

Birthers buried

Marty Trillhaase, Lewiston Tribune

CHEERS ... to Thurston County Superior Court Judge Thomas McPhee. He just buried the birther movement, at least with anybody who relies upon facts, law and history.

Of course, that puts him up against people such as Linda Jordan, a Washington plaintiff who wanted Secretary of State Sam Reed to remove President Barack Obama's name from the Nov. 6 ballot. McPhee diligently eviscerated Jordan's claims:

- The idea of attacking a presidential candidate's qualifications for office based on claims of foreign birth did not begin with Obama. Or even Republican John McCain. It goes back to 1880, when President Chester A. Arthur's opponents accused him of being born in Canada.
- Neither Reed - nor any other secretary of state - can remove a presidential candidate's name from the ballot. To do so would invite chaos across the 50 states.
- No state court can make such a ruling. Essentially, the qualification of a presidential candidate is a matter for Congress to resolve.
- Obama's opponents have played the birther card in several courts throughout the country, all without success. In case after case, they have been repudiated and their methods shown to be underhanded. In one Georgia case, the court accused the birthers of shifting the burden of proof "to compel a citizen, albeit the president of the United States, to 'prove his innocence' to 'charges' that are based upon conjecture and speculation."
- Jordan's case is just as flimsy. Wrote McPhee:

"She offers as evidence the musing of the infamous Arizona sheriff Joe Arpiao, supported by the report by a part-time computer programmer last employed in May 2007, who examined a copy of the pdf image of President Obama's birth certificate and concluded the original was forged. She offers the affidavit of a private investigator who opines that President Obama is fraudulently using the Social Security number of another person who was born in 1890 and was issued the Social Security number in 1977. The investigator is not able to identify the person and does not offer any insight as to why this hypothetical person waited until he or she was 87 years old before applying for and receiving a Social Security number. The rest of the plaintiff's evidence is the standard fare of the blogosphere that has been floating around since 2008."

JEERS ... to Moscow City Councilor Tim Brown. He obviously has a hankering to leave Moscow and move to Spokane, where his wife resides. In fact, as Daily News reporter Brandon Macz reported, Brown went so far as to obtain a Washington state driver's license and register his cars in that state. Getting a Washington license requires the applicant to confirm his intent to reside in that state.

Once the story broke, Brown backtracked by renewing his Idaho license and registration. An internal city legal review concluded Brown's Idaho residency remained legally intact. So he's eligible to keep his council seat until his term ends in 16 months.

But veteran observers of Idaho city government say they've never heard of a councilor following Brown's steps. Who signs up for a driver's license and re-registers his automobiles before moving? For most people, it's the reverse.

At the very least, it reveals Moscow is more in Brown's past than in his future.

And at worst, it exposes Moscow city governance to uncertainty. City Attorney Randy Fife's opinion that Brown's hold on office is legitimate is just that. An opinion. Once somebody gets it in his head to seek a declaratory judgment invalidating any council decisions in which Brown joined, the question opens up again.

CHEERS ... to Clarkston attorney Scott Broyles. He has rankled members of Respect Asotin County with his call to reject the group's home rule initiative and start from scratch with a different plan: Merging Asotin county with the cities of Clarkston and Asotin into a single unit.

But Broyles has zeroed in on what's ailing local government in Asotin County.

For starters, the dominant political organization is neither Clarkston nor the city of Asotin. It's the county, where most people live. Of Asotin county's 21,933 people, only 7,229 reside in Clarkston and 1,251 are in Asotin.

For another, those 21,933 are paying for a lot of government - three governing boards, duplicative levels of bureaucracy and all manner of redundancy.

And finally, that many layers of government breed internecine squabbles such as the unproductive fights over the county's under-funded aquatic center.

So give Broyles credit. He's tapped into the real issue.

JEERS ... to former Florida Gov. Jeb Bush. Speaking at the National Republican Convention last week, he took an unfair swipe at opponents of Idaho Superintendent Tom Luna's school overhaul package.

Bush is a fan of Luna's plan to steer money away from classroom teachers and funnel it toward the for-profit providers of online instruction.

"That earned some enemies," Bush said. "Some of them slashed the superintendent's tires. But he didn't back down."

Nobody knows who spray-painted Luna's truck and slashed two of his tires in 2011.

Where did Bush get his information?

JEERS ... to Idaho Republican Party Chairman Barry Peterson. He has injected the state GOP into the ongoing referendum debate about whether to repeal LunaTech - which pulls money from

teachers into machines - and makes teaching in Idaho less secure and less attractive by undermining tenure and collective bargaining.

"We strongly encourage Idahoans to make sure they know the true facts and vote yes when they head to the polls on Nov. 6," Peterson said.

But who's "we"? Certainly not the eight senior Republican senators - among them Majority Leader Bart Davis of Idaho Falls, budget committee co-Chairman Dean Cameron of Rupert or former Sen. Joe Stegner of Lewiston - who tried to block LunaTech in 2011.

Here's to Idaho's "small tent" Republican Party. - M.T.