected officials vote on hundreds of bills each year, which makes it hard for the average Utahn to know how well their legislators are performing. We make it easy by focusing on the most important bills, succinctly explaining them, and ranking how legislators voted on each one. This transparency and simple information empowers voters to make smarter decisions and allows them to get a better picture of how friendly to liberty their Representative and Senator happen to be.

OVERALL LEGISLATURE RANKING



LIBERTAS INDEX DISTRIBUTION

SENATE
HOUSE



DEFENDERS OF LIBERTY AWARD

The following legislators achieved a Libertas Index ranking of 85% or higher during the 2015 session.

Representatives:

BRIAN GREENE | MARC ROBERTS | MIKE KENNEDY
JOHN KNOTWELL | DAVID LIFFERTH | JON STANARD
DAN MCCAY

Senators:

MARK MADSEN | AL JACKSON | SCOTT JENKINS
HOWARD STEPHENSON | ALLEN CHRISTENSEN
MARGARET DAYTON | DEIDRE HENDERSON

AVG. NO. OF BILLS INTRODUCED PER LEGISLATOR



HOUSE

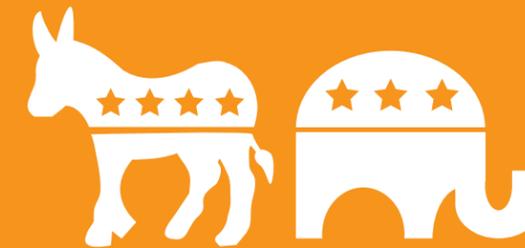
6.7 500 total

SENATE

11.4 331 total

PARTY DISTRIBUTION

HOUSE
Republican
63
Democratic
12



SENATE
Republican
24
Democratic
5

AVERAGE 2015 LIBERTAS INDEX RANKINGS



HOUSE



SENATE

Higher is better. Score is out of 100%



INTERNS

Our heavy workload necessitates a steady stream of interns to help research policy, file open records requests, analyze data, communicate with the public, and manage our advocacy and legislative processes. We've been very fortunate to find and work with some awesome interns during 2015!

During the legislative session, two part-time interns help us lobby elected officials, distribute printed material, observe committee meetings and take notes, and coordinate schedules. They also act as liaisons to our Citizen Sponsors—Utah citizens who have signed up to help lobby for or against legislation we have identified as important.

Our summer and fall research interns spent nearly two thousand hours collecting and analyzing data from 50 cities as part of our Freest Cities Index. This was no small feat, since the information was often hard to find and confusing to interpret, and it sometimes entailed calling city officials dozens of times before the data was provided.

2016 will find us working on several ambitious projects, and the need for liberty-minded college students and graduates to help us with our work is constant. While we love the help, we also make sure to provide each intern with a valuable, enlightening, and motivational experience.

Know somebody who might be interested in an internship? Please have him or her send a resume and writing sample to info@libertasutah.org.



NEW HIRES IN 2015



DJ SCHANZ
VICE PRESIDENT

DJ received his undergraduate degree from Brigham Young University and an MBA from the Thunderbird School of Global Management. In addition to his duties with Libertas Institute, DJ owns a medical records company and a political phone bank.

DJ has joined the Institute to help further its goals of advancing the cause of limited government and the ideals of the free market. He brings with him a wealth of experience, relationships, and foresight to add to Libertas' recent successful initiatives, both educationally and legislatively.

In his spare time DJ coaches Little League, conducts Cub Scout meetings, cycles, and enjoys spending as much time as possible with his wife and four children.



NICHELLE AIDEN
DIR. OF COMMUNICATIONS

Nichelle brings a combination of acting and writing experience to the table and will help transform Libertas' successful policies into engaging and impactful stories that make a meaningful difference to each Utahn. She will, in short, be our organization's chief storyteller.

Nichelle studied journalism at Utah Valley University and has been writing stories since she was a kid. She has been working as an actress in both Utah and Los Angeles for the last seven years and is currently preparing to write and direct her first short film. In her spare time she studies film, writes, rock climbs, enjoys the outdoors, and loves spending time with her nieces and nephews.



CHRIS JONES
DIR. OF DEVELOPMENT

During his thirty-year career in and out of politics, Chris has been involved in public policy and election campaigning at every level of the political scene. Growing up just outside Washington D.C., Chris was traipsing through the halls of Congress from the time he could walk.

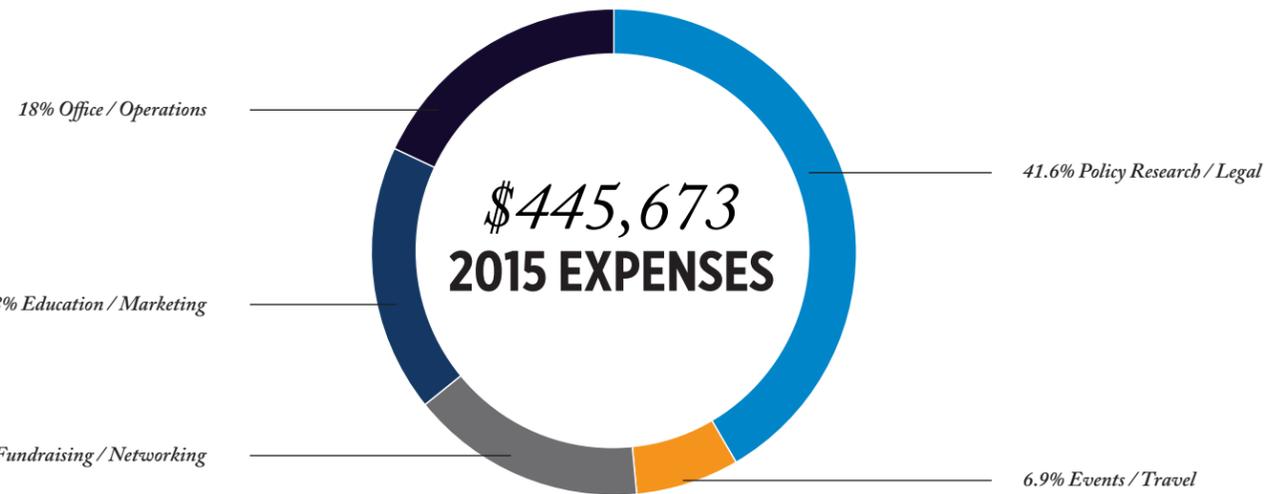
Chris graduated from Brigham Young University with a B.A. in Classics. His battlefield political experience includes a city council race, two terms as legislative district chair, a run for state legislature, three congressional campaigns, the Gary Herbert for Governor campaign and a stint as National Field Director of the Alan Keyes presidential campaign in 2000.

A prolific writer, Chris is the author of two books and dozens of essays on political theory and policy, including the 2013 Libertas Essay Contest winner. He now resides in Lehi with his wife Jeanette and their eight children.

LIBERTAS FINANCES

FUNDRAISING GOALS

Our organization exists solely because of the support of individuals who appreciate our work; we receive no government grants. Our ambitious goals in 2016 require identifying new donors to help us succeed and move the needle even further in the direction of liberty in Utah. Can you help? Please donate today!



GROWTH OPPORTUNITES

Libertas Institute hopes to expand its efforts in a few key areas in 2016. We'd like to launch a litigation center to hold the government accountable using the court system. We plan to publish three more Tuttle Twins books. And our heavy research load requires that we bring on an ad-

ditional policy analyst. We'll also be holding more public events, and we plan to launch a new Youth Liberty Summit to expose Utah teenagers to the message of liberty in a fun and informative way. We've got serious and strategic plans for this year, and would love your help.

DONATE

Please mail your contribution to:
785 E. 200 S.
Suite 2
Lehi, UT 84043

To make sure Libertas Institute has the resources to accomplish their mission, I would like to support their efforts with a contribution of:

- \$10,000 \$5,000 \$1,000 \$500 \$100 \$50

Please make your check payable to: Libertas Insitute
You can donate online at: LibertasUtah.org/donate

If you would like to make a contribution by credit card, please complete the form below:

PLEASE CHARGE MY:

- VISA
 MASTERCARD
 DISCOVERY
 AMERICAN EXPRESS

NAME: _____ PHONE: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

CARD NO: _____ EXP DATE: _____ CSC: _____

SIGNATURE: _____ EMAIL: _____

- MAKE MY DONATION A MONTHLY CONTRIBUTION



FREQUENT
RECURRENCE
===== TO =====
FUNDAMENTAL
PRINCIPLES IS
ESSENTIAL
===== TO =====
THE SECURITY
===== OF =====
INDIVIDUAL
RIGHTS

UTAH CONSTITUTION
ARTICLE I, SEC 27