

## Mimi Robson

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**From:** Mimi Robson  
**Sent:** Tuesday, August 13, 2019 2:48 PM  
**To:** lpc-discussion-group@googlegroups.com; lpc-discussion-group@googlegroups.com; exec-comm@ca.lp.org  
**Cc:** Angelamcardlelda@gmail.com  
**Subject:** 8/10/2019 Executive Committee Meeting; Executive Session

Dear All,

There seems to be a lot of discussion currently about actions taken at the Libertarian Party of California's (LPC) Executive Committee Meeting this past Saturday (August 10, 2019) and I feel a responsibility as Chair to address the issues being raised. In this statement I will only be addressing matters that are in the public record and nothing more, as required by our governing documents; the Libertarian Party of California (LPC) Bylaws, standing and special rules of order and Robert's Rules of Order, Newly Revised 11<sup>th</sup> Edition (RONR). I am going to forewarn you that this statement will likely not be sufficient for many, but it will be covering the events that were public and the procedures followed.

An issue was brought to my attention on August 7, 2019 that required immediate attention. I called a meeting of the LPC Operations Committee and a motion was passed to add this issue to the Agenda of the Executive Committee Meeting. The members in question, Robert and Jennifer Imhoff, were notified of the agenda item and were made aware of the issue that would be under consideration; both were invited to the meeting to insure they were a part of the proceedings.

On Saturday morning a motion was made to enter Executive Session so the issue could be discussed. During the course of the closed meeting, the Imhoffs were invited into the Executive Session to answer questions and give their statements; I am not violating the secrecy of the meeting as it's public knowledge that the Imhoffs were invited into the closed session for that purpose.

The Committee was in Executive Session for approximately 1 ½ hours and then rose from Executive Session and called the public meeting back to order at approximately 12:18 p.m. The actions of the session was read into the record, to become part of the minutes, as follows:

**It was moved with second to suspend the State Central Committee Memberships of Robert and Jennifer Imhoff. The motion passed with a vote of 10-2-2 (10 yes, 2 no, 2 expressed abstentions, and the Chair did not vote).**

Please note the Executive Committee's action was to "suspend" the memberships of the two individuals, not to terminate their memberships. The LPC Bylaws do not give the Executive Committee that power; only the LPC Judicial Committee (JC) has the authority to terminate a membership. Robert and Jennifer Imhoff now have the option to appeal the suspension within 30 days of the notification given to them at the meeting. If appealed, the JC will rule, after holding a hearing on the matter, whether to terminate or restore the membership of one or both of the individuals. If the suspension is not appealed the memberships of both individuals will be terminated at the end of the time allowed to appeal.

The above is the entirety of what will be public regarding this matter. The details of “cause” will not be given as it could create liability to both the Party and the Imhoffs. Per RONR, “A society has the right to investigate the character of its members and officers as may be necessary to the enforcement of its own standards. But neither the society nor any member has the right to make public any information obtained through such investigation;” Further, “Neither the society nor any of its members has the right to make public the charge of which an officer or member has been found guilty, or to reveal any other details connected with the case. To make any of the facts public may constitute libel. A trial by the society cannot legally establish the guilt of the accused, as understood in a court of law; it can only establish his guilt as affecting the society’s judgment of his fitness for membership or office.” (Page 655)

Because of the above, it was required that the LPC Executive Committee enter into Executive Session. Per RONR, “In any society, certain matters relating to discipline (61, 63), such as trials, must be handled only in executive session.” (Page 95) And no member of the LPC Executive Committee is at liberty to give any additional information regarding the details of what occurred in the closed portion of the meeting. Per RONR, “A member of a society can be punished under disciplinary procedure if he violates the secrecy of an executive session. Anyone else permitted to be present is honor-bound not to divulge anything that occurred.” (Page 96)

As additional information, the Bylaws that cover the action of the committee are as follows:

## **Bylaw 5: Membership**

### ***Section 5***

The Executive Committee shall have the power to suspend a County or State Central Committee membership for failure to maintain all the qualifications of membership established in Section 1, or for cause. Notification of the suspension is subject to written appeal within thirty days of notification. Failure to appeal shall terminate the membership. The Executive Committee may reinstate memberships terminated under this section. The term “cause” as used in this section shall include but not be limited to the following:

- A. Intentionally involving, or threatening to involve, legal authorities in any non-civil dispute against the Party or one of its affiliates; or
- B. Having unpaid debts over ninety days old outstanding to the Party.

“Cause,” in the Bylaws is vague, however a super majority of the body felt that there was sufficient and compelling *cause* to suspend the memberships after seeing the evidence that was presented as well as giving both of the Imhoffs time to answer questions and make statements.

Per the LPC Bylaws a motion for suspension can be made at any Executive Committee meeting, in Executive Session, without prior notice as the actual “Trial” is held by the LPC JC, if/when the action of suspension is appealed. However we felt that the Imhoffs should be notified in advance and asked to attend the meeting to insure the committee had all of the facts.

If/when the suspension is appealed to the LPC JC a trial will be held; evidence will be presented by both the LPC and the Imhoffs and the final decision will be issued whether to terminate or reinstate the memberships:

## **Bylaw 5**

***Section 6 (2/3 required to amend)***

Upon appeal by a County or State Central Committee member, the Judicial Committee shall hold a hearing concerning the suspension. Following the hearing, the Judicial Committee shall rule either to terminate the membership or to restore the membership.

Again, that is the entirety of what I will publically be saying on the subject. If I'm asked questions on anything that isn't in the above (anything that is not in the public record) I will not answer.

In Liberty,

Honor "Mimi" Robson  
Chair  
California Libertarian Party  
(916) 446-1776 ext 3  
770 L Street #950  
Sacramento, CA 95814



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