

INDEPENDENT

Inking

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Independence Defends
the Sanctity of the Home
- PAGE 11



We are More Than a Think Tank

**WE ARE AN ACTION TANK AND A
PUBLIC RELATIONS FIRM FOR LIBERTY.**

A central role of an effective think tank is to produce quality research and analysis. Since 1985, we have provided research resulting in changes in law and policy. But we have never been content with just research. We are more than a think tank. We are an “action tank.” We put our ideas into action through groundbreaking litigation, coalition building, work on ballot initiatives, new media and investigative reporting. We don’t just fight on paper. We fight for freedom on the streets, in the statehouse, in the media, on the ballot, and in the courts.

The mission of the Independence Institute is to empower individuals and to educate citizens, legislators and opinion makers about public policies that enhance personal and economic freedom.



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Our Offensive Strategy Continues

By Jon Caldara, President

Last year seemed like a major defeat for liberty in Colorado. In many ways, this is true. We are living in a captive state.

Progressives seized power and hold majorities in every statewide office while also controlling most large county and municipal governments. They also passed a paid family leave proposal which will be insolvent in a couple years, enacted a punishing nicotine tax, and dropped killer freakin' wolves in other people's backyards.

Last year also marked the year Independence Institute permanently shifted our strategy. For years, I've been saying that offense is the best defense, such as when we defeated the terrible infrastructure proposal of 2018 by putting our own on the ballot, called "Fix Our Damn Roads". But for the most part, we have been forced to play defense against the Progressive machine that has swept away Colorado's spirit of individual liberty. We won many victories and delayed the takeover of our beloved state, but now it's time to truly go on offense.

When Progressives began their long term planning project of taking over Colorado, they were a small minority in the state. They spent decades building up their infrastructure to take over and transform the Colorado you and I loved. Now, it's our turn. While not holding official power, we do have the power to change this circumstance.

Last year, you saw a sizeable test of this shift in strategy. We worked with our coalition partners to fight the attempt to abolish our Taxpayer's Bill of Rights (TABOR) and our state's flat income tax. The people of Colorado, while voting in a slew of Progressive candidates, heard our message and voted to support TABOR and permanently lower our flat income tax rate.

This year, Independence Institute is unveiling a multi-year strategy of offensive measures to retake our state. Unlike the Progressives, we already have the machinery in place to begin

this offensive, and we are confident we can win. We have built the infrastructure to turn the tide.

We created a media empire that is larger than many of the legacy media outlets that pump out pro-Progressive propaganda they label as "news," meaning we control our own narrative. Our 3 studios are capable of live-radio broadcasts, recording podcasts, producing high quality videos, and livestreaming interviews and urgent news on demand. No other organization in Colorado can claim this reach.

We are truly the Public Relations Firm for Liberty. Our media capacities allow this to happen, but Liberty is also a team sport. We bring our often-fractionious Center Right Coalition together to strategize and organize on behalf of every Coloradan.

The fights we used to have out in the open (which often cost us victories) are now much less because of our tireless work to bring the groups who share a common cause if not a common vision together at our Freedom Embassy (our HQ) to create a better Colorado for everyone. This is how we managed to persuade everyday Coloradans to strengthen our TABOR and state's flat income tax: because our coalition worked together.

While it takes time, we are confident that the foundation we have laid—victory by victory and coalition by coalition—is more than adequate to launch this next chapter of Independence Institute's destiny.

Progressives aimed high and so will we. I am confident our new strategy will be the spark that sweeps aside their pernicious attack on our beloved state. While the future seems bleak now, I am confident that the best is yet to come.

Think Freedom,



Keeping an Eye on Spending

By Ben Murray

While the craziness of last year's election has passed, Colorado Democrats are keeping the Fiscal Policy Center here at Independence Institute plenty busy. Governor Polis and the state legislature are giddy over the improved budget forecasts that have been made since they passed the current year's budget last June. Rather than seeing this as an opportunity to pay back the cash funds they raided last year, or save for the next rainy day, they're stumbling over themselves searching for ways to spend the windfall. The Fiscal Policy Center is pushing back and challenging the Left's narrative that higher taxes and more government will get the state back on the right path.

In his State of the State address in February, Polis proposed a \$1 billion economic stimulus package on top of the emergency stimulus bill passed by the General Assembly in December and the trillions in federal stimulus funds. After a year of executive actions and mandatory closures of our economy that have left Coloradans flat on their faces, the governor proclaimed in his address that it's now government's job "to help folks get back on their feet." At Independence Institute, we believe that too much government is the problem, and more government will not improve the state's outlook.

The Fiscal Policy Center is monitoring what our elected officials are up to, how they're spending taxpayer dollars, and how their policies have impacted the state's residents. In a little noticed Joint Budget Committee (JBC) hear-

ing, for example, legislators voted to increase funding by nearly \$5 million for the Division of Housing, the state agency responsible for administering affordable housing programs. This may sound reasonable, but here's where context is everything. The agency's budget has ballooned from around \$68 million to over \$550 million due to state and federal pandemic-related stimulus funds. They have so much money to hand out, they can't even keep up. As a result, the agency requested that the JBC reduce their funding by around \$5 million in this year's regular spending bill—and the committee said "no!" If the state has millions lying around to hand out to agencies who say they don't need it, maybe they could fix our roads or lower taxes.

Unsurprisingly, things like this typically go entirely unnoticed, or at least unreported, by the mainstream press. If not for Independence Institute's Fiscal Policy Center, another \$5 million in waste would have flown under the radar. Keep an eye on the i2i.org/fiscal webpage and pagetwo.completecolorado.com for more out of our center.



Ben Murray

Ben Murray serves as Director of Fiscal Policy, working to promote fiscal responsibility in Colorado government and to defend the Taxpayer's Bill of Rights.

JOIN US FOR LOCAL GOVERNMENT TRAINING



Learn how to get something on your local ballot or learn the skills needed to apply for local positions and to serve as an effective leader. The training will cover the board/commission application process, what to expect once you are on a board, and the ongoing support we offer to you as you serve your community.

REGISTER

i2i.org/local-gov

WHERE

Your living room! The class will be held online.

WHEN

Our next class is 6 pm
April 15, 2021

Liberty Common Charter School

By Pam Benigno

What is making a difference in the lives of Colorado school children? At Independence Institute's Education Policy Center, we seek out exemplary education programs offered by Colorado public school districts. Since 2005 our reports have shone a light on what's working in education so districts can replicate these unique programs for their own students. In recent years, we have expanded the series of research publications to include individual public school profiles. Colorado school district board members, legislators, principals, teachers, parents, and other community leaders have an opportunity to discover what Colorado educators are doing at the district and school level to help students succeed.

In January we published the third installment in our Colorado public schools profile series: *Liberty Common Charter School: Excellence in Education*. Education Senior Fellow Ross Izard captures the essence of one of Colorado's most successful public schools as it inspires students even during the pandemic.

Liberty Common is an award winning K-12 public charter school authorized by the Poudre School District in Fort Collins, Colorado. The secret to its success is a strong curriculum, great teachers and leaders, and engaged parents and students. In the early grades, students receive explicit, systematic phonemic awareness and phonics instruction. Students in kindergarten through eighth grade are inspired by the content-rich Core Knowledge Sequence. The high school is a classically-oriented liberal arts college-preparatory institution that emphasizes math, science, and engineering. An important aspect of Liberty Common's pursuit of excellence is its character education program.

The road to excellence was not an easy one. Former U.S. Congressman Bob Schaffer, the Headmaster of Liberty Common, his wife Maureen, and other parents in the Poudre School District, sought to open a "school of choice" even before Colorado had a charter school law. Wanting a rigorous, rich curriculum, they selected the Core Knowledge Sequence by Dr. E.D. Hirsch Jr., which instills a solid foundation of cultural literacy.

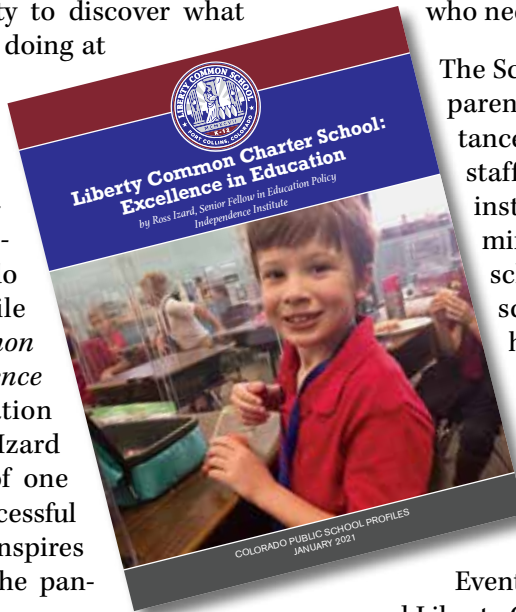
In spring 1993, about the same time the charter school law passed, the district approved a new Core Knowledge school as a district school with an independent governing board and the freedom to choose curricula. The new school was off to a good start. Unfortunately, a couple of years later, conflict developed between the school and the district. According to an historical account written by Dr. Maureen Schaffer, the district informed the parent-led board that it was taking over the hiring of faculty. The district immediately replaced two of the school's teachers with tenured district teachers who needed placement.

The Schaffers and other concerned parents understood the importance of maintaining control over staffing to ensure high-quality instruction. They were determined to open a second new school, this time a charter school where they would have that essential liberty. To gain approval for a Core Knowledge charter school, founding parents had to fight difficult and expensive legal battles with the Poudre School District.

Eventually, parents succeeded and opened Liberty Common School in the fall of 1997. The college-preparatory high school was added in 2010.

Today, Colorado's public-school system boasts more than 260 charter schools offering a variety of educational programs statewide. Almost one-third of Colorado's charter schools have implemented the popular Core Knowledge Sequence and/or a classical education program. New schools continue to open to accommodate the thousands of children who are on waitlists for some of the best schools in the state, like Liberty Common Charter School.

You can find *Liberty Common Charter School: Excellence in Education* at ThinkFreedom.org. We promise you will be inspired by the school's unique vision and the photographs of thriving students!



Pam Benigno

Pamela Benigno is Director of the Education Policy Center. A tireless advocate for both public and private school choice, she works with education organizations, policymakers, and community leaders to expand school choice opportunities.

Donate Ammo to the FASTER Program

By Laura Carno

Independence Institute's FASTER (Faculty/Administrator Safety Training and Emergency Response) program trains armed school staffers to stop school violence quickly and administer medical aid immediately. In order to maintain their certification, these staffers need to meet annual training requirements, and in order to do so, they need ammunition. In fact, depending on the level, FASTER classes require between 500-800 rounds of ammunition for each class member. Economic uncertainty and the real threat of anti-gun action by

the federal and state government has made ammunition scarce and expensive.

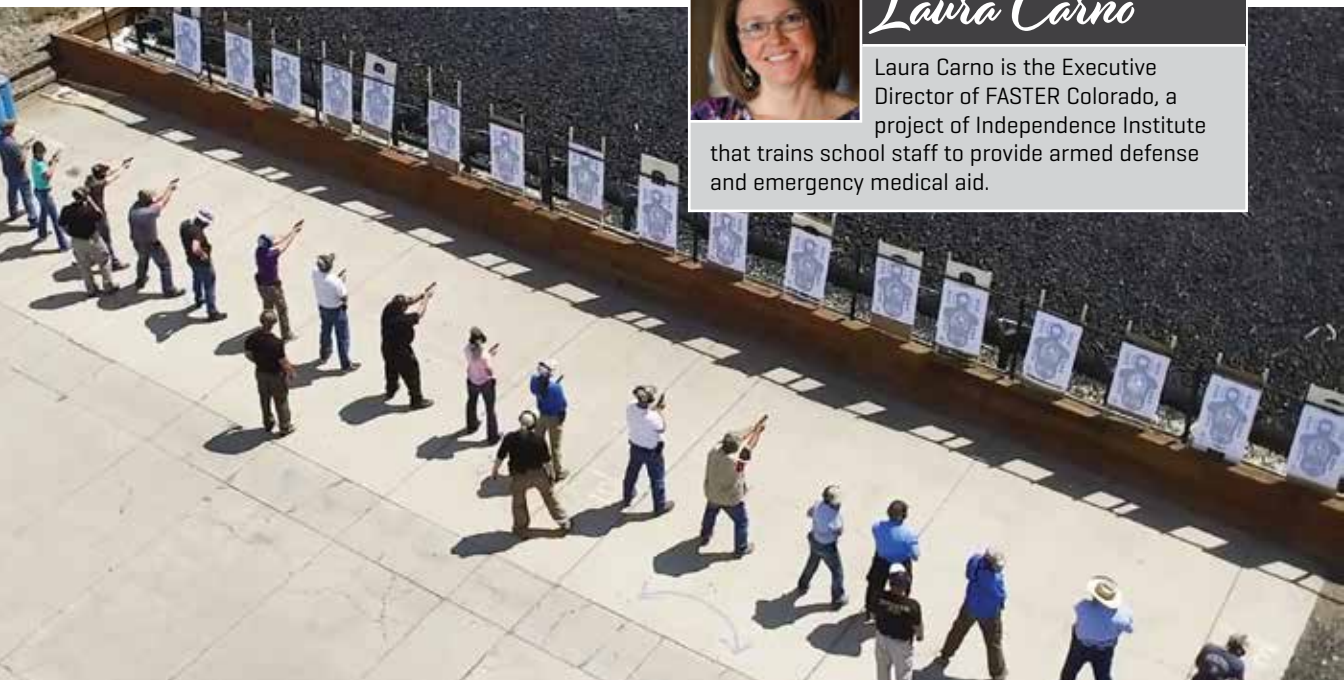
Independence Institute is asking for your help to give ammunition via a first-of-its-kind Ammo Drive. Our goal is 50,000 rounds—enough to get us through the 2021 FASTER Colorado training season.

For instructions on how to make a tax deductible donation, visit i2i.org/faster-training.



Laura Carno

Laura Carno is the Executive Director of FASTER Colorado, a project of Independence Institute that trains school staff to provide armed defense and emergency medical aid.



Your Partnership is Essential

By Josh Williams

For years Independence Institute has played defense against the Progressive machine that has steamrolled Colorado. Last year, they expected us to play the same game. Instead, we radically altered our strategy and not only kicked their progressive income tax measure to the curb by scaring it off the ballot but helped pass Proposition 116 which lowered Colorado's flat income tax rate! That is what we call a sweet success. And while things may seem grim in our blue state, we have a plan to halt the advance of their radical agenda and take back our state victory by victory.

We know slow and steady success isn't flashy and does not typically make headlines, but II's decades of tough work and expertise make us strategically positioned to continue the fight for liberty with the know-how to win! With you by our side, we are confident of a brighter and sovereign future for Colorado, so please, give a

tax-deductible gift to Independence Institute today! Your freedom-loving self will be glad you did.

Also, when you send in your donation, please be sure to answer our two-question survey on the envelope and share the name and address of a friend who you think would enjoy the next issue of Inking!



Josh Williams

Josh Williams is our Donor Relations Manager. He works directly with donors as the Master of Coin. He is also the current reigning Poet Laureate of Independence Institute, having written a sonnet to the Great Auk.

Glue

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2. What would you like to see addressed in the next issue of Independent Inking?: _____

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Be Informed and Entertained

By Justin Longo

The era of big television is over! Or something like that. It's 2021 and your favorite shows aren't on cable anymore. The old paradigm of people watching shows at designated times on a certain channel has been replaced. The viewers are in control now and you can watch Independence Institute programming whenever you have the time. Right now, there are over 2,000 subscribers to our YouTube channel, IITV. If you aren't among the 2,000 IITV fans, stop what you're doing and subscribe!



KOPEL'S LAW & LIBERTY NEWS

Okay, we'll wait... Done? Great. Now that you are a subscriber, you won't miss any of the great Independence Institute content. For example, every week there is a new episode of Jon Caldera's show *Devil's Advocate* and the show looks and sounds better than ever! Last year, we brought *Devil's Advocate* in-house and gave it a full makeover. New boozy set, new mics, new cameras, new production, but unfortunately, same old Jon. (You can't win 'em all...)

Another show not to miss as an IITV subscriber is "Kopel's Law and Liberty News". That's right, America's number one Second Amendment scholar, Dave Kopel, has a new show. The first episode is available on IITV and it is excellent. No one handles history, guns, law, and other important topics with reason and care like Dave. Stay tuned, you won't want to miss what Dave tackles next.

Thank you for subscribing to IITV. As you will see, Independence Institute programming is reaching new heights. We promise to continue delivering high quality content straight to the viewer. Cut the cord if you're still paying for cable! You don't need it. After all, imagine how much more you could donate to us without that giant bill each month.



Justin Longo

Justin Longo is our Content and Communications Manager. He works with the Creative Labs staff to create and distribute our pro-liberty message.

Websites and Apps for Liberty and Laughs

By Tyler Massey

With literally the world of information and entertainment in the palm of your hand, where do you go for the best? Here are 4 great recommendations from the wizards here at II:

Complete Colorado

The best app for original reporting on issues not often covered by the state's mainstream / liberal press and also an aggregator of stories from all over Colorado.

CaucusRoom

The fast-growing conservative social media network where you can join in conversations with people who believe in rugged

individualism, limited government and free enterprise. CaucusRoom is a place for people to find each other and make a difference.

The Babylon Bee

When the national news gets too depressing and you are losing hope, tap on this app for some of the best nationwide satire. Elon Musk even recommends it!

RockyMountainOyster.com

When the state news gets too depressing and you are losing hope, tap on this app for the best Colorado satire.



Tyler Massey

Tyler Massey is Independent Institute's Media Production Manager. He produces video content and promotes our pro-liberty message on social media platforms.

The Constitution on Speed Dial

By Rob Natelson

I continue my heavy schedule of radio interviews, with an average of 15-18 per month. Many of these are in Colorado, but most are in other states. Some are regional, national, or international. I also continue to write for the Epoch Times, which recently increased my schedule from twice a month to “as many as you can give us.” As you might imagine, a very popular topic has been the Trump impeachment.

During the aftermath of the presidential election, I consulted for the majority caucus of the Arizona legislature, which was concerned about irregularities in the Arizona presidential election. Although the mainstream media pretends those irregularities did not exist, the Arizona lawmakers were determined to investigate and to understand their legal options.

When I was active in Montana politics in the 1990s and early 2000s, I was frequently on television as well as radio. That experience has come in handy recently, as I’ve been receiving invitations for TV interviews. In the last several weeks, I’ve been on One America Network once, and on Newsmax four times, all to discuss impeachment.

One reason TV and radio stations ask me to speak on impeachment is because few purported constitutional “experts” know much about it. They don’t teach it in law school, and I’m one of relatively few who have published on the subject. Also, most legal academics have a reputation for inserting their political biases into their presentations on constitutional law, but I try to present constitutional issues objectively.

Even if you have missed my recent appearances on Newsmax, One America Network, The Blaze or numerous radio stations across the country, you can read my Epoch Times editorials at <https://i2i.org/constitution>.



Rob Natelson

Professor Robert G. Natelson is a Senior Fellow in Constitutional Jurisprudence and heads our

Constitutional Studies and Article V Information Centers. He is widely acknowledged to be the country’s leading active scholar on the Constitution’s amendment procedure and among the leaders on several other topics.

Independent Thoughts to be Shared with Political Leaders and Policy Makers

By Shayne Madsen

The Political Law Center is launching a program dubbed “Independent Thoughts” to share scholarly pieces authored by David Kopel, Rob Natelson, Barry Fagin and other Institute Fellows with Colorado elected officials and policy makers on a regular basis. We intend to start the series with a recent piece by Rob entitled “The Left is Wrong: The Constitution Never Discriminated Against Women.”

Also, Senior Fellow Barry Fagin is working on a future piece concerning Ranked Choice Voting and Approval Voting as alternatives to the current voting system used in the United States. Authorization of the use of Ranked Choice Voting for nonpartisan local government elections is the subject of currently pending HB21-1071 sponsored by Colorado House of Representatives Chris Kennedy (D, Jefferson County). While the Bill has broad support

among Ranked Choice Voting advocates, including [RandkedChoiceVotingforColorado](https://www.randkedchoicevotingforcolorado.com) and the League of Women Voters, the current Secretary of State’s Office has estimated that implementation will cost more than \$1 million. Details are contained in the Fiscal Note for HB21-1071, which can be accessed on the General Assembly website. Funding for the Secretary of State comes almost exclusively from business filings.



Shayne Madsen

Shayne M. Madsen is the Director of our Political Law Center where she is a leading voice on donor

privacy issues. She previously led the Public Policy and Regulatory Affairs Practice Group in the Denver office of law firm Jackson Kelly PLLC.

Independence Files Amicus Brief Defending the Sanctity of the Home

By Dave Kopel

Can police officers enter your home whenever they are engaged in “community caretaking”? In other words, can they enter without a search warrant, without probable cause of a crime? This question is presently before the U.S. Supreme Court.

In *Caniglia v. Strom*, the First Circuit Court of Appeals, which covers New England, said “yes” to warrantless home entries for community caretaking. The Supreme Court granted certiorari, and is making oral arguments on March 24. Independence Institute filed an amicus brief, defending the sanctity of the home.

The brief was co-authored by myself, Prof. George Mocsary of the University of Wyoming law school, and Joseph Greenlee of the Firearms Policy Coalition. More than any other brief, Independence Institute detailed the original meaning of the U.S. Constitution. Here’s a summary of the argument:

The sanctity of the home has been central to the idea of freedom since the Roman Republic, and it was cherished by Englishmen for centuries, leading up to the American Revolution. Embodied in the Castle Doctrine—the legal principle that “a man’s home is castle”—the inviolability of the home was celebrated by leading English legal authorities, including Edward Coke, William Hawkins, and William Blackstone. As William Pitt the Elder famously declared, even the poorest soul in the country had the right to defy the king in his own home.

But the English government nevertheless violated the sanctity of the home to seize property and to suppress speech, religion, assembly,

political opposition, and firearm ownership. The English constantly complained about such infringements, but the violations continued.

American colonists, by contrast, had no tolerance for home intrusions. Violations of the home often resulted in hostility. American resistance to home invasions ultimately led to the American Revolution. According to John Adams, when James Otis delivered his fiery speech against writs of assistance (allowing British officials to search anywhere), American independence was born.

Many debates over the United States Constitution and the Bill of Rights focused on the need for robust and explicit protections for the home. Ultimately, the home became central to the Bill of Rights. The First through Fifth Amendments collectively create a zone of safety and protection in the home. Thus, the home has remained every American’s castle throughout all of American history.

The First Circuit’s decision, however, permits home intrusions whenever the officer acts “within the realm of reason” while executing community caretaking responsibilities. Such a standard would allow many of the home intrusions the founders vehemently opposed. Indeed, extending the community caretaking exception to the home would undermine the constitutional text, the Founders’ intent, and centuries of tradition.



Dave Kopel

Dave Kopel is Director of our Second Amendment Project and our Research Director. He is also an Associate Policy Analyst with the Cato Institute in Washington; and adjunct Professor of Advanced Constitutional Law at the University of Denver’s Sturm College of Law.





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Local Government Class by the Numbers


By Kathleen Chandler

Stop complaining and take back your country by taking back your community!

People are doing just that with Independence Institute's Local Government class. So many citizens want to turn our country around, but most people can't run for office or give as much money as they would like to. So, what can liberty-loving patriotic citizens do? Turn the tables on the Left by investing a few hours a month on local boards and commissions. The solution to government overreach is to get involved and

hold them accountable. II's Local Government class gives you the tools and strategies to apply for a local board or commission. And we will help you along the way as you create lasting change in your community. Join our next class on Thursday April 15 at 6 pm on Zoom. Register at i2i.org/local-gov

Just look at the numbers since our first class in 2017:

	<p>Over 10 partnership trainings with organizations such as Colorado Woman's Alliance, American Majority, Americans for Prosperity and Colorado State GOP</p>	
	<p>Over 900 people trained and ready to take back our communities</p>	
 <p>At least 40 new appointments to boards and commissions throughout the state</p>	 <p>4,000 local Colorado boards and commissions identified</p>	<p>18 classes held either in person or via Zoom</p> <p>Evolution from one city to all of Colorado with visits to Durango, Basalt, Idaho Springs, Alamosa, Colorado Springs, Loveland, Delta and the metro area.</p> <div data-bbox="692 1756 860 1928">  </div> <div data-bbox="860 1756 1240 1848"> <p><i>Kathleen Chandler</i></p> </div> <div data-bbox="860 1848 1240 2070"> <p>Kathleen Chandler is the Coalition and Future Leaders Program Manager for Independence Institute. She also runs our Local Government Project. She has a degree in Political Science from the University of Colorado and has been involved in politics since she was 18 years old.</p> </div>