



Dennis Richardson
SECRETARY OF STATE

Memo

To: Interested Parties

From: Secretary of State Dennis Richardson

Re: Libertarian Party of Oregon Leadership

Date: April 7, 2017

Two groups claiming to be the rightful leadership of the Libertarian Party of Oregon (LPO) have been entangled in a lengthy court battle, and their case is currently under consideration by the Oregon Court of Appeals. Both groups have requested that my office recognize them. My office has made a careful review of the records presented by both groups, and after considerable deliberations, I have concluded that there will be no change in this office's recognition of LPO leadership.

This determination is based on the following:

1. Neither group followed the 2009 LPO bylaws that both groups agree were in force in March 2011.
2. ORS 248.011¹ makes it clear, and both groups have agreed in legal pleadings, that the Secretary of State has no jurisdiction to referee bylaw disputes.
3. In September 2011, the Secretary of State was required to decide which of these groups would be allowed to nominate a candidate in a special election. This office made a decision based on the information provided by the party chair of record and sent an official decision memo to both groups. At that point, the group that was not recognized had an opportunity to challenge the decision. Oregon's Administrative Procedures Act allows 60 days to challenge such a decision, and no challenge was filed.
4. Each of the two groups has alleged that rulings in its favor by the Libertarian National Convention (LNC) are dispositive, yet the national party has issued conflicting rulings on the issue. Most recently, the LNC voted to recognize the same group currently recognized by this office.
5. Under two previous Oregon Secretaries of State, this office has continued to follow the September 2011 decision and allowed the same group to nominate candidates for three election cycles.

¹ ORS 248.011 Except as expressly required by law, the Secretary of State, a county clerk or any other elections official shall not enforce the provisions of ORS 248.005 or any other rule adopted by a political party

In consideration of the above factors, I have concluded that it would be improper to reverse the existing precedent. It is significant to note that the current bylaws of the group this office recognizes as the Libertarian Party of Oregon allow for full participation by members of the other group. If they have continuing disagreements with the recognized leaders of the party, they are welcome to vote for other candidates or even run for office themselves. It is my sincere hope that the Libertarian Party of Oregon can move on as a unified party with much to contribute to public discourse in our state.

A handwritten signature in blue ink that reads "Dennis Richardson". The signature is fluid and cursive, with a long, sweeping tail that extends to the right.

Dennis Richardson
Secretary of State