

To the honorable kay brown

As the current chairman of the CCRCC I formally ask you to remove Ray Weter from our primary ballot, as well as any other potential applicants for our ballot that the committee may choose to exclude from our primary ballot. We have gone to extra effort to ensure that people who are rejected prior to the last minute of the filing period still have time to re-file with a group more fitting to their beliefs, or run as an independent, but we reserve the right to associate with people who share our publically stated beliefs as a political party.

The committee is a private group with the authority to accept and deny membership, just as any other similar private group has. State statute does allow for the returning for checks, and by inference to deny access to the ballot on that party platform. In no way is our action an effort to keep people from all ballot access, but access to our party ballot is not an absolute right. You stated that you wished to not involve the county in potential lawsuits, in this matter a year ago when we first started the research on how best to proceed. This action guarantees that there will be legal action, as our First Amendment rights are being blatantly violated by not removing disqualified applicants from the ballot. This is not a general election, but a primary, which is in essence a government-sanctioned private election.

The Supreme Court has repeatedly held that "there can be no clearer example of an intrusion into the internal structure or affairs of an association than a regulation that forces the group to accept members it does not desire." *Id.* Freedom to associate "plainly presupposes a freedom not to associate." Dale, 530 U.S. at 648, 120 S.Ct. 2446 (quoting Roberts, 468 U.S. at 623, 104 S.Ct. 3244). When the government forces a group to accept for membership someone the group does not welcome and the presence of the unwelcome person "affects in a significant way the group's ability to advocate" its viewpoint, the government has infringed on the group's freedom of expressive association. Dale, 530 U.S. at 648, 120 S.Ct. 2446.

A unanimous court held that the State Court's ruling to require private citizens who organize a parade to include a group expressing a message that the organizers do not wish to convey violates the First Amendment by making private speech subordinate to the public accommodation requirement. Such an action "violate[s] the fundamental First Amendment rule that a speaker has the autonomy to choose the content of his own message and, conversely, to decide what not to say." "**Hurley v. Irish-American Gay, Lesbian and Bisexual Group of Boston, Inc.**" Oyez. Accessed March 17, 2018. <https://www.oyez.org/cases/1994/94-749>.

In a 5-4 opinion delivered by Chief Justice William H. Rehnquist, the Court held that "applying New Jersey's public accommodations law to require the Boy Scouts to admit Dale violates the Boy Scouts' First Amendment right of expressive association." In effect, the ruling gives the Boy Scouts of America a constitutional right to bar homosexuals from serving as troop leaders. Chief Justice Rehnquist wrote for the Court that, "[t]he Boy Scouts asserts that homosexual conduct is inconsistent with the values it seeks to instill," and that a gay troop leader's presence "would, at the very least, force the organization to send a message, both to the young members and the world, that the Boy Scouts accepts homosexual conduct as a legitimate form of behavior." "**Boy Scouts of America v. Dale.**" Oyez. Accessed March 17, 2018. <https://www.oyez.org/cases/1999/99-699>.

There are several other cases, but for the sake of brevity, these are sufficient for now.

Dean Moore, chair, CCRCC

Thursday March 8, 2018

Mr. Ray Weter
8619 Interlochen Dr
Nixa, MO 65714

CC:
Kay Brown County Clerk
100 West Church Rm 304
Ozark, MO 65721

Re: CCRCC Special Meeting Vetting/Accepting/Rejecting Filing Fee

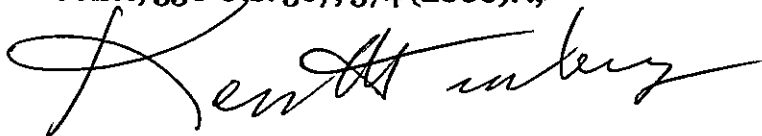
Mr. Weter

On Wednesday evening the CCRCC met in a special meeting to vett/accept/reject filing fees for Christian County Republican Candidates. A motion was made and 2nd to either accept or reject your filing fees as Presiding Commissioner on the Republican Party. A majority of precinct committee men and women voted not to accept your filing fees.

Note: we are refusing filing fees as a Republican Candidate, you have the opportunity to run on any other party that is recognized in Christian County.

RSMo 115.357 Section 5. Except as provided in subsections 3 and 4 of this section, no candidate's name shall be printed on any official ballot until the required fee has been paid.

In the words of Justice Antonin Scalia: "The Court has recognized that the First Amendment protects the freedom to join together in furtherance of common political beliefs, which necessarily presupposes the freedom to identify the people who constitute the association, and to limit the association to those people only. That is to say, a corollary of the right to associate is the right not to associate. Freedom of association would prove an empty guarantee if associations could not limit control over their decisions to those who share the interests and persuasions that underlie the association's being. In no area is the political association's right to exclude more important than in the process of selecting its nominee." California Democratic Party v. Jones, 530 U.S. 567, 574 (2000). ..



Ken Hurley
Secretary CCRCC



DEAN MOORE
Chairman CCRCC