

Resolution to:

## Defend Our Party's Constitutional Right of Association

**WHEREAS, the Constitution of the United States guarantees the right of association to all citizens<sup>1</sup>:**

- And this right is the freedom to join or leave groups of a person's own choosing, and for the group to make collective decisions and actions according to the beliefs and interests of its members. It is both an individual right and a collective right<sup>2</sup>;
- And encompassed in this right is the freedom of political parties to determine how they select their leaders, delegates and nominees;

**WHEREAS, recently passed Utah state legislation<sup>3</sup> diminishes our party's right of association by:**

- Altering our nominating process without our consent;
- Forcing our party to make an "unconstitutional choice" – requiring it to surrender Constitutional rights to qualify as a political party<sup>4</sup>;

**WHEREAS, the U.S. Supreme Court<sup>5</sup> has:**

- Upheld the right of association as one of the most important of our Constitutionally protected rights;
- Repeatedly struck down state laws that interfere with the candidate selection process of political parties;

**WHEREAS, the Utah Republican Party:**

- Recognizes the good intentions of private groups and legislators to change how political parties select their nominees, however this does not merit infringement of Constitutionally protected freedoms;
- Is fully committed to ongoing improvements to its nomination process through its policies and procedures, according to party governing documents;

**THEREFORE, BE IT RESOLVED THAT THE UTAH REPUBLICAN PARTY, ASSEMBLED IN THIS CONVENTION:**

- Strongly affirms our Constitutional right to determine how our party selects its nominees;
- Supports our leadership in defending our party's legal rights regarding this issue.

Submitted by: Michael David Willson, Herriman 10, [michaeldavidwillson@gmail.com](mailto:michaeldavidwillson@gmail.com)

### **SECONDING ENDORSEMENTS**

Aaron Gabrielson, Heber City 25

Suzanne Mulet, Cottonwood 8

Kari Malkovich, Woodland Hills 1

Greg Martin, North Ogden 8

Frank Anderson, Pleasant Grove 6

Keri Witte, Provo 20

Britton Beckham, Pleasant Grove 11

Mary Piersanti, Ogden 13

Amelia Powers, UCWM

Paul Gooch, St. George 45

Dalane England, N. Salt Lake 1

Heather Williamson, Saratoga Sp. 7

Mary Burkett, Washington 66

Linda Jardine, Orem 41

Brandon Beckham, Orem 12

Kevin Greene, Pleasant Grove 5

Blake Cozzens, Cedar 9

Arturo Morales, Orem 47

Lisa Shepherd, Provo 20

Oak Norton, Highland 7

Justin Fawson, North Ogden 4

Lisa Cummins, Herriman 5

Kris Kimball, Bountiful 17

Carol Balaich, Layton 17

Lee Skabelund, Centerville 5

Tamara Atkin, UCWM

Curtis Morley, Orem 10

Lowell Nelson, Highland 5

Phillip Wright, Bountiful 19

Lynda Pipkin, North Ogden 12

Michael Melendez, Provo 29

Lance Willson, Sandy 52

Paterick Spotten, Herriman 10

Don Guymon, Weber 3

Marco Diaz, South Jordan 42

Kirby Glad, Orem 24

James Green, 55

Keith Major, Fruit Heights 2

Janice Legler, Kaysville 16

Michele Alder, N. Logan 5

Dan Deuel, Ogden 9

Nick Moyes, Saratoga Sp. 3

## **LEGISLATIVE ENDORSEMENTS**

Senator Howard Stephenson

Senator Scott Jenkins

Rep. Ken Ivory

Rep. Mike Kennedy

Rep. Keith Grover

Rep. Edward Redd

Rep. Dana Layton

Rep. Curtis Oda

Rep. Kay Christofferson

Rep. Rich Cunningham

Rep. Brian Greene

Rep. Marc Roberts

## **ENDNOTES**

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<sup>1</sup> First Amendment to the Bill of Rights: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."  
([http://www.archives.gov/exhibits/charters/bill\\_of\\_rights\\_transcript.html](http://www.archives.gov/exhibits/charters/bill_of_rights_transcript.html)).

<sup>2</sup> Jeremy McBride, *Freedom of Association, The Essentials of Human Rights* (Hodder Arnold 2005), 18, freedom of association involves coming together with other individuals to collectively express, promote, pursue and defend common interests.

<sup>3</sup> Senate Bill 54, Elections Amendments, 2014 General Session (<http://le.utah.gov/~2014/bills/static/SB0054.html>).

<sup>4</sup> Christ T. Troupis, Attorney and Counselor at Law, video interview, March 16, 2014. Interview can be accessed at: [KeepOurCaucus.com](http://KeepOurCaucus.com)

<sup>5</sup> Christ T. Troupis, Attorney and Counselor at Law, presentation to State Central Committee, March 1, 2014, Provo, Utah, regarding legal memorandum: "The Constitutionality of the Initiative Proposing to Alter the Rights of Utah Political Parties in the Selection of Party Nominees for Public Office." Memorandum can be accessed at: [KeepOurCaucus.com/LegalMemorandum](http://KeepOurCaucus.com/LegalMemorandum)