

LIBERTY WATCH

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POLITICS. BUSINESS. LIBERTY.

DEMOCRATS THE ART OF THE STEAL



COVER STORY BY: CHUCK MUTH

BALLOT CARPET BOMBING
George Harris

**BLATANT RACISM IS RARE BUT
REMINDS US THAT SUBTLE
RACISM IS COMMON**

Curtis Hill



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PUBLISHER
George E. Harris
george@libertywatchmagazine.com

EDITOR
Novell Richards

ASSOCIATE EDITORS
Doug French
douglasinvegas@gmail.com
Mark Warden
markwarden@cox.net

CARTOONIST
Gary Varvel

OFFICE MANAGER
Franchesca Sanchez

DESIGNERS
Willee Wied
Alejandro Sanchez

CONTRIBUTING WRITERS
John Fund
Doug French
Thomas Mitchell
Robert Fellner
Nicole Maroe
Judge Andrew P. Napolitano
Ben Shapiro
Mark Warden
David Himmel
John Stossel
Walter E. Williams
Deanna Forbush
Nicole Maroe
Chuck Muth
Grover Norquist
Bob Beers
Ron Knecht

PHOTOGRAPHER
Adam Kilbourn

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Address all editorial, business and
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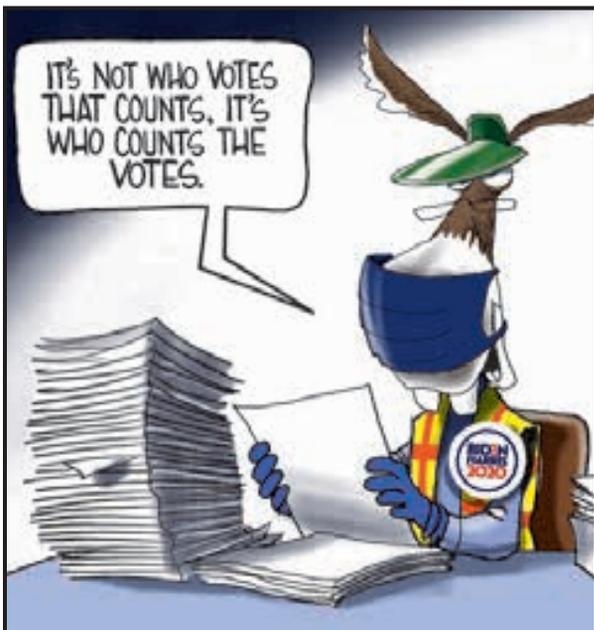
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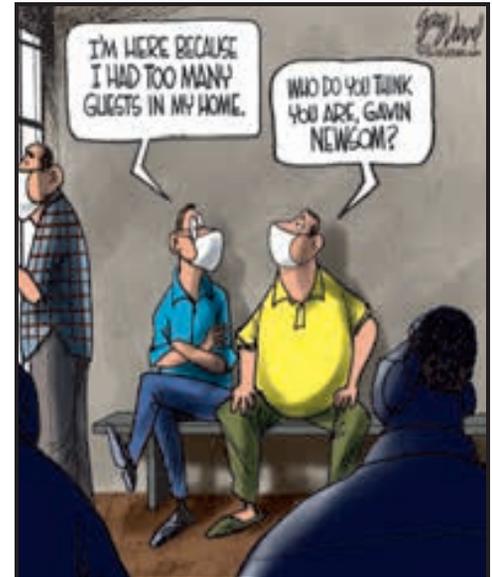
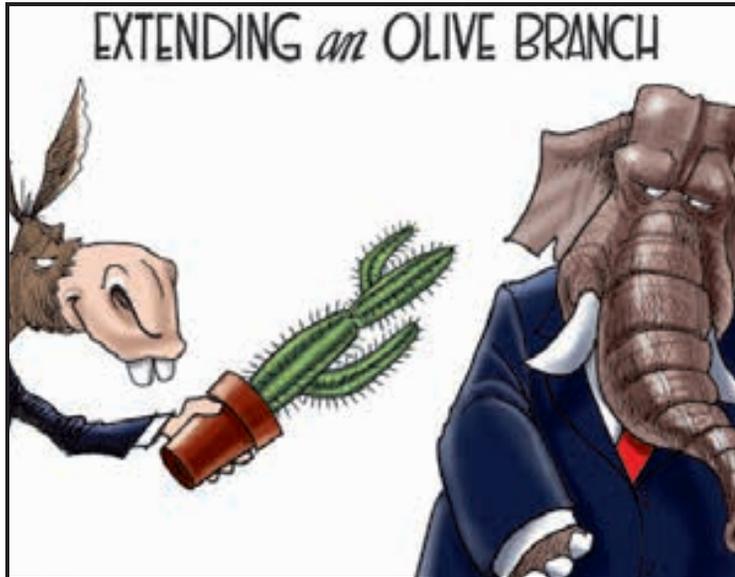
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George Harris, Publisher
george@libertywatchmagazine.com

BALLOT CARPET BOMBING

Just to make sure 2020 is a complete mess, or as Cormac McCarthy wrote “It’s a mess, ain’t it Sheriff?”

In the Special Session Sisolak and the rest of the Democrats passed AB4 which the Governor said, “will help prevent Nevadans from experiencing the long lines at polling locations they faced during the Primary election, which will protect their safety, safeguard their right to make their voices heard, and help reduce the spread of COVID-19.”

What AB4 also did was strip the felony charge penalty from ballot harvesting. You would think Secretary of State Barbara Cegavske would have had no truck for that sort of foolishness. She did, but, as I told Sam Shad on Nevada Newsmakers, the governor froze her out of all working meetings as the bill was formulated.

We’ve analyzed lists provided by the Clark and Washoe County election departments. Guess what? Thousands of people who have moved out of state have voted, meaning whomever moved into their house voted fraudulently. If that doesn’t make your blood boil, this will: hundreds of dead people have voted. The long departed Mayor Daley of Chicago would be proud.

All this has happened after Indianapolis-based Public Interest Legal Foundation found that in the primary election, “more than 250,000 mail-in ballots for the June primary [went] to wrong addresses.”

Voting by mail sounds good and reasonable for good and reasonable people. But, we’re talking about politics here. Ballot stuffing isn’t just for Banana Republics anymore. “These numbers show how voting by mail fails,” Public Interest’s president, J. Christian Adams, said in a statement. In Clark County, one of every 6 ballots could not be sent to the proper address. “In Washoe County,

291,434 ballots were mailed, and 27,640 were returned,” Susan Kate Keating wrote for JusttheNews.com.

Proponents of Make-it-Rain voting, will say look at Utah, Oregon, and Washington. Those states get the job done. Sure, they have been at it for years. “States like Oregon and Washington spent many years building their mail voting systems and are notably aggressive with voter list maintenance efforts,” contends J. Christian Adams. “Pride in their own systems does not somehow transfer across state lines. Nevada, New York, and others are not and will not be ready for November.”

That’s right. Just as ballots were sent out, 8 News Now reported a bicyclist noticed ballots laying in the road near Lone Mountain. “Hopefully I did my civic duty,” Russell Layton told the I-Team, adding if one of the ballots were his, he would want someone to do the same. “I knew I wouldn’t want my ballot to be on the side of the road. I’d want to get it in the mail and I thought it would only be fair for them to get theirs in the mail, too.”

So, those voters were lucky a boy scout picked up their ballots, otherwise, well, too bad. The main problem for many voters is they need help filling them out. Voters in Clark and Washoe aren’t used to filling out mail-in ballots and, as evidenced in the primary, many couldn’t be counted for messed up signatures and other mistakes.

It doesn’t take a genius to see that a mail-in system in the wrong hands can produce a government the people didn’t want or vote for. Just imagine those quarter of a million votes not being returned undeliverable but harvested and filled out fraudulently.

Since when do you send something you want to be safe and secure through the U.S.P.S.? This isn't 1957. Most people don't even send their tax filings to the IRS via the post office. They don't call it snail mail for nothing.

The Democrats figure dropping ballots like carpet bombs will turn every election their way. Just wait, Chuck Schumer and Nancy Pelosi will advocate for online voting. After all, it works for Dancing with the Stars, where you can vote up to ten times.

Supporters of ballot bombs always claim voter fraud amounts to .001 percent of election totals or some such nonsense. However, the Associated Press reported, "Jenny Trobiani, a U.S. Postal Service carrier, told the Las Vegas Review Journal in May that she was unable to deliver some absentee ballots because voters had moved or died, and her deceased mother had received one. According to Fox News, Trobiani said she saw hundreds of ballots addressed to inactive voters."

What we don't know is what happened to those ballots. Maybe nothing happened during the primary, the stakes weren't high enough. But, for the general, no empty ballot will go to waste.

Governor, prevent long lines, really? Trump voters prove night after night they will wait for hours to attend a rally, they will certainly wait to vote. It's only Democrats, especially dead or phony ones, who won't wait in line. **LW**



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DForbush@foxrothschild.com



RIGHTING GOVERNMENT'S WRONGS

Government has been defined as a monopoly of force in a particular geographic area.

Leaders are duly elected by the governed to apply that force judiciously and fairly. The Covid-19 pandemic has tested the character and judgement of Nevada's leaders, and they have failed that test. Now, mother justice must step in and help define the limits of the government's power over the citizens that put them into office.

When the executive branch of government stumbles, the judicial branch must make things right. Many feel aggrieved by being forced to socially distance and wear a mask. Imagine if your business was forcefully shut down, while your competitors and similarly situated firms were allowed control of their assets, permitted to open for business, able to put their employees back to work, and allowed to generate revenue required to pay taxes, the liability for which is in no way abated while your operation remains dark. Ask

yourself what you would do if a governmental edict was imposed that resulted in you having no income for 8-9 consecutive months. Could you make it, if not, what would you do? You would undoubtedly ask the learned jurists in black robes to correct the government's overreach and unconstitutional discrimination.

After suffering the government's arbitrary closure for months, the Cat's Meow of Vegas, LLC, asked the U.S. Federal Court to enter a temporary restraining order on November 6th in an effort to prevent the enforcement of the government's unconstitutional Emergency Directives that violate its and its customer's First Amendment and other rights, thereby permitting it to simply operate its business as similar businesses have been allowed to do. Nearby Dino's, a downtown bar also featuring karaoke, filed suit on similar grounds

against the City of Las Vegas on November 12th.

By now, all Nevadans know that on March 12th, Governor Sisolak declared a state of emergency, and since that time, has arbitrarily and, seemingly subjectively, decided what businesses are essential and what businesses are not, thereby picking commercial winners and losers.

With a flurry of Executive Directives, Phased Plans, New Normal Plans, and now a “pause” decree issued over the past months, the Governor closed some businesses, opened others, and promulgated restrictions which lack logic and scientific reasoning, and have done nothing to aid the government’s stated goal of protecting the public (the numbers continue to rise), all the while pushing business owners closer to bankruptcy, while their employees face a similar fate.

Cat’s Meow did everything short of requiring patrons to wear Hazmat suits, and followed recommendations from the Center for Disease Control (CDC). Tables distanced by six-feet, patrons kept six feet apart, patrons urged to stay seated, face coverings and hand sanitizer were provided with patrons urged to keep masked at all times, except for while taking a drink or performing, rotating microphones and sanitizing them in between uses, and plastic sheeting was installed around the stage.

Despite these precautions, Cat’s Meow was ticketed by the City of Las Vegas multiple times for engaging in “nightclub activities.” Again, this is a Karaoke bar, yet city and state governments are lumping the business into the “live entertainment” category despite the fact that state law (NRS § 368A.090(2)) specifically excludes “Entertainment provided by a patron or patrons, including, without limitation, singing by patrons or dancing by or between patrons.”

Details like the law do not seem to faze Nevada’s leaders. With the Governor and his enforcement officers considering Cat’s Meow “live entertainment,” the business was absurdly made subject to the Buffer Order mandated by Executive Order 033, which requires “[v]enues hosting live entertainment performances [to] maintain a

minimum separation of at least 25 feet between the artists and the audience.”

In its suit, Cat’s contends that the City and State governments violated its First Amendment rights to free speech, and the right of association. The state and city trampled on Cat’s 14th Amendment rights, infringing on the business’ right to earn a profit from protected speech, expression, and association. Further, the government has treated similarly situated persons and businesses differently without justification, by, for example, permitting non-constitutionally protected entities to resume business operations while prohibiting Cat’s from reopening and/or from reopening subject to the six-foot social distancing requirements applied to similar businesses, and not the random 25-foot floating buffer requirements imposed by the Buffer Order.

The suit further contends the Governor’s orders “are unconstitutionally vague and ambiguous under the vagueness standards for matters impacting speech and expression” and “are impermissibly and substantially overboard judged in relation to their plainly legitimate sweep.”

Sisolak’s orders strip the business of liberty and property interests, “without a post-deprivation hearing or the ability to participate in the reopening process.” That is, the government has essentially taken the business from its owners, while at the same time depriving the company’s employees a means to earn a living.

The Court’s cooler head, and understanding of the fact that the greatest threat to our system of constitutional liberties may arise when the ends are laudable, and the intent is good - especially in time of emergency. But liberties, once relinquished, are hard to recoup long after the immediate danger has passed; closing of “non-life-sustaining” businesses and requiring citizens to stay home violate both Due Process and Equal Protection Clauses of 14th Amend, as other courts have recently opined on similar facts.

Now, the Judiciary must again right the government’s wrong. **LW**

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Ben Shapiro

BIDEN'S 'RETURN TO NORMALCY' IS GOING TO BE TERRIBLE

After spending two years avoiding serious questions about his policy preferences, his team and his prospective presidency, we now know what Joe Biden intends to do should the Electoral College, as expected, vote for him in December: He'll reopen the swamp for business.

The media spent four long years suggesting that President Donald Trump was steeped in corruption, ensconced in partisanship, enmeshed in dangerous foreign policy fiascos. The media assured us that they would defend democracy from Trump's brutalities, that they would spend every waking moment fighting to prevent anyone from accepting Trumpian standards as the "new normal."

Instead, the media suggested we needed to return to the old "normal" -- by which they meant a system in which the media and Democrats worked hand-in-glove together to lie to the American public about the content of policy ("If you like your doctor, you will be able to keep your doctor!" -- former President Barack Obama); in which conventional wisdom was treated as gospel truth, no matter how wrong it was ("There will be no advanced and separate peace with the Arab world without the Palestinian process" -- John Kerry on Israel); and in which cozy relationships between corporations and government were considered *de rigueur*.

They meant a system in which all difficult political questions were put off for another day; in which scandals were brushed off without a second thought; in which even anti-journalistic efforts by Democrats were dismissed as out of hand. It was a system in which constitutional boundaries were routinely overridden in the name of left-wing policy priorities; in which nasty rhetoric by Democrats was written off as a natural byproduct of the right's innate evil; in which alternative news sources were treated as conspiracy outlets.

That's the "normal" the media and Democrats wanted.

And it's the normal they'll apparently be pursuing. Biden is stacking his administration with all the members of the establishment Democratic

gang. Tony Blinken, most famous for embracing the Iran deal and encouraging more American troops in Syria, will be headed to the State Department. Janet Yellen, fresh from her tenure as Federal Reserve chairwoman under Obama, will be headed to the Department of the Treasury. Jake Sullivan, Biden's national security adviser when he was vice president, most famous for the suggestion that the Iran deal was a stellar piece of negotiation (it wasn't), will become the White House national security adviser.

Meanwhile, the media will continue to cover Biden in sycophantic fashion. This week, The Washington Post ran an entire piece devoted to the wonders of the New Biden Era, titled "Washington's establishment hopes a Biden presidency will make schmoozing great again." The piece celebrated the old normal as "respect for experience and expertise," as "civility and bipartisan cooperation," as an opportunity to "bring people back together." One wonders what sort of peyote the editorial staff of The Washington Post must be ingesting in order to remember the Obama Era so fondly; then, one quickly realizes that they're simply high from huffing Democratic flatulence.

The old normal wasn't good. That's why Donald Trump was elected. It's why Democrats nearly lost the House, and why they seem poised to not take back the Senate despite Trump's personal unpopularity. The old normal stank of cronyism and oligarchy, of corrupt relationships between the Democratic infrastructure and the Democrats' praetorian guard in the media.

Today, the media celebrate the return of the old normal. That celebration is likely to again result in a backlash they can't control. And they'll be just as puzzled as ever about why everyone else wasn't as overjoyed as them about the return of the establishment Democratic swamp.



LEGENDARY SHORT SELLER SAYS VEGAS GROWTH IS DEAD

When you ask Venture Capitalists what they look for when they invest it's a business going after a large "TAM," or "total addressable market."

For those not familiar with the arcania of VC lingo, TAM is defined as "the existing revenue opportunity available for a product or service."

TechCrunch writes "it's often calculated by taking the existing top-down market size and whittling down segments of the market that are not addressable." Okay well, whatever that means. One person, who has made a living sniffing out financial frauds and other accounting chicanery to sell overpriced shares short, believes TAM is just the latest in a long history of investor rationalization why they are buying a particular stock that doesn't make money and may never make money.

Jim Chanos, President & Founder of Kynikos Associates, sat down with Hedgeye CEO Keith McCullough and talked about short ideas and a sizable portion of the interview touched on Las Vegas and the sports betting business, which, according to Chanos, has TAM associated with it. The TAM is that there is \$30 billion in U.S. sports wager revenue to be had.

Nonsense, says Chanos, sports betting revenue was just under \$1 billion last year and will be \$2 billion this year. Total gaming revenue was \$80 billion and has been growing at 2 percent a year forever, essentially the inflation rate, according to Chanos. The belief that sports betting revenue will grow to \$30 billion is absurd.

Chanos points out that if Americans gambled like Brits or Aussies (the two craziest betting societies) sports betting revenues might become \$4 billion or \$5 billion. But, however much sports betting revenues grow, it won't be additive to

gaming's total revenues. Instead, it will eat into the overall \$80 billion gaming market. Chanos believes some bookies will be losing money five years from now even during the oncoming growth phase.

He points out the smallest, least attractive space in a casino is the sports book, because books make the least amount of money, earning 5-6 percent win as opposed to 13 percent for slots, and 9 percent for an entire property. Notable exceptions to Chanos's observation are the WestGate SuperBook, and Derek Steven's new Circa casino downtown which will feature a three story sports book with single-seat cushioned chairs in front of a 78-million-pixel, high-definition screen. Reporting for the Las Vegas Review-Journal Baily Schultz writes, "Industry watchers say the glamorous new offering will put pressure on other properties to invest in their sportsbooks, even as the lion's share of many sportsbooks' revenue comes from online bets." Perhaps this is the signal that the sports betting bubble is bursting.

Looking only at the numbers, Chanos told McCullough, "Sports betting is not a great business." Chanos said it twice.

Perhaps the most chilling part of the interview for Las Vegas is Chanos's view of the city's number one industry.

What Chanos is short are some (unnamed) Las Vegas casino company shares. He pointed out that the peak in gaming win was 2007. Now casinos have to compete with other cities with restaurants, pools, nightclubs, and millennials

don't gamble that much.

"I've been a big bear on Las Vegas casinos for a while, not because of covid, although covid has made it worse," Chanos said. "Vegas is a no growth market." "If you look at the [casino] numbers, they are stunningly bad." Sheldon Addelson must agree, given the rumored sale of all Las Vegas Sands Vegas properties.

It's not like Chanos isn't familiar with Las Vegas. His cousin, George, was once the state's Attorney General and he has spent time here studying the market. Described as "The LeBron James of short-selling," Chanos's company is the lone short-selling hedge fund of any size — and the only one that that has been in business since 1985.

"Chanos, of course, is already a legend," wrote Michelle Celarier for Institutional Investor. He predicted and profited from the collapse of Enron. But he is no one-hit wonder. Money Inc. wrote "The financial disasters at Commodore International, Coleco, Integrated Resources, Boston Chicken, Sunbeam, Conesco and Tyco International have all been identified and sold short by Chanos over the years, leading to healthy profits for both him and his clients."

Chanos isn't always right. But, bet against him at your peril. **IW**

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Chuck Muth
chuck@chuckmuth.com

ELECTION 2020: THE ART OF THE STEAL

(Chuck Muth) – All the post-election “fraud” drama in Clark County (NV) wasn’t just about President Donald Trump. Or about County Commission candidate Stavros Anthony. Or State Senate candidate April Becker. Or a dozen or so other close local and judicial races.



It was about Nevada’s new-and-NOT-improved election system itself.

And all the investigations and court challenges were absolutely necessary to identify the very real flaws currently built into the system and fixing them before the next one. That’s not “voter suppression.” That’s “voting integrity.”

“Systematic fraud, irregularities, and UNLAWFUL conduct erode confidence in our free and fair elections,” declared Trump lawyer and former New York City Mayor Rudy Giuliani. “If we allow elections in the future to be conducted as this election was conducted, we will lose our democracy - our representative democracy.”

One need not be a conspiratorialist to acknowledge that the new election system

imposed on Nevadans by Gov. Steve Sisolak and the Democrat-controlled Legislature back in August (AB4) – just three months before a major presidential election! – was a complete mess.

The biggest problem, of course, is that all “active” voters were automatically mailed ballots even if they didn’t request one. That was a recipe for disaster for all kinds of reasons and everybody knew it. Sisolak and the Democrats did it anyway.

The biggest problem is that people who should have been removed from the voter list...weren’t. Which means ballots were mailed to people who shouldn’t have been mailed to—including thousands of people who should have been removed from the Clark County list after the primary.

Oh, and dead people.

Participation without Respiration

Let’s say your spouse passed away seven years ago. And let’s say you failed to notify the Election Department – which surely happens because, let’s face it, when you lose a loved one, probably the last thing you worry about is calling the Election Department.

And why would you? Your spouse can no longer vote, right? After all, they’re dead. So what’s the big deal, right?

Your deceased spouse then doesn’t vote in the next few elections. As such, the Election Department mails your spouse a postcard, suspecting that your spouse either moved or passed away. And if the post office returns the postcard indicating your spouse no longer lives there, then your spouse can be removed from the voter file.

But since you still live at the address, the postcard is delivered by the post office and not

returned to the Election Department. As such, your spouse remains on the voter file.

Which, in the “old days” before AB4, wasn’t such a potential problem. After all, your spouse wasn’t going to show up on election day and try to vote, right? And unless you really intend to commit voting fraud, you’re not going to request an absentee mail-in ballot on behalf of your deceased spouse.

So the potential for the dead fraudulently voting was minimal.

But under the new Sisolak System, all the dead voters who were still on the voting list were automatically mailed an unsolicited ballot. Which made it easy for anyone who came into possession of that ballot to cast an illegal vote on behalf of a dead person. And we know this happened.

In a post-election Las Vegas Review-Journal story, Art Kane reported on “an allegation that a ballot in Rosemarie Hartle’s name and with her signature was voted” in Nevada’s 2020 general election. One problem: Mrs. Hartle has been dead since 2017.

And here’s an even bigger problem as reported by Mr. Kane: “Clark County elections officials said they verified that Rosemarie Hartle’s signature matched on the ballot.”

HELLO?!!

If the election department “verified” that the signature on the outside of a ballot envelope matched the signature of a woman who has been deceased for three years, what does that say about the signature verification process being used for over 400,000 mail-in ballots?

And there are certainly a LOT of other reasons to further examine that verification process.

Close Enough is Close Enough?

To start with, unlike the rest of Nevada’s counties, Clark County used an optical verification machine that scans the signatures on the outside of ballot envelopes and compares them to the signature on file with election department.

If the verification machine “red flags” an envelope signature as possibly not matching the voter’s signature on file, then two election officials – “adjudicators” – must manually inspect the signatures. Which is, let’s face it, nothing more than a subjective opinion even if they are fully

trained handwriting analysts.

If both agree it’s a match, the ballot is counted. But again, either the machine and/or two human beings looked at the deceased Mrs. Hartle’s signature and decided it was a match. That’s a big red flag that something stinks in Denmark.

And then there’s this...

Las Vegas Review-Journal columnist Victor Joeck’s reported that he had nine voters legally sign their mail-in ballot, but not in their OWN handwriting. Instead, they imitated their signatures to generally look like Victor’s handwriting. And guess what?

“Eight of the nine ballots went through,” Victor reported. “In other words, signature verification had an 89 percent failure rate in catching mismatched signatures.”

Hoo-boy.

“It’s unclear how much voter fraud took place in Nevada,” Victor concluded. “But it’s clear signature verification isn’t the fail-safe security check elections officials made it out to be.”

While I don’t have first-hand knowledge of the above incidences, I do know what happened to me on Election Day.

I showed up to vote in person. Didn’t trust turning in my unsolicited mail-in ballot to the poll workers, so they had me sign a release on a tablet using a sponge-tipped pen. After signing it I told the poll worker that it didn’t look anything at all like my real signature.

The poll worker then compared my sponge-tipped signature on the tablet to the signature on file he pulled up on his computer, told me it was “close enough” – and gave me my ballot card!

I would bet the farm that this person was not a professional handwriting analyst. And the fact that he deemed my mismatched signatures as “close enough” doesn’t exactly give me warm-and-fuzzies about the entire signature verification system.

In any event, when the vote-counting smoke cleared more than a week after Election Day, GOP candidate Stavros Anthony ended up 10 votes short in his Clark County Commission race against Democrat Ross Miller – out of over 153,000 cast. Naturally, he asked for a recount. But there’s a problem. According to state law (NRS 293.404)...

MUTH'S TRUTHS

“The recount must include a count and inspection of all ballots, including rejected ballots, and must determine whether all ballots are marked as required by law. All ballots must be recounted in the same manner in which the ballots were originally tabulated.”

The key word here is “inspection.”

Rejected ballots will include mail-in ballots in which the signature on the ballot envelope didn't match the signature on file with the election department. How many were rejected that shouldn't have been? How many were accepted that shouldn't have been?

Ditto all the mail-in ballots that were accepted. How many should have been rejected? A recount won't address these questions. Only a court-ordered “inspection” of all the signatures on all the mail-in ballots will.

Dirty Voting

“With Nevada's transient population,” the Las Vegas Review-Journal reported, “it is difficult for election officials to keep a clean voter roll of only voters who are active and living in the state.”

Which is another reason that automatically mailing ballots to people who didn't request them was the height of stupidity – unless, of course, your intent was to cheat and steal an election.

And the reality is, it really wasn't all that hard to significantly clean up the voter rolls. According to an August report by the Public Interest Legal Foundation (PILF), 93,585 ballots mailed to *active* voters in the June 2020 primary were returned by the post office as “undeliverable.”

“These numbers show how vote by mail fails,” PILF President and General Counsel J. Christian Adams said. “New proponents of mail balloting don't often understand how it actually works.”

“States like Oregon and Washington spent many years building their mail voting systems and are notably aggressive with voter list maintenance efforts. Pride in their own systems does not somehow transfer across state lines. Nevada, New York, and others are not and will not be ready for November.”

Indeed, we weren't.

Those “undeliverable” primary voters – unless they updated their address with the Election Department – should have been removed from the list of voters who were automatically mailed a ballot by Clark County for the general election. But

they weren't. That's malfeasance on a grand scale.

Rebecca Gill, an associate political science professor (ugh) at UNLV, countered concerns and warnings by telling the RJ “that election officials could have cleaned up the voter rolls but that risked disenfranchising legitimate voters who needed to vote safely during the (coronavirus) pandemic.”

Sheep dip.

Every legitimate voter who had a concern about voting in person due to COVID-19 could have requested an absentee mail-in ballot – an option Nevada voters have always had. There was simply NO safety reason to automatically mail ballots to people who didn't ask for them, who no longer live at the address where they're registered or were... well, dead.

The RJ also reported that Clark County election officials “said that there are legitimate explanations for out-of-state people voting in Nevada if they are military families or students who go to school outside Nevada.”

Fine. But what if they aren't? Did more than ten non-Nevadans vote in Stavros' election illegally? Were any mail-in ballots intercepted and/or voted illegally by someone else? Inquiring minds wanna know.

Where We Go from Here

There are three main threats to election integrity that need to be neutralized before 2022. They are...

1.) Before universal mail-in balloting, the problem of dead people voting was minimized. Dead people tend not to request absentee ballots or show up at the polls in person.

But when you mail an actual ballot to a deceased person, you're asking for trouble. It's like leaving a cookie out on the kitchen table in a house full of dogs while you go to work. The temptation is just too big. The cookie WILL get “stolen.”

Another big problem is people moving without changing their address with the election department.

If someone moves from District “X” to District “Y,” they shouldn't be allowed to vote in District “X.” We don't allow candidates to run in districts where they don't live. Why should we allow voters to vote in districts in which they don't live?

Indeed, NRS 293.1755 specifically requires that candidates “actually, as opposed to constructively,

reside in the State, district, county, township or other area prescribed by law to which the office pertains.”

“Actually” means...well, actually. And it makes sense. Why should people who don't live in the district be allowed to vote for the person who will represent the people who *actually* live in the district?

And that especially pertains to people don't even live in the STATE – with the limited exceptions of military personnel, certain government workers, students, and individuals who are living and working elsewhere temporarily.

Lastly, and perhaps most importantly, people who have had their voting status changed from “active” to “inactive” shouldn't automatically be mailed a ballot. NRS specifically states that “The county clerk must not mail an absent ballot” if a previously mailed absent ballot “is returned to the county clerk as undeliverable.”

Must. Not.

The Clark County Registrar of Voters failed to observe this prohibition in the 2020 general election. That doesn't mean those voters couldn't vote. It just means they had to confirm their address and eligibility to vote before casting a ballot.

And again, that's not voter suppression. That's ballot integrity.

2.) As a reminder, Nevadans have always had the option to vote by mail, even before COVID hit. They simply requested that an absentee ballot be mailed to them. In fact, 78,602 Nevadans voted by mail in the 2016 presidential election.

So there was no “safety” reason caused by COVID to justify mailing official ballots to every voter in the November election. At best, the election departments could have and should have simply mailed an absentee ballot REQUEST to every voter and let the voter decide how they wanted to vote.

Instead, almost two million official ballots were mailed to a decidedly flawed list that included tens of thousands of voters who never should have been mailed a ballot in the first place. As a result, 671,899 ballots were cast by mail in the 2020 election – almost a 10x increase over 2016.

Because so many ballots were mailed to bad addresses, the potential for illegally-cast ballots exploded. And the only way to know if the legal voter actually cast their mail-in ballot was to compare the signature on the outside of the ballot

envelope to the signature the election department had on file.

And that's where the problems came in.

While Section 22 of AB4 allowed county clerks to “authorize mail ballots to be processed and counted by electronic means,” only Clark County used a machine and computer software to do this. Not coincidentally, almost all of the problems, questions and concerns about signature verification came out of Clark County.

So this issue must be addressed. No more signature verification by machine.

3.) There's a reason burglars prefer not to rob homes and businesses that have dogs. Dogs make it harder to steal.

That's why independent election observers – watchdogs, if you will – are CRITICAL to ensuring election integrity at both the ballot box and the counting room. Not outside the building. Or 60 feet away with a pair of binoculars. Or even six feet away.

Observers must be able to see exactly what the poll workers, the ballot counters and the signature verification adjudicators see. Observers must be allowed to look right over the shoulders of election workers. Otherwise, the observation simply isn't “meaningful.”

Whether signature verification is done by machine or human being – or some combination of both – independent observers must be allowed to look at the signatures being matched and object if they disagree with the matching decision by election workers.

Not AFTER the mail-in ballots have already been separated from the mail-in envelopes bearing the voter's signature. BEFORE the ballot is removed from the envelope. If there's nothing to hide, there's no reason not to do this. But if there IS something to hide, you can bet those trying to hide it will scream the loudest about allowing for true, meaningful observation.

Even the liberal Las Vegas Sun, in an editorial opposing a new election in Stavros Anthony's Clark County Commission District C race, acknowledged that “there were some iffy ballots found” in the original election and concluded: “Yes, there needs to be more scrutiny.”

Agreed. And that should also include a photo ID requirement for voting. So let it be written; so let it be done. **LW**

ANDY MATTHEWS'S BRIGHT FUTURE

Andy Matthews was the perfect state congressional candidate.



He has the intellectual chops from his four years as president of Nevada's only conservative think tank, Nevada Policy Research Institute. He was endorsed by Citizens For Responsible Government, Law Enforcement Loyalty PAC, Recovery PAC, Power2Parent, Americans for Prosperity Action, Young Americans For Liberty, and the Las Vegas Review-Journal. He raised over \$200,000 to spend on his race.

There are 31,608 registered voters in District 37, where Mathews ran. The district has an overwhelming Republican registration advantage with 57 percent of voters identifying as Republicans, a nearly 10,000 vote advantage over Democrats.

The seat's incumbent, Democrat Shea Backus, scored 87 percent in the American Civil Liberties Union (ACLU) rating of 2019 Nevada legislators, a tie for 2nd highest. The highest Republican house member score from the ACLU was 74 percent from Tom Roberts.

The American Conservative Union (ACU) rates Ms. Backus at less than 10, referring to Democrats

whose voting earned such a score as Coalition of the Radical Left. Ms. Mackus raised just short of \$132,000 for her campaign.

I'm sure you're thinking, "Matthews must have won the District 37 seat by a landslide." Not hardly. Matthews beat Backus by the tiniest of margins--50.89 percent to 49.11 percent, 657 votes.

How could Matthews underperform in such a way? Again, he had the experience, the endorsements, a fundraising advantage, a huge voter registration advantage, and the conservative pedigree. How could he just squeak by? It likely has something to do with who Mr. Matthews is associated with and has worked for; Adam Laxalt.

Matthews was a spokesman for the failed gubernatorial candidate, and almost blew his easily winnable race, just as Laxalt blew the 2018 governor's race. Besides that, it's safe to say, the biggest mistake President Trump made in the 2020 campaign was selecting Laxalt to chair his re-election team in the key swing state of Nevada.

Joe Biden garnered 30,000 more votes in Nevada than President Trump, despite Biden barely showing his face here, the President playing to sell-out crowds, and Nevada being right-libertarian leaning, other than the Culinary Union, most of whose members were scattered to the winds since COVID and the Sisolak shutdowns.

Assemblyman Matthews's ex-boss is extending his 15 minutes of fame managing to get himself on TV, tweeting hard, and taking credit for things he didn't do, like helping Matthews win. But, the fact is, other than his miraculous Attorney General win over an equally lazy Nevada legacy case, Laxalt is making under performance a way of life.

Andy Matthews is talented and principled, meaning he has a bright future. That is if he learns to hang around a better crowd. **LW**



Douglas French writes from Las Vegas, providing commentary on the Vegas economy, financial markets, and book reviews. He earned his Master's in economics at UNLV under the direction of Murray Rothbard and Hans Hoppe.



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THE LIBERTARIAN CASE FOR MASKING

Friends of liberty oppose wars of aggression, but are not pacifists.

Epidemics are fought defensively, against outside invaders. Ludwig von Mises and F.A. Hayek manned artillery units to defend Austria-Hungary against Russia in WWI, and were kitted with filtering gas masks as they sent and received poison gas artillery shells. Both saw the privations near the end of the war that left their crumbling society even more vulnerable to the 1918/19 influenza epidemic. They watched, helpless, as friends and colleagues died.

H.L. Mencken lived through the 1918/19 influenza epidemic as well. He later observed: "...most Americans have apparently forgotten it. This is not surprising. The human mind always tries to expunge the intolerable from memory, just as it tries to conceal it while current." (Minority Report. 1956.) Notably, Mencken didn't satirize mandatory obstructive gauze masks.

For more than two decades, I have been misted by coughs and sneezes during clinic office visits. CDC and public health guidelines early in the Covid-19 epidemic discouraged the public use of obstructive cloth or surgical masks. Surgeons wear obstructive masks so that their spittle doesn't wind up in your incision while they talk to the surgical crew. Common sense and formal quantitative PCR studies on seasonal coronavirus and influenza show that obstructive masks reduce the number of infective particles floating around a shared indoor space. Only filtering masks protect from those floating particles.

Many filtering masks have valves and don't obstruct. Most obstructing surgical masks don't filter. Children can understand this simple idea, but "masks don't work" charlatans invariably argue that obstructing masks don't filter. What of it? They are source control for most of the viral bullets flying from the nose and mouth. Obstructive cloth and surgical masks block 50% to 90+% of respiratory droplets. Public air handling systems become twice to over ten times as effective when people wear obstructive masks, reducing risk of

airborne transmission.

Covid-19 is an unusual respiratory virus that causes microvascular disease. It can cause permanent, nonfatal damage to brains, hearts and lungs. Deaths are in the news daily, but are just the tip of the Morbidity and Mortality iceberg. By now, we all know at least one individual beyond the prime of life that has "recovered" from Covid-19, yet continues to struggle. Our dead are beyond the vale of tears, but virus maimed hearts and brains have years of trouble ahead. We have the right to avoid a public indoor space, but no right to injure others in that space. John Stuart Mill's Harm principle defines the precondition for liberty, "The only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others."

Facial Justice Warriors violate Mill's Harm principle by refusing to wear obstructive masks in public indoor spaces. The idea of a freedom to harm, maim or kill another individual defies credulity.

In early February 2020, I was a busy, decorated family physician in a rural community. The packing plants in town employed people from all over the world. I saw patients who had travelled to southeast Asia in prior weeks, and so I began to wear a filtering mask to protect myself, and thus my patients, from the novel coronavirus.

I wrote an essay discussing the differences between obstructing and filtering masks, and why filtering mask pores larger than virus particles remove most infective particles, using prior studies with influenza. The essay also discussed:

Why the low absolute humidity of winter keeps those particles in the air longer

Why the virus could spread widely through the local population before the first case was evident

That little more than supportive care with oxygen and fluids were available for treatment

That there would be a very good chance that we would be unable to care for all the people who got sick

My essay refuted both CDC and state public health recommendations. I recommended obstructive masks and:

Online schoolwork

Listening to sermons at home and sending a check

Preparing to help others

Avoiding unnecessary appointments by calling the clinic for medication refills and anything else that could be handled by phone

After a few days of using masks, I was directed to remove my mask. I declined and resigned, giving 6 months' notice. I discussed my essay at a medical staff meeting the next morning. I requested my employer's blessing to publish it in the local newspaper. Permission was not granted, but someone at the meeting leaked the essay. It was posted on Facebook and went viral in the community. Soon, both my essay and sanity were the subject of open conversation in the hospital and county. I was told, "You can leave Friday." My task to warn the community complete, I took the offer.

I wore the filtering mask 12 hours a day while working in February. After about 4 hours, filtering masks are painful. They dig into your nose and increase the work of breathing. Dictation and verbal communication are more difficult through a filtering mask. In contrast, obstructing surgical masks are easy to use and comfortable. A few simple tricks help if your glasses fog, and your halitosis is now your own problem, but obstructing masks are a simple, easy way to respect the rights of others. Our rights end where their noses begin. John Locke in *The Second Treatise on Civil Government*, described this best: "Though the Earth and all inferior Creatures be common to all Men, yet every Man has a Property in his own Person. This no Body has any Right to but himself."

Riding roughshod over the Property in his own

Person of individuals is unacceptable. Libertarian leaders abandoned first principles to become rabble-rousers advocating antisocial public behavior at others' expense. Their hypocrisy infected the liberty movement in 2020, leading some of us to the surreal frustration of Fernando Pessoa's banker:

"...I realized what fools, what cowards I was involved with. They were unmasked. The rabble were born to be slaves. They wanted to be anarchists at someone else's expense...."

"And did you get angry?"

"Angry? I was furious. I lashed out. I laid hold of sticks and stones. I almost came to blows with one or two of them. And I ended up leaving. I isolated myself. I was sick of those sheep.... They might merely want to play at being libertarians, but I did not. If they could only find the strength to fight when clinging to each other and creating amongst themselves a new simulacrum of the tyranny they claimed they wanted to combat, then let them, the fools; that was all they were good for."

State mask mandates for shared public spaces protect the property rights of individuals. Symptom-free, unmasked superspreaders can damage or destroy the lives of others and overwhelm our ICUs. Leaders in the liberty movement should advocate for shared indoor public space mask mandates in each state. Ludwig von Mises recognized the state's role in curbing antisocial behavior: "Even if we admit that every sane adult is endowed with the faculty of realizing the good of social cooperation and of acting accordingly, there still remains the problem of the infants, the aged, and the insane. We may agree that he who acts antisocially should be considered mentally sick and in need of care. But as long as not all are cured, and as long as there are infants and the senile, some provision must be taken lest they jeopardize society. An anarchist society would be exposed to the mercy of every individual. Society cannot exist if the majority is not ready to hinder, by the application or threat of violent action, minorities from destroying the social order. This power is vested in the state or government."



Walter E. Williams

1936-2020

Walter Williams loved teaching. Unlike too many other teachers today, he made it a point never to impose his opinions on his students. Those who read his syndicated newspaper columns know that he expressed his opinions boldly and unequivocally there. But not in the classroom.

Walter once said he hoped that, on the day he died, he would have taught a class that day. And that is just the way it was, when he died on Wednesday, December 2, 2020.

He was my best friend for half a century. There was no one I trusted more or whose integrity I respected more. Since he was younger than me, I chose him to be my literary executor, to take control of my books after I was gone.

But his death is a reminder that no one really has anything to say about such things.

As an economist, Walter Williams never got the credit he deserved. His book "Race and Economics" is a must-read introduction to the subject. Amazon has it ranked 5th in sales among civil rights books, 9 years after it was published.

Another book of his, on the effects of economics under the white supremacist apartheid regime in South Africa, was titled "South Africa's War Against Capitalism." He went to South Africa to study the situation directly. Many of the things he brought out have implications for racial discrimination in other places around the world.

I have had many occasions to cite Walter Williams' research in my own books. Most of what others say about higher prices in low income neighborhoods today has not yet caught up to what Walter said in his doctoral dissertation decades ago.

Despite his opposition to the welfare state, as something doing more harm than good, Walter was privately very generous with both his money and his time in helping others.

He figured he had a right to do whatever he wanted to with his own money, but that politicians had no right to take his money to give away, in order to get votes.

In a letter dated March 3, 1975, Walter said: "Sometimes it is a very lonely struggle trying to help our people, particularly the ones who do not realize that help is needed."

In the same letter, he mentioned a certain hospital which "has an all but written policy of prohibiting the flunking of black medical students."

Not long after this, a professor at a prestigious medical school revealed that black students there were given passing grades without having met the standards applied to other students. He warned that trusting patients would pay-- some with their lives-- for such irresponsible double standards. That has in fact happened.

As a person, Walter Williams was unique. I have heard of no one else being described as being "like Walter Williams."

Holding a black belt in karate, Walter was a tough customer. One night three men jumped him-- and two of those men ended up in a hospital.

The other side of Walter came out in relation to his wife, Connie. She helped put him through graduate school-- and after he received his Ph.D., she never had to work again, not even to fix his breakfast.

Walter liked to go to his job at 4:30 AM. He was the only person who had no problem finding a parking space on the street in downtown Washington. Around 9 o'clock or so, Connie-- now awake-- would phone Walter and they would greet each other tenderly for the day.

We may not see his like again. And that is our loss.

By Thomas Sowell



Curtis Hill
Indiana's attorney general

BLATANT RACISM IS RARE BUT REMINDS US THAT SUBTLE RACISM IS COMMON

The racism we Black Americans experience isn't always visible to the naked eye.

Many Black Americans who have been pulled over for “speeding” or for “tinted windows” know what I’m talking about. Many Black Americans who have been surveyed closely by security guards at shopping malls know what I’m talking about.

Most Black Americans, unfortunately, know exactly what I’m talking about.

Recently, though, Dre Abram experienced racism that was neither vague nor subtle. And it was caught on video for the world to see.

Abram, a Black man who has a YouTube channel with nearly 100,000 subscribers, was filming a video with a Black friend in Scottsdale, Arizona. During the filming, a man later identified as Paul Ng approached the duo and asked to see “what you guys are taking pictures of.” Then Ng explained that the neighborhood had recently experienced “problems.”

So far, one might conceivably believe Ng was acting in good faith.

But then Ng said, with a straight face, “I’m a racist.”

And he told the two Black men – on camera, remember – that his neighborhood was a “no-n***** zone.”

Ordinarily, I try to reserve immediate judgment on video clips that allegedly demonstrate racism or discrimination. In many of these incidents, it is worth attempting to understand what may have happened before the camera was turned on.

This is not one of those incidents. Ng’s actions were prompted by his obvious contempt for Black people, and they led to him being fired from his job and arrested for disorderly conduct.

While most would agree that this unfortunate

altercation had a positive ending, it’s important that we look at the bigger picture. The fact that Ng felt comfortable enough to identify himself as a racist and to use a racist slur while being filmed by a Black man is an astonishing indictment on the state of race relations in America.

How did we get here? How have we reached a point where Ng, and others like him, feel it’s acceptable to proclaim their racist beliefs?

Some might say the prevalence of attitudes like Ng’s is simply evidence that the United States of America is inherently racist.

I reject that argument.

We also often hear that police actions taken against unarmed Black Americans prove the essentially racist nature of U.S. society.

I reject that argument, as well.

Yet, there can be no doubt that too many folks possess attitudes all too similar to Ng’s.

And we should find it understandable if many Black Americans, upon seeing the killings of individuals such as George Floyd and Ahmaud Arbery, have the unsettling feeling that the victims would still be alive if they were White.

But America’s police are not the architects of Paul Ng’s racism. And America, as a whole, is not responsible for the racism that permeates the mindset of Paul Ng.

Instead, I truly believe that in their hearts, most Americans are shocked and dismayed by racist language such as Ng’s. And I truly believe that most Americans — including police — are horrified by unjust killings of Black individuals at the hands of police officers.

As a country, we have worked steadily to enact laws and reforms that seek to ensure that America

GUEST COLUMNIST

is a land where everyone, regardless of their skin color, is treated equally. And we should continue to advocate for such measures wherever they are appropriate.

The bottom line, though, is that no amount of legislation can change what's inside the hearts of hateful people. Something is broken inside the hearts of Ng and others like him.

So how do we change their hearts?

I don't have a definitive answer. But I know where progress can start.

It starts with open dialogue. Dialogue about how we Black Americans feel in 2020. Dialogue about how the beliefs of a small number of people can hurt a great number of people. Dialogue about where those beliefs originate. Dialogue about how we can alter the minds of those infected with hate.

I have sought to initiate this dialogue in the Hoosier state. In October, I hosted a "Bridge Forum" with the HeroZona Foundation that brought together prominent government and law enforcement officials to address systemic racism. It included my own "fireside chat" with Dr. Benjamin Chavis Jr., a longtime civil rights leader who in 1971 was one of the "Wilmington Ten" — a group of young people wrongfully convicted of arson and conspiracy.

Honest conversations like these, among key community stakeholders, is how we will ease these tensions.

I would like to see these structured conversations implemented throughout the country.

We cannot achieve unity without understanding what divides us.

Paul Ng is the physical manifestation of that division. He is a clear reminder that this hatred still exists. It persists in many other Americans, too — just not so obviously. Those are the people we must reach. Those are the hearts we must heal.

We have a long way to go. But through consistent, productive efforts, we will succeed.

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Ronald Reagan famously said, "The nine most terrifying words in the English language are: I'm from the government and I'm here to help." Lyft and Uber drivers (contractors) in California couldn't agree more. The majority of Uber and Lyft workers say they prefer to be contractors and not employees.

But, the California Legislature butted into the relationship between ride-sharing companies and their contractors by passing A.B. 5 legislation which forced companies into transitioning gig-economy workers from freelance to employee status.

You know what employee status means? A slate of benefits, including health care, paid time off, compensation for expenses, and a minimum wage, among other perks, writes Billy Binion.

The unintended consequences (which legislators never seem to understand) was "A.B. 5 gave companies an incentive to lay off contractors," Binion writes, "sparking a backlash among freelancers. Restrictions put in place for content creators, for instance, led to mass layoffs in journalism and marketing."

So what do California's legislators have to say for themselves? Are they shyly saying "whoops, we made a mistake?" Not hardly. Assemblywoman Lorena Gonzalez (D-San Diego), the legislator behind A.B. 5, says those gig-economy jobs "were never good jobs," and "Uber and Lyft have been fighting tooth and nail for years to cheat their drivers out of the basic workplace protections and benefits they have been legally entitled to."

Yeah but, "The reality is it still falls primarily on women to be the caretakers and caregivers of their families, and freelancing allows women to be stay-at-home mothers or to care for an aging parent," Alisha Grauso, an entertainment journalist and co-leader of California Freelance Writers

United, told Binion last December. "Being made employees kills their flexibility and ability to be home when needed. I cannot stress enough how anti-women this bill is."

As is always the case, legislation like A.B. 5 hurts the intended beneficiaries the most. It doesn't hurt California's wealthy, but instead the most vulnerable populations. For instance, 90 percent of app-based drivers in New York City are immigrants and less than 16 percent have a college degree; two-thirds of those operators use Uber and Lyft as their only source of income. Binion writes, "California does not have comparable statistics available, but the demographics are more likely than not to be similar—and New York is mulling new gig economy regulations itself. Those drivers should hope A.B. 5 won't be the model." **LW**

IDIOCY FROM THE BENCH

What kind of judge in America would write in a published dissent to something like this, "I cannot endorse a constitutional standard that encourages courts," he declared, "to second-guess the wisdom, need, or appropriateness" of duly enacted economic regulations, presumably by sober-minded politicians.

That judge was Pennsylvania Supreme Court Justice David Wecht who whipped out that can of wisdom on his colleagues for letting a legal challenge proceed against a state occupational licensing scheme.

"For many years, and under the pretext of protecting 'economic liberty' and 'freedom of contract,' the Supreme Court routinely struck down laws that a majority of the Court deemed unwise or improvident," Wecht wrote. "Most now recognize that those decisions had nothing to do with the text or history of the Constitution."

Reason's Damon Root suggests that Judge Wecht read speeches from the late Rep. John

Bingham (R–Ohio). In 1866, Bingham served as the principal author of Section 1 of the 14th Amendment. Bingham told the House of Representatives, "the provisions of the Constitution guaranteeing rights, privileges, and immunities" include "the constitutional liberty...to work in an honest calling and contribute by your toil in some sort to the support of yourself, to the support of your fellow men, and to be secure in the enjoyment of the fruits of your toil."

Dear Judge Wecht, despite what you may have heard from your law school professors, economic liberty does have something to do with the text and history of the Constitution. **LW**

CAUTIONARY CURRENCY TALE

As I write it takes 8.2 Turkish Lira to buy a U.S. dollar. At the beginning of 2020 the exchange rate was 6 Lira to the dollar. It was not too many years ago, the Lira was nearly par with the dollar (1.29 Lira to the dollar). I remember being told one year merchants in Istanbul's Grand Bazaar preferred Lira. Another year it was Euros. One year merchants completely turned their noses up to the US's mighty greenback.

After a trip in 2011, I wrote, "In 1966, one US dollar bought 9 lire. By 2001, a dollar bought 1.65 million lire. Four years later, six zeros were lopped off the lira and a dollar equaled 1.29 new Turkish lira. Today, a dollar can be traded for around 1.60 lire."

Turkish President Recep Tayyip Erdogan didn't like his first finance minister, so he put his son-in-law in charge. The Lira has headed south ever since. In Turkey, "big borrowing has been by the country's banks, including both private and state-owned banks—and that is where Turkey's trouble has built up," writes Chris Miller for Foreignpolicy.com.

The problem begins with the U.S. Central Bank policy. Miller explains, "Since the 2008 financial crisis, the U.S. Federal Reserve has kept interest rates low, hoping to spur an economic recovery in the United States. This had the side effect of making it cheap to borrow dollars, for both Americans and for anyone else looking for credit. Turkish banks took note and binged on cheap dollar loans."

Turkish banks lend out the dollars to local businesses that earn revenues in Lira, but the businesses must pay the loans back in dollars. These loans might have looked cheap with low interest rates in the beginning, but with the Lira crashing, few can pay the money back.

The other boo boo Turkish banks made was, "The banks took the dollars they had accumulated and swapped them into lira on financial markets, paying a fee linked to the lira interest rate set by the Turkish central bank. This created a second risk buried deep in the country's banking system: If interest rates rise, the cost of banks' lira borrowing would shoot upward, cutting into bank profits," writes Miller.

What happened then was, the Turkish Central bank, essentially run by Erdogan's son-in-law, borrowed dollars from the banks. "The central bank owes \$54 billion—dollars, not lira—to Turkey's banks, Miller writes. "But it spent even more than that, around \$65 billion already this year, according to estimates from Goldman Sachs, on top of an additional \$40 billion in 2019. So according to the most recent data released by Turkey's government, the central bank is facing a shortfall of around \$25 billion, once you subtract the funds they hold in gold and Qatari riyal."

Thank your lucky stars the U.S. dollar is the world's reserve currency. **LW**



Ron Knecht
RonKnecht@aol.com

SELF-INFLICTED PROBLEMS OF HIGHER EDUCATION: PART 4

In parts 1-3 of this series of columns, I noted the long-term rapidly rising costs of tuition and fees at U.S. public colleges and universities: 225 percent increases in real terms from 1984 to 2014, versus 25 percent in median family income, which measures folks' ability to pay.

These hikes caused huge increases in student debt. As federal student aid rises, colleges raise their charges to absorb the new money available. Student debt now totals \$1.67-trillion, a large part of our total public and private national debt, which long ago passed sustainable levels.

The money goes to administrative bloat, emphasis on research over teaching, and excessive compensation all across campus. National numbers of university administrators rose by 2012 to almost one per faculty member. And they are paid better than folks in comparable positions outside academe.

For faculty, research tends to crowd out excellence in teaching. And university professors' pay is as bloated as for administrators. Compensation bloat is not a problem in our community colleges, nor among graduate teaching, grading and research assistants and adjunct faculty. They are part-time and poorly paid. As a Nevada Regent, I observed all these phenomena here.

The key problem of higher education is the same as for K-12 public education and all the public sector: The enterprises are run for benefit of the employees, not for benefit of students, other clientele, taxpayers and families paying the bills, nor for the public interest.

Twelve years ago, in a major article for the Chronicle of Higher Education, I pointed out that higher education – and all education, health care and the whole public sector – exhibit “cost disease”. That’s the problem of showing few gains

in productivity over long periods of time and little business model innovation because they do not really embrace opportunities made possible by technological progress and operational innovation – as competitive businesses do.

In the article, I attributed the problem to the public sector’s cost-plus budgeting approach. Twelve years later, I realize it’s due more to the predatory special-interest providers, bureaucrats and politicians who run things by taking an ever-larger share of our economy, contrary to the public interest.

So, what is higher ed’s future in view of these problems?

In my article, I pointed out that technological progress and business innovation leads to “bypass” by new entrants of incumbents in regulated and public-sector enterprises that don’t embrace such changes. This had already happened in communications, energy utilities and transportation.

“Education at all levels could experience the same upheaval in coming decades. We have already seen signs with the rise of for-profit colleges and in certification alternatives to traditional undergraduate degrees,” I wrote.

Nevada regents, administrators, faculty and students had already begun discussing these issues. However, administrators assured us adoption of new instructional paradigms, including distance learning and other digital methods, would lead to cost increases, not decreases.



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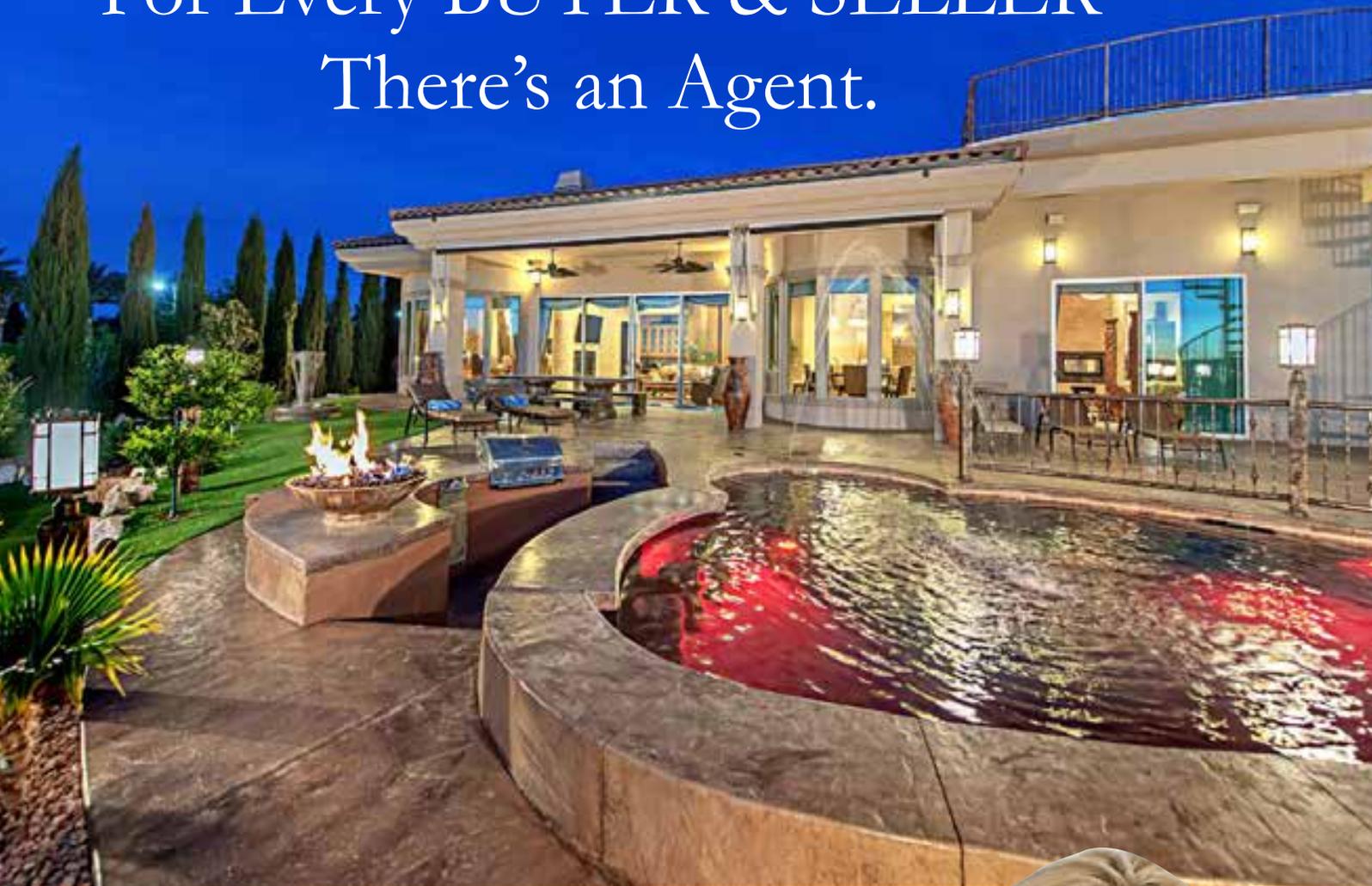
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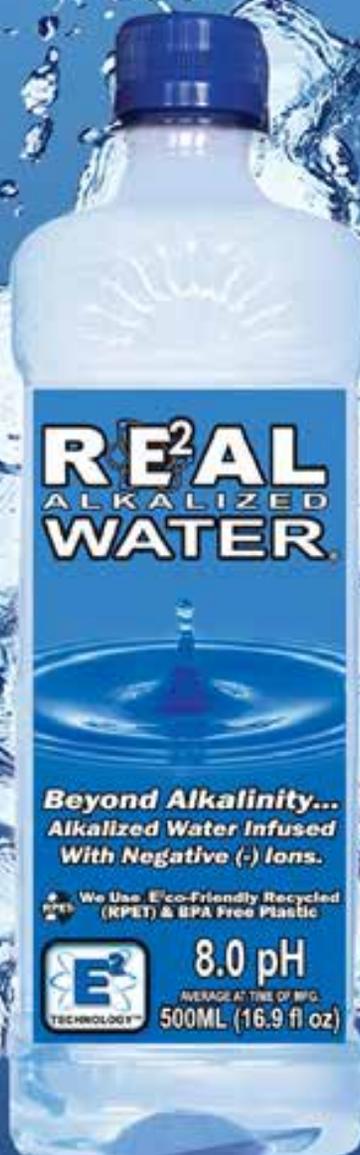
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PRIVATE PROPERTY'S HARVEST

I'm thankful.

Yes, we've got the pandemic, lockdowns, a worsening deficit, etc.

But we still live in a relatively free country at the most prosperous time in human history.

The pandemic showed that when people are faced with crises, we adjust. Restaurants switched to takeout and outdoor dining. Grocery stores began curbside pickup. Companies mass-produced masks, hand sanitizer, ventilators and, now, vaccines. I hide from COVID-19 by staying home; yet, thanks to new services such as Zoom, I can research this column and make my weekly videos from my couch.

That's brought benefits. I no longer have to deal with traffic congestion.

Traffic jams are a good example of what ecologist Garrett Hardin called the "Tragedy of the Commons."

Because roads are free, more people drive, and roads are often congested. If roads were subject to "peak-load pricing, charging higher prices during times of peak demand and lower prices at other times," Hardin wrote, then we'd have fewer traffic jams.

I bring this up now, before Thanksgiving, because a similar Tragedy of the Commons nearly killed the Pilgrims. When they landed at Plymouth Rock, they started a society based on sharing.

Sharing sounds great.

But sharing, basically, is collective or communal farming, which is socialism. Food and supplies were distributed based on need. Pilgrims were forbidden to selfishly produce food for themselves.

That collective farming was a disaster. When the first harvest came, there wasn't much food to go

around. The Pilgrims nearly starved.

Since no individual owned crops from the farm, no one had an incentive to work harder to produce extra that they might sell to others. Since even slackers got food from the communal supply, there was no penalty for not working.

William Bradford wrote in his "History of Plymouth Plantation" that the colony was ridden with "corruption" and "much was stolen both by night and day, before it became scarce eatable."

People eager to provide for their families were less eager to provide for others. Bradford wrote, "young men, that were most able and fit for labour, did repine that they should spend their time and strength to work for other men's wives and children without any recompense."

Ultimately, said Bradford, shared farming "was found to breed much confusion and discontent and retard much employment that would have been to their benefit and comfort."

The Pilgrims "begane to thinke how they might raise as much corne as they could, and obtaine a beter croke (so) they might not still thus languish in miserie."

Languishing in misery is what people in Venezuela do now.

The Pilgrims' solution: private property.

In 1623, the collective farm was split up, and every family was given a plot of land. People could grow their own food and keep it or trade it. "It made all hands very industrious, so as much more corn was planted than otherwise would have been." wrote Bradford. "Women now went willingly into the field, and took their little ones with them to set corn; which before would allege weakness and inability."

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DISCRIMINATION AND PREJUDICE

Some of the confusion in thinking about matters of race stems from the ambiguity in the terms that we use.

I am going to take a stab at suggesting operational definitions for a couple terms in our discussion of race. Good analytical thinking requires that we do not confuse one behavioral phenomenon with another.

Let's start with "discrimination." Discrimination is the act of choice, and choice is a necessary fact of life. Our lives are spent discriminating for or against different activities and people. Some people shop at Wegmans and thus discriminate against Food Giant. Some students discriminate against George Mason University in favor of attending Temple University. Many people racially discriminate by marrying within their own race rather than seeking partners of other races. People discriminate in many ways in forming contracts and other interrelationships. In each case, one person is benefitted by discrimination and another is harmed or has reduced opportunities.

What about prejudice? Prejudice is a useful term that is often misused. Its Latin root is *præjudicium*, meaning "an opinion or judgment formed ... without due examination." Thus, we might define a prejudicial act as one where a decision is made on the basis of incomplete information. The decision-maker might use stereotypes as a substitute for more complete information.

We find that in a world of costly information, people seek to economize on information costs. Here is a simple yet intuitively appealing example. You are headed off to work. When you open your front door and step out, you are greeted by a full-grown tiger. The uninteresting prediction is that the average person would endeavor to leave the area in great dispatch. Why he would do so is

more interesting. It is unlikely that the person's fear and decision to seek safety is based on any detailed information held about that particular tiger. More likely, his decision to seek safety is based on tiger folklore, what he has been told about tigers or how he has seen other tigers behave. He prejudices that tiger. He makes his decision based on incomplete information. He uses tiger stereotypes.

If a person did not prejudice that tiger, then he would endeavor to seek more information prior to his decision to run. He might attempt to pet the tiger, talk to him and seek safety only if the tiger responded in a menacing fashion. The average person probably would not choose that strategy. He would surmise that the expected cost of getting more information about the tiger is greater than the expected benefit. He would probably conclude, "All I need to know is he's a tiger, and he's probably like the rest of them." By observing this person's behavior, there's no way one can say unambiguously whether the person likes or dislikes tigers.

Similarly, the cheaply observed fact that an individual is short, an amputee, black, or a woman provides what some people deem sufficient information for decision-making or predicting the presence of some other attribute that's more costly to observe. For example, if asked to identify individuals with doctorate degrees in physics only by observing race and sex, most of us would assign a higher probability that white or Asian men would have such degrees than black men or women. Suppose you are a police chief and you're trying to find the culprits breaking into cars, would you spend any of your resources investigating people in senior citizen homes?

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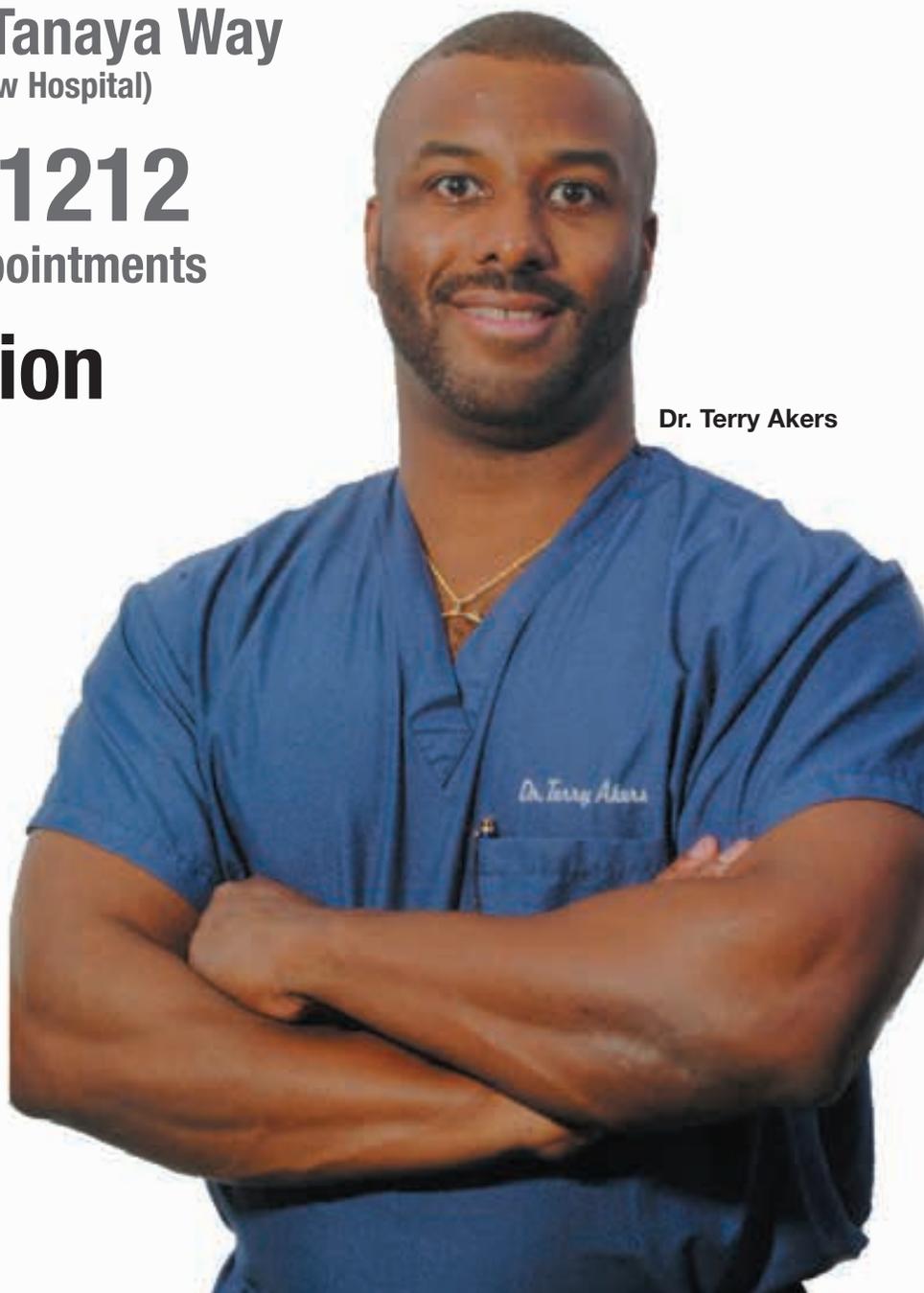
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HERE WE GO AGAIN

"Rightful liberty is unobstructed action according to our will within limits drawn around us by the equal rights of others. I do not add 'within the limits of the law' because the law is often but the tyrant's will, and always so when it violates the right of an individual."

-- Thomas Jefferson (1743-1826)

As if nanny state governors had been sleepwalking through the tyrannical shutdowns and their disastrous consequences last spring and summer, as if they were ignorant of the economic destruction of those they barred from going to work or operating their businesses, as if they thought it is lawful to assault natural rights and constitutional guarantees, these same governors are now beginning another wave of interferences with personal liberty.

Slowly, over the past 10 days, while the eyes of the public and the media have been on the counting of votes in the presidential election and the ensuing allegations and litigations, governors in New Jersey, Pennsylvania, Michigan, Connecticut and New York have threatened to impose or have begun to impose their unconstitutional, illegal, immoral and illogical efforts to shut down society in order -- they claim -- to rid the land of the COVID-19 virus.

By doing so, they have reignited the age-old debate of individual liberty versus public safety. In this case, the safety they claim to be enhancing is safety from disease. Yet, by their executive orders, they have purported to use state law to interfere with freedoms without due process that are guaranteed by the U.S. Constitution. By doing that, they have set themselves up for criminal prosecutions when normalcy returns.

Here is the backstory.

For the past four years, I have been working on a 650-page treatise that explores the origins of human freedom from a natural law perspective. The book traces the recognition by scholars,

jurists, theologians and, in the case of America at its founding, radical revolutionaries like Thomas Jefferson and James Madison, who truly believed and passionately argued that human freedom -- our individual power to make unobstructed choices -- comes from within us, and not from the government. Most of the historical defenders of this truism also believed in God and argued that He made us free by giving us free will.

This understanding of natural rights was wedded to the United States at its birth in 1776 when Jefferson wrote in the Declaration of Independence that we are endowed by our Creator with certain inalienable rights, and again in 1791 when Madison wrote in the Ninth Amendment that because human liberty is so expansive the government must protect even unstated, unenumerated rights.

To protect our rights from whom?

The framers could easily answer that question, yet the folks who run the government today do not want it asked because the answer implicates them. In the revolutionary era, colonists could protect themselves from evildoers attempting to steal their property or take their lives. But the foe they most feared was the government. They fought a bloody war against the government of King George III because it assaulted their economic rights and their right to self-government.

History is repeating itself, without the courageous revolutionaries. It is not my neighbor, or even a thief in the night, who impairs my personal liberty -- it is the government. It does so, just as King George did, under the guise of safety.

Yet, the Constitution and the Bill of Rights were written precisely to prevent governments in America -- state or federal -- from interfering with our liberty, absent a jury trial at which they must prove fault.

This jury trial requirement is called due process. It is guaranteed by the Fifth and 14th Amendments, which mandate that the government comply with due process whenever it seeks to impair the life, liberty or property of any person. Of course, a constitutional guarantee is only as reliable as is the fidelity to the Constitution of those in whose hands we repose it for safekeeping.

Now, back to these nanny state governors. They have assumed to themselves the powers to write laws and enforce them. That assumption violates the U.S. Constitution and the constitutions of the states in which they were elected, because the power to write laws and the power to enforce laws is required to be separated in America. We call that the separation of powers. It is, according to my late friend Justice Antonin Scalia, the most unique and freedom-protecting aspect of the Constitution, and it applies to states as well as the federal government.

Add to this the so-called lockdowns -- a demeaning word originating in the shutdown of prisons during riots -- that directly impair personal liberties that are not only natural to us but are expressly guaranteed by the Constitution as the Supreme Court has interpreted it. These lockdowns interfere with the freedom to speak, travel, worship, assemble, engage in commercial intercourse and use property to its highest and best use.

Under federal law, when a government employee employs government tools to impair these enumerated rights -- and does so without due process -- that person commits a felony.

Thus, when governors use police powers to interfere with personal liberty -- liberty that is expressly guaranteed by the Constitution -- and do so without a trial at which the government proves fault, they have violated both state and

federal law, no matter their reasoning. Thus, all these executive orders regulating private personal behavior are profoundly unconstitutional and even criminal.

There is no pandemic exception to the Constitution. It is liberty that flows in our veins, not false promises of government safety.



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DON'T FORGET THE HOMESTEAD

For most people buying a house is the largest, most complicated business transaction they will ever complete.

Nobody ever studies for it. You may be a bartender or craps dealer and suddenly you're on one side of a \$500,000 transaction. You've decided you want the house, the square footage is right, you like the area of town, and where your kids will go to school.

That was the easy part, now you're stuck in the vortex of the title company, title insurance, hazard insurance, the seller, the seller's agent, lining up the moving company, and who knows what all. Plus, all of these moving parts have to come together seemingly at the precise same moment. Ugh.

But when it's done you have your new dream home. There may be others as life changes, but for now,

you, the new homeowner, can enjoy the warm, fuzzy feeling of a new place you call home. What was once just an address in the MLS system, is your place.

What's the bad news? You now have something to lose, something that is not just an asset, likely your largest one, but something you immediately developed an emotional attachment to the minute you decided, this is the one.

Life has ups and downs. If downs include legal judgements, your house has a big red target on it. Why? Everyone knows you own the home; all it takes is going on the county's website and plugging in your address or your name. You must protect target #1 and it is simple to do. However, when you're juggling everything that requires juggling to get into your new house, you can easily forget to record a homestead on your property.

Nevada homeowners receive a homestead exemption of up to the first \$550,000 of equity you have in your home. That will cover most everyone. Equity is the difference between what your home is worth and what you owe against the house. The State Bar of Nevada explains, "A homestead declaration protects your home from being seized and sold in the event that a money judgment is entered against you by a court."

You can file a homestead if you're single or a married couple. You can file a homestead on land with improvements like a house, or a mobile home, whether you own the land under it or not, or on a condominium.

A homestead will not stop your home from being seized and sold to pay a judgement for taxes (of course), a mortgage, trust deed or other loan arrangement used to purchase or refinance your property or finance improvements made to your property; mechanics liens, and, any lien where you agreed by accept the property subject

to codes, covenants and restrictions (CC&Rs), deed restrictions or equitable servitudes.

A homestead is not some kind of complicated legal document. It's one page and can be downloaded from lots of places. Just make sure you follow the proper steps, particularly in printing the correct legal description of the property (which is not the property address) and having it notarized and recorded.

The key is to do it right away. You don't know when something old or something new crops up. According to the state bar, "it is prudent to file a homestead declaration upon purchasing a home and taking title to it, or as soon as possible thereafter. However, a homestead will protect up to \$550,000 of your equity in your home provided that it is recorded with the County Recorder at any time before proceedings are instituted to cause the forced sale of your home to satisfy a judgment. So, even after a judgment has been entered against you, it is possible to record a homestead declaration." But do not wait.

Rest assured if I am your agent, I'll be sticking a homestead agreement in that mountain of documents you'll be signing at the closing. However, not every agent remembers homestead agreements, so make sure you remember.

A homestead is as important as title insurance and fire insurance. It will give you peace of mind and make your home more secure. **LW**

Some enterprising agents may have put a flyer on your door. Perhaps your uncle's friend's co-worker's cousin just started in the business. You want to sell your house, not do someone a favor. Hire a pro. Remember Nicole Maroe at Simply Vegas 702-303-8243.

(SELF-INFLICTED PROBLEMS OF HIGHER EDUCATION: PART 4

continued from page 32)

This is an example showing it's the people more than the budgetary system that's the problem. Instead of using the changes to cut costs and reduce outmoded offerings and methods, they continued to increase those in their budget requests and treat innovation merely as an optional add-on.

The UNLV president assured me that, despite predictions of experts, bypass would not dent the current system, and the status quo would continue. In the twelve years since then, the wolf was already at the door before the Covid pandemic arose. Some private colleges had already closed, and nearly all institutions were scrambling to fight off challenges from bypass entrepreneurs and to incorporate new technology such as distance learning and competency certificates.

The pandemic, the unduly harsh responses of mostly Democrat governors, and the economic swoon they have caused have led our institutions to clumsily embrace digital distance learning and other changes to a huge extent that now almost fully displaces in-person instruction. This has sped up the needed progress hugely.

But unless our public institutions do these things right and add value that bypass institutions such as for-profit colleges and certificate-oriented schools cannot, many will not survive. The pandemic, shutdowns and economic collapse will require administrators, faculty and politicians to promptly and effectively change or public institutions will die.

Final installment next time: specific changes to make. **LW**

(PRIVATE PROPERTY'S HARVEST

continued from page 36)

The Pilgrims flourished because they turned to private property.

So, this Thanksgiving, be grateful for private property, a foundation of capitalism.

Your grocery may not have the small turkey you wanted this year, but they have much more of what you want than people in the Soviet Union ever got.

When you're shopping for dinner or stocking up for Lockdown 2.0, be glad that you have so many options available.

If government controlled the production of turkeys and toilet paper, this would be a very, very unhappy Thanksgiving.

(DISCRIMINATION AND PREJUDICE

continued from page 38)

Using an observable attribute as a proxy for an unobservable or costly-to-observe attribute lies at the heart of decision theory.

Lastly, is there a moral dimension to discrimination and prejudice? Should one be indifferent about whether he attends Temple University or George Mason University and thus makes his decision by flipping a coin? Is it more righteous to use the same technique when choosing to marry within or outside his race? Is it morally superior to be indifferent with respect to race in marriage, employment and socializing? Can one make a rigorous moral case for government coercion to determine whether one attends Temple University or George Mason University, marries outside of his race, or is indifferent about the racial characteristics of whom he employs?

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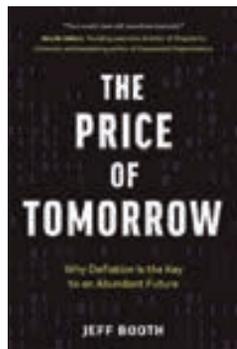
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THE PRICE OF TOMORROW

Students of the Austrian school of economics have been looking incessantly for price inflation ever since the Federal Reserve's balance exploded.

Sure, asset prices have expanded under the Fed's pumping, but Weimer, Zimbabwe or Venezuela we are not. Milton Friedman famously posited, "Inflation is always and everywhere a monetary phenomenon in the sense that it is and can be produced only by a more rapid increase in the quantity of money than in output." If that is true then what more is a central bank to do?

If you're looking for another point of view, Jeff Booth has it for you, with "The Price of Tomorrow: Why Deflation is the Key to an Abundant Future." You won't find any Austrians other than Joseph Schumpeter and his creative destruction theory, which Booth makes the case is deflationary.

Booth is so sure of himself that his introduction is entitled "The End of Inflation." I've lived long enough to learn one shouldn't claim it's the end of anything. "Technology is deflationary," Booth writes unequivocally. "That is not conjecture. It is the nature of technology." And, since technology is smothering more and more of the world and its goods and services, "we are entering into an age of deflation unlike the world has ever seen." That sounds like hyperbole from you-know-who.

Booth believes the world was built for growth and inflation and that era is over. So while easy credit is being created at an incomprehensible pace, technology creates winners and losers with the result being "profoundly more polarized and unsafe."

If governments don't quit the money printing and allow technology to make things cheaper, "we

drive more wealth inequality, more polarization, and more discord into our societies," Booth writes.

Very early in the book, the conundrum appears, "there's just one problem," Booth writes, "if technology should be driving everything cheaper, why is life getting more expensive?" The author claims the rise in prices is artificial--"driven by an enormous rise in credit and debt." Well, yeah. Perhaps a perusal of Mises and Rothbard might have come in handy, that's been the Austrian view for a couple hundred years.

Booth's point is economic growth is not driving inflation. Technology would be pancaking prices except for "easy credit and debt that masks what is really happening underneath." The author does make the valid point, debt plus deflation will mean disaster, not hearty economic expansion. Instead, asset bubbles and busts meander across global economies.

Wealth and privilege have nothing to do with ingenuity and hard work, says Booth, but instead, government money printing, which "is nothing more than crony capitalism...a political system that rewards its insiders."

Booth offers stories about disruptors, like Blockbuster, which after disrupting, was, in turn, disrupted into bankruptcy. Jeff Bezos and Amazon, before being the corporate colossus they are now, were once on the verge of bankruptcy.

Booth provides a Schumpeter quote which should give everyone pause: "In breaking down

the pre-capitalist framework of society, capitalism thus broke not only barriers that impeded its progress but also flying buttresses that prevented its collapse. The capitalist process in much the same way in which it destroyed the institutional framework of feudal society also undermines its own.”

The author also leans on Hyman Minsky, who wrote about stability being unstable. This quote from his 1986 book “Stabilizing an Unstable Economy,” is especially illuminating. “Every time the Federal Reserve protects a financial instrument, it legitimizes the use of this instrument to finance activity. This means that not only does Federal Reserve action abort an incipient crisis, but it sets the stage for a resumption in the process of increasing indebtedness--and makes possible the introduction of new instruments.”

Minsky said it isn't debt per se which undermines capitalism but the socialization of losses when faced with collapse which “undermines capitalism's own institutional framework.” Booth adds that after the 2008 rescue, the world's debt has grown by almost 50 percent.

Booth manages to work behavioral economics into his story. For instance he believes it's because of sunk-cost bias that we hold on to the present print and grow economic model “for fear of loss of the status quo.” But there will be no status quo with the deflation brought about by technology. “The cost of one megabyte of hard drive memory has fallen from approximately \$1 million in 1967 to 2 cents today,” writes Booth.

We can easily imagine what that means for the cool stuff that will be on our smartphones. What I can't fathom is what cheaper computing power will do for the price of a can of beans.

Much of Booth's thesis works toward a lack of work. Self-driving cars and trucks will put drivers on the unemployment line, but will bring down shipping costs. Vehicles are under utilized, 95 percent of the time we aren't driving them, Fractionalized ownership of vehicles will again be deflationary.

Why go on vacation, when a computer can

simulate the feeling of skiing the Alps? Or, more close to home, why not play craps in a computer generated casino, rather than flying to Vegas. Three D printing will make large manufacturing plants obsolete and shipping, again, cheap or unnecessary.

Solar energy and artificial intelligence (AI) will drive costs down and make for a whole new world. Our brains haven't changed in 300,000 years. “All our knowledge grows only through the correcting of our mistakes,” wrote Karl Popper. What makes AI devastating is it can learn to correct millions of mistakes in seconds. “Soon--perhaps already--that rate of growth will be too fast for our minds to keep pace,” Booth writes. “We will be chasing ever further behind our machines. Then who will be the masters?”

Maslow's Hierarchy of Needs even makes an appearance. People will always have a need for happiness, but also have a tendency to create us-versus-them scenarios and grievances. At this point Booth sees a rise in extremism and makes a few points from a book called “Four and a Half Years (of struggle) against Lies, Stupidity, and Cowardice,” also known as “Mein Kampf” by Adolph Hitler.

Booth writes, “it is worth considering that many of the people Hitler persuaded into following him were, in his own words, a vacillating crowd of human children.” Sound familiar?

Mr. Booth reminds us that membership in the S&P 500 averages 33 years, but is forecasted to drop to 12 years due to technology. Sound shocking? Think Kodak, Blockbuster, and Sears. As he comes to a close, Booth writes, “A true capitalist system could work well in that environment because there would still be an incentive to work harder and innovate. Prices of all things would fall, yes, but those creating value would be paid for their value creation--at a rate that matched the new realities of supply and demand and our digital world.”

A true capitalist system, with lower prices, and higher prosperity. Imagine that. **LW**

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Upon legalization, it seemed only political insiders and wealthy investors could put money into Nevada's latest growth industry. Now, it's time for Cannabis 2.0 according to Jonathan Sandelman, CEO of Ayr Strategies, a vertically integrated U.S. multi state operator, who was recently interviewed on investment platform Real Vision.

Sandelman is no old hippie. A 30 year veteran of banking and finance, he was running a family office until 2017 when he received a call that went like this: "I have an industry that's growing at 35%, that's highly fragmented, that lacks access to capital." Sandelman said, "please, tell me, because we look for those kinds of ideas every day. What is it?" He said, "cannabis." And I said, "that's not my core competency."

He turned the caller down but began to look at the correlation between cannabis and beer sales in states where cannabis was legal. "And what I noticed is as cannabis became legal, beer sales declined."

For Sandelman, nothing matters but the numbers. He looked at the total market cap of all cannabis businesses that traded publicly in the world. And it was only \$40 billion. "So I said, wow, \$40 billion is the entire legal market for cannabis. And yet, wherever the states are legalizing cannabis, beer sales are going down. Hard liquor is going down. The consumer taste is changing."

Sandelman wondered rhetorically how many people does beer or alcohol help? Yet the market capitalizations of hard liquor, beer, and maybe pharmaceuticals, totaled trillions of dollars, while the total market cannabis capitalization was only \$40 billion.

Sandelman's research showed him the demographic profile for cannabis was as good as any he'd ever seen: 21-year-olds, they're allowed in the store. They love it. Moms love it. Middle-aged guys like it. The elderly like it.

The political environment was not great in 2017, the attorney general was Jeff Sessions, who had pulled the Cole Memorandum, threatening operators in the US that he would incarcerate them for being in a federally illegal substance. But, Sandelman explains "he couldn't actually enforce

his threats, because there's a piece of legislation called the Rohrabacher Amendment, and it specifically excluded him from using his budget to enforce against marijuana. That was the secret sauce. That's what I was looking for."

The investor had to think past Canada with only 40 million people. The US has 350 million people. Sandelman knew there was only so much available talent in this new industry. So he concentrated his five companies in two states (Massachusetts and Nevada), "penetrated them deeply, generating more free cash flow." He's now decided, in cannabis 2.0, to extend out his footprint and grow.

The Covid-19 lockdown hurt him and his companies, but like all cannabis operators he learned how to deliver product and sell at curbside.

So, what's the difference between 1.0 and 2.0? "The investors start to do their work and figure out who are the winners going forward. Who are the best operators, who are the best finance people, who are the most disciplined individuals? And they anoint them as the winners forward. They reward them with capital. The funnel in 2.0 looks a lot different than 1.0. It's super tight. Capital only flows to the winners that they've decided forward," says Sandelman

Believing in the 80/20 rule, Sandelman determined "10 or 12 states can produce 80%. And if you can do 80% with a small number of states, that's the most efficient, most profitable business that you can create."

The Ayr Strategies head man repeats, consumers like cannabis. In fact, it seems like they like it better than alcohol. Half the country admits to trying some form of cannabis. That leaves the whole rest of the country, the other half. This is a growth industry.

"I think legalization is closer than it was a year ago," Sandelman speculates. "So that creates an interesting dynamic. It's going to make these businesses a lot more profitable and easier to operate. I think this is one of the greatest opportunities of my lifetime."

Nevada used to be a two-horse state: gaming and mining. Those two now have company--cannabis.. **LW**

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