



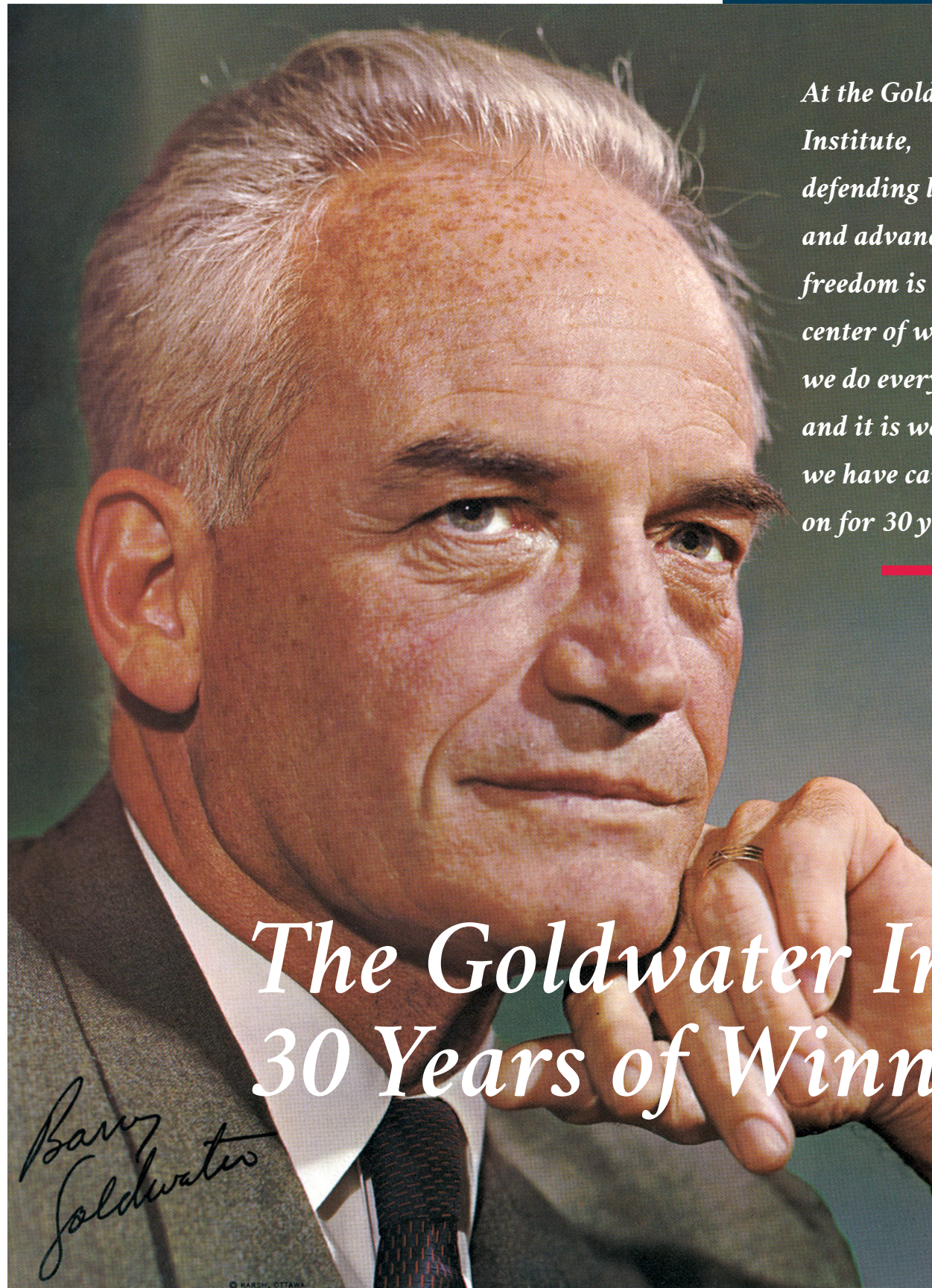
# *Liberty in Action*

*30<sup>th</sup> Anniversary Edition*

GOLDWATER  
I N S T I T U T E

30  
years





*At the Goldwater  
Institute,  
defending liberty  
and advancing  
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# *The Goldwater Institute: 30 Years of Winning Real Results for Freedom*

*Barry  
Goldwater*

Upon accepting his presidential nomination in 1964, Barry Goldwater told an audience that “extremism in the defense of liberty is no vice.” At the Goldwater Institute, defending liberty and advancing freedom is at the center of what we do every day, and it is work we have carried on for 30 years. It’s a mission we strive to live up to through our work in courtrooms, legislatures, and communities across the country.

Founded in 1988 in Arizona with Senator Goldwater’s blessing, the Goldwater Institute is a leading free market public policy research and litigation organization that works to defend and strengthen the freedoms guaranteed by the constitutions of the United States and all 50 states. The Institute seeks to advance the principles of limited government, economic freedom, and individual liberty, with a particular focus in the areas of education, free speech, healthcare, property rights, economic liberty, and constitutional limits on government.

The freedom to decide and to act without first asking permission from government is the crucial difference between those who are free and those who are not. As government takes increasing control over nearly all aspects of our lives—economic, political, social, and personal—our nation is in danger of losing the freedoms we cherish. The Goldwater Institute’s efforts are winning real results for freedom every day—and that’s a mission we’re eager to continue as we start our next three decades.

In the words of Barry Goldwater, Jr., “My father had the conscience of a conservative and the courage of a lion. He loved Arizona and he loved our country. He stood for the Constitution, the taxpayer, and classic American values. So does the Goldwater Institute. I’m proud that it bears our family name, and I encourage you to give the Goldwater Institute your enthusiastic support.”





# Leading the Goldwater Institute into the Future

## Meet Victor Riches, the Goldwater Institute's President and CEO

**T**hirty years ago, the Goldwater Institute was established to advance the principles of limited government, economic freedom, and individual liberty. As we look back on our successes of 2017—and as we celebrate 30 years of defending liberty—we also look toward the future.

Last year, the Goldwater Institute Board of Directors appointed a new president and CEO to lead the Institute boldly into that future: Victor Riches, who previously served as the Institute's vice president. Victor began his career in the Arizona State Legislature, where he spearheaded the state's first school choice legislation as well as the largest tax cuts of all time in Arizona. He is the only person in the history of the state to become chief of staff of both the State Senate and the House of Representatives, and he served as Arizona Governor Doug Ducey's deputy chief of staff for policy and budget, where he crafted and negotiated Arizona's first balanced budget in nearly a decade.

### Q&A with Victor Riches

Fighting for Liberty in Arizona and Across the U.S.A.

#### What does freedom mean to you?

I was 17 years old in 1989 when the Berlin Wall came down. I remembered Ronald Reagan's famous admonition to Mikhail Gorbachev a couple of years earlier, but I didn't appreciate its significance until I watched the East Germans reclaim their freedom for the first time in decades. I actually went to Germany a few years later and bought a piece of the wall from a vendor in Berlin. It's still on my mantle today. When I look at it, I remember how precious freedom is—and that's a lesson I've carried with me throughout my life.

#### When did you get your start in public policy?

Born and raised in Arizona, I was hired as an assistant research analyst at the state legislature shortly after I graduated from college. This was the lowest position at the Arizona Capitol, and my "office" was a cubicle under the stairwell. I ultimately became the youngest chief of staff of all time at the State Senate. Later, I became the chief of staff of the House, and I'm still the only person to have ever run both chambers. I served as Governor Doug Ducey's deputy chief of staff for the first two years of his administration, running his policy and budget shops. All told, I've worked in the policy world for more than 20 years.

#### What brought you to the Goldwater Institute?

I started working with the Goldwater Institute shortly after I started at the Arizona Legislature. I was introduced to the Institute by one of our founders, Norman McClelland, who sadly just passed away last year. Goldwater was very small back then, with only a handful of employees. They wanted to learn how to be more effective in

the policy world, and I wanted to learn from their analysts. It was the start of a great and long-lasting relationship.

#### What makes the Goldwater Institute different from other policy organizations?

What sets the Institute apart from other groups is that we do much more than just write white papers. We're really the only organization of our kind that conducts original research, develops policies, and passes model legislation in capitols all around the country. We also have an aggressive litigation team to defend our ideas—using not only the U.S. Constitution, but the 50 state constitutions as well. There is no other one-stop shop like the Goldwater Institute anywhere in the country.

#### How can the Goldwater Institute continue to make an impact for America?

Since its founding 30 years ago, the Institute has grown from a small think tank in the desert into not only the premier force for freedom in Arizona, but also into one of the most impactful organizations anywhere in the country. Looking ahead, I look most forward to proving the efficacy of federalism: The greatest effect we can have on the country is by moving issues at the state level. Our approach is proof that federalism benefits Americans—from our efforts to protect terminally ill patients' right to try investigational treatments, to our work to eliminate unnecessary licenses that keep people from entering the workforce and achieving the American Dream.

# 30 Milestones for 30 Years

In our 30 years of defending freedom, the Goldwater Institute has achieved more than 300 key victories in Arizona and across the country. The following 30 milestones are emblematic of the work we do and the hard-fought battles we've won.



**1. The Dawn of an Institution.**  
With the blessing of Barry Goldwater, the Goldwater Institute opens its doors on the Fourth of July in 1988.



**3. Honoring Greatness.**  
In 1993, the Institute introduces the Goldwater Award for lifelong service to liberty, recognizing the career of Jack Kemp. Subsequent recipients include President Ronald Reagan, Prime Minister Margaret Thatcher, Clarence Thomas, Milton Friedman, Ayaan Hirsi Ali, George Will, Peggy Noonan, and, of course, Barry Goldwater.



**5. Open School Enrollment.**  
The Institute plays a key role in Indiana's adoption of mandatory open school enrollment in 2005, giving students and parents greater educational choices. Today, more than 20 states (including Arizona) have adopted such policies.

**2. Cutting Taxes.**  
Beginning in 1992, Arizona enjoys a decade of new tax cuts every year thanks to the Institute's research. Since then, tax reforms have become synonymous with the Institute.



**4. The Birth of Charter Schools.**  
The Institute issues the policy report Child-Centered School Funding in 1998, presenting for the first time a charter school funding model for Arizona.



**6. A Focus on Low-Income Children.**  
In 2006, the Institute passes a groundbreaking corporate scholarship tax credit to help low-income children in Arizona access better educational opportunities.



**8. Litigating for Freedom.**  
The Scharf-Norton Center for Constitutional Litigation is established at the Institute in 2007, making Goldwater the first state-based free market think tank to deploy a team of lawyers to enforce its policies in courtrooms across the country.



**10. Protecting Taxpayers.**  
Thanks to a 2010 lawsuit brought by the Goldwater Institute on behalf of Phoenix taxpayers, the Arizona Supreme Court puts teeth back into the "gift clause," a state constitutional provision that bars the government from using taxpayer dollars to subsidize private enterprises.



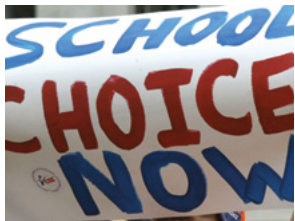
**7. The Gold Standard for Protecting Property Rights.**  
The Institute develops Arizona's revolutionary Private Property Rights Protection Act which requires the government to reimburse property owners whenever government regulations cause property values to go down.



**9. A Major Victory for Property Owners.**  
In 2009, the Institute wins a major victory for hundreds of Arizona landowners in Maricopa County, who were suddenly told they could no longer build on, improve, or fix their properties.



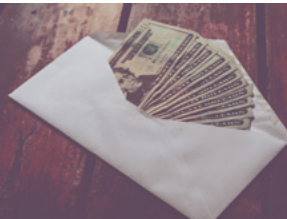
# 30 Milestones for 30 Years



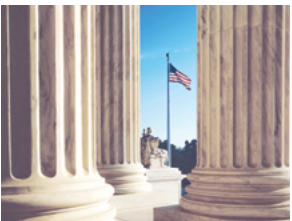
**11. The Origin of Education Savings Accounts.**  
The Institute enacts Empowerment Scholarship Accounts in Arizona in 2011, creating the nation's first program of public contributions to education savings accounts for special needs students.



**13. A Slapshot for Taxpayers.**  
In 2011, the Institute wins a key victory for taxpayers when it stops the city of Glendale from issuing \$100 million in debt bonds to subsidize the private purchase of the Arizona Coyotes hockey team from the NHL by a Chicago investor.



**15. Eliminating the Capital Gains Tax.**  
Continuing its longstanding commitment to lower taxes, the Institute passes a 2012 law to phase out the nefarious capital gains tax in Arizona, ensuring a more competitive tax climate in the state.



**12. Free Speech Prevails in the U.S. Supreme Court.**  
In a big win for free speech, the Goldwater Institute wins *McComish v. Bennett* in the U.S. Supreme Court in 2011, eliminating matching funds from political campaigns.



**14. Health Care Freedom Act.**  
The Goldwater Institute leads the charge in 2012 to establish the Health Care Freedom Act in 15 states, protecting taxpayers and employers from the higher taxes and insurance mandates buried in the so-called Affordable Care Act.



**16. Enforcing the Arizona Constitution.**  
The Institute wins a major victory for Arizona taxpayers by enforcing a state constitutional provision that prevents government from using bond debt for projects not approved by taxpayers.



**17. Defending Entrepreneurs.**  
The Institute wins a victory for the right to earn a living in 2013, compelling the Arizona Board of Cosmetology to cease its attempts to needlessly regulate entrepreneurs.



**18. A Blow to Special Interests.**  
In 2015, the Goldwater Institute wins a victory for free speech in North Dakota by successfully challenging the state bar association, which was using its members' dues to support political measures that many members disagreed with.



**19. Courtroom Victories for School Choice.**  
The Institute has seminal victories for school choice in 2015 by defeating legal challenges to Florida's and Louisiana's school choice programs. These rulings reinforce legal precedent from Arizona and pave the way for greater school choice programs across the country.



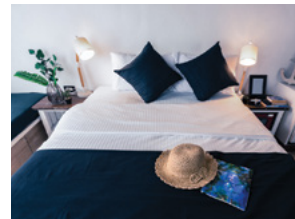
**20. Stopping Municipal Overreach.**  
Due to the Institute's dogged efforts, cities across Arizona no longer practice unfair local bid preference policies, saving taxpayer money and ensuring all businesses get a fair chance to compete for contracts.

# 30 Milestones for 30 Years



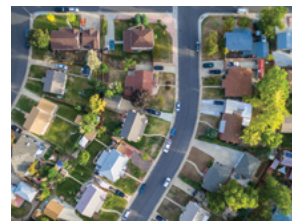
## 21. Clamping Down on Government Agencies.

The Institute passes legislation in 2015 that prohibits Arizona agencies from adopting new rules that would increase regulatory burdens on property rights or the right to engage in a lawful business.



## 23. A Groundbreaking Home-Sharing Law.

Building on its long history of making Arizona the best state in the country for property owners, the Goldwater Institute spearheads the adoption of one of the most sweeping property rights laws in the country, ensuring Arizona cities cannot turn property owners into outlaws simply because they allow guests to stay in their homes.



## 25. A Crack in Municipal Zoning Laws.

Also in 2016, the Institute ensures the right of a Colorado entrepreneur to operate his windshield-repair business, successfully defending him from the government's restrictive zoning ordinances.

## 22. Standing Up for the Little Guy.

In 2015, the Institute ensures that Mississippi doctor Carrol Landrum will continue to make house calls after it challenges the state medical licensing board for demanding the surrender of his license for writing prescriptions from his car.



## 24. Protecting the Rights of Businesses.

In 2016, the Goldwater Institute successfully challenges a discriminatory Kentucky law that barred businesses from contributing to political committees but allowed unions to do so.



## 26. The American Freedom Network Is Born.

The Goldwater Institute establishes the American Freedom Network in 2017, a nationwide strike force of attorneys lending their skills, expertise, and interests to defend freedom at all levels of government.



## 27. The Nation's First Universal School Choice Program.

The Institute spearheads the nation's first functional universal education savings account program in 2017, providing universal school choice to all Arizona students.



## 29. Defending the Right to Earn a Living.

Arizona enacts the nation's first Right to Earn a Living Act, a Goldwater Institute reform that ensures free enterprise trumps government regulation so individuals can profit from their talents and labor.



## 28. Restoring Free Speech on Campus.

With the First Amendment under assault at college campuses, North Carolina enacts the Goldwater Institute's legislation to protect the free speech rights of college students in 2017. The University of Wisconsin adopts similar policies based on our legislation.



## 30. Free Speech in Medicine.

The Institute wins a huge victory for patients and doctors in 2017 when Arizona becomes the first state to protect the free speech rights of those in the medical field to share information about effective alternative uses for FDA-approved medicines.



## Bonus Milestone: Right to Try.

In 2018, President Donald Trump signs Right to Try into law, a Goldwater Institute policy that protects terminally ill patients' right to try medicines that have not yet been approved by the FDA for market. Forty-one states have also adopted Right to Try, which was crafted by the Goldwater Institute.



*"Returning to conservative values does not mean turning back the clock. This is a critical message, that moving forward, that progress and innovation require principles that are timeless. As Goldwater wrote, 'To suggest that the Conservative philosophy is out of date is akin to saying that the Golden Rule, or the Ten Commandments, or Aristotle's Politics are out of date.' That is, not old—eternal. Not from the past—but for all time."*

*American prosperity and leadership depend on this understanding because freedom is the absolute requirement for the innovation needed to create and sustain economic growth. Freedom of capital. Freedom of thought. Freedom to move, to speak, to succeed. Even freedom to fail, and to try again."*

*- Garry Kasparov  
2017 Freedom Award Recipient*

# *A Fighter for Freedom: Garry Kasparov*

**Goldwater Institute 2017 Freedom Award Recipient**

When you ask former world chess champion Garry Kasparov why freedom is worth defending, his answer is simple. "I cannot imagine my life without being free. Because if you belong to someone else, if you are not free to make your own choices, if you are limited in your movements, how can you be creative?"

Born in the Soviet Union, Kasparov attained international fame for his incredible career in chess, including being ranked the world's top-rated player for 20 consecutive years, breaking Bobby Fischer's rating record in 1990, and famously taking on the IBM super-computer Deep Blue in the 1990s. But since retiring from chess in 2005, he has taken on a new mission: fighting for freedom around the world.

The Goldwater Institute honored Kasparov at our Annual Dinner in Scottsdale last October, naming him the recipient of our 2017 Freedom Award. His leadership as an advocate for liberty around the world is truly remarkable, and the Goldwater Institute was pleased to recognize him. In an interview with the Goldwater Institute, Kasparov spoke about why it is so critical to be a vigilant defender of freedom today.

"I was a professional chess player, someone who always viewed creativity as a vital element of my life. And I think that only free people can come up with great inventions. They can move the world and human civilization further. And if you want to be free, you have to fight for that. Because unfortunately, what I discovered in my life, from my earliest days in the Soviet Union to my life now in exile, in my position as chairman of the Human

Rights Foundation who is helping dissidents around the world, is that freedom is a very tempting target for dictators and autocrats because they can strengthen their political power by taking away people's freedom."

Kasparov has seen firsthand the consequences of repressive governments—and he has been an outspoken advocate for democracy. He was one of the first prominent Soviets to call for democratic and market reforms and was an early supporter of Boris Yeltsin's push to break up the Soviet Union. Recently, he has been a strong critic of Russian President Vladimir Putin. In reflecting on his award from the Goldwater Institute, Kasparov remarked on how Barry Goldwater was viewed in the Soviet Union and what Goldwater means to him today.

"I grew up in a country where Barry Goldwater was even more a boogeyman than Ronald Reagan. To me, Goldwater is the founding father of the freedom movement of the 20th century. And his ideas are still very valuable because he didn't talk about abstract values, and that's my problem with listening to many politicians. They just use words without recognizing that these values, they're not floating in the background.

"It's about leading by those values and recognizing that without freedom, you cannot be creative. Without creativity, there's no innovations. So freedom is an essential element of the success of free society, of capitalism, of the free market. And the way Goldwater described this in his many eloquent speeches and his great book *With No Apologies*, it's still very timely because it's the values that he has been standing for that counts."



# Defending Liberty and Advancing Freedom: Legislative Victories

*I*n 2017, the Goldwater Institute succeeded in expanding freedom from sea to shining sea by winning key legislative victories in state capitols: protecting individuals' right to try potentially life saving medication; defending the freedom of speech at public universities; stopping censorship of medical information; and expanding choice in education.



*Seeing the groundswell of support from the states, the U.S. Senate passed Right to Try unanimously in the summer of 2017, the House followed suit in 2018, and President Donald Trump signed it into law, with Vice President Mike Pence's strong support.*

*The law is already saving lives.*

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## Right to Try

Today, Right to Try is the law of the land, protecting the right of terminally ill patients to try investigational treatments that could save or extend their lives. The Goldwater Institute policy caught fire in the states, with 41 states enacting the law. Pennsylvania, Ohio, Kentucky, Washington, Iowa, and Maryland adopted Right to Try in 2017, and Wisconsin and Nebraska joined them in early 2018. Seeing the groundswell of support from the states, the U.S. Senate passed Right to Try unanimously in the summer of 2017, the House followed suit in 2018, and President Donald Trump signed it into law, with Vice President Mike Pence's strong support. The law is already saving lives. In Texas, Doctor Ebrahim Delpassand treated some 100 patients under Right to Try, where the FDA had blocked treatment. Many of those patients were told they had only months to live but are still alive more than a year later.

The Goldwater Institute has advocated for the Right to Try across the country. Goldwater Institute Executive Vice President Christina Sandefur debated the issue at the national MedCity CONVERGE conference in Philadelphia, and the Institute's Director of Healthcare Policy Naomi Lopez Bauman testified before the U.S. House of Representatives Subcommittee on Health.





## Campus Free Speech

With the First Amendment under assault at college campuses all across the country, North Carolina enacted legislation based on the Goldwater Institute's model bill that will protect the free speech rights of the state's public college students. The University of North Carolina and the University of Wisconsin also adopted similar policies. The law is working. When conservative author Katie Pavlich recently spoke at UW Madison, demonstrators protested the venue but decided not to disrupt her talk, citing the university's new discipline policy.

The Goldwater Institute launched a nationwide college tour last year to debate the issue at public universities, featuring Goldwater Institute Senior Fellow Jim Manley. The Institute also began an online campaign to share the message at [RestoreFreeSpeech.com](https://RestoreFreeSpeech.com).

*North Carolina enacted legislation based on the Goldwater Institute's model bill that will protect the free speech rights of the state's public college students.*

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## Free Speech in Medicine

Government censors the communication of valuable information that could help improve and save lives. That changed in Arizona last year when it became the first state to adopt Goldwater Institute legislation to protect the free speech rights of those in the medical field to share truthful research about safe, effective, and lawful alternative uses for FDA-approved medicines.

The Goldwater Institute's Christina Sandefur and Naomi Lopez Bauman published a new paper on the subject, which will be used to promote this pro-patient reform in states nationwide.



## Education Savings Accounts

Last year, North Carolina became the sixth state to enact education savings accounts (ESAs) for children with special needs. The accounts give parents the flexibility to use their child's share of school funding to help pay for tuition, tutoring, or other teaching tools.

For Arizona parent Holland Hines, ESAs are an educational lifeline. Traditional public schools weren't equipped to help her son Elias. Thanks to Arizona's ESA program, her son is now in a school with teachers trained to understand his gifts and challenges. Arizona's program, which was expanded to provide school choice to all students, is already helping more than 4,000 students and their families.



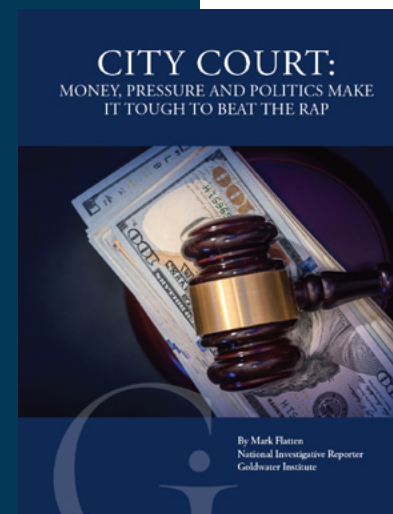
# City Court: Costs and Consequences

Investigative Reporting by the Goldwater Institute

America's justice system isn't as fair as we might think, and that's because city courts in several states are influenced by political forces. Last year, Goldwater Institute National Investigative Journalist Mark Flatten began releasing a series of reports that uncover the flaws in the city court system and how individuals have suffered as a result. His work was covered by local and national news outlets, including the *Arizona Republic*, KJZZ Radio, Cronkite News, and Reason.com. The series continues into 2018, and our work inspired model legislation in Arizona.

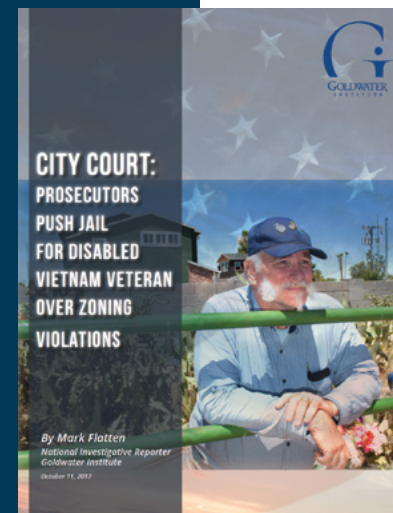
"It's not the people involved who are bad—it's the system that's bad," says Timothy Sandefur, vice president for litigation at the Goldwater Institute. "The city court system in states like Arizona impedes due process protections, and it disproportionately hurts people who are unable to pay steep fines. Fixing the system will require substantive change, like consolidating city courts into the county court system or making city court judges answerable to voters."

Here are some of those stories.



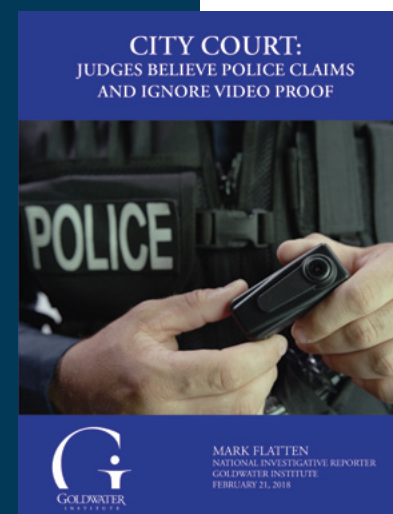
## ***Money, Pressure & Politics Make it Tough to Beat the Rap***

More than half of all cases in Arizona are handled in city courts. Yet unlike all other levels of the judicial system, city court judges never answer to voters. Instead, they are hired and retained, and can be fired, by city councils. In this report, Flatten uncovered why it makes city court judges vulnerable to political pressure—and the negative consequences that follow as a result.



## ***Prosecutors Push Jail for Disabled Vietnam Vet Over Zoning Violations***

Robert Stapleton just wanted to be left alone when he returned home from Vietnam. But when a politically powerful developer and former Phoenix mayor wanted the land Stapleton lived on for 30 years, he suddenly found himself in city court. Prosecutors charged Stapleton with criminal zoning code violations and tried to put him in jail. Flatten reported on what happened when the ex-Marine and disabled combat veteran refused to give up.



## ***Judges Believe Police Claims and Ignore Video Proof***

Police claimed Rene Granados tried to prevent them from arresting his son, blocked their path, raised his arm in a threatening manner, and tried to push past them at a Bullhead City, Arizona, grocery store. A videotape of the incident showed none of that happened. It didn't matter to the city court judge who heard the case.





*“The danger of political pressure skewing city court decisions is real. There are examples nationwide of city politicians pressuring appointed judges to raise revenue. They do that using abusive collection techniques; and excessive fees and surcharges—both standard practices in Arizona and other states where city judges are appointed.”*

**- Mark Flatten**

*National Investigative Journalist  
The Goldwater Institute*

## Meet Mark Flatten

**Goldwater Institute National Investigative Journalist**

### **How did you uncover this story?**

It's always struck me as odd that municipal court judges have such immense judicial power, and yet they have so little accountability to the public. They are basically just city employees, hired, retained, and fired by city councils. Unlike judges at every other level of the judiciary, they never answer to voters. And yet this is the level of the judicial system that most people interact with, including people charged with criminal offenses.

### **Why is the issue important to the Goldwater Institute?**

This investigative series goes to the basic Constitutional issues of due process and equal protection, bedrock principles for the Goldwater Institute. If people are to have faith in our judicial system, they must be confident it is there to dispense justice; not to raise revenue, protect the politically powerful, or insulate the cities from legal liability or public scrutiny.

### **What is the significance of the story to Arizona and nationally?**

Reforming municipal courts has been a long-simmering issue in Arizona since the 1950s, yet cities have consistently killed efforts to make their courts more independent and accountable. This is also an emerging national issue in large part because of the events in Ferguson, Missouri, where the breakdown of confidence in the fairness of the city judicial system helped fuel deadly riots after a controversial police shooting.

You can read more at  
[GoldwaterInstitute.org/CityCourt](http://GoldwaterInstitute.org/CityCourt).





# Ideas in Defense of Liberty

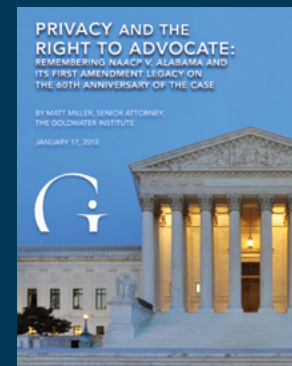
Cutting-Edge Research and Policy Reports by the Goldwater Institute

The Goldwater Institute's expert analysts and attorneys believe in the power of ideas, and they back up their work with cutting-edge research and policy recommendations that provide the basis for new laws that advance freedom in states across the country. Last year, the Institute published 12 policy reports, including the following.



***The Importance of the Cost of Living and Policies to Address It*** by Byron Schломach, Director of the Oklahoma-based 1889 Institute

Most might say that with its purportedly higher incomes and higher minimum wage, California is a more prosperous state than, say, Mississippi. But this report reveals a different picture. Our understanding of which states truly have the rosier financial picture is greatly skewed—since the federal government's analysis of states' relative prosperity doesn't take their costs of living into account.



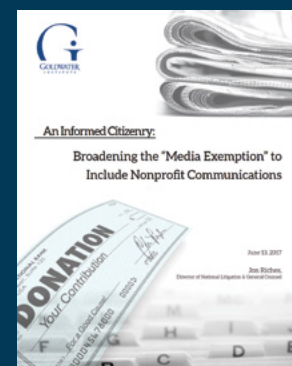
***Privacy and the Right to Advocate: Remembering NAACP v. Alabama and Its First Amendment Legacy on the 60th Anniversary of the Case*** by Matt Miller, Senior Attorney at the Goldwater Institute

The privacy of nonprofit donors is at risk as cities and states enact laws requiring charities to turn over their donor lists any time those groups speak about public issues. This paper looks at a crucial moment in the history of donor privacy protection and examines how its legacy informs the current debate.



***Restoring Free Speech in Medicine*** by Christina Sandefur, Executive Vice President of the Goldwater Institute, and Naomi Lopez Bauman, Director of Healthcare Policy at the Goldwater Institute

Better-informed physicians and payers can help patients gain access to a wider array of potentially effective treatments. But federal regulations prevent doctors and payers from accessing the most current medical information. This report shows that speech restrictions have serious implications for patients and offers recommendations as to how states can restore free speech in medicine.



***Donor Privacy & Informed Citizenry*** by Jonathan Riches, Director of National Litigation at the Goldwater Institute

Both media and nonprofit organizations provide information about important public issues and make it possible for citizens to advocate for change. Yet nonprofit organizations are forced to disclose private information about donors, while the media is broadly exempt from disclosure requirements. This report explains why laws that exempt traditional media from disclosure requirements should be updated to broadly protect all communications.



# *Litigating for Freedom*

## **Fighting in Courtrooms Across the Country**

**A**longside our work in legislatures, the Goldwater Institute frequently takes the fight for liberty to court. Through our Scharf-Norton Center for Constitutional Litigation, we litigate cases and file briefs to advance freedom and defend individual rights across the country, on issues ranging from free speech and property rights to school choice and equal protection under the law, and much more.

We opened the Scharf-Norton Center in 2007, making us the first state-based free market think tank to deploy a team of lawyers to promote our vision in court. In the decade-plus since, the Institute's litigation team has advocated for freedom before state supreme courts, federal courts of appeal, and even the U.S. Supreme Court.

2017 was a landmark year for litigation at the Goldwater Institute. We initiated 12 new lawsuits and participated in 10 more as friends of the court. And we furthered the reach of our litigation efforts by establishing the American Freedom Network, a nationwide coalition of attorneys lending their skills, expertise, and interests to defend freedom at all levels of government. Read more about the American Freedom Network on page 26.

The following are a few success stories from the Goldwater Institute litigation team over the past year.

## *Upholding Taxpayer Rights*

Pima County, Arizona, supervisors are planning to send taxpayers' hard-earned dollars into space—almost literally. County supervisors voted to borrow \$15 million to fund the construction of a balloon launchpad and corporate headquarters for luxury adventure tourism company World View Enterprises. In return, Pima County gets below-market rent payments and a vague and unenforceable promise of jobs. But no passengers have been sent into space to date—and taxpayers have not seen any benefit from their money.

The Goldwater Institute stepped in to defend taxpayer rights, maintaining that the agreement violates the Arizona Constitution's "gift clause," which forbids the government from giving or lending taxpayer money to private enterprises. We expect this case to eventually reach the Arizona Supreme Court, but no matter the Court's decision, we'll keep fighting to put a stop to government officials' ability to negotiate sweetheart deals with private firms that serve no public benefit.

## *Defending the Right to Earn a Living*

Some of our greatest litigation successes never even make it to trial. Annette Stanley's story is a great example.

Annette is a licensed behavior health counselor from Kansas, and when she moved to Arizona in 2014, she sought a license to practice in the Grand Canyon State. Like Kansas, Arizona has a law requiring counselors to have practiced a certain number of hours as a student before obtaining a state license. But because she had owned her own practice in Kansas, Arizona would not recognize the hours she had accumulated when getting her Kansas license.



The Goldwater Institute took on Annette's case to defend her right to earn a living. Last November, we sent a letter to the Arizona Board of Behavioral Health Examiners explaining that its rule violated the Right to Earn a Living Act—a law developed by the Goldwater Institute which forbids the state from blocking people from running businesses unless that's necessary to protect consumers—and warning that we would enforce Annette's rights in court if necessary. The Board backed down, and today Annette can pursue her career in her new home state—all without seeing the inside of a courtroom. These victories, which we call "litigation by letterhead," are an important part of the Institute's legal practice.

## *Protecting Donor Privacy*

It's becoming increasingly common for cities to target nonprofit organizations that participate in political controversies. Local governments, seeking to restrict these organizations' free speech rights, are forcing them to hand over personal information about their donors. In Santa Fe, New Mexico, nonprofits are required to turn over their donor lists to the government if they spend more than \$250 to educate the public about ballot initiatives. That unfair rule landed the Rio Grande Foundation, a New Mexico free market think tank, in hot water when the Foundation posted videos online explaining the possible harms of a city proposal to impose a tax on sugared sodas and other beverages.

The Goldwater Institute partnered with Rio Grande to fight against the city's anti-privacy mandate and filed a freedom of speech lawsuit. "Donor disclosure laws like Santa Fe's silence important voices in public debates," says Senior Attorney Matt Miller. "People are less likely to donate to causes they believe in if they know their names, donation amounts, and occupations might be shared with the government, and nonprofits are less likely to speak about issues that are important to them."





# The American Freedom Network

## Pro Bono Attorneys Protecting Rights, Preserving Freedom

In 2017, the Goldwater Institute significantly expanded its capacity to fight for freedom with the formal launch of the American Freedom Network (AFN), the pro bono program for lawyers who love liberty.

*By partnering with like-minded lawyers around the country, we have increased the number of meaningful constitutional cases being litigated and furthered legislative initiatives.*

A key to the Goldwater Institute's success is our unique litigation strategy. We employ state constitutions to expand freedom far above the federal baseline set by the U.S. Constitution—and over the past decade, we have earned more than 300 victories for freedom. Now, by establishing, developing, and growing the American Freedom Network, we continue our commitment to protecting individual rights. By partnering with like-minded lawyers around the country, we have increased the number of meaningful constitutional cases being litigated, furthered legislative initiatives like Right to Try, and have more eyes in more places watching out for government overreach.

By hiring a full-time staff member, hosting a national training conference, and recruiting nationwide, we have partnered with more than 150 attorneys in 33 states and the District of Columbia. Attorneys in the AFN network represent multiple practice areas and diverse affiliations—including small, medium, and large law firms, solo practitioners, and public interest litigators. Since the establishment of the American Freedom Network, 18 cases and projects have been completed by AFN members, with more than 1,500 hours of work donated in the areas of economic liberty, free speech, property rights, school choice, and taxpayer protection. Looking into the future, we continue to seek out new cases and are exploring projects related to all of our areas of expertise.

The American Freedom Network is building on the Goldwater Institute's record of success by maximizing our knowledge, efforts, and reach across the country. AFN attorneys will continue to engage in direct litigation in states where Goldwater Institute litigators lack capacity, especially by filing analogous suits in other states once we have established a good model and strong precedent in an initial state. They will also provide direct litigation support to the Institute, including serving as local counsel where our litigators may not be licensed or where some special expertise is required on specific aspects of a case.

Our long-term vision is to have the American Freedom Network handling dozens of cases over the course of a year. With such a network at our disposal, our capacity to engage in both direct litigation and “litigation by letterhead” will increase exponentially, and we will be empowered to make a dramatic contribution to the fight for individual freedom and limited government at the local, state, and national levels.

You can read more at [GoldwaterInstitute.org/American-Freedom-Network](https://GoldwaterInstitute.org/American-Freedom-Network).



# Driving Our Message in the Media

## Spreading News about Freedom and Liberty

The Goldwater Institute's power of ideas is amplified millions of times over when our message of liberty is spread far and wide. Our communications team is dedicated to spreading the word about our work—from Arizona to all corners of the country. The results are seen online, in newspapers, and on air, where our ideas reach countless Americans. Here are some of our results from 2017.



### 7,000+ MEDIA HITS

in traditional and social, including print, radio, TV, and online.

### Frequently mentioned in major outlets,

including Fox Business, Fox News, *Bloomberg News*, the *Washington Post*, C-SPAN, and the *Weekly Standard*.

### Published op-eds in many outlets,

including *The Hill*, National Review Online, Reason, *Arizona Republic*, *Detroit News*, and the *Austin American-Statesman*

### Our work has been mentioned

in the *Washington Post*, NPR, POLITICO, Bloomberg BNA, Inside Higher Ed, *Washington Examiner*, *Washington Free Beacon*, *Phoenix Business Journal*, *Arizona Capitol Times*, STAT, NJ.com, and One News Now.



## Cutting-Edge Communications

The digital age has unleashed a revolution in how Americans get their news, and it has empowered organizations like the Goldwater Institute to deliver their message directly to readers and viewers, without the filter of the mainstream media.

In 2017, the Goldwater Institute took a giant leap forward in building its digital media capabilities. We launched a brand new website at [GoldwaterInstitute.org](http://GoldwaterInstitute.org), where we publish original research, updates on our legal advocacy, and news releases about our latest successes. And we created a new blog to share our news, commentary, and video at [InDefenseOfLiberty.blog](http://InDefenseOfLiberty.blog). On top of that, we're growing our social media presence to reach people on Twitter, Facebook, YouTube, and LinkedIn. We're already seeing outstanding results.



For 2017, we had **99,249 VISITORS AND 334,592 PAGEVIEWS** on [GoldwaterInstitute.org](http://GoldwaterInstitute.org).



We have over **17,000 FANS IN OUR FACEBOOK COMMUNITY**, where we post articles and videos that tell the Goldwater Institute story.



On YouTube, we have over **8,000 VIEWS OF OUR VIDEOS**, which include Goldwater attorneys describing their cases, and stories about how our work benefits individuals across the country.



**VISITORS WATCHED OVER 33,000 MINUTES** of Goldwater Institute video content.



And on Twitter, our messages and links to our articles appeared over **2 MILLION TIMES TO OUR 16,000+ FOLLOWERS AND BEYOND.**





# Thank you!

*Because of friends like you, the Goldwater Institute has become one of the most successful champions of liberty in the nation.*

An outcry among Arizonans for freedom from excessive taxation launched the Goldwater Institute 30 years ago. Since then, thousands of friends in every state have invested their time, their money, and their energy in support of our mission of advancing constitutionally limited government and free market policies.

Because of friends like you, the Goldwater Institute has become one of the most successful champions of liberty in the nation. As we look to the future, we seek to earn your support for another 30 years.

Thank you for your unwavering commitment to defend and strengthen the freedoms guaranteed to all Americans by the U.S. Constitution and the constitutions of all 50 states.





# Barry Goldwater Legacy Society

**W**hat do you want your legacy to be? We all want to transmit those things that are valuable and meaningful to us to the next generation. We do so through our children, in whom we try to instill moral values and a strong work ethic. We do so by strengthening our communities. But we can also leave legacies in the form of ideas, principles, and even concrete advances for liberty and freedom.

That's what Dan and Carleen Brophy did. They wanted to honor the memory of Dan's brother, Mike, a man who believed in the great American ideals of liberty, justice, equality before the law, and the Constitution. They wanted the spirit of Mike's deep commitment to liberty to endure. The Goldwater Institute's Barry Goldwater Legacy Society gives them the opportunity to use their resources to defend liberty—and to pay a lasting tribute to a beloved brother and community leader.

To learn more about the Barry Goldwater Legacy Society and the ways in which you can join Dan, Carleen, and many others in leaving a legacy for freedom, please visit [Goldwater.GiftLegacy.com](http://Goldwater.GiftLegacy.com).

GOLDWATER  
INSTITUTE

30 YEARS OF ADVANCING FREEDOM  
AND DEFENDING LIBERTY

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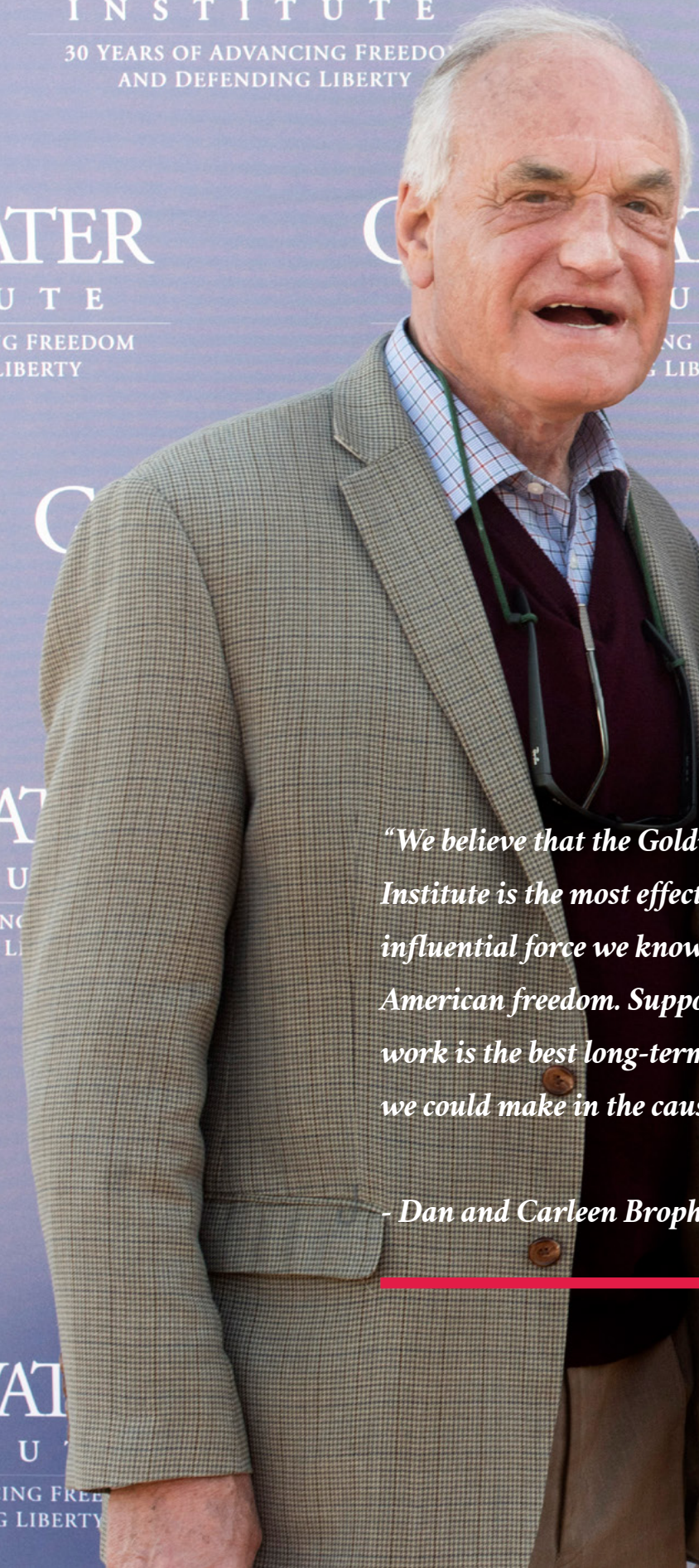
ANCING FREEDOM  
ING LIBERTY

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*"We believe that the Goldwater Institute is the most effective and influential force we know of to defend American freedom. Supporting its work is the best long-term investment we could make in the cause of liberty."*

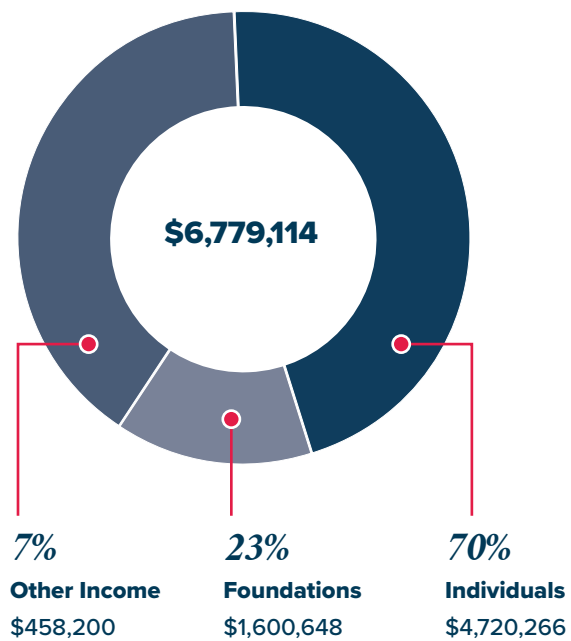
*- Dan and Carleen Brophy*



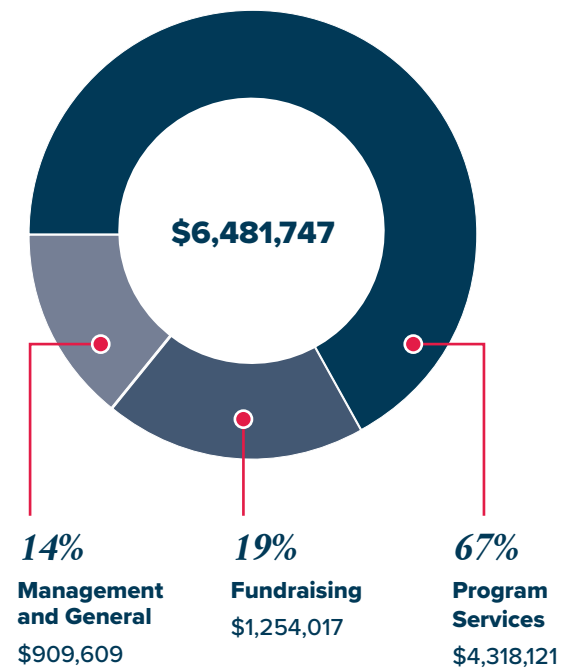


# Financial Report

## Revenue



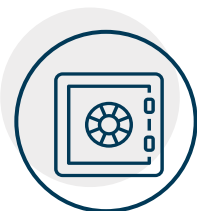
## Expense



**Cash & Equivalents**  
\$1,718,809



**Net Fixed Assets**  
\$1,973,284



**Other Assets**  
\$2,689,138



**Liabilities**  
\$1,148,892



**Net Assets**  
\$5,232,339



## Founders of the Goldwater Institute

**July 1988**

Michael K. Block  
Jim Click  
John C. Cotton  
Tim Day  
Ira Fulton  
Jon Kyl

Jack Londen  
Norm McClelland  
Roy Miller  
John Norton  
Michael Sanera  
Terry Sarvas

John Shadegg  
Jim Skelly  
Tracy Thomas  
Steve Twist  
Jim Warne

## Board of Directors

Eric Crown, Chairman  
Daniel Brophy  
Jim Chamberlain  
Marian Cook  
Christopher Gleason  
Barry Goldwater, Jr.  
Randy P. Kendrick  
Frayda Levy  
Grover Norquist



