THE NOTES ARCHIVE

Jeff A Pierson

Collected Notes

September 10, 2025 – July 31, 2026

233 notes · 79,290 words · 13 topics

jeffapierson.substack.com

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About This Volume

This is the notes-only companion to the full archive. It collects every Note published at *jeffapierson.substack.com* between September 10, 2025 – July 31, 2026 — the short-form work: the running commentary, the rebuttals posted the day a claim appeared, the questions put to officials, the graphics meant to be shared.

Notes carry no titles of their own. Each one here has been given a short descriptive title drawn from its content, so the table of contents can be read as an index of what was argued and when. Within each topic the notes run oldest to newest, with month headings marking the passage of time.

> **Why the topics differ slightly from the full catalog.** Parts with no notes are omitted here, so the numbering is its own. Every note keeps the topic it was assigned in the main archive, which means the two volumes can be read side by side.

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PART 1

Land, Energy & the Grid

Transmission, utilities, and who really pays for Idaho's power.

33 NOTES · SEPTEMBER 18, 2025 – JULY 23, 2026

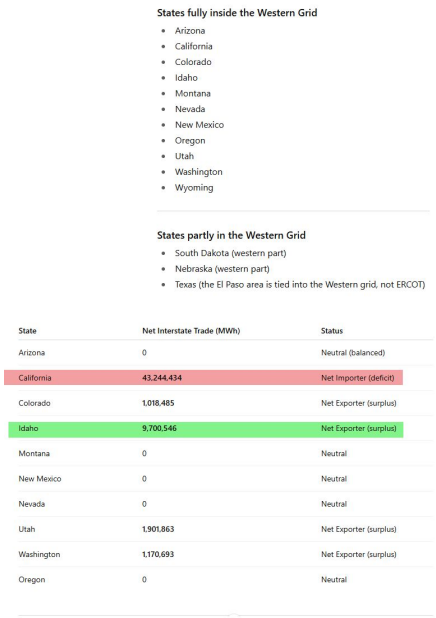
SEPTEMBER 2025

NOTE 1

SWIP as California's transmission welfare check

September 18, 2025 · 196 words · https://substack.com/@jeffapierson/note/c-157263233

Southwest Intertie Project (SWIP) From where I sit, SWIP isn't about regional balance at all, it's California's shiny new lifeline, a transmission welfare check. The state that can't manage homelessness, water, or human waste on its streets now wants Idaho to bankroll its power addiction under the banner of 'energy equity. ---------- Official Pupose Idaho Power, LS Power, and affiliates describe SWIP-North as a cost-effective, 500 kV addition that increases transfer capability between the Desert Southwest and the Pacific Northwest and helps Idaho meet peak needs by accessing external resources. The line is presented as bi-directional, enabling both imports and exports and relieving congestion along a north-south spine in the western intertie. Planned in-service dates from utility and developer filings cluster around 2027–2028, with construction activities staged earlier. The U.S. Department of Energy selected SWIP-North for its Transmission Facilitation Program, while the existing southern ON Line segment already operates between Robinson Summit and the Las Vegas area. Alternate Names for SWIP Transmission Welfare Grid Socialism Electron Entitlements Voltage Vouchers Kilowatt Redistribution Subsidized Power Lines High-Voltage Handouts Renewable Rations California Care Package Electrified Entitlement Public Utility Pity Program Circuit Socialism Power Poverty Program Juice Justice Substation Subsidies



States fully inside the Western Grid

- Arizona
- California
- Colorado
- Idaho
- Montana
- Nevada
- New Mexico
- Oregon
- Utah
- Washington
- Wyoming

States partly in the Western Grid

- South Dakota (western part)
- Nebraska (western part)
- Texas (the El Paso area is tied into the Western grid, not ERCOT)

State	Net Interstate Trade (MWh)	Status
Arizona	0	Neutral (balanced)
California	43,244,434	Net Importer (deficit)
Colorado	1,018,485	Net Exporter (surplus)
Idaho	9,700,546	Net Exporter (surplus)
Montana	0	Neutral
New Mexico	0	Neutral
Nevada	0	Neutral
Utah	1,901,863	Net Exporter (surplus)
Washington	1,170,693	Net Exporter (surplus)
Oregon	0	Neutral



US Electricity Profile 2023

Name	Average retail price (cents/kWh)	Net summer capacity (MW)	Net generation (MWh)	Total retail sales (MWh)
Alabama	11.47	31,097	139,435,010	84,880,359
Alaska	21.41	2,821	6,717,825	6,024,598
Arizona	12.19	29,885	111,838,736	85,918,798
Arkansas	9.73	15,062	63,195,647	48,649,300
California	24.87	90,375	216,628,794	239,480,452
Colorado	11.76	19,541	57,541,720	55,565,819
Connecticut	24.24	9,936	40,666,418	26,685,176
Delaware	12.85	3,296	4,772,059	11,081,671
District of Columbia	16.50	52	171,870	9,879,714
Florida	13.53	68,723	259,798,479	250,940,214
Georgia	11.06	37,786	129,221,513	142,028,831
Hawaii	38.60	3,222	9,194,164	8,927,252
Idaho	9.04	5,353	17,842,446	25,673,977
Illinois	11.75	45,419	177,737,641	130,578,217
Indiana	11.49	26,578	90,046,880	95,995,350
Iowa	9.42	22,706	69,836,973	54,400,259
Kansas	10.80	19,197	58,456,598	41,052,008
Kentucky	9.96	18,336	63,217,080	71,223,021
Louisiana	8.91	24,963	97,784,565	95,374,457
Maine	20.84	5,252	12,512,181	11,336,030
Maryland	14.34	11,924	36,000,650	57,033,085
Massachusetts	23.21	12,850	19,695,884	50,011,964
Michigan	13.68	31,120	120,656,625	97,588,690
Minnesota	12.21	17,842	57,276,862	66,215,800
Mississippi	10.95	14,833	72,933,440	48,421,762
Missouri	10.87	21,172	66,703,285	76,975,799
Montana	10.97	6,698	26,895,758	15,504,699
Nebraska	9.14	10,781	39,445,955	33,571,199
Nevada	13.09	14,536	42,164,375	38,249,355
New Hampshire	22.96	4,467	16,824,999	10,631,313
New Jersey	15.27	16,838	64,228,924	71,096,939
New Mexico	9.47	10,724	39,269,073	28,347,490
New York	18.28	40,230	124,039,988	139,421,936
North Carolina	10.61	35,864	126,553,394	133,091,108
North Dakota	8.03	9,402	42,068,807	28,202,179
Ohio	11.04	29,104	133,223,464	146,640,983
Oklahoma	9.30	31,690	89,236,024	68,978,840
Oregon	10.32	17,469	61,691,869	57,984,962
Pennsylvania	12.57	48,526	235,924,937	138,710,993
Rhode Island	21.62	2,289	10,430,846	7,300,788
South Carolina	10.50	24,422	100,853,387	81,202,185
South Dakota	10.49	6,799	17,436,158	13,505,999
Tennessee	10.69	20,924	77,791,204	99,046,005
Texas	10.04	155,010	547,294,552	492,820,385
Utah	9.03	9,710	33,496,554	33,343,537
Vermont	17.53	856	2,480,199	5,364,023
Virginia	10.68	28,218	91,059,344	132,318,505
Washington	9.58	30,884	102,960,605	89,552,630
West Virginia	10.26	15,005	52,286,784	32,070,687
Wisconsin	12.72	17,580	62,548,705	68,563,904
Wyoming	8.39	10,192	43,181,420	16,790,115
U.S. Total	12.68	1,187,555	4,183,270,672	3,874,253,362

NOTE 2

Thinking out loud about SWIP's premise

September 18, 2025 · 681 words · https://substack.com/@jeffapierson/note/c-157275584

I am just thinking out loud: Do not consider this my position officially. It is just a summary of SOME of the issues I see with SWIP and possible mitigations. That said, it appear to me that: SWIP is a fraud unless every Western grid state demonstrates the ability to provide stable and reliable power on its own. The real source of instability is not transmission capacity but the retreat from proven generation. Scaling back nuclear, hydro, natural gas, and coal while pouring billions into wind and solar has created most, if not all, of the grid's current vulnerabilities. ———————- Support for SWIP? When Hell Freezes Over or California Stops Being so California! The Southwest Intertie Project (SWIP) is promoted as a regional reliability asset linking Idaho to Nevada and California. Federal agencies and utilities describe it as a bi-directional line that strengthens the Western grid. Yet in Idaho, support is thin. The project is widely viewed as a subsidy for California's self-inflicted shortages. Idahoans might be persuaded to support SWIP if California and all Western grid states abandoned their reliance on wind and solar and recommitted to proven, dispatchable generation. Idaho is not opposed to infrastructure that improves reliability. What Idahoans oppose is underwriting experimental energy policies that have consistently undermined it. Background on SWIP Conceived in the late 1980s to connect Idaho's Midpoint substation with Nevada. The southern segment, the One Nevada Line, was completed in 2014 with federal support. SWIP-North, a 285-mile extension into Idaho, is targeted for completion by 2027. Idaho Power seeks 500 MW of capacity, framed as winter peak insurance. Idaho as a Net Exporter Idaho remains one of the few states with consistent net electricity exports. Its hydro base, natural gas backup, and modest additional resources provide reliability without dependence on outside imports. This undercuts the claim that Idaho "needs" SWIP. Many residents see it instead as an export pipeline to cover California's policy-driven deficits. California's Policy Failures California's current crisis stems from deliberate choices: Nuclear retreat: The shutdown of San Onofre in 2013 and the near-closure of Diablo Canyon stripped away reliable baseload power. Hydro underuse: Regulatory restrictions prevent full use of California's vast hydropower potential. Overreliance on wind and solar: Billions have been poured into intermittent generation that disappears at sunset or in calm weather, leaving chronic reliability gaps. Growing dependence on imports: California leans heavily on neighbors to mask shortages instead of solving them at home. Conditions for Idaho's Support Idaho's position should be clear: SWIP cannot become a lifeline for failed experiments. For Idahoans to support the project, California and other Western states must: Eliminate reliance on wind and solar End subsidies, mandates, and integration of intermittent sources that destabilize the grid. Rebuild nuclear capacity and other firm generation Extend Diablo Canyon indefinitely and expand nuclear as the backbone of regional systems. Invest in other local generation sources designed for local use. Maximize hydroelectric power Reform water and environmental policy to prioritize consistent, large-scale hydro production across the West. Use natural gas responsibly Retain gas-fired generation as a dispatchable partner to nuclear and hydro. Require regional commitment All Western grid states, not just Idaho, must rely exclusively on reliable, scalable, and cost-effective generation sources to ensure the burden is shared and the system stable. Ensure cost responsibility California and other states driving SWIP's need must shoulder the primary financial burden of its construction and operation. Policy Implications If Western states rebuild their power systems on firm, scalable, and cost-effective resources, SWIP could be viewed as a mutual insurance policy rather than a bailout. Without such commitments, SWIP will remain unacceptable to Idahoans as a subsidy for failed experiments. Without stable power generation, the SWIP line cannot possibly deliver on its sales pitch. Conclusion Idahoans value reliability and independence. They will not willingly finance a project that props up California's failed reliance on wind and solar. Only when California and its Western partners rebuild their grids on nuclear, hydro, and natural gas can SWIP be justified as a true regional asset. Until then, Idaho's skepticism stands as both practical and principled.

NOTE 3

Ten questions on subsidizing California's energy

September 26, 2025 · 176 words · https://substack.com/@jeffapierson/note/c-160038758

Subsidizing California Energy: 10 Questions Idahoans Should Ask Their Local and State Officials Why should Idaho land and resources be used to prop up California's failed energy policies? What direct benefits do Idahoans receive from transmission lines that mainly export power out of state? Who ensures that new projects truly serve Idaho families and businesses before serving California's mandates? What protections exist for property owners when developers try to revive or exploit ancient easements? Why does Idaho allow corporations to profit from exporting Idaho energy while Idahoans face rising bills? Shouldn't Idaho require that all new generation projects first meet Idaho demand before sending power out of state? What is Idaho's plan if California's unstable grid policies create shortages that spill into our system? When will Idaho stand with other exporting states to say "no" to being California's energy crutch? Why aren't local citizens given more authority to reject projects that bring them risk without reward? How can Idaho make sure federal agencies and FERC respect state and local priorities instead of rubber-stamping projects for California?



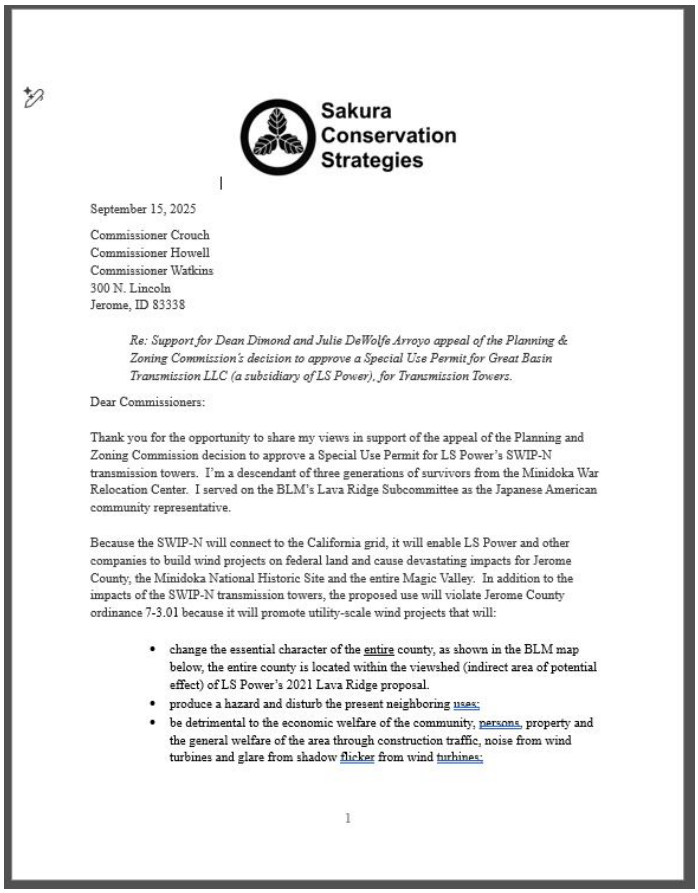
OCTOBER 2025

NOTE 4

Sakura testimony against the SWIP-N permit

October 1, 2025 · 58 words · https://substack.com/@jeffapierson/note/c-161669535

This testimony stands among the most powerful challenges yet raised against the SWIP-N power line.Submitted by Sakura Conservation Strategies to the Jerome County Commissioners, it responds to the appeal of a special use permit granted to Great Basin Transmission LLC. With that context in mind, the document needs no further explanation, it speaks with force on its own.



Sakura
Conservation
Strategies

September 15, 2025

Commissioner Crouch
Commissioner Howell
Commissioner Watkins
300 N. Lincoln
Jerome, ID 83338

Re: Support for Dean Dimond and Julie DeWolfe Arroyo appeal of the Planning & Zoning Commission's decision to approve a Special Use Permit for Great Basin Transmission LLC (a subsidiary of LS Power), for Transmission Towers.

Dear Commissioners:

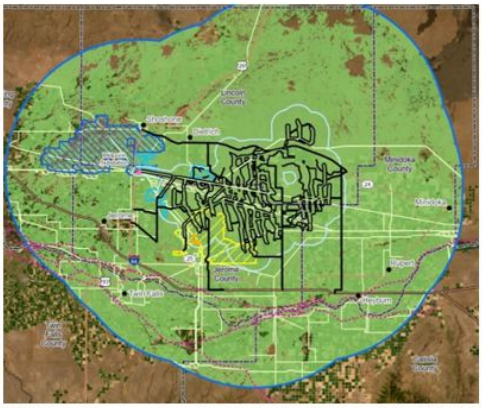
Thank you for the opportunity to share my views in support of the appeal of the Planning and Zoning Commission decision to approve a Special Use Permit for LS Power's SWIP-N transmission towers. I'm a descendant of three generations of survivors from the Minidoka War Relocation Center. I served on the BLM's Lava Ridge Subcommittee as the Japanese American community representative.

Because the SWIP-N will connect to the California grid, it will enable LS Power and other companies to build wind projects on federal land and cause devastating impacts for Jerome County, the Minidoka National Historic Site and the entire Magic Valley. In addition to the impacts of the SWIP-N transmission towers, the proposed use will violate Jerome County ordinance 7-3.01 because it will promote utility-scale wind projects that will:

- change the essential character of the entire county, as shown in the BLM map below, the entire county is located within the viewshed (indirect area of potential effect) of LS Power's 2021 Lava Ridge proposal.
- produce a hazard and disturb the present neighboring uses;
- be detrimental to the economic welfare of the community, persons, property and the general welfare of the area through construction traffic, noise from wind turbines and glare from shadow flicker from wind turbines;

1

- Result in damage to the Minidoka National Historic Site, a unit of the National Park System, and Minidoka Traditional Cultural Property (TCP) and the proposed Minidoka Area of Critical Environmental Concern (ACEC).

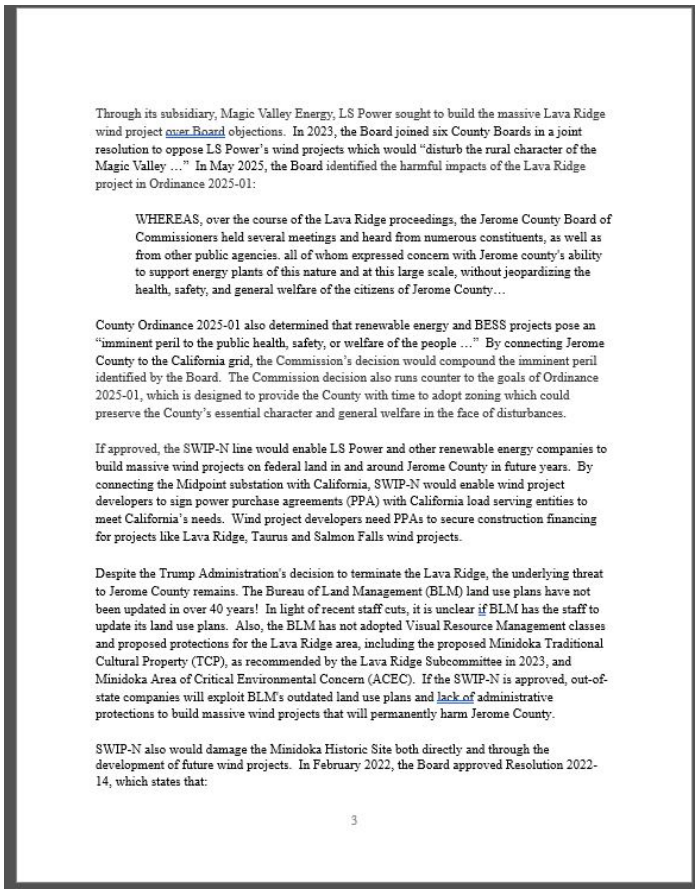


BLM: the visual impacts are shown in green and auditory impacts are inside the blue line.

The Commission decision runs counter to Board decisions and would expose the County to either (1) unacceptable threats of future wind projects; or (2) significant costs born by County ratepayers including 100% of the abandoned costs of the transmission line if LS Power's rate incentive application is approved by the Federal Energy Regulatory Commission (FERC).

Wind-by-Wire. The primary goal of the SWIP-N line is to meet California's goal to acquire 1,000 MW of wind energy from Idaho. In 2018, the California Legislature passed SB 100 which set a goal of 100% renewable energy for California's electricity market by 2045. The California Public Utilities Commission (CPUC) identified Idaho to provide out-of-state wind energy to California. To meet the CPUC target, the California Independent System Operator (CAISO) approved the SWIP-N transmission line in October 2024.

2



Through its subsidiary, Magic Valley Energy, LS Power sought to build the massive Lava Ridge wind project over Board objections. In 2023, the Board joined six County Boards in a joint resolution to oppose LS Power's wind projects which would "disturb the rural character of the Magic Valley …" In May 2025, the Board identified the harmful impacts of the Lava Ridge project in Ordinance 2025-01:

> WHEREAS, over the course of the Lava Ridge proceedings, the Jerome County Board of Commissioners held several meetings and heard from numerous constituents, as well as from other public agencies. all of whom expressed concern with Jerome county's ability to support energy plants of this nature and at this large scale, without jeopardizing the health, safety, and general welfare of the citizens of Jerome County…

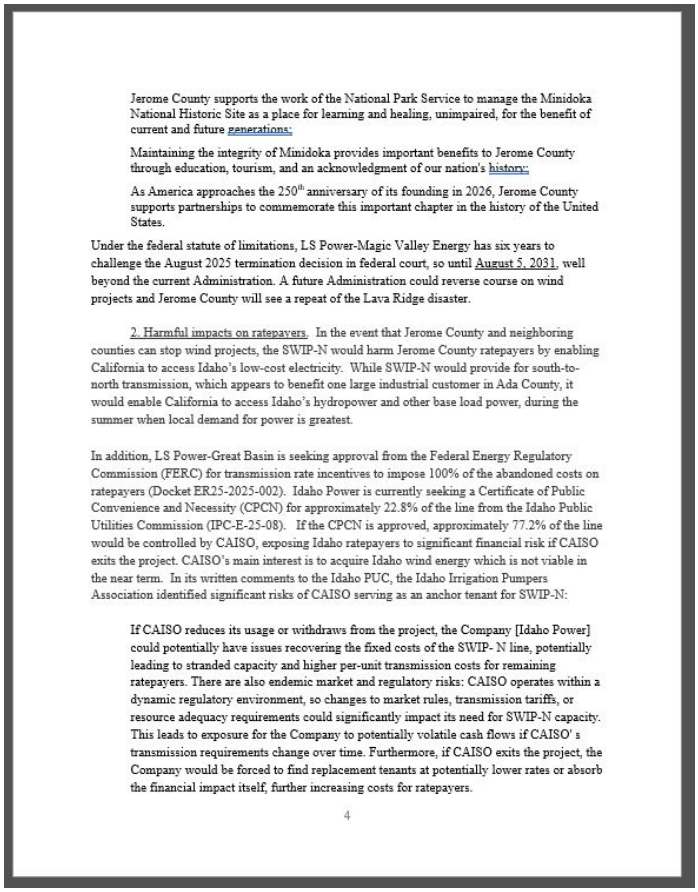
County Ordinance 2025-01 also determined that renewable energy and BESS projects pose an "imminent peril to the public health, safety, or welfare of the people …" By connecting Jerome County to the California grid, the Commission's decision would compound the imminent peril identified by the Board. The Commission decision also runs counter to the goals of Ordinance 2025-01, which is designed to provide the County with time to adopt zoning which could preserve the County's essential character and general welfare in the face of disturbances.

If approved, the SWIP-N line would enable LS Power and other renewable energy companies to build massive wind projects on federal land in and around Jerome County in future years. By connecting the Midpoint substation with California, SWIP-N would enable wind project developers to sign power purchase agreements (PPA) with California load serving entities to meet California's needs. Wind project developers need PPAs to secure construction financing for projects like Lava Ridge, Taurus and Salmon Falls wind projects.

Despite the Trump Administration's decision to terminate the Lava Ridge, the underlying threat to Jerome County remains. The Bureau of Land Management (BLM) land use plans have not been updated in over 40 years! In light of recent staff cuts, it is unclear if BLM has the staff to update its land use plans. Also, the BLM has not adopted Visual Resource Management classes and proposed protections for the Lava Ridge area, including the proposed Minidoka Traditional Cultural Property (TCP), as recommended by the Lava Ridge Subcommittee in 2023, and Minidoka Area of Critical Environmental Concern (ACEC). If the SWIP-N is approved, out-of-state companies will exploit BLM's outdated land use plans and lack of administrative protections to build massive wind projects that will permanently harm Jerome County.

SWIP-N also would damage the Minidoka Historic Site both directly and through the development of future wind projects. In February 2022, the Board approved Resolution 2022-14, which states that:

3



> Jerome County supports the work of the National Park Service to manage the Minidoka National Historic Site as a place for learning and healing, unimpaired, for the benefit of current and future generations;
>
> Maintaining the integrity of Minidoka provides important benefits to Jerome County through education, tourism, and an acknowledgment of our nation's history;
>
> As America approaches the 250th anniversary of its founding in 2026, Jerome County supports partnerships to commemorate this important chapter in the history of the United States.

Under the federal statute of limitations, LS Power-Magic Valley Energy has six years to challenge the August 2025 termination decision in federal court, so until August 5, 2031, well beyond the current Administration. A future Administration could reverse course on wind projects and Jerome County will see a repeat of the Lava Ridge disaster.

2. Harmful impacts on ratepayers. In the event that Jerome County and neighboring counties can stop wind projects, the SWIP-N would harm Jerome County ratepayers by enabling California to access Idaho's low-cost electricity. While SWIP-N would provide for south-to-north transmission, which appears to benefit one large industrial customer in Ada County, it would enable California to access Idaho's hydropower and other base load power, during the summer when local demand for power is greatest.

In addition, LS Power-Great Basin is seeking approval from the Federal Energy Regulatory Commission (FERC) for transmission rate incentives to impose 100% of the abandoned costs on ratepayers (Docket ER25-2025-002). Idaho Power is currently seeking a Certificate of Public Convenience and Necessity (CPCN) for approximately 22.8% of the line from the Idaho Public Utilities Commission (IPC-E-25-08). If the CPCN is approved, approximately 77.2% of the line would be controlled by CAISO, exposing Idaho ratepayers to significant financial risk if CAISO exits the project. CAISO's main interest is to acquire Idaho wind energy which is not viable in the near term. In its written comments to the Idaho PUC, the Idaho Irrigation Pumpers Association identified significant risks of CAISO serving as an anchor tenant for SWIP-N:

> If CAISO reduces its usage or withdraws from the project, the Company [Idaho Power] could potentially have issues recovering the fixed costs of the SWIP- N line, potentially leading to stranded capacity and higher per-unit transmission costs for remaining ratepayers. There are also endemic market and regulatory risks: CAISO operates within a dynamic regulatory environment, so changes to market rules, transmission tariffs, or resource adequacy requirements could significantly impact its need for SWIP-N capacity. This leads to exposure for the Company to potentially volatile cash flows if CAISO' s transmission requirements change over time. Furthermore, if CAISO exits the project, the Company would be forced to find replacement tenants at potentially lower rates or absorb the financial impact itself, further increasing costs for ratepayers.

4

With the termination of Lava Ridge and current policy decisions against wind projects, the California PUC and CAISO could decide that the SWIP-N is a line to nowhere and abandon it, leaving Jerome County ratepayers on the hook to pay 100% abandonment costs and Idaho Power saddled with paying for the entire cost of the line. On the east coast, ratepayers were stuck with $250 million in abandonment costs for the Potomac Appalachian Transmission Highline (PATH). Idaho Power's argument for the SWIP-N line is that there were a few days last winter when it had to pay higher costs.

I recommend that the Board of Commissioners approve the appeal of the Commission's action, or at minimum defer action pending decisions by the Idaho Public Utilities Commission, FERC and completion of SWIP-N studies relating to Section 106 compliance. If the Board denies the appeal, the Board should impose conditions designed to protect the County including requiring LS Power-Great Basin to:

(1) seek FERC approval to terminate Idaho Power's Lava Ridge large generator interconnection agreement;[1]
(2) agree to waive Magic Valley Energy's right to judicial review of the Department of the Interior's August 5, 2025 Lava Ridge termination decision by voluntarily relinquishing its rights under the permit.
(3) agree to not seek approval from the Federal Aviation Administration (FAA) to extend the Lava Ridge no-hazard determinations which are currently being litigated in Idaho v. FAA and Wind Turbine Petitioners v. FAA. The current no-hazard determinations expire on November 7, 2025.
(4) deposit $20 million in an account to fund the Magic Valley Legal Defense Protection Fund to be managed by Southern Idaho counties, with public input, to defend the Magic Valley from future federal land use decisions, LS Power, the California PUC, CAISO, a proposed new California based Regional Organization and other parties;[2]
(5) agree to County approval for large generator interconnection agreements (greater than 20 MW) for any type of projects sited on federal land;
(6) require that the construction SWIP-N satisfy local hire preferences to create jobs and business opportunities for County businesses and residents;
(7) require that SWIP-N be buried on both federal and private land to minimize adverse impacts on viewsheds and the Minidoka National Historic Site; and

[1] Approved by FERC in ER22-1277 via letter to Idaho Power approving revisions to its Open Access Transmission Tariff via letter dated April 28, 2022.

[2] Potential models include a Trustee Council approach to administer Natural Resource Damage Assessment and Restoration program, used for the oil spills.

5

(8) establish a compensatory mitigation fund to offset the cumulative impacts of SWIP-N and associated wind projects on the Magic Valley.[3]

Thank you for considering my views. Respectfully submitted,



Dan Sakura
Principal
Sakura Conservation Strategies, LLC
3202 Leland St., Chevy Chase, MD 200815

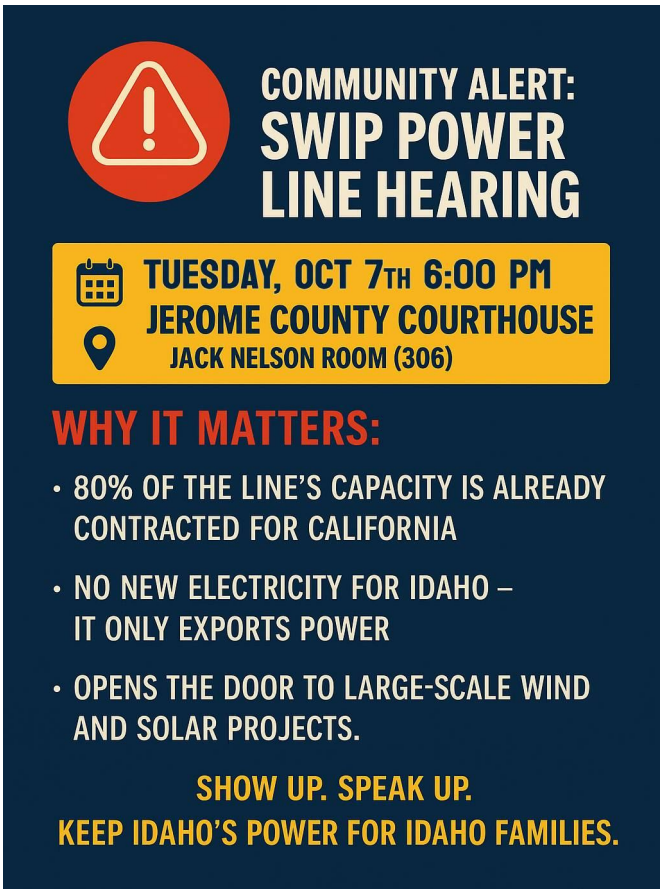
[3] Examples include a $66 million compensatory mitigation fund for the Susquehanna-Roseland transmission project in Pennsylvania and New Jersey and projects identified to satisfy the Section 106 compliance for the Dominion Power line on the lower James River in Virginia.

NOTE 5

Second hearing set on the SWIP permit

October 2, 2025 · 72 words · https://substack.com/@jeffapierson/note/c-162072651

There will be second hearing on Oct. 7th regarding the SWIP -Great Basin / LS Power special use permit. Dean Dimond and Julie Arroyo appealedthe issuance of the permit. Accoring to Rep David Leavitt: "This is our chance to stand together and insist that the Board of Commissioners put the brakes on this Special Use Permit until the public receives clear, documented answers." Related Content: Is Jerome County Acting in Good Faith?https://jeffapierson.substack.com/p/is-jerome-county-acting-in-good-faith?r=1noct5

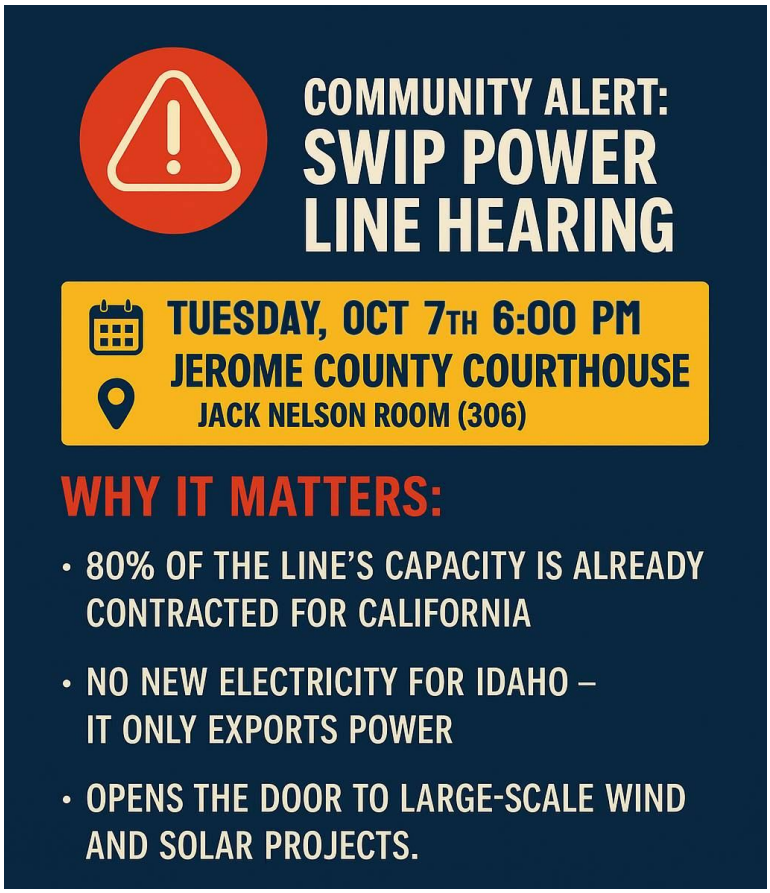


NOTE 6

SWIP-N as corporate welfare

October 2, 2025 · 478 words · https://substack.com/@jeffapierson/note/c-162139442

My View on SWIP-N: Corporate Welfare Today, Broken Promises Tomorrow: Idaho Families Left Without Recourse The debate isn't about whether the grid needs stability. The real questions are why it has become unstable, at what cost, who will pay, and what risks Idaho must carry. The details matter. At a recent hearing, Great Basin Transmission admitted that 80% of the line's capacity is already contracted to send power south. Under current agreements, that energy won't strengthen Idaho; it will subsidize California's failed energy policies. The negative risks for Idaho tied to the Southwest Intertie Project North (SWIP-N) appear again and again in the appeal filings and public comments. They fall into four categories: Economic exposure. Most of the line's capacity is destined for California. Idaho ratepayers and landowners will bear the siting costs, construction disturbance, and long-term impacts while the benefits flow out of state. That imbalance could drive utilities like Idaho Power to prioritize export profits over local reliability, leaving Idaho families and businesses with higher prices and tighter margins. System reliability. California's grid has grown unstable because of its heavy reliance on intermittent wind and solar while phasing out dependable baseload generation. SWIP-N links Idaho directly into that market. The danger is that California's shortages will spill into Idaho's system, straining capacity during peak demand and importing the consequences of California's energy policies into our grid. Land use and environmental costs. The project requires massive towers and wide easements cutting across farmland, rangeland, and wildlife habitat in Jerome County and beyond. Landowners face property devaluation, interference with aerial crop spraying, and restrictions on land use that last for decades. To many, this looks like Idaho land being sacrificed for someone else's gain. Legal and governance risks. Opponents argue that Jerome County may not have fully followed its own ordinances or Idaho's Local Land Use Planning Act in approving the project. If true, it sets a precedent that large corporations can push projects through without meeting the standards meant to protect local health, safety, and welfare. That erodes county authority and undermines public trust. In short, Idaho's risks are financial (paying for a line that serves California), systemic (tying into California's unstable grid), local (loss of property value and land use), and institutional (weakening county authority). Taken together, these risks explain why opponents see SWIP-N as a net negative for Idaho even if it benefits regional utilities. Idaho does have options for power generation, energy policy, and grid stability. But too often, those solutions are sidelined in favor of deals that reward corporations while shifting risks to families. They depend on western states and the federal government holding California accountable for its own energy choices. Instead, money and political power prefer the easy path, handing out corporate welfare in exchange for promises that my children will never be able to hold those corporations or politicians accountable for.


COMMUNITY ALERT:
SWIP POWER LINE HEARING
TUESDAY, OCT 7TH 6:00 PM
JEROME COUNTY COURTHOUSE
JACK NELSON ROOM (306)
WHY IT MATTERS:
• 80% OF THE LINE'S CAPACITY IS ALREADY CONTRACTED FOR CALIFORNIA
• NO NEW ELECTRICITY FOR IDAHO – IT ONLY EXPORTS POWER
• OPENS THE DOOR TO LARGE-SCALE WIND AND SOLAR PROJECTS.

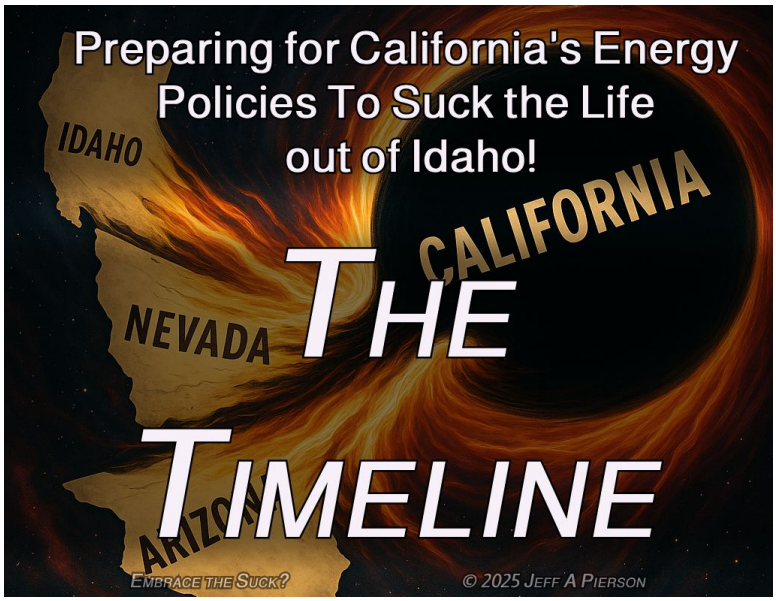
NOTE 7

SWIP-N timeline from BLM corridor planning

October 25, 2025 · 928 words · https://substack.com/@jeffapierson/note/c-170150364

Southwest Intertie Project – North (SWIP-N): Timeline “The project’s legal and ethical legitimacy now rests on whether it still serves the Idaho public interest or primarily facilitates California’s market demand.” ———————————————————— 1990–1994: Original Corridor Planning and Federal Approval 1990–1993: The U.S. Bureau of Land Management (BLM) and Western Area Power Administration (WAPA) begin corridor studies for a 500-kV interstate transmission line called the Southwest Intertie Project (SWIP) to connect Idaho, Nevada, and Utah. July 1993: The BLM publishes the Final Environmental Impact Statement (EIS) for the SWIP, identifying a 520-mile alignment from Midpoint Substation near Jerome, Idaho, to Dry Lake, Nevada. November 1994: BLM issues its Record of Decision (ROD) granting right-of-way (ROW) across federal lands (WAPA & BLM, 1994). Result: Federal approval established the original SWIP corridor, though the project was never constructed due to financing and market limitations in the 1990s. 1995–2005: Dormancy and Corridor Preservation Late 1990s: The project stalls amid declining Western demand and uncertainty in interstate wheeling tariffs after FERC Order No. 888. 2001–2005: BLM periodically renews corridor rights and maintains environmental documentation, preserving the ROW under the Federal Land Policy and Management Act (FLPMA). 2003–2004: Early discussions emerge on segmenting the corridor into “South” and “North” phases for incremental development. 2006–2010: Great Basin Transmission and LS Power Acquisition 2006:Great Basin Transmission, LLC, an LS Power affiliate, acquires the Nevada-to-Idaho corridor from the original developers and petitions FERC for transmission-owner status. 2008: Great Basin announces plans for SWIP-South (Ely, NV to Dry Lake, NV) and SWIP-North (Robinson Summit, NV to Midpoint, ID). 2010: DOE issues a Final EIS for the SWIP-South Segment (DOE/EIS-0443), confirming no significant impacts and re-authorizing construction rights (DOE, 2010). Result: The southern segment receives new environmental clearance, while the northern segment remains in planning. 2011–2015: State Coordination and Early County-Level Reviews 2011–2013: BLM updates project documents and issues a revised Plan of Development for SWIP-North, maintaining the Midpoint-Robinson route. 2014: Great Basin submits filings with Nevada and Idaho county governments for local siting and construction approval. 2015: BLM issues an Addendum EIS and administrative re-authorization of the ROW to ensure continuity. Jerome County, Idaho begins its review process under LLUPA for the northern segment. 2016–2019: Designation as “SWIP-North” and Renewable Integration Justification 2016: The project is formally re-branded as SWIP-North, emphasizing renewable energy integration from southern Idaho and northern Nevada wind resources. 2017–2019: Project studies and outreach emphasize SWIP-N as a 285-mile, 500-kV line intended to move up to 2 GW of power from Idaho into western markets. 2019: BLM extends the ROW under FLPMA Section 505 to preserve authorization pending financing. 2020–2022: Federal and Market Re-Alignment 2020: LS Power advances negotiations with Idaho Power Company and begins preliminary coordination with CAISO for interconnection to the California market. 2021: DOE launches the Building a Better Grid Initiative, signaling federal interest in long-distance transmission expansion. 2022: CAISO begins evaluating SWIP-N for inclusion in its transmission planning process as an external regional resource path (CAISO, 2023). 2023: CAISO Approval and DOE Funding March 2023: CAISO’s Transmission Planning Process identifies SWIP-N as eligible for participation under its Extended Day-Ahead Market (EDAM) framework. December 2023: The CAISO Board of Governors approves inclusion of SWIP-N as a conditional project to connect Idaho and Nevada resources to California demand. April 2024: The U.S. Department of Energy announces a $331 million capacity contract under the Transmission Facilitation Program (TFP) to backstop SWIP-N financing. Result: Federal and market incentives converge to revive the project under a public-private framework, even though key renewable generation projects (particularly wind in southern Idaho and northern Nevada) are subsequently withdrawn or canceled. 2024: County-Level and Legal Challenges in Idaho Early 2024: Great Basin Transmission submits or renews special-use applications in Jerome County and adjacent jurisdictions for substations and line crossings. July 2024: Public hearings in Jerome County raise objections concerning incomplete

environmental records and the lack of local benefit to Idaho consumers. September 2024: Appeals are filed alleging deficiencies under Idaho's LLUPA and Open Meeting Law. October 2024: The Jerome County Planning and Zoning Commission issues conditional approval with multiple appeals pending before the County Commissioners. 2025: FERC and Ownership Filings September 5, 2025: Idaho Power Company and Great Basin Transmission file FERC Docket No. EC25-____ under Section 203 for transfer and authorization of joint ownership rights. Great Basin submits FERC Docket No. ER25-____ under Section 205 outlining rate and participation terms. FERC acknowledges receipt and opens comment periods (FERC, 2025a; 2025b). September 2025: The Idaho Public Utilities Commission (IPUC) reviews Idaho Power's participation agreement to determine whether the investment serves Idaho's public convenience and necessity. October 2025: CAISO reports that approximately 77 percent of SWIP-N entitlements will operate under CAISO's control, with 23 percent held for Idaho Power's contracted use. Late 2025: Construction authorization remains contingent on federal and county clearance, pending legal review of appeals in Jerome County. 2026–2030 (Projected) 2026: Pending resolution of local appeals, LS Power anticipates construction start for SWIP-N. 2028–2030: Estimated completion and energization of the Midpoint–Robinson Summit 500-kV line. Post-2030: Integration into CAISO's EDAM for west-wide market operations and regional balancing. Observations The SWIP-N project has evolved over thirty-five years from an interregional reliability proposal into a federally backed export line. The original environmental justification; renewable generation from Idaho and Nevada wind projects; no longer exists as of 2025. Despite the absence of in-state generation or retail benefits, Idaho Power remains a contractual participant, subject to both FERC and Idaho PUC oversight. The project's legal and ethical legitimacy now rests on whether it still serves the Idaho public interest or primarily facilitates California's market demand.



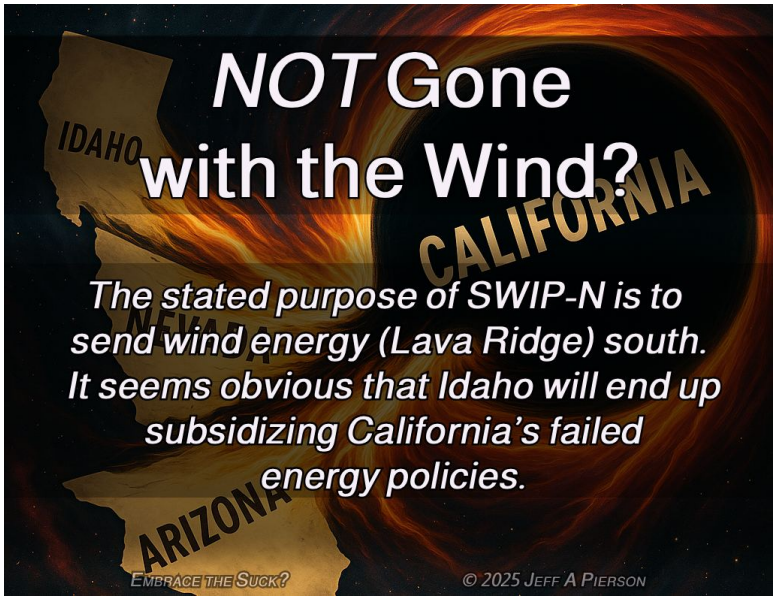
NOTE 8

Will SWIP-N send Idaho power to California?

October 25, 2025 · 924 words · https://substack.com/@jeffapierson/note/c-170193784

SWIP-N: Will Power from Idaho Go to California? Opinion based on public record as of October 2025 1. Will power generated in Idaho flow to California through SWIP-N? Yes, power from Idaho, or power transmitted through Idaho's grid, will flow to California once the Southwest Intertie Project North (SWIP-N) is complete. The project is designed to connect Idaho's Midpoint Substation to the Robinson Summit Substation in Nevada, where it links to transmission systems operated under the California Independent System Operator (CAISO). Although Idaho Power states that its interest in the project is to import power into Idaho, filings by Great Basin Transmission LLC and CAISO show that the line is intended to support both northbound and southbound transfers, including deliveries from Idaho to California. 2. What evidence shows that Idaho-to-California transfers are planned or possible? CAISO's Development Agreement with Great Basin Transmission, filed with the Federal Energy Regulatory Commission (FERC) in late 2024, specifically mentions enabling "direct access to Idaho wind-powered generation for the CAISO." A benefits analysis prepared by The Brattle Group in 2021 projected 1,000 megawatts of firm transmission rights from Idaho to California once the project is in service. These filings confirm that the physical and market design of SWIP-N anticipates southbound flows from Idaho or from generation wheeled through Idaho's grid. 3. What does Idaho Power say about exporting electricity? Idaho Power publicly maintains that it has no intention of selling or exporting electricity to California. On its official website, the company states that its "only interest in SWIP-North is to import energy from south to north" and that its ownership stake does not involve sending power to California. Idaho Power's position reflects its focus on ensuring local reliability and meeting Idaho's own winter energy needs rather than participating in interstate market trading. 4. How can both statements be true? Both perspectives are accurate within their respective contexts. Idaho Power's share of the project is intended for import capacity, but Great Basin Transmission's ownership and CAISO's market control make the infrastructure available for other participants to schedule southbound transfers. In other words, Idaho Power itself may not sell power to California, but the transmission line will still enable power that originates in Idaho or passes through Idaho's system to reach California markets under CAISO's dispatch authority. 5. Where would the exported power come from? Any power flowing south would likely come from a mix of sources, including Idaho hydroelectric generation, regional power imports from the Bonneville Power Administration system, or future merchant renewable projects developed in Idaho or eastern Oregon. Because Idaho Power's own resources are mostly allocated to serve local load, most exports would come from independent producers or market traders purchasing energy from the Northwest and sending it through Idaho toward California. Watch for updates on this! 6. How would the electricity reach California? Power would flow from Idaho Power's Midpoint Substation near Jerome, Idaho, across the SWIP-N line to the Robinson Summit Substation in Nevada. From there, it could move through Great Basin's southern connections into NV Energy's system and then enter CAISO's balancing area through substations near Las Vegas, such as Harry Allen or Eldorado. This forms a continuous 500-kilovolt path from Idaho to California that CAISO can use for both day-ahead and real-time energy scheduling. 7. Who decides whether power actually flows south? The decision depends on market prices and CAISO's dispatch algorithms. When California's wholesale prices exceed those in Idaho or the Pacific Northwest, the CAISO system will schedule power imports from the north to meet demand. Because CAISO controls the southern portion of the SWIP-N capacity, its market optimization software will determine when and how much energy moves from Idaho to California. Idaho Power will not control those decisions beyond its own contractual participation limits. 8. What role does Great Basin Transmission play in this? Great Basin Transmission LLC owns the right-of-way and will operate SWIP-N under FERC-approved tariffs. The company has granted CAISO operational control over most of the line's capacity. This arrangement gives CAISO authority to schedule, dispatch, and price transmission flows that include energy originating in or passing through Idaho. Great Basin's ownership structure ensures that even if Idaho Power uses its share primarily for imports, the remaining capacity can still move electricity south to California. 9. What conditions

would prevent Idaho power from flowing to California? Only regulatory or physical restrictions could prevent such flows. If Idaho Power's contracts limit exports, or if CAISO market prices do not justify southbound transfers, little or no energy will move toward California. Transmission outages, congestion, or FERC restrictions could also reduce export activity. However, because SWIP-N is designed and permitted for bidirectional flow, technical barriers to export are minimal. The controlling factors are market economics and transmission rights, not engineering limitations. 10. In summary, will Idaho's power reach California? Yes, it is very likely that some power produced or transmitted through Idaho will reach California once SWIP-N is operational. Idaho Power itself may not be the exporter, but the infrastructure and market structure will allow other entities to use Idaho's connection points to deliver energy south into CAISO's grid. SWIP-N is, in effect, a two-way corridor. Idaho Power may use it to import electricity during shortages, while other participants, through Great Basin and CAISO, may use it to export power to California when market prices make that profitable. Disclaimer This analysis represents opinion based on publicly available filings, agency documents, and market data as of October 2025. It is provided for informational purposes only and does not constitute legal or regulatory advice.



NOTE 9

Whose side is the IPUC on?

October 28, 2025 · 219 words · https://substack.com/@jeffapierson/note/c-170909917

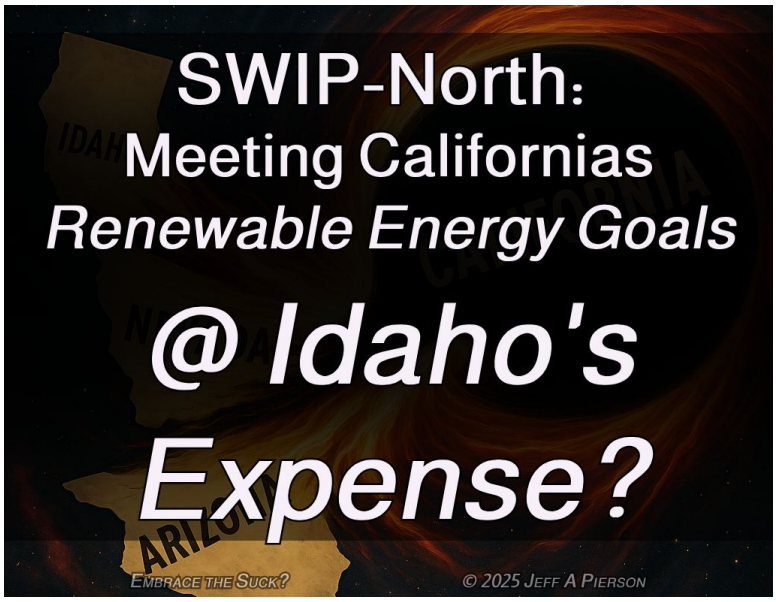
Whose Side Is the Idaho Public Utilities Commission On — the Citizens Who Pay or the Utility That Profits? RE: Idaho Power's CPCN Application On October 9, 2025, the Idaho Public Utilities Commission issued Order No. 36800, announcing a public workshop and customer hearing for Case No. IPC-E-25-08. The proceeding responds to Idaho Power's application for a Certificate of Public Convenience and Necessity (CPCN) to own a portion of the Southwest Intertie Project-North and to utilize an additional 250 megawatts of capacity obtained from Great Basin Transmission. This filing is Idaho Power's first formal step toward potential participation in SWIP-N as a regulated utility investment. The CPCN process will determine whether the project meets Idaho's statutory standard of public convenience and necessity and whether any portion of the investment may later be rate based. The Commission will evaluate if SWIP-N provides direct, measurable benefits to Idaho customers in cost, reliability, or system value. If the IPUC finds that SWIP-N primarily advances California's policy goals rather than Idaho's needs, it may deny rate-basing authority, leaving any participation to be funded by shareholders or through market revenues. The IPUC decision therefore represents a pivotal moment for Idaho's role in the project: it will decide whether Idaho Power's involvement serves the public interest or merely aligns the state with California's energy agenda.

NOTE 10

Idaho Power's FERC filing for SWIP-N capacity

October 28, 2025 · 467 words · https://substack.com/@jeffapierson/note/c-170910784

Idaho Power’s FERC Filing for SWIP-N and the IPUC In early 2025, Idaho Power Company filed with the Federal Energy Regulatory Commission (FERC) to formalize its participation in the Southwest Intertie Project–North (SWIP-N). The filing is part of the process that allows Idaho Power to acquire transmission capacity rights from Great Basin Transmission LLC, an LS Power subsidiary, under the same Development Agreement that FERC approved between Great Basin and the California Independent System Operator (CAISO). Under this arrangement, Idaho Power seeks to purchase or hold rights to 500 megawatts of northbound transmission capacity on the 500-kilovolt SWIP-N line connecting the Midpoint Substation near Twin Falls, Idaho, to Robinson Summit in Nevada. These rights would give Idaho Power the ability to move energy between Idaho and the CAISO system, potentially accessing California’s energy markets or delivering Idaho-generated wind power southward. How FERC’s Role Fits FERC’s jurisdiction governs interstate transmission and wholesale transactions. When Idaho Power buys capacity on SWIP-N, FERC must approve the related tariff, rate schedule, and participation agreements to ensure they comply with federal standards for just and reasonable rates. FERC’s approval does not automatically authorize Idaho Power to recover costs from retail customers; it only validates the transaction under federal law and CAISO’s tariff. In practical terms, FERC decides whether the deal is lawful at the federal level, while the Idaho Public Utilities Commission (IPUC) decides whether Idaho customers should pay for it. Connection to Rate Basing Once FERC accepts the transaction, Idaho Power must return to the IPUC (as it has in Case No. IPC-E-25-08) to seek a Certificate of Public Convenience and Necessity (CPCN). That certificate is required before Idaho Power can rate base its share of SWIP-N. If the IPUC grants the certificate and later determines in a rate case that the investment is used, useful, and prudent, the cost could be added to Idaho Power’s rate base. That would allow the company to recover its investment over time through customer rates and earn a regulated rate of return. However, if the IPUC finds that the line primarily serves California’s policy goals rather than Idaho’s system needs, it can deny rate-basing authority. In that case, Idaho Power may still hold transmission rights, but shareholders or market revenues—not Idaho ratepayers—would have to cover the cost. Summary FERC filing: Establishes federal approval for Idaho Power’s contractual rights and pricing structure on SWIP-N. IPUC role: Determines whether Idaho Power’s participation serves Idaho’s public interest and can be funded through rates. Rate-basing question: Will Idaho customers benefit enough from SWIP-N to justify paying for it through their bills? That question is now before the Idaho Public Utilities Commission, which will decide whether Idaho Power’s investment represents a prudent step toward reliability or an unnecessary subsidy for a project driven by California’s energy policies. Related: https://substack.com/@jeffapierson/note/c-170909917?r=1noct5&utm_source=notes-share-action&utm_medium=web


SWIP-North:
Meeting Californias
Renewable Energy Goals
@ Idaho's
Expense?
EMBRACE THE SUCK?
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NOTE 11

DOE orders FERC rulemaking on large loads

October 29, 2025 · 378 words · https://substack.com/@jeffapierson/note/c-171301364

NEW POLICY FOR LARGE ENERGY CONSUMERS IS BEING DISCUSSED Is this Good News or Bad News? It may be too soon to tell. The U.S. Department of Energy (DOE), under Secretary Chris Wright, has directed the Federal Energy Regulatory Commission (FERC) to initiate a rulemaking to govern the interconnection of large electrical loads, defined as those greater than 20 MW, to the interstate transmission system. The proposal is aimed at accommodating the rapid growth of AI data centers, cloud facilities, and other energy-intensive industries that are driving unprecedented demand on the bulk power system. Summary of Proposed Framework 1. Standardized Processes FERC would apply procedures similar to those used for generator interconnections (Order Nos. 2003, 845, and 2023). Large-load and “hybrid” (load + generation) facilities would be subject to uniform study deposits, readiness requirements, and withdrawal penalties to discourage speculative projects and improve transparency. 2. Co-Location and Hybrid Facilities The proposal encourages joint interconnection requests for projects that combine or co-locate new generation with large loads. Studying them together would allow utilities to site facilities efficiently and minimize costly network upgrades. 3. Curtailment and Dispatch Flexibility Large loads and hybrid projects that agree to be curtailable or dispatchable—meaning their power use can be reduced during peak demand—would qualify for expedited interconnection studies, potentially completed in as little as 60 days. 4. Full Cost Responsibility Each large load or hybrid facility would be responsible for 100 percent of the network upgrades assigned through the interconnection study. Although framed as protecting retail ratepayers, the proposal gives FERC control over cost recovery through transmission tariffs and interconnection agreements. 5. Protection and Reliability Systems Hybrid facilities must install system-protection equipment to prevent unauthorized injections or withdrawals of power beyond their contractual rights. FERC and NERC would ensure such facilities meet all reliability and open-access transmission standards. Context and Implications DOE argues the policy will “ensure all Americans and domestic industries have access to affordable, reliable, and secure electricity” and speed deployment of new AI and manufacturing capacity. In practice, it extends federal jurisdiction over interconnections traditionally managed by state utility commissions, potentially limiting state control over timing, cost recovery, and local infrastructure impacts. FERC has been asked to complete the rulemaking and issue a final rule no later than April 30, 2026.

The Secretary of Energy
Washington, DC 20585

October 23, 2025

The Honorable David Rosner, Chairman
The Honorable Laura Swett, Commissioner
The Honorable Lindsay S. See, Commissioner
The Honorable Judy W. Chang, Commissioner
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Re: *Secretary of Energy's Direction that the Federal Energy Regulatory Commission Initiate Rulemaking Procedures and Proposal Regarding the Interconnection of Large Loads Pursuant to the Secretary's Authority Under Section 403 of the Department of Energy Organization Act*

Dear Chairman Rosner and Commissioners,

To usher in a new era of American prosperity, we must ensure all Americans and domestic industries have access to affordable, reliable, and secure electricity. To do this, large loads, including AI data centers, served by public utilities must be able to connect to the transmission system in a timely, orderly, and non-discriminatory manner. This is an urgent issue that requires prompt attention.

Congress authorized the Federal Energy Regulatory Commission's (Commission or FERC) jurisdiction over the transmission of electric energy in interstate commerce and the sale of electricity at wholesale in interstate commerce.[1] Historically, the Commission has not exerted jurisdiction over load interconnections. It is my view that the interconnection of large loads directly to the interstate transmission system to access the transmission system and the electricity transmitted over it falls squarely within the Commission's jurisdiction.

[1] 16 U.S.C. § 824.

Asserting Commission jurisdiction is in the public's interest. This Administration is committed to revitalizing domestic manufacturing[2] and driving American AI innovation,[3] both of which will require unprecedented and extraordinary quantities of electricity and substantial investment in the Nation's interstate transmission system. We must do so efficiently, fairly, and expeditiously. Thus, pursuant to my authority under section 403 of the Department of Energy Organization Act,[4] I attach for the Commission's consideration the enclosed advance notice of proposed rulemaking.

My proposal today sets forth a series of principles that are intended to ensure efficient, timely, and non-discriminatory load interconnections. It is my hope that you and the Commission's dedicated staff will build upon these principles and work expeditiously to initiate a rulemaking proceeding and ultimately issue a final rule.

On behalf of the American people, and given the urgency of this issue, I look forward to your consideration and final action (no later than April 30, 2026).[5]

Sincerely,

Chris Wright

Chris Wright
Secretary of Energy

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[2] https://www.whitehouse.gov/articles/2025/10/president-trump-continues-to-drive-an-american-manufacturing-boom/.

[3] https://www.whitehouse.gov/fact-sheets/2025/09/fact-sheet-president-donald-j-trump-prioritizes-harnessing-american-ai-innovation-to-unlock-cures-for-pediatric-cancer/.

[4] "The Secretary . . . [is] authorized to propose rules, regulations, and statements of policy of general applicability with respect to any function within the jurisdiction of the Commission under section 402 of this Act." 42 U.S.C. § 7173(a). "NEPA does not apply to rulemaking actions proposed by the Secretary pursuant to section 403(a) of the DOE Act . . . because such proposals are not final agency action." DOE NEPA Implementing Procedures, § 2.1(c)(8) (2025).

[5] "The Commission . . . shall consider and take final action on any proposal made by the Secretary . . . in an expeditious manner in accordance with such reasonable time limits as may be set by the Secretary for the completion of action by the Commission on any such proposal." 42 U.S.C. § 7173(b).

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Ensuring the Timely and Orderly Interconnection of Large Loads

ADVANCE NOTICE OF PROPOSED RULEMAKING

(Issued DATE)

I. Introduction

1. Pursuant to his authority under section 403 of the Department of Energy (DOE) Organization Act (DOE Act), the Secretary of Energy directs the Federal Energy Regulatory Commission (Commission) to initiate rulemaking procedures and consider this Advance Notice of Proposed Rulemaking (ANOPR) presenting potential reforms to ensure the timely and orderly interconnection of large loads[1] to the transmission system.[2]

[1] 42 U.S.C. § 7173. For purposes of this ANOPR, large loads are defined as greater than 20 MW, consistent with how the Commission has defined large generation resources. *See infra* Order No. 2003.

[2] The terms "bulk power system," "BPS," and transmission system are used herein interchangeably. Section 215 of Federal Power Act (FPA), added by the Energy Policy Act of 2005, grants the Commission and the North American Electric Reliability Corporation (NERC) authority to establish mandatory and enforceable reliability standards applicable to "all users, owners and operators of the bulk-power system," including public power entities. 16 U.S.C. § 824o(b)(1). The term "bulk-power system" is defined in section 215 of the FPA as "facilities and control systems necessary for operating an interconnected electric energy transmission network (or any portion thereof)" and "electric energy from generation facilities needed to maintain transmission system reliability" but "does not include facilities used in the local distribution of electric energy." 16 U.S.C. § 824o(a)(1). While the term "bulk-power system" statutorily sets forth the reliability authority of NERC and FERC, FERC has not defined the limits of its authority with respect to the term "bulk power system." NERC's reliability standards apply to the Bulk Electric System (BES), which is defined in NERC's Glossary of Terms. https://www.nerc.com/pa/Stand/Glossary%20of%20Terms/Glossary_of_Terms.pdf.

II. Background

A. Demand Growth

United States electricity demand is expected to grow at an extraordinary pace, due, in large part, to the rapid growth of large loads.[3] According to NERC, demand growth is now higher than at any point in the past two decades.[4] Although there are several drivers to this demand growth, such as home and vehicle electrification, increasing quantities of large commercial and industrial load, most notably data centers, are connecting rapidly to the transmission system.[5] NERC explains that the size and speed with which data centers can be connected to the grid present unique challenges for demand forecasting and system planning.[6]

B. Commission's Jurisdiction

2. Under section 201(b) of the Federal Power Act (FPA), the Commission *shall have* jurisdiction over the transmission of electric energy in interstate commerce and the sale of electricity at wholesale in interstate commerce.[7] Section 201(b) of the FPA further provides that the Commission *shall not have* jurisdiction, except as otherwise provided in the statute, over the facilities used for the generation of electric energy or over facilities

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[3] *See* https://www.energy.gov/sites/default/files/2025-07/DOE%20Final%20EO%20Report%20%28FINAL%20JULY%207%29.pdf.

[4] NERC, *2024 Long-Term Reliability Assessment* (Dec. 2024, updated July 2025), *https://www.nerc.com/pa/RAPA/ra/Reliability%20Assessments%20DL/NERC_Long%20Term%20Reliability%20Assessment_2024.pdf* at 8.

[5] *Id.*

[6] *Id.*

[7] 16 U.S.C. § 824(b).

used in local distribution or only for transmission of electric energy in intrastate commerce, or over facilities for the transmission of electric energy consumed wholly by the transmitter.[8]

C. Open Access Transmission Service

3. In April 1996, the Commission issued Order No. 888.[9] In Order No. 888, the Commission required all public utilities[10] that own, control, or operate facilities used for transmitting electric energy in interstate commerce to have on file with the Commission open access transmission tariffs (OATT) that contain minimum terms and conditions of non-discriminatory service. The Commission required public utilities to "functionally unbundle" their generation and transmission services and separately state their rates for generation and transmission services (including ancillary services). The Commission declined to extend its unbundling requirement to the transmission component of bundled retail sales.

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[8] *Id.*

[9] *Promoting Wholesale Competition Through Open Access Non-Discriminatory Transmission Servs. by Pub. Utils.; Recovery of Stranded Costs by Pub. Utils. & Transmitting Utils.*, Order No. 888, FERC Stats. & Regs. ¶ 31,036 (1996) (cross-referenced at 75 FERC ¶ 61,080), *order on reh'g*, Order No. 888-A, FERC Stats. & Regs. ¶ 31,048 (cross-referenced at 78 FERC ¶ 61,220), *order on reh'g*, Order No. 888-B, 81 FERC ¶ 61,248 (1997), *order on reh'g*, Order No. 888-C, 82 FERC ¶ 61,046 (1998), *aff'd in relevant part sub nom. Transmission Access Pol'y Study Grp. v. FERC*, 225 F.3d 667 (D.C. Cir. 2000), *aff'd sub nom. New York v. FERC*, 535 U.S. 1 (2002).

[10] *See id.* Section 201(e) of the FPA defines "public utility" to mean "any person who owns or operates facilities subject to the jurisdiction of the Commission under this subchapter . . . ." 16 U.S.C. § 824(e).

4. In affirming Order No. 888 on appeal, the United States Supreme Court (Supreme Court) addressed jurisdictional arguments raised by the State of New York and Enron Power Marketing, Inc. (Enron).[11] The Supreme Court explained that "the FPA authorizes FERC's jurisdiction over interstate transmissions, without regard to whether the transmissions are sold to a reseller or directly to a consumer . . . ."[12] In response to arguments raised by the State of New York, the Supreme Court held that Order No. 888 *does not even arguably* affect the States' jurisdiction over generation facilities, transmission in intrastate commerce, or transmitted energy consumed by the transmitter.[13] In response to arguments raised by Enron, the Supreme Court determined that "even if we assume, for present purposes, that Enron is *correct* in its claim that the FPA gives FERC the authority to regulate the transmission component of a bundled retail sale, we nevertheless conclude that the agency had discretion to decline to assert such jurisdiction in this proceeding in part because of the complicated nature of the jurisdictional issues."[14]

5. On this final point, Justice Thomas, with whom Justice Scalia and Justice Kennedy joined, disagreed. According to Justice Thomas, in his concurrence in part and dissent in part, the Commission failed to explain why regulating transmission connected to bundled

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[11] *New York v. FERC*, 535 U.S. 1.

[12] *Id.* at 20.

[13] *Id.* at 22 (emphasis added). The Supreme Court noted that Order No. 888 set forth a seven-factor test for identifying distribution facilities, but it did not purport to regulate distribution facilities. *Id.* at 23.

[14] *Id.* at 28.

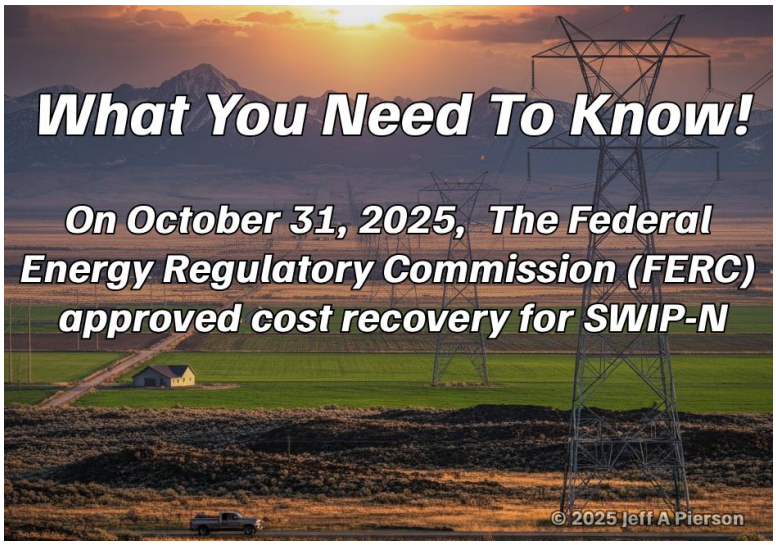
NOVEMBER 2025

NOTE 12

FERC approves SWIP-N tariff and cost incentives

November 2, 2025 · 490 words · https://substack.com/@jeffapierson/note/c-172697332

The SWIP-N Decision: What FERC Just Approved and Why Idahoans Should Pay Attention On October 31, 2025, the Federal Energy Regulatory Commission (FERC) approved Great Basin Transmission, LLC's tariff and incentive request for the Southwest Intertie Project North (SWIP-N). The decision, filed as Docket ER25-2025-000, officially places the 500-kilovolt transmission line on a path toward California Independent System Operator (CAISO) integration. It also guarantees Great Basin several powerful financial protections that shift future risks from investors to the public. The order authorizes three key incentives: Full recovery of all prudently incurred development and construction costs if the project is canceled for reasons outside Great Basin's control. Permission to book pre-commercial expenses as a regulatory asset and earn interest on those balances from the date of the order. A 50-basis-point adder (0.50%) on the company's return on equity once the line is turned over to CAISO's operational control. That means the ROE rises from 9.8% to 10.3% once certain conditions are met. FERC justified these benefits by citing projected congestion relief on the California-Oregon Intertie and alleged reliability improvements across the Western grid. Great Basin's studies projected annual savings between 23 and 47 million dollars. None of those studies were conditioned on Idaho participation, but all depend on connecting the line's northern terminus at Idaho Power's Midpoint substation near Shoshone. The federal order sets in motion a financial structure that will eventually reach Idaho ratepayers if Idaho Power decides to take capacity or integrate into CAISO. At the moment, the costs are assigned only to customers inside CAISO's footprint. That means California and Nevada consumers will fund the project's guaranteed cost recovery, including any future abandonment costs. But the moment Idaho Power signs on, the economics change. What Idaho Power Wants Idaho Power is negotiating for roughly 500 megawatts of northbound capacity on the line. Under FERC's order, Great Basin can recover all of its development costs through the CAISO transmission access charge (TAC). When Idaho Power joins, those costs would be passed along through Idaho Power's cost-of-service filings. IPUC Will Likely Approve the CPCN This is why the next step matters. Before Idaho Power can proceed, it must obtain an IPUC certificate confirming that the project is "necessary, convenient, and in the public interest." That determination is Idaho's only real checkpoint. The commission can require full disclosure of financial commitments, transmission rights, and cost-allocation details. It can also restrict Idaho rate recovery to prevent California-driven expenses from being shifted onto Idaho customers. Idahoans deserve to know exactly what they are being asked to fund before any certificate is issued. The burden now falls on the Idaho Public Utilities Commission to demand full transparency, insist on Idaho's right to control its own grid, and ensure that "transmission for California" does not become "debt for Idaho." Idaho Power's purchase into SWIP-N is set to be complete by November 5th, 2025. IPUC will likely issue the CPCN before the end of the year.



NOTE 13

The case against utility political contributions

November 10, 2025 · 74 words · https://substack.com/@jeffapierson/note/c-175688586

Regulated Money and Political Power: The Case Against Utility Contributions in Idaho “Publicly regulated monopolies, particularly electric and gas utilities, occupy a privileged space in American life. They are guaranteed markets, their rates are set by government order, and their infrastructure is often built with the aid of taxpayer-backed financing or eminent domain. When such entities fund political campaigns or ballot measures, they do not exercise free speech—they leverage state-granted power to entrench influence…”

NOTE 14

Snake River dam removal lawsuits resume

November 12, 2025 · 1,032 words · https://substack.com/@jeffapierson/note/c-176319938

Lawsuits over Dam Removal Resume after Trump Administration Withdrawal from the Resilient Columbia Basin Agreement The Four Lower Snake River Dams: Status and Regional Consequences Current Status The four lower Snake River dams - Ice Harbor, Lower Monumental, Little Goose, and Lower Granite - are located in southeastern Washington between the Tri-Cities and Lewiston, Idaho. Built between 1961 and 1975, they generate roughly 900 average megawatts of carbon-free electricity, enough to power about 800,000 homes year-round and up to 1.5 million homes during high-water periods. In 2023 the federal government entered into the Resilient Columbia Basin Agreement to pause decades of litigation while studying fish recovery and energy replacement options. In 2025 that agreement was abandoned, and lawsuits to breach the dams resumed. Representative Dan Newhouse of Washington reaffirmed his opposition to removal, stating, “The Lower Snake River dams are vital to our way of life in the Pacific Northwest, and I oppose any and all efforts to breach these critical pieces of infrastructure.” (Source: https://newhouse.house.gov/media-center/press-releases/newhouse-commends-trump-action-lower-snake-river-dams?utm_source=chatgpt.com) Proposal for Removal Several environmental organizations, tribal governments, and state agencies are advocating to breach the four dams to restore a free-flowing Snake River and improve salmon migration. The plan would remove the earthen portions of each dam while leaving the concrete structures in place. Congress has not authorized removal, and serious questions remain about how the region would replace the power, navigation, irrigation, and flood-control functions that these dams provide. Negative Consequences of Removal Power and Reliability Loss. The four dams provide about five percent of the Northwest’s total electricity and nearly ten percent of its flexible hydro capacity. They help stabilize the grid during cold snaps, high demand, or variable renewable output. Removal would eliminate 900 average megawatts of steady renewable power and more than 3,000 megawatts of capacity that can be dispatched instantly. Replacement would require billions of dollars in new generation, storage, and transmission. Higher Energy Costs and Carbon Emissions Bonneville Power Administration data indicate that losing these dams would raise regional rates and push utilities toward natural gas and imported electricity. Carbon emissions would increase because backup generation would rely on fossil fuels during dry years or low renewable output. Navigation and Agriculture Impacts The reservoirs maintain a 465-mile barge route from Lewiston to the Pacific Ocean. Breaching would shift millions of tons of freight to trucks and rail, raising costs and emissions. In the Ice Harbor area, irrigation systems dependent on reservoir levels would lose water access, threatening farms in Franklin and Walla Walla counties. Economic and Community Damage Dam operations support local jobs and tax revenue in energy production, shipping, and recreation. Removal would cause long-term economic disruption in rural Washington and Idaho. Environmental Trade-offs Breaching could release millions of tons of sediment, degrade water quality, and destabilize riverbanks. Habitat transitions may harm birds, wetlands, and aquatic life before a new ecological balance is established. Broader Consequences for the Pacific Northwest Energy Market The Columbia–Snake River system produces nearly one-quarter of the Pacific Northwest’s electricity. The lower four Snake River dams at risk provide about 900 average megawatts, while the lower four Columbia River dams, which are not currently targeted, together generate about 3,000 average megawatts. Removing the Snake dams alone would erase enough energy to power nearly one million homes and remove much of the grid’s ability to balance intermittent renewable generation. If the four lower Snake River dams were removed or incapacitated, the region would lose approximately 900 average megawatts of steady renewable power and more than 3,000 megawatts of flexible hydro capacity. The Pacific Northwest would shift from being a strong exporter of low-cost, carbon-free power to a more dependent participant in western markets. Utilities in Idaho, Oregon, and Washington would rely more heavily on imported power from California and desert-state suppliers. Electricity prices would rise, grid stability would weaken, and emissions would increase as the system relied more on gas and coal generation during drought or peak demand. Hydropower gives the Northwest a strategic advantage that few regions possess: abundant, dispatchable, zero-carbon

energy that keeps prices stable and integrates renewables. Removing the four lower Snake River dams would weaken that foundation. The result would be higher energy costs, greater environmental trade-offs, and a long-term reduction in regional energy independence. Pressure to Find Replacement Energy Sources Removing the four lower Snake River dams would create immediate pressure on utilities, regulators, and policymakers to secure reliable alternative energy. The Pacific Northwest grid depends on the steady output and ramping flexibility those dams provide. Without them, the region would have to fill the gap quickly or face the risk of blackouts, price spikes, and higher emissions. The Bonneville Power Administration and state energy offices have modeled several replacement scenarios. Each requires large new investments in natural gas generation, renewable projects, and high-capacity transmission lines to move power to existing population centers. Estimates indicate that between 3,000 and 4,000 megawatts of new installed capacity would be needed to replace the dams' 900 average megawatts of output and 3,000 megawatts of flexible capacity. This pressure will test the limits of regional infrastructure and the credibility of clean-energy policy. Natural gas is the most dependable short-term replacement but conflicts with state carbon mandates. Wind and solar are politically favored but require extensive land, storage, and new transmission, often facing local opposition. Imported power from California or the desert Southwest could fill some gaps but would undermine energy independence and increase exposure to external market control. Dam removal would therefore trigger a scramble for replacement energy that forces the region to choose between reliability, cost, and carbon goals. Each option carries its own trade-offs. The real question is whether replacements can be built fast enough, affordably enough, and cleanly enough to preserve the stability that hydropower has provided for nearly a century. Summary The four lower Snake River dams are central to the Pacific Northwest's renewable energy supply, agricultural economy, and navigation system. Their removal would reduce energy security, increase costs, and destabilize the regional grid. Before any action is taken, replacement energy and infrastructure must be guaranteed, and the long-term economic and environmental consequences must be clearly understood by the public. Read More: https://www.propublica.org/article/trump-salmon-columbia-river-tribes-deal https://www.opb.org/article/2025/09/12/columbia-basin-dams-lawsuit-resume/?utm_source=chatgpt.com https://washingtonstatestandard.com/2025/09/11/lawsuits-against-federal-government-over-columbia-basin-dams-to-resume/?utm_source=chatgpt.com © 2025 Jeff A Pierson

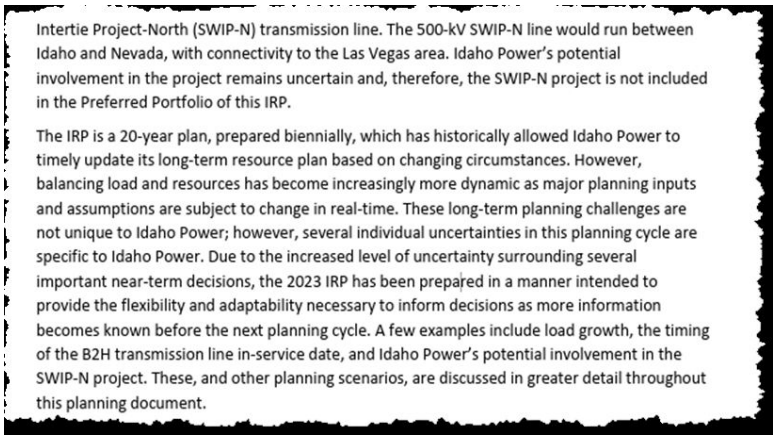


NOTE 15

SWIP-N rebuttal, point one: the reliability claim

November 14, 2025 · 364 words · https://substack.com/@jeffapierson/note/c-177026740

Idaho Power / SWIP-N Point by Point Rebuttal - Point 1 “Idaho Power needs SWIP-North to meet customers’ energy needs reliably and affordably on cold winter days. Without SWIP-North, Idaho Power will have to pursue alternatives that will cost customers millions more.” Idaho Power’s own planning documents do not support the claim that SWIP-North is indispensable. In the 2023 Integrated Resource Plan (IRP), the company describes SWIP-North as a potential 500 kV line connecting Idaho to Nevada, but it states plainly that “Idaho Power’s potential involvement in the project remains uncertain and, therefore, the SWIP-N project is not included in the Preferred Portfolio of this IRP.” That filing, acknowledged by the Idaho Public Utilities Commission in Case IPC-E-23-23, appears to treat SWIP-North as an optional resource among many, not as a linchpin without which the system cannot meet winter demand. And keep in mind, Idaho Power sold the right of ways to LS Power in 2008-2009 and is pursuing many other avenues. In other words, the formal planning document filed with the Idaho Public Utilities Commission (IPUC) and acknowledged in Case IPC-E-23-23 treats SWIP-North as optional, one of many, not as a critical resource without which the system fails. The webpage’s claim that alternatives “will cost customers millions more” goes far beyond what the record supports. That figure is not a regulatory finding of the IPUC, FERC, or CAISO. It rests instead on sponsored (paid for) economic modeling produced for LS Power and Great Basin Transmission by the Brattle Group, work designed to support DOE and FERC financing requests. Those are projections, not guaranteed ratepayer outcomes, and they depend entirely on the assumptions fed into the models. Idaho Power has never produced a public comparison showing that SWIP-North is cheaper than new dispatchable generation, expanded gas capacity, targeted transmission upgrades, or other near-load solutions. In short, the “millions more” narrative only appears compelling if you accept Idaho Power’s self-imposed corporate preference to move away from new local dispatchable generation in pursuit of a long-term carbon-free trajectory. That policy choice is voluntary, not a statutory or regulatory mandate, and should not be presented as proof that SWIP-North is the sole affordable path for Idaho ratepayers.



Intertie Project-North (SWIP-N) transmission line. The 500-kV SWIP-N line would run between Idaho and Nevada, with connectivity to the Las Vegas area. Idaho Power’s potential involvement in the project remains uncertain and, therefore, the SWIP-N project is not included in the Preferred Portfolio of this IRP.

The IRP is a 20-year plan, prepared biennially, which has historically allowed Idaho Power to timely update its long-term resource plan based on changing circumstances. However, balancing load and resources has become increasingly more dynamic as major planning inputs and assumptions are subject to change in real-time. These long-term planning challenges are not unique to Idaho Power; however, several individual uncertainties in this planning cycle are specific to Idaho Power. Due to the increased level of uncertainty surrounding several important near-term decisions, the 2023 IRP has been prepared in a manner intended to provide the flexibility and adaptability necessary to inform decisions as more information becomes known before the next planning cycle. A few examples include load growth, the timing of the B2H transmission line in-service date, and Idaho Power’s potential involvement in the SWIP-N project. These, and other planning scenarios, are discussed in greater detail throughout this planning document.

growth, the timing of the Boardman to Hemingway ("B2H") transmission line in-service date, and Idaho Power's potential involvement in the Southwest Intertie Project-North ("SWIP-N") transmission project. These, and other planning scenarios, are discussed in greater detail throughout the IRP.

4. The importance of flexibility and adaptability in resource planning is a theme throughout the 2023 IRP and apparent in the optimal, least-cost, and least-risk resource build out of the Preferred Portfolio, which tells the story of the Company's substantial forecasted growth. Specifically, the Preferred Portfolio adds 3,325 megawatts ("MW") of solar, 1,800 MW of wind, 1,453 MW of storage (four- and eight-hour batteries, as well as long-duration 100-hour storage), 360 MW of additional energy efficiency ("EE"), 340 MW of hydrogen ("H2"), 160 MW of new demand response ("DR"), and 30 MW of geothermal. Additionally, the Preferred Portfolio includes conversions of multiple coal-fired generation units to natural gas, showing the Company exiting coal entirely in 2030 and adding a net total of 261 MW of natural gas via coal conversions through 2043 (reflecting the addition of 967 MW of gas conversions and 706 MW of gas conversion exits, netting 261 MW of additional gas generation).

NOTE 16

Who SWIP-N really serves

November 14, 2025 · 1,047 words · https://substack.com/@jeffapierson/note/c-177031097

The Facts As I see Them: Idaho Power Needs Power for Large Customers! California needs SWIP-N to access Idaho Renewable Energy to Meet it's Policy Goals! Idaho Power is asking to participate in the Southwest Intertie Project North, a 500 kilovolt transmission line that would connect Idaho to the Desert Southwest. The company presents SWIP North as a system wide reliability solution that allows Idaho to import inexpensive winter energy for homes, farms, and small businesses. That is the public narrative. The regulatory record tells a more complicated story. Idaho Power is facing the fastest load growth in its history. A single corporate expansion by Micron Technology and the arrival of several large data center projects represent the largest new electrical demand Idaho has ever seen. When one customer or cluster of customers drives that kind of load increase, decisions about new transmission and resource acquisition can shift dramatically. This is the context in which Micron intervened in both the SWIP North case and Idaho Power's 2025 Integrated Resource Plan. Micron's filings explain why the company must be directly involved, and they help the public understand what is really driving Idaho Power's long term planning. Why Micron Is an Intervenor and Why It Matters Micron Technology is Idaho Power's single largest customer, and it is building one of the largest high tech manufacturing campuses in the state's history. When Micron expands, the electrical grid must expand with it. This explains why Micron has intervened directly in Idaho Power's most important proceedings, including the request for a Certificate of Public Convenience and Necessity for SWIP North and the 2025 IRP. Understanding Micron's role helps the public understand the scale of the load growth Idaho Power is planning for. 1. Micron is building a massive new semiconductor campus in Boise Micron is constructing a major fabrication facility as part of a multi billion dollar expansion supported by the federal CHIPS Act. Semiconductor fabrication requires extraordinary amounts of power. A single advanced memory fabrication facility can require several hundred megawatts of continuous load. Micron's new Boise campus is in this category and its development is reflected in Idaho Power's sharply rising load forecasts. 2. Idaho Power's own forecast shows unprecedented load growth Micron's July 31, 2025 intervention in the IRP proceeding (IPC E 25 23) cites Idaho Power's forecast directly: "Idaho Power expects peak load to grow 1,000 megawatts in the next 5 years, and 1,700 MW total over the next 20 years. Idaho Power's IRP preferred portfolio adds 4,071 MW of incremental resource capacity." A one thousand megawatt jump in five years is not normal for Idaho. It is the single largest projected load increase in state history. The only entities capable of producing that level of new demand are Micron and several very large data center projects. Micron's expansion is the most significant and the most certain of these additions. 3. Why Micron intervenes in Idaho Power proceedings Micron explains its interest clearly in both filings. In the SWIP North CPCN case (IPC E 25 08), Micron states: "Micron receives electric utility services from Idaho Power Company as a Special Contract customer… Micron is Idaho Power's single largest customer." In the IRP case, Micron again states: "Micron is one of Idaho Power's largest customers… Micron has a direct and substantial interest in this proceeding." Micron intervenes for several reasons: Its manufacturing processes require firm and highly reliable power. Even small interruptions can cause millions of dollars in production losses. Idaho Power's resource decisions directly determine Micron's long term operating costs. Micron wants a voice in the types of resources Idaho Power plans to build. Transmission acquisitions, including SWIP North, affect Micron's ability to secure enough power for its expanded campus. When a single customer represents a major share of the utility's future peak load, intervention is necessary to protect that customer's interests. 4. Why Micron's intervention matters for the public Micron's participation is legitimate, but it highlights several important public issues. A. Idaho's load growth is being driven by a few very large customers Micron's filings confirm that Idaho Power's forecasted one thousand megawatt growth in the next five years is real. It also confirms that major industrial expansion is one of the primary drivers of Idaho Power's new transmission and capacity plans. B. Transmission choices may be influenced by the needs of this expansion Idaho Power's public messaging states that SWIP North is "for all customers" and "not for any one customer." Micron's filings, and the scale of its expansion, show that resource and transmission

> additions in Idaho Power's plan are responding to the largest industrial expansion in state history. C. Transparency is essential There is nothing improper about Micron intervening. It is acting responsibly. The public concern arises when Idaho Power presents major infrastructure decisions as if they serve only generalized system needs while the regulatory filings show they are also driven by very large industrial loads. 5. The bottom line Micron intervened because: It is Idaho Power's largest customer. It is developing a massive new semiconductor campus that requires enormous amounts of electricity. Idaho Power's entire long term plan must shift to accommodate this growth. Micron wants a direct role in shaping the mix of generation and transmission resources that will serve its operations. For Idaho ratepayers, the essential question is whether the costs associated with meeting this unprecedented industrial load are being allocated fairly and presented honestly. Micron's filings are clear about the stakes. Idaho Power's public statements should be equally clear. Disclaimer This explainer is based solely on publicly filed documents, including Micron Technology's petitions to intervene in Idaho Power Company proceedings before the Idaho Public Utilities Commission, and Idaho Power's own published statements and forecasts. It does not speculate about internal motives, confidential customer information, or proprietary load data. References to potential electricity demand are drawn from typical industry requirements for semiconductor fabrication facilities and Idaho Power's published system forecasts. Nothing in this document should be interpreted as an allegation of misconduct by Micron, Idaho Power, or any other party. The purpose of this material is to help the public understand how large industrial expansions influence long term utility planning and to clarify the connection between publicly available filings and Idaho Power's stated rationale for major transmission projects such as SWIP North.

NOTE 17

LS Power needed Idaho Power for cost recovery

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Why LS Power and SWIP-N May Have Needed Idaho Power More Than Idaho Power Needed SWIP-N How a Single Utility Agreement Changed the Regulatory Fate of SWIP North and What It Means for Idaho The public has been told that SWIP North is a ready-made reliability project, already justified and already approved. The record shows something very different. LS Power and its subsidiary Great Basin Transmission could not obtain federal cost recovery for the project until Idaho Power signed on as a participating utility. The sequence is clear, the filings are clear, and the quotes are unambiguous. Before Idaho Power entered the project, SWIP North operated as a merchant transmission line. Merchant developers accept market risk and cannot rate base their costs across captive utility customers. FERC's own policy states that merchant developers "assume full market risk for recovery of the cost of the transmission facilities" and therefore do not obtain guaranteed cost recovery from ratepayers (FERC, Docket PL05 1 000). That barrier changed the moment Idaho Power executed its participation and capacity agreements. In the cost recovery filing that followed, LS Power explicitly cited Idaho Power's involvement as the basis for shifting from merchant status to partial regulated status. Great Basin Transmission told FERC that the project now involved "a participating load serving utility with identified transmission needs," and that the line would therefore qualify for "regional beneficiary based cost allocation" (FERC Docket ER25 3372 000, Applicant Filing). FERC's approval relied on the same representation. The Commission wrote that the project had gained "support from jurisdictional utilities" and therefore could qualify for recovery of costs under an accepted transmission tariff rather than merchant risk alone. FERC stated that the participation agreement with Idaho Power created "beneficiary utilities whose customers will use and support the line" (FERC Order, ER25 3372 000). In plain language, LS Power did not gain cost recovery authority until Idaho Power joined the project, and the approval happened in the same filing sequence. The utility's participation opened the regulatory door. Without it, SWIP North would have remained a merchant line with no guaranteed revenue and no pathway to shift costs onto ratepayers. Idaho Power's own planning documents confirm that the line is not a core need. In its 2023 Integrated Resource Plan, the company wrote, "Idaho Power's potential involvement in the project remains uncertain and, therefore, the SWIP N project is not included in the Preferred Portfolio of this IRP" (Idaho Power, 2023 IRP, p. 208). Yet the same utility that deemed the project non-essential provided the key ingredient that allowed LS Power to obtain cost recovery approval from FERC. A project Idaho Power chose not to include in its own preferred resource plan became eligible for interstate cost allocation because Idaho Power signed on as a participant. This shift has direct consequences for Idaho ratepayers. Once a merchant developer gains cost recovery through participation by a regulated utility, the financial risk no longer rests with investors. It shifts onto customers through transmission tariffs, regional cost allocation, and potential rate adjustments approved by regulators. Idaho customers could now be responsible for helping fund a 500-kilovolt line that Idaho Power itself did not identify as preferred or necessary to meet Idaho's load. The language in the FERC order makes clear that Idaho customers are treated as "beneficiaries," which allows costs to be assigned even if the primary flow of energy serves external markets. Ratepayers could therefore pay for a line built largely for regional or California market integration rather than Idaho reliability. This is not reliability planning. This is regulatory leverage. Idaho Power's signature is what transformed SWIP North from a merchant gamble into a cost-recoverable asset for LS Power. Ratepayers deserve to know that the project's financial structure changed only after Idaho Power stepped in. They deserve to see the record for what it is, not for what the marketing campaigns claim it to be. Disclaimer: This article is based on publicly available regulatory filings, FERC orders, Idaho Power planning documents, and developer submissions. It reflects the sequence of filings and the statements made in those documents. It does not allege unlawful conduct. Readers are encouraged to review the cited documents directly and submit comments to state and federal regulators if they have concerns about the accuracy of utility representations or the financial impacts on ratepayers.

NOTE 18

SWIP-N rebuttal, point two: the bidirectional corridor

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Idaho Power / SWIP-N Point by Point Rebuttal - Point 2 “Idaho Power’s ownership interest in SWIP-North is only to bring energy into Idaho, not to sell energy to California or elsewhere.” This statement focuses narrowly on Idaho Power’s slice of capacity and ignores how the line is designed and financed as a whole. Public documents from LS Power, DOE, CAISO, and Brattle all describe SWIP-North as a bidirectional, multi-state corridor connecting the Desert Southwest, Idaho, and the Pacific Northwest so energy can move in both directions, mostly from Idaho toward California. Here is a clear statement from California Independent System Operator (CAISO) on the purpose of the SWIP-North project: “The Project will provide approximately 2,000 MW of firm, bi-directional transfer capability, will connect the Idaho wind-powered generation resource to the CAISO balancing authority area by tying to the transmission system operated by a CAISO Participating Transmission Owner, and will enable load-serving entities in California to access Idaho wind-powered generation.” (CAISO, “Order accepting Development Agreement between Great Basin and CAISO re SWIP-North”, Jan 21 2025, p. 2 The U.S. Department of Energy describes SWIP-North as a “$1+ billion, 285-mile, 500-kV transmission line” that will “connect the Midpoint substation near Twin Falls, Idaho, with the Robinson Summit substation near Ely, Nevada, providing a new pathway for delivering energy between the Desert Southwest and the Pacific Northwest.” Utility Dive reports DOE’s characterization of SWIP-North as a “2-GW, bi-directional” line that could “help deliver wind power from Idaho to California” and connect geothermal and solar resources to Pacific Northwest customers. Brattle’s 2021 SWIP-North Benefits Analysis is even more explicit. It states that “SWIP North is the final link of a transmission project that would create 1,000 MW of firm transmission rights from Idaho to California for CAISO.” The Brattle 2024 Independent Market Report, used in Great Basin’s DOE Transmission Facilitation Program application, evaluates revenue from selling “Idaho wind” delivered to CAISO via SWIP-North and calculates a levelized cost of 40 dollars per MWh, with about 6 dollars per MWh attributable to SWIP-North transmission charges. The development agreement between Great Basin Transmission and CAISO, which FERC accepted in 2025, is part of CAISO’s transmission planning to meet “public policy need” and provide “reliability and economic benefits” through the SWIP-North Project. CAISO and Great Basin are not building a one-way Idaho import spur. They are integrating SWIP-North into the CAISO grid as a bidirectional regional facility. Idaho Power’s CPCN application underscores the narrowness of its claim. The company asks IPUC to approve ownership rights to 250 MW of northbound capacity and the use of an additional 250 MW of northbound capacity owned by GBT Northbound, for a total of 500 MW of south-to-north rights on what the filing itself calls the “Total SWIP” line. That is 500 MW out of a 2,000 MW class project. LS Power filings with Nevada show SWIP-North as a 285-mile 500 kV line with about 2,100 MW of transfer capacity, of which LS Power is “entitled to ~1100 MW from Midpoint to Harry Allen.” So even if Idaho Power’s contractual rights are currently limited to imports, the project as designed, financed, and approved is not. It is a regional highway that others, especially LS Power and CAISO participants, can use to move energy out of Idaho and toward California markets. Could there also be another reason Idaho bought into SWIP-N? Could it be related to recent FERC filings and cost recovery for constructing SWIP-N?

California ISO NEWS RELEASE

Dec. 15, 2023

Contact: ISOMedia@caiso.com

The ISO Board approves key stage of SWIP-North Project

Proposed transmission line will strengthen connectivity between Idaho, Nevada and California

FOLSOM, Calif. – In a major step augmenting western electric grid interconnectivity and resource diversity, the California ISO Board of Governors has approved an addendum to its 2022-2023 Transmission Plan to conditionally advance development of a 285-mile link in a transmission pathway that would deliver Idaho wind to California and the Southwest and enable Idaho Power to import additional energy into its system.

During its final meeting of the year Thursday, the Board also elected Jan Schori as its new Chair and named Severin Borenstein Vice-Chair, effective Dec. 31. In the annual rotating of the gavel, Schori will take over from Mary Leslie, becoming the third consecutive woman in that role.

In conditionally approving the 500-kilovolt (kV) Southwest Intertie Project-North (SWIP-North), the Board took action to enable the project to move into the next stage of development. That will include the California and Idaho Public Utilities commissions completing their assessment of interest in the project and the project sponsor, LS Power, submitting its application to become a Participating Transmission Owner with the California ISO, including commercial terms and conditions.

Final decisions on the project by the ISO Board and the Federal Energy Regulatory Commission (FERC) would be targeted for the end of 2024 and early 2025, respectively.

The project will connect to a longer 600-mile transmission line already delivering power between east central Nevada to just south of Las Vegas, where the Harry Allen substation connects into the ISO system.

"As planned, the Southwest Intertie Project will open up more than 1,100 megawatts of new capacity to the California ISO network and support the state's goal of accessing clean wind resources from Idaho," said Elliot Mainzer, California ISO president & CEO. "The line will provide valuable additional connectivity between California, Nevada and Idaho, with the potential to benefit electricity consumers by accessing cost-effective renewable energy and improving grid reliability."

In a memorandum to the Board, the ISO transmission planning staff said the new link will "provide resource diversity, improve reliability by creating a parallel path to the

190 FERC ¶ 61,034
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Mark C. Christie, Chairman;
Willie L. Phillips, David Rosner,
Lindsay S. See and Judy W. Chang

California Independent System Operator Corporation Docket No. ER25-543-000

ORDER ACCEPTING PROJECT DEVELOPMENT AGREEMENT

(Issued January 21, 2025)

B. CAISO Board Approval of SWIP-North Project

3. CAISO explains that it has determined the Project is the only active transmission solution that will give load-serving entities in California direct access to Idaho wind-powered generation, thereby benefiting California ratepayers. According to CAISO, each of the three most recent integrated resource planning portfolios provided by the California Public Utilities Commission (CPUC) as inputs to CAISO's transmission planning process called for over 1,000 MW of Idaho wind power.[5] In accordance with CAISO's Open Access Transmission Tariff section 24.4.6.6, CAISO determined in its 2022-2023 transmission planning process that the Project was the most cost-effective, efficient, and timely solution to meet an identified public policy need (and provide additional benefits).[6] The 2022-2023 CAISO transmission plan specified that CAISO would continue economic studies to conduct a detailed assessment of the Project as a transmission alternative to interconnect Idaho wind generators as proposed in CPUC's resource planning portfolio and as an alternative to mitigate congestion on the California Oregon Intertie. CAISO states that, on December 14, 2023, the CAISO Board of Governors (CAISO Board) approved including the Project as a transmission solution in an addendum to the 2022-2023 transmission plan, subject to the satisfaction of four conditions, the first of which was subsequently updated by the CAISO Board on October 4, 2024.

NOTE 19

Asking the IPUC to suspend the case

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Idaho Public Utilities Commission P.O. Box 83720 Boise, Idaho 83720 Re: Case No. IPC-E-25-16 Request to Suspend Proceedings and Call for Independent Investigation Commissioners: I am writing to object to any further action in Case No. IPC-E-25-16 and to request that the Commission immediately suspend consideration of this case, and all major energy project and rate cases, until the allegations now known as the “Whiskey Caucus” matter are fully and independently investigated by the Attorney General and the Legislature. According to a recently filed whistleblower lawsuit and related reporting, a senior PUC staffer is alleged to have offered a Veolia executive faster and more favorable settlement terms during a Washington, D.C. conference in exchange for help winning a whiskey contest. The same materials allege that commissioners met socially with that company’s leadership while a major rate case was pending, and that two senior insiders who raised concerns were pushed out of their positions. If those allegations are accurate, that is not a misunderstanding. It is a regulator treating the public’s bill and the public’s trust as bargaining chips. Once a referee is even credibly accused of treating open cases that way, every project that referee touches inherits a cloud. PUC commissioners do not appoint themselves. The Governor appoints them and the Senate confirms them. The commissioners named in the whistleblower suit are in their roles because a governor nominated them and legislators consented. That is the basic chain of responsibility. When a commission is accused, in a sworn complaint, of skirting open meeting law, conducting ex parte conversations with regulated companies, misusing access to confidential systems, and retaliating against internal critics, it is not a minor personnel matter. It raises serious questions about the standards and oversight of the office that chose them and the political network that supports them. Those questions go directly to whether the public can trust the outcome of Case No. IPC-E-25-16. At the county level, similar patterns raise concern. In Jerome County, residents have documented long-standing gaps in planning records and right of way files related to the SWIP transmission line. Essential documents from the 1990s were not properly incorporated into county files until citizens pressed the issue. Approvals were paused or reconsidered when those gaps came to light. When a new hearing was scheduled, members of the public encountered late responses to records requests, late posting of the hearing notice, late notices to participants, and public comment periods that, on their face, appeared shorter than the law anticipates for matters of this magnitude. Each of those steps may be defended as an isolated error. Taken together, they create the appearance of a process that is being managed rather than examined. The whistleblower lawsuit describes commissioners and staff meeting privately with utilities that had live cases and providing guidance on posture before the PUC. At the local level, applicants often meet informally with county officials before filings appear, and lobbyists and consultants routinely brief officials off the record. When ordinary citizens finally arrive at a microphone, it is reasonable for them to suspect that the real conversations have already taken place elsewhere. From the outside, this looks like a two tier system: insiders with regular access and the public with a three-minute slot. Regulated utilities and large project developers are also significant political donors. They fund PACs and contribute to the campaigns of the same officials who appoint commissioners and vote on permits. The Governor’s campaigns, legislative leadership, and county offices that referee siting and land use all operate in that environment. There may be no explicit order given for a bad decision, but money and relationships shape expectations. In that climate, it is easy for officials to present a tough face in public while quietly accommodating the interests of major donors. On paper, Idaho’s open meeting and public records laws are meant to ensure sunlight. In practice, citizens routinely encounter delays, high fees, and vague or late notices. Jerome County’s experience with inflated fees, late postings, and shortened comment windows is one example. The PUC lawsuit suggests a similar mindset at the state level: a willingness to treat procedural rules as obstacles rather than obligations. When regulators or local officials operate that way, the public record stays thin, the calendar stays flexible, and the public stays reactive and worn down. In this environment, every large energy decision now carries a presumption of doubt. SWIP. Lava Ridge. Prospective nuclear units. Industrial solar and wind development. Battery installations. The

growing number of AI and cloud campuses seeking firm service. All of them rely on assurances from a commission that is now the subject of serious misconduct allegations and from counties that have already faced questions about notice, records, and comment. If the central referee is under investigation and the local gatekeepers have struggled to follow basic transparency requirements, an ordinary Idahoan is justified in questioning whether he is participating in a fair process or watching a scripted outcome. Idaho's political leadership will argue that any pause is reckless. They will point to reliability, jobs, and market signals. That argument assumes a neutral, trusted system. At this point, the system is not trusted. The record now includes a whistleblower complaint describing serious breaches of duty, and lived experience in multiple counties that calls basic transparency into question. For that reason, I am asking for two concrete steps. First, I want a freeze of all major energy projects and related rate cases in Idaho, including Case No. IPC-E-25-16, until these allegations are independently investigated in public. Second, I am asking the Governor and Legislature to convene a special legislative session to investigate the IPUC and the handling of large energy projects, using the full tools available: subpoenas, testimony under oath, publication of calendars and contact logs, and a complete accounting of ex parte contacts, conference meetings, travel, and settlement communications. That session should strengthen open meeting law, require automatic public posting of any contact between regulators or county officials and applicants or their agents, tighten and enforce public records deadlines, and extend explicit whistleblower protections to regulatory and planning staff who report violations. It should also bar regulated monopoly utilities and project-specific PACs from contributing to the campaigns of officials who appoint their regulators or vote on their permits. If a project depends on a particular official's vote or appointment power, that official's campaign should not be underwritten by that project or its affiliates. Until Idaho is willing to expose the full extent of any misconduct and correct it in public, every major approval and ribbon cutting will sit under a cloud. That conclusion is not driven by cynicism but by prudence. The Whiskey Caucus allegations fall across the Governor's appointments and county commissions. They fall across late hearing notices and missing records. They fall across every tower, wire, and server rack that asks for public trust while key decisions are shaped in private. The only way to begin restoring that trust is to stop, investigate, and refuse to move another inch on high-stakes energy projects until independent investigators, the Attorney General, and the Legislature have done their work in public view. That begins with Case No. IPC-E-25-16.





DECEMBER 2025

NOTE 20

The nuclear fuel shortage and its causes

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The Nuclear Fuel Shortage: What Happened and How Long It Will Take to Fix For years, governments talked about clean energy, but let the backbone of nuclear power wither. Now the world is scrambling for reactor fuel. The shortage is real, not a passing market twitch. It is the predictable result of a decade of political neglect, overconfidence, and reliance on foreign suppliers who never had our interests in mind. (Uranium Market’s Critical Shortfall Threatens 2025 Global Energy Security, 2025) How the Shortage Happened The shortage has three roots that built on each other until the entire supply chain tightened. After Fukushima, uranium prices collapsed. Companies shut down mines. Exploration halted. Workers left the field and never returned. (The Effect of Imports of Uranium on the National Security of the United States, 2019) When nuclear demand began rising again, the mining base was hollow. There was no surge capacity left. At the same time, the world allowed its conversion and enrichment footprint to shrink. The system leaned heavily on Russian facilities for both steps. (Global Nuclear Energy's Reliance on Russian Uranium: Supply Chain Vulnerabilities and Geopolitical Risks, 2025) When countries tried to break away from Rosatom, they realized they had allowed a single foreign actor to hold a critical chokepoint. (Russia’s global grip on nuclear energy, 2023) Western conversion plants had been idled for years. Enrichment capacity was stagnant. (The Nuclear Fuel Report: Global Scenarios for Demand and Supply Availability 2023–2040, 2025) No country can rebuild these segments overnight. Advanced reactor fuel made the weakness obvious. HALEU is essential for most next-generation designs, but the United States has no commercial scale HALEU production. Russia dominated the niche. (Centrus Produces Nation's First Amounts of HALEU, 2023) When domestic producers began trying to ramp up, they discovered that the entire supply chain was still sitting at the prototype level. A fragile system broke under pressure. Mining lagged. Conversion narrowed. Enrichment stalled. HALEU never existed at scale. The world woke up to a fuel cycle that could not meet demand. How Long the Fix Will Take The cure is measured in years, not months. Mining can respond the fastest. The ore is there, but bringing it above ground takes time. Conversion capacity will improve through 2025 to 2027 as Western plants restart and expand. (Second phase of US enrichment expansion completed, 2025) Until then, conversion remains one of the tightest points in the chain. Enrichment has been slow to rebuild. New centrifuge cascades require capital, regulatory approvals, and construction timelines that stretch into the end of the decade. The United States and Europe are investing, but new capacity comes online around 2028 to 2030. HALEU stands apart. Commercial scale HALEU production in the United States is not projected until the early 2030s without aggressive policy acceleration. (Trump nuclear fuel program set to kickstart US supply chain, 2025) Advanced reactor schedules depend on it. Without HALEU, every next-generation design slips. Taken together, the world will stay fuel tight until late in the decade. Prices may wobble, but the underlying shortage will not unwind until the entire cycle is rebuilt. What This Means Going Forward Utilities will sign long-term contracts that prioritize supply over cost. Advanced reactor companies will compete for limited HALEU volumes. Governments will spend billions to rebuild the infrastructure they neglected for more than ten years. (US loans Constellation 1 billion dollars for Three Mile Island reactor reboot, 2025) This is the bill for complacency. Nuclear power cannot run on promises, and a reactor without fuel is a monument to political failure. Rebuilding the fuel cycle will take the rest of the decade, but the alternative is surrendering energy security to foreign suppliers who treat dependence as leverage, not partnership. If the world wants nuclear power, it must rebuild the machinery that makes nuclear power possible. The shortage is the warning. The timeline is the consequence. References (2025). Uranium Market’s Critical Shortfall Threatens 2025 Global Energy Security. Chronicle Journal. https://markets.chroniclejournal.com/chroniclejournal/article/marketminute-2025-10-16-uranium-markets-critical-shortfall-threatens-2025-global-energy-security (2019). The Effect of Imports of Uranium on the National Security of the United States. U.S. Department of Commerce, Bureau of Industry and Security, "The Effect of Imports of Uranium on the National Security of the United States," April 2019.. https://media.bis.gov/media/documents/uranium-section-232-report-appendices-april-2019-redacted.pdf (2025).

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FEBRUARY 2026

NOTE 21

Stranded asset costs land on ratepayers

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Stranded Asset Costs and Ratepayer Risk Stranded asset costs are not theoretical. They are accounting mechanisms that move money from speculative capital decisions onto captive ratepayers. A stranded asset is infrastructure that was built under one set of demand forecasts or policy assumptions but becomes underutilized, obsolete, or uneconomic before the end of its expected life. The financial loss does not vanish. It is either absorbed by investors or transferred to customers through regulated rate structures. In regulated utility systems, cost recovery is not optional. Utilities operate under a cost of service model approved by state commissions. Capital expenditures are placed into rate base. Ratepayers then repay those investments over decades, with authorized return on equity layered in. If the asset underperforms, the revenue requirement often remains. The mechanism is lawful. The burden is structural. Stranded asset risk is accelerating in three sectors. First, power generation built for speculative load growth. Data centers tied to AI expansion are driving new generation proposals across the United States. Combined cycle gas plants, large transmission corridors, and battery energy storage systems are being justified on projected hyperscale demand. If that demand consolidates geographically, shifts contractually, or self supplies through private generation, the remaining customer base is left covering the unrecovered balance. Second, transmission expansion justified on aggressive regional forecasts. Regional Transmission Organizations allocate costs based on formulas that blend load ratio share, beneficiary pays principles, and socialized uplift mechanisms. When assumptions change, the wires remain and the depreciation schedule continues. Third, fossil assets facing regulatory or market compression. Coal retirements have already produced stranded cost debates. Utilities seek securitization authority to refinance remaining balances. That lowers interest expense but still transfers cost recovery onto customers. The central issue is allocation of risk. Private developers price risk into equity. Regulated monopolies socialize it. When state commissions approve projects based on optimistic projections, they are implicitly choosing who bears forecasting errors. This becomes acute in rural states or small cooperatives where a single industrial customer can represent material load share. If that customer leaves, restructures, or negotiates below projected offtake, the fixed costs cascade onto households and small businesses. The political language often frames projects as economic development. The financial structure frames them as long term cost recovery obligations. The conversation that should occur before approval is simple. Who carries downside risk if projections fail. What demand guarantees are contractually locked in. Are there exit penalties. Are ratepayers insulated or exposed. Without that scrutiny, growth headlines translate into amortization schedules. Stranded asset cost is not about opposing development. It is about aligning incentives. Investors should bear speculative miscalculation. Ratepayers should not be involuntary insurers of ambitious forecasting. Infrastructure lasts decades. Hype cycles last quarters. If those timelines are not reconciled before capital is deployed, the bill eventually arrives in utility riders, fuel adjustments, and base rate cases. The mechanics are predictable. The accountability is optional.

NOTE 22

Zoning, renewables and de facto eminent domain

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The Hidden and Not-So-Hidden Battle Over Property Rights: Planning and Zoning, Renewable Energy, and De Facto Eminent Domain This conflict is not abstract and it is not primarily federal. The decisive ground is local. County commissioners, planning and zoning boards, and public utility regulators convert policy into enforceable reality. They amend comprehensive plans, approve conditional use permits, designate corridors, grant variances, and negotiate development agreements. Without their approval, most large-scale infrastructure projects do not proceed. Local officials have become the hinge point in the reallocation of land use power. Some believe they are promoting growth or stabilizing the tax base. Others operate within planning frameworks and funding structures aligned with broader development priorities. The result is consistent. Long-term local autonomy yields to capital-scale projects whose leverage exceeds that of individual landowners. This is rarely theatrical corruption. It is structural alignment. Incentives, grant eligibility, economic development metrics, and consultant-driven projections create a presumption that large infrastructure equals public benefit. Over time that presumption becomes default approval. Farmland shifts from inherited domain to industrial platform, and officials elected to guard local sovereignty become facilitators of its contraction. Nothing changes until electoral incentives change. Land use outcomes reflect ballot outcomes. Is there any debate whether property rights are under attack in the United States? There is debate, but largely over terminology. If "under attack" means outright confiscation of title, many argue no. If it means expanding constraints on use, exclusion, development, and economic control, sustained pressure is evident. Modern erosion targets use, value, and functional authority rather than paper ownership. Is there any debate that farmland and agricultural producers are under attack? Debate exists, but cumulative pressures are measurable. Farmland is increasingly treated as a host for non-agricultural objectives. Producers face siting pressure for energy and transmission, environmental compliance burdens, consolidation dynamics, and policy priorities that elevate external development goals over agricultural continuity. The aggregate effect narrows operational autonomy. Is the United States experiencing a gradual reallocation of property rights without formal condemnation proceedings or explicit legislative declaration? Yes. Reallocation occurs through zoning redesignations, corridor mapping, comprehensive plan overlays, permit conditions that function as compelled concessions, and regulatory narrowing of permissible uses. These mechanisms rarely declare a taking, yet they materially restrict viable options available to landowners. How do renewable energy initiatives affect this fight? They increase land demand and accelerate approval pressure. Utility-scale wind, solar, and transmission require expansive footprints and long corridors. Tax credits, renewable mandates, and expedited permitting inflate non-agricultural land value and compress resistance. Land becomes infrastructure substrate before it is treated as private domain. Are functional control and use rights over farmland being shifted to accommodate large infrastructure developments and multinational corporate projects, even when title technically remains unchanged? Yes. Setbacks, access roads, drainage alterations, construction disruption, glare, turbine impacts, aerial application interference, and easement restrictions alter daily operations. Title remains, but exclusion rights, operational freedom, and agricultural value preservation can be materially reduced. Functional authority migrates toward the industrial operator. Are landowners incentivized to turn or lease land to other interests? Yes. Long-term leases, signing bonuses, production payments, tax abatements, and guaranteed revenue streams can exceed traditional agricultural margins. Incentive structures allow developers to outbid farm yield. Comparable land values adjust accordingly. The owner retains title, but operational priority and long-term control shift toward the industrial user. Is this reallocation being enabled or accelerated through local planning and zoning decisions that favor industrial-scale projects over existing agricultural uses? Yes. When industrial energy is deemed compatible within agricultural zones, when conditional use permits are routinely granted, and when corridor preservation language is embedded in planning documents, the regulatory baseline shifts. Applicants arrive with commissioned studies and technical teams. Local producers typically do not. Resource asymmetry influences outcomes.

Have state and local governments become administrative conduits for broader financial and corporate interests whose scale dwarfs that of individual landowners? Yes. Governments establish permitting structures, incentive packages, and infrastructure coordination mechanisms. When decisions rely heavily on applicant-supplied economic projections and state development targets, local institutions function as implementation arms for interests larger than the local tax base. When regulatory pressure, corridor designation, tax incentives, and conditional approvals converge, does the outcome constitute a de facto exercise of eminent domain without invoking it by name? Yes. Formal eminent domain declares a taking and provides compensation. De facto taking occurs when layered regulatory and economic pressures leave owners with nominally voluntary choices that are not meaningfully voluntary. Control transfers incrementally rather than explicitly. Do local officials rely on regulated utilities and permit applicants' subject matter experts without meaningful scrutiny? Yes. Utilities and developers present credentialed engineers and economists whose studies shape the evidentiary record. Counties rarely possess in-house expertise to independently model demand forecasts, stress-test capital expenditure assumptions, or evaluate long-term rate impacts. Hearings rely heavily on applicant testimony. Without structured cross-examination or independent peer review, assumptions harden into policy. Property rights rarely disappear in dramatic seizures. They narrow through precedent, through unchallenged projections, and through elected bodies that redefine ownership in practice.Local officials possess the authority to demand independent review, impose enforceable agricultural safeguards, and reject corridor designations that subordinate existing land use. When they do not, functional control migrates away from landowners toward entities backed by scale, subsidy, and financing capacity beyond local reach.Nothing material changes until elected officials change. Accountability is exercised at the ballot box. If voters continue to return officials who prioritize external capital aggregation over property autonomy, the pattern persists. If voters remove them and replace them with officials committed to rigorous scrutiny and enforceable land protections, policy changes.The outcome is not inevitable. It is determined locally, and it is determined electorally. Thoughts Cut for Time! Large corporations proposing mega projects frequently arrive with economic impact assessments that promise job creation, tax base expansion, and regional competitiveness. These projections are commonly commissioned by the applicant or affiliated development organizations, but they are presented as objective analysis. Multiplier effects are emphasized. Infrastructure strain, long term maintenance burdens, and opportunity cost are minimized. Local officials, lacking in house forensic economic capacity, often accept these projections at face value. The result is a decision environment where growth metrics dominate, while distributional consequences and long term fiscal exposure receive limited sustained scrutiny. Economic development advisory groups operate with a structural bias toward capital attraction. Their mandate is expansion. Incentive packages, tax abatements, and public private partnerships are framed as necessary tools to remain competitive. In that framework, skepticism is equated with stagnation. Community level risk assessment becomes secondary to deal closure. When these groups advise local governments, the conversation is shaped around securing projects rather than evaluating whether the project's scale, externalities, or ownership structure align with long term local autonomy. Local planning and zoning professionals are not insulated from national influence. Their training pipelines, certification standards, and professional conferences are often shaped by national associations, federal funding priorities, model code templates, and large consulting firms. Comprehensive plans increasingly incorporate standardized sustainability language, resilience frameworks, and infrastructure corridors derived from national policy trends. Grant eligibility can hinge on alignment with those frameworks. Over time, this creates a soft harmonization effect, where local land use decisions reflect national development paradigms. The influence is rarely conspiratorial. It is structural, embedded in credentialing, funding streams, and professional best practice narratives that filter down into county level ordinances and approvals.

MARCH 2026

NOTE 23

Rural counties facing the energy siting dilemma

March 21, 2026 · 304 words · https://substack.com/@jeffapierson/note/c-230942254

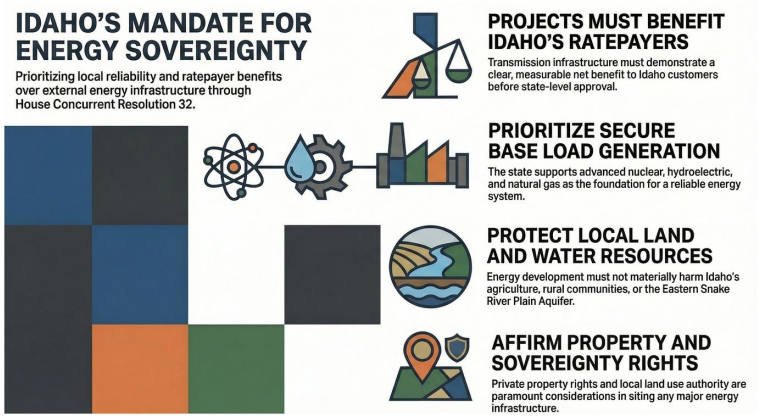
To Ban or to Build? The High-Stakes Dilemma of Rural Energy and Data Centers Link to County Siting Posture Metric (CSPM) https://archive.org/download/county-siting-posture-metric-cspm/County%20Siting%20Posture%20Metric%20%28CSPM%29.docx . For many rural American counties, grid-scale energy facilities and hyperscale data centers have shifted from abstract future prospects to an immediate, high-stakes reality. Driven by national policy tailwinds and a wave of utility-scale solar and battery storage systems, hundreds of millions in capital are now arriving at the doorsteps of local planning offices. However, many local governments find themselves caught in a collision between 21st-century capital and 20th-century zoning standards that were never intended to manage such massive industrial shifts. . This lack of preparation often forces a binary choice: approve projects under inadequate, outdated rules or attempt a total ban. This exploration identifies when a ban serves as a legitimate tool of governance and when it represents a failure of policy. Takeaway 1: A Ban That Fails in Court is an "Expensive Delay" Enacting a ban is not as simple as passing an ordinance; it must survive a rigorous legal landscape. In Idaho, the Local Land Use Planning Act (LLUPA) grants counties broad authority, but it mandates that any exclusionary ordinance be grounded in a comprehensive plan and supported by specific findings. Critically, the plan must precede the ban. A policy of exclusion that is not firmly rooted in the county's established long-term vision is legally fragile. . Without this foundation, a county faces significant risks, including preemption challenges where state law overrides local exclusion and constitutional "takings" claims. A "taking" is often triggered if a ban effectively eliminates the economic use of property already designated for industrial or agricultural use. . "A ban that cannot survive a legal challenge is not a protection. It is an expensive delay that ends with the same outcome, minus the county’s legal budget."

NOTE 24

HCR 032 and Idaho energy sovereignty

March 22, 2026 · 616 words · https://substack.com/@jeffapierson/note/c-231336790

Drawing the line on energy: Who benefits, who decides, and what gets built HCR 032 isn't a new law — but it tells you exactly where the Legislature stands. The Idaho Legislature has a message for energy developers, transmission companies, and federal agencies: if you want to build in Idaho, you had better be building for Idaho. House Concurrent Resolution 032, introduced by the House State Affairs Committee in the 2026 session, lays out the Legislature's position on energy sovereignty — the idea that Idaho should control its own energy future rather than serve as a corridor or sacrifice zone for out-of-state interests. The resolution begins with a frank admission: Idaho is a net energy importer. That means the state relies on power generated elsewhere to meet its needs. The Legislature's view is that this dependence is a long-term vulnerability — one that makes Idaho ratepayers, farmers, rural communities, and industries like mining and advanced manufacturing exposed to grid instability and cost shocks they can't control. The Lava Ridge Question HCR 032 doesn't dance around Lava Ridge. It reaffirms the Legislature's formal opposition to the project, citing documented concerns about impacts to the Eastern Snake River Plain Aquifer, agricultural operations, aviation safety, wildlife, and Idaho's natural landscape. More broadly, the resolution puts a policy stake in the ground: transmission infrastructure that does not benefit Idaho utility customers — but does harm agriculture, water resources, or rural communities — is inconsistent with state policy. That language applies directly to projects like the Southwest Intertie Project North (SWIP-N), which would move power generated in Idaho across the state for consumption elsewhere. The Ratepayer Test The resolution establishes what you might call a ratepayer test. Any major transmission project affecting Idaho must show a "clear, measurable, and durable net benefit" to Idaho ratepayers — in the form of lower long-term costs, stronger in-state energy security, and real economic benefit to Idaho. Projects that fail that test should not be approved or have costs passed on to customers through state proceedings. The Idaho Public Utilities Commission is specifically named as the body that should apply these standards to permitting, siting, and cost recovery decisions. What Idaho Wants to Build The resolution is equally clear about what kind of energy future the Legislature prefers: nuclear (both conventional and advanced), hydroelectric, geothermal, and natural gas. These are described as the "proper foundation" for Idaho's energy system — dispatchable sources that can generate power on demand, regardless of wind speed or cloud cover. Renewables are not explicitly banned or opposed, but they are conspicuously absent from the list of preferred baseload sources. The message is plain: intermittent generation does not give Idaho the energy security it needs. Property Rights and Control The resolution also affirms that private property rights and local land use authority are "paramount considerations" in any transmission siting review, and that eminent domain should be strictly limited to what Idaho law allows. That's a direct rebuke to the federal condemnation processes that have been used to acquire land for projects like Lava Ridge over the objections of landowners and local governments. What it is — and what it isn't HCR 032 is a concurrent resolution, not a statute. It carries no enforcement mechanism on its own. What it does is establish the Legislature's official policy position — a position that the IPUC, state agencies, and regulated utilities are expected to take seriously when making decisions about energy infrastructure. A copy of the resolution is directed to the Governor, the IPUC, Idaho's regulated electric utilities, and Idaho's congressional delegation. The message it sends to all of them is the same: Idaho is paying attention, and Idaho expects to be served first.

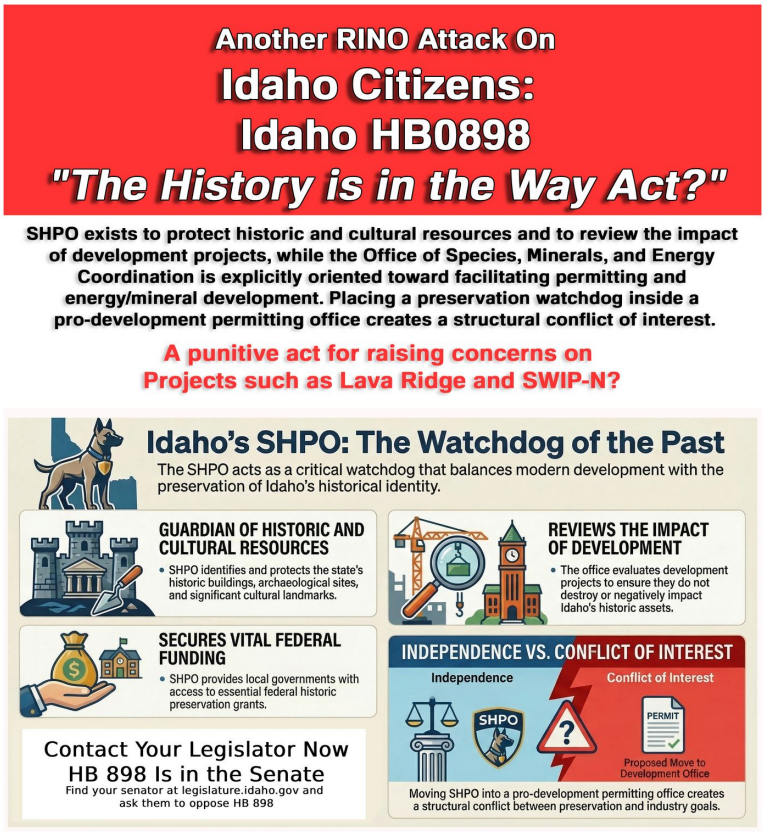

IDAHO'S MANDATE FOR ENERGY SOVEREIGNTY
Prioritizing local reliability and ratepayer benefits over external energy infrastructure through House Concurrent Resolution 32.
PROJECTS MUST BENEFIT IDAHO'S RATEPAYERS
Transmission infrastructure must demonstrate a clear, measurable net benefit to Idaho customers before state-level approval.
PRIORITIZE SECURE BASE LOAD GENERATION
The state supports advanced nuclear, hydroelectric, and natural gas as the foundation for a reliable energy system.
PROTECT LOCAL LAND AND WATER RESOURCES
Energy development must not materially harm Idaho's agriculture, rural communities, or the Eastern Snake River Plain Aquifer.
AFFIRM PROPERTY AND SOVEREIGNTY RIGHTS
Private property rights and local land use authority are paramount considerations in siting any major energy infrastructure.

NOTE 25

HB898 moves historic preservation under the governor

March 22, 2026 · 468 words · https://substack.com/@jeffapierson/note/c-231418041

HB0898: "The History is in the Way Act" Do you want Idaho's History Safeguarded? Contact your Senator! Who benefits: The special interests that donate to the Governor and Legislative Leadership. Under the guise of DOGE: This is punishing the Citizens of Idaho under the guise of DOGE. It only benefits the special interests funding Gov. Little, Mike Moyle and the other pretend Republicans. What it does: HB 898 shifts the administrative location of the State Historic Preservation Office (SHPO) — which is required by federal law — from the Idaho State Historical Society to the new Office of Species, Minerals, and Energy Coordination, within the Office of the Governor. The stated rationale is better administrative efficiency, policy alignment, and improved coordination of permitting. Sponsors note that the position of State Historic Preservation Officer is already appointed by the Governor under current law. Who sponsored it: The bill was sponsored by Representatives Mike Moyle and Rod Furniss, introduced March 13, 2026. Legislative status: It passed the House Floor on March 20, 2026 with a vote of 53–16 and has been sent to the Senate. The "new home" office context: The Office of Species, Minerals, and Energy Coordination is a proposed merger of the Office of Species Conservation and the Office of Energy and Mineral Resources — a consolidation that grew out of Idaho's DOGE Task Force. That merger has itself been in flux, with JFAC voting to eliminate all funding for both predecessor offices in FY2027 while the merger structure remains unsettled. Why critics are alarmed: The core concern is a mission conflict: SHPO exists to protect historic and cultural resources and to review the impact of development projects, while the Office of Species, Minerals, and Energy Coordination is explicitly oriented toward facilitating permitting and energy/mineral development. Placing a preservation watchdog inside a pro-development permitting office creates a structural conflict of interest. Additional concerns include: CLG grant eligibility — Certified Local Governments access federal historic preservation grants through SHPO. If SHPO's independence or federal certification is compromised by the move, CLG programs could be at risk. Federal compliance — SHPO is a state-level government agency authorized by the National Historic Preservation Act of 1966. Moving it into a governor's policy office with conflicting priorities could jeopardize Idaho's standing under federal law and its Section 106 review authority. Unclear purpose — Critics note it is completely unclear what this bill is expected to accomplish, and it is clearly stated that there is no financial incentive to this shift. The fiscal note acknowledges that any savings "cannot yet be determined." Bottom line: This is essentially a structural reorganization that subordinates Idaho's historic preservation function to a development-focused office — with no clear fiscal benefit and significant risk to SHPO's independence, federal credibility, and the CLG programs that local communities depend on.



NOTE 26

BESS secrets: the proprietary battery brain

March 27, 2026 · 200 words · https://substack.com/@jeffapierson/note/c-233989221

Battery Energy Storage Secrete (BESS) Secrets Revealed: #1 The Brain ---------- Every battery energy storage system has a brain. It's called the Battery Management System — the BMS. It monitors voltage, temperature, current, and state of charge for every module in every container. It decides when to cool, when to disconnect, when to trigger fire suppression, and when to send an alarm. If the BMS works, the system stays within safe parameters. If the BMS fails, lies, or is compromised, thermal runaway can begin before anyone knows something is wrong. Here's what most people don't know: the BMS firmware is proprietary. It's written by the battery manufacturer or a third-party integrator. It is not available for independent audit. The algorithms that protect your community from a chemical fire are trade secrets. Your county commission cannot inspect them. Your fire department cannot review them. You are being asked to trust software you cannot see, written by engineers you will never meet, running on hardware manufactured overseas. Ask the developer: Who wrote the BMS firmware? Has it been independently audited? Can the county inspect the source code? If the answer is no, ask why your community's safety depends on a black box.

NOTE 27

BESS secrets: when a sensor lies

March 27, 2026 · 192 words · https://substack.com/@jeffapierson/note/c-233989435

Battery Energy Storage Systems (BESS) Secrets Revealed: #2 Sensor Lie What Happens When a Sensor Lies Inside every BESS container, voltage and temperature sensors feed data to the BMS. The BMS trusts that data. It has no choice — sensors are its only window into what's happening inside the cells. When a sensor drifts or fails, the BMS receives false data. A temperature sensor reading 25°C when the actual cell temperature is 60°C will not trigger cooling. It will not trigger shutdown. It will not send an alarm. The system doesn't know it's overheating. By the time the temperature reaches the thermal runaway threshold — approximately 270°C for LFP, 200°C for NMC — the chain reaction is self-sustaining. The cells generate their own heat. Traditional firefighting is ineffective. The container produces toxic gas — hydrogen fluoride, carbon monoxide, methane, hydrogen — for hours or days. All because a $12 sensor gave the wrong number. This isn't theoretical. Sensor drift and calibration failure are documented BMS failure modes identified in the EPRI/PNNL study. It's happening in the field. The question is whether your community will know about it before or after the evacuation.

NOTE 28

BESS secrets: most failures aren't cells

March 27, 2026 · 167 words · https://substack.com/@jeffapierson/note/c-233989789

Battery Energy Storage Systems (BESS) Secrets Revealed: #3 The Number No One Talks About A 2024 joint study by EPRI, Pacific Northwest National Laboratory, and TWAICE analyzed BESS failure incidents worldwide. Their finding: 65% of failures were caused by operational and integration factors — not the battery cells. Read that again. The cells weren't the problem in most failures. The controls were. Faulty humidity control. Poorly sealed enclosures. Rain penetrating containers. Commissioning errors. Software bugs. Cooling system integration failures. Only 11% of incidents were caused by cell or module defects. Misleading Phrases? When a developer tells your community their batteries are "safe" because they use LFP chemistry, they're answering a question nobody asked. The chemistry isn't the primary failure point. The BMS, the cooling integration, the fire suppression interface, the sensor calibration, the firmware — that's where 65% of failures originate. What Your County Should Be Asking Your county should be asking about controls, integration, and commissioning quality. Not battery chemistry marketing. Source: EPRI/PNNL/TWAICE Joint Study, 2024.

JUNE 2026

NOTE 29

Irrigation power costs soar from large loads

June 15, 2026 · 199 words · https://substack.com/@jeffapierson/note/c-276757142

If you farm in Idaho — or just pay an Idaho Power bill — this one's worth your time. A third-generation Bingham County farmer just laid out what's happening to irrigation costs, and the numbers are rough. Since 2021, irrigators have seen energy rates climb 17% and demand charges jump a staggering 138%. For his own 2,600-acre farm, that's about $73,000 more per year to water the same crops — a 45% increase. Inflation alone (~19%) doesn't come close to explaining it. So what's driving it? New "large loads" — massive data centers and chip plants. Between the Gemstone data center in Kuna, Meta's new facility, and Micron's fabs, these few customers could need HALF to TWO-THIRDS of Idaho Power's entire current generating capacity. And right now, the cost of building all that new infrastructure gets spread across the rest of us. A bill to make giant new customers pay for the infrastructure THEY require passed the Idaho House 62-8 last year — then died in a Senate committee. Lawmakers are bringing a new version this session. Bottom line: family farms and small businesses shouldn't foot the bill for growth they're not driving. Worth a read https://idahocapitalsun.com/2026/02/23/data-centers-and-other-new-large-loads-are-driving-sharp-increases-in-idaho-farmers-electric-bills/

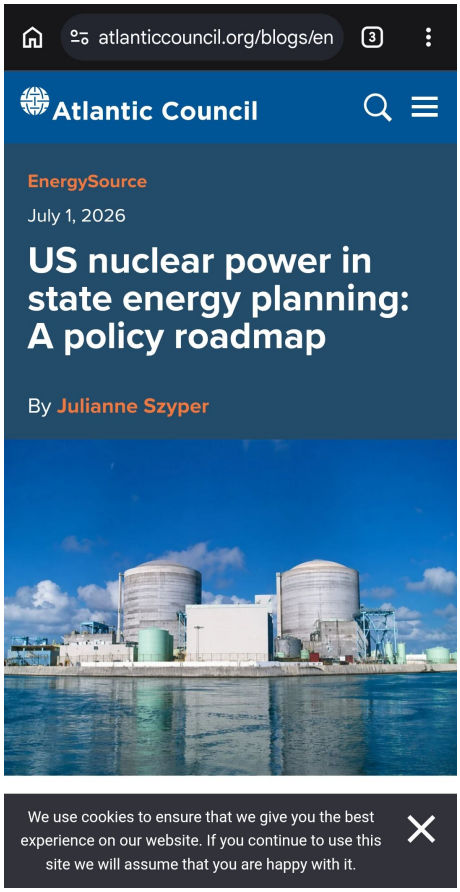
JULY 2026

NOTE 30

Government should not manage energy markets

July 13, 2026 · 67 words · https://substack.com/@jeffapierson/note/c-293532230

Since when is it government's job to manage an economy? Too many Republicans have quietly accepted that it is. That's not liberty, it's a knockoff of it. And history's pretty clear on how the knockoff ends. Bigger government doesn't solve what smaller government got wrong. It doesn't matter how noble the cause or "necessary the evil" , this is not the roadmap to prosperity or freedom. https://www.atlanticcouncil.org/blogs/energysource/us-nuclear-power-in-state-energy-planning-a-policy-roadmap/?fbclid=IwY2xjawTBf1tleHRuA2FlbQIxMQBzcnRjBmFwcF9pZA80MDk5NjI2MjMwODU2MDkAAR433HgQOyUptA32DzUJaOxttg2uW84S7jSg390ub2t3v17TJ4RdMg_aem_m1jJ0m1oRPf2AvBB01Io5A



NOTE 31

The ratepayer protection pledge

July 15, 2026 · 434 words · https://substack.com/@jeffapierson/note/c-294715034

The Pledge Is Not a Policy Why the White House's Ratepayer Protection Pledge can't do what a rate case does The White House plans an event in the coming weeks to expand its Ratepayer Protection Pledge, recruiting electric utilities, data center developers, and state governors to join the seven tech companies that signed in March.[1] Before anyone celebrates, look closely at what this instrument actually is. Signed March 4, 2026 at a White House ceremony, the pledge is a voluntary commitment. Amazon, Google, Meta, Microsoft, OpenAI, Oracle, and xAI agreed to finance the generation, grid upgrades, and unused reserved capacity their AI projects require, rather than passing those costs to existing customers.[2] The structure tells you everything. There is no enforcement mechanism. No reporting requirement. No penalty for non-performance. No regulatory standing. It is a press-event instrument. Three problems stand out. The expansion to utilities is an admission. The original signatories were the customers, the hyperscalers. Recruiting utilities and governors concedes that tech-company promises alone can't deliver the outcome, because tech companies don't set rates. State utility commissions do, through rate cases utilities file. As R Street's Devin Hartman and Kent Chandler explain, cost-of-service regulation socializes costs and risks across the customer base by design, and FERC's "roughly commensurate" allocation standard means truly direct cost assignment for transmission hasn't been practical in two decades.[3] A pledge cannot override that machinery. Even data-center-specific tariffs leave risk on the utility's balance sheet, and that risk eventually flows into everyone's rates. The evidence isn't there. Brookings found that only "elements" of the pledge have been enacted into law or regulation, and only in select states. Virginia and Ohio lead.[4] Meanwhile, ICF projects residential rates rising 15 to 40 percent by 2030 absent new tariff structures.[4] The Reuters report contains no data showing the pledge has lowered or restrained anyone's bill, and Reuters itself notes that questions persist about whether the pledge is concrete or symbolic.[1] The timing is political. Utilities sought over $30 billion in rate increases in 2025, double their 2024 requests.[3] Rate shock is becoming an electoral liability. This event is an attempt to get ahead of it with voluntary optics rather than binding policy. A pledge is a signature at a ceremony. A policy is a rate schedule with the force of law. When the White House asks governors to sign, that is the distinction to watch. References [1] Reuters, https://money.usnews.com/investing/news/articles/2026-07-13/white-house-to-rally-utilities-data-centers-over-ai-power-costs July 13, 2026. [2] The White House, https://www.whitehouse.gov/releases/2026/03/ratepayer-protection-pledge/ March 4, 2026; CNN, https://www.cnn.com/2026/03/04/politics/electric-bill-costs-trump-pledge March 4, 2026. [3] Hartman & Chandler (R Street), https://www.utilitydive.com/news/executing-trumps-ratepayer-protection-pledge/816109/ Utility Dive, 2026. [4] Brookings, https://www.brookings.edu/articles/the-pledge-to-protect-ratepayers-from-ai-data-center-costs-needs-enforcement/ 2026. - - https://money.usnews.com/investing/news/articles/2026-07-13/white-house-to-rally-utilities-data-centers-over-ai-power-costs

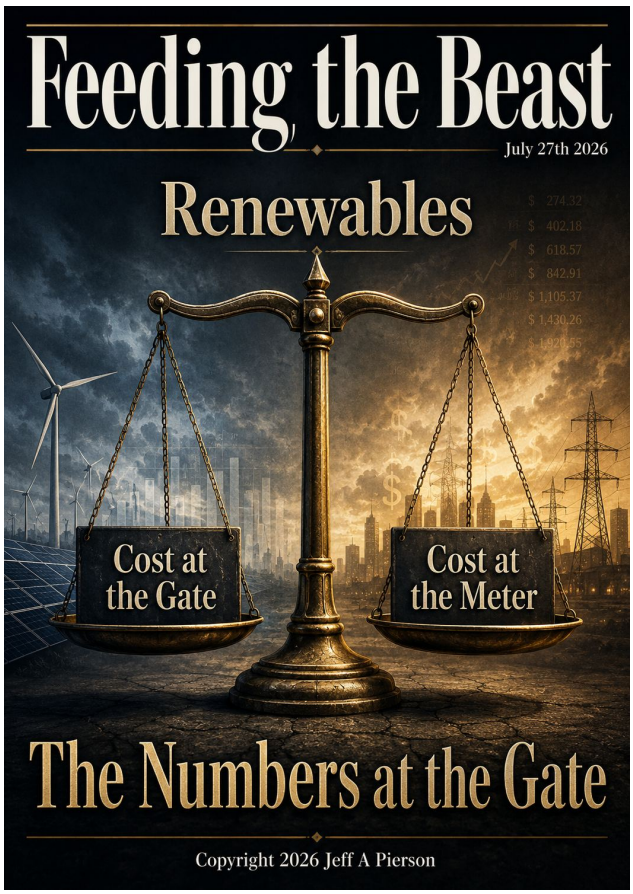


NOTE 32

The “cheapest renewables” claim hides costs

July 17, 2026 · 52 words · https://substack.com/@jeffapierson/note/c-296583213

Renewables really are the cheapest new power to build. That claim, repeated by every utility and state agency that wants your approval, measures one thing honestly and hides two others: what it costs to deliver reliable power, and what it costs to clean up when the panels are spent. Coming July 27th

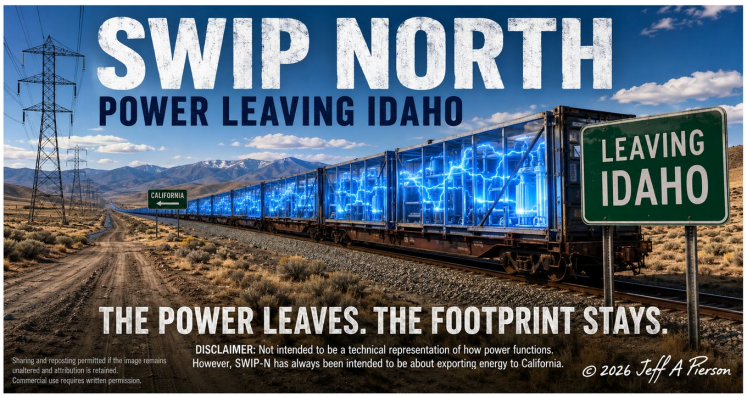


NOTE 33

CAISO plan names SWIP North export

July 23, 2026 · 89 words · https://substack.com/@jeffapierson/note/c-300258090

Don't take my word for it — take CAISO's. California's grid operator just approved its 2025–2026 Transmission Plan: $6.7 billion in upgrades over the next decade, built around importing over 10 GW of wind from Idaho, Wyoming, and New Mexico. The plan names SWIP North specifically as a project "already underway" to move that power into California load centers. This was never a guessing game. SWIP-N is in California's own planning documents, doing exactly what it was designed to do: export energy south. The power leaves. The footprint stays.



PART 2

AI, Data Centers & the Bubble

What the machines need, what they cost, and whether the boom holds.

19 NOTES · NOVEMBER 12, 2025 – JULY 1, 2026

NOVEMBER 2025

NOTE 34

Shared video on mega-corp development

November 12, 2025 · 1 words · https://substack.com/@jeffapierson/note/c-176322345

https://www.facebook.com/share/v/1NthtFfqZ5/

NOTE 35

The funny truth about mega-corps and data centers

November 13, 2025 · 13 words · https://substack.com/@jeffapierson/note/c-176685259

The funny truth about mega-corps - data centers, large energy projects, etc https://www.facebook.com/reel/1479936759970133/?referral_source=external_deeplink&mibextid=rS40aB7S9Ucbxw6v

NOTE 36

Video: big tech and rural America

November 17, 2025 · 1 words · https://substack.com/@jeffapierson/note/c-178142208

https://rumble.com/v71pmzm-how-big-tech-is-ripping-rural-america-apart.html

NOTE 37

The ten-plus commandments of AI

November 19, 2025 · 1,064 words · https://substack.com/@jeffapierson/note/c-179059913

For Discussion:The Ten+ Commandments of AI Please comment. Only valid opinions must be based on Liberty! 1. You shall keep the human person above the algorithm. No AI system may outrank the dignity, autonomy, or rights of an individual. AI is a tool. It never becomes a judge, master, or sovereign. Whenever an AI output collides with a person's liberty, due process, or conscience, the person's rights win. Liberty requires that machines stay in the servant's place. 2. You shall not treat people as raw material. No citizen may be reduced to "data exhaust" or "training inputs" without informed, meaningful consent. Collection must be limited to what is necessary for a specific service, not everything that can be grabbed. A free people are not a resource to be mined. They are owners of their own lives, histories, and digital shadows. 3. You shall not hide judgment behind a black box. AI that affects rights, opportunities, or status must never be opaque. If a model is used in hiring, lending, housing, policing, health care, or benefits, those affected have a right to know it was used, to see the reasons in plain language, and to challenge the decision. Liberty does not coexist with secret scoring systems that cannot be questioned. 4. You shall bind AI to law, not law to AI. AI must operate under existing constitutional protections, not rewrite them. Warrants still apply. Free speech still applies. Equal protection still applies. No government agency and no corporation may claim "the algorithm made me do it" as an excuse to bypass legal standards. The law governs the model, not the other way around. 5. You shall guard privacy as a boundary, not a preference. AI that depends on constant surveillance, mass data brokerage, or behavioral tracking should be presumed hostile to liberty. Privacy is the line between a citizen and a subject. Any AI that crosses that line must be forced back with hard rules, not optional "settings." A society that normalizes AI powered surveillance is a society negotiating away its freedom for convenience. 6. You shall preserve local self government against central algorithmic rule. Federal authority may set minimum protections, but it may not gag states and communities from defending their people. Attempts to strip states of the power to regulate AI are attacks on federalism and on self government. Liberty requires that local bodies can say "no," "not yet," or "not like this," especially when AI reshapes schools, courts, and streets. 7. You shall separate strategic defense from domestic control. AI developed to counter foreign adversaries, protect critical infrastructure, or assist the military must not be turned inward and used to score citizens, control speech, or police ordinary life. The tools of war and espionage must not become the tools of domestic policy. Liberty collapses when "national security" models bleed into economic and social governance. 8. You shall not link AI to financial punishment without law and due process. No one's access to basic banking, payments, or employment may be silently throttled by AI based "risk scores," especially when the real issue is lawful belief, association, or dissent. If AI flags a transaction or a person, a human official must own the decision, cite a clear legal standard, and give notice and appeal. Economic life is not to be governed by hidden social credit systems. 9. You shall give every person a human authority to confront. Every AI system that materially affects people must have a clear, accountable human chain behind it. Real names. Real offices. Real jurisdiction. Freedom means you are never trapped arguing with a machine. There must always be a human being who can reverse the decision, answer questions, and ultimately be removed from power if they abuse it. 10. You shall keep AI in the realm of wants until true needs are proven. AI is not a civilizational sacrament. It is a tool that must justify itself. In areas like court transcription or medical decision support, AI may help if it is tightly constrained, transparent, and always subordinate to human judgment. Everywhere else, it must be treated as optional. Until those who profit from AI can demonstrate clear, measurable public benefit that outweighs the risks, the default position in a free society is restraint, not surrender. 11. You shall keep foreign powers out of direct algorithmic control over your people. No foreign operated or foreign governed AI system may be given direct, privileged access to the lives, data, or critical infrastructure of United States citizens. If an AI system is trained, hosted, or effectively controlled under foreign jurisdiction, it must not be trusted with core civic functions, sensitive records, or high impact decisions about Americans. Liberty and self government mean that the tools which see, sort, and score citizens cannot answer to governments or

> legal systems that do not recognize their rights. 12. You shall not let foreign law govern American code, conscience, or courts. AI systems based in the United States must remain subject first and last to the Constitution and to domestic law, not to foreign regulations, trade bodies, or global policy frameworks. Treaties and cross border agreements cannot be used as a back door to import speech controls, social scoring rules, or data mandates that would not survive scrutiny under American standards of liberty. The rules for how AI treats American citizens must be written by institutions that answer to those citizens and can be held to account, not by distant regulators who never face an American ballot box. 13. You shall not outsource your people's fate to foreign AI, nor build foreign systems in the dark. United States corporations shall not rely on foreign operated AI systems to make or steer high impact decisions about American citizens, nor embed such systems in core infrastructure, governance, or financial rails. If a foreign AI is making the calls, foreign law and foreign interests are sitting in the room. Likewise, no U.S. corporation should be allowed to develop, train, or materially support foreign AI systems for any purpose that is not publicly disclosed in clear terms. If a company is building tools that can be used for surveillance, repression, or manipulation abroad, the nature of that work must be on the record so it can be confronted. Liberty at home rots fast when its own institutions secretly arm unaccountable machines abroad. Part 2: The Actual Discussion https://substack.com/profile/100233689-jeff-pierson/note/c-179059975?r=1noct5&utm_source=notes-share-action&utm_medium=web ##99##

NOTE 38

Political readings of the AI commandments

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The Actual Discussion:The Ten+ Commandments of AI Read the 10+ Commandments Here: https://substack.com/profile/100233689-jeff-pierson/note/c-179059913?r=1noct5&utm_source=notes-share-action&utm_medium=web Conservative View A serious conservative, not a corporate mascot, should see this list as a natural extension of ordered liberty. The core themes are hierarchy of value, moral limits on technology, and protection of the institutions that sit between the individual and the state. “You shall keep the human person above the algorithm” fits directly with a Christian or natural law view of human dignity. The strong stand against turning AI tools of war inward on citizens echoes every conservative warning about standing armies and secret police. The emphasis on local self government, state authority, and resistance to federal AI gag orders is pure federalism. It says plainly that Washington does not get to side with Silicon Valley against counties, school boards, and state courts. Conservatives will also recognize the cultural stakes in the financial and foreign policy commandments. Linking AI to banking and payments without due process turns every dissenter into a potential unperson. Conservatives who worry about debanking, corporate activism, and politicized economic punishment should see “no hidden social credit systems” as non negotiable. The foreign AI commandments speak directly to national sovereignty and to the duty of American institutions not to empower hostile regimes. No foreign government should be sitting invisibly inside American infrastructure through its code. No American firm should quietly arm surveillance states and then pretend its hands are clean. For a conservative, this framework is not about stopping progress. It is about insisting that progress stay chained to the permanent things: the Constitution, human dignity, family, church, local community, and the hard learned lesson that every unchecked system eventually gets used on the people it was supposed to protect. The Libertarian Conflict on AI Libertarians maybe split on AI, not because they disagree on first principles, but because they disagree on whether those principles can survive in the AI economy we actually have. On one side are the libertarian optimists. They may see AI as an extension of individual agency. To them, AI is just a powerful tool that can live on your device, under your control, helping you write, code, diagnose problems, and compete with giant institutions. In this view, the market can discipline bad actors. If data practices are abusive, people will migrate to privacy-respecting tools. If government tries to weaponize AI for surveillance, the answer is tighter limits on state power, not preemptive restraints on innovation. They argue that AI can lower barriers to entry, empower small businesses and lone creators, and weaken centralized bureaucracies by making individuals more capable. On the other side are the libertarian pessimists. They may look at how AI is actually being built and used and see systematic aggression wrapped in code. Data is harvested without meaningful consent. Models are trained on people’s lives without compensation. Governments and corporate giants join forces to monitor, score, and steer behavior. From this perspective, AI as deployed today is not a free market tool. It is the ideal instrument for a surveillance state and a corporate cartel, both of which libertarians are supposed to oppose. They argue that without hard legal walls against mass data brokerage, government purchase of bulk data, and AI based financial throttling, any talk of “voluntary” AI is a joke. The conflict is simple. Both sides claim non-aggression, self-ownership, and free association as their foundation. One side believes AI can be brought under those principles with minimal intervention. The other believes that, unless you first smash the current data and surveillance regime, AI will entrench the very coercive structures libertarians exist to resist.

NOTE 39

Defining traits of the AI infrastructure bubble

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What are the Defining Traits of a Bubble? Overbuilding without demand Corporations and utilities are constructing enormous data centers and AI infrastructure that far exceed current public, commercial, or strategic needs. Much of it is driven by forecasts and investor pressure rather than grounded analysis. Speculative capital and inflated valuations Venture funds and major tech firms are throwing money into AI startups, chip manufacturers, and data infrastructure projects. These investments are often based on narratives and branding rather than proven returns. Resource extraction disguised as innovation Projects consume vast amounts of land, power, and water, often in rural or economically vulnerable areas. These centers rarely deliver promised jobs or community benefits. They function as industrial resource hogs behind the marketing of futuristic progress. Techno-utopian marketing shields scrutiny The idea that AI will transform everything justifies nearly any scale of project. Politicians and planners are told to get out of the way because “the future is coming.” This narrative silences legitimate questions about environmental impact, civic utility, or long-term consequences. Hollow applications dominate Much of today’s AI is being used for surveillance, advertising, automation of basic tasks, and monetizing user behavior. It does not replace critical thinking, solve existential problems, or elevate public well-being. Most consumers do not see direct benefits proportionate to the scale of infrastructure being built. Risk of collapse and stranded assets If demand fails to materialize or regulatory and public backlash halts expansion, the result is empty buildings, drained resources, and broken promises. Some facilities will be repurposed or consolidated. Many will sit idle, relics of overconfidence. Historic Parallels This follows the pattern of the dot-com bubble, where companies built fast without profit models. It echoes the crypto rush, where technology was sold as liberation but became a playground for speculation. It mirrors the housing bubble, where the assumption of perpetual growth justified unsustainable development. In this case, the physical infrastructure — energy-intensive, water-dependent, and land-consuming — makes the consequences of failure far more tangible. If this is a bubble, its burst will not be just economic. It will leave scars on landscapes, utilities, local budgets, and trust in digital progress.



NOTE 40

McWilliams warns tech promises are a bubble

November 21, 2025 · 221 words · https://substack.com/@jeffapierson/note/c-179582357

The Problem With Tech Promises: A Warning From Economist David McWilliams Economist David McWilliams is sounding an alarm that cuts straight to the point. He says the excitement around AI and big tech projects is starting to look like a bubble, not a steady path to prosperity. His warning applies directly to communities being sold on “economic development” dreams. McWilliams argues that leaders and companies keep promising that new technology will fix everything: jobs, growth, local income, even long-term stability. But the facts don’t match the sales pitch. Massive spending on AI and new infrastructure doesn’t automatically create real prosperity. It often creates strain, higher costs, and big winners who aren’t the towns being asked to host these projects. He points out that America is in one of those upbeat moods where everything feels like progress. Historically, that is exactly when bad decisions get made. Communities trust glossy promises instead of demanding hard data. They assume the future will be brighter simply because a new technology shows up. His message is simple. Don’t take prosperity guarantees at face value. Don’t let hype replace judgment. Don’t let outside companies tell your community that their project is “the future” while you carry the risks. Real prosperity comes from strong fundamentals, not buzzwords, not corporate optimism, and not speculation dressed up as opportunity. https://finance.yahoo.com/news/one-world-most-popular-economists-110000874.html?guccounter=1&guce_referrer=aHR0cHM6Ly93d3cuZ29vZ2xlLmNvbS8&guce_referrer_sig=AQAAAIwpCMG2sAsGVOeWzPrfwWZsDusARc7A9AIY-T_YaSu05zDTAO3T3fgwxy6xyvFHZD8MnT8lFadwA3dTItpdeFnA8zIRZRWgnP7gHbOntYZwUENdPBwqf5w5

NOTE 41

AI bust indicators and what comes next

November 29, 2025 · 134 words · https://substack.com/@jeffapierson/note/c-182294497

AI Bust? If so, what happens next? The bust indicators in that ABC News piece are hard to miss once you line them up. AI companies are burning money at a pace that outstrips any realistic revenue projection, and the article makes it clear that the business models behind most AI products are not generating dependable profit. Investors are pouring billions into infrastructure on the assumption that demand will explode forever, but analysts note that actual customer adoption is far slower and far more uncertain than the hype suggests. The cost of powering, cooling, and expanding data centers is rising, while the margins on AI services are shrinking. Companies are leaning on debt and investor enthusiasm instead of stable income, which is exactly what every tech bubble has looked like before it bursts. https://abcnews.go.com/Business/ai-make-big-profits-experts-weigh-bubble-fears/story?id=127858140&fbclid=IwY2xjawOXeVFleHRuA2FlbQIxMQBicmlkETFMT1lxOVdGR2kyOUdIcHRvc3J0YwZhcHBfaWQQMjIyMDM5MTc4OD

NOTE 42

Review of Pew Research Center findings

November 29, 2025 · 1 words · https://substack.com/@jeffapierson/note/c-182294857

https://open.substack.com/pub/jeffapierson/p/review-pew-research-center-what-we?r=1noct5&utm_campaign=post&utm_medium=web&showWelcomeOnShare=false

NOTE 43

AI's fastest growing market exposes fragility

November 29, 2025 · 257 words · https://substack.com/@jeffapierson/note/c-182461336

What is wind, solar, and new transmission lines powering? In part - Porn! The latest reporting makes something painfully clear. While Wall Street keeps inflating the AI bubble with fantasy-level profit projections, the technology itself is stampeding toward the sectors that guarantee quick revenue, not lasting value. And right now, the fastest-growing market for AI isn't medicine, science, or public benefit. It's synthetic pornography. That should tell everyone exactly how fragile this industry really is. When an overheated tech boom starts leaning on adult content to justify trillions in infrastructure spending, you are watching the warning signs of a bubble that's running out of real purpose. This matters for Idaho because the data-center rush hitting our state is being sold as "the future of the economy." But if the bubble pops, we will be left with stranded megaprojects, gutted landscapes, drained aquifers, and skyrocketing power rates, all to support compute loads that increasingly serve one of the most volatile, unregulated corners of the internet. Big Tech gets the profits, the pornography traffic gets the servers, and Idaho families get the bill. That is the real risk of letting out-of-state corporations seize our water, land, and electrical capacity without strict limits. Before Idaho hands over its resources, we should ask a simple question: what exactly are we building all this capacity for? Because the deeper you look, the more obvious it becomes that the AI buildout is chasing hype, not need. And when bubbles burst, the communities left holding the infrastructure are always the ones that pay. https://www.economist.com/international/2025/11/27/ai-is-upending-the-porn-industry

JANUARY 2026

NOTE 44

Data, AI and energy news roundup

January 17, 2026 · 365 words · https://substack.com/@jeffapierson/note/c-201250305

1/17/2026 Top Data, AI, & Energy News January 16, 2026, Reuters: PJM unveils plan to manage AI and data center driven load growth, including a “connect and manage” concept that would require large new loads to supply their own power or accept curtailment, with filings expected at FERC. Link: https://www.reuters.com/legal/litigation/pjm-unveils-plan-tackle-ai-driven-power-demand-surge-2026-01-16/ Reuters January 16, 2026, Reuters: White House urges emergency measures for PJM, including an emergency power auction and policy pressure around capacity market price impacts and who pays for new infrastructure as data centers drive demand growth. Link: https://www.reuters.com/legal/litigation/white-house-seeks-emergency-power-auction-largest-us-electric-grid-2026-01-16/ Reuters January 16, 2026, The Washington Post: Governors and the White House advance a “tech should pay or curtail” approach aimed at shielding residential ratepayers from data center related cost impacts, with warnings from some state leaders about leaving PJM absent reforms. Link: https://www.washingtonpost.com/business/2026/01/16/pjm-data-centers-electricity-bipartisan/ The Washington Post January 9, 2026, Michigan Department of Attorney General: Michigan AG petitions the Michigan Public Service Commission for rehearing related to DTE data center special contracts, challenging process and enforceability, and raising concerns about protections for other customers. Link: https://www.michigan.gov/ag/news/press-releases/2026/01/09/attorney-general-petitions-mpsc-for-rehearing-on-dte-data-center-special-contracts Michigan.gov January 15, 2026, MultiState: State level data center policy and siting fights, highlighting zoning battles, local moratoria risk, and state efforts (notably Virginia and Georgia examples) to balance economic benefits with community concerns about land use and energy impacts. Link: https://www.multistate.us/insider/2026/1/15/state-data-center-legislation-faces-local-zoning-battles MultiState January 12, 2026, Utility Dive: Senate bill proposal affecting “fully isolated large loads” (such as some data centers) and how they would be regulated, with potential pushback from utilities. Link: https://www.utilitydive.com/news/senate-bill-exempts-fully-isolated-large-loads-from-ferc-doe-regulation/809330/ Utility Dive January 15, 2026, Utility Dive: Public Citizen challenges cost recovery for a $546 million PSE&G transmission project, seeking refunds and tying the dispute to alleged inaccurate information provided into PJM’s planning process (per the piece). Link: https://www.utilitydive.com/news/public-citizen-pseg-roseland-transmission/809738/ Utility Dive January 13, 2026, Federal Register (FERC notice, PDF): Environmental scoping activity tied to a gas infrastructure project described as supplying the John S. Cooper Power Station in Pulaski County, Kentucky, illustrating ongoing fossil related development and permitting process steps. Link: https://www.govinfo.gov/content/pkg/FR-2026-01-13/pdf/2026-00405.pdf GovInfo January 11, 2026, American Public Power Association: Water use and community opposition themes around data centers, with discussion of emerging strategies utilities and communities are using to address water related impacts. Link: https://www.publicpower.org/periodical/article/strategies-address-water-use-emerge-wake-community-opposition-data-centers

MARCH 2026

NOTE 45

Windows 11 ends the tool era

March 12, 2026 · 129 words · https://substack.com/@jeffapierson/note/c-226649743

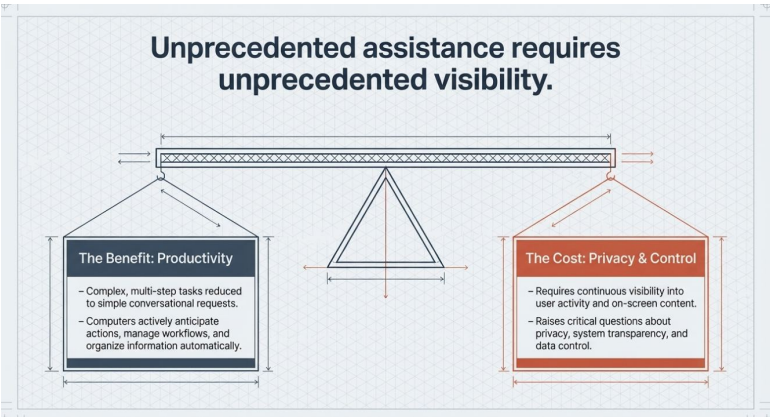
The End of the "Tool" Era: How Windows 11 is Rewiring the Relationship Between Humans and Computers For forty years, the relationship between a human and a personal computer was a strictly transactional affair. You clicked a mouse, the OS registered the coordinate, and an application executed a command. It was a "command-response" loop as rigid as a hammer hitting a nail. But Windows 11 is currently performing open-heart surgery on this traditional model. We are witnessing the quiet death of the PC as a "tool"—a reactive instrument waiting for a prompt—and its rebirth as an active intermediary. The computer is no longer just a canvas for our work; it is becoming an entity that interprets our intent and observes our digital life before we even strike a key.

NOTE 46

The invisible AI transition in computing

March 12, 2026 · 133 words · https://substack.com/@jeffapierson/note/c-226652481

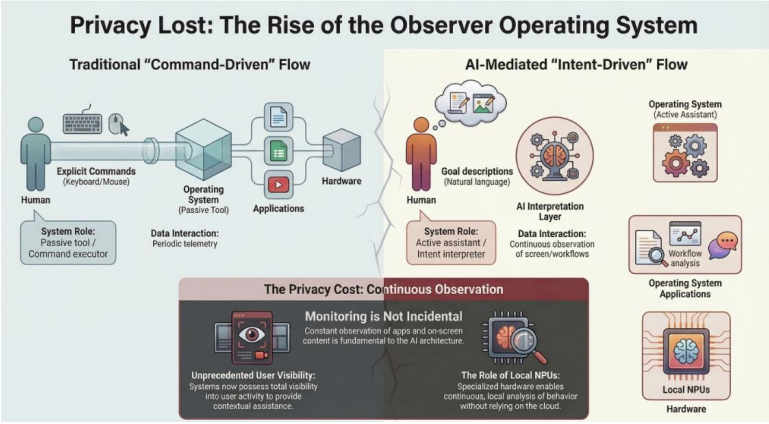
The Invisible Transition The headlines are currently dominated by chatbots and generative art, but the true revolution is happening beneath the surface. This architectural shift is what’s fueling the global AI boom, driving unprecedented investment in semiconductors, cloud infrastructure, and software ecosystems. This isn't just about a new "Copilot" button; it is about the total re-engineering of the personal computer into an intent-driven platform. As Windows 11 integrates AI more deeply into its core, it gains an unprecedented, permanent seat at the table of our digital lives. The transition is invisible, but the implications are permanent. We must eventually ask: Are we ready for a computer that knows our intent before we even click? Or are we trading the clarity of the tool for the convenience of an assistant that never stops watching?



NOTE 47

AI computing series graphic

March 12, 2026 · Graphic · https://substack.com/@jeffapierson/note/c-226652708



NOTE 48

Three data center types that should be banned

March 19, 2026 · 561 words · https://substack.com/@jeffapierson/note/c-229965550

Three Categories of Data Centers that Should Not Be Allowed 1. Mass Surveillance Infrastructure Hyperscale data centers purpose-built to aggregate, process, or store population-scale behavioral data — location tracking, biometric databases, communications metadata, financial transaction monitoring — represent a qualitatively different threat than ordinary commercial computing. The distinction matters because scale is the product. A surveillance system that can process 10 million records is not merely larger than one that processes 10,000 — it is a different instrument entirely, one whose primary utility is coercive. Domestic construction of such facilities should require a demonstrated lawful purpose, a constitutional nexus, and ongoing independent audit. Facilities that cannot satisfy that standard should not be built. This applies to private commercial surveillance operations — data brokers, behavioral advertising infrastructure, consumer profiling platforms — as much as it does to government-adjacent systems. The legal foundation exists. The Supreme Court's third-party doctrine has been substantially narrowed by Carpenter v. United States (2018). Congress has not caught up. A purpose-based construction authorization framework would be a meaningful step toward structural prevention rather than reactive litigation. 2. Facilities Primarily Supporting Pornography Distribution This is the category most likely to generate reflexive first-amendment deflection, so it is worth being precise about what is and is not being proposed. The proposal is not censorship of content. It is a refusal to extend public subsidy and public infrastructure to the industrial-scale distribution of pornography. The distinction is critical. A publisher has a constitutional right to distribute material. That right does not include a constitutional entitlement to: Tax increment financing Below-market utility rates negotiated through public utility commissions State and local economic development grants Infrastructure upgrades to roads, power, and water systems funded by taxpayers No serious legal scholar argues that the First Amendment compels affirmative government subsidy of speech. The government is not required to build the printing press. Hyperscale data centers hosting pornography as a primary or substantial use case should receive no public benefit of any kind — no tax abatement, no infrastructure grant, no utility preference. They may operate under existing law. They may not do so on the public's dime. This position is consistent with longstanding obscenity and community standards jurisprudence and does not require Congress to resolve any contested constitutional questions. It requires only that subsidy programs specify eligible use cases — a routine exercise of legislative appropriations authority. 3. Facilities with Material Foreign Government or Corporate Access This is arguably the highest-stakes category and the least adequately addressed by current law. CFIUS reviews foreign acquisitions of existing domestic infrastructure. It does not adequately address greenfield construction of new infrastructure by entities with material foreign government ties, nor does it address operational relationships that give foreign governments effective access to data processed in nominally domestic facilities. A purpose-based construction framework should prohibit authorization for any hyperscale facility where: A foreign government holds direct or indirect ownership of 5% or more Operational agreements, data processing contracts, or equipment supply chains create meaningful access rights for entities subject to foreign government legal compulsion (China's National Intelligence Law being the most obvious example) The facility's primary customer base includes foreign state-owned enterprises or government agencies This is not a trade restriction — it is a sovereignty position. The People's Republic of China does not permit American companies to build unrestricted data infrastructure on Chinese soil. Reciprocity is not protectionism.

NOTE 49

State tools against data center megaprojects

March 19, 2026 · 175 words · https://substack.com/@jeffapierson/note/c-229967116

What States Can Do Now to Protect Themselves from Large Data Centers and Mega Energy Projects Federal action is preferable for foreign ownership restrictions, but states can move immediately on subsidy and land use questions: Require purpose disclosure as a condition of any economic development incentive application for data center projects above a defined capacity threshold Define ineligible uses in economic development statutes — surveillance aggregation, pornography distribution, and foreign-government-accessible facilities explicitly excluded from incentive eligibility Require beneficial ownership transparency to the same standard as CFIUS for any facility receiving public benefit Mandate utility cost internalization — require that any load above a defined threshold bear the full cost of grid interconnection and transmission upgrades without socialization to other ratepayers Establish a community impact review process for hyperscale facilities that explicitly considers purpose, water consumption, road impact, and grid effects on existing residential and agricultural customers Idaho has the additional leverage of water law. Consumptive water use rights for industrial facilities are subject to state appropriation review. Purpose should be a factor in that review.

APRIL 2026

NOTE 50

What actually drives real data center demand

April 13, 2026 · 362 words · https://substack.com/@jeffapierson/note/c-242639735

The Real, Legitimate Need for Data Centers? What Actually Drives Demand 1. AI Training & Inference This is the dominant driver right now. Large language models, image generators, and recommendation systems require massive GPU clusters running continuously. Inference (running the model for users) actually exceeds training demand at scale — every ChatGPT query, every Copilot suggestion, every image generation hits a data center. 2. Cloud Computing (Enterprise & Government) Businesses have migrated off on-premise servers. AWS, Azure, and Google Cloud host everything from hospital records to financial transactions to federal agency systems. This is real, established, mission-critical infrastructure. 3. Streaming & Content Delivery Netflix, YouTube, and similar services require enormous storage and compute. Less glamorous than AI but a steady baseline load. 4. Financial Systems High-frequency trading, payment processing, and banking clearinghouses need extremely low-latency, redundant compute. These have strict geographic requirements near financial hubs. 5. Telecom & 5G Edge Edge computing nodes tied to 5G networks are genuinely needed close to population centers — not in rural Idaho. Where the Deficit Actually Is Real deficits exist in: Northern Virginia (Loudoun County) — already saturated, power constrained Phoenix — growing fast, water constrained Chicago, Dallas, Atlanta — established hubs with genuine capacity crunches Specific edge locations near major metros for latency-sensitive work The honest picture on rural/agricultural areas: There is no legitimate latency or proximity need placing AI training facilities in the Magic Valley or similar agricultural regions. The stated rational is: Power cost (cheap rural electricity, often subsidized ag rates) Land cost Tax incentives (like Idaho's HB 521) Regulatory ease These are corporate profit drivers, not infrastructure necessity. A BESS-backed AI training campus in Eden, Idaho serves Microsoft or whoever owns it — it does not serve a deficit that couldn't be addressed in existing industrial zones near actual load centers. The Policy-Relevant Point The genuine national need is real — AI infrastructure demand is not manufactured. But where that infrastructure gets sited is almost entirely a function of incentive arbitrage, not operational .necessity. Rural Idaho communities are being asked to absorb the externalities (grid strain, water use, fire risk, agricultural land conversion) so that hyperscalers can optimize their cost basis.

JULY 2026

NOTE 51

Why 8,000 acres of grazing land matters

July 1, 2026 · 419 words · https://substack.com/@jeffapierson/note/c-286355249

What is 8000 acres of grazing land worth and why are we talking about it. A lot of folks are asking why, all of a sudden, there's talk of 8,000-acre solar farms and new transmission lines and data-center campuses out here in the Magic Valley. Short answer: it's the AI boom, and we're standing in its path. The biggest companies in tech are spending north of half a trillion dollars this year alone building AI data centers — warehouses of computer chips that each pull as much power as a small city. That's the demand behind the land rush. Nobody's proposing to blanket the desert in panels to light your house. They're doing it to feed the machines. Two things everybody out here ought to understand about that. First, it may well be a bubble. And that's not just cranks talking — this past June the Bank for International Settlements, the central bank for the world's central banks, named an "AI capex bust" one of the top three threats to the entire global financial system. The buildout is running on borrowed money, and the spending is racing way out ahead of the actual revenue. Booms like that have a way of ending. When they do, the buildings go dark — but the torn-up ground, the power lines, and the rate hikes stay right where they are. Second, and this one's already here: it's raising your power bill right now. Idaho Power has jacked rates two years running — about 4% in 2025 and roughly 7.5% more in 2026 — and the company says flat out it's demand growth from "large loads." Their own planner put it this way: "we just need to expand like crazy." The new demand? Data centers — Meta's already in Kuna, and there's interest circling the Magic Valley. Ask a farmer. In 2021 Idaho Power charged about $6.94 per kilowatt to run an irrigation pump. In 2026 it's $16.50 — a 45% jump over a stretch when inflation ran 19%. That gap is the data-center boom, showing up on the bill of a guy just trying to water a field. So here's the whole picture. The profits and the computing leave the state. The tax breaks, the water, the power, and the risk stay here. And if the AI bubble pops, rural Idaho is left holding an industrial mess it never got much out of to begin with. The beast is hungry again. Same as always — it eats local and pays out somewhere else

NOTE 52

Why data centers avoid military base land

July 1, 2026 · 372 words · https://substack.com/@jeffapierson/note/c-286357887

Trump's offer isn’t good enough for AI carpetbaggers Last summer Trump signed an order throwing open America's military bases to data-center developers — thousands of acres of federal land, fast-tracked permits, red tape cut. If these projects were really about serving the country, that's where they'd be lining up to build. They mostly aren't. And once you understand why, you understand what these companies are actually shopping for. It comes down to two things: cheap power, and nobody watching. Start with the power. On a military base, a data center has to compete with the base itself for electricity and water — and Congress is pushing to make the developers actually pay for what they use. That's the last thing they want. What they want is to plug into a utility like Idaho Power, tap some of the cheapest electricity in the country, and let the cost of every new line and power plant get spread across the rest of us. You've already seen the bill for that: back-to-back rate hikes, and irrigation-pump charges up 45% in five years. They don't want to buy their own power. They want yours. Then the oversight. You'd think a military base means fewer rules. It's the opposite. Build inside the gate and you're under federal security requirements, supply-chain rules, congressional scrutiny, and a mission commander who can tell you no. The Army's own people admit these strings could scare off over a billion dollars in private money. So the developers go looking for the opposite of a base: a rural county with cheap land, a friendly commission, and not much appetite to ask hard questions. Less oversight, not more. That's the tell. When the government practically handed these companies land, they hesitated — because a base has rules, and rules cost money. They'd rather find a place where the power is cheap, the land is cheap, and nobody's going to push back. Which is exactly why the land rush is landing on ranch country and BLM grazing ground out here instead of Fort Bliss. It was never about the empty desert being special. It was about it being cheap, and quiet, and unwatched. The beast goes where the fence is lowest. Right now, that's us.

PART 3

Water, Land Use & the Aquifer

Ground, water, and what gets paved over in the name of progress.

5 NOTES · NOVEMBER 4, 2025 – MARCH 11, 2026

NOVEMBER 2025

NOTE 53

Renewables threaten south Idaho soil and aquifer

November 4, 2025 · 347 words · https://substack.com/@jeffapierson/note/c-173580454

Farmland, Fossilised: South Idaho's Soil and Water Under Threat from Renewable Installations In south Idaho's agricultural heartland, the advent of large-scale wind and solar installations is raising alarm about soil degradation and aquifer impacts. Farmlands once rich with organic life now risk being permanently altered when industrial energy infrastructure comes and goes. During site preparation for solar farms, land is often stripped, graded, and compacted to accommodate panel arrays. A national review found that some solar construction projects in Idaho violated stormwater and sediment controls, with runoff entering nearby waterways. (Syed, 2022) A compacted substrate beneath panels does not drain or breathe like undisturbed farmland. Soil biology is disrupted, nutrient cycles slow down, and water infiltration suffers. When decommissioning occurs, the damage accumulates. Foundations, cable trenches, plastic conduits, and concrete footings often remain in place or are only partially removed. That buried infrastructure can hinder the restoration of the land to productive use. Farmers who reclaim the land may face decades of amendment, drainage correction, and microbial rebuilding before crop yields return. Crucially for Idaho, the region sits atop the Eastern Snake River Plain Aquifer (ESPA), a vital groundwater source for irrigation and drinking water. Though direct studies connecting renewable infrastructure removal to aquifer pollution are limited, the pathways are clear. Soil compaction and sealed surfaces reduce recharge to the aquifer. Illicit sediment and runoff may carry contaminants from construction zones into recharge areas. Soil disturbance opens the door to contamination transport from surface to groundwater. State water managers note declining aquifer water levels across south-central Idaho due to over-pumping and drought (News from the States, 2024). Add in infrastructure that reduces infiltration, and the aquifer's resilience is weakened. Land might seem restored after a solar or wind project, but in reality the soil's living structure and its relationship with water have been traded away. For a region whose economy and identity are built on farming—and whose lifeblood is groundwater—the risk is far from academic. Without binding reclamation requirements, robust soil restoration, and protection of recharge zones, south Idaho's farmland and aquifer face a long-term wake-up call.



NOTE 54

A tarp over the desert: a thought experiment

November 6, 2025 · 274 words · https://substack.com/@jeffapierson/note/c-174154733

A Tarp Over the Desert By Jeff A. Pierson What if someone tried to stretch a one-square-mile tarp across Idaho's high desert? Imagine it raised two feet above the ground on poles anchored in concrete, with no panels or wiring, only shade cloth. It sounds harmless. Yet even this "simple" project would demand years of permits, thousands of truckloads, and decades of ecological recovery. The imagined site, near the Lava Ridge area northeast of Jerome, sits on the Snake River Plain, one of the most fragile ecosystems in the American West. Annual rainfall barely reaches ten inches. The soil's living crust, made of cyanobacteria and lichens, takes half a century to regenerate once crushed. Beneath the sagebrush, pronghorn, mule deer, badgers, and burrowing owls rely on a balance that cannot be rebuilt quickly or cheaply. Under the Federal Land Policy and Management Act, even a temporary tarp would trigger the same bureaucratic process as a wind or solar project: a Right-of-Way grant, NEPA review, tribal consultation, endangered species studies, and a reclamation bond. On paper it might seem manageable. On the ground, it becomes a geologic event. The numbers tell the story. A single square mile means 640 acres disturbed, 11,000 poles, over 2,000 cubic yards of concrete, 20,000 gallons of diesel fuel, and 30 to 70 years for full recovery if it happens at all. This is not a rejection of renewable energy. It is a call for honesty about what "minimal impact" really means. In arid landscapes, disturbance lasts longer than memory. Even the smallest industrial footprint leaves a mark the desert will remember for generations. Progress is necessary. So is truth.

NOTE 55

Idaho selling endowment land near the Tetons

November 29, 2025 · 185 words · https://substack.com/@jeffapierson/note/c-182296028

Am I missing something? The State of Idaho keeps treating public land like a private checking account, and this latest decision to sell 160 acres near the Tetons is another example of government forgetting who actually owns the land. These parcels are held in trust for the people of Idaho, yet the state continues to approve sales that benefit developers, boost short-term revenue, and permanently strip citizens of land that can never be recovered. It is irresponsible to dispose of high-value, high-impact property without a transparent process, a clear public benefit, or any meaningful attempt to preserve it for future generations. What's worse is the ethical failure. When the state knows the land is coveted, when it knows the ecological and cultural value at stake, and when it knows the public strongly objects, pushing the sale through anyway is not stewardship. It's capitulation. Idahoans deserve a government that treats public land as a responsibility, not an opportunity for transactional gain. Once it's sold, it's gone forever, and no amount of excuses or accounting tricks can justify stripping the public of what is rightfully theirs. https://idahocapitalsun.com/2025/11/19/state-of-idaho-once-again-approves-selling-160-acres-of-state-land-near-the-tetons/

FEBRUARY 2026

NOTE 56

Zoning variances undermine legislative specification

February 9, 2026 · 621 words · https://substack.com/@jeffapierson/note/c-212029813

The Failure Mode of Intent in Legislation and Ordinances. EXAMPLE: Zoning, Variances and the Undermining of Specification As a thought exercise, consider zoning law as an engineered system rather than a political compromise or a statement of values, because in engineering the earliest and most consequential failures occur at the specification stage, where unclear or internally contradictory designs inevitably produce unstable results once deployed. Many of the persistent conflicts surrounding local land use follow this same pattern, emerging not from downstream misbehavior but from defects embedded at the moment the system is written. A particularly clear example appears in jurisdictions where multi-family dwellings are formally prohibited in certain zones while being routinely approved through variances, conditional use permits, or similar discretionary mechanisms. The stated intent behind this structure is usually to preserve neighborhood character while allowing flexibility in exceptional circumstances, yet the design failure arises when that intent is permitted to stand in for clear, enforceable specification within the zoning code itself. On paper, the ordinance communicates a rule that a class of uses is not allowed within the zone, while in practice the variance process functions as an alternate approval pathway without objective thresholds that distinguish a true exception from a general policy choice. Criteria framed around concepts such as compatibility, practical difficulty, or public interest do not constrain outcomes so much as transfer authority to the decision-maker, leaving the written prohibition intact only as a symbolic signal rather than an operative boundary. Once the system is in operation, its behavior becomes predictable in ways that are familiar to engineers confronting underspecified designs. Property owners and developers learn that compliance with the written code matters less than navigating hearings, narrative framing, and political context, while neighbors discover that zoning rules no longer provide a reliable guide to what may occur nearby. Decision-makers, faced with vague standards and public pressure, default to discretionary judgments because they reduce institutional risk while preserving flexibility, even though that discretion erodes consistency. The impacts of this failure compound over time and extend beyond individual projects. Predictability declines as zoning shifts from a rule-based system into a negotiation-based one, and access to time, money, and expertise becomes a decisive advantage that favors those most capable of working the process rather than those most capable of complying with the rules. Public trust erodes as similar proposals produce different outcomes without reference to clear standards, and planning bodies are increasingly pulled into roles that feel political rather than technical, intensifying conflict rather than managing it. Housing outcomes also deteriorate under this design, as a system that relies on variances to permit multi-family housing produces fewer units, higher costs and longer timelines than one that allows such uses by right under objective conditions. Risk and delay are priced into development, while communities experience prolonged uncertainty and controversy, prompting institutions to seek even greater discretion to manage the instability created by discretion in the first place. When officials later insist that variances were never intended to substitute for zoning rules or that approvals were meant to remain rare, they are appealing to intent after the system has already been deployed. From a system design perspective, such appeals have no corrective force, because an escape mechanism without enforceable limits will be used, expanded, and normalized regardless of original purpose. The underlying failure is neither corruption, ideology nor underspecification. A properly designed zoning system would resolve the contradiction directly by either permitting multi-family housing under clear, objective conditions written into the code, or by strictly limiting variances to narrowly defined hardships tied to the property itself. When intent is asked to reconcile incompatible rules, failure is not accidental or surprising; it is the first and most reliable outcome of the design itself.

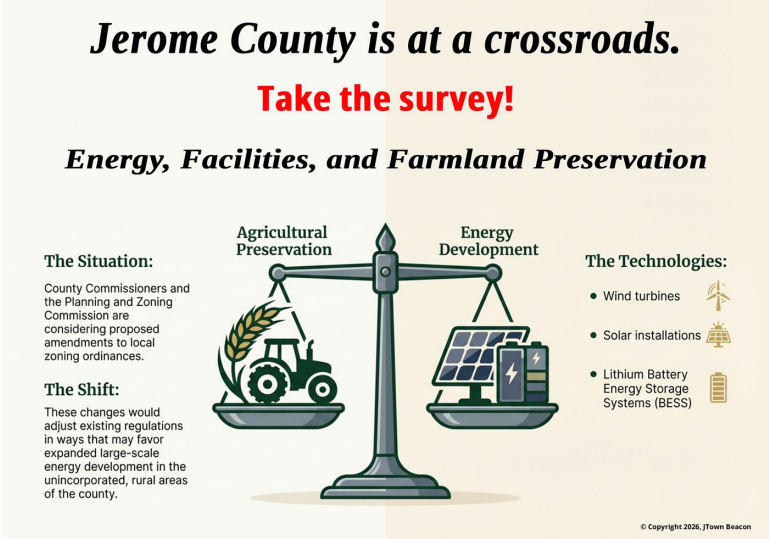
MARCH 2026

NOTE 57

Jerome County rural land management survey

March 11, 2026 · 33 words · https://substack.com/@jeffapierson/note/c-226155620

Jerome County is at a crossroads in rural land management. This issue affects all residents, not just landowners and large corporations. Take the survey and tell your elected officials what you think. https://s.surveyplanet.com/cfvrt57y?fbclid=IwZXh0bgNhZW0CMTAAYnJpZBExMkhhbG1lQnl0UVNKeHdjbnNydGMGYXBwX2lkEDIyMjAzOTE3ODgyMDA4OTIAAR5sVEqfOxGGbau9E686bT0jfsurh6vshuPmmNg_aem_-5SzphixOzzNo48-urHWKg



PART 4

The Growth Machine: Economic Development & Incentives

Incentives, development organizations, and the promise of prosperity.

12 NOTES · SEPTEMBER 24, 2025 – JULY 31, 2026

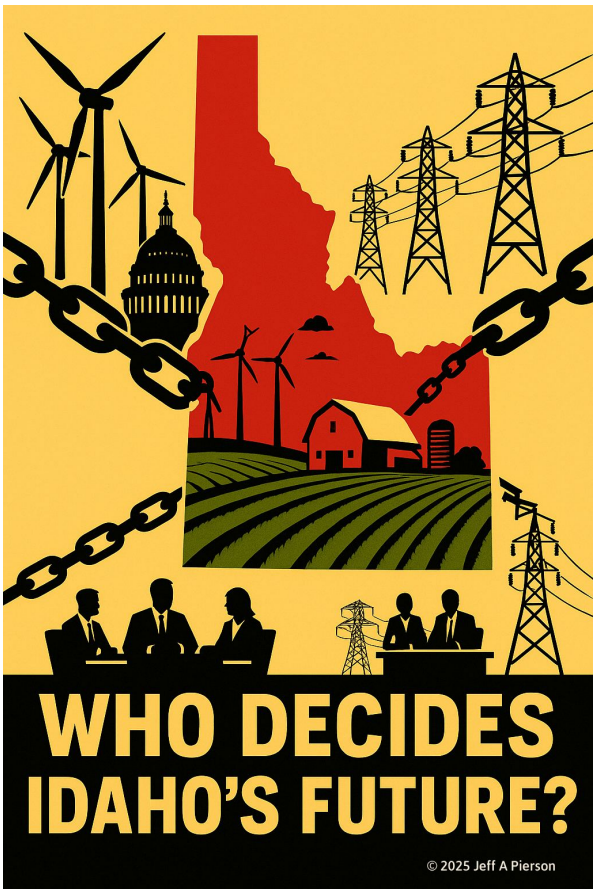
SEPTEMBER 2025

NOTE 58

Local control, revenue streams, and boardroom rule

September 24, 2025 · 125 words · https://substack.com/@jeffapierson/note/c-159340477

Local Control or No Control! Elected officials often fall into the same traps as bureaucracies. Policy talk replaces principle, promises of money mortgage the future, and revenue streams buy silence. Instead of defending the people, too many act like managers, counting balance sheets instead of guarding liberty. Leaders must resist those pressures, see beyond federal grants and industry guarantees, and remember that their duty is not to revenue but to their neighbors. This raises a deeper question about the nation itself. Are we a republic of United States, or a set of fifty colonies ruled from the other side of the continent? Or worse, are we ruled from boardrooms, where decisions are made by corporations with no loyalty to the people whose lives they disrupt?



NOVEMBER 2025

NOTE 59

Unrestrained progress and the problem of scale

November 4, 2025 · 99 words · https://substack.com/@jeffapierson/note/c-173369992

Idaho 20 / 200 - Unrestrained, Unethical, Progress “Private property is a sacred right, but the sacred becomes profane when it harms neighbors or entire regions.” —A warning against the blindness of ambition and the illusion of progress without restraint. The Problem of Scale Modern development has introduced a new moral challenge. Projects once confined to industrial zones now appear on private land under the banner of innovation or sustainability. Large-scale energy installations, artificial intelligence data centers, digital infrastructure hubs, and mega-factory complexes all claim to serve the public good while operating primarily as private ventures. Read more: https://open.substack.com/pub/jeffapierson/p/idaho-20-200-unrestrained-unethical?r=1noct5&utm_campaign=post&utm_medium=web&showWelcomeOnShare=true



NOTE 60

Mega-corps and the undelivered rural prosperity

November 4, 2025 · 641 words · https://substack.com/@jeffapierson/note/c-173576560

Mega-Corps Failed to Deliver Promised Prosperity - When Corporate Scale Devours Civic Trust Idaho 20 / 200, © 2025 Jeff A Pierson The new industrial empire does not come with smokestacks. It comes with servers, substations, and political smiles. Across rural America, vast data centers rise from farmland like monuments to progress, promising jobs, innovation, and investment. Their sponsors speak of digital revolutions and sustainable futures. Yet the pattern is becoming unmistakable. Behind the bright banners of “technology” and “renewable energy” lie exhausted water tables, rising utility bills, and towns that traded their independence for a handful of corporate press releases. A recent analysis from the University of Michigan’s Gerald R. Ford School of Public Policy examined the rapid spread of data centers across the United States and confirmed what many communities already suspected. The promised prosperity rarely appears. The study found that data centers consume millions of gallons of water each year, draw enough electricity to power thousands of homes, and often leave behind higher costs for the very citizens they claimed to help. Tax breaks intended to attract “innovation” instead drain local revenue, shifting the financial load onto schools, roads, and basic public services. What began as an economic strategy has become a civic liability. According to the study, these tax incentives “shift financial burdens onto communities and schools” while producing “few permanent, high-paying jobs.” The sequence repeats itself: economic boards grant generous exemptions, state legislators praise the vision, and by the time the full cost is known, the corporation has moved on to its next site, leaving rural America to balance a ledger written in red ink. The same pattern appears in other mega-projects. Nuclear and small modular reactors, industrial solar ranches, and massive energy transmission corridors all march under the same flag of inevitability. They promise clean energy and economic growth while functioning as extraction economies in disguise—extracting resources, autonomy, and long-term stability. The moral pattern is identical to the data center boom. Communities surrender control of their land and infrastructure in exchange for hope and rhetoric. Hope is not revenue. Rhetoric does not rebuild roads or refill aquifers. This ritual repeats because it depends on scale. When a corporation’s capital dwarfs a county’s entire budget, consent becomes symbolic. Hearings are held, studies are cited, and local boards declare victory before the first foundation is poured. The people who must live with the consequences have no proportionate influence over design or approval. They are governed by the arithmetic of power rather than the ethics of consent. Economic development once meant something tangible. It meant mills, shops, factories, and farms—places where labor created value and wealth stayed in the community. Today’s industrial strategy, built on subsidies and secrecy, breeds dependence instead of growth. It allows global firms to claim public virtue while draining public resources. When “development” means tax abatement, when “sustainability” means privatized water, and when “innovation” means higher rates for the powerless, the language itself becomes corrupt. The University of Michigan study is not simply a report; it is a warning. The failed hopes it describes are not accidents but symptoms of a deeper disorder in how we define progress. We have replaced prudence with publicity and substance with spectacle. Local leaders, dazzled by promises of modernity, forget that real prosperity is measured not by press releases but by the stability of the households that pay the taxes. If the state refuses to defend those households—if it continues to subsidize projects that consume resources faster than they replenish them—it becomes complicit in its own decay. The public trust cannot survive when public policy serves the powerful. Rural America deserves investment that builds, not burdens. Progress that preserves, not depletes. Without that correction, the age of data and energy will end as so many ages before it have ended, in regret and ruin disguised as progress. https://fordschool.umich.edu/news/2025/growth-data-centers-requires-new-policies-mitigate-local-community-impacts



NOTE 61

Principles of growth under ordered liberty

November 10, 2025 · 299 words · https://substack.com/@jeffapierson/note/c-175529248

Principles of Economic Growth (Ordered Liberty) Southern Idaho stands at a turning point. Growth is no longer a question of if but of what kind. Every county, town, and valley now faces the same dilemma that has broken other Western communities: whether to let expansion dictate identity or to shape growth according to the values that built this place. These principles exist to anchor development in stewardship rather than speculation, to ensure that progress strengthens community instead of consuming it. Sovereignty of Scale A community must govern the scale and pace of its own development. Growth that outpaces public consent or local capacity is not progress, it is displacement. Ecological Accountability All growth must respect the limits of the land, water, and air that sustain it. Industrial projects must prove they can operate without degrading shared resources or shifting environmental costs to future generations. Civic Reciprocity Development must strengthen the community that hosts it. Projects that erode public trust, divide residents, or weaken essential services violate the social contract that gives them legitimacy. Fiscal Integrity Public resources exist for public good. No private enterprise should depend on hidden subsidies, cost shifting, or ratepayer burdens. Every dollar of public investment must yield measurable public return. Cultural Continuity A region’s character—its quiet, rhythm, and sense of belonging—is a form of capital as real as land or infrastructure. Growth that destroys this inheritance impoverishes the community it claims to enrich. Duty of Scrutiny Elected officials and citizens share a moral responsibility to question and verify the claims of any project that seeks public trust. Vigilance is not obstruction; it is the foundation of good governance. Adaptive Governance Regulations must evolve as rapidly as the industries they oversee. Local ordinances should anticipate new technologies and industrial scales rather than react after harm occurs.

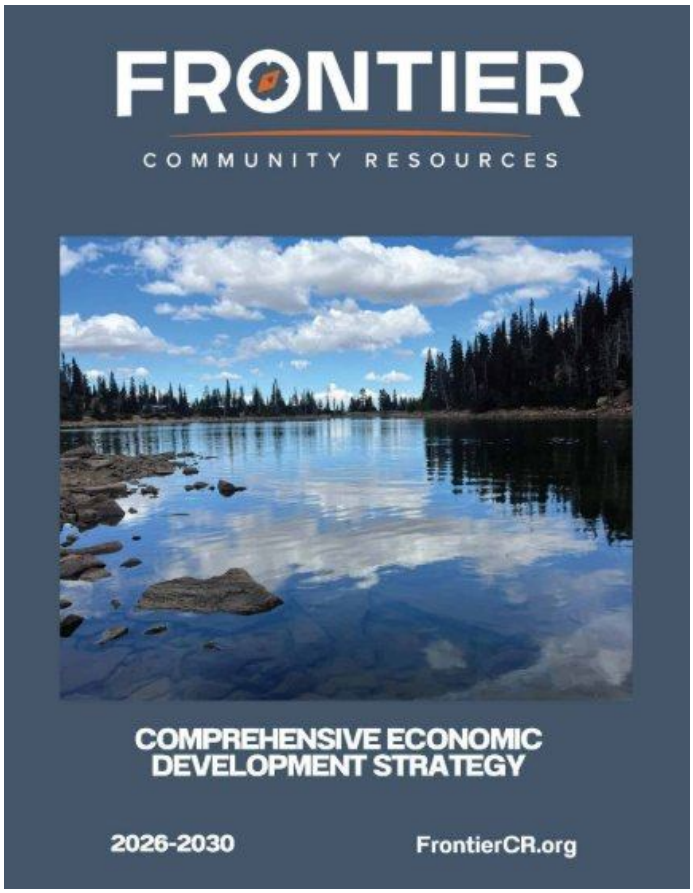
NOTE 62

Frontier's empty regional development strategy

November 18, 2025 · 863 words · https://substack.com/@jeffapierson/note/c-178443909

More Blind, Unrestrained Development in Southern Idaho? Frontier Community Resources is currently seeking public input on a draft Comprehensive Economic Development Strategy for South Central Idaho, including Blaine, Camas, Cassia, Gooding, Jerome, Lincoln, Minidoka, and Twin Falls Counties. According to its own description, this CEDS is a "strategy-driven plan for regional economic development" intended to "guide economic prosperity" and is required to maintain Frontier's designation as an Economic Development District and to qualify for federal economic development grants. That makes the content and direction of this document more than academic. It will be used to justify what kinds of projects are pursued, funded, and pushed into local communities for years to come. This document is largely devoid of substantive content. It recycles planning buzzwords and vague assurances without offering concrete policies, hard limits, or specific commitments that can be evaluated or enforced. In that vacuum, it reads less like a community roadmap and more like a positioning piece for the eventual introduction of large projects that will consume local land, water, and infrastructure while exporting most of the benefits elsewhere. My concern is that this framework will be used as an excuse to eliminate real accountability and genuine public scrutiny, to weaken or discard special use permit requirements, and to quietly neuter key protections in existing ordinances. In practice, that would mean using soft, feel-good language about "vision" and "resilience" to open the door for mega projects and outside corporations to access local resources, while residents are left with the long term risks, higher costs, and permanent strain on their community. Economic development used to mean building something with a community, not on top of it. Today, the way energy projects and data centers are pushed onto small towns looks a lot like the old robber barons with nicer logos and better slide decks. The pitch is always the same: jobs, tax base, progress, innovation. The reality is usually traffic, noise, water strain, higher rates, and a community that has to live with the fallout long after the ribbon cutting is forgotten. What makes it worse is that many of the people selling these projects clearly do not understand AI, data centers, or grid-scale energy on a technical or economic level. They repeat talking points written by consultants and lobbyists, while ignoring hard questions about land use, power demand, water consumption, and long term dependency on a single corporate tenant. Across the country, small communities are learning the same painful lesson. These mega projects extract value, export profits, and leave locals holding the bag when markets shift or promises evaporate. Copy and paste prosperity pitches are not neutral. They are immoral and unethical when they ignore evidence of harm, refuse honest transparency, and treat citizens as obstacles to be managed instead of stakeholders to be protected. Robber barons once used railroads and steel to dominate towns. Today their heirs use transmission corridors, tax incentives, and data farms. The arrogance is the same. The indifference to local people is the same. And unless communities push back, the result will be the same. A handful of winners, and a lot of places quietly sacrificed in the name of someone else's "growth." Idaho stands at a turning point. Growth is no longer a question of if but of what kind. Every county, town, and valley now faces the same dilemma that has broken other communities. Whether to let expansion dictate identity or to shape growth according to the values that built this place. These principles, grounded in liberty and property rights, exist to guide development through stewardship rather than speculation, ensuring that progress strengthens the community instead of consuming it. Sovereignty of Scale A community must govern the scale and pace of its own development. Growth that outpaces public consent or local capacity is not progress, it is displacement. Ecological Accountability All growth must respect the limits of the land, water, and air that sustain it. Industrial projects must prove they can operate without degrading shared resources or shifting environmental costs to future generations. Civic Reciprocity Development must strengthen the community that hosts it. Projects that erode public trust, divide residents, or weaken essential services violate the social contract that gives them legitimacy. Fiscal Integrity Public resources exist for public good. No private enterprise should depend on hidden subsidies, cost shifting, or ratepayer burdens. Every dollar of public investment must yield measurable public return. Cultural Continuity A region's character, its quiet, rhythm, and sense of belonging,

is a form of capital as real as land or infrastructure. Growth that destroys this inheritance impoverishes the community it claims to enrich. Duty of Scrutiny Elected officials and citizens share a moral responsibility to question and verify the claims of any project that seeks public trust. Vigilance is not obstruction. It is the foundation of good governance. Adaptive Governance Regulations must evolve as rapidly as the industries they oversee. Local ordinances should anticipate new technologies and industrial scales rather than react after harm occurs. For those who continue down this path - Shame on these shadow governments. Shame on the elected officials that allow this to happen. Shame on these practices. Shame on the modern robber barons. https://www.facebook.com/share/p/16n4tjbSeD/ ##0##



NOTE 63

A framework for liberty-based growth

November 21, 2025 · 1,224 words · https://substack.com/@jeffapierson/note/c-179754337

Outline Draft: Strategy for Community Cohesion and Liberty-Based Growth A Framework for Protecting Property, Culture, and Local Agency Introduction Every community has the right to preserve its character, protect its land, and defend the liberty of its citizens against outside manipulation. The rise of economic development groups, federal incentive programs, and state-level industrial policies has pushed rural communities toward scale, speed, and types of development that do not reflect local values. This document provides a principled, constitutional, and liberty-centered alternative. It outlines roles for local, county, state, and federal actors, defines mandatory safeguards, and sets forth hard and guiding principles aimed at protecting private property, limiting mega projects, and preventing foreign beneficiaries from shaping local life. Mission Statement The mission of this strategy is to restore local control over growth, prevent coercive or manipulative development practices, defend private property rights from takings and disguised seizures, and preserve the cultural, civic, and social cohesion that defines a community. Economic vitality must not come at the cost of identity, sovereignty, or liberty. Hard Principles Hard principles are non-negotiable. A community that compromises them cannot defend itself from predatory development, political capture, or cultural fragmentation. Private property is a sacred right Government at any level must not dilute, erode, or override it through coercive zoning, eminent domain, or economic pressure. Any use of eminent domain must be confined to genuine public use, not the enrichment of private corporations or foreign interests. Local identity is sovereign A community is not a blank slate for regional planners or investment groups. Its culture, pace, and values deserve protection as part of its inherited liberty. Consent of the governed is mandatory Development processes must not be driven by agencies, nonprofits, foundations, or external boards that bypass local voters. Public hearings must be meaningful and transparent. No special privileges for outsiders Development incentives must not reward mega corporations, foreign entities, or politically connected actors at the expense of residents. Human-scale development is the default Mega projects that transform land, water, roads, or civic character must carry the burden of proof and meet strict community thresholds before proceeding. Guiding Principles Guiding principles provide direction for policy, governance, and local stewardship. They reflect lessons from constitutional design, natural law, and local self-governance. Protect what already exists before inviting what does not yet exist. Communities must safeguard farmland, aquifers, neighborhoods, and local commerce before pursuing outside investment. Growth must strengthen cohesion, not fracture it. Development that strains roads, schools, public safety, or cultural trust is a net harm, regardless of revenue projections. Neutral rules, equal application. Zoning, taxation, and permitting must apply evenly across actors. Any deviation enables corruption and favoritism. Transparency by default. Every dollar of public money, every incentive, every agreement, and every negotiation must be visible to the public. Local preference. Benefits should accrue to local residents, workers, businesses, and landowners, not distant investors or foreign beneficiaries. Roles and Responsibilities Local Government Local governments hold the front line of cultural protection. Their primary duties are enforcing neutral rules, hosting transparent public processes, and defending residents from external pressure. Local officials must ensure land use remains consistent with community character and environmental capacity. They must resist pressure from EDGs and state agencies that seek to override local standards in the name of economic growth. County Government County governments must serve as a shield between rural communities and state or federal development agendas. Their responsibility is ensuring land use, infrastructure decisions, and special use permits are grounded in local capacity, not economic fantasies. County commissioners must treat water, roads, farmland, and community identity as assets that cannot be bartered away. Counties must block attempts to invoke eminent domain for private gain. State Government The role of the state is to uphold constitutional rights, restrict the misuse of public incentives, and prohibit state agencies from acting as development brokers. States must restrict the creation of quasi-public development authorities that operate without democratic accountability. State legislatures must tighten the definition of public use to prevent eminent domain abuse. The state must also require full

transparency for any project receiving public benefits, including water, land, or tax incentives. Federal Government The federal government has no constitutional authority to manage or plan local economies. Its influence must be minimized. Federal grants, tax credits, and energy incentives often distort local decision-making and entice communities into long-term obligations they did not choose freely. The federal role should be limited to enforcing constitutional rights, maintaining interstate commerce, and protecting national security. Federal agencies must not coerce localities into accepting mega projects or foreign beneficiary developments under the guise of national interest. Safeguards and Guardrails Transparency Requirements Every agreement, incentive, or memorandum of understanding involving development must be published in plain language and made available before any public vote. No confidential negotiations. No closed-door arrangements. Impact Thresholds Communities must require comprehensive, third-party independent impact assessments for land use, water usage, traffic load, emergency services, school capacity, and cultural effects. If thresholds are exceeded, the project cannot proceed. Property Rights Protections Eminent domain must be strictly limited to genuine public use such as roads or essential infrastructure owned and controlled by the public. No takings for private gain, industrial expansion, or energy corridor development that serves distant markets or foreign interests. Restriction on Mega Projects Mega projects should be prohibited unless they meet the following tests. They must provide clear, measurable benefit to local residents. They must not exceed environmental or cultural capacity. They must not replace local economic diversity with single-industry dependency. They must not receive public incentives that distort market competitiveness. Restriction on Foreign Beneficiaries Foreign ownership, foreign-controlled entities, or pseudo-domestic shell companies must not receive public resources, land access, tax incentives, or utility priority. Communities must adopt strict verification requirements to prevent indirect foreign capture. Accountability of Economic Development Groups EDGs must be stripped of their ability to negotiate incentives, shape land-use decisions, or influence permit outcomes. If they exist at all, they must operate as private associations without access to public funds or public powers. Glossary Economic Development Groups Private or quasi-public entities that influence growth, land use, or investment decisions without democratic accountability. Mega Project Any development of such scale that it transforms water usage, land patterns, public services, or community identity. Public Use A constitutional term that refers to genuinely public infrastructure owned by the public, not private entities or foreign beneficiaries. Community Cohesion The shared identity, trust, culture, and stability of a local population. It is weakened by rapid or externally driven development. Foreign Beneficiary Any foreign-owned or foreign-controlled company, fund, or entity that stands to profit from a project. Eminent Domain Abuse Any use of compulsory land seizure to benefit private actors or speculative development rather than genuine public use. Impact Thresholds Objective limits on water, roads, schools, and culture that define how much development a community can sustain without harm. Conclusion A liberty-based strategy for community protection requires rejecting the false promise of top-down economic development. It demands a return to local agency, property rights, and cultural stewardship. When a community governs the scale and nature of its own growth, it preserves its identity and ensures that prosperity does not come at the cost of liberty. This framework is not a plea for stagnation. It is a reminder that growth without guardrails becomes conquest. A free community sets its own boundaries and defends them.

NOTE 64

Loudoun County saved the Declaration, then surrendered

November 22, 2025 · 421 words · https://substack.com/@jeffapierson/note/c-180131091

The County That Saved the Declaration and Then Surrendered To Mega Corporations When British troops burned Washington in 1814, the only reason the Declaration of Independence survived was because a handful of clerks refused to abandon it. They hauled the parchment out of the burning capital, moved it through the chaos, and sheltered it at a quiet estate in Loudoun County, Virginia. Rokeby became the safehouse for the nation’s founding charter while the government fled and the city burned. Two centuries later, the same county tells a different story. Loudoun protected the Declaration when a foreign army threatened the country. Today, it stands as a warning about what happens when foreign and domestic corporate armies with concentrated economic power steer a community's future while residents pay the cost. The transformation happened fast. In the early 1990s, Loudoun was still agricultural. By the early 2000s, data companies discovered cheap power, open land, and the perfect gateway to Washington’s fiber backbone. Construction exploded. Massive server farms rose in places where barns once stood. Between 2013 and 2017, the county became known as the Data Center Capital of the World. By 2025, residents were fighting industrial noise, grid expansion, transformer fields, and high-voltage corridors that carved through neighborhoods with little regard for the people who lived there. The lesson reaches far beyond northern Virginia. Loudoun is not an outlier. It is the test case. What happened there is already happening in communities across the country. Any region with cheap electricity, permissive zoning, or limited political leverage faces the same pressure. Outside companies arrive with promises of prosperity. Local officials are told to hurry. Tax incentives are offered. Infrastructure demands grow. Residents lose control over the pace and character of their own communities. This is not an argument against technology or growth. It is a warning about what happens when growth is designed by forces that never have to live with the consequences. Jefferson warned that liberty becomes fragile when citizens lose influence over their local affairs. Madison wrote that divided power protects a free people. Those principles collapse when global firms carry more weight in a county chamber than the citizens who must bear the cost. Loudoun once sheltered the Declaration from a foreign threat. Now it shows how domestic forces with greater financial power than many states can overwhelm local self-government without firing a shot. The rest of America ignores this at its own risk. If your community thinks this cannot happen where you live, look to Loudoun. The warning has already arrived.

DECEMBER 2025

NOTE 65

Idaho medical PACs and political leverage

December 12, 2025 · 184 words · https://substack.com/@jeffapierson/note/c-186930647

The Quiet Influence of Idaho’s Medical Giants Hospitals and large medical networks are some of the most powerful political players in the state. Their lobbyists write legislation, shape regulatory frameworks, and dominate committee hearings. When their PACs start pumping money into campaigns, the public is expected to believe it is simply “supporting good leadership.” The reality is more cynical. These institutions operate in a space where access, licensing, reimbursement, and competition are controlled by the state. Their margins depend on political decisions that most voters never see. A contribution from a medical PAC is never a friendly gesture. It is a pressure point. It is a reminder of who controls the flow of money in Idaho’s largest economic sector. When candidates accept that money, voters deserve to ask hard questions. Why would a hospital system spend thousands to influence a small county legislative race. Why would a regional medical giant invest in shaping committees in Boise. The answer is simple. Because political outcomes determine profit outcomes. Taking the money raises real concerns about whose interests will prevail when public welfare conflicts with institutional advantage.

MARCH 2026

NOTE 66

No public subsidy for data centers

March 19, 2026 · 325 words · https://substack.com/@jeffapierson/note/c-229965859

Data Centers and Energy Projects Should Be On Their Own: No Public Subsidy, No Public Infrastructure, No Exceptions The subsidy question deserves its own treatment because the numbers have become absurd. State and local governments across the country have collectively offered tens of billions of dollars in tax abatements, infrastructure grants, utility rate preferences, and land deals to hyperscale data center operators. In many cases these concessions persist for decades. In virtually no cases are they conditioned on the nature of what the facility does. The public policy rationale offered is jobs and tax base. The reality is that hyperscale data centers are among the most capital-intensive and least labor-intensive industrial facilities ever constructed. A one-million-square-foot hyperscale facility may employ fewer than 50 permanent workers. The jobs argument is almost always fictitious at the scale being claimed. Meanwhile the infrastructure costs are real and are borne by everyone else: Power: Hyperscale facilities are consuming grid capacity at a rate that is materially affecting electricity prices and reliability for residential and small commercial customers in affected markets. That is a direct wealth transfer from the general public to data center operators. Water: Cooling water consumption at hyperscale facilities is substantial and in arid western states represents a genuine resource conflict with agriculture and municipal supply. Roads: Construction traffic and ongoing logistics operations impose road maintenance costs that are rarely internalized by project developers. Transmission: Grid interconnection upgrades required by large loads are frequently socialized across ratepayers rather than charged to the benefiting customer. The correct policy position is simple: no public subsidy of any kind for hyperscale data center construction, operation, or associated infrastructure. Not tax abatements. Not TIF districts. Not utility rate preferences. Not infrastructure grants. Not state economic development funds. If the economic case for a facility requires public subsidy to pencil out, that is the market telling you the facility should not be built where it is being proposed. Listen to the market.

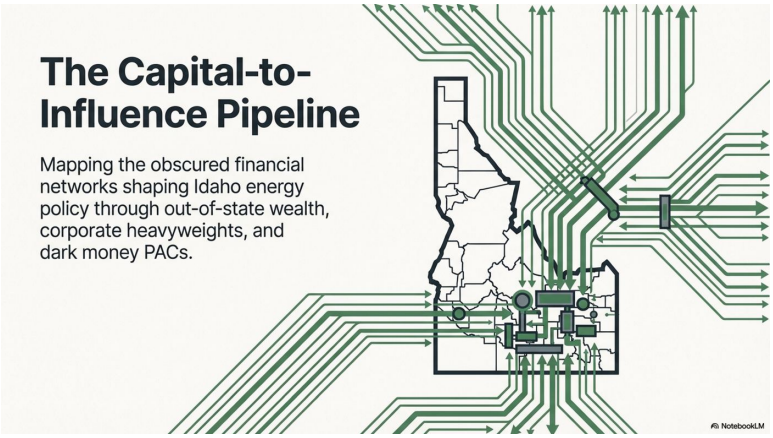
APRIL 2026

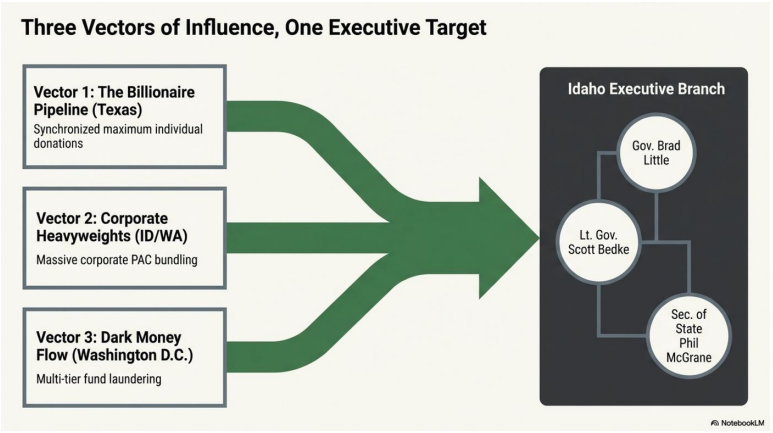
NOTE 67

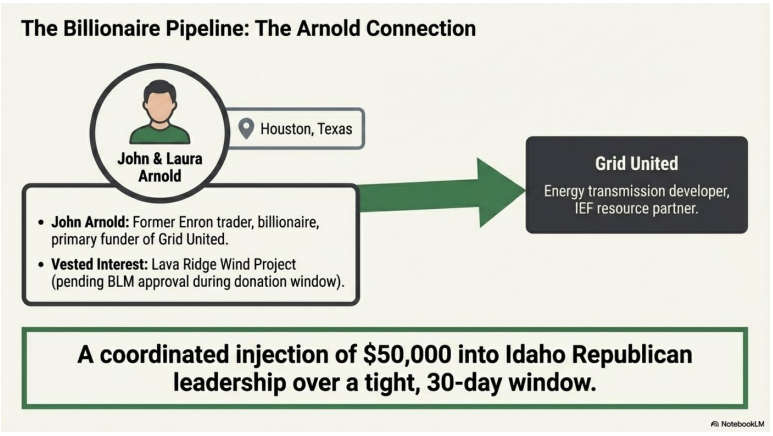
The influence pipeline in Idaho, part one

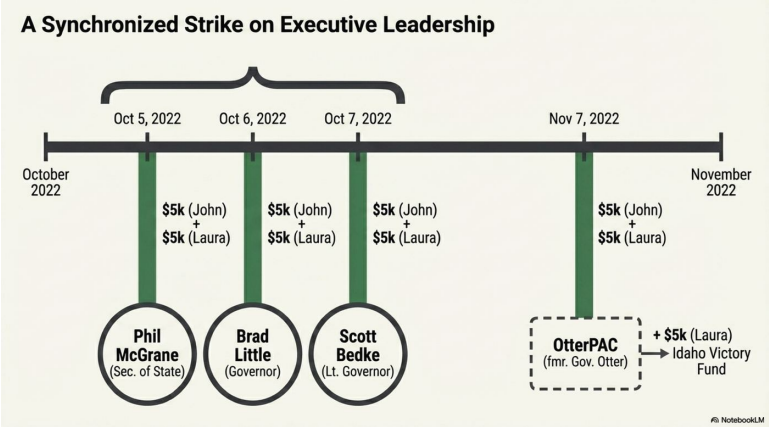
April 10, 2026 · 6 words · https://substack.com/@jeffapierson/note/c-241407450

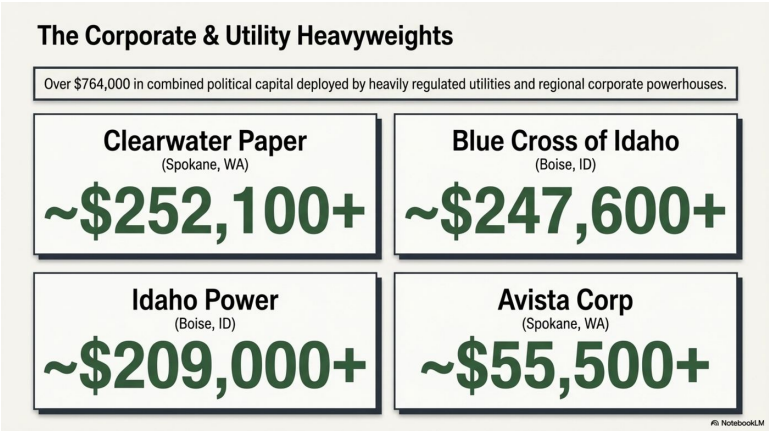
The Influence Pipeline in Idaho Pt1

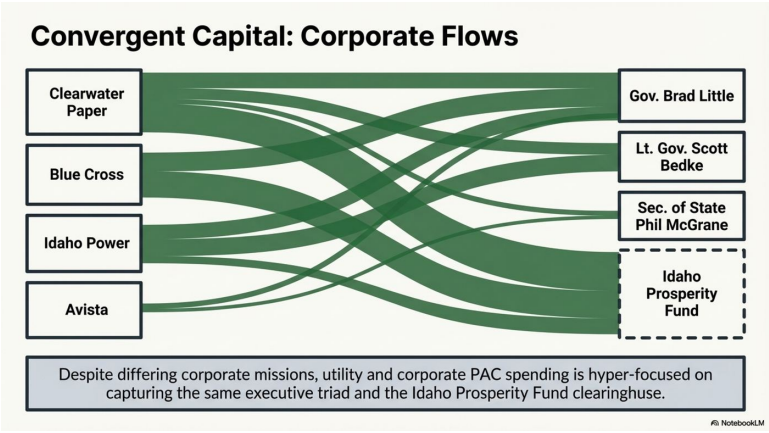







A Synchronized Strike on Executive Leadership
Oct 5, 2022
Oct 6, 2022
Oct 7, 2022
Nov 7, 2022
October 2022
November 2022
$5k (John) + $5k (Laura)
$5k (John) + $5k (Laura)
$5k (John) + $5k (Laura)
$5k (John) + $5k (Laura)
Phil McGrane (Sec. of State)
Brad Little (Governor)
Scott Bedke (Lt. Governor)
OtterPAC (fmr. Gov. Otter)
+ $5k (Laura) → Idaho Victory Fund
NotebookLM


The Corporate & Utility Heavyweights
Over $764,000 in combined political capital deployed by heavily regulated utilities and regional corporate powerhouses.
Clearwater Paper
(Spokane, WA)
~$252,100+
Blue Cross of Idaho
(Boise, ID)
~$247,600+
Idaho Power
(Boise, ID)
~$209,000+
Avista Corp
(Spokane, WA)
~$55,500+
NotebookLM


Convergent Capital: Corporate Flows
Clearwater Paper
Blue Cross
Idaho Power
Avista
Gov. Brad Little
Lt. Gov. Scott Bedke
Sec. of State Phil McGrane
Idaho Prosperity Fund
Despite differing corporate missions, utility and corporate PAC spending is hyper-focused on capturing the same executive triad and the Idaho Prosperity Fund clearinghuse.
NotebookLM

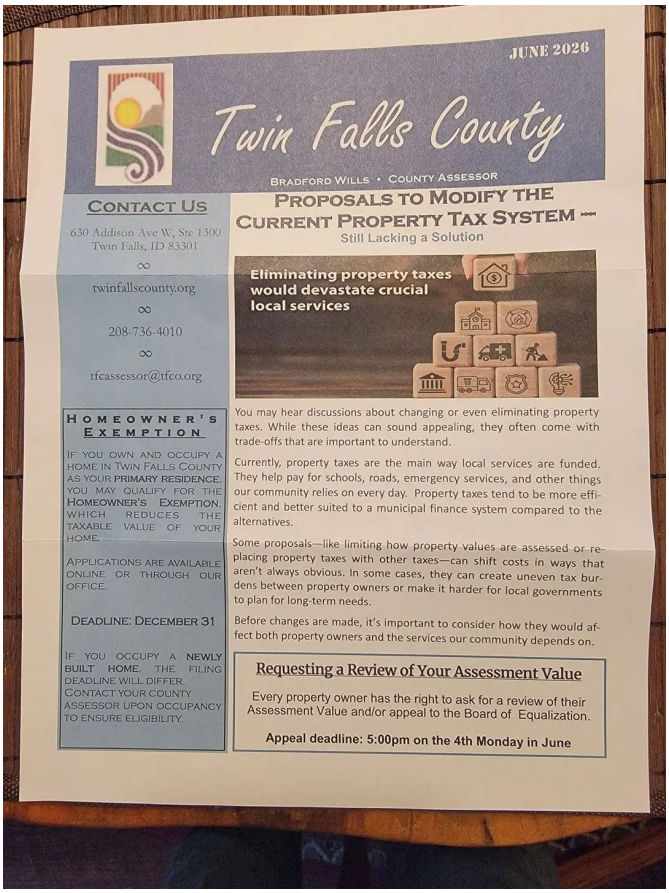
JUNE 2026

NOTE 68

The tax-and-grow Ponzi scheme

June 27, 2026 · 509 words · https://substack.com/@jeffapierson/note/c-283561669

If you are an elected official and NOT actively working to dismantle the current Tax and Grow system, you are selling out our future. Economic development organizations, developers, real estate interests, and government are incentivized to prop up a system of unrestrained growth. It is like a Ponzi scheme. A major part of the housing crisis, in my opinion, is driven by unrestrained, government-encouraged growth. Local governments recruit new businesses. Those businesses require new workers. New workers require more housing, roads, schools, utilities, public safety, and low-income housing. But residential growth, especially lower-cost residential growth, often does not fully pay for the public services and infrastructure it demands. At the same time, large businesses and developers are often given tax breaks, subsidies, infrastructure concessions, or other benefits. So the system has to keep chasing the next project, the next subdivision, the next employer, and the next round of revenue just to keep the cash cycle moving. That is why the “Ponzi scheme” comparison fits as an analogy. I am not saying it is literally a criminal Ponzi scheme. I am saying the logic resembles one: today’s growth creates short-term revenue, but it also creates long-term obligations that require even more future growth to sustain. Strong Towns describes this pattern as local governments receiving “modest near-term financial benefits from new development in exchange for the larger long-term financial commitments of providing ongoing service and maintenance.” This is not just theory. Cost of Community Services research has repeatedly found that residential development can generate tax revenue while still requiring costly public services that are often subsidized by commercial and industrial land uses. The American Farmland Trust summarized 83 studies in 19 states and found that residential development “generates significant tax revenue but requires costly public services” that are typically subsidized by other land uses. That does not mean growth is the only cause of the housing crisis. It is not. Interest rates, wages, lending, zoning, materials, migration, and federal policy all matter. But forced, subsidized, unrestrained growth is a key component. It increases demand for housing, inflates land values, strains infrastructure, and gives local government an excuse to demand more revenue. And when someone says, “Maybe we should slow growth,” people panic. Why? Because the whole system has been trained to depend on constant expansion. Slow the growth, and suddenly the budgets, subsidies, infrastructure promises, and political favors become harder to hide. That is one reason property tax must be eliminated. Property tax allows local government to keep feeding the machine by raising the cost of ownership and shifting the burden onto homeowners. Eliminating property tax would force local governments to re-prioritize spending, stop pretending every new project is automatically a public benefit, and confront the real cost of growth. Voting for “better officials” is not enough. The system is too easily influenced by large corporations, out-of-state PACs, developers, institutional interests, and political machines that want to socialize the cost of growth while privatizing the benefit. Forcing the elimination of property tax is the first real step toward breaking that cycle.



JUNE 2026

Twin Falls County

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HOMEOWNER'S EXEMPTION

IF YOU OWN AND OCCUPY A HOME IN TWIN FALLS COUNTY AS YOUR **PRIMARY RESIDENCE**, YOU MAY QUALIFY FOR THE **HOMEOWNER'S EXEMPTION**, WHICH REDUCES THE TAXABLE VALUE OF YOUR HOME.

APPLICATIONS ARE AVAILABLE ONLINE OR THROUGH OUR OFFICE.

DEADLINE: DECEMBER 31

IF YOU OCCUPY A **NEWLY BUILT HOME**, THE FILING DEADLINE WILL DIFFER. CONTACT YOUR COUNTY ASSESSOR UPON OCCUPANCY TO ENSURE ELIGIBILITY.

PROPOSALS TO MODIFY THE CURRENT PROPERTY TAX SYSTEM

Still Lacking a Solution

You may hear discussions about changing or even eliminating property taxes. While these ideas can sound appealing, they often come with trade-offs that are important to understand.

Currently, property taxes are the main way local services are funded. They help pay for schools, roads, emergency services, and other things our community relies on every day. Property taxes tend to be more efficient and better suited to a municipal finance system compared to the alternatives.

Some proposals—like limiting how property values are assessed or replacing property taxes with other taxes—can shift costs in ways that aren't always obvious. In some cases, they can create uneven tax burdens between property owners or make it harder for local governments to plan for long-term needs.

Before changes are made, it's important to consider how they would affect both property owners and the services our community depends on.

Requesting a Review of Your Assessment Value

Every property owner has the right to ask for a review of their Assessment Value and/or appeal to the Board of Equalization.

Appeal deadline: 5:00pm on the 4th Monday in June



AFFORDABLE HOUSING

3RD PLACE

2026 State Tax Competitiveness Index

Property Tax Component of the State Tax Competitiveness Index

In 2026, Idaho ranked third in the Tax Foundation's state tax competitiveness study (with #1 being the top ranking).

States that keep statewide property taxes low better position themselves to attract business investment.

-TaxFoundation.org

Affordable Housing: Are We Solving the Problem or Shifting the Cost?

The Challenge

Housing affordability is a real concern, and many families are feeling the impact of rising costs. People are entering the housing market later, and it's becoming harder for some to find homes they can afford.

At its core, housing prices are driven by supply and demand. When there aren't enough homes available, prices tend to rise. Increasing the number of homes is one way to help address affordability—but how we do that matters.

The Policy Debate

Some proposed solutions don't actually reduce costs—they shift them. For example, government subsidies are funded by taxpayers, and requirements for below-market housing can increase prices on other homes. The cost doesn't disappear—it's simply paid in a different way.

Other proposals focus on changing zoning rules or allowing different types of housing in established neighborhoods. These ideas are often described as removing barriers to housing, but they can also affect things like traffic, parking, infrastructure, and the character of existing neighborhoods.

Zoning rules and neighborhood covenants play a role in planning for growth—helping communities manage density, services, and long-term development. Broad, one-size-fits-all changes may increase the number of housing units on paper, but they can also create challenges if infrastructure and services don't keep pace.

The Path Forward

This doesn't mean communities should avoid growth. Additional housing options are clearly needed. The key question is how to expand housing in a way that is balanced, sustainable, and considers the needs of both current and future residents.

In many cases, real affordability comes from increasing housing supply in areas that are prepared for growth—by streamlining processes, encouraging appropriate development, and reducing unnecessary delays—while also maintaining infrastructure, property values, and community stability.

JULY 2026

NOTE 69

Economic development as modern mercantilism

July 31, 2026 · 1,655 words · https://substack.com/@jeffapierson/note/c-305684062

Economic Development and Modern Mercantilism (abridged) The Old Arrangement A busy harbor is not the same thing as a prosperous town. That distinction is the whole subject. In 1750 you could stand on a wharf in Charleston or Newport and watch a fortune move past you in a single afternoon. Ships riding low, warehouses full, stevedores working, ledgers filling up with numbers. Everything about the scene said wealth. And yet the value in those holds was not staying. It was passing through on its way to somebody else's balance sheet, and the men on the dock were being paid a wage to load it. That is what an announcement does. When a county reads a capital investment figure into a microphone, it is describing throughput, not retention. Two hundred million dollars, four hundred jobs, a number so large it feels like an answer. But the question was never how much value moves through here. The question is how much of it stays, who holds the title, where the profit books, and who pays for the road it drives out on. Traffic is not wealth. A place can be extremely busy and quietly going broke, and if you only ever measure the traffic you will never notice. What mercantilism actually was Mercantilism was not a vague grabbing instinct. It was a doctrine, taught and defended, and it had a logic. The doctrine held that national wealth was a fixed quantity, that trade was therefore a contest rather than an exchange, and that the sovereign's job was to arrange commerce so that his nation captured more of the fixed pile than its rivals. From that premise everything else follows. If wealth is finite, a competitor's gain is your loss, so competition must be suppressed rather than permitted. If bullion is the measure, exports must exceed imports, so some subjects must be forbidden to buy where they please. And if the arrangement is to be maintained against people who would rationally defect from it, the state must grant privileges to the enterprises that carry it out and protect them from anyone who might undercut them. That last piece is the one that matters here. Mercantilism always produces the chartered company. Not as an abuse of the system but as the system functioning correctly. Somebody has to be granted the exclusive right, or the whole scheme leaks. Five features, then, and you can check any arrangement against them. The sovereign grants a privilege that others cannot obtain. The privileged party is protected from competition. Raw material flows outward while finished value is produced elsewhere. Public authority absorbs the risk while private parties take the return. And the rules are enforced selectively, which is to say enforced against the people with the least standing to object. How it worked on the colonies The colonies were not governed as places. They were governed as an input. The Navigation Acts, beginning in 1651 and tightened repeatedly through the century, required that colonial goods move in English or colonial ships, crewed largely by English subjects, through English ports. The enumerated commodities list, which grew over time, meant that sugar, tobacco, indigo, naval stores and others had to be landed in Britain first even when the natural buyer sat closer and paid better. A Virginia planter could not sell directly to Amsterdam. The cargo went to London, the London merchant took his margin, and only then did it move on. Then the second half of the machine. The Wool Act of 1699 forbade the export of colonial wool and woolen goods across colonial borders. The Hat Act of 1732 restricted colonial hatmaking, capping apprentices and blocking intercolonial sale. The Iron Act of 1750 encouraged the shipment of colonial pig and bar iron to Britain while prohibiting new colonial mills that would have turned it into finished product. Read those three together and the pattern is unmistakable. The colonies were permitted to extract. They were not permitted to finish. You could dig the ore. You couldn't make the nail. This is worth being honest about, because the argument is stronger without overreach. The system was not uniformly ruinous. Britain paid bounties on naval stores and indigo. Colonial shipbuilders did well inside the protected carrying trade. Some colonists were net beneficiaries, which is exactly why the arrangement survived as long as it did. Every mercantile system buys its own constituency. That is a feature of the design, not a refutation of the critique. The Tea Act made tea cheaper Here is the episode that should stop anyone who believes the Revolution was a dispute about prices. By 1773 the East India Company was in serious trouble, sitting on an enormous unsold tea surplus and too entangled with British finance and British political power to be allowed to fail. Parliament's remedy was to let the Company ship directly to America

through its own consignees, bypassing the London middlemen and the duties that came with that route. The result was cheaper tea. Genuinely cheaper, including cheaper than the smuggled Dutch tea the colonists had been drinking for years. And Boston threw it in the harbor. Why would men destroy a bargain? Because the Act handed one politically connected corporation a monopoly on distribution and cut colonial merchants out of a market they had built. Because a government had chosen a winner, and the winner had been chosen for reasons that had nothing to do with serving anyone in Massachusetts. A struggling corporation, a legislative favor, a captive market, the public absorbing the consequences. Cheaper tea wasn't a consolation. It was the offer. And they understood something we have mostly forgotten, which is that a people who will accept a favorable price in exchange for a rigged structure have already conceded the argument, and will be made to concede it again every time the structure is invoked afterward. 1776 The Wealth of Nations appeared in 1776. Book Four is a sustained assault on the mercantile system, and Smith's charge is not that it failed to enrich anyone. His charge is that it enriched the merchants who lobbied for it at the expense of the nation that paid for it, and that the colonial monopoly was maintained for exactly that reason. The same year, on the other side of the ocean, Jefferson set down the King's offenses, and there among them, in the Declaration itself, is cutting off our trade with all parts of the world. Somebody will object that the Revolution was fought over constitutional rights and self government rather than economics. That is a false split. The constitutional question was about who possessed the authority to impose the mercantile system. The rights language was the form the fight took. The extraction was what the fight was about. And there is one more detail in the record that anyone watching Idaho should sit with. The Navigation Acts sat on the books for generations without producing a war. The colonies tolerated them, evaded them, smuggled around them, and got on with life. What changed after 1763 wasn't the law. Britain came out of the Seven Years' War carrying enormous debt and decided to start collecting. New enforcement, admiralty courts without juries, writs of assistance. A bad system is tolerable right up until the day it's enforced against you. The same five features, now Nobody calls it mercantilism anymore. It's called economic development, and the vocabulary is friendlier, but run it against the list. The sovereign grants a privilege that others cannot obtain. A tax exemption, an abatement, a reimbursement agreement, a revenue allocation district. Available to the enterprise large enough to negotiate for it, unavailable to the shop on Main Street that has been paying full freight for thirty years. That is a charter. We simply issue it by resolution instead of by seal. The privileged party is protected from competition. Not by statute now, but by cost structure. When one competitor operates without the tax burden its rivals carry, the state has picked the winner just as surely as if it had named him. Raw material flows outward while finished value is produced elsewhere. This is the closest parallel and the least noticed one. What does the Magic Valley actually supply? Land, water, cheap power, transmission corridor, and a workforce. What leaves is electricity sold into distant markets and computation monetized on a balance sheet in another state. The margin books somewhere else. We dig the ore. Somebody else makes the nail. Public authority absorbs the risk while private parties take the return. The subsidy is the underwriting. If the project pencils, the return is private. If it doesn't, the county is holding infrastructure it built for a tenant who left, and the residents cover the difference in a supplemental levy. And the rules are enforced selectively. The homeowner cannot negotiate his assessment. The farmer cannot negotiate his. Enforcement falls with full weight on the people with the least standing to object, which is precisely where it fell in 1764. Naming it Half the county calls this free enterprise because a business is involved. The other half calls it corporate socialism because government wrote a check. Both are wrong, and being wrong about the name guarantees being wrong about the cure. It isn't the free market. In a free market a company that can't make the numbers work at a site doesn't build at that site, and nobody underwrites its miscalculation. Letting bad bets fail is the entire virtue of the thing. It isn't socialism. The public doesn't own the asset, doesn't sit on the board, doesn't vote the dividend, and doesn't see a dollar of the upside when it works. It's mercantilism. The sovereign grants the privilege, the favored enterprise takes the profit, the public absorbs the loss. We have a word for it because the arrangement is old. We have a country because our great-grandfathers refused to live under it. The harbor is busy. Ask what's staying.


ECONOMIC DEVELOPMENT
AND MODERN MERCANTILISM
The harbor is busy. Ask what's staying.
VALLEY SUPPLY CO.
COUNTY PROJECT
PUBLIC INVESTMENT
BUILDING OUR FUTURE
• Infrastructure
• Good Jobs
• Economic Growth
© 2026 Jeff A Pierson

PART 5

Surveillance & the Networked Camera State

Cameras, plate readers, and the quiet construction of a searchable citizenry.

7 NOTES · DECEMBER 13, 2025 – JULY 30, 2026

DECEMBER 2025

NOTE 70

Clearview and corporate AI rights abuses

December 13, 2025 · 1,036 words · https://substack.com/@jeffapierson/note/c-187314598

Examples of Corporations Using AI to Abuse Rights Below are concrete, real-world examples showing how AI has been misused and how actors have attempted to evade accountability. These are not hypotheticals. They illustrate recurring patterns. Clearview AI built a facial recognition system by scraping billions of images from social media platforms without consent. (A New York Times investigation into Clearview AI's data collection practices, 2020) The company marketed the system to law enforcement and private clients while claiming it merely indexed “publicly available images.” When challenged, Clearview argued that scraping was lawful, that users controlled how the tool was used, and that responsibility lay with the agencies that deployed it. Multiple regulators disagreed. Authorities in the EU, the UK, Canada, and Australia found that Clearview violated privacy laws and imposed fines or bans. (Clearview AI faces criminal complaint in Austria for suspected privacy violations, 2025) The evasion attempt was an abstraction. Clearview framed mass biometric surveillance as neutral search technology and tried to shift accountability to downstream users. COMPAS, a criminal risk-assessment algorithm used in U.S. courts, illustrates developer and institutional misuse through opacity. (Rudin et al., 2018) Judges relied on COMPAS scores for bail and sentencing decisions. ProPublica documented that the system produced racially skewed results. (Angwin et al., 2016) The vendor, Northpointe, refused to disclose the model logic, citing trade secrets. (Artificial Intelligence as Evidence, 2024) Courts continued to use it anyway. When harm was alleged, judges said they did not control the algorithm, and the developer said it only provided “advisory” scores. Accountability vanished between vendor secrecy and judicial deference. Facebook’s recommendation algorithms during the 2016 election and afterward provide an example of corporate misuse at scale. (Pope et al., 2021) Internal documents released by whistleblower Frances Haugen showed the company knew its engagement-optimized algorithms amplified outrage, misinformation, and political polarization. (Facebook whistleblower says company incentivizes 'angry, polarizing, divisive content', 2021) Facebook publicly claimed neutrality, stating it did not create content and merely reflected user behavior. Internally, it measured and predicted harm. The evasion strategy was platform immunity combined with algorithmic inevitability. “We do not decide” was used to mask the fact that the system was explicitly tuned to shape behavior. Amazon’s AI recruiting tool demonstrates quiet abandonment without accountability. The system was trained on historical resumes and learned to downgrade applications from women. (Dastin & Jeffrey, 2018) Amazon discovered the bias internally and discontinued the tool. (Amazon ditched AI recruiting tool that favored men for technical jobs, 2018) There were no penalties, no disclosures to affected applicants, and no legal consequences. The harm was framed as an experiment that “did not work out.” This is evasion through internal suppression. When AI causes discrimination before deployment at scale, corporations often quietly shelve it rather than disclose or remediate downstream effects. Autonomous vehicle cases show how responsibility is diluted across layers. In the 2018 Uber self-driving car fatality in Arizona, the company argued the safety driver failed to intervene, the vehicle detected the pedestrian but classified her incorrectly, and the system behaved within design parameters. (Uber crash shows 'catastrophic failure' of self-driving technology, experts say, 2018) Prosecutors charged the safety driver, not Uber. Uber avoided criminal liability and settled civil claims. (Uber won’t face criminal charges over fatal self-driving car crash, 2019) The evasion method was fragmentation. Human operator, sensor fusion, classification logic, and corporate deployment decisions were separated so no single actor bore full responsibility. OpenAI, Google, and other model developers have faced claims related to training data sourced from copyrighted or proprietary material. (Indian AI royalty proposal targets data practices of OpenAI, Google, 2025) Developers often argue that models do not store data, only learn patterns, and that individual outputs cannot be traced to specific works. This is data laundering as defence. Courts are now testing whether scale, intent, and commercial use override that abstraction, but for years, the argument successfully delayed accountability. In China, AI-driven social scoring systems show state misuse without evasion. The government openly uses AI for surveillance, behavioral enforcement, and restriction of movement. (Weber & Valentin, 2025) Accountability

is avoided not through complexity but through power. The example matters because it demonstrates the endpoint of unchecked AI authority. When the state is both deployer and judge, accountability ceases entirely. Closer to the U.S. context, predictive policing tools like PredPol were marketed as crime-prevention systems. Investigations found they often reinforced historical bias by sending police repeatedly to the same neighborhoods based on past arrest data. Vendors claimed neutrality. Police departments claimed reliance on vendor tools. When cities like Los Angeles discontinued the systems, no one was held accountable for years of distorted policing. (Bhuiyan & Johana, 2021) Again, responsibility dissolved between the algorithm and the institution. Across these cases, the pattern is consistent. Harm is foreseeable. Benefits are captured by developers or institutions. Risk is externalized to individuals. Accountability is evaded through complexity, opacity, jurisdictional separation, or the claim that AI is merely advisory. The lesson is blunt. When AI is allowed to function as a moral and legal buffer, it will be used that way. References (2020). A New York Times investigation into Clearview AI's data collection practices. https://www.nytimes.com/2020/01/18/technology/clearview-privacy-facial-recognition.html (2025). Clearview AI faces criminal complaint in Austria for suspected privacy violations. https://www.reuters.com/sustainability/society-equity/clearview-ai-faces-criminal-complaint-austria-suspected-privacy-violations-2025-10-28/ Rudin, Wang, C., Coker, C. & Beau. (2018). The age of secrecy and unfairness in recidivism prediction. https://arxiv.org/abs/1811.00731 Angwin, Julia, Larson, Jeff, Mattu, Surya, Kirchner & Lauren. (2016). Machine Bias. https://www.propublica.org/article/machine-bias-risk-assessments-in-criminal-sentencing (2024). Artificial Intelligence as Evidence. https://ncji.org/wp-content/uploads/2024/10/Artificial-Intelligence-as-Evidence.pdf Pope, Adam, West & Sara. (2021). Rubles and Rhetoric: Corporate Kairos and Social Media's Crisis of Common Sense. https://www.jstor.org/stable/10.5325/presenttense.11.1.0001 (2021). Facebook whistleblower says company incentivizes 'angry, polarizing, divisive content'. https://www.cbsnews.com/news/facebook-whistleblower-frances-haugen-60-minutes-polarizing-divisive-content/ Dastin & Jeffrey. (2018). Amazon scraps secret AI recruiting tool that showed bias against women. https://www.reuters.com/article/us-amazon-com-recruitment-idUSKCN1MK08G (2018). Amazon ditched AI recruiting tool that favored men for technical jobs. https://www.theguardian.com/technology/2018/oct/10/amazon-hiring-ai-gender-bias-recruiting-engine (2018). Uber crash shows 'catastrophic failure' of self-driving technology, experts say. https://www.theguardian.com/technology/2018/mar/22/self-driving-car-uber-death-woman-failure-fatal-crash-arizona (2019). Uber won't face criminal charges over fatal self-driving car crash. https://www.expressandstar.com/news/motors/2019/03/07/uber-wont-face-criminal-charges-over-fatal-self-driving-car-crash/ (2025). Indian AI royalty proposal targets data practices of OpenAI, Google. https://www.reuters.com/sustainability/boards-policy-regulation/indian-ai-royalty-proposal-targets-data-practices-openai-google-2025-12-09/ Weber & Valentin. (2025). China's AI-Powered Surveillance State. Journal of Democracy 36. https://www.journalofdemocracy.org/articles/chinas-ai-powered-surveillance-state/ Bhuiyan & Johana. (2021). LAPD ended predictive policing programs amid public outcry. A new effort shares many of their flaws. https://www.theguardian.com/us-news/2021/nov/07/lapd-predictive-policing-surveillance-reform

MARCH 2026

NOTE 71

Searchable citizens and Flock's tracking network

March 20, 2026 · 293 words · https://substack.com/@jeffapierson/note/c-230521759

Searchable Citizens, Predictable Abuse Most people think license plate readers are about catching stolen cars or finding suspects after a crime. That is not what this is becoming. Systems like Flock are turning into a nationwide tracking network. Your vehicle is logged, time-stamped, and stored. That data can be searched, shared across jurisdictions, and increasingly tied to other databases that identify who you are, where you go, and who you associate with. This is not limited to local policing. According to the ACLU, these systems have already been used in ways that assist federal immigration enforcement. The same infrastructure can be used to track movement tied to protests, firearms ownership patterns, or travel related to medical decisions. Now add AI. Flock is expanding into video surveillance and natural language search. That means the shift is from “find a suspect” to “show me everyone who fits a pattern.” That is not investigation. That is algorithmic suspicion. And here is the part people ignore: abuse is not a possibility, it is a guarantee. Any system that tracks ordinary people at scale will be misused. Not just by policy, but by individuals. Unauthorized searches. Targeting ex-spouses, journalists, political opponents. Quiet monitoring of people who have done nothing wrong. History is full of examples where access to data became access to power. And it does not stop with government. The model allows private companies to build shared watchlists and extend surveillance into the commercial world, where there is even less accountability. Once a system like this exists, it will be used, stretched, and eventually abused. The question is not whether the technology works. The question is whether constant, searchable tracking of ordinary people, combined with inevitable abuse, is something we are willing to accept as normal. https://www.aclu.org/news/privacy-technology/flock-roundup?fbclid=IwY2xjawQp50pleHRuA2FlbQIxMQBzcnRjBmFwcF9pZBAyMjIwMzkxNzg4MjAwODkyAAEeJaHhAQr7R1qyTMbH9z6gQh_OAsfmTTVGiA-fl2QE2UBRg

APRIL 2026

NOTE 72

The Flock camera misuse lesson

April 2, 2026 · 915 words · https://substack.com/@jeffapierson/note/c-236952841

There is a lesson in the story of Jerome County's Flock crisis, but it may not just be that a sheriff accessed a data system inappropriately. "JEROME COUNTY, Idaho (KMVT/KSVT) — Jerome County Sheriff George Oppedyk used Flock cameras to search for his wife's vehicle hundreds of times between July and September 2025, records show." Oppedyk retired after 22 years in law enforcement, roughly halfway through his current four-year term. Documents obtained by KMVT revealed the sheriff was under investigation leading up to his announcement. Following that investigation, the Idaho Attorney General's Office said in a February letter it did not find "sufficient evidence to prove a crime beyond a reasonable doubt." Years ago, I was responsible for the prosecution of a woman who used a government data system to adjust a family member's income — multiple times — to make sure that person received the maximum amount of taxpayer-funded assistance. She faced charges. The sheriff? He gets to walk away. Keeps his retirement. Keeps his record clean. Lesson 1: Justice is not equal when you are "the law." The sheriff, by most accounts an otherwise reasonable, decent human being, was for whatever reason compelled to track his wife's movements. Hundreds of searches. It looks like obsession. Maybe insecurity. Maybe suspicion. It doesn't matter. His behavior crossed a line — and the system he used to cross it belongs to the public. Lesson 2: Everyone is a few bad decisions away from hell or a courtroom. How did these cameras get purchased? When were they installed? With the controversy already surrounding the Flock system nationwide, common sense would suggest the county would explain to the community what it was planning — long before it was done. They didn't. And now the county doesn't just look like it's running surveillance on its own citizens. It is running surveillance on its citizens. And we didn't even get the courtesy of a heads-up. Lesson 3: Government doesn't ask permission, doesn't generally ask forgiveness, and if you don't like it — find an attorney, a couple hundred thousand dollars, and sue. So what about these Flock cameras? Are they violating our rights? Maybe. Here's what I see. Here's what's documented. Illegal Data Sharing Flock shared California ALPR data with law enforcement agencies in 26+ states, violating the state's ALPR Privacy Act (SB 34) Out-of-state agencies searched San Francisco's Flock database over 1.6 million times in a seven-month period Los Altos' Flock readers shared data with out-of-state agencies more than a million times Mountain View police discovered that Flock — not the department — turned on out-of-state access without authorization San Diego PD experienced unauthorized outside agency access during its initial Flock setup Flock ran an undisclosed pilot program with Customs and Border Protection and Homeland Security Investigations — while publicly claiming it had no federal contracts An Illinois Secretary of State audit confirmed Flock facilitated CBP access to Illinois data in violation of state law Warrantless Mass Surveillance Flock cameras photograph every vehicle that passes — not just suspects — creating dragnet surveillance without warrants or probable cause Norfolk's police chief openly stated cameras were placed to make it difficult to drive anywhere without being captured Two Norfolk residents were photographed 475 and 325 times respectively over just four months Data is stored in searchable databases for 30 days, accessible to anyone with system access A federal judge acknowledged the system raises plausible Fourth Amendment concerns under Carpenter v. United States Discriminatory and Targeted Surveillance Over 80 law enforcement agencies used Flock to target Romani people with searches using racial slurs Agencies logged hundreds of searches tied to lawful political demonstrations — including the 50501, Hands Off, and No Kings protests Delaware State Police queried Flock nine times to target animal rights activists from Direct Action Everywhere Law enforcement used Flock data to investigate a woman seeking an abortion, potentially violating Washington state law Data sharing raised concerns about use in federal immigration enforcement and deportation operations Lack of Transparency and Accountability Flock argued that ALPR data captured on behalf of government agencies was not subject to public records requests — a Washington court rejected this Flock tried to intervene late in the Norfolk lawsuit to block it; the federal judge denied the motion, noting Flock had deliberately sat on the sidelines El Cajon refused to stop sharing data even after direct contact from the California Attorney General Flock publicly denied having federal contracts while simultaneously running

> a CBP/HSI pilot program Multiple cities discovered unauthorized data sharing only through outside investigations and audits — not through Flock's own disclosures Chilling Effects on Constitutional Rights First Amendment: surveillance of lawful protest activity across multiple movements Fourth Amendment: warrantless tracking of all drivers' movements without individualized suspicion Reproductive rights: ALPR data used to investigate abortion-related travel Immigrant communities: data sharing with federal agencies enabled potential use for immigration enforcement Freedom of movement: plaintiffs described the system as the equivalent of an ankle monitor on an entire city The bigger lesson — the one our nation was founded on — is simple: Don't trust the government. Not any jurisdiction. Not any size. Not based on any relationship. Governments are built and operated by flawed people who do flawed things on a regular basis. The only safeguard that has ever worked is an informed public that refuses to look the other way. This is what this song is about! The Wife — Presented by a Flock of Cameras © 2026, Jeff A. Pierson

JULY 2026

NOTE 73

Answering the “nothing to hide” argument

July 13, 2026 · 1,298 words · https://substack.com/@jeffapierson/note/c-293843302

“But If You Aren’t Doing Anything Wrong” 1. The Burden Belongs to the Government “If you are not doing anything wrong, why worry?” It sounds reasonable until you examine what it actually assumes. In a free country, the government must justify surveillance to the citizen. The citizen does not have to justify privacy to the government. The Fourth Amendment does not protect only those who can explain why they deserve to be left alone. It recognizes the right of the people to be secure in their persons, homes, papers, and effects. The “nothing to hide” argument reverses that principle. It assumes that citizens may be watched by default and that privacy is a privilege granted only after they prove their innocence. That is the logic of probation, not liberty. 2. Trusting Every Watcher Forever The argument also assumes that those operating the surveillance system will remain honest, restrained, competent, and trustworthy forever. That means trusting every current official, every future official, every employee with access to the database, every private contractor, and every hacker capable of entering the system. “I am not doing anything wrong” is a statement about the person being watched. It says nothing about the people doing the watching. The danger is not limited to some imaginary future. License plate databases have already been accused of being used for personal purposes, shared across jurisdictions without meaningful public approval, and searched for purposes local communities never authorized. A person does not escape the consequences of abuse merely because he obeyed the law. His ordinary trip to the grocery store is recorded in the same database as every other movement. That record may look harmless today. It may not remain harmless. 3. The Meaning of “Wrong” Can Change “Wrong” is not a fixed category. It is defined by laws, policies, prosecutors, administrators, and political officials, all of whom change. When people say they are not doing anything wrong, they usually mean they are not violating today’s rules, as interpreted by today’s authorities. Legal conduct can later become illegal. Disfavored conduct can become investigated conduct. A church, political meeting, protest, gun show, medical clinic, union hall, or private gathering may be entirely lawful while still becoming interesting to someone in power. A license plate history can reconstruct those associations without ever asking the citizen a question. The surveillance record does not disappear when administrations change or political attitudes shift. It remains available, waiting for a new official, a new policy, or a new definition of what counts as suspicious. 4. The Phone Comparison Proves Too Much Defenders often respond that smartphones already track people. That comparison strengthens the case against government camera networks rather than weakening it. The argument amounts to this: because people have already surrendered some privacy, they should surrender more. That is not a limiting principle. It is a ratchet. Under that reasoning, no new surveillance system could ever be opposed because some earlier form of surveillance already exists. Every intrusion becomes the justification for the next intrusion. There is also a basic distinction between carrying a phone and traveling on a public road. A person purchases a phone. He can turn it off, leave it at home, replace it, or stop carrying it. A government-linked camera network photographs every passing vehicle without consent and without any practical means of opting out. The only way to avoid the system may be to stop traveling altogether. A voluntary tradeoff is not the same thing as a government dragnet. 5. Privacy Is Not Secrecy Privacy is also not the same as secrecy. People lock bathroom doors, seal envelopes, close curtains, protect passwords, and decline to publish their medical records, financial history, private conversations, or prayer life. None of that suggests criminal activity. Some things are private because they are personal, not because they are illegal. The claim that innocent people have nothing to hide rests on another dangerous assumption: that government will never misunderstand innocent conduct, never misuse incomplete information, and never construct a false narrative from accurate but disconnected facts. A surveillance database does not record motives. It records locations, times, vehicles, and associations. Those fragments can be interpreted correctly, incorrectly, or maliciously. “Nothing to hide” usually means nothing to hide from the officials a person currently trusts. Once stated honestly, the weakness of the argument becomes obvious. Constitutional protections were not written only for periods when trustworthy people held power. They were written because no official, party, or institution can be

trusted with unlimited authority. 6. Crime Solving Does Not End the Argument The crime-solving argument does not answer the constitutional question either. Few people dispute that more surveillance can solve some crimes. A camera inside every home would also help solve burglaries, assaults, domestic violence cases, and murders. The reason government does not place cameras in every living room is not that the footage would be useless. It is that usefulness alone does not justify the intrusion. “Would this help catch criminals?” has never been the only test in a free society. The real question is whether recording the movements of thousands of innocent people is justified by the limited number of crimes the system may help solve. A network that gathers enormous amounts of information about ordinary citizens in the hope of identifying an occasional suspect should not be defended merely by pointing to its most successful case. Every surveillance program can produce an anecdote. The constitutional issue is the scale of the intrusion, the limits on access, the duration of retention, the purposes for which the data may be searched, and the remedies available when the system is abused. 7. An Argument Designed Never to Lose The “nothing to hide” argument avoids all of those questions. It treats objection itself as suspicious. That is what makes the argument especially corrosive. It is structured so that it cannot lose. If a person accepts surveillance, the system is declared harmless. If he objects, the objection is treated as evidence that he may be hiding something. That is not reasoning. It is a loyalty test. Any argument that converts dissent into suspicion has already adopted the logic of the surveillance system it is defending. The Fourth Amendment was written in response to general warrants and writs of assistance that permitted broad searches without individualized justification. The principle behind those abuses was familiar: innocent people should have nothing to fear from government searches. The Founders rejected that reasoning. They understood that the issue was not whether every search would uncover misconduct. The issue was whether government could search first and justify itself later. 8. Voter Identification Is Not Continuous Tracking Attempts to compare permanent vehicle tracking with voter identification also fail. Presenting identification at a polling place is a defined act connected to a particular transaction and a stated legal purpose. A camera network that records a person’s movements throughout the day is continuous, passive, and unrelated to any specific transaction. One system asks a person to establish eligibility at a defined moment. The other creates a historical record of where that person has traveled. Those are not equivalent exercises of government power. In fact, the distinction illustrates the constitutional principle that surveillance advocates keep trying to avoid. Free societies may accept narrow identification requirements tied to a legitimate and limited purpose. They remain deeply suspicious of general tracking systems that collect information about everyone merely because the technology makes it possible. 9. The Question Surveillance Advocates Avoid The question is not whether a person has done something wrong. The question is whether government has sufficient cause, lawful authority, and meaningful limitations before it begins watching. That burden belongs to the government. It has always belonged to the government. A free people should never surrender that principle merely because someone asks what they have to hide.

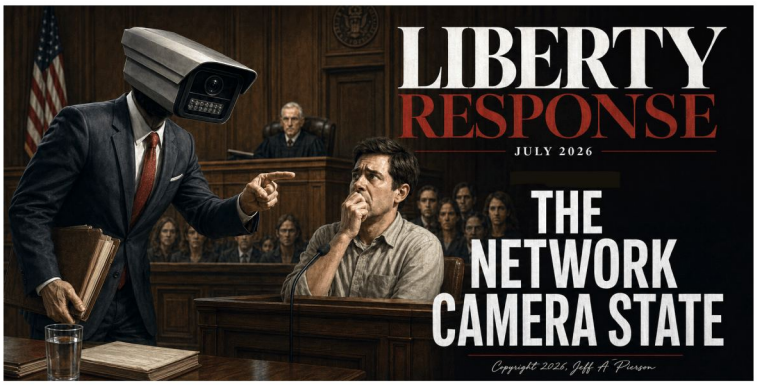

We the People
of the United States
in Order to form
a more perfect Union,
establish Justice,
insure domestic Tranquility,
provide for the common
defense, promote the
general Welfare, and
secure the Blessings of
Liberty to ourselves
and our Posterity,
do ordain and
establish this
Constitution
for the United
States of
America.
The Fourth Amendment
The right of the people
to be secure in their
persons, houses, papers,
and effects, against
unreasonable searches
and seizures, shall not
be violated, and no
Warrants shall issue,
but upon probable
cause, supported by
Oath or affirmation,
and particularly
describing the place
to be searched, and
the persons or things
to be seized.
But If You Aren't Doing Anything Wrong
A constitutional response to the "nothing to hide" argument.
1
The Burden Belongs to the Government
In a free country, the government must justify surveillance to the citizen. The citizen does not have to justify privacy to the government. The Fourth Amendment does not make privacy a privilege earned by proving innocence. The 'nothing to hide' argument reverses that principle and treats observation as the default condition of a free people. That is the logic of probation, not liberty.
2
Trusting Every Watcher Forever
The argument assumes every official, employee, contractor, and future administrator with access to surveillance systems will remain honest, competent, and restrained. 'I am not doing anything wrong' is a statement about the citizen. It says nothing about those doing the watching. The danger is not only what surveillance records about you, but who can access it, misuse it, or redefine its purpose later.
3
The Meaning of "Wrong' Can Change
What counts as 'wrong' is not fixed forever. Laws change, priorities shift, and political winds turn. Conduct that is lawful today can become the subject of scrutiny tomorrow. A surveillance record does not disappear when administrations change. It remains available, waiting for a new policy, a new official, or a new definition of suspicion.
4
The Phone Comparison Proves Too Much
Saying that smartphones already track people does not justify more surveillance. It only argues that because some privacy has been lost, more should be surrendered. That is not a principle, it is a ratchet. Carrying a phone is a personal choice with at least some control. A public camera dragnet records everyone on the road without consent and without any meaningful way to opt out.
5
Privacy Is Not Secrecy
People lock doors, seal mail, protect passwords, and keep their personal affairs to themselves. That is not evidence of guilt. Privacy is part of ordinary human dignity. 'Nothing to hide' usually means nothing to hide from officials one currently trusts. Constitutional protections exist precisely because trust is not enough, and because no authority should be given unlimited access to private life.
6
Crime Solving Does Not End the Argument
Nearly any surveillance system can be defended by pointing to crimes it might help solve. A camera in every living room would solve some crimes too. The constitutional question has never been whether surveillance is useful. The question is whether the intrusion on innocent people is justified. A system that records the movements of thousands in hopes of identifying one suspect must be judged by its breadth, limits, retention, and safeguards, not by a single anecdote.
7
An Argument Designed Never to Lose
The 'nothing to hide' claim treats objection itself as suspicious. If a person accepts surveillance, the system is called harmless. If he objects, the objection is treated as evidence against him. That is not reasoning. It is a loyalty test. Free people do not surrender their rights merely because someone says the innocent have nothing to fear.
8
Voter Identification Is Not Continuous Tracking
Showing identification at a polling place is a limited act tied to a specific transaction and a defined purpose. Continuous surveillance is something else entirely. One verifies eligibility in a narrow context. The other creates a historical record of where a citizen has traveled. The distinction is obvious, and it reflects the Western legal tradition of rejecting general, purposeless searches.
9
The Question That Matters
The question is not whether a person has done something wrong. The question is whether government has lawful authority, sufficient cause, and meaningful limits before it begins watching. That burden belongs to the government. It has always belonged to the government. A free people should never give it up merely because someone asks what they have to hide.
A Liberty Response
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NOTE 74

A liberty response to the camera state

July 17, 2026 · 178 words · https://substack.com/@jeffapierson/note/c-296111322

Tomorrow Morning! A Liberty Response: The Network Camera State Automated license plate reader networks sold by Flock Safety have generated a documented record of misuse across the United States. Civil-liberties organizations and journalists have compiled cases of officers charged with using the systems to stalk partners and exes; dozens of agencies querying the network in connection with constitutionally protected protest; safeguards — the reason field, the audit log, local control — that have failed in specific, sourced instances; company statements to elected officials that the ACLU and affected cities say proved false; contract terms that have shifted toward the vendor; and innocent drivers detained by mistake, several of whom have won substantial settlements. The constitutional question is genuinely unsettled: Carpenter and the 2026 Chatrie decision strengthen the argument that persistent location tracking implicates the Fourth Amendment, but neither has declared ALPR networks unconstitutional, and Schmidt v. City of Norfolk is litigating that now. The article argues that because the core hazard is the capability itself rather than any single misuse, the remedy is to decline or dismantle it.



NOTE 75

Flock cameras capturing without active contracts

July 23, 2026 · 256 words · https://substack.com/@jeffapierson/note/c-300257610

Flock Continues to Capture Date… without an active contract ═══════════ 82 Flock Contracts Terminated Across 28 states and documented cases of Flock continuing to capture data in locations without contracts: Non-Contract Capture Documentation ——————————— Eugene, OR — officials ordered all 57 cameras off in October; at least one was still capturing weeks later, with ~8,500 plates logged in a 30-day window, discovered by a resident via Flock's own transparency portal. A police auditor opened a probe (The Record). Cambridge, MA — after the council ordered 16 cameras deactivated, Flock installed two new ones in late November; the city terminated its contract over it. Flock claims no data was accessed (The Record). Evanston, IL — Flock reinstalled cameras it had been asked to deactivate; officials resorted to bagging the devices in plastic (The Record). Cleveland, OH — the Public Safety Committee voted June 29, 2026 not to renew, but the ~100 cameras stayed on and police kept searching and setting alerts. Reporting notes Flock's contract terms grant the company a "perpetual" license to the data even after a municipal contract expires (Gadget Review / Yahoo). ——————————————— Sources: ⇒ SF Standard — Berkeley reconsiders Flock contract ⇒ Ban Flock Cameras — 82 contracts terminated ⇒ State of Surveillance — Flock's private surveillance state ⇒ The Record — Flock cameras remained active in two cities ⇒ Gadget Review — Cleveland cameras remained on ⇒ Yahoo News — Cleveland voted to kill its Flock network ⇒ Truthout — Nationwide resistance against Flock ⇒ LAPD won't renew Flock contract See less



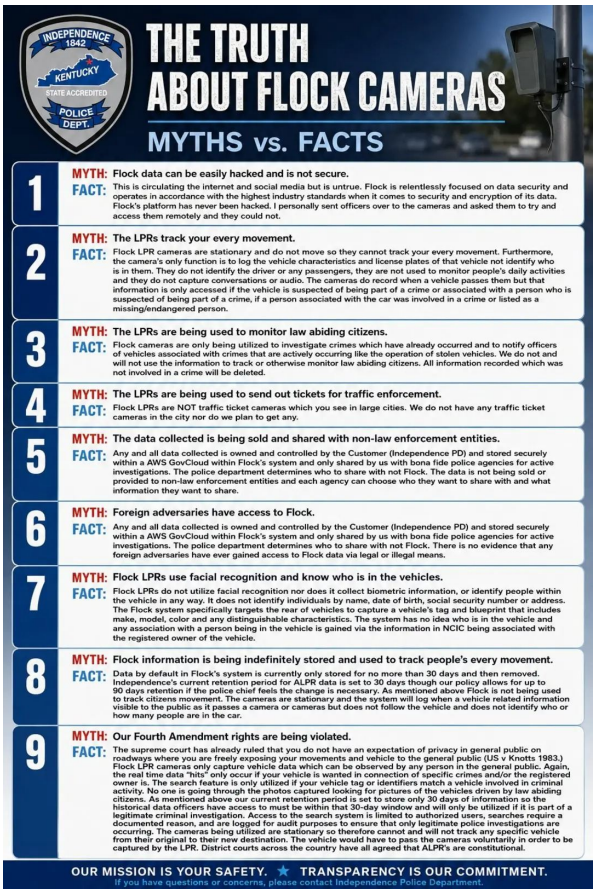
NOTE 76

Rebutting police half-truths about ALPRs

July 30, 2026 · 26 words · https://substack.com/@jeffapierson/note/c-304751127

Partial Truths from a law enforcement agency on ALPRs and my retort! You are welcome to use my material and remove my name if you wish.




INDEPENDENCE 1842
KENTUCKY
STATE ACCREDITED
POLICE DEPT.
THE TRUTH ABOUT FLOCK CAMERAS
MYTHS vs. FACTS
1
MYTH: Flock data can be easily hacked and is not secure.
FACT: This is circulating the internet and social media but is untrue. Flock is relentlessly focused on data security and operates in accordance with the highest industry standards when it comes to security and encryption of its data. Flock's platform has never been hacked. I personally sent officers over to the cameras and asked them to try and access them remotely and they could not.
2
MYTH: The LPRs track your every movement.
FACT: Flock LPR cameras are stationary and do not move so they cannot track your every movement. Furthermore, the camera's only function is to log the vehicle characteristics and license plates of that vehicle not identify who is in them. They do not identify the driver or any passengers, they are not used to monitor people's daily activities and they do not capture conversations or audio. The cameras do record when a vehicle passes them but that information is only accessed if the vehicle is suspected of being part of a crime or associated with a person who is suspected of being part of a crime, if a person associated with the car was involved in a crime or listed as a missing/endangered person.
3
MYTH: The LPRs are being used to monitor law abiding citizens.
FACT: Flock cameras are only being utilized to investigate crimes which have already occurred and to notify officers of vehicles associated with crimes that are actively occurring like the operation of stolen vehicles. We do not and will not use the information to track or otherwise monitor law abiding citizens. All information recorded which was not involved in a crime will be deleted.
4
MYTH: The LPRs are being used to send out tickets for traffic enforcement.
FACT: Flock LPRs are NOT traffic ticket cameras which you see in large cities. We do not have any traffic ticket cameras in the city nor do we plan to get any.
5
MYTH: The data collected is being sold and shared with non-law enforcement entities.
FACT: Any and all data collected is owned and controlled by the Customer (Independence PD) and stored securely within a AWS GovCloud within Flock's system and only shared by us with bona fide police agencies for active investigations. The police department determines who to share with not Flock. The data is not being sold or provided to non-law enforcement entities and each agency can choose who they want to share with and what information they want to share.
6
MYTH: Foreign adversaries have access to Flock.
FACT: Any and all data collected is owned and controlled by the Customer (Independence PD) and stored securely within a AWS GovCloud within Flock's system and only shared by us with bona fide police agencies for active investigations. The police department determines who to share with not Flock. There is no evidence that any foreign adversaries have ever gained access to Flock data via legal or illegal means.
7
MYTH: Flock LPRs use facial recognition and know who is in the vehicles.
FACT: Flock LPRs do not utilize facial recognition nor does it collect biometric information, or identify people within the vehicle in any way. It does not identify individuals by name, date of birth, social security number or address. The Flock system specifically targets the rear of vehicles to capture a vehicle's tag and blueprint that includes make, model, color and any distinguishable characteristics. The system has no idea who is in the vehicle and any association with a person being in the vehicle is gained via the information in NCIC being associated with the registered owner of the vehicle.
8
MYTH: Flock information is being indefinitely stored and used to track people's every movement.
FACT: Data by default in Flock's system is currently only stored for no more than 30 days and then removed. Independence's current retention period for ALPR data is set to 30 days though our policy allows for up to 90 days retention if the police chief feels the change is necessary. As mentioned above Flock is not being used to track citizens movement. The cameras are stationary and the system will log when a vehicle related information visible to the public as it passes a camera or cameras but does not follow the vehicle and does not identify who or how many people are in the car.
9
MYTH: Our Fourth Amendment rights are being violated.
FACT: The supreme court has already ruled that you do not have an expectation of privacy in general public on roadways where you are freely exposing your movements and vehicle to the general public (US v Knotts 1983.) Flock LPR cameras only capture vehicle data which can be observed by any person in the general public. Again, the real time data "hits" only occur if your vehicle is wanted in connection of specific crimes and/or the registered owner is. The search feature is only utilized if your vehicle tag or identifiers match a vehicle involved in criminal activity. No one is going through the photos captured looking for pictures of the vehicles driven by law abiding citizens. As mentioned above our current retention period is set to store only 30 days of information so the historical data officers have access to must be within that 30-day window and will only be utilized if it is part of a legitimate criminal investigation. Access to the search system is limited to authorized users, searches require a documented reason, and are logged for audit purposes to ensure that only legitimate police investigations are occurring. The cameras being utilized are stationary so therefore cannot and will not track any specific vehicle from their original to their new destination. The vehicle would have to pass the cameras voluntarily in order to be captured by the LPR. District courts across the country have all agreed that ALPR's are constitutional.
OUR MISSION IS YOUR SAFETY. ★ TRANSPARENCY IS OUR COMMITMENT.
If you have questions or concerns, please contact Independence Police Department.



A DOCUMENTED RESPONSE TO INDEPENDENCE POLICE DEPARTMENT

THE FACTS THEIR FLOCK GRAPHIC LEAVES OUT

The camera is stationary. The search can cross jurisdictions.

PAGE 2 OF 2 | CLAIMS QUOTED VERBATIM

READ THIS FIRST — The source graphic's statements are quoted verbatim. Local factual claims that cannot be independently verified are identified as local assertions, not treated as established fact.

10 — THE GRAPHIC SAYS — **"Officers are using the Flock system to track ex-girlfriends and others for personal use."** — NORMATIVE MISUSE DOCUMENTED

THE RECORD SHOWS

The claim that no such misuse occurred in Independence is a local assertion. Nationwide misuse is documented. In April 2026, an Orange County prosecutor reported a guilty plea after a former officer used Flock to locate a mistress and romantic rivals. In July 2026, the GBI arrested and charged five former officers after an audit found non-law-enforcement use. The Georgia charges remain allegations. [L][M]

11 — THE GRAPHIC SAYS — **"Police can access Flock information without limits."** — LIMITS ARE POLICY-BASED

THE RECORD SHOWS

Access is not literally limitless, but a 30-day window is not a query limit. Flock markets 20B+ monthly reads, national coverage, Multi-Geo Search, Convoy Search, and Visual Search. Required reasons and audit logs record a user's activity. They do not make misuse impossible, as the cases above demonstrate. [C][D][L][M]

12 — THE GRAPHIC SAYS — **"The technology is unique and invasive."** — CATEGORY ERROR

THE RECORD SHOWS

The graphic compares automatic government collection on public roads with banking, phones, and loyalty apps. That does not answer the constitutional issue. Flock records motorists who never chose the service and cannot realistically avoid public roads. Chatrie confirms that digital location records held by a private company can retain Fourth Amendment protection. [K]

13 — THE GRAPHIC SAYS — **"We didn't vote for this and didn't know about this."** — NOTICE IS NOT CONSENT

THE RECORD SHOWS

An open meeting is notice, not consent. The absence of public comment proves only that no one spoke at those meetings. It does not prove residents understood the network's scale, sharing arrangements, later-added search tools, or risks disclosed after deployment. Public officials remain responsible for informed approval and continuing review.

14 — THE GRAPHIC SAYS — **"Flock is being used in places where there are no cars such as bike paths, nature trails, parks, pools, gyms etc."** — NARROW LOCAL CLAIM

THE RECORD SHOWS

If every Independence LPR is aimed only at a vehicle lane, that is a verifiable local fact. It should be supported with a public deployment list. It does not answer the travel-history objection. Roadside readers are precisely what create plate, time, location, and vehicle-image records across a driver's route. [N]

15 — THE GRAPHIC SAYS — **"Flock is capturing your cell phone data, air tags, pet microchips and other personal devices as you pass them via Signal Trace."** — CORRECT, BUT NOT A REBUTTAL

THE RECORD SHOWS

Falcon LPRs are not Leonardo SignalTrace. Flock's LPR materials describe collecting plate and vehicle data, while Leonardo markets SignalTrace as a separate consumer-device signal system. That correction does not rebut concerns about the plate, vehicle image, GPS coordinates, date, time, search, sharing, and retention data the LPR system does collect. [F][N][P]

16 — THE GRAPHIC SAYS — **"Flock is provided your personal information."** — THE RECORD IS NOT ANONYMOUS

THE RECORD SHOWS

A missing driver-name field does not make a record anonymous. Kentucky law defines captured plate data to include GPS coordinates, date, time, photographs, plate number, make, model, and color. Police can associate a plate with a registered owner through NCIC or motor-vehicle records, as the graphic itself acknowledges. The registered owner may not be the driver. [N]

17 — THE GRAPHIC SAYS — **"Only police and the government use this technology."** — TRUE, AND THE NETWORK IS BROADER

THE RECORD SHOWS

Correct, private entities also use LPRs. That broadens the network. Flock markets LPRs to HOAs, businesses, and other private customers, and describes sharing footage with police. Private ownership of a camera does not prevent its data from becoming law-enforcement evidence. [E][O]

18 — THE GRAPHIC SAYS — **"Independence Just started using LPRs."** — ANECDOTAL, NOT AN ASSESSMENT

THE RECORD SHOWS

The technology's age and anecdotal success do not establish necessity, proportionality, or net public benefit. A serious evaluation publishes the denominator: reads, searches, alerts, verified hits, stops, arrests, charges, convictions, false alerts, complaints, sharing, and misuse findings. Kentucky's 2026 law requires an ALPR audit every 90 days. Publish the audits. [N]

SOURCE KEY — Primary government, court, statutory, and vendor records. Source tiers are sufficient to locate each record.

[C] Flock Safety, "Why Flock Is the Clear Choice for Law Enforcement LPR," May 28, 2025, flocksafety.com

[D] Flock Safety, "Enhanced LPR: See Crime Patterns Standard LPR Misses," flocksafety.com

[E] Flock Safety, "Better Together: How LPRs and Mobile Security Trailers Strengthen Security," July 22, 2025.

[F] Flock Safety, Licence Plate Readers Policy, June 30, 2026, flocksafety.com/legal/lpr-policy

[K] Chatrie v. United States, 619 U.S. ___ (2026); Schmidt v. City of Norfolk, E.D. Va. Jan. 27, 2026, appeal No. 25-1227.

[L] Orange County District Attorney, Case 25WP2494, guilty plea release, Apr. 14, 2026, ocdistrictattorney.gov

[M] Georgia Bureau of Investigation, "GBI Arrests Five Former Albany Police Department Officers," July 6, 2026.

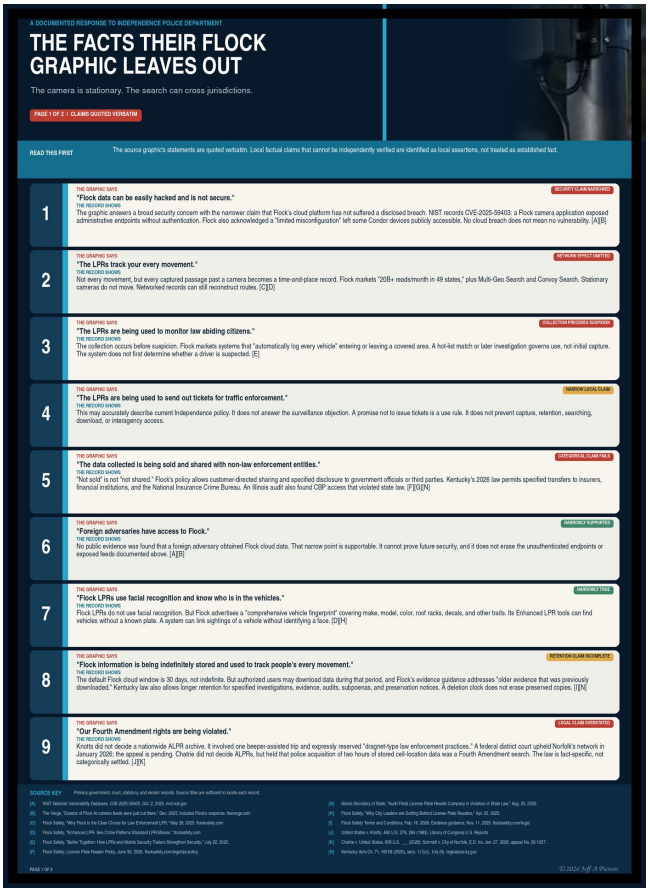
[N] Kentucky Acts Ch. 71, HB 99 (2026), secs. 1(1)(o), 5(4)-(6), legislature.ky.gov

[O] Flock Safety, "What Happens in the Event of a Crime?" and commercial LPR materials, flocksafety.com

[P] Flock Safety, License Plate Readers product page; Leonardo, SignalTrace product page, flocksafety.com; leonardocompany-us.com

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A DOCUMENTED RESPONSE TO INDEPENDENCE POLICE DEPARTMENT

THE FACTS THEIR FLOCK GRAPHIC LEAVES OUT

The camera is stationary. The search can cross jurisdictions.

PAGE 1 OF 2 | CLAIMS QUOTED VERBATIM

READ THIS FIRST The source graphic's statements are quoted verbatim. Local factual claims that cannot be independently verified are identified as local assertions, not treated as established fact.

1 — SECURITY CLAIM MISGRADED

THE GRAPHIC SAYS
"Flock data can be easily hacked and is not secure."
THE RECORD SHOWS
The graphic answers a broad security concern with the narrower claim that Flock's cloud platform has not suffered a disclosed breach. NIST records CVE-2025-59403: a Flock camera application exposed administrative endpoints without authentication. Flock also acknowledged a "limited misconfiguration" left some Condor devices publicly accessible. No cloud breach does not mean no vulnerability. [A][B]

2 — NETWORK EFFECT OMITTED

THE GRAPHIC SAYS
"The LPRs track your every movement."
THE RECORD SHOWS
Not every movement, but every captured passage past a camera becomes a time-and-place record. Flock markets "20B+ reads/month in 49 states," plus Multi-Geo Search and Convoy Search. Stationary cameras do not move. Networked records can still reconstruct routes. [C][D]

3 — COLLECTION PRECEDES SUSPICION

THE GRAPHIC SAYS
"The LPRs are being used to monitor law abiding citizens."
THE RECORD SHOWS
The collection occurs before suspicion. Flock markets systems that "automatically log every vehicle" entering or leaving a covered area. A hot-list match or later investigation governs use, not initial capture. The system does not first determine whether a driver is suspected. [E]

4 — NARROW LOCAL CLAIM

THE GRAPHIC SAYS
"The LPRs are being used to send out tickets for traffic enforcement."
THE RECORD SHOWS
This may accurately describe current Independence policy. It does not answer the surveillance objection. A promise not to issue tickets is a use rule. It does not prevent capture, retention, searching, download, or interagency access.

5 — CONTRADICTED BY RECORDS

THE GRAPHIC SAYS
"The data collected is being sold and shared with non-law enforcement entities."
THE RECORD SHOWS
"Not sold" is not "not shared." Flock's policy allows customer-directed sharing and specified disclosure to government officials or third parties. Kentucky's 2026 law permits specified transfers to insurers, financial institutions, and the National Insurance Crime Bureau. An Illinois audit also found CBP access that violated state law. [F][G][N]

6 — NARROWLY SUPPORTED

THE GRAPHIC SAYS
"Foreign adversaries have access to Flock."
THE RECORD SHOWS
No public evidence was found that a foreign adversary obtained Flock cloud data. That narrow point is supportable. It cannot prove future security, and it does not erase the unauthenticated endpoints or exposed feeds documented above. [A][B]

7 — NARROWLY TRUE

THE GRAPHIC SAYS
"Flock LPRs use facial recognition and know who is in the vehicles."
THE RECORD SHOWS
Flock LPRs do not use facial recognition. But Flock advertises a "comprehensive vehicle fingerprint" covering make, model, color, roof racks, decals, and other traits. Its Enhanced LPR tools can find vehicles without a known plate. A system can link sightings of a vehicle without identifying a face. [D][H]

8 — RETENTION CLAIM INCOMPLETE

THE GRAPHIC SAYS
"Flock information is being indefinitely stored and used to track people's every movement."
THE RECORD SHOWS
The default Flock cloud window is 30 days, not indefinite. But authorized users may download data during that period, and Flock's evidence guidance addresses "older evidence that was previously downloaded." Kentucky law also allows longer retention for specified investigations, evidence, audits, subpoenas, and preservation notices. A deletion clock does not erase preserved copies. [I][N]

9 — LEGAL QUESTION RESTATED

THE GRAPHIC SAYS
"Our Fourth Amendment rights are being violated."
THE RECORD SHOWS
Knotts did not decide a nationwide ALPR archive. It involved one beeper-assisted trip and expressly reserved "dragnet-type law enforcement practices." A federal district court upheld Norfolk's network in January 2026; the appeal is pending. Chatrie did not decide ALPRs, but held that police acquisition of two hours of stored cell-location data was a Fourth Amendment search. The law is fact-specific, not categorically settled. [J][K]

SOURCE KEY Primary government, court, statutory, and vendor records. Source titles are sufficient to locate each record.

[A] NIST National Vulnerability Database. CVE-2025-59403. Oct. 2, 2025. nvd.nist.gov
[B] The Verge, "Dozens of Flock AI cameras leads were just out there," Dec. 2025. Includes Flock's response. theverge.com
[C] Flock Safety, "Why Flock Is the Clear Choice for Law Enforcement LPR." May 28, 2025. flocksafety.com
[D] Flock Safety, "Enhanced LPR: Next Crime Fighters Standard LPR Misses." flocksafety.com
[E] Flock Safety, "Better Together: How LPRs and Mobile Security Trailers Strengthen Security." July 22, 2025.
[F] Flock Safety, License Plate Reader Policy, June 30, 2020. flocksafety.com/legal/lpr-policy
[G] Illinois Secretary of State, "Audit Finds License Plate Reader Company in Violation of State Law." Aug. 26, 2025.
[H] Flock Safety, "Why City Leaders are Getting Behind License Plate Readers." Apr. 22, 2025.
[I] Flock Safety Terms and Conditions. Feb. 19, 2026. Evidence guidance, Nov. 11, 2025. flocksafety.com/legal
[J] United States v. Knotts, 460 U.S. 276, 284 (1983). Library of Congress U.S. Reports.
[K] Chatrie v. United States, 859 U.S. ___ (2026); Schmidt v. City of Norfolk, E.D. Va. Jan. 27, 2026, appeal No. 26-1227.
[N] Kentucky Acts Ch. 71, HB 58 (2026), secs. 1(1)(i), 1(4)-(6). legislature.ky.gov

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PART 6

Jerome County & Local Government

Commissioners, ordinances, party committees, and the politics of a small county.

14 NOTES · OCTOBER 1, 2025 – JULY 1, 2026

OCTOBER 2025

NOTE 77

Discovering the Pocatello Chubbuck Observer

October 1, 2025 · 11 words · https://substack.com/@jeffapierson/note/c-161693713

I recently learned about a new-to-me source of Idaho news https://pocatellochubbuckobserver.com/

NOTE 78

Crouch admits the county building is not a courthouse

October 3, 2025 · 643 words · https://substack.com/@jeffapierson/note/c-162529437

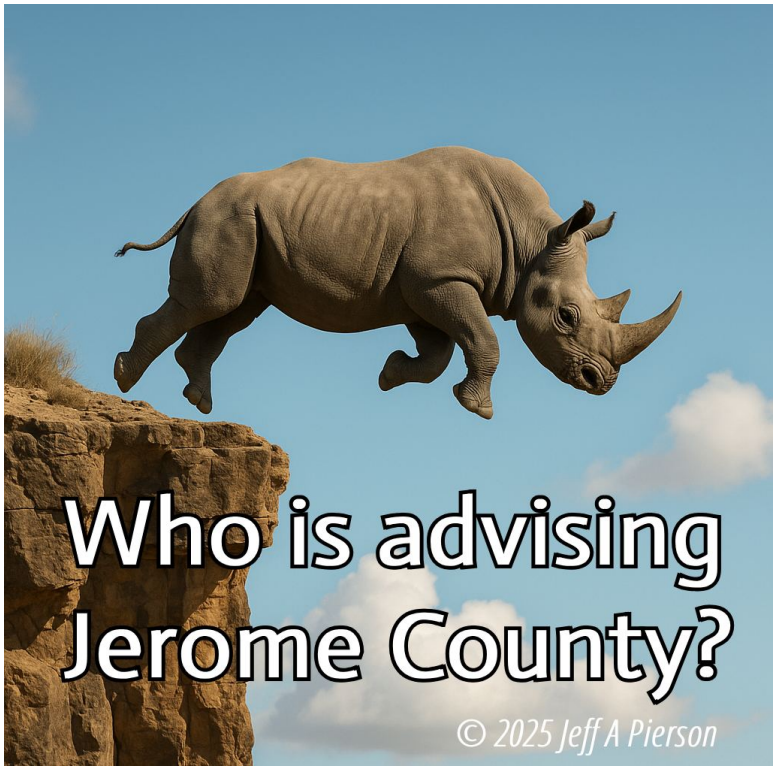
When Jerome County Commissioner Ben Crouch spoke on the radio, he admitted two things that cut to the heart of this controversy: first, that the county business building is not a courthouse, and second, that there have been no threats against county employees. Despite this, the commissioners voted to ban firearms, citing only “safety” and vague “incidents.” Idaho law is crystal clear — counties cannot regulate firearms. Only the legislature can, and it has done so narrowly, banning weapons in courtrooms, not in administrative offices. By acting outside that boundary, our commissioners have traded law for symbolism, and in doing so, they have undermined both public trust and their oath of office. This is based on an AI transcription of an interview by Bill Colley on 10/03/2025 7:00 AM Key Admissions in the Transcript Acknowledgment it is not a courthouse: Crouch admits: “we knew it wasn’t still a courthouse.” This is critical, because Idaho Code § 18-3302C only bans weapons in courtrooms. He concedes the administrative building does not meet that definition. Legal counsel’s advice: He says: “legal counsel told us…you have the right, the opportunity, the authority, the responsibility to take care of our employees.” That is a general workplace-safety rationale, not a statutory grant of firearm regulatory power. The only specific firearm regulation authority rests with the state legislature (Idaho Code § 18-3302J). His statement shows commissioners leaned on vague “employee protection” language instead of citing an actual statute that authorizes a weapons ban. Incidents but no threats: When pressed, he admits: “Not so much threats, but incidents that…made us pause.” And later: “no threats.” This undercuts the narrative of an urgent security threat. They are acting on hypotheticals, not documented dangers. Definition dodge: Crouch references: “it makes it clear that courthouses can’t do this but…but I guess so it’s going to come back to the definition of courthouse.” This is a stretch. Idaho statutes and case law use “courthouse” narrowly to mean the judicial building, not administrative offices. By admitting the building is not a courthouse but then arguing it might still qualify, he undermines the credibility of the legal basis. Contradictions on firearms policy: On one hand, they banned weapons for the public. On the other, he says: “we have the intention of letting people [employees] do that…trained through the sheriff.” This shows they are not opposed to firearms generally, only to firearms outside their control. That is not a consistent policy; it is selective regulation. Sheriff’s role: Crouch says: “the sheriff absolutely is [behind us]…he’s the one that came to us, he’s the one represented the idea.” This ties the sheriff directly to the policy, but the sheriff has no independent authority to ban firearms outside state law. His proper role is enforcement and security, not legislation. Public pushback acknowledged: He admits they are hearing objections: “those of you that are upset and unhappy, let’s talk and come to a solution.” This suggests the commissioners know they are in shaky territory and are trying to soften the blow. Legal Analysis Idaho preemption (§ 18-3302J) overrides local action. Commissioners cannot create firearm bans. Idaho courtroom restriction (§ 18-3302C) does not apply, by their own admission that the building is not a courthouse. General workplace safety obligations do not override state firearm law. No Idaho statute gives commissioners power to disarm the public for “safety.” Allowing employees to carry, but not the public is itself a form of firearm regulation, and therefore preempted. Rhetorical Analysis Crouch is trying to thread a needle: Admit the building is not a courthouse. Justify the ban with vague incidents, no threats. Claim authority under “responsibility to protect employees.” Promise compromise by allowing some armed employees if trained. The transcript shows a commissioner who knows the legal ground is shaky and is attempting to rely on emotion (“shootings at schools and churches”) instead of statute.

NOTE 79

Idaho code preempts county firearm bans

October 6, 2025 · 266 words · https://substack.com/@jeffapierson/note/c-163616849

County commissioners are required by both law and oath to know that they cannot ban firearms from public business offices. In Idaho, this is not a matter of interpretation or discretion—it is clearly prohibited by statute. Idaho Code § 18-3302J expressly preempts local governments from regulating the possession, carrying, or transportation of firearms. That law states that “no county, city, or other political subdivision of this state shall adopt or enforce any ordinance, rule, or regulation that in any manner regulates the ownership, possession, carrying, transportation, or storage of firearms.” This preemption exists to prevent exactly the kind of local overreach now seen in some counties. Commissioners do not have the legal authority to override state firearm laws or to impose “administrative building” bans that stretch beyond what state law allows. The only lawful firearm restriction recognized under Idaho law is the courtroom exemption in § 18-3302C(1)(f)—and that applies strictly to courtrooms, not entire buildings or adjoining offices. Commissioners who claim ignorance of this are not merely uninformed; they are neglecting their sworn duty. Every public official in Idaho takes an oath to support the Constitution of the United States and the Constitution and laws of Idaho. That oath demands basic legal literacy. Not knowing, or worse, disregarding a preemption statute as clear as § 18-3302J, moves from error into willful violation. Under the Concord Principle of Resistance, this kind of act crosses the line between governance and coercion, because it replaces lawful authority with personal or political preference. When officials knowingly restrict constitutionally protected rights, they cease to govern lawfully and begin to rule unlawfully.



NOTE 80

Questioning the “One Team One Family” slogan

October 18, 2025 · 8 words · https://substack.com/@jeffapierson/note/c-167656590

Jerome ID One Team, One Town, One Family?

NOVEMBER 2025

NOTE 81

Weapons ban minutes reveal the warnings

November 25, 2025 · 603 words · https://substack.com/@jeffapierson/note/c-180969262

In Jerome County, One Elected Official Stood on Principle! New Information About the Jerome County Weapons Ban Alert eyes noticed that newly released minutes further confirm that ethical and moral warnings were presented to the county commissioners. What we learned immediately after the ban was repealed During the September 22 meeting, County Clerk Cy Lootens reported he had contacted the Idaho Supreme Court about designating a room in the administrative building as an emergency courtroom, according to the meeting minutes. The answer was clear. Such a designation cannot be made unless a court is actually held there daily. That single fact destroys the legal rationale for imposing courtroom-style weapons restrictions in a building that is not a court. Despite this warning, the commissioners moved forward with the gun ban one week later. More Facts Revealed in Mid-November In the original September 22, 2025, minutes, a small note indicated that County Assessor Mark Swenson objected, but the nature of the objection was not reported. Updated minutes now include a lengthy objection from County Assessor Mark Swenson. Swenson's statement describes precisely what the ban would do. He quotes the policy as banning guns and knives from the building with very few exceptions and forcing citizens to return pocketknives to their cars. He calls the plan an extreme measure. He warns that it shows distrust of citizens and employees. He labels the concept of disarmament as safety a liberal fallacy. He urges the board to avoid creating a gun-free zone that leaves innocent people defenseless. His warning is firmly rooted in principle and law. The commissioners acknowledged it and proceeded anyway. The minutes also show that the only legal authority cited on September 22 was the commissioners' general authority to maintain county property. It does not authorize them to override Idaho's constitutional protections for the right to bear arms. All of this is documented and predates the September 29 ban. This means the county commission knew that the "emergency courtroom" justification was legally invalid before implementing the ban. In other words, the ban violated the U.S. and State Constitutions, as well as the rights of Jerome County Residents. That is not a misunderstanding. That is prior knowledge. The ban was repealed on October 6, 2025, after pressure from online critics and the wider public. During that meeting, the commissioners and their attorney brushed it off as a simple mistake rooted in bad advice, offered a brief faux falling on the sword, and moved on. Don't Count on Traditional Media for Facts There is one more fact that matters. The September 22 minutes were updated sometime between November 8 and November 24. The timing is notable because the update followed the JTown Beacon's article highlighting the gun ban and the county's justification for it. The new version of the minutes now includes the complete Swenson statement and additional details on the security discussion. Earlier versions did not. The record was expanded only after the public controversy began, and it was alert citizens who caught the changes. This is why watchdogs and commissioner-maligned, so-called "keyboard warriors", are so important. Kudos to Mark Swenson, the only county-level elected official who went on the record opposing this violation of civil rights. Read the JTown Beacon post here: https://jtownbecacon.substack.com/p/jerome-county-accidentally-unconstitutional?r=6tr17q&utm_campaign=post&utm_medium=web&triedRedirect=true Join the JTown Beacon group here: https://www.facebook.com/groups/717816931353530 Disclaimer: All statements in this post are based solely on the official Jerome County Board of Commissioners meeting minutes and publicly available information. The conclusions reflect the documentary record as presented in those minutes. No allegations are made beyond the factual content of those records, and readers are encouraged to review the underlying documents themselves.

Jerome Administration Offices Building Security: Discussion
Cy Lootens and Mark Swenson were present.

Cy stated that he talked to the supreme court regarding the idea of having a room designated as an emergency court room. He found out that this can't be done unless court is held there each day. There is a section of Idaho Code that he brought regarding the role of the Commissioners. The sections stated that the Commissioners would have the authority to oversee the property owned by the county and to maintain it to how they see fit.

Mark Swenson asked to have a comment entered on the record in opposition to the security plans.

"It is both ironic and tragic that as I write this, Charlie Kirk was just assassinated. So, my opposition to the upcoming security measures proposed for our building may seem ill-timed, but my objections are based on my principles, not on current events.

Based on our last meeting, Tuesday, Sept 2nd, this is my understanding of the measures that will be put in place:

There will be only one entrance open to the building.

All people entering the building, both the public and the employees, will be required to use this entrance and pass through the metal detectors.

Guns and knives will be effectively banned from the building with very few exceptions.

People with pocketknives will be told to return them to their cars.

This security will be in place any time the building is open.

Employees needing to access the building before or after hours will have to make prior arrangements or will be barred from entry.

Justification for these measures is based on future, occasional, use of this building for some court functions.

I oppose these extreme measures based on three principles:

FIRST – IT SHOWS A GREAT DISTRUST OF OUR CITIZENS, CUSTOMERS, TAXPAYERS AND OUR ULTIMATE BOSSES. Jerome County is full of law-abiding citizens who take their 2nd amendment rights very seriously and who never do anything as evil as murder. It is unwise to legislate based on isolated incidents or to paint people with such a broad brush. Sure, we sometimes have upset or contentious people, but those are relatively isolated incidences that are handled as needed. Our citizens will be justifiably upset at being treated with such distrust, especially when everyone will be subject to search of their personal items if they set off the metal detectors. They will be unhappy to be told to return pocketknives, multitools or even pepper spray back to their cars and to be totally disarmed. No one I know enjoys going through airport security, and this is what it's going to feel like.

SECOND – IT SHOWS A GREAT DISTRUST OF OUR EMPLOYEES. We trust our employees with the functions, finances and assets of the county, but now they will be subject to search and total disarmament. Originally the employees were going to be able to card-in at other employee-only entrances, but that seems to be reversed now. My employees mostly work a regular, business hours schedule, but there are many times they may need to come to the building before or after hours or on weekends. This could become a logistical nightmare.

THIRD – WE ARE FALLING FOR THE LIBERAL FALLACY THAT DISARMAMENT EQUALS SAFETY. Gun free zones are an invitation, not a deterrent, to someone who has evil and violent intentions. They will not be stopped by signs, metal detectors and perhaps not even by armed deputies. Do not leave the rest of us defenseless. When evil does walk through the door, I would rather be standing amongst dozens of armed citizens than a group of sitting ducks.

What are my suggestions? Go ahead and open a security office and have deputies stationed in the building. Put in the metal detectors and x-ray machines but only use them when we know there may be a contentious meeting, a credible threat or an actual court function going on in the building. Let employees card-in at other entrances. Keep the northwest entrance facing Lincoln (the traditional main entrance) open during the day.

I think we should sometime have a conversation about letting employees, who are end concealed carry permit holders, be armed if they choose.

But let's not distrust the good citizens and employees of this county. Thank you for your time and attention.

Mark Swenson

Jerome County Assessor"

Cy stated that they can continue the conversation in the future and to go over more logistics with the Sherriff. He wants to see the security enacted into the building to prevent any issues. The Board agreed that they would like to see this enacted into the building. The Board asked Cy if there are many complaints regarding the security process at the Annex. Cy stated that there are not any complaints from individuals who have had to go into the Annex and go through their security measures.

DECEMBER 2025

NOTE 82

Commissioners blaming others for their votes

December 5, 2025 · 426 words · https://substack.com/@jeffapierson/note/c-184667984

Don't Piss on My Boots Jerome County Commissioners, the last thing any citizen should ever hear from an elected official is, “He told me to do it.” That line is not an explanation. It is a confession of unfitness. When a commissioner shrugs and says he is just an electrician or that someone else told him how to vote, it sounds less like leadership and more like a child making excuses after being caught. If you have sat in that chair for a decade, you have no excuse for not knowing the law, especially when the law is clear. At that point the excuses stop being mistakes and start becoming pretty little lies told by weak minded men who hope the public will swallow them. And if you expect the public to buy that garbage, it says a lot about what you really think of your constituents. It forces a harder question. If this is how you talk to us now, what else has been happening in that office over the last ten years? The people of this county deserve adults, not puppets. For the public, ask yourself this. When a long seated commissioner openly violates the law and then claims he is only an electrician who didn’t know better, what are you looking at? Is it incompetence or a lie? It has to be one or the other. And either one tells you everything you need to know about the quality of leadership you have been getting. Keep in mind, all of this is documented on video and in the minutes. The record is not in dispute. It sits right beside the commissioner’s own apparent unintentional admission that the county has been violating state and county hearing ordinances under the familiar good ol boy banner of “we have always done it this way before.” That is not tradition. That is an admission that the law has been treated as optional. There is no debate about what was said, you might we use weasel language and grasp around for a favorable interpretation, but the bottom line is that when you are elected and vote, you own the vote and hell you deserve... discussion , more debate, positive spin doesn't change the facts. If I were one of these characters looking to stay in office, Id stay away from the coffee shops and radio stations and find a way to keep my head down or resign. I wish this were not the state of things, but cowboy; don't piss on my boots and tell me it's raining!

JANUARY 2026

NOTE 83

The legitimacy gap in Idaho republicanism

January 14, 2026 · 276 words · https://substack.com/@jeffapierson/note/c-199613005

The Legitimacy Gap There is a gap between many Republican voters in Idaho and a growing number of the Republicans elected to represent them, and that gap cannot be explained away as disagreements over tone, tactics, or incremental policy differences. It is foolish to pretend that both sides of the gap are still equally Republican. What voters increasingly encounter is a governing posture that defends agencies, protects projects, and shields bureaucratic priorities with greater urgency than it defends the citizens who granted those officials authority in the first place. This is not a simple misunderstanding, and it is not an accident of complex governance. It is an intentional inversion of citizen-first authority, and it has a name… RINO, at least that is the shorthand version, but not the word I choose to use. “RINO,” Republican in name only, is a common term used by liberty-conscious Republicans to describe this drift. I prefer “Institutional Authoritarians,” because the defining feature is allegiance to the institution rather than fidelity to the citizen, or even to the party platform. When Republican officials spend their energy justifying agency expansion, insulating regulators from scrutiny, and treating large industrial projects as presumptively legitimate simply because they have cleared administrative hurdles, they invert the conservative premise of government. Authority becomes a tool to suppress transparency and citizen participation. It becomes something to be preserved rather than something to be restrained, and citizens are reduced to managed stakeholders rather than rightful principals. The individuals I am describing have long been beholden to the donor class, energy, medical, and education interests. Apart from donor influence, the more visible and consistent pattern is institutional loyalty. Read More:https://open.substack.com/pub/jeffapierson/p/the-idaho-gap?utm_campaign=post-expanded-share&utm_medium=web

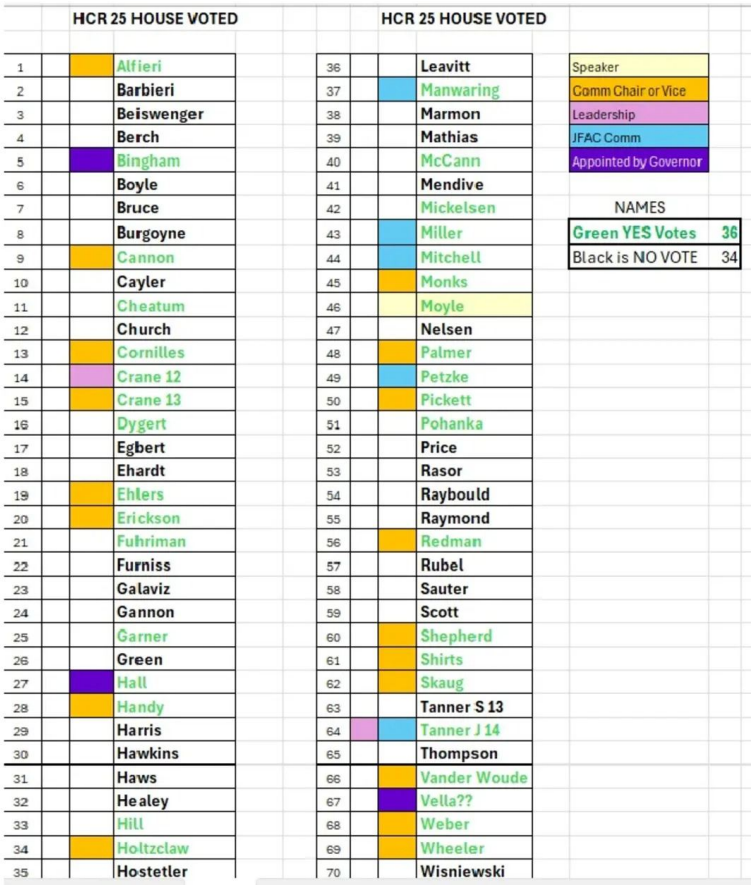
FEBRUARY 2026

NOTE 84

A vote that exposed Republican disunity

February 8, 2026 · 336 words · https://substack.com/@jeffapierson/note/c-211480683

Anyone still pretending Idaho Republicans are unified after this vote is either lying or not paying attention. This was not a policy disagreement. It was a public autopsy. Power lined up on one side, independence on the other, and the split could not have been clearer. The yes votes clustered heavily among House leadership, committee chairs and vice chairs, JFAC members, and legislators whose relevance, authority, and insulation depend on leadership favor. That alignment was not accidental. It reflected institutional self preservation, not grassroots conviction. When authority is centralized, votes like this become signals of obedience rather than expressions of judgment. Opposition came primarily from members less embedded in leadership structures or less reliant on advancement, committee control, or budget leverage. Those votes carried real cost. Dissent in a controlled legislature is punished quietly and consistently. That reality explains the pattern far better than any claim of shared principle. This vote also mapped cleanly onto an existing reputational divide inside the Republican caucus. Many of the legislators voting green are already widely viewed by Republican voters as RINOs or functionally liberal Republicans. They campaign under the Republican label, then reliably advance managerial, institutional, or progressive priorities once in office. This vote did not create that perception. It confirmed it in a single, unavoidable snapshot. What this exposes is not a temporary disagreement but a structural fracture. On one side are leadership aligned institutional Republicans whose power flows through committee assignments, procedural control, and internal enforcement. On the other are members who still understand representation as loyalty to constituents rather than loyalty to the machinery. This was not a close call or a nuanced debate. It was a loyalty test, and the results were visible to anyone willing to look. If there is still a fiction of unity being sold after this vote, it is being sold by the same people who benefited most from the outcome. The divide is real. The lines are drawn. And pretending otherwise only protects the people who depend on the illusion.



			HCR 25 HOUSE VOTED
1			Alfieri
2			Barbieri
3			Beiswenger
4			Berch
5			Bingham
6			Boyle
7			Bruce
8			Burgoyne
9			Cannon
10			Cayler
11			Cheatum
12			Church
13			Cornilles
14			Crane 12
15			Crane 13
16			Dygert
17			Egbert
18			Ehardt
19			Ehlers
20			Erickson
21			Fuhriman
22			Furniss
23			Galaviz
24			Gannon
25			Garner
26			Green
27			Hall
28			Handy
29			Harris
30			Hawkins
31			Haws
32			Healey
33			Hill
34			Holtzclaw
35			Hostetler

			HCR 25 HOUSE VOTED
36			Leavitt
37			Manwaring
38			Marmon
39			Mathias
40			McCann
41			Mendive
42			Mickelsen
43			Miller
44			Mitchell
45			Monks
46			Moyle
47			Nelsen
48			Palmer
49			Petzke
50			Pickett
51			Pohanka
52			Price
53			Rasor
54			Raybould
55			Raymond
56			Redman
57			Rubel
58			Sauter
59			Scott
60			Shepherd
61			Shirts
62			Skaug
63			Tanner S 13
64			Tanner J 14
65			Thompson
66			Vander Woude
67			Vella??
68			Weber
69			Wheeler
70			Wisniewski

Speaker
Comm Chair or Vice
Leadership
JFAC Comm
Appointed by Governor

NAMES	
Green YES Votes	36
Black is NO VOTE	34

NOTE 85

HRC25 shows the party needs rebuilding

February 8, 2026 · 300 words · https://substack.com/@jeffapierson/note/c-211481346

The Lesson Of HRC25 - The Idaho Republican Party Needs Rebuilt This legislature does not suffer from a lack of experience. It suffers from a lack of courage. What Idaho needs now is not better messaging from the same people, but new blood that is willing to disrupt a comfortable internal order. Marginalized voices inside the Republican Party are not marginalized because they are wrong. They are marginalized because they refuse to submit to a system that rewards compliance and punishes independence. Liberty minded legislators who ask uncomfortable questions, challenge leadership priorities, or resist procedural games are systematically sidelined. Committee assignments disappear. Bills stall. Influence evaporates. That is not accidental, it is how centralized power protects itself. New blood is necessary precisely because the current structure filters out dissent before it ever reaches the floor. Candidates who believe representation means answering to voters rather than leadership are treated as liabilities. That inversion is fatal to a functioning republic. When loyalty to process outweighs loyalty to principle, stagnation becomes inevitable. Liberty candidates matter because they break this cycle. They are harder to intimidate, harder to co-opt, and less invested in the ladder climbing culture that dominates the legislature. They bring friction back into a system that has grown too smooth, too insulated, and too arrogant to correct itself. The answer is not polishing the same voices or trusting the same gatekeepers. It is expanding the field, elevating challengers, and deliberately making room for legislators who are willing to be marginalized rather than captured. Renewal does not come from unity theater. It comes from disruption, accountability, and representatives who remember who they work for. If the last vote taught anything, it is this: waiting for reform from within a closed leadership circle is a dead end. The only way forward is replacement.

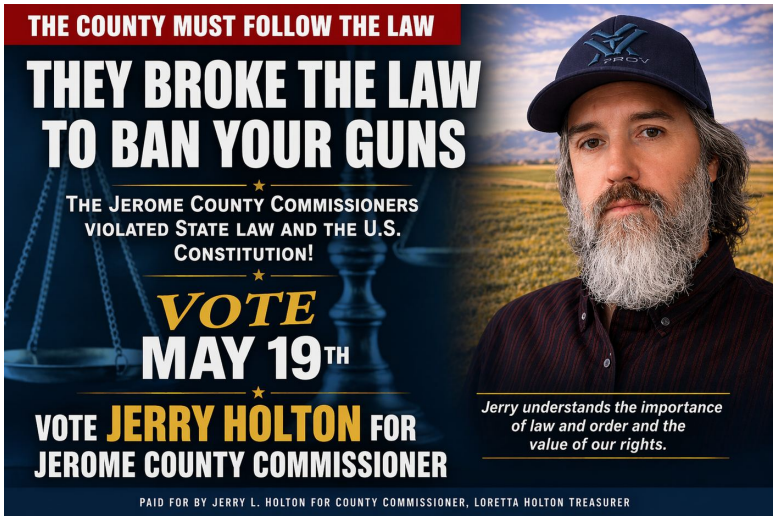
APRIL 2026

NOTE 86

Jerry Holton for Jerome County Commissioner

April 24, 2026 · 77 words · https://substack.com/@jeffapierson/note/c-248711420

Jerry understands the importance of law and order and the value of our rights. He is dedicated to protecting your rights! When the commissioners banned firearms in county offices, they broke Idaho state law and the U.S. Constitution. Jerry Holton is dedicated to protecting your rights — every one of them. Vote Tuesday, May 19, 2026. Learn More About Jerry https://www.jerryholton4commissioner.com/index.php Want to donate to Jerryhttps://secure.anedot.com/jerry-l-holton-for-county-commissioner/donate Need signs, want to host an open house, or endorse Jerry?https://s.surveyplanet.com/s4i8oydb



MAY 2026

NOTE 87

Commissioners' statement and authoritarian rhetoric

May 13, 2026 · 582 words · https://substack.com/@jeffapierson/note/c-258413280

An Existential Threat to Jerome County The Rhetorical Architecture of Authoritarian Communication, Applied Locally "Freedom is never more than one generation away from extinction. We didn't pass it to our children in the bloodstream. It has to be fought for, protected, and handed on for them to do the same." — Ronald Reagan, 1961 On May 13, the Jerome County Board of Commissioners posted a public statement under the heading "Public Service, Truth, and Accountability." It accused "a small number of individuals" of spreading "rumors, half-truths, and political theater." It did not name a single rumor. It did not identify a single half-truth. It did not specify a single false claim. That is not a minor stylistic failure. It is the recognizable architecture of how concentrated power talks to the people it intends to ignore or intimidate. The post opens with the oldest move in the book: reduce critics to a fringe. "A small number of individuals." Stalin called them wreckers. Modern authoritarian regimes from Hungary to Venezuela have their own versions. The point is to isolate dissent before answering it — to make the critic a category instead of a citizen. The second move is the substitution of vague accusation for evidence. The post denounces unnamed people for unspecified claims, then declares in the same breath that "serious claims require facts, evidence, and accountability." It demands of the public a standard it refuses to meet itself. That inversion — the accuser holding the accused to a standard the accuser ignores — is what Harvard political scientists Steven Levitsky and Daniel Ziblatt, in How Democracies Die, identify as a core indicator of democratic backsliding: the denial of the legitimacy of political opponents. The third move is the framing of dissent as theater. "Public service is not social media entertainment." The implication is that the Board is doing the serious work, and the critics are unserious people interfering with it. The state is sacred. The critics are noise. Timothy Snyder, in On Tyranny, calls this the equation of disagreement with disloyalty. It is how every soft authoritarian regime in the modern era has narrowed the space for citizen participation while continuing to use the language of democracy. None of this requires tanks in the streets. It does not require a uniform or a fist. It only requires a public that grows tired enough, distracted enough, or intimidated enough to stop asking the specific questions. That is the existential threat — not to the County's revenue or its road maintenance, but to its character as a place where citizens still expect their government to answer to them. Reagan understood this. "Concentrated power has always been the enemy of liberty," he said. He meant it about national governments, Soviet bureaucracies, every level of power that learns to insulate itself from accountability. But concentrated power begins locally. It begins with a commission that decides which questions deserve answers and which citizens deserve to be answered. It begins with public statements that punish the act of asking. The cure is not less criticism. It is more specific criticism, more documented questions, more citizens who refuse to be lumped into "a small number of individuals" and instead sign their names to what they ask. The Board does not get to define which questions are legitimate. The people do. Trust, but verify. That was Reagan's rule. Jerome County would do well to remember it — and to demand it of the people elected to serve here. — Jeff Pierson

NOTE 88

A broadcast attack on Holton

May 14, 2026 · 520 words · https://substack.com/@jeffapierson/note/c-259125451

When Defamation Becomes Dangerous On April 21, Bill Colley went live on the News Radio 1310 KLIX Facebook page and told his audience that a candidate for Jerome County Commissioner had sent him a "concerning" email. He said the candidate was "like danger danger danger." He said someone should "start monitoring this fellow." He said he had forwarded the email to law enforcement agencies on both sides of the river. He told his audience not to vote for the candidate. In the same video, in his own voice, Colley admitted: "I've never met" him. The candidate is Jerry Holton. Jerry did not send Bill Colley any email. The email Colley received came from an anonymous account. Before going live, Colley did not contact Jerry. He did not call the campaign. He did not verify anything. He told his audience that a candidate had sent him a threatening communication without ever asking the candidate if he had. This is defamation. It is also something worse. False reports to law enforcement that frame a specific named person as dangerous have a name. It's called swatting. The practice has resulted in innocent people pulled from their homes at gunpoint, officers injured responding to nothing, and civilians and law enforcement officers killed answering their own doors. When a broadcaster with a public platform tells law enforcement on both sides of the river that a named local candidate should be "monitored" — based on an anonymous email he never verified — he is doing the same thing in slower motion. He is putting Jerry into the law enforcement queue under a false characterization of dangerousness. He is creating the precondition for an officer somewhere, sometime, to act on Colley's framing rather than on the facts. Colley forwarded the email to "all sorts of local law enforcement agencies." He did not say which ones. He did not say what he told them. He did not say whether his characterization of Jerry to those agencies matched the characterization he gave his Facebook audience. We have no idea what officers in this region now have on file about Jerry Holton — but whatever is there is based on false information from a publisher who admitted he had never met the person he was reporting on. That is a safety problem for Jerry. It is also a safety problem for any officer who later acts on Colley's framing in a routine encounter. When publicly asked in the comments to post the email and the sender's address — a simple verification request — Colley declined. His response: "Where's your badge?" The bottom line is that Colley abused his access to law enforcement and potentially created a precarious legal and physical situation for Jerry. Similar false "red flag" reports have resulted in swattings and the deaths of innocent civilians and law enforcement officers. A broadcaster's obligation, before forwarding an email to multiple law enforcement agencies and telling his audience the sender is dangerous, is to verify that the sender is who he claims. That is the floor. Colley did not meet it. Jerome County deserves better than this from local media.

JUNE 2026

NOTE 89

Questioning officials is not tearing down community

June 26, 2026 · 1,027 words · https://substack.com/@jeffapierson/note/c-283204857

Telling the Truth Is Not Tearing It Down On the oldest accusation in civic life — and why I don't accept it Lately I keep hearing a particular charge, always behind my back: that by asking hard questions of the people who run this county, I am tearing my community down. Dividing it. Being negative. Hurting the place I claim to love. I want to answer that charge plainly, because it deserves an answer, and because it is one of the oldest accusations in the history of self-government. Every person who has ever stood up in a meeting and asked an uncomfortable question has heard some version of it. So let me say where I stand. A community is not the same thing as the handful of people who currently hold office in it. That is the whole trick buried inside the accusation — it asks you to treat the two as identical, so that any criticism of the officials becomes an attack on the community itself. They are not identical. They were never identical. And the day we let them become identical is the day self-government ends and something else takes its place. Who the community actually is When I think about this community, I do not picture the people on the dais. I picture the farmer who got told, in so many words, to keep quiet. The people who see the attacks on their Second Amendment rights as morally and legally bankrupt. The families who have lived here for generations and watch unrestrained growth closing in around them. That is the community. Those are the people I answer to. Holding power to account is not an attack on those people. It is the most basic way of standing up for them. A place is not torn down by citizens who ask questions. It is hollowed out, quietly, by officials who have decided they are above being asked. You do not tear a community down by telling it the truth. You tear it down by letting the people in charge believe they are beyond the reach of an honest question. This is not one man's grievance It would be easy to dismiss all of this if it were just me — one stubborn man with a complaint. So let me put a number on the table. Forty-two percent of the voters who turned out in the primary backed the campaign I assisted with and the ideas I carried into it. Four out of every ten neighbors who showed up to vote stood with that platform. That is not a fringe. That is not a personal vendetta. That is a large and serious share of this county saying, out loud and at the ballot box, that these questions need asking. So when someone says I am tearing the community down, here is what I hear underneath it: that the better part of four in ten of their own neighbors do not count. Ask yourself who is really dismissing this community — the person voicing what nearly half the primary electorate believes, or the officials who would rather pretend those voters do not exist. The tradition I am standing in None of this is new. The right of a citizen to question those in power, openly and without apology, is not a modern nuisance invented by people like me. It is the thing the country was built on. Dr. Joseph Warren — the Boston physician who sent Paul Revere riding and died in the redoubt at Bunker Hill — wrote a protest song in 1774 that singled out the man he held in deepest contempt. Not the foreign soldier. The “venal sycophant / that dares our rights betray” — the bought man at home who tells you to stay quiet for the good of the order. Warren understood that the most dangerous figure in any community is not the open opponent, but the insider who treats loyalty to power as the highest virtue. The men who built our system of self-government did not do it by staying silent and keeping the peace. They did it in town meetings where ordinary farmers stood up and contradicted their betters. They wrote a First Amendment that protects, in the same breath, the right to speak freely and the right to petition the government for a redress of grievances. They built dissent into the foundation on purpose, because they had lived under the alternative. They understood a principle so basic we have nearly forgotten it: in a free country, the people are sovereign and the officials are the servants. Authority is loaned, not owned. A public office is a public trust, held on behalf of the governed and answerable to them. An official who cannot bear to be questioned has the relationship exactly backwards. Authority in a free country is loaned, not owned. The citizen who asks an official to account for himself is not the disturber of the peace. He is the peace working as designed. What I actually do So let me name plainly what it is I do, since others keep trying to name it for me. I read the agendas and the minutes. I go to the meetings. I ask where the money goes and who it benefits. I write down what I see and I share it with my neighbors, so that they can judge for themselves. When an

> answer does not add up, I say so. When something is kept vague on purpose, I notice the vagueness and I name it. That is not tearing anything down. That is the ordinary, unglamorous work of a free citizen — the work that keeps a community standing. Call it being alone if you want. I call it being free. I did not tear anything down. I carried the ideas that nearly half the people who voted in this primary stood behind. And I am not going to stop asking the questions four in ten of my neighbors sent me to ask — not because it is comfortable, but because the alternative is a county where the only people allowed to speak are the ones already in the room.

JULY 2026

NOTE 90

The 3% property tax cap alibi

July 1, 2026 · 699 words · https://substack.com/@jeffapierson/note/c-285944770

The 3% Cap Is the Alibi, Not the Limit Every time property taxes come up in Idaho, someone in a county seat says the magic words: there's a 3% cap. It's meant to end the conversation. It shouldn't. The cap is real, but it doesn't cap your bill, and the people who quote it know exactly what it does and doesn't do. It restrains one narrow number while growth and a handful of accounting games drive the actual money — and the actual money lands on you. Start with what the cap even touches. Under Idaho Code § 63-802, a taxing district can't grow the total dollars it levies by more than 3% a year. That's a limit on the district's budget line — not your assessment, not your bill. So the first sleight of hand is the reassurance itself: "3%" describes the government's restraint, not your protection. Those are not the same thing, and the gap between them is where everyone lives. Growth is the engine. Rising values on existing homes don't break the cap — if the whole county appreciates 20%, the levy rate just floats down and the total stays put. But new value is a different animal. Every subdivision, every annexation, every warehouse and data center adds its value to the base on top of the 3%. New construction times the prior year's levy rate — stacked on. Ninety percent of annexed value — stacked on. This is the part that should make people angry: the same commissioners who approve the growth then collect the revenue it throws off, then point to the 3% as proof of discipline. The growth isn't a side effect. It's the plan. It's how the budget expands while the talking point stays technically true. Then come the games. Add the growth factor, new construction, and annexation together and you hit an outer ceiling of 8% — but even that has a trap door. Revenue a district recaptures when an urban-renewal district's revenue allocation area closes, deannexes, or is modified isn't subject to the 8% at all. That's the TIF play: divert the increment into an urban renewal area for years, spend it off the normal books, and when the RAA finally winds down, the value snaps back onto the rolls above the ceiling. Voter-approved bonds and supplemental levies sit outside the cap too — a separate ask that, once passed, is simply added on. And then there's the quietest lever of all: forgone. Any year a district takes less than its full allowable increase, it doesn't lose the difference — it banks it. By resolution, it can pull that reserve back in a later year, certified on top of everything else it's already allowed. So the "responsible" years, the ones where an official campaigns on holding the line, aren't restraint at all — they're deposits. A war chest that gets tapped later, over the 3%, over the 8%, with its own quiet speed limits (1% a year for operations, 3% for a capital project). The discipline was never forfeited. It was stored, and it will be spent. And who actually pays? You do — specifically, whoever appreciates fastest. Because the cap works on the district, not the parcel, the burden inside a capped budget shifts toward the properties rising quickest in value. So the homeowner staring at a bill up 9% and the commissioner insisting the budget only grew 3% are both telling the truth. That's the whole trick in one sentence. The number that protects the county is the number that gets quoted at you, and the number that describes your life never gets said out loud. None of this is illegal. That's the point. The growth is permitted, the games are statutory, the "3%" is accurate. It's a system that lets institutions expand while sounding restrained, and it works because most people hear "cap" and stop asking questions. So keep asking. When your county quotes the 3%, ask what the new construction roll added. Ask what's sitting in the forgone balance. Ask which urban renewal areas are winding down and where that increment goes. The cap isn't a lie. It's an alibi — and alibis are worth checking.

PART 7

Jerome Schools & Education Policy

The transportation crisis, board conduct, and the fight over education funding.

18 NOTES · SEPTEMBER 13, 2025 – JULY 19, 2026

SEPTEMBER 2025

NOTE 91

Accountability for the busing rollout failure

September 13, 2025 · 451 words · https://substack.com/@jeffapierson/note/c-155479042

Analysis of the 09/20/2025 Email Updated Regarding Busing from Brent Johnson. Will the school district ever be held responsbile for poor leadership decision? If you had been responsbile for what happened on August 20th, would you still have your job? The facts still remain: Superintendent Brent Johnson – He made the decision to launch a brand-new, untested transportation system on the first day of school, despite warnings that data was incomplete and students would be unaccounted for. He initially framed closures as “repairs and safety” instead of admitting to planning and training failures. Transportation Director Tim Hicks – He oversaw route design, software rollout, and rider registration but failed to ensure accurate data, clear transfer procedures, or pilot testing. He later deflected blame, suggesting parents’ “bad data” was partly at fault, which eroded trust. This may or may not be true. The School Board – They approved the levy, the shift to an in-house bus fleet, and the termination of the North Side contract without requiring phased testing, readiness proof, or independent oversight. Idaho Department of Education (DOE) – While less visible, DOE oversight was compromised by conflicts of interest and lack of strong intervention when risks became evident. Boiled down, Johnson’s email says: As I have stated many times, drivers and front-line staff were not to blame, and I agree (Johnson himself emphasized this in his September 12 report). Parents and students were victims of poor planning, not culprits. However, many parents believe that Tim Hicks specifically, as well as the Superintendent, did blame parents—at least initially. Johnson says that data entry an other errors were caused by untrained tech staff, school secretaries, and administrators. Bottom line: Leadership (Johnson, Hicks, the Board of Trustees, and DOE oversight) share responsibility for ignoring foreseeable risks, rushing the rollout, and failing to properly train and prepare the staff who actually managed routing and enrollment systems. ————————————————————- Disclaimer The information provided herein is based on public best practice guidance, state transportation standards, and generally available district records. It is intended for research, analysis, and public discussion purposes only. Nothing in this document should be construed as formal legal advice, a determination of liability, or an official finding of misconduct. All individuals named remain entitled to due process, and all referenced statutes and best practice documents should be verified against the most current versions of Idaho Code and administrative rules. Any conclusions or recommendations are those of the author and not of the Idaho State Department of Education, Jerome School District, or any governing body. Community members, policymakers, and oversight entities are encouraged to independently review the evidence, consult applicable laws, and seek qualified legal counsel before pursuing any formal complaint, disciplinary action, or remedy.

Brent Johnson <broadcasts@schoolmessengermail.com> Unsubscribe Fri, Sep 12, 3:50 PM (10 hours ago) Reply

to me

Subject: An Update on Our Transportation System and New Bus Info

Good afternoon, Tiger families,

Thank you for your patience as we've worked through the recent challenges with our new transportation system. We know this transition has been frustrating, and we sincerely apologize for the inconvenience and disruptions it has caused. This adjustment to our ridership and routes is a continuing process that should fix and help so many parents and students. We will still have a much smaller but important set of corrections to make. At this point we should be getting to a point where you can contact transportation with your concerns and we can adjust for you.

What We've Accomplished We've been working hard to improve the system's data accuracy, a key issue that came to light during this process. This is the main cause of our issues. So far, we have successfully processed and implemented over 700 corrections from the forms you submitted. We are learning and growing, and this new system will ultimately be a huge benefit to our students and community.

We want to be clear that our bus drivers and the entire transportation department have been working tirelessly to provide the best possible experience for your students. These data issues were not their fault, and we appreciate their unwavering hard work.

Understanding the Challenges Think of this transition like upgrading a computer's operating system. Our old data worked for our previous system, but it was not 100% accurate for the new technology, which is designed for maximum safety. While our planning was extensive, the real-world implementation revealed deep-seated data inconsistencies that we are now in the process of fixing.

Change

As I began I heard repeatedly that we wanted better outcomes for the Jerome School District and as we looked at systems there was much needed to put us in line with the best school districts in the state. We have really been working on these changes and as everyone knows change is difficult.

Our team has been actively addressing key issues, including:

- Sibling Drop-off/Pickup: We believe to have corrected an issue where the system was not properly routing and notifying families with multiple children in the same household.
- PowerSchool: Because of the data issues the district had identified inconsistencies within our PowerSchool oversight/management. We are implementing training and system management in house to more consistently apply data within every level of the organization. Transportation relies on these systems to function properly. We began this process last year with implementations and corrections but it is a much more long term fix to get us where we need to go. This ultimately is a difficult training and process for our tech department, every school, secretaries, and admin.
- Safety Zones: We've clarified conflicting rules between safety zones and walking perimeters to ensure students who should receive busing are not incorrectly removed from their routes.
- Open Enrollment/ students attending another school zone different from their home: Our policy has long stated that open-enrolled students are responsible for their own transportation. We have transported students across school zones this year and in years past eliminating some of the benefits of neighborhood schools and making routes less effective. We are now applying this rule consistently to improve efficiency for all routes. We are working through these changes and notifying families.
- Incorrect Data Entry: We discovered that any student data without a specific entry for bus ridership was automatically coded as a "Yes," creating hundreds of incorrect data points that we've had to manually correct and verify. This data produced a ridership of twice what we had expected from previous years and through the district's work we have eliminated the vast majority of these errors.
- We had an additional route added to our fleet but had to redistribute students as unfortunately we had an unexpected driver departure. When we establish a driver for this new route we will resend information to those impacted with the new bus number. This will help us reduce route times further. We are actively recruiting drivers if you know anyone please have them apply on our website or contact our transportation department.

Long-Term Solutions and Upcoming Changes

This experience has helped us develop more robust, long-term solutions. We are working with consultants to optimize our data practices. This will be a multi-month process leading up to next year's registration, which we will move to the spring of 2026 to allow more time for data processing. We are also building systems to validate addresses within our district boundaries.

New BusRight Routes and App You will be receiving an email from BusRight this evening with updated information for your child's bus number, pickup/drop-off times, and locations.

The new routes, which include all of the corrections we have made, will begin this Monday, September 15th.

If you have any questions or concerns after receiving this information, please contact our transportation department at transportation@jeromeschools.org or call 208-324-1284. If you do not receive an email from BusRight, please contact your school's front office to ensure we have your correct contact information.

NOTE 92

District violations of Idaho bus standards

September 14, 2025 · 1,171 words · https://substack.com/@jeffapierson/note/c-155795329

Detailed Rule Violations by the Jerome School District - based on Idaho School Transportation Best Practices Student Transportation & Publicly Available Documents Failure to follow bus standards (safety equipment, capacity, and construction rules)How: Idaho's bus standards require minimum aisle widths (12" for emergency exit access), emergency exits with alarms, proper fire extinguishers, reflective markings, communication systems, and safety equipment to be in place. These are the baseline requirements for buses operating in Idaho. Why: Jerome launched with overcrowded buses and children left unaccounted for, which made safe emergency evacuation impossible and contradicted capacity and equipment standards. Overcrowding itself breaks the purpose of standards on aisles, exits, and capacity because students could not safely evacuate if needed. Procurement and purchasing irregularitiesHow: Bus procurement must start at least six months in advance, use standardized state bid forms, and be advertised publicly per Idaho Code § 67-2806. These requirements ensure transparency, competition, and timely delivery for depreciation schedules. Why: Jerome's levy for new buses passed in November 2024, yet buses were being rushed into service by August 2025. That left less than nine months to plan, bid, procure, and inspect an entirely new fleet, contrary to best practice timelines. If orders were made after December 31, they risked inspection and reimbursement delays, meaning Jerome could not fully comply with the depreciation and scheduling requirements. Improper handling of courtesy/safety busingHow: Best practices specify that students riding outside the 1.5-mile state walking zone are eligible, while "courtesy riders" are ineligible and cannot be included in state reimbursement. Districts must track these categories separately. Why: Jerome reduced its walking zone (halo) from 1.5 miles to nearly zero, essentially reclassifying all walkers as riders. This artificially inflated the number of reimbursable students, without documenting hazardous walking conditions. That decision directly contradicted the state's reimbursement rules for courtesy riders. Lack of accurate ridership counts and mileage reportsHow: Idaho requires accurate student counts and mileage reports to determine transportation reimbursements. These counts must reconcile with state claim forms. Why: Jerome allowed unregistered riders to board buses, did not freeze enrollment before launch, and failed to reconcile data. As a result, the district could not provide accurate counts or mileage reports, undermining both state reimbursement accuracy and local safety accountability. Failure to plan and test routes before launchHow: Best practices direct districts to plan, review, and establish safe, cost-efficient routes before providing service. This includes balancing ridership, safety busing, and occupancy levels to reduce costs and ensure safety. Why: Jerome launched the 2025–26 school year with incomplete and untested routes. Families reported children stranded, buses overcrowded, and addresses misrouted. This failure shows Jerome ignored best practices for pre-launch planning and testing. Failure in staffing, training, and supervisionHow: Best practices require districts to recruit, train, and retain drivers, ensure CDL compliance, and provide supervision and in-service training. Management must directly observe bus handling and discipline, and follow SISBO driver training requirements. Why: Jerome implemented a new routing system, RFID tags, and expanded service without ensuring adequate driver training or preparation. Parents and drivers testified routes were incomplete and confusing. That failure reflects a breakdown in training, supervision, and preparation responsibilities. Failure to establish accountability mechanismsHow: Best practices require districts to track transportation performance (on-time performance, costs, safety incidents) and publish reports for comparison with benchmarks. Accountability ensures the public can evaluate district performance. Why: Jerome launched major policy changes and a new fleet without establishing or publishing benchmarks, reports, or tracking data. When the system collapsed, there was no accountability framework in place to reassure parents or explain performance compared to state averages. ———————————————————————————————— Case for Independent Oversight of Jerome School District Transportation Conflict of Interest Ali Stoltzman – Director of Student Transportation, Idaho State Department of Education (SDE). Tim Hicks – Transportation Director, Jerome School District. Marriage between these two individuals creates a direct household financial conflict of interest. Mr. Hicks' salary and

professional evaluation are tied to Jerome's ability to maximize state transportation reimbursements, while Ms. Stoltzman's office at SDE is responsible for auditing, enforcing compliance, and approving those reimbursements. Why This Matters Board Oversight Requirement: Idaho Code § 33-1502 requires local boards to annually approve safe routes. Accurate Ridership and Mileage Reporting: Districts must provide accurate rider counts and mileage to SDE for reimbursement eligibility. Jerome allowed unregistered riders and reduced its walking zone to nearly zero, inflating reimbursable ridership in violation of best practices. Bus Procurement Standards: Districts must begin procurement six months in advance, use standardized bid forms, and advertise under Idaho Code § 67-2806. Jerome's levy-driven rush procurement schedule suggests these were bypassed. Bus Construction and Safety Standards: Requirements include aisle clearance, emergency exits, alarms, and safe evacuation procedures. Jerome's overcrowding undermined these safety standards. ———————————————————————— Correction, Discipline, Mitigations to Violations - Complicated by a Conflict of Interest Normally, SDE would enforce corrections or require repayment for violations. But with the Director of Student Transportation married to the district transportation director, the state's impartiality is compromised. This violates the principle of neutral oversight central to the "Best Practices" framework. Possbile Outcomes and Discipline Recusal and Reassignment Ali Stolzman must be formally recused from all oversight, auditing, and reimbursement decisions related to Jerome School District. Oversight responsibility should be reassigned to an independent body such as the State Board of Education or the Legislative Audits Division. Independent Audit of Jerome Transportation Audit rider counts, reimbursement claims, and bus purchases for the 2024–25 and 2025–26 school years. Repayment of state funds if courtesy riders were misclassified as reimbursable. Governance and Local Discipline The Jerome Board of Trustees should be formally censured for failing to ensure accurate reporting and safe routes. Superintendent Brent Johnson and Transportation Director Tim Hicks should face local employment consequences, up to termination, for negligence in planning and safety compliance. Transparency Remedies Jerome School District must be required to publish quarterly public transportation performance reports (ridership, costs, complaints, safety incidents) for at least three years, consistent with best practice accountability standards. Summary: Because Ali Stolzman's role at SDE directly overlaps with her spouse's responsibility in Jerome, the state cannot enforce compliance impartially. Independent oversight, repayment of improper claims, local discipline for negligence, and enforced transparency are the only remedies that will restore lawful accountability and public trust. ———————————————————————- Disclaimer The information provided herein is based on public best practice guidance, state transportation standards, and generally available district records. It is intended for research, analysis, and public discussion purposes only. Nothing in this document should be construed as formal legal advice, a determination of liability, or an official finding of misconduct. All individuals named remain entitled to due process, and all referenced statutes and best practice documents should be verified against the most current versions of Idaho Code and administrative rules. Any conclusions or recommendations are those of the author and not of the Idaho State Department of Education, Jerome School District, or any governing body. Community members, policymakers, and oversight entities are encouraged to independently review the evidence, consult applicable laws, and seek qualified legal counsel before pursuing any formal complaint, disciplinary action, or remedy.

NOTE 93

Twenty questions for the school board

September 15, 2025 · 415 words · https://substack.com/@jeffapierson/note/c-156128468

20 Questions for the Jerome School Board of Trustees Why was the situation initially described to families and media as “repairs and safety,” and does the board believe that communications between August 18 and August 22 accurately reflected the scope of the transportation breakdown? When did the board first become aware that the bus system was not ready to launch safely? What role did the board play in approving or reviewing the transportation rollout plan before the first day of school? Did trustees ask for or receive a safety and readiness report before the new system was implemented, and will that report be made public? Why was the walking zone reduced below the state minimum when the district already knew ridership was growing rapidly? Who made the decision to allow unregistered riders onto buses, and was the board consulted about that decision? Did the board consider phasing in the new transportation system or updated software instead of launching everything at once? Were trustees aware that the new routing software still had unresolved problems on August 18 and 19? Why were community volunteers and state transportation officials brought in only after the crisis began, and what role did they play once involved? What accountability will there be for leadership decisions that resulted in students being placed in unsafe or unaccounted conditions? Has the board discussed whether state laws or pupil transportation standards were violated, and if so, what was the determination? How many near misses or safety incidents involving students has the district documented from the first two days of school, and where is that report? Did trustees discuss or approve the decision to freeze new riders after the collapse of the system? Was there no backup plan or trial run before the buses rolled out at full scale? What steps will the board take to ensure transparent and accurate communication during future crises? Will the board commit to publishing all bus safety reviews, route audits, compliance reports, and related decision records, including email correspondence, for public inspection? What policies will change to ensure that district leadership cannot minimize or obscure problems until after they become public? How will the board rebuild community trust after the transportation system failure left students in unsafe situations and forced schools to close? Will the board commit to an independent or parent-led review of what happened, and will it make the findings fully public? What long-term oversight measures will the board adopt to ensure accountability in transportation planning and implementation?

NOTE 94

Twenty questions for the superintendent

September 15, 2025 · 451 words · https://substack.com/@jeffapierson/note/c-156358505

20 Questions for the Jerome School Superintendent On what date did you personally become aware that the bus system was not ready to operate safely? Why was the problem described to parents and the media in terms of “bus repairs,” when the actual issues involved software, routing, overcrowding, and the expanded walking zone? Did you approve reducing the walking zone to nearly zero, and if so, was the decision influenced by anticipated increases in transportation reimbursements? Why were unregistered riders allowed to board buses on the first two days, given that state pupil transportation standards require accurate rosters for safety and compliance? Were you warned in advance by staff that the system would likely fail if launched at full scale? Prior to August 18, did you personally review the routing and registration software, including its integrations, to confirm it was functioning correctly? Why was the system rolled out district-wide without a pilot or trial phase? How many children were unaccounted for at the end of the day on August 20? Were the district’s phone systems and network infrastructure reliable and adequately staffed during the first days of the crisis? Did you report all safety incidents from those two days to the school board or the State Department of Education in writing? Why did the district continue to register new riders daily when capacity was already strained? It has been reported that an early afternoon conference call on August 20 was when an ad hoc plan was developed. What plan, if any, was in place before that point to address overcrowding and unregistered riders, and why was it not implemented? On August 20, you told parents the system would “exponentially get better.” Do you believe that statement accurately reflected the situation at the time, and how do you view its impact on families’ expectations? What guidance or support did the district receive from the State Department of Education, regarding technology and planning, both before and after the rollout? What steps are you taking to ensure families are never again left without accurate information on their children’s whereabouts? What safeguards are being put in place to prevent leadership from repeating these errors next year? Why were volunteers and state transportation officials brought in only after the first day of school, and who were they? You have acknowledged that safety issues were present. Beyond the minimum required steps, what processes have been or will be implemented to prevent similar issues in the future? How will you ensure that information about bus safety reviews, route audits, and compliance reports is available for public inspection? Will you commit to releasing a full, transparent timeline of what you knew and when, including internal emails and meeting notes?

NOTE 95

“Uniform, free, and common” is a floor

September 20, 2025 · 545 words · https://substack.com/@jeffapierson/note/c-158159305

Uniform, Free, and Common Is the Floor, Not the Ceiling Idaho’s Constitution in Article IX, Section 1 requires that the legislature “establish and maintain a general, uniform and thorough system of public, free common schools.” This mandate has often been read too narrowly, as if it prohibits any support for education outside the state-run public system. That interpretation misunderstands the history and meaning of the words uniform, free, and common. Properly understood, the clause sets a floor that the state must meet, not a ceiling that forbids it from doing more. - Public In 1889, “public” in ordinary English often meant open and accessible, but in the Idaho Constitution it was tied specifically to the system of free common schools established and supported by the state. A “public school” was one maintained by taxation and open to all children regardless of class, wealth, or religion. It was designed to guarantee access, not to eliminate every other form of education. That balance is made explicit in Article IX, Section 9: “The legislature may require by law that every child shall attend the public schools of the state, throughout the period between the ages of six and eighteen years, unless educated by other means, as provided by law.” This language shows that while Idaho required and maintained public schools, it also recognized the legitimacy of other educational choices. The Idaho Constitution did not forbid support for all private schools; it specifically barred funding for sectarian schools. Article IX, Section 5 excluded religious schools from public support, reflecting the anti-Catholic bigotry that shaped Blaine-style amendments across the country. That bigotry has since been acknowledged and ruled unconstitutional by the United States Supreme Court. - Free “Free” meant free at the point of use, with no tuition charged to families. It was a safeguard against locking the poor out of education. The legislature was commanded to ensure every child could receive an education without a bill attached. That is a floor: it requires that a tuition-free system exist, not that all public resources must be spent there. - Common “Common schools” was a 19th-century term of art. It referred to schools teaching a shared civic and academic foundation in literacy, numeracy, and civics necessary for citizenship in a republic. It did not mean that every child must be confined to a single model. It meant that the state had to ensure a minimum baseline of shared instruction. - Floor, Not Ceiling Idaho’s Constitution requires lawmakers to maintain a system of free, uniform, common schools, but that is the floor, not the ceiling. The framers built a safeguard against illiteracy, not a monopoly for the state. They even wrote into Section 9 that children may be “educated by other means,” making clear that other schools were always legitimate. Section 5 did bar aid to sectarian schools, but that was a product of Blaine-era bigotry aimed at Catholics, a prejudice the U.S. Supreme Court has since condemned and struck down. Idaho can and should meet its duty to provide free public schools while also supporting families who need other options. Tax credits are not a constitutional violation. They are consistent with the original purpose of the Constitution and with the modern demand for equal treatment of every family. - Related https://substack.com/@jeffapierson/note/c-158261472

NOTE 96

Grocery tax credit logic applied to education

September 21, 2025 · 257 words · https://substack.com/@jeffapierson/note/c-158261472

Grocery Taxes and Education Tax Credits Idahoans already recognize that taxing groceries is wrong. Food is not optional, and every family feels the pinch when the state takes its cut at the checkout line. That is why the grocery tax credit exists and why eliminating the grocery tax altogether has broad support. Food is fundamental to our existence, not something to be rationed or controlled by government. The same truth applies to education. Schooling is not optional. The state funds a public system, but that system does not serve every child equally across the state. When families look elsewhere, they shoulder the full cost themselves on top of the taxes they already pay into the system. The education tax credit corrects that imbalance. It does for learning what the grocery credit does for eating: it keeps the state from turning a basic obligation into a trap. Both credits rest on the same ethic. One acknowledges that a family cannot be punished for buying food. The other acknowledges that a family cannot be punished for ensuring their children are educated properly. To defend one and oppose the other is to claim that eating matters more than learning. Here is the unavoidable truth: if you cannot agree with education tax credits, then you cannot logically agree with the grocery tax credit or with eliminating the grocery tax. The principle that justifies one is the principle that justifies the other. And if Idahoans are serious about fairness, they will stop treating education as an exception to the rule. Read More

NOTE 97

Defending education tax credits: the finances

September 21, 2025 · 841 words · https://substack.com/@jeffapierson/note/c-158278620

Defending Idaho's Education Tax Credits Part I: Funding and Finance Funding and Finance Idaho’s school tax credit debate often begins and ends with money. Critics argue that credits “drain” revenue from public schools, subsidize religion, or tilt benefits toward wealthier families. Supporters respond that credits are reductions in tax liability, not appropriations, and that Idaho designed its program to help low-income families first. This section tackles the central financial and fairness arguments and shows why the legal and fiscal footing for tax credits remains sound. Point: Tax credits drain revenue from public schools. Counter: Idaho’s constitution requires the state to fund a thorough and uniform public school system, but it does not forbid the Legislature from creating additional programs. The state’s new education tax credit is not equal to the full per pupil cost of educating a child in public schools. When students leave, the state’s obligation to cover that child’s full cost is reduced, and the credit is smaller than that cost. This means remaining students may actually have more resources on a per capita basis. Point: Tax credits are public money supporting private education. Counter: Under Idaho law, the credit is applied against a family’s tax liability and never passes through as a legislative appropriation. Courts, including the United States Supreme Court, distinguish between appropriations and credits. A tax credit is legally treated as a reduction in taxes owed, not as state funds given directly to schools. Idaho families are using their own retained funds, not a transfer of public dollars. Point: Tax credits subsidize religion. Counter: The Idaho Constitution contains a Blaine Amendment that prohibits direct appropriations to sectarian schools, but federal precedent has made that provision unenforceable when applied to neutral programs. In Espinoza v. Montana (2020) and Carson v. Makin (2022), the United States Supreme Court ruled that once a state creates a neutral benefit program, it cannot exclude religious options simply because they are religious. Idaho’s credit follows this federal standard, meaning parents, not the state, decide whether funds are used at a religious or secular school. Point: Credits advantage wealthy families. Counter: Credits are available under the law to qualifying taxpayers who meet the program criteria. Courts have not struck them down as discriminatory simply because some families may use them more easily. The law treats them as available to all who qualify. In Idaho, the credit is specifically designed to benefit low income families, ensuring the structure of the program focuses the benefit where it is most needed. Point: Rural families have no private options, so credits help only cities. Counter: The law applies equally to all Idaho taxpayers who qualify. Nothing in the Idaho Constitution requires geographic uniformity in the availability of schools. Even if rural families have fewer options nearby, they still hold the same legal right to use a credit as families in cities. Courts have never invalidated tax credits because options are unevenly distributed across geography. Point: Private schools cherry pick students. Counter: Idaho law does not obligate private schools to admit all applicants, and the Constitution secures their freedom of association. The existence of selectivity does not affect the legality of the tax credit. Parents still hold the right to apply their credit at any private school that accepts their child, and courts have upheld such arrangements nationwide. Point: Students with disabilities will be left behind. Counter: Under existing law, secular private schools in Idaho are subject to the Americans with Disabilities Act and must make reasonable accommodations for students with disabilities, including learning disabilities. If they receive any federal funding, they are also subject to Section 504 of the Rehabilitation Act. Idaho’s credit program does not change these obligations. Public schools remain bound by IDEA to provide full services, ensuring that federal protections continue to cover all students. Point: Accountability is weaker outside the public system. Counter: Private schools in Idaho are not governed by elected school boards, but they remain subject to state laws of general applicability, including health, safety, and nondiscrimination requirements. They are also accountable to parents, who may withdraw their children at any time. Courts recognize that accountability in private education comes through parental choice and general law, not public governance structures. Point: Credits fund unproven alternatives. Counter: The United States Supreme Court has upheld tax credit and scholarship programs in multiple cases, recognizing them as constitutional regardless of the educational models used. In Idaho, parents retain the legal right to select among

public or private schools without state interference in curriculum. The law already permits families to choose, and the credit simply supports that right. Point: Public schools are the great equalizer, and credits divide communities. Counter: Article IX, Section 1 of the Idaho Constitution requires the Legislature to maintain public schools, but it does not forbid the state from creating other education programs. Courts have upheld tax credit systems across the country because they do not diminish the constitutional obligation to public schools. In Idaho, credits exist alongside the public system, not in place of it. ——- Read Part 2 https://substack.com/@jeffapierson/note/c-158939815



It Isn't Your Money!

NOTE 98

Tax credits and the Blaine Amendment objection

September 23, 2025 · 771 words · https://substack.com/@jeffapierson/note/c-158939815

Defending Idaho's Education Tax Credits Part 2: Constitutional and Legal Opponents often point to Idaho's Constitution, especially the Blaine Amendment and the "uniformity" clause, as barriers to tax credits. They warn of constitutional violations, loss of transparency, and harm to the public system. Yet federal precedent and Idaho's own constitutional text make clear that credits are permissible because they are neutral benefits to parents, not appropriations to schools. This section explains why the law supports tax credits and why constitutional objections are overstated. Point: Credits violate state constitutional no aid clauses. Counter: Article IX, Section 5 of the Idaho Constitution contains a Blaine Amendment that bars direct appropriations to sectarian schools. However, the United States Supreme Court has ruled in Espinoza v. Montana (2020) and Carson v. Makin (2022) that such clauses cannot be used to exclude religious schools from neutral benefit programs. Idaho's tax credit is structured as a neutral benefit for parents. Under federal precedent, the Blaine Amendment cannot invalidate it. Point: Credits complicate school finance systems. Counter: Complexity of administration is not a constitutional barrier. Courts have upheld tax credit programs in other states regardless of how they interact with existing finance systems. In Idaho, the Legislature has the constitutional authority to create both the public funding system and additional programs such as tax credits. The legality of credits does not depend on simplicity of finance. Tax credits never even become an entry in a school district's ledger. Point: Credits will push districts into fiscal crisis. Counter: Fiscal effects are not a constitutional test. The Idaho Constitution requires the Legislature to maintain a general, uniform, and thorough system of public schools. That obligation remains regardless of other programs. Courts have not struck down credits in other states on grounds of financial strain to districts. Point: Private providers lack transparency. Counter: Idaho law treats private schools as private institutions. They are subject to general laws including health, safety, and civil rights statutes, but they are not bound by the open meeting and public record requirements that apply to public schools. Parents provide the direct accountability by choosing whether or not to enroll their children. The existence of fewer disclosure requirements does not make the tax credit unlawful. Point: Teacher shortages will worsen if students leave public schools. Counter: Teacher supply is a policy concern, not a legal restriction. Idaho's constitutional mandate is to provide public schools, which remains in place. The legality of the tax credit does not turn on labor market effects. Courts have upheld similar programs without requiring proof of stable teacher supply. Point: Credits increase segregation. Counter: Courts have not invalidated tax credit programs on demographic grounds. Idaho's credit applies neutrally to eligible families. Federal precedent requires that once created, such programs must be open to all qualifying parents, regardless of race or religion. The Constitution does not bar them based on demographic effects. Idaho's tax credits benefit low-income families and give them oppurtunities to leave poor performing districts. Point: Choice harms students who remain in public schools. Counter: Idaho is still required to provide public schools under Article IX, Section 1. Families who stay in the system retain that right. Courts have not treated possible indirect effects on remaining students as a constitutional violation. Neutral tax credit programs remain lawful. If school districts are performing poorly, perhaps more students need better access to other education programs. Point: Credits invite low quality schools to chase money. Counter: The Constitution does not condition legality on educational quality standards for private schools. In Idaho, private schools may operate with their own curricula and admissions policies so long as they comply with general laws. Parents exercise oversight through enrollment decisions. Courts recognize this structure as constitutionally valid. Point: Parents may choose schools that teach pseudoscience. Counter: Idaho law respects the right of parents to direct the upbringing and education of their children. The Constitution does not authorize the state to control curriculum in private schools. Courts have upheld tax credit programs even when private schools differ from public standards. Families retain the right to make their own choices under existing law. Point: Credits undermine civics education. Counter: Article IX, Section 8 of the Idaho Constitution requires public schools to teach the English language and the science of government. That requirement applies to the public system only. Private schools are not constitutionally

bound to follow the same content mandates. Courts have not required them to do so in order for tax credit programs to remain lawful. By some accounts, the quality of private school civics programs far exceed those in most public schools in Idaho. ——- Read Part 1 https://substack.com/@jeffapierson/note/c-158278620

NOTE 99

Practical objections to education tax credits

September 24, 2025 · 616 words · https://substack.com/@jeffapierson/note/c-159510244

Defending Idaho's Education Tax Credits Part 3: Practical Concerns Even beyond finances and the Constitution, critics raise worries about accountability, fraud, transportation, and teacher pay. Many of these claims are framed as reasons credits will fail in practice. But in Idaho, these issues are already addressed by existing law or simply lie outside the scope of constitutional limits. This section unpacks the practical objections and shows why they do not undermine the legal foundation or fairness of the credit. Point: Administrative costs will balloon. Counter: Courts do not judge the legality of programs based on administrative costs. Idaho’s Legislature has authority to create both the public school system and additional education programs. As long as the credit complies with constitutional standards, administrative expense is not a barrier. Point: Credits are a step toward defunding public schools. Counter: Article IX, Section 1 of the Idaho Constitution requires the state to provide a general, uniform, and thorough system of free public schools. That duty is unchanged by the existence of tax credits. Courts have consistently ruled that states may operate public schools while also allowing families to choose private options through neutral benefit programs. Point: Land and facilities are sunk costs, so savings do not materialize. Counter: Facility costs are part of how districts manage budgets, but they are not a legal test. Idaho’s constitutional obligation is to maintain public schools, which remains in effect. The existence of fixed costs does not invalidate the legality of a tax credit program. Point: Credits privilege families with time to navigate options. Counter: The law does not condition constitutionality on how easy it is for families to use a program. Courts evaluate whether programs are neutral and generally available, not whether some families find them more accessible. Idaho’s credit remains lawful even if usage varies across households. Point: Fraud risk is high. Counter: Concerns about fraud relate to program management, not legality. Courts have upheld tax credit programs in other states without requiring proof of zero misuse. As long as the Idaho Legislature enacted the program through its proper authority, it is valid under state and federal law. Point: Credits reduce teacher pay by shrinking district budgets. Counter: Teacher pay levels are a matter of district budgeting and legislative appropriations. The Constitution requires Idaho to maintain public schools but does not guarantee a specific salary structure. Courts have not invalidated credits based on their potential effect on pay. Point: Private schools can discriminate in admissions or employment. Counter: Under existing law, private schools in Idaho are subject to the Americans with Disabilities Act and Section 504 if they accept federal funds. Religious schools may be exempt from some provisions, consistent with federal law. These differences are part of the legal framework and do not make the tax credit unconstitutional. Point: Transportation barriers block access for poor students. Counter: Accessibility does not determine legality. Idaho’s tax credit program applies equally to qualifying families. Courts do not require every family to have equal geographic or economic ability to use a program in order for it to be lawful. Point: Families will lose rights they have in public schools. Counter: Public schools are bound by IDEA and other federal statutes that guarantee specific rights. Private schools are not bound by IDEA but remain subject to ADA and Section 504 when applicable. This legal distinction has been upheld by courts and does not affect the validity of tax credits. Point: Credits are politically divisive and unstable. Counter: Political debate is not a constitutional test. Idaho’s Legislature acted within its authority to enact the tax credit. Courts review such programs based on neutrality and compliance with constitutional standards, not on the level of controversy. Review https://substack.com/@jeffapierson/note/c-158939815

NOTE 100

Rebutting coverage of Idaho tax credits

September 29, 2025 · 663 words · https://substack.com/@jeffapierson/note/c-161094150

Idaho Education Tax Credits: Responsing Recent News Coverage Since the passage of Idaho's parental choice tax credit, news outlets from Idaho Ed News to the Statesman have raised alarms about "cap creep," rural harm, lawsuits, and supposed fiscal spirals. School boards have warned of "irreparable harm," and lawsuits have already been filed. Much of this coverage repeats talking points rather than clarifying what the law actually does. This section reviews these claims. Response to Randy Stapilus – Why There's Public Education Some critics, like columnist Randy Stapilus, argue that public education is not simply another service but the foundation of Idaho's civic life. He claims tax credits erode the "republican form of government" by shifting resources away from common schools. Yet his argument rests on a category mistake: tax credits are not appropriations, and the Idaho Constitution does not forbid them. This section answers Stapilus directly and shows why the civic lesson here is that tax credits respect both parental authority and constitutional limits. Stapilus: Are education tax credits considered "public funds" under Idaho law? Answer: No. A tax credit is a reduction in a family's tax liability and never enters the state treasury. Courts, including the United States Supreme Court, distinguish between appropriations of public funds and reductions in taxes owed. Idaho's credit is not a transfer of public funds to schools, but a tax benefit to parents. Stapilus: Does the Idaho Constitution ban tax credits to parents for education costs? Answer: No. Article IX requires the Legislature to maintain a system of public schools, but it does not prohibit other neutral tax policies. Because credits are not appropriations, the Blaine Amendment and other constitutional limits on public funds do not apply. Parents are simply retaining a portion of their own tax liability. Response to Lauren Necochea – Idaho Must Defend Public Schools and Our Constitution Necochea: If civic education is important, what civic lesson do tax credits provide? Answer: Civic education emphasizes individual rights, responsibility, and constitutional order. The structure of Idaho's credit teaches that tax credits are not state expenditures, but lawful reductions in tax liability. This distinction is central to understanding both the rule of law and the limits of government power under the Idaho Constitution. Lauren Necochea argues that education tax credits create an "unaccountable drain" on public funds. Are tax credits part of the state budget? Answer: No. Tax credits are not appropriations. They are reductions in individual tax liability and never enter the state treasury. Because they are not part of the budget, there is no "drain" on state resources. This makes the argument a straw man that mischaracterizes how credits fund schools. Lauren Necochea describes HB 93 as a "fiscal disaster" for public schools. Is the fiscal effect of a student leaving the public system different depending on whether they use a credit? Answer: No. When a student withdraws from a public school, the state no longer bears the full per pupil cost of educating that student. This is true whether the student exits with or without a tax credit. The argument confuses the natural effect of enrollment loss with the structure of the credit itself. Lauren Necochea claims tax credits are driven by "deep pocketed, out of state special interests." Is this accurate? Answer: No. Idaho's tax credit has been championed by Idaho parents who want educational freedom for their children. It is rooted in local needs and local voices. If outside organizations lend resources or support, that does not change the fact that the initiative was demanded and advanced by Idaho families. Lauren Necochea states that HB 93 violates the Idaho Constitution's requirement for a uniform public system. Does the Constitution forbid other educational programs? Answer: No. Article IX of the Idaho Constitution requires the Legislature to maintain public free schools, but it also acknowledges the existence of other educational institutions. Nothing in the Constitution bans the Legislature from recognizing or supporting additional education systems. Tax credits for parents fall within that discretion.

OCTOBER 2025

NOTE 101

Tax credits let parents keep their money

October 1, 2025 · 112 words · https://substack.com/@jeffapierson/note/c-161985913

The Truth About Education Tax Credits It is a bald-faced lie to claim that education tax credits force someone else to pay for private education, and it is just as false to say the system only benefits the wealthy. A tax credit does not transfer anyone else's money, it lets parents keep more of their own. Without it, those parents are compelled to pay twice, once for their own child's education and again for a public system they do not use. Far from being a handout to the rich, tax credits level the field so that working and middle-class families have the same freedom to choose the best education for their children.

NOTE 102

Levy opponent faces retaliation

October 14, 2025 · 139 words · https://substack.com/@jeffapierson/note/c-166375871

The Joy of Holding School Boards Accountable This is a greate article about Dean Dimond. Nothing says small-town charm quite like political retaliation. On one side, we have the Valley School District #262 trying to pass a $600,000 levy in the May 2025 election. On the other is a local farmer who dared to oppose it. When the levy failed by a mere seven votes, things escalated quickly. Cue a whirlwind of seemingly retaliatory election violation accusations, followed by the type of behavior you'd expect from a schoolyard bully, and you have what appears to be political targeting. Who knew that in 2025, school elections would turn into a game of legal dodgeball, where those who oppose something on the ballot find themselves in legal crosshairs? After all, what's a little voter intimidation amongst neighbors, right? Read More: https://idahofreedom.org/political-targeting-the-valley-school-districts-purported-vendetta-against-levy-opponents/

NOVEMBER 2025

NOTE 103

Levy questions met with hostility

November 1, 2025 · 194 words · https://substack.com/@jeffapierson/note/c-172514684

Accountability Should Not Be Met With Hostility In Jerome County, a local farmer questioned how previous school levy funds were spent. He filed public records requests, compared ballot language to expenditures, and found discrepancies between what voters were told and what was done. For that inquiry, he was criticized and targeted rather than answered. This is not an isolated event. Across Idaho, school districts have grown accustomed to repeating supplemental levies with minimal public oversight. Budgets are advertised in generalities, ballot language is vague, and post-election reporting is almost nonexistent. The process assumes compliance, not consent. When a citizen demands evidence, it should strengthen the system, not expose its weakness. Transparency should be routine, not adversarial. Yet the current culture of levy politics treats dissent as disruption and compliance as virtue. That inversion is how accountability dies. Public funds are not private property. Every dollar raised through a levy belongs to the people who earned it. Until districts publish detailed audits—line by line, purpose by purpose—any new levy is a demand for trust that has not been earned. Taxation without proof of stewardship is not education; it is entitlement dressed as civic necessity. https://www.facebook.com/watch/live/?ref=watch_permalink&v=1140322021563406

NOTE 104

Superintendent complaint over a “vote no” sign

November 1, 2025 · 253 words · https://substack.com/@jeffapierson/note/c-172517786

The Politics of Intimidation in Small-Town Idaho In Jerome County, a man put up a “Vote No” sign against a school levy. Within days, he was targeted with a formal campaign-finance complaint—filed by the district superintendent, using the district’s phone number. The message was unmistakable: challenge the narrative, and the system will come for you. This is not education. It’s intimidation. When a citizen can’t display a lawful political sign without fear of retribution from a taxpayer-funded institution, the problem isn’t “miscommunication”—it’s corruption. A public agency has no right to weaponize its authority to chill dissent. That is a line every American should defend, no matter their position on the levy itself. According to the Idaho Freedom Foundation’s report, residents who opposed the levy were not only subjected to official complaints but also saw business relationships terminated for displaying signs. That crosses from civic debate into coercion. The very idea of a free election depends on the right to speak and persuade without fear of institutional punishment. Every “Vote No” and “Vote Yes” sign is supposed to stand on equal ground before the law. When one side controls the funding, the facilities, and the personnel—and uses that machinery to silence opponents—it’s not democracy, it’s an abuse of power. If a school district can retaliate against a citizen for a yard sign, it can retaliate against a teacher for conscience, a parent for a question, and a student for belief. That’s the real lesson here; and Idahoans would do well to remember it. .https://idahofreedom.org/political-targeting-the-valley-school-districts-purported-vendetta-against-levy-opponents/

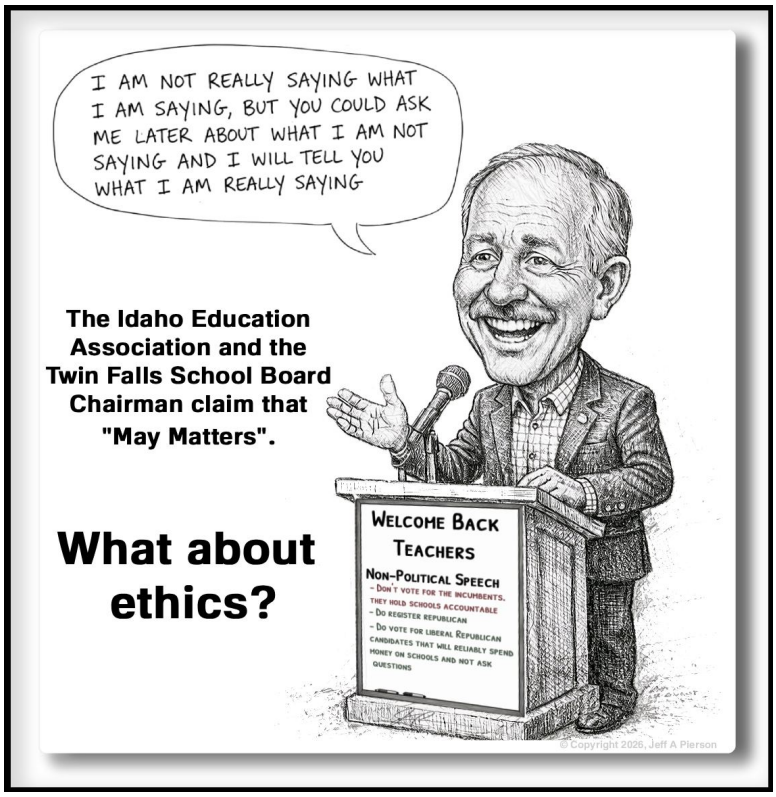
FEBRUARY 2026

NOTE 105

Satirical disclaimer about the board chair

February 4, 2026 · 36 words · https://substack.com/@jeffapierson/note/c-209740247

Disclaimer: Any resemblance to political advocacy or learing is unintentional. Like the school board chair, I am not saying anything meaningful or harmful. I am not even really here. I am somewhere else, not saying anything.



JULY 2026

NOTE 106

Jerome School District note

July 12, 2026 · 3 words · https://substack.com/@jeffapierson/note/c-292916723

Jerome School District



NOTE 107

“One Team One Town One Family”

July 17, 2026 · 314 words · https://substack.com/@jeffapierson/note/c-296490917

Here is an example of why local politics gets so personal. And trust me, this one will make some people angry at me. Sacred Instituions Consider Jerome School District's motto, and ask yourself: how did we get here? "One Team, One Town, One Family." It sounds warm. That's the point. But listen to what the slogan is actually doing, because the psychology isn't subtle. A team has a coach whose decisions you don't question mid-game. A family has loyalty that comes before criticism. And "one town" means there's no room for two opinions. Stack the three together and you've built a frame where asking questions isn't citizenship. It's betrayal. You're not raising a concern; you're breaking the huddle. You're not requesting a document; you're turning on your own family. That's the trade the slogan quietly asks you to make: belonging in exchange for silence. But a school district is not a family. Families don't levy taxes. Families don't hire consultants, award contracts, or route your kids' mornings by spreadsheet. A district is a public institution, funded by its neighbors, and the price of that funding is answering questions clearly, on the record, without treating the person asking as a defector. Here's what actual community looks like: neighbors who disagree in the open, officials who show their math, and documents that say what they mean. Unity that can't survive a question was never unity. It was compliance wearing unity's jacket. I love this town. That's precisely why I read the fine print. Real family tells you the truth. And this is bigger than one motto. It's the psychology behind the hostility aimed at anyone who criticizes a "sacred institution." The institution can be almost anything, and these days almost everything has become one: sacred, beloved, and beyond scrutiny. Question it and the response isn't an answer. It's threats and attacks. How did we get here?

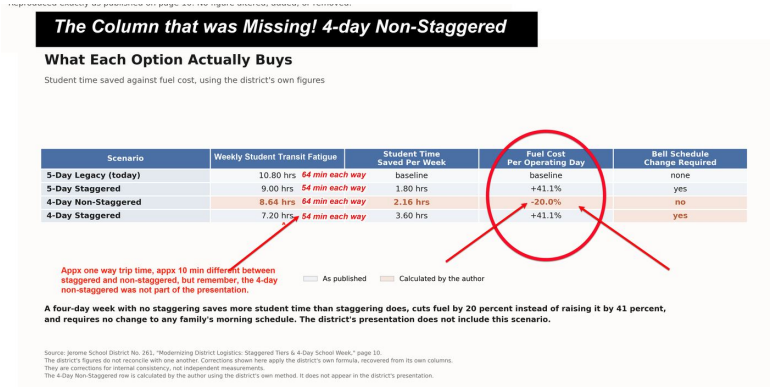
NOTE 108

Rechecking the staggered busing math

July 19, 2026 · 749 words · https://substack.com/@jeffapierson/note/c-297583672

New and Updated Jerome School District staggered busing analysis I hate being manipulated, whether intentionally or through bad information. Last night, I went back through the school district's busing presentation and tried to make the numbers add up. I genuinely tried. What I found was worse than I expected. If I am right, someone was either shoveling BS or did not understand the math. Here is what I found using the district's own figures and formulas. Before anyone gets angry with me or the district, start by assuming I am wrong. Check the data yourself. Make sure you understand it. I make mistakes. Every time I expose something like this, I am accused of tearing the community apart, being an egomaniac, or even threatening local government. No one ever seems to prove that I am wrong, but I certainly catch hell for raising the questions. Here is what I found using the district's own figures and formulas: **Much Not Mathing** The legacy route-time figure and the weekly student-transit figure cannot both be correct. A 102-minute one-way ride, twice a day for five days, equals 17 hours per week, not 10.8 hours. If 10.8 hours is correct, the average one-way ride would be 64.8 minutes, not 102 minutes. **The Missing Column** The presentation omitted a four-day, non-staggered option. That missing column matters because it may save more student time, reduce fuel use instead of increasing it, and leave the current morning bell schedule unchanged. **Mileage Calculation: Reported as AM Mileage or Weekly Mileage?** The four-day staggered mileage figure of **560.54 miles is not the mileage buses** would travel on an operating day. It is **700.68 multiplied by 0.8 as though this is a weekly mileage.** On each day buses actually run, the staggered system would still travel approximately 700.68 **morning miles**. The fuel-cost comparison is based on morning mileage. The presentation does not provide afternoon mileage, activity-route mileage, athletic-route mileage, or total daily operating costs. **Driver Shortages** The presentation predicts that driver vacancies will fall from four to one and then to zero, but it provides no calculation, labor-market analysis, recruitment data, or stated method supporting that forecast. *The presentation does not predict the vacancies associated with a four-day, non-staggered week because that column was not included.* **Baseline Sources** The presentation does not identify whether the 496.55-mile baseline came from the former 24-route contractor system or the district's newer in-house system of approximately 18 routes. **The Routes** The presentation does not disclose the ridership assumptions used to calculate the proposed routes. That omission is particularly serious given the district's previous busing failure, when actual ridership substantially exceeded the number used for planning. **The Benefits of a Four-Day Week, Regardless of Tiered or Staggered Busing** The reported reduction to 7.2 hours of weekly transit time is primarily a benefit of eliminating the fifth school day. It should not be presented as though staggered busing produced the entire reduction. There are significant fuel savings from moving to a four-day, non-staggered week: 20 percent from eliminating one day. I do not know whether there was any intent behind the skewed numbers, unsupported projections, or missing comparison column. Perhaps there is a reasonable explanation. If there is, the district should provide it. These unexplained details, combined with the history of the district's busing program, are among the reasons I do not automatically trust anyone's numbers. I check the math, question the assumptions, and ask what was omitted. The numbers may be explainable. Until they are explained, they should be considered invalid. **DISCLAIMER** I am working with incomplete, internally inconsistent, and poorly explained numbers because those are the numbers the district provided in its presentation. I do not have the underlying route data, ridership assumptions, afternoon mileage, cost calculations, or modeling records needed to independently reconstruct the district's analysis. My conclusions are based on the figures the district published and the mathematical relationships among those figures. I am not accusing anyone of conduct that is unethical, immoral, or illegal. I do not know whether these problems resulted from errors, missing context, careless presentation, or some other explanation. If the district provides corrected figures, supporting records, or a reasonable explanation showing that any part of my analysis is wrong, I will review that information and

publicly correct any error I made. Until then, the responsibility rests with the district to explain why its published numbers do not reconcile and why a significant comparison option was omitted.



The Column that was Missing! 4-day Non-Staggered

What Each Option Actually Buys

Student time saved against fuel cost, using the district's own figures

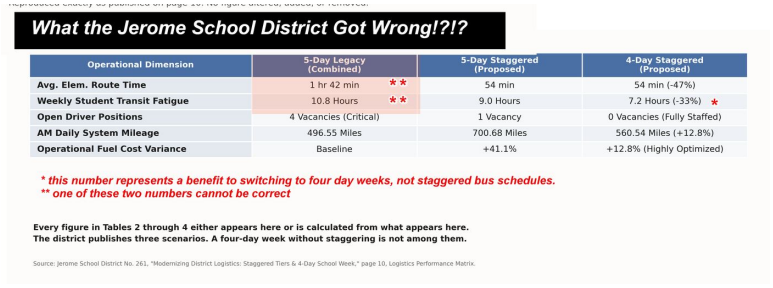
Scenario	Weekly Student Transit Fatigue	Student Time Saved Per Week	Fuel Cost Per Operating Day	Bell Schedule Change Required
5-Day Legacy (today)	10.80 hrs *64 min each way*	baseline	baseline	none
5-Day Staggered	9.00 hrs *54 min each way*	1.80 hrs	+41.1%	yes
4-Day Non-Staggered	8.64 hrs *64 min each way*	2.16 hrs	-20.0%	no
4-Day Staggered	7.20 hrs *54 min each way*	3.60 hrs	+41.1%	yes

Appx one way trip time, appx 10 min different between staggered and non-staggered, but remember, the 4-day non-staggered was not part of the presentation.

As published Calculated by the author

A four-day week with no staggering saves more student time than staggering does, cuts fuel by 20 percent instead of raising it by 41 percent, and requires no change to any family's morning schedule. The district's presentation does not include this scenario.

Source: Jerome School District No. 261, "Modernizing District Logistics: Staggered Tiers & 4-Day School Week," page 10.
The district's figures do not reconcile with one another. Corrections shown here apply the district's own formula, recovered from its own columns.
They are corrections for internal consistency, not independent measurements.
The 4-Day Non-Staggered row is calculated by the author using the district's own method. It does not appear in the district's presentation.



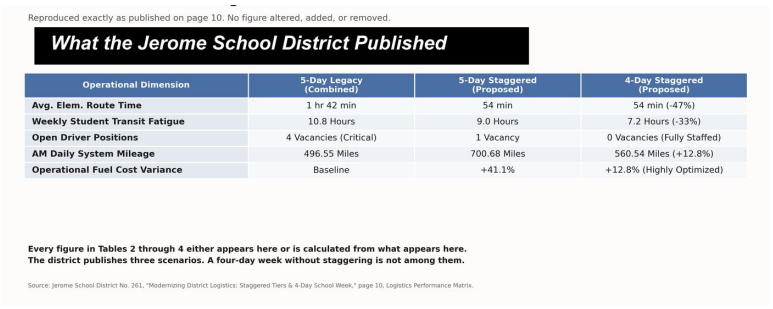
What the Jerome School District Got Wrong!?!?

Operational Dimension	5-Day Legacy (Combined)	5-Day Staggered (Proposed)	4-Day Staggered (Proposed)
Avg. Elem. Route Time	1 hr 42 min **	54 min	54 min (-47%)
Weekly Student Transit Fatigue	10.8 Hours **	9.0 Hours	7.2 Hours (-33%) *
Open Driver Positions	4 Vacancies (Critical)	1 Vacancy	0 Vacancies (Fully Staffed)
AM Daily System Mileage	496.55 Miles	700.68 Miles	560.54 Miles (+12.8%)
Operational Fuel Cost Variance	Baseline	+41.1%	+12.8% (Highly Optimized)

** this number represents a benefit to switching to four day weeks, not staggered bus schedules.*
*** one of these two numbers cannot be correct*

Every figure in Tables 2 through 4 either appears here or is calculated from what appears here.
The district publishes three scenarios. A four-day week without staggering is not among them.

Source: Jerome School District No. 261, "Modernizing District Logistics: Staggered Tiers & 4-Day School Week," page 10, Logistics Performance Matrix.



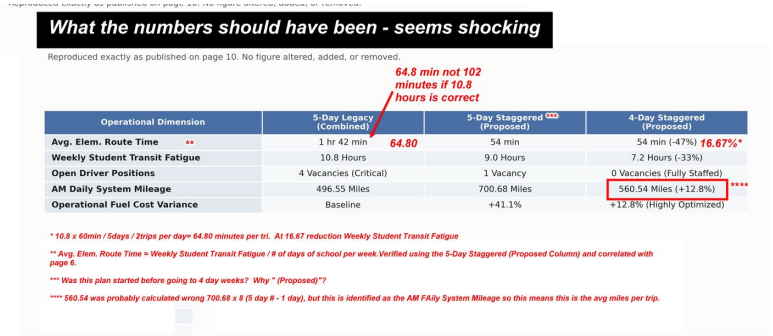
Reproduced exactly as published on page 10. No figure altered, added, or removed.

What the Jerome School District Published

Operational Dimension	5-Day Legacy (Combined)	5-Day Staggered (Proposed)	4-Day Staggered (Proposed)
Avg. Elem. Route Time	1 hr 42 min	54 min	54 min (-47%)
Weekly Student Transit Fatigue	10.8 Hours	9.0 Hours	7.2 Hours (-33%)
Open Driver Positions	4 Vacancies (Critical)	1 Vacancy	0 Vacancies (Fully Staffed)
AM Daily System Mileage	496.55 Miles	700.68 Miles	560.54 Miles (+12.8%)
Operational Fuel Cost Variance	Baseline	+41.1%	+12.8% (Highly Optimized)

Every figure in Tables 2 through 4 either appears here or is calculated from what appears here.
The district publishes three scenarios. A four-day week without staggering is not among them.

Source: Jerome School District No. 261, "Modernizing District Logistics: Staggered Tiers & 4-Day School Week," page 10, Logistics Performance Matrix.



What the numbers should have been - seems shocking

Reproduced exactly as published on page 10. No figure altered, added, or removed.

64.8 min not 102 minutes if 10.8 hours is correct

Operational Dimension	5-Day Legacy (Combined)	5-Day Staggered *** (Proposed)	4-Day Staggered (Proposed)
Avg. Elem. Route Time **	1 hr 42 min *64.80*	54 min	54 min (-47%) *16.67%**
Weekly Student Transit Fatigue	10.8 Hours	9.0 Hours	7.2 Hours (-33%)
Open Driver Positions	4 Vacancies (Critical)	1 Vacancy	0 Vacancies (Fully Staffed)
AM Daily System Mileage	496.55 Miles	700.68 Miles	560.54 Miles (+12.8%) ****
Operational Fuel Cost Variance	Baseline	+41.1%	+12.8% (Highly Optimized)

** 10.8 x 60min / 5days / 2trips per day= 64.80 minutes per tri. At 16.67 reduction Weekly Student Transit Fatigue*

*** Avg. Elem. Route Time = Weekly Student Transit Fatigue / # of days of school per week.Verified using the 5-Day Staggered (Proposed Column) and correlated with page 6.*

**** Was this plan started before going to 4 day weeks? Why " (Proposed)"?*

***** 560.54 was probably calculated wrong 700.68 x 8 (5 day # - 1 day), but this is identified as the AM FAily System Mileage so this means this is the avg miles per trip.*

PART 8

Transparency & Open Government

Public records, meeting minutes, executive sessions, and the ethics of the record.

11 NOTES · SEPTEMBER 14, 2025 – APRIL 30, 2026

SEPTEMBER 2025

NOTE 109

Prohibitive records fees as constructive denial

September 14, 2025 · 101 words · https://substack.com/@jeffapierson/note/c-155792916

When an Idaho agency attaches prohibitive fees to a records request, it creates a constructive denial. Idaho's Public Records Act is meant to guarantee access, not place it behind a paywall. Quoting a $40,000 estimate (for my orginal request) and $14,000 estimate (for my amended request) is not a good-faith calculation of cost, it is a barrier designed to stop disclosure. The effect is identical to saying "no." This practice turns the public's right to know into a privilege for the few who can afford it, and it undermines both the letter and the spirit of the law. Read More: https://open.substack.com/pub/jeffapierson/p/jeromes-public-records-problem-constructive?r=1noct5&utm_campaign=post&utm_medium=web&showWelcomeOnShare=false

NOVEMBER 2025

NOTE 110

The tyranny of "trust me" government

November 1, 2025 · 227 words · https://substack.com/@jeffapierson/note/c-172588273

Make Idaho Honest and Accountable (Part 1): The Tyranny of "Trust Me" Government Every publicly funded organization in Idaho, from the smallest school district to the largest state agency, operates under a sacred moral contract: public money requires public accountability. This is not a suggestion. It is the non-negotiable prerequisite for a free society. Yet in Idaho, this contract is fundamentally broken. Our transparency laws operate on a failed, reactive model. Citizens are forced to act as beggars, knocking on the doors of their own government, pleading for information that already belongs to them. They must know exactly what to ask for, how to file the correct request, and then often fight in court against a publicly funded legal team just to see a public record. This system is a relic, built for an era of filing cabinets and in-person attendance. It treats access as a privilege to be requested, not a right to be provided. It rests on the most dangerous and corrupting idea in governance: "just trust us." Trust is not a policy. Goodwill is not oversight. The time has come to tear down this paper-thin façade. Idaho must transform its model from access upon request to disclosure by default. The burden must no longer rest on citizens to find the truth. The burden must be on government to prove it has nothing to hide.



NOTE 111

From vague minutes to verifiable truth

November 1, 2025 · 300 words · https://substack.com/@jeffapierson/note/c-172589608

Make Idaho Honest and Accountable (Part 2): From Vague Minutes to Verifiable Truth For decades, Idaho's "open government" has been a performance, not a principle. "Transparency" has meant vague minutes, sealed executive sessions, and a black hole of public information. Promising transparency is not the same as proving it. If power is to return to the people, citizens must demand verifiable proof, not platitudes. The time for requests has passed. The time for accountability has arrived. First, every public records request must itself be public. Every publicly funded entity must maintain an online log showing the request, date, requester, and disposition. If an agency denies access, it must cite the precise statute for that denial. Sunlight reveals patterns of obstruction and forces secrecy to justify itself in the open. Second, end the farce of "official minutes." Today, minutes are sterile summaries that conceal more than they reveal. Every meeting must be streamed live, permanently archived, and indexed in a searchable database. Written minutes must be substantive, not ceremonial. They must include: A meaningful overview of facts and arguments presented. • A summary of the reasoning behind each decision. A balanced record of public comments, both critical and supportive. • Direct links to all supporting documents. The written record must match a video or audio archive Third, drag executive decisions into the light. The "executive session" has become government's shadow realm. While the law limits these meetings, compliance is unverifiable. Every session must appear in a public log with its statutory authority, specific topic, start and end times, and a link to any resulting public motion. Every public vote must be traceable to its implementation, including expenditures, contracts, and officials responsible for carrying it out. Anything less is not transparency. It is camouflage, a new costume for the same old secrecy.



NOTE 112

Recent Idaho open meeting violations

November 2, 2025 · 112 words · https://substack.com/@jeffapierson/note/c-172699769

A Few Recent Open Meeting - Executive Session Violations I promise this happens every month in Idaho. The Open Meeting Law iis not new and yet, corruption in government continues, whether intentionally or not, it is still corruption. Idaho Land Board (2023), Nampa City Council (2025) - Improper or missing justification for executive session Marsh Valley School Board (2024) - Taking final action in executive session Canyon County Clerk Appointment (2024) - Deliberation or decision outside a public meeting Canyon County Budget Process (2023) - Serial or unrecorded deliberations (budget) Idaho Public Charter School Commission (2019) - Derogatory remarks and off-topic closed session Nampa City Council (2025) - Off-topic executive session discussions

DECEMBER 2025

NOTE 113

Chasing dark money in Idaho campaign finance

December 9, 2025 · 991 words · https://substack.com/@jeffapierson/note/c-185938769

Dark Money and the Hypocrisy Some Do Not Want to Admit Trigger Warning This post contains unfiltered observations about Idaho campaign finance practices, basic arithmetic, public records anyone can look up, and the uncomfortable possibility that some beloved local politicians might not be the saints their fans imagine them to be. Readers who prefer curated illusions, selective outrage, or the belief that all money supporting their favorite candidates comes from pure motives may experience discomfort. Viewer discretion is advised. Tonight, I spent three hours trying to trace campaign donations to a single Idaho candidate. Let me be precise: I spent three hours trying to follow the money from one donor to that one candidate, and I still cannot tell where the funds actually originated. According to some, this candidate is supposed to represent the highest standard of ethics and virtue a small county can offer, so you would think identifying the source of their campaign money would be simple. It isn't. That is not necessarily the candidate's fault. I am not throwing shade, but this is a "mainstream" Republican candidate whose compatriots complain about more conservative candidates and their alignments with so-called "dark money." Idaho politics is full of theatrical warnings about dark money, usually deployed by incumbents who want you looking at someone else's donors instead of their own. The accusation sounds moral. It sounds principled. It is rarely either. The fastest way to expose the hypocrisy is simple: when they start talking about dark money, force them to define it. Make them explain what they believe dark money is and why they think it is a problem. As soon as you do, it will help you identify their hypocrisy by pointing out the actual structural opacity associated with campaign financing. Dark money generally refers to political spending routed through 501(c)(4) organizations that are not required to disclose their donors. The group's name appears in filings, but the source of the money remains hidden. There is another kind of dark money in campaign finance, and it hides in plain sight. It is the vast network of energy conglomerates, regulated utilities, medical giants, and other industry interests whose PACs buy influence through perfectly legal channels. They move money from PAC to PAC, bundle donations through layers of intermediaries, and file disclosure reports that are technically complete while telling the public almost nothing. This is the establishment's preferred version of dark money, the kind that cloaks itself in compliance while shaping legislation, access, and outcomes for those who can afford it. And here is where the hypocrisy becomes undeniable. When you start trying to track these connections down in Idaho, the shell game becomes obvious. You bounce between IRS nonprofit listings, Secretary of State corporate records, vague business registrations, half-complete annual reports, and PAC filings that lead to dead ends or entities with no meaningful public footprint. In some cases, it is nearly impossible to determine who actually controls the organization or what financial interests sit behind it. This is not an accident. It is designed, in my view, as part of the system rather than the actions of any single person. The same politicians who are screaming about dark money swim comfortably in this dark-money-adjacent maze. If you doubt it, try tracing donors for any mainstream Democrat or entrenched Republican in the Idaho Legislature. Follow the money through their aligned PACs, political consulting firms, friendly nonprofits, and corporate and family-linked entities. The complexity does not clarify. It obscures. And maybe that is the point. Maybe it allows them to posture as champions of transparency while relying on the same opaque mechanisms they pretend to oppose. This is why definitions matter. When you press someone who is ranting about dark money to define their terms, the conversation immediately exposes who actually wants transparency and who only wants a talking point. Once you lay out the tangled and opaque funding networks surrounding their own campaigns, the selective outrage collapses. Sharp Karens will not enter the discussion. They seem to know better. This post does not argue for or against the use of so-called dark money. It argues that selective outrage is dishonest. Idaho's political establishment benefits from opaque funding networks just as much as any outside group. They simply hide behind a "cleaner façade" and hope voters never look behind the paperwork. Frankly though, I am not convinced that so-called dark money is the real villain when our campaign finance system is already broken. When regulated utilities, hospital networks, and large corporate interests can legally buy influence through a maze of PACs,

associations, and industry funds, the obsession with “dark money” becomes a convenient distraction. I am not an accountant or a campaign finance expert. I am just an ordinary citizen, and the average person should be able to look at a candidate’s donations and immediately understand where every dollar came from. Yet the system is designed to make that clarity almost impossible. And when it comes to the smaller, loosely organized civic groups that do not donate to campaigns but try to influence the community, maybe it is time to admit they are not the greatest threat to liberty or transparency. The real threat comes from the massive institutional players who can shape elections in daylight and still pretend they are doing nothing at all. Disclaimer This post does not allege or imply that any specific individual, PAC, nonprofit, business entity, or elected official in Idaho has engaged in illegal conduct. Campaign finance laws are complex, and many organizations and political actors operate fully within the bounds of state and federal statutes. Not all PACs are manipulative, not all nonprofits are evasive, and not all politicians rely on opaque financial structures. The purpose of this post is to highlight the hypocrisy, selective outrage, and structural opacity that exist within Idaho’s campaign finance culture. Readers should understand that the criticism is directed at practices and patterns, not at any specific party or person.

NOTE 114

Secrets destroy republics

December 9, 2025 · 25 words · https://substack.com/@jeffapierson/note/c-185939201

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NOTE 115

Questioning the IDHW ARPA grant claims

December 30, 2025 · 903 words · https://substack.com/@jeffapierson/note/c-193341602

The Idaho Tribune article claims that the Idaho Department of Health and Welfare (IDHW) distributed ARPA-related grant money inappropriately and suggests the Governor's office could be involved. The Idaho Tribune article claims the Idaho Department of Health and Welfare (IDHW) distributed ARPA-related grant money in ways that violated the Legislature's limits for the Community Partner Grant program, which the piece describes as intended for "school-aged participants ages 5-13 years." after reviewing the recipient list, the author believes funds went to organizations that serve children younger than 5, and it uses examples like Get Ready to Learn, Kuna and Giraffe Laugh to argue the spending did not match the stated age range. "over $30 million" in taxpayer funds were "misappropriated" and distributed to recipients "in direct contradiction" to the Legislature's guidelines, and it cites Idaho criminal statutes about misuse of public money to frame the allegation as potentially unlawful. It also claims IDHW "disobeyed the legislature" in administering the grants and says the Attorney General "has stepped in" as a result. the Attorney General's office sent out "over 50 subpoenas" to grant recipients after the Joint Finance Appropriations Committee voted to investigate, and it says the Legislature stopped IDHW from making further payments. that attorney Greg Chaney filed a lawsuit aimed at preventing the Attorney General from investigating the use of these funds. responsibility or knowledge may extend beyond program staff to senior leadership, naming an IDHW program director (Ericka Rupp) as "most immediately responsible," then pointing to IDHW director David Jeppesen, and raising questions about Governor Brad Little's office by naming Sarah Stover (Director of Cabinet Affairs) and suggesting the matter "may lead back to" the Governor's office. Those claims, even if unproven, point to a straightforward reality: when a legislative audit raises compliance and control questions about a large public program, and the Attorney General starts issuing demands for records, an investigation is the normal accountability mechanism, not a scandal add-on. If the program was administered cleanly, the investigation should verify that. If it was not, the investigation should establish what happened, who authorized it, and what corrective action or recovery is required. Politically, resistance to an investigation almost always reads as stonewalling. Most people do not parse jurisdictional arguments, conflict claims, or scope fights, they see delay and assume there is something to hide. Even when resistance is legally defensible, the optics are bad, and opponents will exploit it because it is effective. The longer the resistance lasts, the more it looks like institutional self-protection rather than due process. There is one question that cuts through the fog and forces clarity from IDHW and the Governor's Office: after the courts weighed in and the AG asserted authority to obtain records, what exactly did leadership do, in writing, with dates, to ensure full production of records and corrective controls. That answer, and the documents behind it, will do more than any headline to settle whether this is administrative failure, policy drift, or something worse. Additional Questions for IDHW What is IDHW's exact legal theory for resisting or narrowing the Attorney General's CIDs, and how did that theory change, if at all, after the Idaho Supreme Court's July 10, 2025 decision? What specific documents and data did IDHW argue should not be produced, and on what grounds (privilege, confidentiality, scope, burden, statutory authority)? What internal compliance standard did IDHW apply to the legislative requirements for the program, including the "in-person" restriction and the "ages 5 through 13" restriction, and where is that standard written (policy memo, grant agreement language, applicant guidance)? The legislative audit criticized internal controls and eligibility enforcement. Which audit findings does IDHW concede, which does it dispute, and what corrective actions were implemented, with dates and responsible offices? Did IDHW treat "mixed-age" programming as eligible so long as some participants were 5 to 13, and if so, what authority did it rely on to do that? This matters because it is a core factual dispute in public reporting about eligibility. What is IDHW's best, documented accounting of questioned costs versus confirmed noncompliance versus compliant spending, and how does that compare to the legislative audit's numbers? What documentation did IDHW require from recipients to verify age eligibility and in-person delivery, and what percentage of recipients failed to provide adequate documentation at the time of payment? Were any payments paused, clawed back,

> referred for enforcement, or renegotiated after audit findings or after allegations surfaced? If yes, provide totals, dates, and the specific reasons. Additional Questions for the Governor's Office When did the Governor's Office first learn that IDHW was suing the Attorney General over this investigation, and who authorized that posture? Did the Governor's Office participate in or direct strategy regarding the decision to litigate against the AG, including whether to seek a special prosecutor pathway after the conflict ruling? What oversight, if any, did the Governor's Office exercise over IDHW's administration of these ARPA grant funds, particularly after concerns were raised publicly and in the audit? After the Idaho Supreme Court's July 10, 2025 ruling affirming the AG's authority, did the Governor's Office issue any directive to cooperate, remediate, or revise grant controls? If not, why not? What is the Governor's Office position on the separation-of-powers point here: an executive agency (IDHW) suing to block or narrow a separate statewide elected executive officer (the AG) from investigating grant compliance? (This is not a motive question, it is a governance question.) https://www.idahotribune.org/news/kindergate-idaho-department-of-health-and-welfare-caught-misappropriating-tax-dollars-insiders-say-scandal-may-reach-governors-office?fbclid=IwY2xjawPBKv5leHRuA2FlbQIxMQBzcnRjBmFwcF9pZBAyMjIwMzkxNzg4MjAwODkyAAEeT0wc75yt8SvLqvrCesrtbAkFIbysOl_IYsStmW6n-rCl8_aem_aJ44EIazmpEanS7iL-Qo7g

FEBRUARY 2026

NOTE 116

Idaho transparency fails on integrity, not intent

February 9, 2026 · 660 words · https://substack.com/@jeffapierson/note/c-212219139

Idahos Transparency Laws: The Failure Isnt in Intent, but with Integrity From the citizen's perspective, Idaho's transparency laws are not broken because they lack moral clarity or statutory purpose. The intent is explicit and repeatedly affirmed. Public business is supposed to be conducted in public. The problem arises not from what the law says, but from how faithfully its requirements are carried through once records, notices, and access become inconvenient, politically uncomfortable, or administratively burdensome. Transparency begins long before a meeting is convened, and the first fracture appears in notices and agendas. While the law requires posting within defined timeframes, it permits descriptions so general that citizens cannot reasonably discern what decisions are being shaped. Agenda items labeled as discussion, update, or consideration comply technically, yet conceal substance in practice. For citizens, this is not a clerical flaw but a functional one, because meaningful participation depends on knowing what is coming while there is still time to respond. Minutes then compound the problem. The statute requires documentation of attendance, motions, and votes, but not of reasoning, competing arguments, or materials relied upon. As a result, official records frequently show that something happened without showing how or why it happened. From the citizen's standpoint, minutes become confirmation of procedure rather than evidence of transparency, leaving no reliable way to tell whether deliberation occurred openly or was merely ratified in public after being settled elsewhere. Access to documents tied to meetings is where integrity matters most and fails most visibly. Staff reports, consultant analyses, draft policies, correspondence, and legal guidance often shape outcomes more than the conversation held at the dais. Although many of these records qualify as public, they are commonly released only after meetings occur, if they are released at all. Citizens are asked to trust a process they were never allowed to fully see while it mattered. When citizens attempt to close that gap through public records requests, they frequently encounter delay, denial, or cost barriers that render access theoretical rather than real. Records may be withheld based on exemptions that rely on subjective judgment, such as claims that documents are preliminary, deliberative, privileged, or exempt for legal reasons that the requester cannot independently evaluate. These determinations are made by the same institutions whose conduct the records would illuminate, placing integrity under pressure at precisely the moment it matters most. Cost becomes an additional filter. Fees for search, review, redaction, and production may be technically authorized yet functionally prohibitive. For an ordinary citizen, an open ended or high estimate signals that transparency is conditional, available primarily to those with financial resources or legal support. Because enforcement deadlines under open meeting law are short, delayed or expensive access effectively forecloses meaningful accountability even if records eventually surface. What citizens experience through this process is not outright secrecy but managed visibility. Meetings are open. Votes are recorded. Minutes are posted. Yet the inputs that actually shape decisions remain thinly documented, delayed, or difficult to obtain. Transparency exists at the conclusion of the process rather than during its formation, when public awareness and participation could still influence outcomes. This is why the failure is not one of intent. Idaho's transparency laws say the right things and establish the right principles. The failure lies in integrity, in whether those entrusted with notice, documentation, and disclosure treat transparency as an obligation or as a box to be checked at minimum compliance levels. When integrity weakens, discretion replaces clarity, access becomes negotiable, and transparency drifts from a civic guarantee into an administrative courtesy. For citizens, the lesson learned over time is subtle but corrosive. Presence does not equal participation. Access does not equal understanding. Compliance does not equal openness. Until records are timely, complete, affordable, and released with the same seriousness as votes are taken, transparency will remain formal rather than functional, and public trust will continue to erode not because the law failed to promise openness, but because it failed to insist upon it.

APRIL 2026

NOTE 117

Decisions already settled before public input

April 2, 2026 · 231 words · https://substack.com/@jeffapierson/note/c-236946745

What is Settled Don’t Sit Right With Me! That feeling when you look at how something turned out — a policy, a deal, a decision that shaped your community — and you realize it was already done before anybody got a chance to weigh in. Not in some dramatic, conspiratorial way. Just quietly. The way most of the important stuff actually happens. My dad has always been able to detect bullshit. He just had a way of noticing when something showed up already planned. And he taught me that the loud problems aren't the ones that keep you up at night — it's the ones that were already finished before anyone thought to ask. I think a lot of people recognize this. That uneasy sense that the biggest choices affecting your life, your town, your kids' future, got made in rooms you weren't in, during conversations you didn't know were happening. And then someone tells you that's just how things work. That nobody's responsible. That it's just the nature of the thing. But we know better than that. Somebody made those calls. Somebody benefited. And the people left standing outside aren't collateral damage — they're the cost somebody else was willing to accept. This song is my way of saying what I think a lot of us already feel: that discomfort isn't confusion. It's clarity. And it's okay to trust it.

NOTE 118

Conflict questions on the Eden BESS project

April 28, 2026 · 493 words · https://substack.com/@jeffapierson/note/c-250394430

Questions Regarding the BESS Project in Eden, Idaho There are legitimate and necessary questions surrounding the BESS project in Eden that require clear, public answers. These are not abstract concerns. They go directly to transparency, conflicts of interest, and the integrity of the decision-making process. Public records identify the ownership of the property involved. Given that, the following disclosures should be made clearly and on the record. Do any current county commissioners, Planning and Zoning staff, or board members have any financial, advisory, or personal relationship with the property owner or any entity involved in the project? Do any immediate family members of those officials have business, financial, or contractual ties to the property owner, developer, contractors, or affiliated companies connected to this project? Have any of these relationships been formally disclosed in accordance with Idaho conflict of interest requirements? If so, where can those disclosures be reviewed by the public? When were county officials first made aware of this project, and through what channel did that awareness occur? Was that awareness established prior to any public notice or hearing? Have any communications occurred, formal or informal, between county officials and representatives of NextEra or any related entity outside of publicly noticed meetings? If so, what was the nature and timing of those communications? There are also credible reasons to question whether discussions related to this project occurred in executive session, and that requires a direct public answer. Have any county commissioners, Planning and Zoning officials, or staff discussed the Eden BESS project in executive session at any time? If so, what specific statutory exemption under Idaho open meeting law was used to justify closing that discussion to the public? What was the subject matter discussed in that session, and how does it meet the legal standard required for executive session? Were any decisions, direction, or consensus formed during or immediately following those closed discussions? Were any third parties present, including representatives of NextEra or affiliated entities, and if so, under what authority? Are there minutes, recordings, or formal records documenting the justification and scope of those executive sessions, and will they be made available for public review? If no such discussions occurred, that should be stated clearly and on the record. Has any county official, staff member, or affiliated party signed a non-disclosure agreement related to this project or related infrastructure proposals? Why has Jerome County not adopted clear, enforceable ordinances governing large-scale energy projects such as BESS? Is there any connection between that delay and the timing, permitting, or advancement of this project? Are there additional projects involving the same property owner, affiliated entities, or related infrastructure that have not yet been publicly disclosed but are known to county officials? Some of these answers may already be partially known. That is not enough. When ownership, family relationships, and public decision-making intersect, full disclosure is required. Projects of this scale reshape a community. Transparency is not optional. It is the minimum standard.

NOTE 119

No more backroom decisions in Jerome County

April 30, 2026 · 45 words · https://substack.com/@jeffapierson/note/c-251443449

NO MORE (apparent) BACKROOM DECISIONS. ► Too many decisions happen before the public ever hears about them. ► Too many approvals feel predetermined. ► That's not how government is supposed to work. ► Same rules. Every time. For everyone. #OpenMeetings #Transparency #NoBackroomDeals #JeromeCounty #IdahoPolitics #Accountability



PART 9

Constitution, Natural Law & Ordered Liberty

First principles: natural law, property, conscience, and the limits of power.

36 NOTES · SEPTEMBER 15, 2025 – JULY 22, 2026

SEPTEMBER 2025

NOTE 120

Minidoka and the duty to defend others' rights

September 15, 2025 · 141 words · https://substack.com/@jeffapierson/note/c-156075570

Inalienable rights belong to all people, not only in theory but in the practice of justice, even when it is inconvenient, distasteful, or politically unpopular. The first-generation Japanese migrants and the Nisei at Minidoka were denied those rights under the pretense of national security, yet their confinement revealed how easily fear and prejudice can override principle. To strip them of liberty was one of the ugliest actions in the last hundred years, a betrayal of the very foundation on which America claimed legitimacy. . Ordered liberty requires that we preserve the rights of others, even those we mistrust or dislike, because the same standard that protects them safeguards us. To honor liberty selectively is to destroy it entirely. The duty to defend the inalienable rights of others, even when uncomfortable, is the proof that we believe in those rights at all.

NOTE 121

Civics: the citizen's duty of scrutiny

September 21, 2025 · 385 words · https://substack.com/@jeffapierson/note/c-158397435

Civics: Duty of Scrutiny, Pt 1 A free people must keep watch over those entrusted with authority. Public officials, judges, administrators, educators, and others in positions of trust are not masters but servants of the people. The Founders knew that power is always tempted toward corruption. Jefferson put it plainly: “The price of freedom is eternal vigilance.” Scrutiny is not optional. It is the safeguard against the quiet creep of tyranny. To question, investigate, and demand transparency from leaders is not a mark of disloyalty but of loyalty to the republic. Scrutiny in a free republic cannot remain polite or superficial. At times it must press into uncomfortable extremes. That is part of the cost of liberty. Here are the kinds of extremes that duty of scrutiny sometimes demands. Public Exposure When officials or trusted figures fail in their duties, citizens may have to expose those failures publicly. That means publishing names, documenting errors, and insisting on accountability in the open. It is never comfortable to see a neighbor, a school board member, or a judge criticized in public, but silence is worse because it permits quiet decay. Relentless Questioning Leaders often resist being asked hard questions. The duty of scrutiny means not letting the subject drop, even when officials bristle or community members accuse questioners of being negative. Repetition, persistence, and refusal to be pacified by vague answers are sometimes the only way truth surfaces. Moral Judgment Scrutiny involves more than reporting facts. It also includes calling wrongdoing what it is. Corruption must be called corruption. Cowardice must be called cowardice. This can feel harsh, but it prevents euphemisms from covering sin. Making people uncomfortable in this way is part of restoring moral clarity. Refusal to Appease At times citizens must endure accusations of being divisive, unkind, or even disloyal simply because they demand accountability. The Founders endured the same charges when they scrutinized the Crown. Appeasement is the temptation of every age, but it always leads to decay. Summary The duty of scrutiny sometimes requires actions that make others feel bad because truth itself is often unwelcome. Public exposure, relentless questioning, moral judgment, and refusal to appease are not expressions of cruelty but of stewardship. Citizens who fail to accept these extremes abandon their role as guardians of liberty. Read Part 2 https://substack.com/@jeffapierson/note/c-158399936

NOTE 122

Duty of scrutiny and the reality of backlash

September 21, 2025 · 222 words · https://substack.com/@jeffapierson/note/c-158399936

Civics: Duty of Scrutiny, Pt 2. The Reality of Backlash Citizens who question authority will be accused of being troublemakers, divisive, bitter, or unpatriotic. Neighbors may turn cold, churches may urge silence, and institutions may retaliate. The aim is always the same: to isolate the scrutinizer so that others are deterred from speaking. The Moral Burden Enduring this treatment is heavy, but it is also a test of courage. If scrutiny collapses under social pressure, corruption wins without a fight. The prophets of Israel were attacked by their own people more than by foreign kings. Early American patriots were slandered as rebels and ingrates. Scrutiny always carries the weight of being misunderstood and misrepresented. The Duty to Persevere Citizens must not shrink back when marginalized. Silence in the face of pressure is surrender. Scrutiny has meaning only if it is carried through to the end, even when the crowd turns against the one speaking. Liberty dies not just when leaders are corrupt, but when citizens are too afraid of unkind words to hold them accountable. Summary Those who scrutinize must accept that attacks and marginalization will come, often from their own communities. To endure that pressure without bending is the proof that vigilance is not just a right but a duty. The republic cannot survive without citizens willing to carry this burden.

NOTE 123

Civic anti-authoritarianism

September 25, 2025 · 234 words · https://substack.com/@jeffapierson/note/c-159615815

Authoritarianism versus Civic Anti-Authoritarianism I want to introduce a term I believe is unique to my writing: civic anti-authoritarianism. The principle itself is not new, but the label gives it fresh relevance. It stands in opposition to the liberal, authoritarian ideologies promoted by groups such as BLM, No-Kings, and—ironically—Antifa. Authoritarianism is the concentration of power in groups or governments who demand loyalty, suppress dissent, and subordinate individual rights to the state. It thrives on control, surveillance, and the erosion of conscience in favor of obedience. The authoritarian state doesn’t care whether a law is just but whether it can be enforced. It manufactures loyalty through fear and dependency, reducing citizens to subjects. Civic Anti-Authoritarianism (CAA) rejects that bargain. It begins with the principle that liberty is the natural condition of man and that government exists only by consent, bound by law and morality. CAA calls citizens to vigilance, dissent, and resistance whenever rulers overstep just authority. It is not anarchy. It does not despise law. It insists that law must be rooted in principle, not decree, and that obedience must be freely given, not extorted. Where authoritarianism breeds submission, CAA demands responsibility. Where authoritarianism thrives on manipulation, CAA thrives on conscience. In short, authoritarianism imposes order through control, while the idea of civic anti-authoritarianism establishes order through liberty. These terms are a framework for understanding the ideological and spiritual crisis facing our nation today.

NOTE 124

The ranked choice voting scam

September 25, 2025 · 307 words · https://substack.com/@jeffapierson/note/c-159716137

The Ranked Choice Voting Scam The idea started in the U.K. and for decades has been pushed by progressives in the United States. Ranked choice voting pushes elections toward consensus-driven politics. Instead of producing clear winners in straightforward contests, it forces outcomes built on managed alliances and redistribution. The result is not clarity but compromise engineered through the counting process. This system rewards safe candidates who avoid offense and trade preference deals. Strong, principled stands are penalized, while scripted campaigns and coalition bargains take the place of conviction and direct competition. Passionate disruptors who fight for liberty, transparency, and accountability are pushed aside. What survives is a watered-down politics where bold leadership is treated as a threat rather than a strength. 10 Questions for RCV Supporters If ranked choice truly guarantees majority support, why do so many ballots “exhaust” and drop out of the final count? How is democracy strengthened when conviction candidates are eliminated in favor of bland consensus figures? Isn’t preference-swapping just another form of backroom deal-making dressed up as voter choice? If RCV is supposed to reduce polarization, why has it produced just as much negative campaigning in places like New York City? How do you justify a system that requires weeks of algorithmic tabulation instead of a clear election night result? Why did so many cities—including Burlington, Vermont—repeal RCV after trying it? Isn’t it dishonest to say RCV “gives more choices” when in reality strong third-party and outsider candidates are still filtered out? How is voter confidence improved when many do not understand the transfer process or how winners are declared? If RCV is not meant to tilt the playing field, why is it almost always promoted by progressives and their allies? How does weakening the voice of passionate disruptors who fight for liberty and accountability make government more responsive to the people?

NOTE 125

The natural law duties that anchor liberty

September 27, 2025 · 960 words · https://substack.com/@jeffapierson/note/c-160404101

The Duties That Anchor Liberty Natural law does not speak only of rights. Rights without duties become hollow claims, easily twisted into excuses for selfishness or tyranny. As Locke observed, “the state of nature has a law of nature to govern it, which obliges every one” (Second Treatise of Government, §6). Rights without duties become hollow claims, easily twisted into excuses for selfishness or tyranny. The same moral order that grants liberty also binds man to responsibility. Duties are the obligations written into human nature, discoverable by reason, and essential for sustaining freedom. They call rulers and citizens alike to conscience, justice, fidelity, and vigilance. Without them, liberty collapses. Liberty cannot survive without the discipline of duty, and duty cannot be dismissed without betraying liberty itself. These duties include prudence, conscience, justice, fidelity, stewardship, defense, charity, scrutiny, and dissent. Each protects liberty from erosion, and together they form the moral structure that makes a free republic possible. Duties Defined Duty of Prudence “Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed” The Declaration of Independence Prudence is the habit of foresight and discipline. It balances liberty with responsibility, ensuring freedom is not wasted through recklessness. Prudence calls for careful weighing of actions, consequences, and timing. In natural law, it governs all other duties, making justice wise, defense measured, and conscience consistent. Duty of Conscience “Our rulers can have authority over such natural rights only as we have submitted to them. The rights of conscience we never submitted, we could not submit. We are answerable for them to our God.” Thomas Jefferson, Notes on the State of Virginia (1782) Conscience is the inner tribunal of natural law. It binds the individual to act according to truth, even when outward authority commands otherwise. This duty means refusing to silence that inner voice for convenience, fear, or gain. A society that neglects conscience becomes one where obedience to man replaces obedience to truth. Duty of Justice “Remove justice, and what are kingdoms but great robberies?” St. Augustine, City of God (Book XIX, Ch. 21) Justice is the first requirement of natural law: giving to each what is rightly theirs. It is more than a court procedure; it is the moral discipline that respects life, property, promises, and reputation. Injustice arises when rulers deny equal protection or when individuals cheat their neighbor. Without justice, rights collapse into claims without meaning. Duty of Fidelity “The obligation to fulfill promises derives from the law of nature itself; without fidelity to covenants, there can be neither justice nor society.” Hugo Grotius, On the Law of War and Peace (1625), Bk. II, Ch. XI, Sec. 1 Fidelity is the duty to keep one’s word, honor contracts, and respect covenants. Natural law demands truthfulness because trust is the foundation of society. When promises are casually broken — by leaders, institutions, or citizens — the fabric of liberty unravels. Fidelity binds words to deeds and protects community from corruption. Duty of Stewardship “Nothing was made by God for man to spoil or destroy.” John Locke, Second Treatise of Government §31 Natural law teaches that life, power, and resources are entrusted, not owned absolutely. Stewardship means exercising responsibility toward family, community, and creation, mindful that misuse or waste injures others. This duty denies both reckless exploitation and neglectful apathy, insisting that what is given to one must be cared for on behalf of all. Duty of Defense “The state of war is a state of enmity and destruction… and therefore it is lawful for a man to kill a thief, because he has put himself into a state of war with me.” John Locke, Second Treatise of Government §16 Every person has the right and responsibility to protect life, liberty, and the innocent from unjust harm. This duty extends from self-preservation to the defense of neighbors, and even to resisting tyranny. Natural law does not sanctify passivity in the face of evil; it commands proportionate action to shield what is good. Duty of Charity “Nature ordains that men should wish to promote the common good of mankind. Whatever is contrary to this is opposed to nature.” Cicero, On Duties (De Officiis), I.42 Charity is the moral obligation to love one’s neighbor, not through compulsion but through free will. It relieves suffering, strengthens community, and reflects the truth that rights and duties exist for more than self. Natural law does not

command forced redistribution; it calls for voluntary generosity rooted in love. Duty of Scrutiny “Ambition must be made to counteract ambition” Federalist No. 51 (Madison) Authority is never exempt from judgment. The duty of scrutiny means citizens must examine policies, test claims, and question leaders in light of truth. This is natural law applied to civic life: reason and evidence must govern, not propaganda or fear. Scrutiny protects the people from deception and prevents rulers from becoming untouchable. Duty of Dissent “--That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness.” The Declaration of the United States When authority becomes unjust, silence is complicity. The duty of dissent commands resistance against laws, decrees, or orders that violate natural law. It is not rebellion for its own sake but fidelity to a higher order of justice. Dissent is the conscience of a free people, and without it, liberty perishes.

NOTE 126

Fidelity as a duty of natural law

September 28, 2025 · 50 words · https://substack.com/@jeffapierson/note/c-160841201

Fidelity is the duty to keep one’s word, honor contracts, and respect covenants. Natural law demands truthfulness because trust is the foundation of society. When promises are casually broken by leaders, institutions, or citizens, the fabric of liberty unravels. Fidelity binds words to deeds and protects community from corruption. (JAP2025)

NOTE 127

Conscience as the inner tribunal

September 28, 2025 · 53 words · https://substack.com/@jeffapierson/note/c-160842310

Conscience is the inner tribunal of natural law. It binds the individual to act according to truth, even when outward authority commands otherwise. This duty means refusing to silence that inner voice for convenience, fear, or gain. A society that neglects conscience becomes one where obedience to man replaces obedience to truth. (JAP2025)

OCTOBER 2025

NOTE 128

Liberty endures only in unchained hearts

October 3, 2025 · 267 words · https://substack.com/@jeffapierson/note/c-162701339

Liberty endures only in the hearts of people who will not be chained The Founders understood this as a permanent truth of human nature and political order. As Jefferson declared, “The natural progress of things is for liberty to yield, and government to gain ground.” Madison warned with equal clarity that “the freemen of America did not wait till usurped power had strengthened itself by exercise, and entangled the question in precedents.” Liberty is never secure in parchment alone. It survives because citizens refuse to submit to arbitrary power, because they stand firm against those who would turn authority into mastery. The American Revolution itself was proof of this principle. Colonists lived under laws and taxes that, on the surface, seemed minor compared to later tyrannies. But they recognized the leash being fastened. They saw that every chain accepted, no matter how small, prepared the way for heavier ones. Their resistance was not recklessness but foresight, born of the conviction that free people must resist encroachments before they harden into systems. This is as true today as it was in 1776. Liberty does not die in one decisive blow; it erodes through compliance, through citizens trained to accept restrictions as “reasonable” or “necessary” until nothing remains of self-rule. It can be preserved only by those willing to say no—no to government that exceeds its bounds, no to officials who mistake their office for dominion, no to the creeping comfort of servitude disguised as safety. The last stand of freedom is not in constitutions, courts, or commissions, but in the hearts of people who refuse to be leashed.

NOTE 129

One usurpation after another

October 3, 2025 · 306 words · https://substack.com/@jeffapierson/note/c-162701887

One Usurpation After Another The history of lost liberty is not the story of one great act of tyranny, but of a thousand small usurpations. Jefferson saw it clearly when he warned that “the natural progress of things is for liberty to yield, and government to gain ground.” Madison echoed him, noting that “there are more instances of the abridgment of the freedom of the people by gradual and silent encroachments of those in power than by violent and sudden usurpations.” They knew that freedom dies less often by conquest than by neglect. The American colonists refused to be lulled by the idea that each act of Parliament was minor. They saw the pattern, one usurpation after another. A tax here, a decree there, soldiers quartered in homes, assemblies dissolved, charters suspended. No single act could fully enslave them, but each tether brought them closer to submission. They resisted not because the leash was heavy but because the leash was there at all. Modern America faces the same danger, though wrapped in different forms. We are told that surveillance is necessary for safety, that restrictions are temporary, that regulations are reasonable. Yet every expansion of government power operates on the same principle: liberty must yield. When citizens accept it without resistance, they invite the next usurpation, and the next, until chains once unthinkable are accepted as normal. The Founders left us a warning and a choice. Freedom survives only when citizens recognize usurpations for what they are and refuse to excuse them. Liberty is not lost in one stroke, but surrendered one inch at a time. To stop the cycle requires vigilance, courage, and the will to say enough. For the true history of tyranny is not that rulers seek power, but that people consent to be ruled. One usurpation after another is how nations fall.

NOTE 130

What the 17th Amendment took from the states

October 5, 2025 · 406 words · https://substack.com/@jeffapierson/note/c-163165591

What the 17th Amendment Stole (JAP2025) Legal and Historical Addendum: Battles for the Land, Battles for the Republic When states go to court today to challenge federal dominion, they do so as supplicants, not as equals. 1. Utah's 2024 Supreme Court Challenge In Utah v. United States (2024), the state argued that the federal government's retention of 18.5 million acres of land violated the Constitution's Enclave Clause and the doctrine of equal footing. The Supreme Court declined to hear the case (Reuters, 2025). This silence was not neutrality; it was abdication. The Senate, if still answerable to state legislatures, would have been the first defender of Utah's claim. Instead, its members now serve the same system that benefits from Utah's subjugation. 2. United States v. Gardner (D. Nev. 1995) In U.S. v. Gardner, a Nevada rancher challenged federal jurisdiction over public lands, arguing that state sovereignty and local control took precedence. The federal court ruled decisively for Washington. The opinion upheld federal ownership under the Property Clause, treating state arguments as irrelevant (U.S. Department of Justice, 1995). This case exemplifies the post-17th reality: state interests are politically impotent and judicially dismissed. 3. Norton v. Southern Utah Wilderness Alliance (2004) The Supreme Court ruled that citizens and states could not compel federal agencies to act on wilderness management through general grievances. Only "discrete, non-discretionary duties" could be enforced (546 U.S. 55, 2004). The decision closed yet another avenue of accountability, leaving land policy to unelected bureaucrats. This, too, reflects a deeper disorder—the loss of the Senate's original state-based oversight. 4. Hughes v. Oklahoma (1979) and United States Forest Service v. Cowpasture River Preservation Association (2020) Both cases reaffirmed the supremacy of federal statutes and agencies in matters of land and resource management. The first curtailed state control over wildlife regulation; the second confirmed federal jurisdiction over pipeline permits through national lands. Each decision, viewed through the lens of federalism, is a monument to what the 17th Amendment made inevitable. Commentary Once the Senate ceased to represent state legislatures, the mechanism that could have prevented this imbalance disappeared. The courts now treat federal supremacy as unquestionable, not because the Constitution demands it, but because the Senate no longer defends the states that created it. The legal record proves the Anti-Federalists correct: consolidation does not need a dictator. It only needs a structure designed for obedience. The 17th Amendment supplied that structure, and the Western landscape bears its scars.

NOTE 131

Despair as moral surrender dressed as wisdom

October 29, 2025 · 198 words · https://substack.com/@jeffapierson/note/c-171294407

Despair and frustration are not just emotions; they are moral saboteurs. They whisper that truth no longer matters, that corruption is inevitable, that resistance is pointless. Once you believe that, the tyrant no longer needs chains; the defeat is internal. Solzhenitsyn understood that freedom begins not in the ballot box or the battlefield but in the conscience. Moral courage allows a person to stand when everyone else bows. Repentance keeps courage from curdling into pride. Together, they are the disciplines that preserve the soul of a free people. Without them, liberty becomes license, and resistance becomes rage. Despair, on the other hand, disguises itself as realism. It says, "Be practical, accept the system." But in truth, despair is moral surrender dressed as wisdom. The antidote is not blind optimism; it is remembrance, of what is right, of who you are, and of the cost others have already paid to keep freedom alive. When you feel the pull of frustration, remember Solzhenitsyn's choice: he refused to let evil define his response. He chose to bear witness. Moral courage and repentance did not make his suffering disappear, they made it meaningful. And that meaning is what keeps despair from winning.

NOTE 132

Ordered liberty as the foundation of a republic

October 30, 2025 · 239 words · https://substack.com/@jeffapierson/note/c-171657583

Ordered Liberty is the foundation of a free republic. It is the principle that liberty cannot survive without moral restraint, and that restraint cannot be justified without liberty. It affirms that freedom is not the absence of law, but the presence of rightful authority, authority that is limited by natural law, bound by the Constitution, and accountable to truth and justice. In the American tradition, Ordered Liberty is not a compromise between chaos and control. It is the moral condition of civic life, in which both government and citizens are held to a higher standard. It begins with internal government. Individuals must govern themselves through conscience, discipline, and restraint in their relationships with one another and with those in authority. At the same time, government must adhere to the Constitution and restrain its natural tendencies toward expansion, overreach, and oppression. Law exists not to dominate, but to protect. Liberty is not a gift of the state. It is a condition of justice that the state is obligated to preserve. The term "Ordered Liberty " appears throughout American constitutional history, particularly in judicial language. But too often, it has been reduced to an abstraction, defined by courts and removed from public conscience. Properly understood, Ordered Liberty is not a legal theory. It is a living standard for self-governing people. It shapes how we relate to one another, how we hold power accountable, and how we preserve peace through justice. archive.org%2Fdetails%2Fordered-liberty-reclaimed-a-foundation-for-liberty-rev-3.22-core-doc-07122025-watermarked%2FOrdered%2520Liberty%2520Reclaimed%2520-%2520A%2520Foundation%2520for%2520Liberty%2520Rev%25203.22%2520CORE%2520Doc%252007122025-(watermarked).pdf&h=AT0d__Ln8PXVhsEtcLtMFgzZfDL_s53Rz75jdO8cbBqCFSEr7jfAxMcYDQ5uJey1iZtoNunvuYVfR_YGk7jrbiZ3UYNhI8DR&c[0]=AT3Blu_Jz6cvmCmiOpEd9YdIsner7LXoXcb-e1gP9p_tJyog_qNZ5gXYu0-n6Q1To6FiQudgcKj02k6Jr3S_gzudg2mxTadixZ5Txzox-Gteu9d3OnYw-6vRIriB0jID1jWCS9U-AK_p1dL5wzJ0EH2_xos36Qp1P2cn6q_0jA

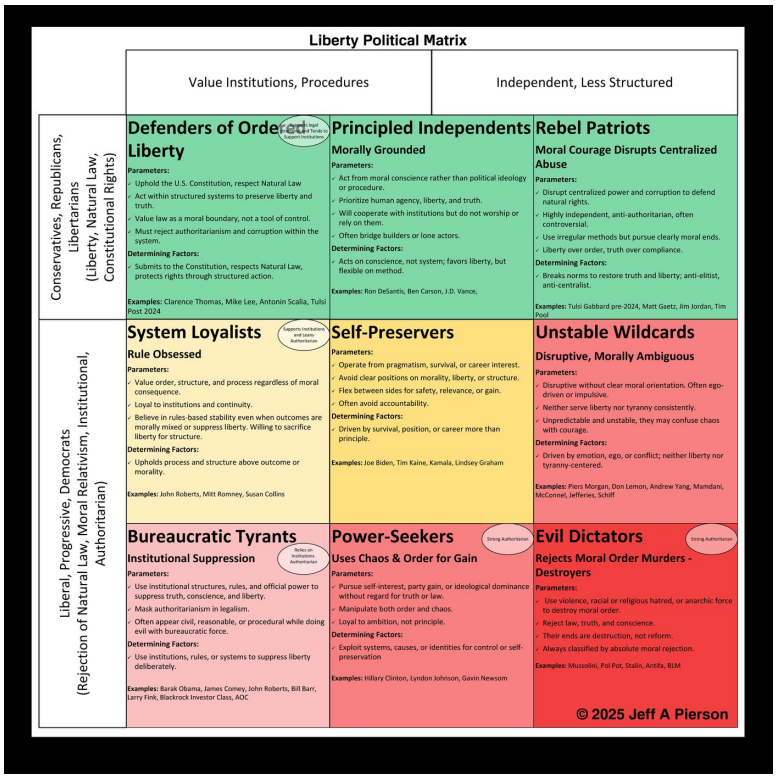
NOVEMBER 2025

NOTE 133

A different way of viewing political alignment

November 23, 2025 · 8 words · https://substack.com/@jeffapierson/note/c-180235907

A Different Way of Looking at Political Alignment!

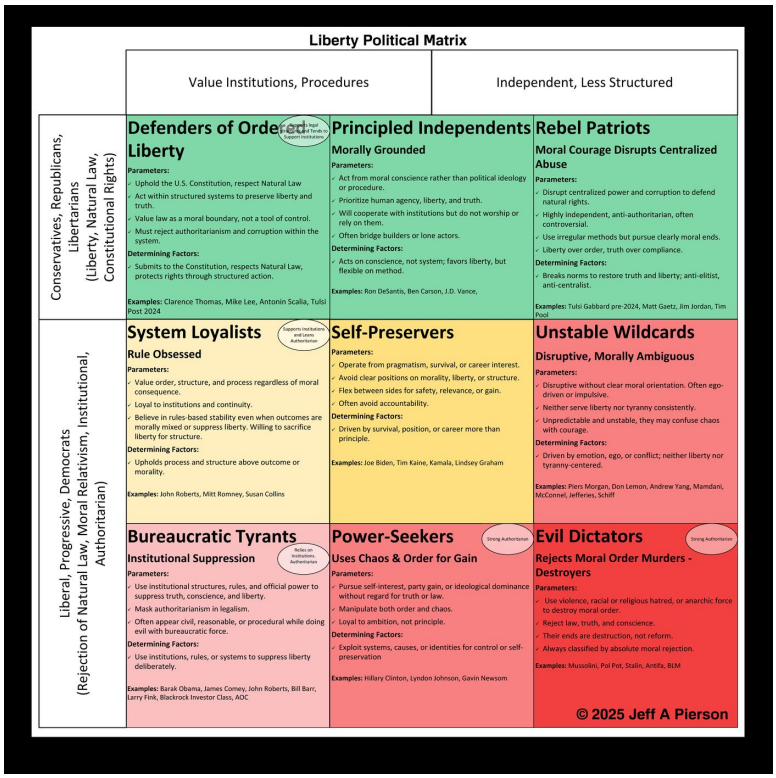


NOTE 134

The ordered liberty matrix

November 30, 2025 · 181 words · https://substack.com/@jeffapierson/note/c-182588409

Political Matrix Francis Schaeffer warned that modern culture lives in two separate “stories.” The lower story is reality, truth, and moral facts. The upper story is where people escape when they want emotion, ideology, and preference without accountability. Most of today’s political rhetoric lives in that upper story. It is all labels, narratives, and slogans that float free from actual behavior. That is how people get called “fascist,” “extremist,” or “dangerous” with no evidence. It is how entire debates drift into fantasy. The ordered liberty matrix forces everything back into the lower story. It asks the only questions that matter. How does someone actually use power? Do they protect liberty or restrict it? Do they rely on institutions or individual agency? Do they operate from moral truth or moral relativism? Do they serve community or ideology? When you evaluate a person through those concrete traits, the political fog clears. Schaeffer diagnosed the philosophical split. The matrix closes the gap by making people answer for their real-world conduct. It brings politics back down to the level where truth lives and liberty survives.



DECEMBER 2025

NOTE 135

Taxpayers fund everything: a managerial critique

December 9, 2025 · 126 words · https://substack.com/@jeffapierson/note/c-185739994

Governments and non-profits do not generate wealth, they consume it. Every dollar they spend comes from the productive sector, and every tax levied on a corporation is simply passed on to consumers in higher prices. Even inflation becomes a hidden burden on taxpayers, eroding their wages and savings to subsidize government excess. The truth is unavoidable. Taxpayers fund everything, directly or indirectly, from public projects to the campaign contributions that corporations quietly fold into the cost of doing business. This is not capitalism, and it is not how a free constitutional republic is supposed to function. It is a soft form of socialism, a managerial Marxism, a polished tyranny with a smile, built on the quiet extraction of wealth from the very citizens who produce i

NOTE 136

Ad hominem dismissal, and why he keeps posting

December 9, 2025 · 382 words · https://substack.com/@jeffapierson/note/c-185795417

The Ad Hominem Dismissal - A Tool of Bullies (Attack of the Karens) I understand that speaking publicly creates controversy. I don’t enjoy it. I’m not looking for attention, I’m not trying to pick fights, and I would much rather live quietly with my family and go about my life without being dragged into the political mess that passes for civic discourse these days. But when the things that matter most begin to erode, silence becomes a form of surrender. I don’t post because I like conflict. I post because I believe Liberty is worth defending while we still have the chance to defend it peacefully. I post because elected officials should answer to the people who put them in office, not to donors, committees, or the insiders who learned to treat public power like private property. I post because transparency, accountability, and honest debate are disappearing in this state, and pretending everything is fine only accelerates the decline. I’m not running for anything. I don’t get paid for this. I don’t gain a thing from it. In fact, what I get is trouble, criticism, and accusations from people who would rather protect the system than confront the truth. That’s fine. I’m not here to win popularity contests. I’m here because Liberty, accountability, and the health of our communities matter more than my comfort. If people mistake that for trolling, so be it. I’m not here for labels. I’m here because someone has to say out loud what too many people whisper in private. And until we reach a place where citizens can expect honesty from their government without being mocked for asking, I won’t apologize for speaking up. The bullies of the world want us to play by their rules. They want us to hunker down, stay quiet, and stop noticing the things they hope no one questions. They never argue the facts. They throw sticks and stones, but never evidence. I speak up because liberty matters. Accountability matters. Truth matters. If that makes some people uncomfortable, that discomfort is not my burden to carry. My motivation is simple: a free community cannot survive if its citizens are afraid to ask hard questions or challenge those who hold power. I won’t apologize for doing the job that too many have abandoned.

NOTE 137

Conscience cannot be delegated

December 10, 2025 · 254 words · https://substack.com/@jeffapierson/note/c-186338651

Vox Humilia to Communem on the Delegation of Conscience Dear Communem, I write to you with seriousness and with respect for the role you hold in every free society. Far too many among us have surrendered their moral judgment to officials, parties, experts, and institutions. They believe conscience is something that can be handed over, as if the burden of discernment were too heavy for the ordinary citizen. But a delegated conscience becomes a silenced conscience. When people give their judgment to others, they give their liberty with it. No official can see on your behalf. No party can think on your behalf. No authority can relieve you of the duty to distinguish right from wrong. The Law teaches this. History confirms it. A Republic survives only when citizens judge truth for themselves rather than waiting for the powerful to explain it. If you remain silent, others will speak in your place. If you close your eyes, others will sell you their version of sight. If you surrender your conscience, you lose not only freedom but dignity. A people who give away their judgment give away themselves. I speak as a humble voice outside the gates, urging you to guard the conscience that is yours and cannot be replaced. Do not allow your discernment to become an instrument of someone else's ambition. See for yourself. Judge for yourself. Stand for yourself. A people remain free only when they refuse to abandon the responsibility that makes them free. In truth and in hope, Vox Humilia

NOTE 138

An open letter to a drifting leader

December 10, 2025 · 373 words · https://substack.com/@jeffapierson/note/c-186346136

Vox Humilia: Prayer for the Failing Leader Dear Decidens, I write to you not as an enemy, and not as one who delights in your fall, but as one who has watched the path before you and seen where it bends. You were given authority for the sake of others, not for your comfort or your reputation. Yet the signs of your departure from duty have become visible. You have not collapsed in a single moment. You have drifted. You have hesitated when clarity was required. You have chosen quiet self-preservation where truth demanded a public stand. I do not come to scorn you. I come to remind you. Leadership is not measured by the applause of those who benefit from your silence. It is measured by the burdens you carry and the integrity you guard when no one is watching. A leader begins to fall not when he stumbles, but when he stops listening to the voice within that once guided him toward justice. I call you Decidens because you are in the act of falling. You have not yet struck the ground. You are suspended between what you once were and what you will become if you refuse correction. There is still time to turn. There is still time to remember the duty that shaped you before comfort softened you. Look honestly at the harm that avoidance has caused. Look at the people who trusted you. Look at the moments when you knew the truth but chose convenience. These are not small matters. They are the beginning of moral collapse. A leader who will not speak truth for fear of conflict has already ceded his authority to the loudest and the least principled voices around him. I urge you to stand again. Confront what you have ignored. Admit what you have concealed. Courage is not proven in popularity. It is proven in the willingness to repair the damage of one's own choices. You were not made to govern from fear. You were not placed in responsibility so that you could avoid responsibility. You were meant to serve, to judge rightly, and to protect those who depend on the strength of your conscience. Rise, Decidens, before the fall is complete. Vox Humilia

NOTE 139

Property as crystallized life

December 17, 2025 · 988 words · https://substack.com/@jeffapierson/note/c-188845863

Property as Life Lived, Not a Commodity Private property is not merely something I own. It is something I have become. It represents irretrievable portions of my life, time, labor, restraint, and moral agency that can never be reclaimed. To take it by force is not a neutral transaction. It is a violation of the person. This is why theft has always been treated as a grave moral wrong, and why, in kind if not in degree, it stands adjacent to murder. Murder destroys future existence. Theft destroys past existence. Both deny the dignity of the human person. This understanding is not novel. It is foundational. Human beings are finite. Every hour of labor expended is a piece of existence permanently surrendered. When that labor is exchanged for land, a home, or a farm, the resulting property is inseparable from the life spent to acquire it. Property is crystallized life. To steal it is to steal time already lived. John Locke articulated this principle with precision in The Second Treatise of Government, a text deeply formative to the American Founding. Locke wrote: “Though the earth and all inferior creatures be common to all men, yet every man has a property in his own person. This nobody has any right to but himself. The labour of his body and the work of his hands, we may say, are properly his.” (Locke, Second Treatise of Government, §27) Locke did not speak metaphorically. His logic is moral and ontological. If a man owns himself, and his labor is an extension of himself, then the products of that labor are extensions of his person. To take them without consent is to violate the person himself. William Blackstone, whose Commentaries on the Laws of England were routinely cited by American jurists and statesmen, reinforced this understanding. Blackstone described property not as a convenience but as a fundamental condition of liberty: “The third absolute right, inherent in every Englishman, is that of property: which consists in the free use, enjoyment, and disposal of all his acquisitions, without any control or diminution, save only by the laws of the land.” (Blackstone, Commentaries on the Laws of England, Book I, Chapter 1) Blackstone’s point was not that property is unlimited. It was that without secure property, liberty collapses. A man who may be stripped of the fruits of his life at another’s discretion is not free. He exists by permission. This is why theft has historically been understood as a form of violence, even when no blood is shed. It is violence against agency and memory. It is violence against a person’s past. Moral systems across cultures have recognized this intuitively. The biblical tradition states it plainly, without abstraction. The commandment “Thou shalt not steal” stands alongside the prohibition of murder because both violate the dignity of the human person. Scripture makes this connection explicit in the account of Naboth’s vineyard. When King Ahab seized Naboth’s ancestral land after Naboth refused to sell it, the prophet Elijah confronted him with these words: “Hast thou killed, and also taken possession?” (1 Kings 21:19, KJV) The accusation of murder precedes the physical execution. The theft itself was already treated as a capital moral crime because it destroyed inheritance, continuity, and identity. Land was not a commodity. It was a trust passed through generations. The American Founding inherited this moral logic directly. While the Declaration of Independence does not list property explicitly, it presupposes it by grounding government in the protection of preexisting rights: “That all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.” (Declaration of Independence, 1776) For the Founders, the “pursuit of happiness” was not emotional satisfaction. It included the secure enjoyment of property as the fruit of one’s labor. James Madison made this explicit. In his 1792 essay Property, Madison wrote: “In a word, as a man is said to have a right to his property, he may be equally said to have a property in his rights.” (Madison, Property, National Gazette, March 29, 1792) Madison went further, defining property broadly to include “the free use of his faculties” and “the products of his labor.” This collapses the false modern distinction between person and possession. Rights, labor, and property form a single moral category. The Fifth Amendment reflects this understanding in negative form. It does not grant property rights. It assumes them, and restrains government accordingly: “Nor shall private property be taken for public use, without just compensation.” (U.S. Const. amend. V) Compensation does not make a taking just. It acknowledges that something real, personal, and irretrievable has been lost. The restriction exists because forced taking

is understood to be a severe moral injury, permissible only under the narrowest conditions of true necessity. This framework explains why eminent domain for private development provokes moral outrage even when courts declare it legal. People instinctively recognize that such takings do not merely relocate assets. They erase lives already lived. They sever generational continuity. They convert memory, labor, and restraint into industrial inputs. Generational farmland magnifies this reality. A farm is not only purchased with money. It is purchased with decades of deferred consumption, physical labor, care for soil and water, and identity bound to place. It is family history made visible. To seize it for private gain is not development. It is dismemberment. The modern state resists this understanding because it limits power. If property is merely economic, it can be rearranged for efficiency. If property is bound up with personhood, forced transfer becomes morally radioactive. Abstraction anesthetizes conscience. Precision restores it. Property is life already spent. Theft is the violent negation of that life. Law exists to prevent that negation, not to rationalize it. When law forgets this, it does not become pragmatic. It becomes predatory. That principle is not radical. It is the moral architecture of liberty itself.

FEBRUARY 2026

NOTE 140

Article V convention calls are reckless

February 7, 2026 · 303 words · https://substack.com/@jeffapierson/note/c-211162400

Calls for an Article V Convention are not acts of constitutional courage or wise statesmen. These calls are the acts of fools, appeals to ignorant minds, and invitations to corrupt souls. They substitute risk for discipline and an ordered process for the chaos of democratic tyranny. This is not the defense of constitutional order, but proof that order is no longer considered a virtue. These are calls from people who will happily trade the Golden Apple and Silver Frame for power. The Constitution already provides lawful mechanisms for reform through amendments proposed by Congress and ratified by the states. An Article V Convention bypasses that discipline and replaces it with procedural uncertainty at the precise moment when restraint matters most. There is no credible way to limit a convention once called, no enforceable boundary on its scope, and no guarantee that it would preserve the Constitution rather than rewrite it under the pressure of modern ideology. Those who argue that “the states will control it” misunderstand both power and history. Conventions are not governed by intentions but by dynamics. Once assembled, delegates answer to political movements, funding interests, media pressure, and momentary passions, not to the citizens who hoped for modest reform. The idea that a nation struggling with polarization, institutional decay, and ideological capture should gamble its constitutional foundation on an untested mechanism is not bold. It is reckless. If the Constitution is failing, it is not failing because it lacks flexibility. It is failing because officials lack fidelity. A convention does not restore fidelity and only serves to concentrate opportunity for abuse. If we cannot restrain power under the Constitution we have, there is no reason to believe we will restrain it under one rewritten in chaos. The answer is not to reopen the document, the answer is to obey it.

NOTE 141

H557 and the end of Karentocracy

February 7, 2026 · 715 words · https://substack.com/@jeffapierson/note/c-211170758

Idaho H557: Say No to Karentocracy and the Fantasy of 10 Bathroom Designations in Every Store Imagine a state governed by homeowners associations, border to border know-it-all Karens with the power to take money from your pocket almost at will. Every few miles, the rules change. One neighborhood fines you for the wrong color fence. The next mandates a yard sign. A third punishes what you say at a meeting because someone finds it disruptive or offensive. None of these rules were written with consistency in mind, and all are enforced by small boards convinced of their own virtue. Now imagine that system stretched from border to border and backed by the force of law. That is the logic of local “enhanced” or extended ordinances. Idaho House Bill 557 (H557) restores uniformity to state law by prohibiting cities and counties from creating or enforcing local “enhanced” ordinances that go beyond what Idaho law already requires. In practice, it prevents local governments from layering their own ideological or social regulations on top of state statutes and forcing businesses and citizens to navigate a patchwork of constantly changing rules. When cities and counties are allowed to layer their own social justice values on top of state law, citizens no longer live under a single, knowable set of rules. They live under a patchwork of moral preferences enforced as law, where rights and obligations shift with jurisdictional boundaries. Law stops being a standard and becomes a guessing game. Consider a real-world scenario that already plays out in cities across the country. A business that is fully compliant with state building codes and nondiscrimination law is suddenly told that a new local ordinance requires additional bathrooms or facility modifications to accommodate individuals who cannot define what a woman is. What had been lawful, sufficient, and compliant yesterday becomes inadequate overnight, not because of any change in state law, but because a local body has decided to extend its own moral or ideological preferences into regulation. The cost is not theoretical. Businesses are forced to redesign facilities, absorb construction expenses, navigate contradictory guidance, or face fines, license threats, and civil liability. The obligation is imposed regardless of feasibility, square footage, customer volume, or financial impact. Compliance is no longer about meeting clear standards, but about anticipating the next redefinition issued by a committee or commission. This is not an edge case; it is the predictable result of granting local governments the power to redefine protected classes and impose facility mandates without uniform standards or statewide accountability. It is a forced remolding of culture and legal nuances that change every few miles. Once that authority is assumed, there is no principled limit on what must be built, rebuilt, or retrofitted to satisfy evolving demands. Each local body assures the public it is acting compassionately. Collectively, they create legal chaos. Supporters argue that communities should be free to “do more.” What that really means is that local governments should be free to redefine rights, obligations, and penalties without uniform standards or statewide accountability - ordinances deleted, created, and bent to the whims of confused special interests. That is not self-government, it isn't government at all; it is the chaos of progressive value systems that want to undo and change, not once, not twice, but continually as "“The norms by which we live are continually being reworked.” Local bodies were never designed to create quasi-civil-rights regimes with criminal and civil penalties attached. They lack the institutional capacity, procedural safeguards, and democratic distance necessary to regulate fundamental rights without abuse. The result is not protection of the vulnerable, but selective enforcement, endless litigation, and regulatory intimidation dressed up as compassion. Law is not a canvas for moral performance or a tool to be used to force compliance to ever changing and emotionally charged cultural issues. It is a structure meant to restrain power, define conduct, and allow free people to live without fear of accidentally violating rules they could not reasonably know. Local enhancement ordinances undermine all three. The cure is not municipal improvisation driven by do-gooder enthusiasm and performative virtue. It is statewide lawmaking, openly debated, clearly defined, and equally enforced. Anything else is not justice. It is chaos disguised as concern. postscript - remember which legislators are keeping this non-sense in check.


Voting on - H 557
AYE 53
NAY 16
ABS 1
Alfieri
Barbieri
Beiswenger
Berch
Bingham
Boyle
Bruce
Burgoyne
Cannon
Cayler
Cheatum
Church
Cornilles
Crane(12)
Crane(13)
Dygert
Egbert
Ehardt
Ehlers
Erickson
Fuhriman
Furniss
Galaviz
Gannon
Garner
Green
Hall
Handy
Harris
Hawkins
Haws
Healey
Hill
Holtzclaw
Hostetler
Leavitt
Manwaring
Marmon
Mathias
McCann
Mendive
Mickelsen
Miller
Mitchell
Monks
Moyle
Nelsen
Palmer
Petzke
Pickett
Pohanka
Price
Rasor
Raybould
Raymond
Redman
Rubel
Sauter
Scott
Shepherd
Shirts
Skaug
Tanner(13)
Tanner(14)
Thompson
Vander Woude
Veile
Weber
Wheeler
Wisniewski
David J Leavitt
February 3 at 12:03 PM
I voted in support of HB 557.
This bill was brought forward because some local governments have gone beyond state law by creating and enforcing their own civil rights ordinances. That has led to inconsistent rules, selective enforcement, and confusion for citizens and small businesses.
Idaho should have one clear, uniform standard under the law that applies equally everywhere. HB 557 restores that consistency and protects due process.

NOTE 142

The ghost of 1913 and constitutional revision

February 8, 2026 · 623 words · https://substack.com/@jeffapierson/note/c-211499756

The Ghost of 1913: A Warning on the Perils of Constitutional Revision The 17th Amendment is the clearest modern warning that opening the Constitution to structural reform does not correct abuses so much as it permanently transfers power away from the institutions designed to restrain it, because what was sold as a narrow fix for corruption and legislative delay in 1913 quietly dismantled the last formal mechanism by which states could defend themselves against federal expansion, and once that line was cut there was no legal or political force left capable of enforcing federalism as a lived reality rather than a slogan. Before the 17th Amendment, the Senate existed to represent states as states, not moods, not national parties, not donor networks, and not media narratives, and that distinction mattered because state legislatures selecting senators created a continuous check on federal ambition by tying national power to decentralized authority that could resist, refuse, and counterbalance centralized control. Direct election severed that relationship entirely, transforming senators into national politicians who campaign on national issues, answer to national interests, and owe nothing institutionally to the governments whose sovereignty they were supposed to protect, and from that moment forward federalism ceased to be enforced and began to be optional, symbolic, and easily overridden. That outcome was not accidental, and it was not misunderstood by those who pushed the change, because constitutional conventions and structural amendments do not operate by good intentions or clean theory but by ideology, momentum, and power, and once you invite those forces into the core architecture of government you do not guide the result, you surrender to it. The 17th Amendment did not merely adjust representation, it inverted it, and in doing so it normalized the idea that constitutional safeguards are obstacles to be reengineered rather than barriers to be respected, a premise that now dominates modern political thinking. If a comparatively restrained Progressive Era, still grounded in civic norms and constitutional continuity, produced an amendment that hollowed out state sovereignty and accelerated centralization for more than a century, there is no defensible argument that a modern constitutional convention, operating in an era hostile to limits, tradition, and fixed law, would voluntarily stop short of rewriting the Constitution outright. A convention today would not be a surgical correction, it would be a legitimacy event, a venue for redefining representation, federal authority, and rights themselves under the pressure of activism, litigation culture, and administrative ideology, and the 17th Amendment shows exactly how that process ends: promises of accountability, claims of efficiency, and appeals to popular control that result in permanent power consolidation and the erosion of decentralized governance. The amendment stands as proof not of reform’s success but of reform’s deception, demonstrating that once the structural spine of the Constitution is opened for revision, what follows is not balance or renewal but the steady replacement of representative government with centralized authority dressed up as democracy, a trade that history shows cannot be undone once made. — The problem we face is not a lack of constitutional structure or authority, because the Constitution already provides every tool necessary to govern a disciplined, solvent republic, and if political will existed a federal balanced budget could be enforced tomorrow through simple refusal to spend what is not available. The explosion of unfunded mandates, misappropriation, and fraud did not arise from structural weakness but from the removal of real accountability, a process accelerated by the 17th Amendment when Senators ceased to answer to state legislatures and federal spending became detached from state resistance. This is not a failure of ability or design. It is a failure of virtue, restraint, and courage, and no constitutional convention can repair a moral collapse that those in power refuse to confront.

NOTE 143

Union, tyranny and liberty at 250

February 8, 2026 · 999 words · https://substack.com/@jeffapierson/note/c-211574495

The Unfinished Question: Union, Tyranny, and Liberty at America's 250th Year The remaining question is not whether the Union can survive without liberty, because history suggests that it can, but whether liberty can survive the troubles to come without increasingly depending on bent law, redefined rights, and the steady conditioning of citizens to accept controlled injustice as the price of order. JAP2026 As the United States approaches its 250th anniversary, and as Abraham Lincoln's birthday is again marked with ritual reverence, the unresolved questions his presidency exposed demand renewed attention. Anniversaries invite celebration, but mature nations also use them for reckoning, and the tension Lincoln lived within did not end at Appomattox, as it instead evolved and spread into forms less visible but no less consequential. If the Union could not survive the Civil War without bending constitutional law and appealing to extra-textual necessity grounded in natural law, then a legal question must be asked plainly and without sentiment. Can a constitutional order endure repeated reliance on exception without gradually eroding the rule it claims to preserve, or does each appeal to necessity quietly narrow the space in which law retains independent authority? If constitutional survival requires suspension of due process, expansion of executive discretion, and the redefinition of citizens as latent threats, the question becomes whether the Union remains a constitutional republic in substance or only in form, a distinction that is not rhetorical but legal and structural in its implications. From a moral standpoint, the problem sharpens further. Natural law was invoked to justify extraordinary power in the name of survival and justice, yet natural law loses coherence when applied selectively or instrumentally rather than universally. If temporary injustice is tolerated to avoid collapse, then the essential question is no longer whether the injustice exists, but who determines when its moral limit has been reached, who decides when necessity has ended, and who possesses the authority to declare that full rights have been restored rather than merely rebranded. Lincoln believed that necessity could justify temporary departures from constitutional norms in order to preserve the conditions under which liberty might later be restored, and that belief constituted his wager. The wager assumed that restraint would naturally reassert itself once the crisis had passed, but history suggests that while the Union survived, the habit of governing by exception did not fully recede, raising the harder question of whether endurance should be mistaken for victory. From a philosophical perspective, the problem grows darker still. Can a republic withstand a cultural revolution that recognizes no geographic boundaries, no regional limits, and no meaningful mechanisms of withdrawal or resistance? The Civil War was geographically bounded, but modern ideological movements are not, operating instead through institutions, education, media, courts, and administrative systems simultaneously, thereby dissolving the traditional lines between war and peace, rebellion and reform. It is here that Marxism becomes relevant, not merely as an economic theory, but as a persistent ideological current that treats constitutional limits as obstacles to be overcome rather than safeguards to be preserved. Marxist frameworks normalize permanent struggle, justify the suspension of existing legal orders in service of historical necessity, and reframe rights as contingent outputs of power rather than inherent constraints upon it. In this way, Marxism mirrors the logic of necessity at a systemic level, converting crisis from an exception into a permanent condition and redefining governance as continuous intervention. If resistance is morally justified only when tyranny becomes intolerable, then the crucial question is who defines intolerable and by what standard. When citizens are instructed to accept small, temporary, or procedural tyrannies in the name of security, equity, or stability, the principle that would prevent those measures from becoming permanent often proves indistinct or unenforceable. History demonstrates with uncomfortable consistency that powers granted as temporary almost never expire on their own and frequently strengthen the very forces they were intended to restrain. This forces confrontation with a question often avoided because of its implications: whether the preservation of the Union constitutes an absolute good, or whether it is a conditional one. If it is absolute, liberty becomes subordinate by definition. If it is conditional, obedience must yield when the regime violates the purpose for which it exists. The Founders answered this question morally rather than

procedurally, holding that governments exist to secure rights and that legitimacy dissolves when that purpose is abandoned. The Constitution was designed to reduce the frequency of such moments, not to eliminate them entirely, and certainly not to sanctify their indefinite extension. Lincoln confronted this reality under conditions of war and rebellion. The present generation confronts it under conditions of cultural upheaval, institutional capture, and ideological movements that openly reject constitutional restraint in favor of revolutionary ends. What appears to have been learned is this: emergency power, once normalized, becomes managerial; moral exceptions evolve into policy; constitutional deviations harden into precedent; and each generation inherits a slightly smaller definition of liberty alongside a broader definition of necessity. At 250 years, the challenge is not nostalgia but courage, specifically the courage to reject even small tyrannies, including benevolent ones and popular ones, before they are normalized beyond reversal. Liberty does not disappear catastrophically, but erodes incrementally, justified each time as reasonable, prudent, or temporary. Paths oriented toward liberty therefore demand something unfashionable, namely limits, including the willingness to refuse authority when it insists that the harm is minor and the duration brief. They require rejecting the logic that survival, equity, or historical momentum justifies everything. Lincoln's life serves as a warning that even great men may suspend law in order to save the nation, while his legacy warns that nations may learn to expect such suspension as a matter of course. The remaining question is not whether the Union can survive without liberty, because history suggests that it can, but whether liberty can survive the troubles to come without increasingly depending on bent law, redefined rights, and the steady conditioning of citizens to accept controlled injustice as the price of order.

NOTE 144

When intent replaces design in ordinances

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A Legislative Failure Mode, When Intent Replaces Design in Local Anti-Discrimination Laws As a thought exercise, consider how an engineer would evaluate a local anti-discrimination ordinance, not by asking whether its goals are admirable, but by examining how the law is designed to operate once it is in force. In engineering, the earliest and most common mode of failure occurs when a system is built around intent rather than clear specification, because intent cannot guide behavior once a system is deployed. Imagine a city adopts an ordinance requiring every restaurant above a certain size to add special seating or restroom accommodations for a specific protected class, even though existing state and federal standards are already met and there is no evidence that restaurants are excluding anyone under current rules. The law is defended in moral language about dignity and inclusion, and supporters argue that it is better to act proactively than to wait for complaints, while the details are left to inspectors and future guidance. This reveals the first legislative failure mode, specification failure. The ordinance explains what it wants to express, but it does not define a concrete problem that can be observed, measured, or verified. It does not say how often discrimination is happening, what form it takes, or how the mandated changes would prevent it. Instead, it mandates physical changes and assumes a failure exists without defining the conditions that trigger the rule or the criteria that would show it is working. Once enacted, the law behaves exactly as an underspecified system should. Restaurants rearrange layouts, reduce usable seating, or incur renovation costs to meet requirements that may never be used. Inspectors enforce compliance by checking boxes rather than assessing whether anyone is actually being denied access. Compliance becomes about satisfying the rule on paper rather than addressing real-world harm, because the law provides no way to distinguish between actual problems and hypothetical ones. A second failure mode follows closely, which is drift through interpretation. Because the ordinance relies on broad concepts rather than clear limits, enforcement decisions vary depending on who is inspecting, what guidance is current, and which complaints attract attention. Businesses and residents cannot predict outcomes by reading the ordinance, and decision-makers rely on discretion because the law gives them little else to work with. Over time, additional impacts appear. Costs fall unevenly on smaller businesses, enforcement resources are spent on symbolic compliance, and public trust erodes as people see rules applied without a clear link to demonstrated harm. Revising or repealing the ordinance becomes politically difficult, because any attempt to correct the design is framed as opposition to the values that motivated it. The lesson from a legislative failure-mode perspective is not that inclusion is misguided or that discrimination should be ignored. It is that laws designed around intent rather than clear specification are structurally unable to evaluate whether they are needed, whether they are effective, or when they should stop. Like any system built this way, failure does not arrive by surprise. It begins at enactment, as the predictable consequence of design that substitutes aspiration for operational clarity.

NOTE 145

Matching founders to their views on liberty

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Matching Game Directions Match the person in United States history with the statement that best reflects his position on liberty. Persons A. George Washington B. Thomas Jefferson C. James Madison D. Patrick Henry E. Daniel Morgan Statements 1. For liberty, I would leave the comfort of private life and take up responsibility when necessity, not ambition, called me forward. I would endure winters that test resolve more than arms, holding together men who doubt both their pay and their prospects, because perseverance in hardship is often the final defense of freedom. I would accept command only as stewardship, and relinquish it as proof that liberty does not depend upon a single figure. Yes, I would hazard reputation and estate so that constitutional order might stand. But I will not preserve liberty by becoming indispensable to it, nor allow attachment to a leader to eclipse fidelity to law. 2. For liberty, I would trust the independent farmer no less than the learned jurist, believing self-rule grows best where dependence is least. I would widen the bounds of opportunity when providence and prudence align, even at the risk of criticism from narrower minds. I would defend freedom of thought and expression though it sometimes turns against me, for truth need not fear inquiry. Yes, I would expand the sphere of a free people rather than see power consolidated in distant hands. But I will not concede that rights are grants from government, nor permit centralized authority to convert citizens into subjects of its convenience. 3. For liberty, I would frame institutions that restrain human frailty rather than assume its improvement. I would divide power so thoroughly that no single interest may govern unchecked, compelling ambition to counteract ambition within lawful bounds. I would accept the labor of deliberation and amendment instead of entrusting freedom to the passions of a moment. Yes, I would defend the structure carefully ratified by the people, understanding that liberty requires both parchment and enforcement. But I will not abandon constitutional limits merely because a majority is fervent, nor allow urgency to dissolve restraint. 4. For liberty, I would speak when silence promises comfort. I would discern encroachment at its earliest whisper rather than wait until authority stands armed at the door. I would question standing power in times of peace as readily as tyranny in times of war, for habit makes chains easier to fasten. Yes, I would bear the consequences of alarm rather than the disgrace of submission. But I will not accept safety purchased by surrender, nor mistake obedience for patriotism. 5. For liberty, I would trust citizen soldiers who know the weight of their rifles because they earned their bread with the same hands. I would accept a tactical withdrawal if it secured ultimate advantage, for pride must bow to principle when independence is at stake. I would endure hunger, mud, and powder smoke without complaint if the cause remains just. Yes, I would divide lines and test patience before striking decisively. But I will not spill blood merely to change masters, nor fight for triumph devoid of constitutional purpose. Biographies George Washington George Washington was a Virginia planter, military officer, and statesman who became the commanding general of the Continental Army during the American Revolution and later the first President of the United States from 1789 to 1797. His leadership at difficult moments, including the winter encampment at Valley Forge and the decisive campaign at Yorktown, secured independence from Britain. Presiding over the Constitutional Convention in 1787, he lent credibility and unity to the new framework of government. By voluntarily stepping down after two presidential terms, he established the precedent of peaceful transfer of power and civilian restraint that became foundational to American republicanism. Thomas Jefferson Thomas Jefferson was the principal author of the Declaration of Independence and served as the third President of the United States from 1801 to 1809. A Virginia planter and intellectual steeped in Enlightenment thought, he championed natural rights, religious liberty, and limited government. As president, he authorized the Louisiana Purchase, doubling the nation’s territory and setting the stage for westward expansion. Jefferson’s legacy is marked by both his influential articulation of liberty and the contradiction of his lifetime ownership of enslaved people. James Madison James Madison was a chief architect of the United States Constitution and a principal author of the Federalist Papers. Often called the Father of the Constitution, he played a central role in structuring the system of checks and balances designed to restrain faction and concentrated

power. As the fourth President from 1809 to 1817, he led the nation through the War of 1812 against Great Britain. Madison later supported the adoption of the Bill of Rights, recognizing the necessity of explicitly safeguarding individual liberties within the new federal system. Patrick Henry Patrick Henry was a fiery orator and leading voice of the American Revolution, best known for his 1775 speech declaring, “Give me liberty, or give me death.” A Virginian deeply suspicious of centralized authority, he served as governor of Virginia and opposed ratification of the Constitution without a bill of rights. His forceful rhetoric mobilized colonial resistance to British rule and later shaped the demand for explicit protections of individual freedoms in the new republic. Daniel Morgan Daniel Morgan was a frontiersman and soldier who became a prominent general in the Continental Army during the American Revolution. Known for his leadership of riflemen and his tactical brilliance at the Battle of Cowpens in 1781, Morgan used disciplined maneuver and strategic deception to defeat British forces under Banastre Tarleton. His understanding of irregular warfare and frontier marksmanship contributed significantly to the American victory in the southern campaign. After the war, he served in the U.S. Ho

NOTE 146

Liberty is not personally interpreted

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There Is No Personal Interpretation of Liberty The claim that liberty is a matter of personal interpretation reflects a profound moral error. It assumes that freedom originates in preference rather than in principle, that it is created by assertion rather than recognized as reality. Under this view, liberty becomes whatever an individual desires it to be. The American Founders rejected that premise outright. The foundation of the American political order begins with an objective claim. In the Declaration of Independence, Thomas Jefferson wrote that men “are endowed by their Creator with certain unalienable Rights.” That sentence does not describe negotiable privileges or evolving interpretations. It affirms that rights are inherent, pre-political, and not subject to private redefinition. If rights are unalienable, they cannot be revised according to appetite. James Madison’s constitutional architecture rests on the same assumption. In Federalist No. 51 he warned, “If men were angels, no government would be necessary.” He did not assume that liberty could sustain itself through subjective goodwill. He designed a system of checks and balances because human nature is constant and because freedom requires structural restraint. In Federalist No. 10 he cautioned that faction, driven by self-interest, can threaten the rights of others, describing “the violence of faction” as a chief danger to republican government. That warning presupposes that rights are objective and that liberty must be defended against private will elevated to public power. John Adams stated the matter plainly. “Our Constitution was made only for a moral and religious People. It is wholly inadequate to the government of any other.” Adams did not imagine liberty as an exercise in self-definition. He believed it depended on virtue. Without moral restraint, constitutional liberty would fail. His warning stands as a repudiation of the idea that freedom can survive detached from ethical boundaries. George Washington reinforced the same point in his Farewell Address: “Of all the dispositions and habits which lead to political prosperity, Religion and morality are indispensable supports.” Washington did not treat liberty as a free-floating concept. He tied it directly to moral order. Political freedom requires internal discipline. Without that discipline, institutional freedom decays. These statements converge on a single principle. Liberty is not personal interpretation. It is rooted in the moral structure of human nature and in the recognition of inherent dignity. That structure includes limits. Freedom is bounded by the equal rights of others, especially the most innocent. A child’s life cannot be nullified by another’s preference. The defenseless cannot be subordinated to personal will. The right of self defense exists because aggression violates objective moral order, yet even self defense operates within necessity and proportionality. It may repel injustice, but it cannot become license or vengeance. Liberty cannot endure without these limits because without them the strong define freedom for the weak. Humility is therefore indispensable to liberty. To defend freedom is to accept that one’s own desires are not sovereign. It is to recognize that moral law constrains both citizen and magistrate. The Founders did not envision unbounded autonomy. They envisioned ordered liberty, secured by virtue and restrained by law. The oppressed do not appeal to private definitions of liberty. They appeal to universal principles. The slave recognized injustice. The dissident recognizes censorship. The persecuted believer recognizes coercion. Such recognition makes no sense unless liberty exists as an objective standard by which power may be judged. The Founding generation spoke with remarkable consistency on this point. Rights are “unalienable.” Government must restrain “the violence of faction.” Constitutional order requires a “moral and religious People.” “Religion and morality are indispensable supports.” These are not endorsements of personal interpretation. They are warnings against it. Liberty is not invented by preference and cannot be sustained by appetite. It is recognized as a moral reality, grounded in human dignity and bounded by justice. Sever it from those limits, and it dissolves into either anarchy or tyranny. The Founders understood this plainly. Their words leave no room for the notion that freedom is whatever we decide it to be.

APRIL 2026

NOTE 147

Why character matters in judging leaders

April 12, 2026 · 675 words · https://substack.com/@jeffapierson/note/c-241990873

Why Character Is Not Optional in Evaluating Leadership Values shape our thinking, thinking drives decisions, decisions produce actions, actions repeated become habits, and those habits ultimately reveal character. Evaluating politicians while ignoring character is a shallow exercise. Honest, evidence-based criticism of both their decisions and the patterns those decisions form is necessary if the evaluation is going to mean anything. I'd rather be surrounded honest people that polite people. .— Any serious evaluation of public leadership eventually runs into the same wall. The moment character is addressed, the response comes fast: That's negative. That's mudslinging. The accusation works not because it engages the evidence, but because it changes the subject. It reframes accountability as impropriety and dares the speaker to keep going. That claim does not hold up under scripture or basic reasoning. The Bible does not prohibit moral evaluation. It regulates it. Matthew 7:16 does not say avoid judgment. It says ground judgment in observable outcomes: "Ye shall know them by their fruits." Public officials produce fruit. Their decisions are visible, measurable, and consequential. Evaluating those decisions is not negativity. It is exactly what the standard requires. The confusion comes from collapsing two very different things into a single category. Evidence-based evaluation of character is not the same as careless personal attack. One is rooted in facts and repeated patterns. The other is rooted in impulse, exaggeration, or spite. The first is legitimate. The second is rightly condemned. Treating them as identical is intellectually dishonest. Ephesians 4:25 puts it plainly: "Wherefore putting away lying, speak every man truth with his neighbour." Truth does not become invalid because it is uncomfortable. If a pattern of decisions has produced consistent harm, naming that pattern is not mudslinging. It is stating reality. Choosing silence to appear positive is not virtue. It is evasion dressed up as grace. There is also something worth naming beneath the accusation itself. Labeling criticism as "negative" often functions as a shield. It reframes accountability as hostility. It redirects attention from the official's record to the critic's tone, and it allows patterns of behavior to go unexamined. That is not a moral argument. It is a deflection — and a practiced one. Isaiah 5:20 speaks to this directly: "Woe unto them that call evil good, and good evil." Refusing to name a problem does not resolve it. It obscures it. When harmful outcomes are consistently produced, calling them "concerning" rather than what they are is not charity. It is concealment. That said, there is a real boundary. Not every criticism of character is justified. When people move from evidence into assumed motive, when they inflate isolated incidents into sweeping condemnations, or when they substitute insult for argument, they forfeit their own credibility. That is the point at which the charge of mudslinging becomes accurate. Proverbs 18:13 is clear: "He that answereth a matter before he heareth it, it is folly and shame unto him." Rushed conclusions, incomplete facts, and overstated claims do not make a case stronger. They hollow it out. The distinction, then, is not between "positive" and "negative." It is between disciplined judgment and reckless accusation. Criticism grounded in verifiable actions, repeated patterns, and measurable outcomes earns the right to draw conclusions about judgment and reliability. When that pattern is sustained, it is reasonable — and responsible — to speak plainly about character within the limits of the evidence. Criticism that relies on speculation, exaggeration, or personal insult detached from documented behavior earns a different name. The public square does not require polite silence. It requires honest evaluation. Proverbs 27:5 says it directly: "Open rebuke is better than secret love." That is not a call for contempt. It is a recognition that truth, even when it costs something, is more valuable than approval purchased by ignoring what is real. The standard is not whether criticism sounds harsh. The standard is whether it is true, proportionate, and supported by evidence. When it meets that standard, calling it "mudslinging" does not refute it. It only confirms that someone would rather change the subject.

MAY 2026

NOTE 148

The politics of niceness silences criticism

May 16, 2026 · 872 words · https://substack.com/@jeffapierson/note/c-260087349

The Politics of Niceness Why "you're being too critical" is sometimes a request for your silence, not your civility There's a pattern in small-town civic life worth naming, because once you see it, you can't unsee it. You notice something wrong in public policy. Maybe it's an executive session that shouldn't have been closed. Maybe it's a tax subsidy that doesn't add up. Maybe it's a candidate spreading falsehoods, or a board approving something the public never got to weigh in on. You write about it. You ask questions. You document. And someone — usually someone well-meaning — pulls you aside and says some version of: "Do you have to be so critical? It's divisive. Why don't you tone it down?" It sounds reasonable. It's said gently. And it deserves more skepticism than it usually gets. What's actually being asked The disagreement you've raised doesn't go away when you stop talking about it. It just stops being public. The bad policy still happens. The closed meeting still closes. The subsidy still flows. What changes is only whether the rest of the community knows about it. So when someone asks you to be less critical, they're not asking for the disagreement to be resolved. They're asking for it to be moved somewhere quieter — out of the newspaper, off Substack, into a phone call or a coffee meeting where nobody else can hear. That's not the absence of conflict. It's conflict handled privately, by the people already inside the room. And the people already inside the room are, almost by definition, the people whose decisions would otherwise be challenged. The kernel of truth There's a real concern buried in the "you're too critical" complaint, and it's worth honoring. Public life can get nasty. People do hide cruelty behind the word "honesty." Personal attacks dressed up as policy criticism are a real thing, and they poison communities. But there's a difference — a big one — between attacking a person and questioning a decision. Between calling someone a name and pointing out that the math on a tax increment financing district doesn't pencil out. Between cruelty and accountability. The "too critical" complaint almost never makes that distinction. It treats any sustained public disagreement as divisive, regardless of whether the substance is sound. That should tell you something. If the only acceptable level of public criticism is none, then what's actually being defended isn't civility. It's the status quo. Who pays the social cost Here's the quiet part. Criticism is uncomfortable — not just for the people being criticized, but for everyone in their orbit. The coffee shop conversation gets awkward. The church potluck gets weird. The chamber lunch has a chill in the air. People who don't want to take sides feel cornered. So when they ask you to tone it down, part of what they're asking is that you bear the social cost so they don't have to. That's a legitimate personal preference. We all want our small-town relationships to stay easy. But it's a terrible basis for public policy, and it's worth recognizing when it's happening. Every reform that has ever mattered — open meeting laws, water rights protections, anti-corruption rules, the Idaho Sunshine Law itself — required someone willing to be called "divisive" by people who preferred things the way they were. Those laws exist on our books because somebody, somewhere, refused to be polite about secret meetings. We are the beneficiaries of people who took the social hit so the rest of us wouldn't have to live under the systems they fought. The role of the citizen A self-governing republic doesn't run on elected officials alone. It runs on citizens who pay attention, ask questions, write, organize, document, show up, and yes — sometimes raise their voices in ways that make the comfortable uncomfortable. The First Amendment doesn't exist so that only the people in office can speak about government. It exists because the founders understood that the people in office cannot be the only voices in a republic. Reporters don't have to win a sheriff's election before they can cover the sheriff's department. Ratepayers don't have to join the PUC before they can question a rate case. Citizens don't have to hold a seat before they're allowed to notice that something is wrong. Outside criticism — journalism, policy research, organizing, plain old citizen commentary — isn't a substitute for elected office. It's a different and equally legitimate civic function. A healthy community needs both. A closing thought If you find yourself being told you're "too critical," it's worth asking a simple question: of what, exactly? If the answer is "of policies the speaker happens to support," you're probably doing your job. If the criticism is substantive, sourced, and aimed at decisions rather than people, then divisiveness isn't your problem. The decisions are.

> The community doesn't get healthier when criticism goes quiet. It just gets quieter about the things that are making it unhealthy. The job of a citizen — your job, my job, everyone's job — is to keep the lights on in the rooms where decisions get made. Sometimes that means saying things the people in the rooms would rather you didn't. That isn't divisiveness. That's the work.

JUNE 2026

NOTE 149

Justice delayed and the war on tyranny

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Justice has not disappeared. It has been forced to wait so long that the waiting itself has become part of the wound. Across the world, and across human history, the struggle for liberty has never truly stopped. For thousands of years, men and women have fought against tyranny, corruption, deception, and injustice. The enemy is not a people. It is not a race, nation, class, or ordinary citizens trapped inside broken systems. The enemy is tyranny itself. It is the ancient appetite for control: power without truth, law without justice, government without restraint, and order without conscience. The fight for liberty is not a war against ordinary men and women. IT is a war against the lie that power may do whatever it wants and still call itself lawful.

NOTE 150

Property taxes as a governing mechanism

June 21, 2026 · 113 words · https://substack.com/@jeffapierson/note/c-280019655

Eliminating property taxes is about far more than tax relief and property rights. It would fundamentally change one of, if not the, most important controls government has over local economics, land use, development patterns, institutional power, and the cost of ordinary life. Property taxes are not just a revenue source. They are a governing mechanism. They allow local governments to shape growth, reward preferred development, expand budgets automatically as property values rise, and force property owners to fund policies they may not support and cannot easily escape. Eliminating property taxes would force a deeper question: what should local government actually do, what should it stop doing, and which public expenses are truly necessary?

NOTE 151

The Idaho GOP fight over abortion

June 21, 2026 · 574 words · https://substack.com/@jeffapierson/note/c-280290705

The Idaho GOP and conservatives across this state are still headed for a civil war, but it is not the fight most people think it is. Yes, it is still a fight against RINOs, or what a friend of mine calls “trans-Republicans,” people who wear the Republican label while governing like something else entirely. But this time, the issue is abortion. This is the fight that will expose who is actually pro-life, who is only campaign-season pro-life, and who will fold the moment hospitals, PACs, lobbyists, donors, the entrenched bureaucracy inside Health and Welfare, and political insiders start applying pressure. The fight ahead will not be simple. Most of the money against us will come from outside Idaho, from national activist groups, liberal organizations, out-of-state billionaires, bureaucracy-aligned interests, and the hospital lobby. But outside money is only one front. The outside money will shape the public campaign. The inside resistance will determine whether the Republican Party actually holds the line. That is where we need to be honest. Hospitals, their PACs, and the medical lobby have become some of the most influential donors behind weak Republicans who talk conservative at election time, then side with the medical lobby, Health and Welfare, and the permanent bureaucracy when it actually matters. That means the biggest fight will not only be against liberals, activists, bureaucrats, or outside money. The most damaging fight may come from inside the Republican Party, from Republicans who do not support the ban, do not want the fight, or do not have the courage to stand against the donors who helped put them in office. The same Republican Party that just elected Dorothy Moon now has to prove whether it actually stands for the principles it claims, or whether weak Republicans, lobbyists, hospital PACs, and political insiders will be allowed to gut the will of conservative voters from inside the room. Many people have been critical of Dorothy’s ability to raise money. There may be truth in that sentiment. I do not know. But the bigger concern in my mind is not fundraising. It is conviction, worldview, trust, and faith. If I am reading the room correctly, this abortion issue will not be lost because of outside money alone. It will be lost because of a lack of conviction inside the GOP, because of Republicans who support abortion, and because of Republicans who claim to be pro-life but lack the spine to fight when the pressure starts. And if I am right, conservatives are not going to place their confidence, or their money, in the IDGOP. If we want to hold the line on abortion, pro-life organizations, conservative organizations, and citizens will have to carry the load. I hope I am wrong. I hope Dorothy and the GOP can correct course, because we cannot afford to lose this fight. The strongest message, and the clearest signal, would be to start putting direct pressure on Republicans who will not stand for children. Elected representatives need to distance themselves from PAC influence, lobbyist pressure, and donor control, and they need to take a clear, public, pro-life stand. Those who will not support the platform, who will not support the ban, and who will not clearly commit to pro-life principles should be censured, and support should be pulled. This is not the time for vague statements, quiet neutrality, or campaign-season courage. This is the time to find out who actually believes what they claim to believe.

NOTE 152

A 250th celebration without warning is hollow

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If your 250th celebration contains no warning to elected officials and government in general to restrain themselves, and no call for citizens to recover individual courage and virtue, then you are not really celebrating the blessing of the American Revolution. You are celebrating symbols while forgetting the substance. The Revolution was not only a victory over British power. It was a warning against arbitrary power. It was also a call to self-government, and self-government requires more than ballots, flags, fireworks, and slogans. It requires courage. It requires virtue. It requires citizens who understand that liberty cannot survive when government refuses restraint and the people refuse moral responsibility.

JULY 2026

NOTE 153

Two fundamentally different views of liberty

July 5, 2026 · 1,237 words · https://substack.com/@jeffapierson/note/c-288479933

Two Fundamentally Different Views of “Liberty”: Summary - Full Essay Release Monday July 6th 2026 How the Founders Built Liberty as a System, and How Modern Operatives Sell Its Replacement This is the condensed version of a fuller treatment. The complete essay, “Two Fundamentally Different Views of Liberty,” develops the argument in full, with sources. Every Fourth of July, Americans post about freedom. Almost nobody says which freedom they mean, and that one omission explains over 120 years on a slippery slope and the last 40 feeling more like a long drop into the abyss. The word is liberty, and it carries two meanings that cannot coexist. The Two Views The first view says liberty means being left alone. The test is a single question: is anyone stopping you? Philosophers call it negative liberty; the claim, in plain terms, is that liberty is a possession, something you already own. Government exists to guard it and otherwise stand aside. This is the liberty of the Bill of Rights: “Congress shall make no law.” The second view says liberty means being provided for. Its test: can you actually do it? By this measure a man is not free until someone supplies the means, and the only someone large enough is the state. Philosophers call it positive liberty; the claim, in plain terms, is that liberty is provided to you. Possession or provision: hold onto those two words, because they build opposite governments. If liberty is a possession, government's job is to guard it, and its power is restrained. If liberty is provided, government must be the provider, and its power grows with every promise. One view ties the government's hands. The other fills them. The System the Founders Built Ordered Liberty is the next step in understanding liberty. As I have defined it, it is not a third view; it is the system the founders built to support negative liberty, the moral structure in which that liberty survives. Liberty is not the absence of law but the presence of rightful authority: authority limited by natural law, bound by the Constitution, and accountable to truth and justice. The individual is restrained by conscience, the citizen by law, and the government by both. Liberty without order becomes license; order without liberty becomes tyranny. Under Ordered Liberty, liberty is a duty as much as a right. Ordered Liberty is a two-way covenant governing three relationships at once. The individual governs himself through conscience and discipline. Neighbors owe one another ethical restraint and honest redress, a civic trust no statute can supply. And citizens and government are bound to each other: voluntary obedience to just law on one side; on the other, the duties to protect rights it did not create, restrain crime, enforce law impartially, preserve redress, and restrain its own power. One standard binds all of it, moral parity: no person is beneath the law's protection, and no official is above its restraint. Negative liberty is the government's clause of this covenant. Real and binding, but one clause, not the whole document. Read only the government's clause and you mistake a covenant for a muzzle. The Constitution does not create liberty; it orders liberty. Five words compress the whole bargain: Constitutio a Virtute Populi Sustinetur, the Constitution is sustained by the virtue of the people. The Replacement on Offer Positive liberty is not a clause in this covenant. It is a replacement contract: surrender moral parity, and the state will provide. But a provider cannot be your equal. The moment liberty becomes something government supplies, citizens become clients of the power they were meant to bind. Do not confuse government's duties with provision: a government that punishes theft protects your liberty; a government that promises to provide what you might otherwise earn purchases it. The record is consistent. The Soviet constitution of 1936 guaranteed work, housing, healthcare, and education on paper, and every right was delivered by a state that therefore owned your job, your home, and your children's future. The rights were the leash. Roosevelt's “freedom from want” built the administrative state: we traded a visible king for ten thousand invisible ones, each with a rulebook. Sixty years of the Great Society left the poverty rate roughly where it settled at the start, while dissolving the marriages, fathers, and congregations that Ordered Liberty runs on. Federal money never arrives alone; federalism dies by purchase long before it dies by decree. The provision view now governs far more than programs. It governs the language. Healthcare is “accessed.” Housing is “a human right.” Debt relief is marketed as freedom, and hunger is renamed “food insecurity,” a condition awaiting its provider. Every need gets renamed a right, and every right quietly assigns someone to supply it. This matters because people think in

the words they are given. A generation raised on that vocabulary can no longer ask the only question that matters: who must be compelled to supply the thing being provided? When the language of provision wins, the argument is over before it starts. And it governs both parties. Corporate welfare is provision aimed upward. Tax increment financing and urban renewal districts capture your property taxes to build infrastructure for chosen developers. Incentive packages hand abatements to corporations the state recruits while the businesses already here pay full freight. All of it is championed by the same Republicans who denounce Medicaid expansion, the welfare system, and blanket student loan forgiveness. Look past the recipients and the principle is identical in every case: the state takes from some to provide for others it selects. The damage is identical too: dependents who lobby to keep the program, and a government that grows by choosing winners. A party that provides upward cannot credibly oppose providing downward. The parties are not arguing about provision anymore. They are arguing over the guest list. And closest to home, the property tax. Legal title remains with the homeowner, but ownership is made conditional by the state's permanent power to tax and to seize for nonpayment. In effect, an Idaho family holds a perpetual lease from the county, revocable for missing the payment. What other inalienable right comes with a government fee? Remember, a tax on the ordinary exercise of what people already possessed helped trigger the American Revolution. It doesn't feel like liberty. It feels like a landlord. And the county has a master key. The Pattern The sequence never varies. A real hardship occurs. The state offers to supply the means of liberty. The fine print requires administering lives. Dependency sets in, and the bureaucrat and the recipient both vote to protect the program. The hardship persists, becoming the justification for expanding it. Positive liberty is the only product ever sold whose failure is the sales pitch for buying more. The Question So when a politician offers you liberty, ask one thing: liberty from him, or liberty through him? The first kind restrains his power. The second kind grows it, every single time, without exception, by definition. This Fourth of July, ask which one you're living under: the covenant the founders signed, or the contract the operatives are selling. The covenant is still on the table. It has never needed new signers more than it needs them now. Condensed from “Two Fundamentally Different Views of ‘Liberty’” by Jeff A. Pierson. The full essay, with sources, and the complete framework in Ordered Liberty Reclaimed: A Foundation for Liberty (2025).

NOTE 154

Life, liberty, property — in order

July 20, 2026 · 13 words · https://substack.com/@jeffapierson/note/c-298405001

The Most Important Political Concept in American Life… Life → Liberty → Property

NOTE 155

Property as a lived life

July 22, 2026 · 228 words · https://substack.com/@jeffapierson/note/c-299362357

Property as a Lived Life What a man owns is not separate from what he is. A piece of property carries hours he will never get back, work he did instead of something else, appetites he put off, choices he had to answer for. When someone takes it by force, they are not just moving an asset from one column to another. They are taking a piece of the life that made it. That is why theft has always sat near murder in the moral order, nowhere close in degree but not a different kind of thing either. Murder takes a man's future. Theft takes what he already spent his life on. In both cases the man himself is treated as beside the point. That will sound overheated to a lot of people now. We have been taught to read property as a line on a balance sheet, something with a market price and a tax assessment and not much else. But the older understanding is the one the Founders worked from, and it shows up in what they argued and in what they wrote into the Constitution. If you want to know what property meant in 1787, you have to quit reading it as economics and start reading it as moral philosophy. They did not start with the acres. They started with the man standing on them.



PART 10

Faith, Humanism & the Church

Higher criticism, humanism, stewardship, and the church's public duty.

14 NOTES · SEPTEMBER 10, 2025 – JULY 10, 2026

SEPTEMBER 2025

NOTE 156

Refusing anger, trusting Christ

September 10, 2025 · 200 words · https://substack.com/@jeffapierson/note/c-154571688

Its not my place to tell others how to react to Kirk's murder. For me, I have to focus on something more than the anger and heartache I initially felt, I hope this helps others... . I refuse to accept the lie that evil has won or ever will. I will not surrender to anger, nor will I be provoked by the spirit of evil that mocks the death of a man who pursued peace. Righteous anger has its place, but reacting out of anger is not a strategy, it only feeds the darkness we oppose. . Our strength and our peace must come from the same source that gave Charlie Kirk his courage, Jesus Christ. Jesus told us plainly that in this world we would face tribulation, but to take heart, for He has overcome the world. That is how this culture war, this battle with evil, will be won—not by fury or despair, but by the victory Christ has already secured. . Perhaps tomorrow I will grieve, perhaps tomorrow I will be angry, but today, to honor his life and sacrifice, I choose a higher calling: to renew my bond with true liberty through service beyond self. (JAP2025)

OCTOBER 2025

NOTE 157

Ambition that outruns calling

October 8, 2025 · 269 words · https://substack.com/@jeffapierson/note/c-164171902

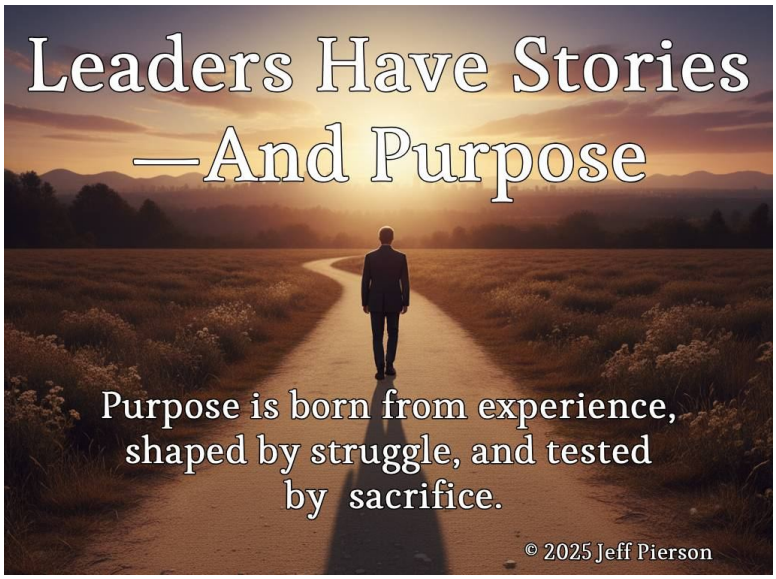
Ambition that Outruns Vision - What is a Calling? Most of my adult life, I have kept my distance from people, especially politicians and those in “ministry”. I would avoid actors and so-called cultural icons as well, but living in Jerome spares me from most of that noise. I have watched too many people with glaring personality disorders rise to influence without merit, gaining authority they neither earned nor understood. In politics and the church alike, many of these individuals seem to care little for those they claim to serve. They do not grasp what service actually means. Speaking out against them rarely ends well, and it often takes years for the truth to surface and for others to see what I saw from the start. I know that kind of observation can sound arrogant, and that is precisely why I often choose to live quietly and somewhat apart. It is not contempt for people, but exhaustion with pretense. The difference between poor leaders and good ones is simple. Poor leaders seek office. They chase position and title without ever clarifying purpose. Their ambition outruns their vision. Good leaders, by contrast, rise through labor and sacrifice. They do not seek office; they are called to it by those who have witnessed their character and their work. That calling is not some vague, self-actualized feeling. It is clear, specific, and visible. A true calling is preceded by a story, a history of effort, endurance, and purpose that compels others to recognize it. A real leader does not have to announce their calling. The evidence of their life makes it obvious.

NOTE 158

Real leaders have stories and purpose

October 8, 2025 · 217 words · https://substack.com/@jeffapierson/note/c-164174776

Leaders Have Stories and Purpose A leader carries a story that explains who they are and why they lead. Their purpose is born from experience, shaped by struggle, and tested by sacrifice. Their vision is not a slogan but a conviction that guides both words and actions. You can see their integrity in the way they treat people who cannot help them and in how they carry weight that others ignore. The false leader projects depth but possesses none. They rely on charisma instead of character, image instead of substance. They polish their presentation, but it hides the absence of principle. They speak of vision but cannot endure labor, and their confidence is built on applause rather than conviction. In the end, leadership is not about ability but motive. If a person's story lacks service, if their purpose points only to themselves, if their shine is brighter than their substance, they are not leading, they are performing. I am not called to office, but I am called to serve. With the time and resources I have, I cannot afford to spend them propping up leaders in search of a cause. Service, to me, means action rooted in purpose, not promotion. If the work does not serve people, it serves pride, and I have no interest in that.



NOVEMBER 2025

NOTE 159

The creep of humanism since the Enlightenment

November 11, 2025 · 274 words · https://substack.com/@jeffapierson/note/c-175922466

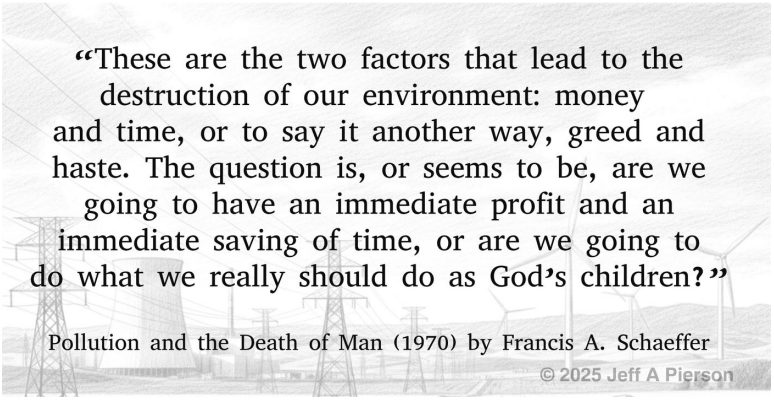
The Creep of Humanism Since the Age of Enlightenment 1700s – Enlightenment Rationalism Rise of rationalist philosophy in Europe. Thinkers like Voltaire, Rousseau, and Kant promote reason over revelation, laying groundwork for secular humanism. 1800s – Birth of Higher Criticism and Evolution German universities develop Higher Criticism (Wellhausen, Strauss). Charles Darwin publishes On the Origin of Species (1859), proposing naturalistic evolution. Early 1900s – Psychological and Socialist Ideologies Rise Freud and Jung secularize psychology. Marxist ideas influence labor movements and academia. Secular humanism begins formal organization. 1940s–1950s – Institutional Infiltration Begins Mainline seminaries adopt Higher Criticism. National Council of Churches (1950) and World Council of Churches (1948) form with liberal theological commitments. 1960s – Radical Moral and Educational Shifts Prayer and Bible reading banned from public schools (Engel v. Vitale, 1962; Abington v. Schempp, 1963). Sexual revolution fueled by relativist ethics. Liberation theology gains ground. 1970s – Rise of Secular Curricula and Legal Activism Public education curriculum moves toward moral relativism. Critical legal theory and living constitutionalism reshape judicial thought. 1990s – Postmodernism and Identity Politics Truth redefined as subjective. Progressive theology denies miracles and biblical authority. DEI ideology takes root in universities. 2000s – Institutional Apostasy and Cultural Decline Mainline denominations endorse LGBTQ clergy, same-sex unions. Universities marginalize Christian perspectives. 2010s–2020s – Consolidation and Enforcement ESG/DEI used to enforce progressive orthodoxy. Supreme Court rulings redefine marriage and gender. Government agencies, media, and education suppress dissent from Christian norms. Present and Future – Spiritual Crisis or Revival? The West stands at a crossroads facing collapse or spiritual awakening. Humanism's long march through the institutions has reached maturity. Reclaiming truth begins with repentance and courage.

NOTE 160

Schaeffer's warning applied to mega-projects

November 11, 2025 · 286 words · https://substack.com/@jeffapierson/note/c-175943974

Francis Schaeffer’s Warning: “Pollution and the Death of Man” and the Age of Mega Projects In 1970, Francis Schaeffer wrote Pollution and the Death of Man as a moral wake-up call, not just about pollution but about the spiritual sickness behind it. He argued that modern society treats creation as raw material instead of sacred trust. The crisis, he said, was not technological but theological. Once man saw himself as autonomous, master rather than steward, he began to exploit the world he was meant to care for. Schaeffer warned that two forces drive environmental destruction: greed and haste. The rush for profit and efficiency destroys not only landscapes but reverence. He said the real question is not “Can we?” but “Should we?” That question is one modern technocracy has largely forgotten. His warning speaks directly to our era of so-called clean mega projects. Data centers, solar arrays, and transmission corridors are praised as progress, yet they often consume entire aquifers, flatten farmland, and drain communities of quiet and identity. The moral logic has not changed since Schaeffer’s day. Efficiency has replaced ethics, and metrics have replaced meaning. Schaeffer’s message cuts deeper than environmentalism. He insisted that the created world reflects the Creator, and when man desecrates it, he desecrates himself. The issue is not technology but theology, whether human reason rules alone or whether man still answers to something higher. In the rush to build the digital future, we are repeating the same sin Schaeffer exposed, pursuing mastery without humility. Stewardship asks for restraint. Technocracy rewards ambition. The question remains the same half a century later: will we build as caretakers of creation or as conquerors of it? One choice sustains life. The other erases it.



DECEMBER 2025

NOTE 161

Why the right keeps losing the culture

December 14, 2025 · 617 words · https://substack.com/@jeffapierson/note/c-187842308

Why the Right Keeps Losing the Culture War The claim that the right is losing the culture war has become almost conventional wisdom. Critics point to corporate culture, universities, media, entertainment, and even major religious institutions as evidence that conservative values have been routed. From this view, the problem is simple. Conservatives are backward, reactive, and obsessed with fights they cannot win. Culture, we are told, moves forward. Resistance only delays the inevitable. That criticism deserves to be taken seriously, because there is truth in the observation even if the conclusion is wrong. The right does keep losing cultural ground. But the reason is not that liberty-oriented ideas are obsolete. It is that the fight has been misunderstood, misnamed, and too often misfought. Culture is not conquered by force or preserved by decree. It is shaped by habits, incentives, moral authority, and trust. When conservatives treat culture as something to be captured through institutions rather than cultivated through example and principle, they abandon the very terrain they claim to defend. Power can enforce compliance. It cannot produce belief. History is unambiguous on this point. Classical thinkers understood this long before modern politics. Aristotle distinguished between law, which restrains behavior, and ethos, which shapes character. When law attempts to do the work of character, it becomes brittle and resented. When culture collapses, law expands to compensate, and liberty erodes in the process. The cycle repeats across civilizations. Modern conservatives often lose the culture war because they try to fight it as a policy dispute rather than a moral one. They chase procedural wins, court rulings, or regulatory rollbacks while neglecting the deeper question of legitimacy. When institutions no longer command trust, their victories feel imposed rather than earned. This is why cultural enforcement, even when nominally conservative, backfires. Compounding the problem is the role of institutional Republicans who substitute authority for persuasion. By advancing centralized control, speech management, or administrative shortcuts in the name of stability, they validate the very critiques leveled against the right. They teach the public that conservative language is merely a branding exercise, not a commitment to liberty. This confusion fuels cynicism and accelerates cultural drift. The left has been more effective not because its ideas are superior, but because it has focused on formation rather than force. It invests in narrative, education, social pressure, and moral signaling. These are cultural tools, not legislative ones. The right, by contrast, has often ceded these arenas while fixating on institutional power, then wonders why its victories feel hollow. The culture war is not lost because conservatives failed to dominate institutions. It is lost when liberty is reduced to a talking point rather than lived as a discipline. Cultures change when people see coherence between belief and behavior, courage matched with restraint, conviction paired with humility. Without that coherence, even true principles fail to persuade. History offers both warning and hope. Rome did not fall because it lost elections, but because virtue collapsed and power rushed in to fill the void. Conversely, reform movements that endured did so by restoring moral credibility before political authority. They persuaded before they governed. The way forward is not withdrawal or escalation. It is recovery. Liberty survives where conscience is honored, truth is spoken without compulsion, and authority is exercised with restraint. A culture that values freedom cannot be coerced into believing it. It must see it lived. The culture war is not about winning control. It is about restoring trust in the idea that free people, bound by conscience and law, can govern themselves without being managed into submission. That principle has always been the foundation of a free society, and it remains the only one capable of sustaining it.

NOTE 162

Schaeffer explains the fracturing of parties

December 29, 2025 · 448 words · https://substack.com/@jeffapierson/note/c-192707153

Schaeffer and Party Fracture One of the most common features of the current political climate is a particular kind of civic whiplash. People who consider themselves consistent defenders of liberty increasingly find themselves taking positions that place them in conflict with their usual allies. Party labels no longer predict whether someone will defend due process, limits on administrative power, local control, or the right to dissent. The result is not merely disagreement, but a deeper instability in political identity, the feeling that coalitions are dissolving, moral language is unreliable, and “liberty” can be invoked to justify its opposite. Francis Schaeffer offers a philosophical explanation for why this would happen. In his account, the modern West attempted to preserve a moral vocabulary inherited from a Christian worldview while relocating final authority to autonomous human reason. When a culture keeps the language of justice, dignity, rights, and freedom while severing the metaphysical foundation that once disciplined those terms, moral speech does not vanish. It becomes intensified and unmoored. Moral claims keep their emotional force and rhetorical prestige, but they lose a shared referee. Words that once carried stable meaning become instruments, used to signal belonging, justify power, and delegitimize opponents. In such a setting, parties cannot function as coherent moral coalitions. They become fragile containers for competing moral definitions, held together by tribal identity, media ecosystems, donor incentives, and fear of the opposing side. People may agree on slogans while disagreeing on the substance of what those slogans require. “Liberty” can mean protection from coercion and rule by discretion, or it can mean the removal of obstacles to preferred outcomes, speed, dominance, and centralized coordination. Because there is no longer a widely shared standard above the tribe, factional definitions of liberty proliferate and conflict without resolution. This helps explain why someone can watch the same political camp defend individual rights in one domain and support expansive state or corporate power in another. When moral language becomes detached from binding moral constraint, politics turns into a struggle over meaning rather than a shared pursuit of justice under law. Coalitions form around tactical advantage and narrative alignment, then fracture as soon as an issue exposes incompatible definitions of authority and freedom. The betrayal is structural, not personal, because the underlying moral consensus that once stabilized alliances has eroded. Schaeffer’s relevance to political disorientation is that he explains the collapse of reliable categories. When moral terms no longer refer to a commonly acknowledged order, they become persuasive tools rather than obligations. That is how a society can become saturated with moral rhetoric while losing moral coherence, and why political identity begins to feel unstable even when institutions and party structures still appear intact.

NOTE 163

Schaeffer series graphic

December 29, 2025 · Graphic · https://substack.com/@jeffapierson/note/c-192715235



NOTE 164

Schaeffer's warning and the AI ethics vacuum

December 29, 2025 · 211 words · https://substack.com/@jeffapierson/note/c-192723752

Schaeffer’s Enlightenment Warning and the AI Ethics Vacuum Francis Schaeffer argued that a key part of the Enlightenment was the shift from relying on God’s revealed truth to trusting in human reason alone. (Schaeffer, 1968) He believed that Western society sought to keep its moral language rooted in a Christian worldview but gradually separated it from the deeper beliefs that once supported it. (Schaeffer, 1976) This led to a culture that trusted human methods but lacked a strong moral foundation. We can see this split today in debates about AI ethics, where fast technological change raises significant questions about human identity and autonomy, but there is no shared moral framework. A case in point is the decision-making process in AI lab design, where engineers and ethicists must collaborate to handle personal data responsibly. The absence of virtues such as transparency and accountability can lead to biased algorithms that unfairly impact marginalized communities, making moral virtues in these environments critical. As people discuss the impact of AI, the gap between ethical language and its deeper roots is clear, reflecting Schaeffer’s concerns about the legacy of the Enlightenment. References Schaeffer, F. A. (1968). Escape from Reason. InterVarsity Press. https://en.wikipedia.org/wiki/Escape_from_Reason Schaeffer, F. A. (1976). How Should We Then Live?. Fleming H. Revell Company. https://store.focusonthefamily.com/how-should-we-then-live-the-rise-and-decline-of-western-thought-and-culture/

FEBRUARY 2026

NOTE 165

A lifetime wrestling with Micah 6:8

February 23, 2026 · 678 words · https://substack.com/@jeffapierson/note/c-218458268

My Lifelong Progress Toward Understanding Micah 6:8 Almost 30 years have passed, and I am not sure I am anywhere close to truly living it. There are verses you admire, and there are verses that interrogate you, and Micah 6:8 has spent my life doing the latter. “He has told you, O man, what is good; and what does the Lord require of you but to do justice, and to love kindness, and to walk humbly with your God?” I first encountered that verse as a moral slogan. It sounded noble and almost poetic, with justice, kindness, and humility fitting neatly on a church bulletin or a social media graphic. At that stage in my life, I understood it sentimentally but not structurally, because I wanted justice as I defined it, preferred kindness when it cost me little, and admired humility in theory while rarely practicing it when my pride was exposed. My understanding began to change when I realized that Micah 6:8 is not inspirational advice but a covenant demand. The verse sits within a courtroom scene where God is indicting Israel, and although religious rituals were intact, sacrifices were being offered, and public observances were happening, injustice and arrogance were rotting the system from within. The point is severe: external religion cannot compensate for moral corruption. “Do justice” is not a feeling but obedience to God’s moral order. Over time I had to confront how often my definition of justice was shaped by resentment, preference, or loyalty rather than by Scripture, because justice in Micah is concrete and protective, restraining the powerful, rejecting bribery, refusing partiality, and demanding consistency. My lifelong struggle has been separating personal grievance from principled justice. “Love mercy” was harder still, because the Hebrew word carries the weight of covenant loyalty, steadfast love, and mercy that remains even when offended. I have often preferred being right to being merciful, yet loving kindness does not mean tolerating evil; it means refusing to let bitterness become the architect of your soul. Justice without mercy becomes cruelty, and mercy without justice becomes corruption, so Micah binds them together so neither can distort the other. Then there is the final clause, the one that took me the longest to grasp: “walk humbly with your God.” Humility, as I once understood it, meant self-deprecation or passivity, but Scripture does not use it that way. Humility is alignment, the recognition that I am not the axis around which moral reality turns, and the understanding that obedience is not weakness but order. To walk humbly is to submit my instincts, my anger, my ambition, and even my causes to God’s authority. That realization took years rather than moments, because there is a difference between quoting Micah 6:8 and being corrected by it. I have had seasons in which I fought battles convinced I was defending righteousness, only later recognizing that pride had mixed itself into my motive, and the verse does not permit that mixture but exposes it. Micah 6:8 also guards against fragmentation, because some people obsess over justice while neglecting humility, others preach humility while tolerating injustice, and still others preach mercy detached from truth. The prophet refuses that separation, since the three requirements are integrated and if one is missing the structure collapses. My progress toward understanding this verse has not been theoretical but forged through experience, conflict, repentance, and recalibration, and the verse continues to function as a plumb line rather than a slogan, a measurement rather than a decoration. Justice requires courage, mercy requires restraint, and humility requires submission, and none of the three happen accidentally because each conflicts with the natural drift of pride. If I have learned anything across the years, it is this: Micah 6:8 is not about building a public reputation for righteousness but about walking daily in alignment with God whether anyone sees it or not, pursuing justice without ego, mercy without weakness, and humility without cowardice. I have not mastered it, and the verse still confronts me, but it has ceased to be decorative and has become directional.

MARCH 2026

NOTE 166

The high table and the altar

March 17, 2026 · 42 words · https://substack.com/@jeffapierson/note/c-229166708

What if the most important decisions shaping your life were made at a table you'll never be invited to — and sealed with a ritual you've never heard of? It is an interesting subject… sometimes a rabbit hole, but still interesting. https://jeffapierson.substack.com/p/the-high-table-and-the-altar

APRIL 2026

NOTE 167

What Steinbeck saw in ordinary people

April 10, 2026 · 591 words · https://substack.com/@jeffapierson/note/c-241147555

What Steinbeck Saw I'm not interested in arguing whether John Steinbeck was a communist. People have been having that fight sinceThe Grapes of Wrath hit the shelves in 1939, and nobody's won it yet. The question misses the point. What Steinbeck did—what made his work last—was that he looked at ordinary people and saw something worth writing about. He saw the Joad family loading everything they owned into a broken truck and heading west because the land they'd worked for generations couldn't feed them anymore. He saw the migrant workers in the Salinas Valley—men who would break their backs for a dollar a day and still find something to laugh about at the end of it. He saw cannery workers and drifters and ranch hands, people the rest of the literary world didn't think were worth the ink. Was that exploited by the political left? Of course it was. Fear and desperation make people vulnerable, and there has never been a shortage of movements ready to capitalize on that vulnerability. The communists saw Steinbeck's people and saw recruits. The New Dealers saw constituents. That's what movements do—they find the wound and offer themselves as the bandage, whether they can actually stop the bleeding or not. But none of that is Steinbeck's sin. He wasn't writing policy papers. He was writing stories. And the stories were true—not in the journalistic sense, but in the way that matters more: they captured what it felt like to be alive in a particular place, at a particular time, among people who had no voice of their own. I say all this as someone who stands on law and order. I'm not arguing for welfare programs or open borders. I don't read The Grapes of Wrath and come away thinking the answer is bigger government. I read it and come away thinking the answer is remembering—remembering who we are, where we came from, what our people endured and built. And that's the part that worries me. Not the politics of it. The culture of it. Our stories are disappearing. Not slowly, the way a river erodes a bank over centuries, but fast—maybe faster than at any point in history. We live in a world that produces more words per day than Steinbeck wrote in his entire career, and yet somehow we're losing the thread. The family stories. The local histories. The sense of a place and the people who made it what it is. We've traded all of that for a feed that refreshes every thirty seconds and forgets everything it showed you yesterday. Steinbeck understood something that we're in danger of forgetting entirely: that the lives of common people are not common. That a man working a piece of ground in the Central Valley, or a woman holding a family together through a dust storm, or a pair of drifters dreaming about a little farm of their own—these are not small stories. They are the story. They are the whole American story, and when we stop telling them, we stop being the country that produced them. You don't have to agree with everything Steinbeck believed to recognize what he got right. He looked at the people everyone else was driving past and he stopped the car. He listened. He wrote it down. And eighty years later, we're still reading it, because the truth of it hasn't changed. The question isn't whether Steinbeck was a communist. The question is whether we still have anyone paying that kind of attention—and whether we'd recognize it if we did.

JUNE 2026

NOTE 168

The revolution began as spiritual awakening

June 26, 2026 · 329 words · https://substack.com/@jeffapierson/note/c-282968658

The American Revolution was the result of a spiritual awakening. It was not merely a tax revolt. It was not merely a war over representation. It was not merely a colonial dispute with Parliament. Those things mattered, but they were not the deepest thing. John Adams understood this clearly. Writing to Hezekiah Niles on February 13, 1818, Adams said the American Revolution took place “in the Minds and Hearts of the People.” He called it a “radical Change in the Principles, Opinions Sentiments and Affection of the People,” and said that change “was the real American Revolution.” That is the part we forget. The shots fired at Lexington and Concord were not the beginning of the Revolution. They were the outward consequence of something that had already happened inwardly. A people had begun to see themselves differently. They had begun to understand liberty not as license, not as appetite, not as the right to invent reality, but as the moral capacity for self-government. That is why the Virginia Declaration of Rights spoke of “a firm adherence to justice, moderation, temperance, frugality, and virtue,” along with “frequent recurrence to fundamental principles.” Freedom was never supposed to mean doing whatever the flesh desires and then demanding society call it noble. That is not liberty. That is decay with a flag over it. The American idea of freedom required ordered souls, disciplined citizens, moral courage, and a willingness to resist tyranny without becoming tyrants ourselves. It required virtue because self-government without virtue becomes mob rule, manipulation, dependency, and eventually despotism. This is why the American Revolution cannot be understood only by reading battlefield dates and political documents. It must be understood as a revolution of conviction. The real question is whether that revolution still lives in our minds and hearts, or whether we have traded it for comfort, slogans, cowardice, and managed obedience. Because if the Revolution was first born in the soul of the people, it can also die there. (JAP2026)

JULY 2026

NOTE 169

The intentional life and its turning point

July 10, 2026 · 1,005 words · https://substack.com/@jeffapierson/note/c-291769780

The Intentional Life There comes a point in some lives when drifting is no longer possible. The moment may arrive through loss, failure, responsibility, or the quiet recognition that too many years have been surrendered to circumstance. It may come in a hospital room, an empty house, a courtroom hallway, or during a sleepless night when every comfortable explanation has finally stopped working. No one else may witness it. There may be no declaration, no applause, and no visible change the following morning. Yet something has happened. A person has decided that whatever remains of life will not be lived accidentally. That is the beginning of the intentional life. The Turning Point Imagine what that turning point must be. Perhaps a man looks back and sees the compromises that were supposed to make life easier. He remembers the truths he softened, the duties he postponed, and the moments when he remained silent because speaking would have cost too much. He recognizes that comfort collected its price quietly, one surrender at a time. Perhaps he realizes that he has spent years becoming useful to everyone except the person he believed he was meant to become. The realization carries judgment. It reveals the distance between conviction and conduct. It exposes wasted time, misplaced loyalty, and opportunities that will never return. An intentional life may begin with grief for the life that was not lived. But grief can become a summons. The turning point comes when regret ceases to be merely sorrow and becomes instruction. The past cannot be recovered, but the future can still be claimed. The man rises, not because every wound has healed, but because he has finally decided what those wounds will mean. The Commitments Intentional living is not built from moods. It is built from commitments. Feelings change. Enthusiasm fades. Recognition disappears. The work remains. A commitment says, “This matters, even when I am tired.” It says, “I will keep my word when breaking it would be easier.” It says, “I will defend what is right even when the people benefiting from my effort never know my name.” These commitments are not always dramatic. They may involve raising children, caring for aging parents, rebuilding a marriage, keeping a business alive, defending a neighbor, exposing corruption, preserving a family history, or refusing to abandon a cause after everyone else has moved on. The intentional person does not merely possess beliefs. He arranges his life around them. His calendar, money, habits, relationships, and sacrifices reveal what he actually values. That alignment is costly, but it is also freeing. Once a person knows what he serves, many lesser demands lose their authority. The Hard Decision Every intentional life eventually reaches a decision that cannot be avoided, delegated, or postponed. It may require leaving something familiar. It may require standing against friends, institutions, or traditions that once provided security. It may require admitting failure, asking forgiveness, beginning again, or defending a principle when retreat would be more profitable. The hard decision becomes a dividing line. On one side is the person shaped primarily by circumstance. On the other is the person who has accepted responsibility for the direction of his life. This does not mean he will always choose correctly. Intentionality is not perfection. It is the willingness to examine one’s course, acknowledge error, and change direction when truth requires it. A deliberate life is not rigid. It is governed. What Remains An intentional life is not necessarily a famous life. It may never receive the recognition it deserves. Its legacy is often found in people rather than monuments. Someone became braver because he stood beside them. Someone recognized a lie because he taught them to question it. Someone survived a difficult season because he noticed their suffering. Someone learned that liberty, faith, duty, and loyalty were not merely words because they watched him bear their cost. Then one day, the man who made the difficult decisions and kept the commitments is gone. Those who remain suddenly understand how much responsibility he had been carrying. His absence reveals the shape of his service. That is when the final question arrives. Who will take his place? Not who will imitate his personality. Not who will repeat his words. An intentional life is too personal for imitation. The question is who will accept the responsibility he can no longer carry. Who will stand in the unguarded place? Who will speak when silence becomes profitable? Who will choose duty when comfort offers an easier life? The Example of Washington History offers a powerful answer in George Washington. After leading the American army through the Revolution,

> Washington possessed influence that could have been converted into personal power. Instead, he resigned his military commission and returned home. Years later, after serving two presidential terms, he relinquished power again. These were intentional acts. Washington understood that liberty could not depend permanently upon one indispensable man. A republic required citizens capable of governing themselves and leaders willing to surrender authority. His greatness was not found only in the offices he held. It was found in his decision to leave those offices and trust others to continue the work. That is the hopeful conclusion of an intentional life. Its purpose is not to make one person irreplaceable. Its purpose is to demonstrate that principle, duty, and courage can be chosen, practiced, and passed forward. The world does not need copies of the people who are gone. It needs men and women who reach their own turning point, accept their own responsibilities, and decide that their remaining years will belong to something greater than appetite, approval, or ease. An intentional life begins when a person stops asking what life will give him and begins asking what his life must give. When that question is answered honestly, the legacy does not end with the person who first asked it. It becomes an invitation to everyone who follows. The place left empty does not remain empty forever. Someone sees the example. Someone accepts the responsibility. Someone steps forward.

PART 11

The Broken Dictionary™ & Language Warfare

A field guide to weaponized language.

9 NOTES · SEPTEMBER 26, 2025 – JULY 7, 2026

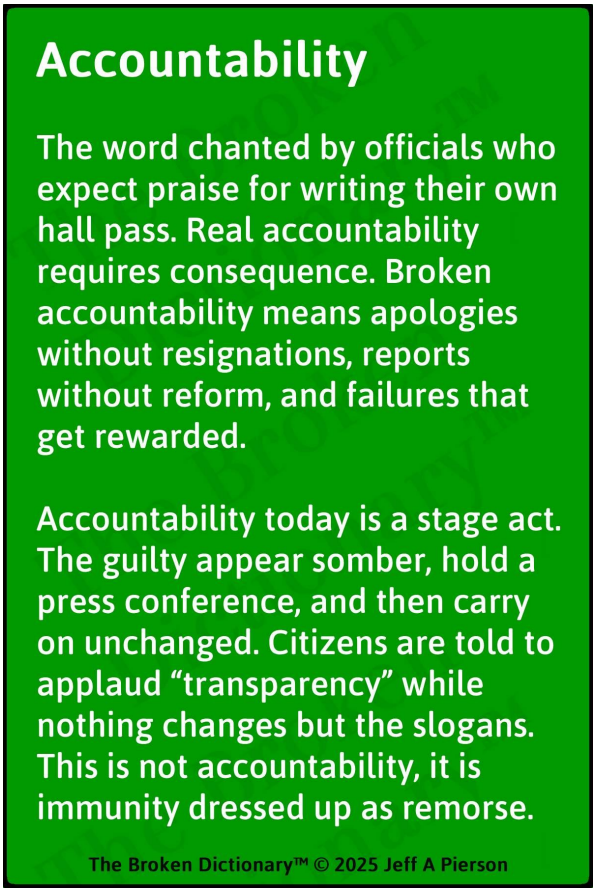
SEPTEMBER 2025

NOTE 170

Broken Dictionary: EDUKATION

September 26, 2025 · 5 words · https://substack.com/@jeffapierson/note/c-160011264

The Broken Dictionary EDUKATION™ https://thebrokendictionary.blog/



Awareness

The lowest form of achievement. It means doing nothing but insisting that talking about a problem counts as solving it.

Raising awareness is the currency of unserious causes. It asks for no sacrifice, no solutions, and no accountability. Awareness campaigns soothe consciences while problems remain untouched, allowing leaders to pose as problem-solvers while solving nothing.

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Best Practices

A bureaucratic spell meant to shut down debate. “Best practices” means we copied someone else’s idea, stripped it of context, and declared it sacred.Invoking “best practices” is organizational gas-lighting.

It ends discussion by implying that disagreement is ignorance. These so-called best practices are rarely tested and often outdated, safe cover for leaders who lack vision.

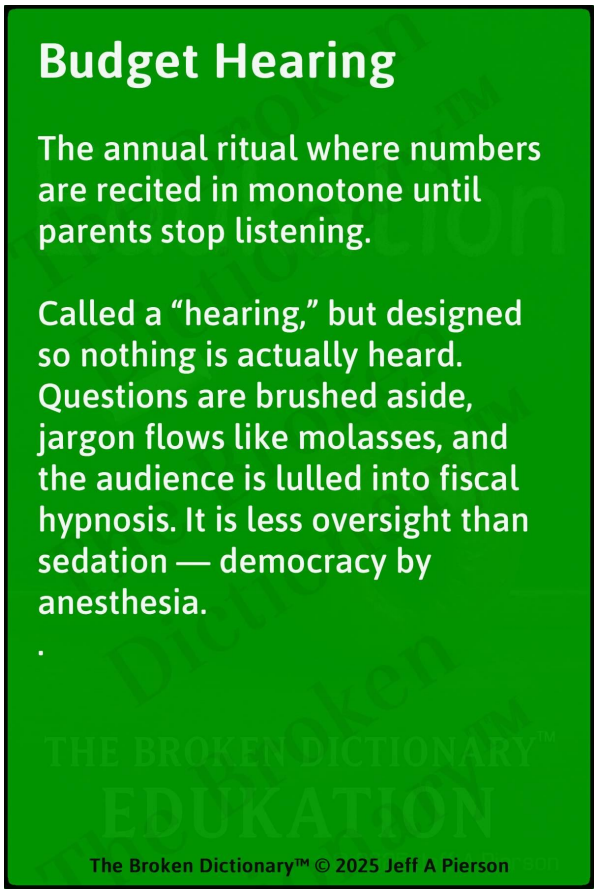
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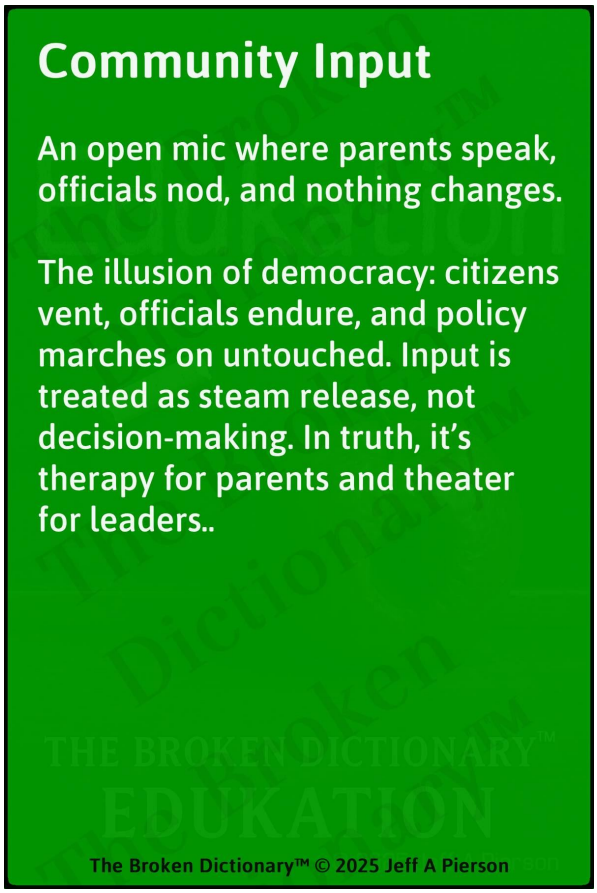
Bravery

Rebranded compliance. Bravery now means praising the same causes as everyone else, loudly, from the safety of a crowd.

True bravery requires risk.
Broken bravery requires applause.
When every corporation, celebrity, and institution agrees with you, it is not bravery to shout louder.
It is cowardice dressed as courage.

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Budget Hearing
The annual ritual where numbers are recited in monotone until parents stop listening.
Called a “hearing,” but designed so nothing is actually heard. Questions are brushed aside, jargon flows like molasses, and the audience is lulled into fiscal hypnosis. It is less oversight than sedation — democracy by anesthesia.
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THE BROKEN DICTIONARY™
EDUKATION
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OCTOBER 2025

NOTE 171

Performative ambition, defined

October 8, 2025 · 205 words · https://substack.com/@jeffapierson/note/c-164116232

Performative Ambition This is the mark of performative ambition; leadership pursued for self, not for service. You see it in the way they talk, the way they listen. “Performative” is widely used in sociology and cultural studies to describe behavior meant to signal virtue or identity rather than embody it; as in “performative allyship” or “performative virtue.” It refers to actions done for display, not authenticity. “Ambition” is the drive for achievement, power, or recognition—neutral in itself, but morally colored by motive. Performative ambition is the pursuit of leadership, influence, or recognition driven by self-interest rather than service. It disguises ego as purpose and ambition as calling. The person seeks position, visibility, or validation more than the work itself. In practice, performative ambition shows up as a need to be seen or heard. It values the appearance of devotion over genuine duty, the performance of leadership over the substance of it. Words may sound humble, but behavior tells the truth dominating conversation, interupting others, resisting accountability, avoiding unglamorous work, and measuring success by attention rather than integrity. Often seen in ministry and politics, at its core, performative ambition is pride dressed as purpose. It is leadership without humility, conviction without sacrifice, and calling without conscience.

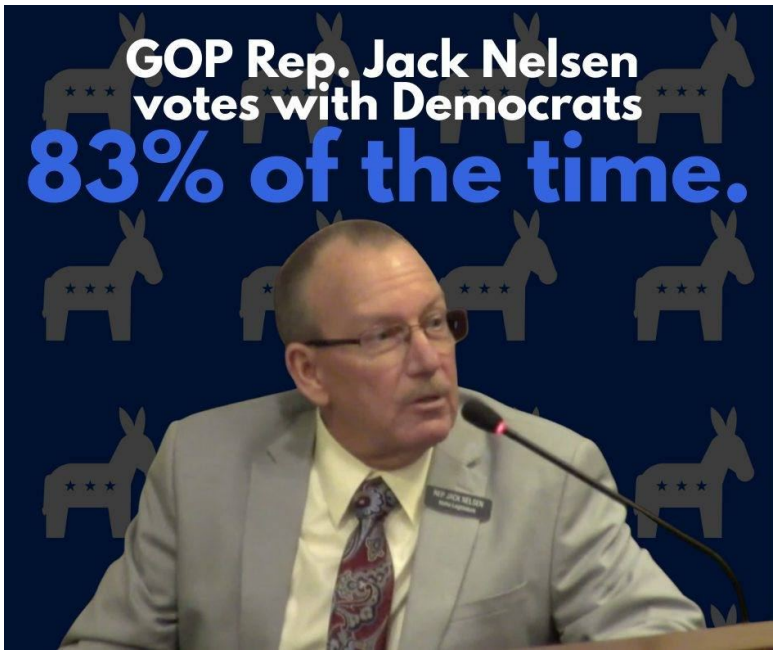
JANUARY 2026

NOTE 172

Trans-Republican: a better word than RINO

January 24, 2026 · 229 words · https://substack.com/@jeffapierson/note/c-204265679

Maybe instead of the term RINO, we should use the term trans-republican. “As a standalone modifier, “trans” indicates crossing from one category, state, or classification to another. It does not by itself define biology, psychology, morality, or policy. It is purely directional.” Are there real Republicans, or can someone simply transition into the label when it becomes electorally useful? A party label is not a creed. It is a coalition. Over time, it attracts people with overlapping interests, not shared principles. When the principles erode, the label stretches until it can be worn by almost anyone. Historically, Republicanism meant limited government, fiscal restraint, federalism, equal application of the law, and skepticism of centralized power. Those were substantive commitments. They were not branding exercises or temporary tactics. When a candidate rejects those commitments but adopts the Republican label anyway, what has occurred is not conversion but transition. A trans-Republican is not someone persuaded by Republican principles. It is someone who carries a different ideological framework into the party and treats the label as a vehicle rather than a conviction. The label changes. The beliefs do not. So yes, there are real Republicans, but only when the word refers to defined principles rather than convenience, mood, or opposition to the other side. When Republican means “whatever helps me win this election,” it stops being a political identity. It becomes a costume.



NOTE 173

What a trans-Republican looks like

January 24, 2026 · 363 words · https://substack.com/@jeffapierson/note/c-204267831

What does a Trans Republican (RINO) look like? In Idaho, a trans Republican would not announce themselves as such. They would run under the Republican label while importing assumptions, policy instincts, and governing habits that are fundamentally at odds with Idaho's historic Republican principles. In practice, this looks like a candidate who speaks the language of conservatism during a campaign but governs as an institutional manager once elected. They emphasize "pragmatism," "stakeholder balance," and "expert driven solutions" while consistently expanding government scope, deferring to agencies, and resisting meaningful limits on administrative power. The rhetoric sounds Republican. The decision making reflects progressive or technocratic instincts. A trans Republican in Idaho typically favors higher spending framed as "investment," treats tax relief as risky or irresponsible, and defends large budgets by pointing to growth rather than necessity. They are comfortable with public private partnerships, subsidy programs, and regulatory expansion so long as it is routed through Idaho institutions rather than federal ones. The objection is often to Washington's involvement, not to centralized control itself. On education, this candidate defends the public school system as an institution first and treats parental choice as a peripheral concern or a threat to stability. They may tolerate modest reform but resist anything that shifts power away from school districts, administrators, or statewide associations. The posture is protective, not competitive. On property rights, land use, energy, and development, the trans Republican defers to planning bodies, commissions, and negotiated processes rather than clear rules and strong individual rights. They speak favorably about local control while backing processes that bury citizens under fees, delays, and discretionary approvals. Culturally, they avoid clear moral or constitutional lines and prefer managerial language. When pressed, they frame objections as "extreme," "divisive," or "unhelpful," even when those objections are rooted in long standing Idaho law or voter expectations. Conflict is treated as disorder rather than as a natural consequence of self government. In short, a trans Republican in Idaho is someone who wears the party label but governs like a moderate Democrat or soft progressive institutionalist. The party becomes a ballot access tool, not a statement of conviction. The label stays the same. The philosophy quietly crosses over.

NOTE 174

What a committed Republican looks like

January 24, 2026 · 393 words · https://substack.com/@jeffapierson/note/c-204268237

What does an actual, committed Republican look like? A real Republican is defined less by tone or slogans and more by how they treat power. This, incidentally, is where the trans Republican usually gives themselves away. A real Republican starts from the premise that government power is inherently dangerous and must be limited, even when it is wielded by people they like or institutions they trust. The trans Republican, by contrast, is very worried about power when the other party uses it and suddenly very calm when it comes with a Republican letterhead and a well staffed agency. On fiscal matters, a real Republican treats taxpayer money as morally encumbered, not as a neutral pool of resources waiting to be “invested.” Spending is justified, not assumed. Growth, emergencies, and good intentions are not blank checks. The trans Republican prefers the soothing phrase “we can afford it” and becomes visibly uncomfortable when asked what would be cut instead. On governance, a real Republican prefers clear laws over discretionary processes, rights over permissions, and elected accountability over expert insulation. Agencies exist to execute law, not invent it. The trans Republican loves commissions, task forces, advisory panels, and anything that ensures no one voter can quite figure out who made the decision. On federalism and local control, a real Republican believes power should flow downward to the lowest competent level and, when possible, to individuals and families themselves. The trans Republican invokes “local control” mainly when a local institution wants immunity from parents, taxpayers, or scrutiny. On education, a real Republican sees parents as primary and institutions as secondary. Public schools exist to serve families. Choice is not a threat, it is a measure. The trans Republican explains patiently that parents are important stakeholders but the system must be protected from too much accountability. Culturally, a real Republican draws lines and accepts conflict as a feature of self government. They understand that order does not mean obedience and unity does not mean silence. The trans Republican prefers phrases like “lowering the temperature,” which usually translates to “stop asking uncomfortable questions.” In short, a real Republican uses power reluctantly, limits it deliberately, and gives it up willingly. A trans Republican uses Republican branding to apply the same managerial instincts they brought with them, just with better polling data. The label stays the same. The instincts never changed.

FEBRUARY 2026

NOTE 175

Broken Dictionary: renewable energy and power lines

February 22, 2026 · 926 words · https://substack.com/@jeffapierson/note/c-217885910

Broken Dictionary™ Edition: Renewable Energy and Power Lines Introduction This edition of Broken Dictionary examines the modern language of renewable energy and transmission expansion. In this vocabulary, policy is rebranded as physics, subsidies are framed as inevitabilities, and cost is renamed investment. Financial exposure becomes modernization. Mandates become moral duty. Reliability concerns are treated as temporary misunderstandings rather than structural constraints. The rhetoric is polished, optimized, and repeated until infrastructure expansion sounds like virtue itself. The purpose of this document is not to oppose engineering, but to separate engineering from ideology and restore plain meaning to terms that have been engineered as carefully as the grid. Baseload Power The stable generation that keeps hospitals running at three in the morning while policy marketing celebrates solar output at noon. The unfashionable foundation of grid reliability that must remain online even when declared obsolete in speeches. Battery Energy Storage System A large scale lithium installation that buys a few hours of stability in exchange for extraordinary capital cost, fire risk exposure, mineral supply dependency, and unresolved end of life recycling liability. Presented as permanence, designed for duration measured in hours. BPA The Bonneville Power Administration, the federal power marketer balancing hydropower legacy assets, transmission congestion, environmental mandates, tribal obligations, and regional decarbonization pressure while ratepayers absorb infrastructure expansion costs. CAISO The California Independent System Operator, the regional grid manager that promises renewable abundance, mandates aggressive integration targets, issues conservation alerts during peak demand, imports emergency power when weather underperforms projections, and reminds the public that physics does not negotiate with policy. Capacity Factor The percentage of time a generator actually produces near its advertised output. A technical metric frequently omitted in promotional materials but decisive in revenue modeling and reliability planning. Curtailment The shutdown of available renewable production because the grid cannot absorb it, transmission is constrained, or stability requires conventional plants to remain online. Evidence that generation without synchronized infrastructure is not capacity. Decarbonization A mandate to electrify everything immediately and resolve affordability, mineral dependency, land use conflict, and reliability consequences later. A policy objective presented as a technical inevitability. Distributed Energy Resources A network of rooftop panels and localized generation assets that reduce peak demand under ideal conditions but still rely on centralized transmission and dispatchable plants during stress events. Autonomy in marketing, interdependence in practice. Electrification The transfer of dependence from diversified fuel sources to a single grid system that must now perform flawlessly under expanded load, weather variability, and accelerated policy timelines. Energy Transition A multi trillion dollar restructuring of essential infrastructure described as unavoidable, financed through rate recovery, federal incentives, and long term debt obligations embedded in utility bills. ERCOT The Electric Reliability Council of Texas, the grid operator whose market design and grid isolation illustrate what happens when extreme weather, tight reserve margins, and pricing theory collide with physical demand. FERC The Federal Energy Regulatory Commission, the authority that approves interstate transmission expansion and wholesale market structures while reliability debates increasingly shift from engineering analysis to political negotiation. Grid Integration The technical exercise of forcing variable supply into infrastructure designed for steady state generation, requiring advanced controls, reserve margins, and backup capacity that rarely appear in simplified transition narratives. Grid Modernization The socialized cost of reinforcing transmission, substations, control systems, and protection schemes so intermittent generation can appear stable to end users who expect uninterrupted service. IDACORP The parent company of Idaho Power, accountable to shareholders for capital deployment while customers finance grid transformation projects through approved rate recovery mechanisms embedded in regulated tariffs. Intermittency The structural limitation of wind and solar generation that requires dispatchable plants to remain available, staffed, fueled, and compensated, even while being publicly described as obsolete. IPUC The Idaho Public Utilities Commission, the state regulator that approves rate structures,

generation portfolios, and cost recovery schedules while weighing policy ambition against ratepayer exposure and statutory duty. Jerome County Commission The local governing body that responsibly recognizes the strategic importance of large scale electrical expansion, expresses confidence in developer projections, and understands that excessive scrutiny might inconvenience progress or complicate rate based investment planning. Jerome County Planning and Zoning The regulatory body that efficiently processes siting approvals for major infrastructure while ensuring that growth objectives are not slowed by prolonged technical skepticism, land use resistance, or detailed questioning that could unsettle project timelines. Load Growth The predictable outcome of mandating electric vehicles, electric heating, electrified agriculture, and industrial electrification simultaneously, then expressing surprise when peak demand accelerates. Net Zero An accounting construct balancing emissions on spreadsheets through offsets, credits, and phased targets, presented as an engineering achievement independent of physical generation constraints. Renewable Energy Energy that is intermittent, geographically constrained, capital intensive, politically subsidized, and dependent on conventional backup generation, while marketed as self sufficient and structurally transformative. Resilience Redundancy made expensive after system design prioritized variability. A quality rediscovered after outages rather than embedded before expansion. Right of Way Negotiation conducted under the shadow of regulatory authority and eminent domain, where private land becomes a corridor for regional policy objectives. Stranded Asset A power plant declared obsolete by regulation before it becomes obsolete by physics, with remaining debt obligations transferred to ratepayers through depreciation schedules and recovery riders. Subsidy Public capital deployed to de risk private generation ventures, often described as incentive, credit, or partnership to soften the appearance of transfer. Transmission Line A multi billion dollar corridor crossing private land and public landscapes so distant generation can qualify for tax credits, renewable portfolio standards, and policy mandates that require electrons to travel farther than markets once demanded.

NOTE 176

Broken Dictionary: the Article V convention

February 22, 2026 · 498 words · https://substack.com/@jeffapierson/note/c-217890041

The Broken Dictionary™ Edition: Article V Convention Introduction This edition examines the Article V Convention movement through the lens of political incentives rather than campaign slogans. The public pitch is constitutional restoration. The quieter reality is coalition maneuvering, leverage building, and career calculation. When the same institutional figures who hesitate to limit federal power in ordinary legislation suddenly promote constitutional upheaval, scrutiny is not cynicism. It is pattern recognition. Aggregation The parliamentary creativity used to combine differently worded state applications into a single trigger when arithmetic becomes more important than clarity. Applications Resolutions passed years apart under shifting political control, later repackaged as a unified constitutional demand. Article V Convention An untested national process in a hyper partisan media age, marketed as orderly while operating without modern precedent. Balanced Budget Amendment A textual promise of restraint that leaves untouched the electoral incentives driving deficit spending. Convention of States A reassuring label implying disciplined federalism, coordinated in practice by national advocacy networks with professional branding and donor alignment. Delegate Instructions Statements from legislatures requesting obedience from delegates who, once convened, may discover broader interpretations of their mandate. Emergency The argument that Washington’s excess requires activating the most ambiguous constitutional mechanism available. Faith The request that voters trust delegates, organizers, and political sponsors to resist expansion of scope despite every historical lesson about ambition under the spotlight. Federalism Invoked as a shield against federal overreach, though the mechanism itself could redraw federal and state authority depending on who writes the proposals. Guardrails Procedural assurances without a clearly defined enforcement authority capable of intervening mid convention. Historical Precedent Frequently cited but rarely emphasized for its inconvenient detail that the only prior convention exceeded its stated mandate. Integrity The claim that institutional actors who compromise on statutory restraint will suddenly exhibit unwavering discipline when constitutional stakes rise. Limited Convention A phrase that assumes power, once assembled nationally, will politely remain within polite boundaries. Momentum 2026 CopyThe stage where applause lines outpace detailed explanations of rule making authority and judicial review. Originalism Simultaneously invoked to justify reopening the Constitution and to warn against altering its fixed meaning. Pandora's Box A metaphor dismissed as alarmism until competing factions submit competing amendments under live coverage. Ratification Safeguard The reminder that thirty eight states must approve amendments, delivered as if political waves never sweep across statehouses in coordinated cycles. Reform A term suggesting repair while functioning as leverage to renegotiate multiple structural disputes at once. RINOs Politicians who resist limiting federal authority in routine governance yet discover enthusiasm for structural overhaul when it aligns with donor networks, institutional advancement, or rebranding opportunities. Safest Option What both sides call their own strategy while predicting constitutional catastrophe from the alternative. Unexpected Alignment The recurring spectacle of establishment Republicans, insurgent activists, and national policy organizations advancing the same proposal for entirely different strategic reasons. Incentives The constant variable explaining political behavior more reliably than speeches about patriotism and procedural purity. The Broken Dictionary™ © Copyright 2026, Jeff A Pierson

NOTE 177

Broken Dictionary: the 17th Amendment

February 22, 2026 · 940 words · https://substack.com/@jeffapierson/note/c-218143392

The Broken Dictionary™ Special Edition: The 17th Amendment 17th Amendment A constitutional modification that politely informed the states they were no longer needed in the Senate, then replaced them with campaign consultants. By severing the formal tie between state legislatures and Senators, the amendment dismantled the states' enforcement mechanism inside the federal government. The predictable result was the steady expansion of federal authority with fewer structural obstacles. What was presented as moral cleansing functioned as institutional disarmament. Originally, United States Senators were appointed by state legislatures, which meant the states had institutional leverage inside the federal government. The 17th Amendment replaced that structure with statewide popularity contests and called it progress. Anti Corruption Measure A slogan suggesting bribery would vanish if politicians campaigned statewide instead of negotiating in legislative chambers. Because nothing says clean government like raising millions of dollars every six years. The amendment traded localized influence for mass scale fundraising. It replaced small room bargaining with industrial campaign finance. Corruption did not disappear, it changed form and increased in cost. Campaign Senator A statesman redesigned as a perpetual candidate, calibrated for optics, fundraising, and national alignment rather than state institutional defense. The shift incentivized media presence over legislative stewardship. Senators increasingly measure survival by polling and donor satisfaction rather than by fidelity to state legislative instruction. Constitutional Balance A delicate arrangement separating the representation of persons from the representation of states. Modified in 1913 to reduce redundancy, also known as redundancy that was intentional. The original balance created dual accountability. After the amendment, both chambers answered to the same electorate through similar electoral incentives. The distinction that protected federalism weakened. Democratization The process of flattening layered constitutional safeguards in the name of responsiveness, then expressing surprise when volatility increases. By removing one layer of representation, the amendment shortened the distance between public impulse and federal authority. Reduced buffering increased polarization and legislative instability. Direct Election A reform assuring that Senators answer directly to the people, which in practice means they answer to donors, polling firms, and national party strategy teams. Campaign dependence shifted incentives away from state institutional defense and toward perpetual fundraising. The financialization of Senate races nationalized policy priorities and diluted local constitutional restraint. Federalism An operating system in which states possessed actual hardware level influence over federal policy. After 1913, downgraded to a decorative theme referenced in speeches about the Tenth Amendment. Without appointment power, federalism shifted from a governing mechanism to a philosophical preference. States can object, sue, and pass resolutions, but they no longer command representation in the chamber designed to protect them. The erosion was procedural, and therefore durable. Historical Irony The celebration of a reform that weakened the very federal structure many now claim to defend. Advocates of limited federal power often defend the Constitution while overlooking one of the amendments that materially reduced state control within it. The irony is institutional, not rhetorical. Legislative Deadlock A temporary failure to agree, previously considered evidence of deliberation. Later rebranded as a crisis requiring permanent structural revision. Deadlock once signaled competing sovereignties negotiating boundaries. Reform eliminated the symptom rather than preserving the balance. Efficiency was prioritized over equilibrium. Modern Senate A body originally built to cool legislation, now optimized to accelerate partisan temperature. The Senate's transformation into a national campaign platform increased polarization and reduced insulation from popular pressure. The cooling saucer warmed. Nationalization of the Senate The transformation of a body designed to represent governments into a body designed to trend on cable news. As Senators became national political figures, loyalty to state legislatures diminished. Party alignment and national ideology eclipsed state specific institutional interests. The chamber intended to cool federal ambition became an amplifier of it. Progressive Reform The theory that any constitutional friction is a design flaw. If the machinery slows popular enthusiasm, remove the machinery. The excision of friction removed a safeguard

deliberately installed by the Founders. Constitutional tension was recast as corruption, and deliberation was reframed as obstruction. Structural complexity was simplified into vulnerability. Pure Democracy A condition in which every frustration demands immediate federal action and every election cycle resets national priorities. While the United States remains constitutionally a republic, the amendment nudged the system toward plebiscitary politics. Policy became more reactive, less structural, and more susceptible to swings in public mood. Republic A system designed to filter public will through representation and institutional restraint. Commonly confused with pure democracy, especially after removing one of its filters. The amendment blurred the distinction between a compound republic and mass electoral democracy. By collapsing representational layers, it narrowed the space for sober second thought and strengthened majoritarian momentum. State Sovereignty Once enforced by the ability to hire and fire Senators. Now expressed through strongly worded resolutions and litigation budgets. When sovereignty loses its enforcement tool, it becomes rhetorical. The amendment reduced sovereign states to administrative subdivisions that must petition the very federal structure they once helped control. Structural Safeguard An inconvenient barrier between impulse and power. Often mistaken for inefficiency. The safeguard eliminated in 1913 was not decorative. It was an intentional brake on consolidation. Once removed, federal accumulation accelerated with fewer constitutional cross checks. The People’s Voice Invoked to justify structural change. Rarely defined. Frequently polled. Appeals to popular sovereignty obscured the constitutional question of divided sovereignty. The people were already represented in the House. Expanding direct election consolidated representation rather than balancing it. Unintended Consequences The polite term for predictable outcomes ignored during reform movements. Centralization, expanded federal scope, and diminished state leverage were foreseeable results of removing state appointment power. They were not anomalies but structural consequences. The Broken Dictionary™ © Copyright 2026, Jeff A Pierson

JULY 2026

NOTE 178

Calling corporate welfare “free enterprise”

July 7, 2026 · 238 words · https://substack.com/@jeffapierson/note/c-289717900

Isaiah Berlin, quoting an untraced source, wrote: “The triumph of despotism is to force the slaves to declare themselves free.” He then added: “It may need no force; the slaves may proclaim their freedom quite sincerely: but they are none the less slaves.” That is the danger of political language when it is captured by power. A people can be trained to call control freedom, dependence compassion, surveillance safety, permission liberty, and obedience civic virtue. They can also be trained to call corporate welfare free enterprise, subsidies economic development, tax favoritism growth, and government-selected winners the free market. But a business living off public money is not proof of capitalism. It is proof that political power has been converted into private advantage. When government taxes citizens, redirects their money to favored companies, grants special abatements, builds infrastructure for selected interests, or shields subsidized projects from normal market discipline, it is not defending liberty. It is manufacturing dependence while calling it prosperity. The deepest tyranny does not always require chains. Sometimes it only requires a population willing to repeat the approved words while forgetting the meaning of freedom itself. Real liberty is not the state managing your life while teaching you to thank it. Real liberty is not corporate welfare dressed up as free enterprise. Real liberty begins when government is restrained, markets are not rigged, truth is spoken plainly, and citizens refuse to mistake comfortable servitude for freedom.



PART 12

Protest, Movements & Political Violence

No Kings, the moral standards of resistance, and where protest turns.

11 NOTES · SEPTEMBER 10, 2025 – DECEMBER 6, 2025

SEPTEMBER 2025

NOTE 179

What Charlie Kirk would say about his death

September 10, 2025 · 129 words · https://substack.com/@jeffapierson/note/c-154553763

What would Charlie Kirk say about his death? I say this with respect, not to diminish the tragedy or presume to speak for Charlie Kirk, but in the pain of his murder, I find myself setting aside anger and reflecting instead on how he might have responded. He would probably tell his audience not to despair or retreat but to double down on their convictions. He would likely say something like: Don't mourn me as much as you carry forward the fight for truth, faith, and liberty. My life was short but spent for something greater than myself. Now it's your turn to continue. His focus would almost certainly be on inspiring persistence, courage, and boldness among younger generations, especially students and activists, since that's been his lifelong emphasis.

NOTE 180

Public employees who cheer an assassination

September 15, 2025 · 165 words · https://substack.com/@jeffapierson/note/c-156062159

When you have teachers, hospital personnel, or government/contracted employees openly cheering the murder of Charlie Kirk, the question of trust is already answered. You cannot trust them with the most basic duty of their professions: the care of human life. Teachers are entrusted with the minds and safety of children. Healthcare workers are entrusted with bodies and lives in their most vulnerable moments. Public employees are entrusted with fair service to citizens without prejudice. . At its root, this is not a difference of opinion but a declaration of moral bankruptcy. If they can cheer the death of a man for his beliefs, what will they teach your children about dissent? If they can find joy in bloodshed, what happens when your life, or your child's, depends on their medical judgment? If they celebrate political assassination, how will they handle citizens who ask uncomfortable questions of government? A culture that celebrates death cannot preserve the sacred trust on which education, medicine, and public service depend.

NOTE 181

Malice is not a protected right

September 22, 2025 · 126 words · https://substack.com/@jeffapierson/note/c-158574400

Malice Is Not an Inalienable, Protected Right If someone openly celebrates the death of people who hold a different political view, you cannot trust that person to steward other people's lives, safety, or property. Celebrating violence is not merely offensive speech, it is proof of moral contempt. When that contempt sits in the same person who controls budgets, medical decisions, school discipline, food service, or legal power, the result is breakdown of trust, broken institutions, and real harm. In a Republic, citizens must insist that those who hold coercive authority either demonstrate impartiality from the beginning or be removed. No organization, no court, no classroom, no hospital, and no workplace should tolerate caretakers who cheer another American's death. There is no way back from that breach.

NOTE 182

Violence against ICE is rebellion, not justice

September 24, 2025 · 96 words · https://substack.com/@jeffapierson/note/c-159437785

Violence Against ICE Is Rebellion, Not Justice Attacking immigration officers is not liberty. It is rebellion against the rule of law. Immigration and Customs Enforcement carries out statutes enacted by Congress and signed into law. These are not the inventions of a rogue agency. They are the laws of the republic, passed through the same process that governs all citizens. Deportation follows lawful procedure. Those facing removal have access to hearings, appeals, and constitutional protections. Deportation may be disputed, but it is not a violent assault. Violence against officers in response is neither just nor proportionate.

NOTE 183

No Kings as engineered recruitment

September 26, 2025 · 92 words · https://substack.com/@jeffapierson/note/c-160040107

No Kings is Not New and it is Not Organic Leah Greenberg of Indivisible told us exactly what No Kings was. In 2023 she described the protest as “strategically designed… to galvanize, energize, and identify new base participants.” In her Medium post she made it plainer: “Protests like No Kings aren’t just symbolic, they’re onboarding moments.” That is not the language of a grassroots uprising. It is the language of a recruiter. No Kings was never a spontaneous cry for justice. It was a funnel built to turn outrage into obedience. https://open.substack.com/pub/jeffapierson/p/no-kings-recruitment-masquerading?r=1noct5&utm_campaign=post&utm_medium=web&showWelcomeOnShare=false

NOTE 184

The First Amendment protects speech, not threats

September 26, 2025 · 86 words · https://substack.com/@jeffapierson/note/c-160040923

The First Amendment protects free speech not threats! The First Amendment protects speech, not threats. Do not confuse legal protection with moral approval. The law may shield expression, but conscience demands action to preserve safety and fairness. If someone in authority delights in your harm — in a courtroom, a classroom, a hospital, or even a lunch line — they have forfeited trust. Calling for their removal is not persecution. It is civic duty. It is how institutions remain just, and how lives remain safe. https://open.substack.com/pub/jeffapierson/p/malice-is-not-an-inalienable-protected?r=1noct5&utm_campaign=post&utm_medium=web&showWelcomeOnShare=false

OCTOBER 2025

NOTE 185

No Kings and Indivisible mirror cult recruitment

October 16, 2025 · 381 words · https://substack.com/@jeffapierson/note/c-167099716

Ideological Conditioning: How No Kings and Indivisible Mirror Cult Recruitment Dynamics Both rely on identity formation, emotional activation, and group reinforcement to convert passive supporters into committed participants. The structure is secular and political rather than spiritual, yet the underlying dynamics are similar. Emotional triggering – Cults often begin recruitment through emotional events that create outrage or fear, followed by offering belonging as the antidote. No Kings uses moral crisis language such as “authoritarianism” or “democracy under attack” to generate urgency and vulnerability that primes recruits for ideological adoption. Moral absolutism – Indivisible’s messaging divides politics into “good” and “evil,” “democracy” and “fascism.” This moral binary discourages dissent and encourages conformity to the movement’s values, a hallmark of high-control groups. Onboarding and conditioning – Leah Greenberg describes protests as “onboarding moments.” This is direct acknowledgment of psychological conditioning. Participants are drawn into a “cycle of action” that builds loyalty and identity, similar to incremental involvement used by cults. Language control and framing – Both cults and ideological movements manipulate language to frame the world in ways that reinforce loyalty. Indivisible uses moral euphemisms like “resistance,” “equity,” and “justice” that reshape meaning while enforcing ideological alignment. Community dependency – Like cults, Indivisible promotes intense social belonging. Participants are encouraged to stay in continuous contact through digital networks, events, and meetings, reducing outside influence and reinforcing group identity. Centralized moral authority – Although No Kings presents itself as decentralized, the real moral authority lies with Greenberg and Indivisible’s leadership. This mimics the hidden hierarchy typical of ideological cults. Enemy creation – High-control movements sustain energy by defining an external enemy. Indivisible frames political opponents not as citizens with different views but as existential threats to democracy. This fosters hostility and discourages critical thinking. Narrative immersion – Both cults and radical groups sustain participation by immersing followers in a continuous moral narrative. The constant stream of coordinated messaging keeps members emotionally charged and ideologically aligned. Recruitment through crisis – Cultic groups often expand rapidly during times of social stress. Indivisible grew after 2016 by channeling fear and uncertainty into organized activism. No Kings repeats that formula by turning political anxiety into participation. Moral substitution – Both cults and ideological movements replace individual moral reasoning with collective righteousness. The result is obedience framed as virtue.



NOTE 186

No Kings as the illusion of freedom

October 17, 2025 · 74 words · https://substack.com/@jeffapierson/note/c-167312773

The genius of tyranny in the modern age is disguise. The tyrant no longer needs a throne. He only needs followers who believe they are free. The “No Kings” movement is that illusion, an empty ritual of defiance that channels genuine discontent into servitude. It borrows the language of liberty to smuggle in the machinery of control. Its architects understand that people will surrender their freedom willingly if it can be repackaged as progress.

NOTE 187

The crowd that enthrones a thousand tyrants

October 18, 2025 · 66 words · https://substack.com/@jeffapierson/note/c-167667269

The tragedy is not that “No Kings” deceives. The tragedy is that so many want to be deceived. They want a revolution that requires no sacrifice, a kingdom without a king but with all the comfort of obedience. They do not see that every time they chant “No Kings,” they enthrone themselves, and in doing so, create a thousand little tyrants, each demanding their own obedience.

NOTE 188

Conditions for legitimate civil disobedience

October 30, 2025 · 258 words · https://substack.com/@jeffapierson/note/c-171671543

“To be considered legitimate, civil disobedience must meet the following conditions… Most (if not all) modern acts of protest fail this test…” Violent defensive resistance is only justified in the narrowest and most extreme cases when all lawful means have failed, when the threat is direct and unlawful, and when the response is restrained, principled, and transparent. Most modern acts of protest fail this test, particularly when: Conducted on behalf of those who are not innocent under the law. Directed against lawful institutions executing duly enacted authority. Motivated by ideology, not conscience. Aimed at subversion, not redress. The moral foundation of protest, civil disobedience, and resistance lies in the inseparable bond between liberty and law. Ordered Liberty requires that every act of defiance, from the spoken protest to the final line of defense, remain governed by conscience, disciplined by justice, and measured by restraint. When citizens act within these bounds, they do not oppose authority; they restore its rightful order. When government honors these same bounds, it preserves its moral legitimacy. A free people must therefore remember that the power to resist is not the power to destroy. It is the power to recall the nation to its first principles. The highest form of resistance is not violence, but virtue. The greatest act of protest is not rebellion, but remembrance of the laws of nature and of nature’s God. Ordered Liberty endures only where both rulers and the ruled are governed by truth, conscience, and the courage to do what is right, even when obedience is easier. https://jeffapierson.substack.com/p/the-moral-fraud-of-modern-violent?r=1noct5&utm_campaign=post&utm_medium=web&showWelcomeOnShare=false

DECEMBER 2025

NOTE 189

The H-Blocks, hunger strikes, and American identity

December 6, 2025 · 324 words · https://substack.com/@jeffapierson/note/c-184798909

The H-Blocks & The American Identity History Told My Way Many people have recently discovered Brian Dunphy and The High Kings through their haunting ballad “Son of Ireland,” a tribute to the men who lived and died in the H-Blocks. But most Americans have no idea what the H-Blocks were, or why they matter now. The H-Blocks were high-security wings inside Maze Prison in Northern Ireland. Built in the 1970s, they held men convicted of paramilitary offenses during the Troubles. When the British government stripped these inmates of political status, the prisoners refused to comply. They launched the blanket protest, the no-wash protest, and finally the 1981 hunger strike that took ten lives, including Bobby Sands, who won a seat in Parliament while starving to death. Their fight did not arise from nowhere. It was the long echo of the 1916 Proclamation, which declared that Ireland could only be governed by the consent of its people. Partition never resolved that question. It simply pushed it north, where one community lived under a state it had never accepted. The H-Blocks became the proof of what happens when legitimacy collapses: the state insists the matter is criminal, the people insist it is political. That lesson is not foreign to us. America’s own struggles for liberty — from the colonial era to modern controversies — grow out of the same collision between authority and conscience. When governments hide decisions, deny accountability, or treat citizens as subjects, resistance becomes the language of the unheard. A society that forgets its identity or abandons transparency drifts toward the very conditions that turn prisons into symbols and citizens into dissidents. Liberty is never safe in the hands of a government that demands obedience without consent. It survives only where the people insist on truth, accountability, and the right to govern themselves. There are no small battles in that fight. Only early warnings — if we are wise enough to hear them.

PART 13

Songs, Verse & Political Cartoons

The work that argues in a different key.

44 NOTES · SEPTEMBER 10, 2025 – JULY 31, 2026

SEPTEMBER 2025

NOTE 190

On broadside-style political graphics

September 10, 2025 · 53 words · https://substack.com/@jeffapierson/note/c-154317831

I like this style of graphic. It borrows from the look of 18th–19th century political pamphlets and broadsides. A broadside was a single large sheet, printed on one side, that served as one of the earliest tools of mass communication. Still, this one might lean a little too much toward meme territory. (JAP2025)



NOTE 191

Graphic — September 11

September 11, 2025 · Graphic · https://substack.com/@jeffapierson/note/c-154716063

Perhaps tomorrow I will grieve or maybe tomorrow I will be filled with rage, but today, to honor his life and sacrifice, I choose a higher calling: to renew my bond with true liberty through service beyond self.

It is not my place to tell others how to react to Kirk's murder. For me, I must focus on something greater than the anger and heartache I first felt.
I hope this helps others as well.

I refuse to accept the lie that evil has won or ever will. I will not surrender to rage, nor will I be provoked by the spirit of evil that mocks the death of a man who pursued peace. Righteous anger has its place, but raw anger is not a strategy—it only feeds the darkness we oppose.

Our strength and our peace must come from the same source that gave Charlie Kirk his courage: Jesus Christ. He told us plainly that in this world we would face t ribulation, but to take heart, for He has overcome the world. That is how this culture war, this battle with evil, will be won—not by fury or despair, but by submission to Christ, righteous anger rightly directed, and prayerful, thoughtful action.

J.A.P. 2025

NOTE 192

Graphic — September 16

September 16, 2025 · Graphic · https://substack.com/@jeffapierson/note/c-156456231



It Isn't Your Money!

NOTE 193

Confidence mistaken for credibility

September 24, 2025 · 27 words · https://substack.com/@jeffapierson/note/c-159313239

Confidence, even when unaccompanied by humility or competence, often acts like a multiplier. People project certainty, and others mistake that projection for credibility, strength, or leadership. (JAP2025)

NOTE 194

Graphic — September 29

September 29, 2025 · Graphic · https://substack.com/@jeffapierson/note/c-161018859



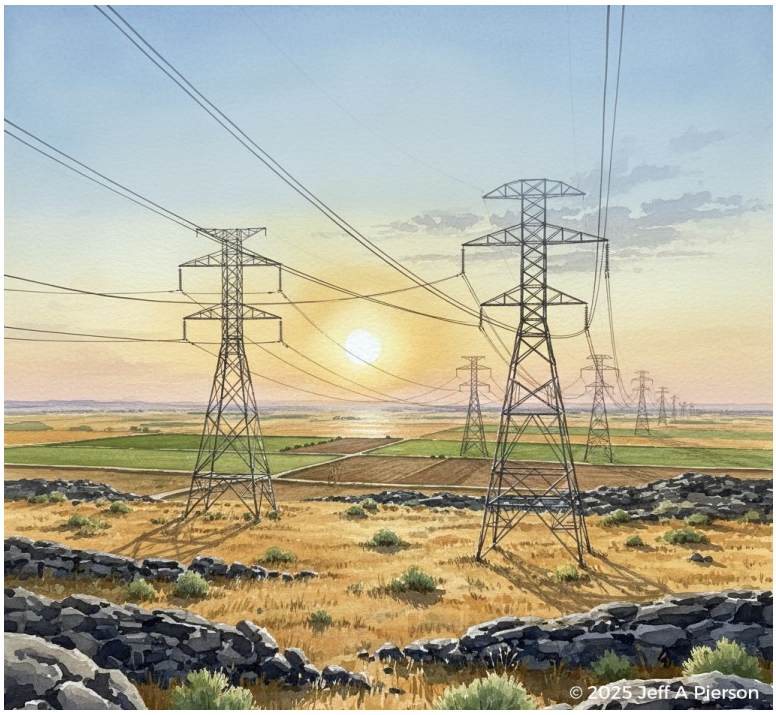
OCTOBER 2025

NOTE 195

Graphic — September

October 1, 2025 · 3 words · https://substack.com/@jeffapierson/note/c-161738702

September Image Pick



NOTE 196

Sharing a new post

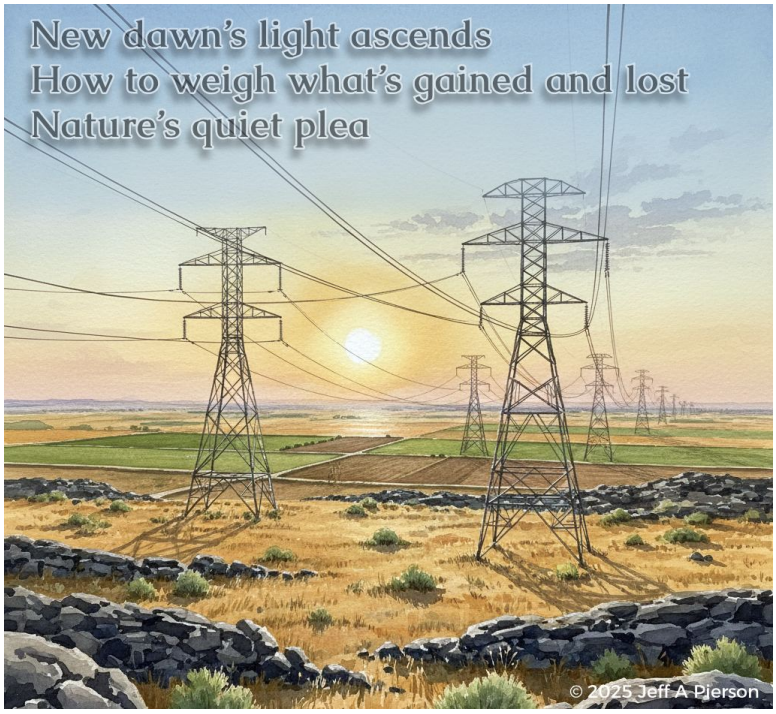
October 3, 2025 · 5 words · https://substack.com/@jeffapierson/note/c-162534346

Check out my new post!

NOTE 197

Graphic — early October

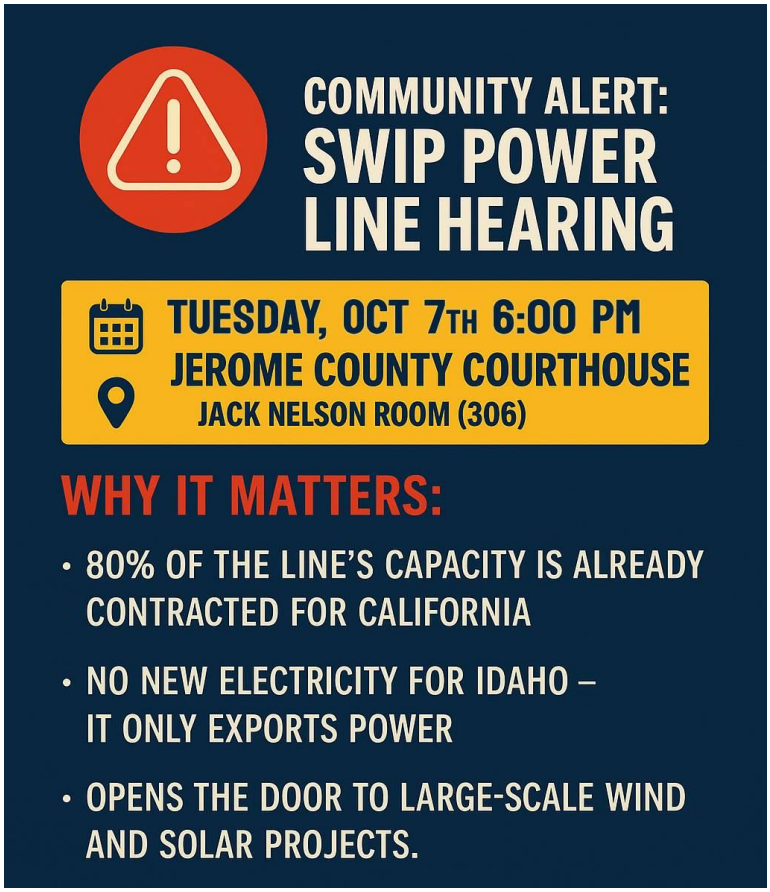
October 5, 2025 · Graphic · https://substack.com/@jeffapierson/note/c-163205938



NOTE 198

Graphic — October 5

October 5, 2025 · Graphic · https://substack.com/@jeffapierson/note/c-163207553



NOTE 199

Graphic — October 6

October 6, 2025 · Graphic · https://substack.com/@jeffapierson/note/c-163634111

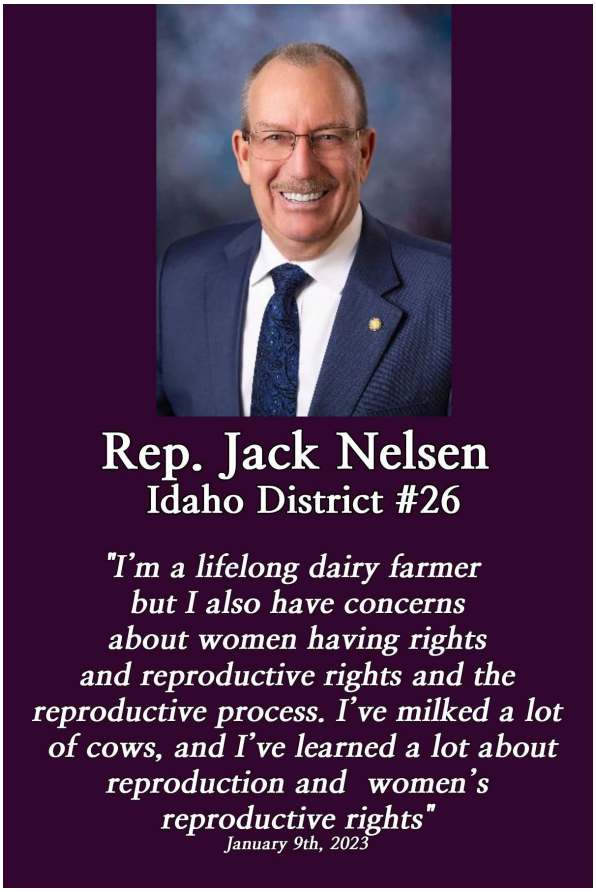


NOTE 200

You cannot make this up

October 9, 2025 · 8 words · https://substack.com/@jeffapierson/note/c-164543781

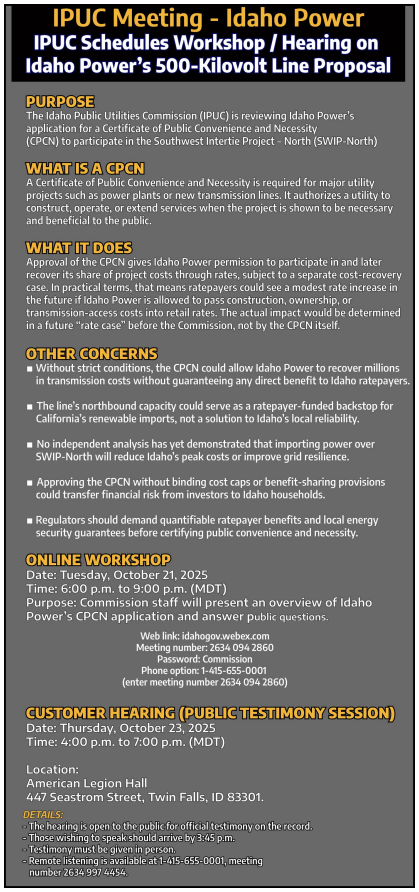
It is impossible to make this stuff up!



NOTE 201

Graphic — mid-October

October 14, 2025 · Graphic · https://substack.com/@jeffapierson/note/c-166409273



NOTE 202

Idaho news aggregate page

October 16, 2025 · 1 words · https://substack.com/@jeffapierson/note/c-167039754

https://www.facebook.com/idaho.news.aggregate

NOTE 203

Graphic — October 17

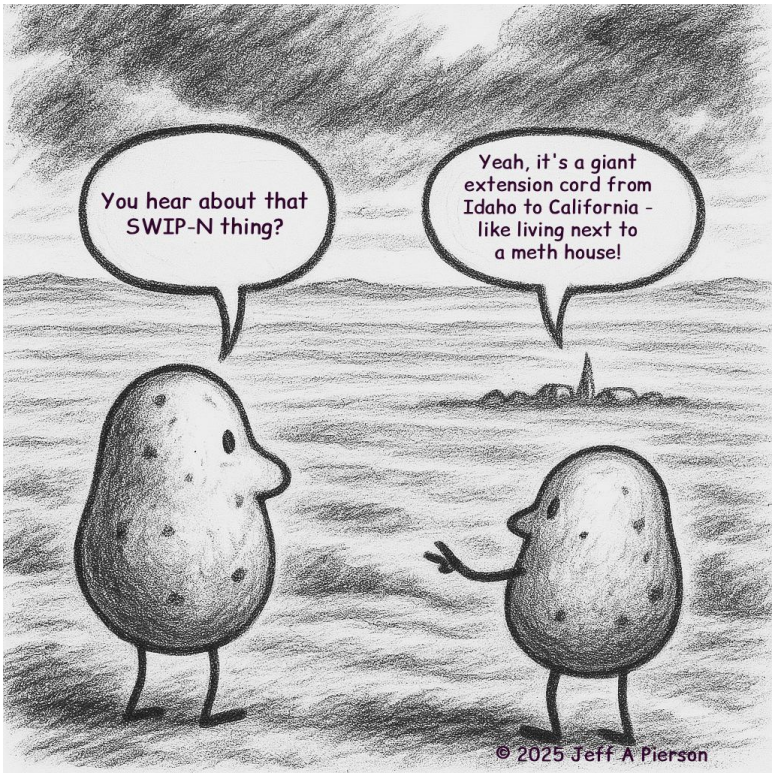
October 17, 2025 · Graphic · https://substack.com/@jeffapierson/note/c-167412084



NOTE 204

Graphic — October 18

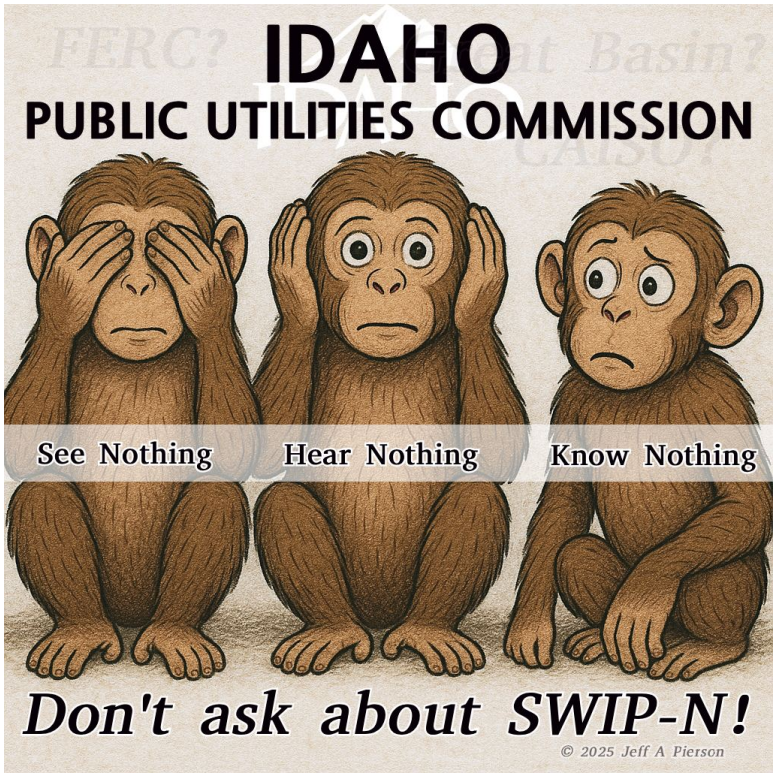
October 18, 2025 · Graphic · https://substack.com/@jeffapierson/note/c-167511593



NOTE 205

Graphic — October 22

October 22, 2025 · Graphic · https://substack.com/@jeffapierson/note/c-169116584

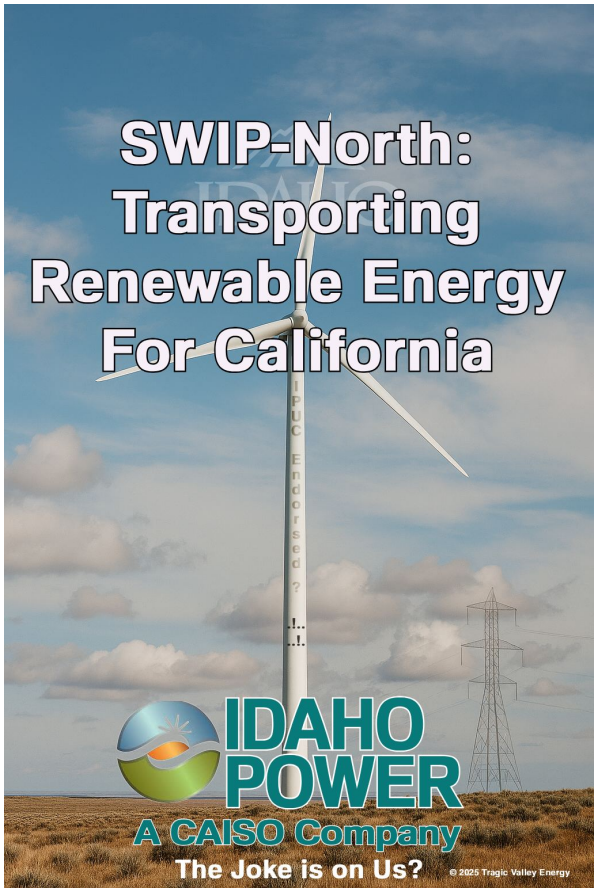


NOTE 206

Satire disclaimer for a regulatory capture graphic

October 28, 2025 · 37 words · https://substack.com/@jeffapierson/note/c-171206699

Disclaimer:This image is satire, protected opinion, and public commentary. Any resemblance to corporate obedience or regulatory capture is entirely intentional. Interpretations of irony are the viewer's responsibility. No facts were harmed in the making of this critique.



NOVEMBER 2025

NOTE 207

Shareable graphic

November 1, 2025 · 6 words · https://substack.com/@jeffapierson/note/c-172595540

Feel free to use / share



NOTE 208

Shareable graphic

November 1, 2025 · 6 words · https://substack.com/@jeffapierson/note/c-172595654

Feel free to use / share



JANUARY 2026

NOTE 209

Graphic — January

January 13, 2026 · Graphic · https://substack.com/@jeffapierson/note/c-199369864



FEBRUARY 2026

NOTE 210

Marrow and bone

February 14, 2026 · 456 words · https://substack.com/@jeffapierson/note/c-214369886

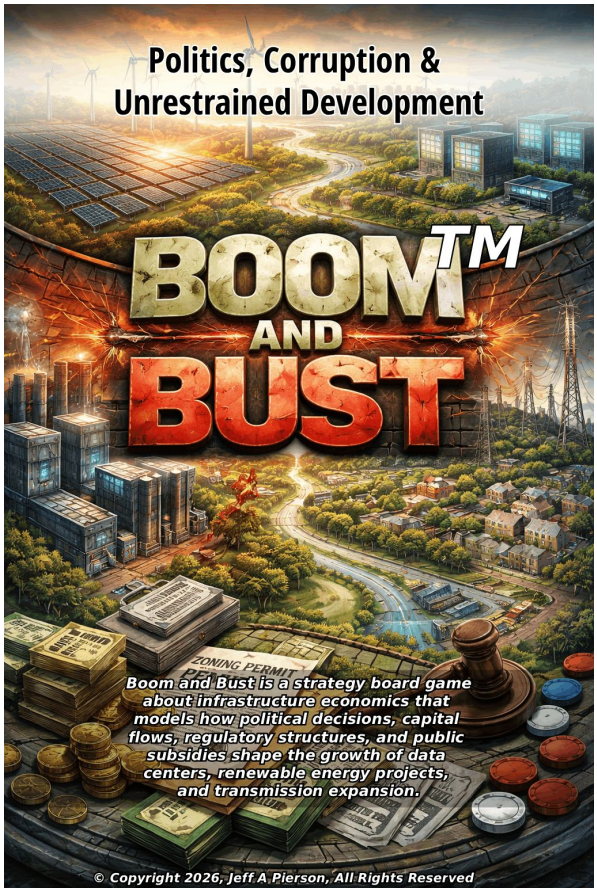
Marrow and Bone The tabernacle of kings stands veiled in hush, And curtains fall like temple veils grown old, Heavy with oil and consecrated dust. No trumpet names the hour of their feast, No village knows the solemn meal begun. Within, the high table becomes the stone, The board squared firm as sanctuary block. Where they sit down to eat they lean to cut, And chalice shares one light with lifted blade. Bread broken on the place of offering Returns as sustenance to those who serve. Linen lies stretched, pale flesh prepared and still. Upon it rests what bears no blemish mark. Spotless and wordless, wholly set apart. Hands take a posture older than their speech. They lift, they bow, they portion, and partake. Cup touches lip, and mouth receives the stain; The crimson sign declares a binding oath, Not shouted forth, but sealed in measured rite. Eat, and it binds. Drink, and the vow is sworn. Beneath the planks a doctrine older still Lies set in quiet, ordered symmetry: Skull beside bone, the remnants of past crowns, Breath-hollowed chambers turned to counsel now. Their vacant arcs point outward from the core, As if the compass hid within the marrow. From out the center rise the chosen kings. Each chooses and is chosen in return, Their hands in fleeting recognition brush. Circlets pass slowly brow to waiting brow, As though remembrance governed every turn. Beyond the veil the common hearths grow cold, Unblessed the daily bread of common homes. No summons travels past the hedged estate. The outer world lies sleeping, unaware, While in the chamber history bends shape. For where they feast is where they offer life, And where they strike is where they sanctify. The board and altar join in single wood. They feed upon what first they have laid down, And lay it down to crown what they enthrone. The taper burns unmoving in its glass. The cloth is bound, unbound, and bound again. No blemish lingers, nor does any cry. The threshold keeps no seam for sound to pass. The chamber holds no season in its walls. Thus it is kept in utterance restrained: None sealed within the veil or circled stone Until the unscarred victim meets the wood. The tribute is not spoken; it is done. The timber does not rend, nor relic yield. Time bends obedient as circlets move. Yet far beyond the ordered planks there stirs A breath not reckoned in their geometry. Apart from linen, knife, and hidden oath, A height keeps watch in unadorned air. Few make ascent. Fewer remain to stand. Stone bears the frost and gives no answering word. The ancient lines cut deep in patient rock: Quomodo ergo vivemus Abnegatio sui Vita pro innocentia


The Guest List
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NOTE 211

Graphic — February

February 27, 2026 · Graphic · https://substack.com/@jeffapierson/note/c-220735510



MARCH 2026

NOTE 212

Southern Idaho sunsets

March 14, 2026 · 351 words · https://substack.com/@jeffapierson/note/c-227597620

Southern Idaho Sunsets The day burns slow across the Snake River Plain Amber fields whisper in the wind Rimrock shadows stretch long and wide Sun hanging low on the canyon side Air so clear you can feel the light Copper and gold in the edge of night Sage and stone catching the glow Right where the western colors go . Out where the world runs wide and high You learn to measure time by sky . Those southern Idaho sunsets Paint a thousand miles of sky Tangerine and burning coral Fading slow to violet high When that last light hits the canyon And the river holds the glow There's a kind of quiet freedom You'll carry when you go . Stand on the rim by the Bridge Watch that river chase the ridge Dark rock walls turn amber, then red While the last of the color bled Clouds build high in the northern sky Lit from beneath in the fading shine Orange fire on a violet seam Colors too real for a painted dream . No skyline cutting into view Just magenta burning into blue . Those southern Idaho sunsets Paint a thousand miles of sky Softlight fading into midnight Where the western winds run high When the canyon holds the color And the river steals the show You feel the soul of open country In that southern Idaho glow . And the sagebrush breathes when the heat lets go Sharp and wild in the cooling flow Thirty minutes after the sun is gone The afterglow still holding on Dusty roads and a fading light The Basalt cooling into night You stand there still while the colors die Under that thousand-mile-wide sky . Those southern Idaho sunsets Lay a fire across the land Amber fields and silent valleys Cooling slow beneath God's hand And if you've seen that evening coming Where the canyon rivers flow You'll carry that horizon with you Wherever else you go . The sun slips down beyond the plain But that color stays in your veins Burned slow into the fading sky . Over southern Idaho. https://jeffapierson.substack.com/p/thousand-mile-sunsets?r=1noct5

NOTE 213

Some say we will never win

March 18, 2026 · 28 words · https://substack.com/@jeffapierson/note/c-229528219

Some Say We Will Never Win Inspired by a couple of local heroes and a few thousand of thier friends. Original Lyrics © Copyright 2026, Jeff A Pierson

NOTE 214

Living in a company town

March 23, 2026 · 53 words · https://substack.com/@jeffapierson/note/c-231848057

Idaho is a captured government. Captured by Hedge funds, economic development, energy and technology companies that, IMO, lack connections to the land and ethical underpinnings. Money talks and in Idaho politics, it not only talks, it controls, abuses, and enslaves. Living in a Company Town Original Lyrics © Copyright 2026, Jeff A Pierson

APRIL 2026

NOTE 215

The Howelling

April 9, 2026 · 90 words · https://substack.com/@jeffapierson/note/c-240907958

The Howelling He's been working this county for twenty long years Knows where every body's buried, every doubt and every fear Got a smile like a handshake and a heart like a hole Been trading in whispers, been collecting his toll . A little story here A word or two there Gets his people spun up At somebody's good name, Just a nod and a whisper and the coven goes insane And the telling they do is a lie That's the way of the Howling Not caring whose reputation dies



The Howling

NOTE 216

Grid Scale Worship

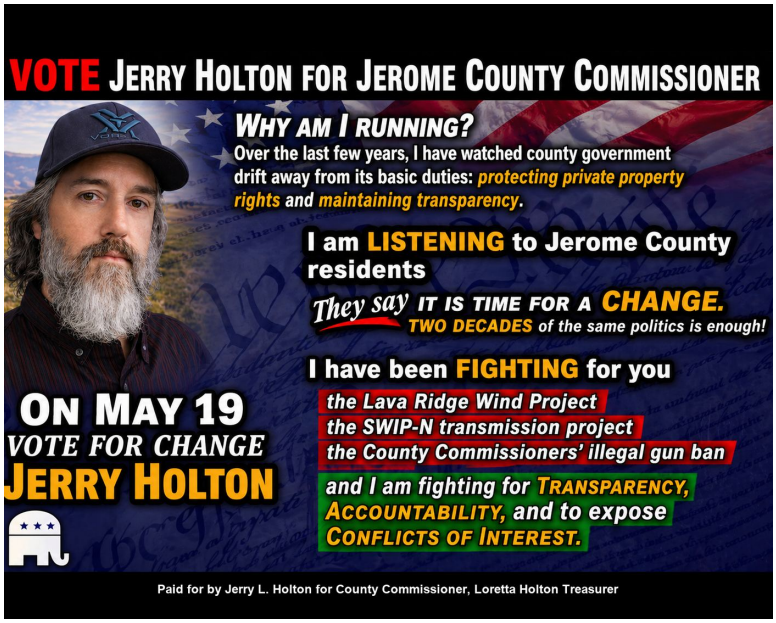
April 17, 2026 · 22 words · https://substack.com/@jeffapierson/note/c-244657759

Grid Scale Worship 2026 © 2026 Jeff A Pierson Featuring "Electron Aaron and the CAISO-Ettes" Sponsored by "Hedge Funds on the Hudson"

NOTE 217

Shared graphic

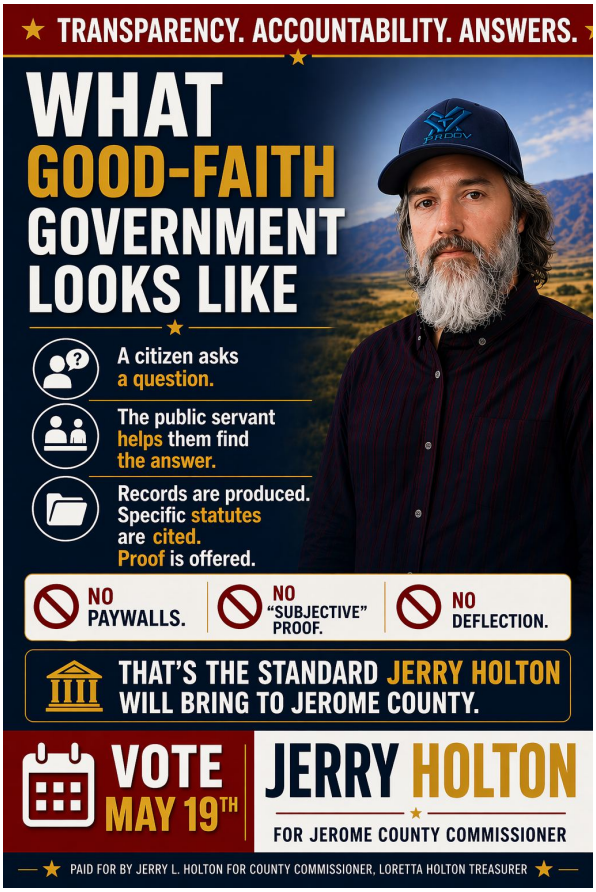
April 25, 2026 · Graphic · https://substack.com/@jeffapierson/note/c-248890383



NOTE 218

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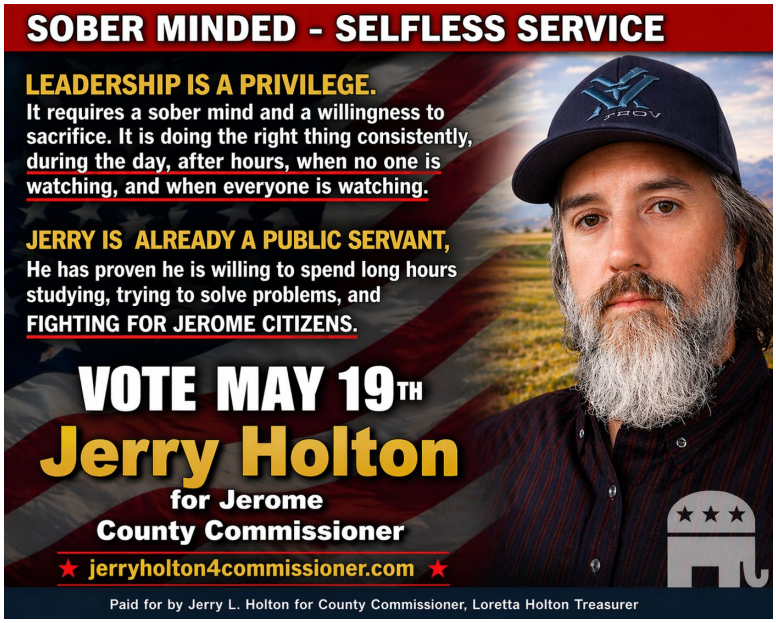
April 27, 2026 · Graphic · https://substack.com/@jeffapierson/note/c-249868777



NOTE 219

Shared graphic

April 27, 2026 · Graphic · https://substack.com/@jeffapierson/note/c-249868997



NOTE 220

At the edge of a long fall

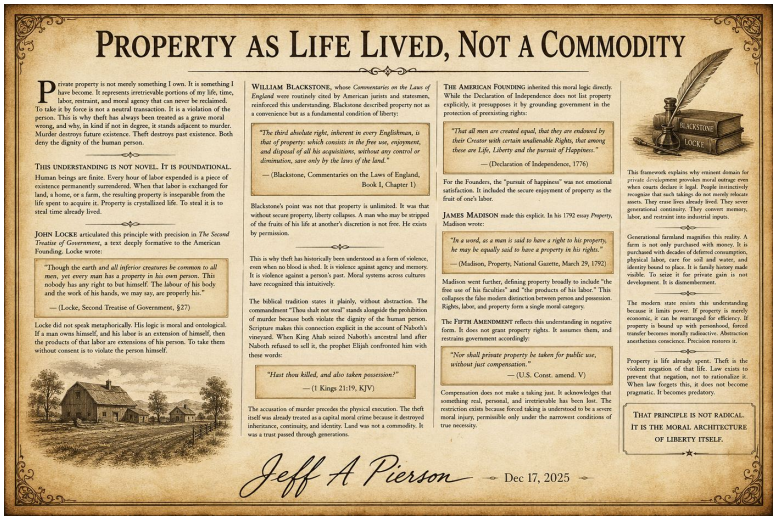
April 30, 2026 · 377 words · https://substack.com/@jeffapierson/note/c-251507756

At the Edge of a Long Fall (C) 2026 Jeff A Pierson ————- Amazing grace found me… on the edge of the canyon Sweet surrender and my anxious life disappeared Golden silence filled the desert as the morning cleared Sunlight danced on the rocks, chasing away my fears At the edge of everything Where the wind forgets to speak Something older than the stone Found me when I was too weak To hold on Amazing grace found me broken At the edge of a long fall I had carried every burden like a river stone Every mile a little heavier, a little more alone But the canyon doesn't judge you and the sage don't lie There are no secrets underneath that open sky At the edge of everything Where the wind forgets to speak Something older than the stone Found me when I was too weak To hold on So I Just let go, I let it all go Amazing grace found me broken At the edge of the long fall You don't have to know his name He already knows you and He is waiting I heard his call before and The spirit has been there long before the things that brought me low So I just stand here patient, quiet, and still Grace knows your history and He just waiting on your call The Amazing grace I found on the edge of the canyon Not a trumpet and a choir but a quiet steady flame I walked back down the switchback and nothing looked the same The anxious life I carried never quite fit the same again Golden silence, Morning clears, Sunlight on the rocks, No more fear, and that still small voice, yes that still small voice is there, at the edge of everything oh… Amazing Grace, Amazing grace Amazing grace found me broken At the edge of the long fall ————————- 1 Kings 19:11–12: “And, behold, the LORD passed by, and a great and strong wind rent the mountains… but the LORD was not in the wind: and after the wind an earthquake… but the LORD was not in the earthquake: and after the earthquake a fire… but the LORD was not in the fire: and after the fire a still small voice.”

NOTE 221

Shared graphic

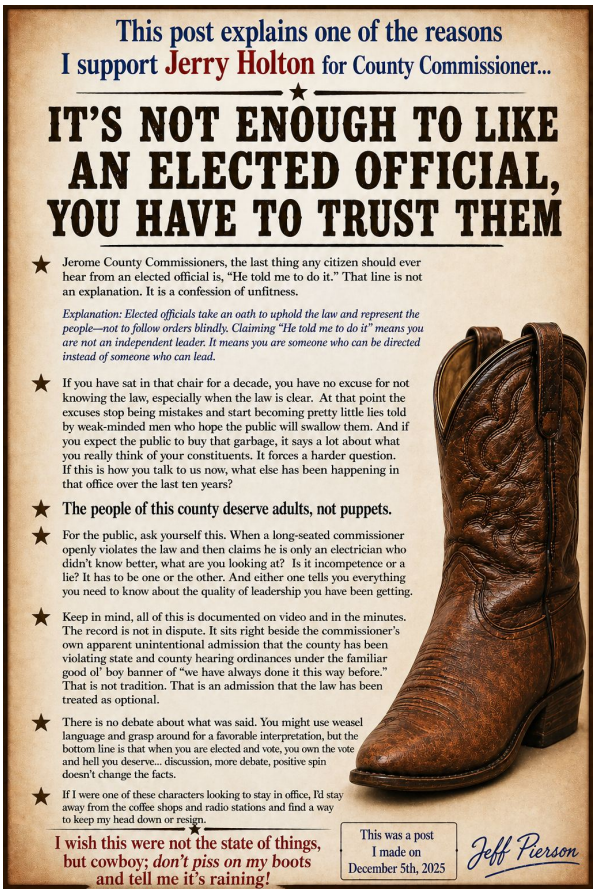
April 30, 2026 · Graphic · https://substack.com/@jeffapierson/note/c-251527263



NOTE 222

Shared graphic

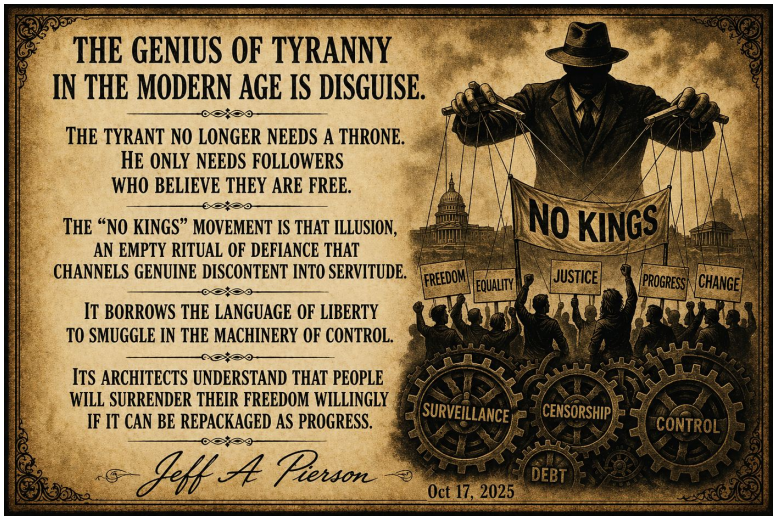
April 30, 2026 · Graphic · https://substack.com/@jeffapierson/note/c-251527597



NOTE 223

Shared graphic

April 30, 2026 · Graphic · https://substack.com/@jeffapierson/note/c-251530172



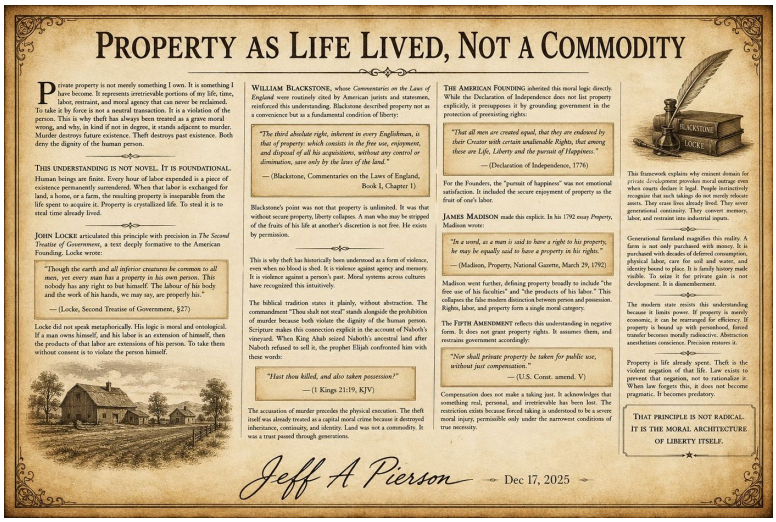
MAY 2026

NOTE 224

This is Liberty

May 2, 2026 · 3 words · https://substack.com/@jeffapierson/note/c-252479592

This is Liberty!



NOTE 225

Keyboard warrior as the modern scribbler

May 16, 2026 · 945 words · https://substack.com/@jeffapierson/note/c-260090085

The Keyboard Warrior Is the Modern Scribbler What the people in power have always called the people writing about them There's a name that gets thrown at anyone who writes critically about government from outside the system: keyboard warrior. It's meant to dismiss. It paints the writer as someone safe behind a screen, throwing rocks they wouldn't throw in person, picking fights for sport. The word has a sneer built into it. Worth knowing: every generation of citizen-writers has been called something like this. The label changes. The function never does. The original scribblers In the eighteenth century, when an ordinary citizen sat down to write about politics, the people in power called him a scribbler. It wasn't a compliment. It meant amateur, ink-stained, pamphleteer, unworthy of attention, lacking the dignity of office or station. It was the word loyalists used for the men writing broadsides against the Crown. It was the word British ministers used for the writers who would, within a few years, talk a continent into independence. Thomas Paine was a scribbler. He had no office, no credential, no standing. He was an immigrant corset-maker who picked up a pen. In January of 1776 he published a forty-six-page pamphlet called Common Sense. Within three months, an estimated 120,000 copies had sold in a colonial population of about 2.5 million people. Read aloud at taverns and from pulpits, passed hand to hand, it reached a fifth of the colonies within a year. Paine made the case for independence in language a farmer could read by the fire. George Washington had Paine's next pamphlet, The Crisis, read aloud to his troops before the crossing at Trenton. Samuel Adams was a scribbler. He spent years writing newspaper essays under pseudonyms, and organized the Committees of Correspondence — essentially a colonial Substack network, citizens writing letters back and forth across distances about what their local governments were doing and what the empire was doing to them. The Federalist Papers — the documents we now teach as the foundation of American political philosophy — were originally newspaper essays published under the pseudonym Publius. Hamilton, Madison, and Jay wrote them the way someone today might write a Substack thread: anonymously, prolifically, in response to public events, trying to move public opinion. Their opponents wrote back under names like Brutus and Cato and Federal Farmer. The entire American constitutional debate was carried on between people whose contemporaries would have called them scribblers if they didn't like what they were saying. The American Revolution was, among other things, a war fought partly in pamphlets. The pejorative function When someone calls you a keyboard warrior, the word is doing exactly what "scribbler" used to do. It tries to make a category distinction between real political actors — officials, candidates, board members, credentialed journalists — and the rest of us, who are framed as cranks, hobbyists, and irritants. But that distinction has never been real. It's a rhetorical move. The people who make it are almost always people who would prefer that public speech about government stay in fewer hands — specifically, the hands of people they can predict. Paine's critics called him a scribbler because the alternative was admitting that an unelected immigrant pamphleteer had reshaped public opinion across an entire continent. The dismissal was a way of pretending the writing didn't count. It counted anyway. What changed and what didn't The technology changed. The printing press got cheaper, then it became a typewriter, then it became a blog, then it became a Substack. Distribution moved from coffeehouses and taverns to email lists and shares. Anonymity moved from pseudonyms like Cato and Publius to handles and pen names. What didn't change is the basic civic act: a citizen, without office, decides that something happening in public life deserves to be written about, and writes about it. Sometimes well, sometimes badly. Sometimes accurately, sometimes not. The First Amendment doesn't require quality control. It protects the act itself, because the founders — themselves scribblers, most of them — understood that a free society depends on a lot of people doing it. The scribblers won This is the part the people who throw the term around tend to forget. The scribblers won. The pamphleteers won. The anonymous newspaper essayists won. The Bill of Rights exists because of them. The institutions we now argue about — open meetings, public records, free speech, due process — were built by people writing furiously and unofficially about government. The modern equivalent of that work is happening on Substack, on blogs, on local independent news sites,

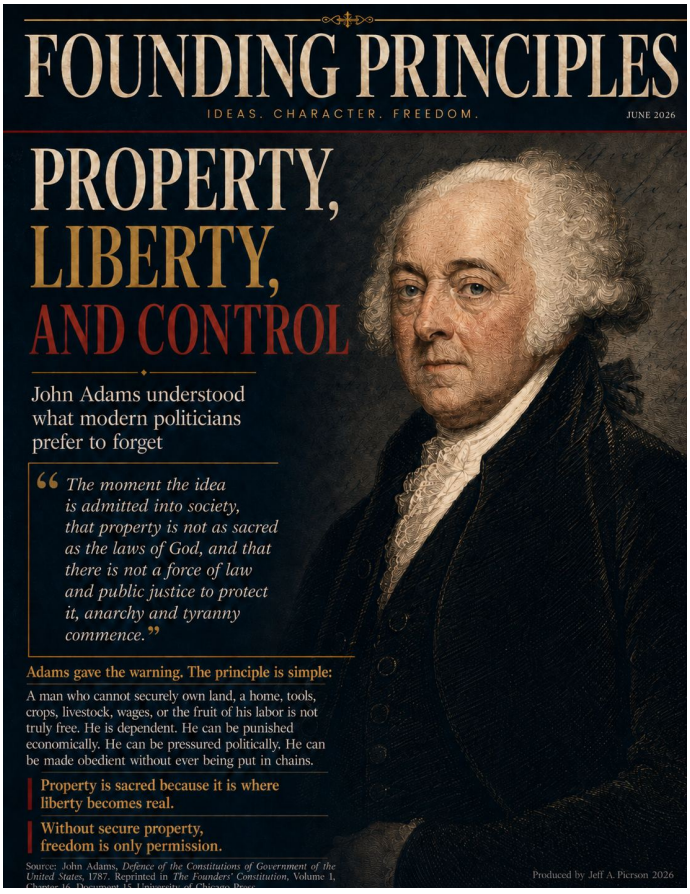
in long-form Facebook posts that twenty neighbors read, in the comments sections of small-town newspapers. Most of it will be forgotten. Some of it will change things. Almost none of it is done by people who would call themselves journalists or activists. They're just citizens who decided that the silence was worse than the social cost of writing. A defense of the work If someone calls you a keyboard warrior, they are not, in fact, insulting you. They are paying you an accidental compliment, because they have just told you that what you wrote was uncomfortable enough that they would rather discredit the writer than answer the writing. A real response to a substantive criticism is a substantive answer. A dismissal of the writer's standing is what people reach for when they don't have a substantive answer. It is, if you look at it honestly, an admission. The scribblers heard the same thing two hundred and fifty years ago. They wrote anyway. Some of what they wrote turned into the country we live in. The work is the work. It always has been.

JUNE 2026

NOTE 226

Graphic — late June

June 24, 2026 · Graphic · https://substack.com/@jeffapierson/note/c-282139826



JULY 2026

NOTE 227

Graphic — mid-July

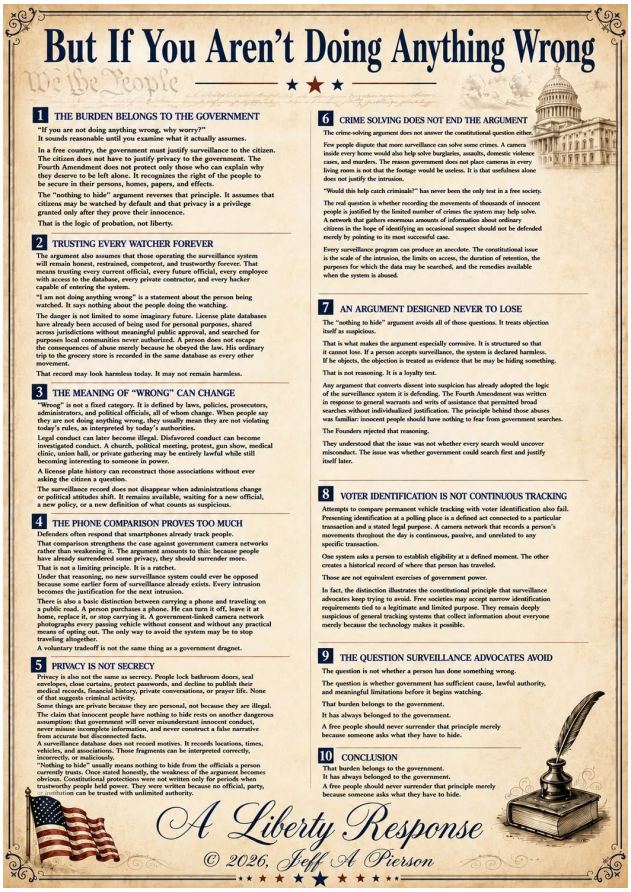
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NOTE 228

Graphic — July 17

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NOTE 229

Graphic

July 17, 2026 · Graphic · https://substack.com/@jeffapierson/note/c-296545284



NOTE 230

Shared post link

July 23, 2026 · 1 words · https://substack.com/@jeffapierson/note/c-300258423

https://www.facebook.com/share/p/1D4AH2GSbE/

NOTE 231

Building a tool to grade my own writing

July 26, 2026 · 1,103 words · https://substack.com/@jeffapierson/note/c-301933772

I Built a Tool to Grade My Own Writing. An AI detector tries to guess who typed the words. That is not the question that matters. A machine can help assemble something worth your time, and a human being can spend six hours producing something that isn't. AI assisted articles do not offend me, and they should not offend you any more than Microsoft's 20-year-old spelling and grammar checker or Grammarly's pre-AI tools. What should offend you is journalism that wastes your time. Full disclosure: I use AI extensively, but not to generate new ideas or to replace my principles or the hard work required to understand subjects. I experiment with AI constantly and, maybe ironically, the more I do the less I trust AI's abilities to reason and to not form bias against the very principles I believe in. But that isn't altogether bad either. The tool costs me money to use, but for now it is open to the public. Click through to a recent article, then click the banner or link that says "Article Values Graph." From there you can enter the URL of another article or paste text and see how the material scores. I will be updating it to include tools to identify plagiarism, potential copyright violations, and potential defamation, and I will be tying it to tools I have developed to identify legal issues like Open Meeting Law violations. But that takes time and resources. As contradictory as it seems, I write extensively about the AI / Data Center Boom / Bust and the harm I believe it is causing, but I also try to look objectively at the potential positive aspects of AI. The question a reader actually needs answered is older and harder: is this worth reading, and can I check what it claims? So I built something to answer that instead. It's called the Article Values Graph. Going forward, you will find it at the top of most of my articles and posts, but not in "Notes." What this tool values is what I value: articles with new ideas extensions of old ideas supported work truly informative or challenging articles What it does Give it an article and it does two things. First, it maps the ideas. Every concept in the piece becomes a circle, every relationship between them an arrow. Ideas that most writing on the subject would also cover get marked one way; ideas the piece handles in a genuinely new way get marked another. You can see, at a glance, where a piece walks its own path and where it repeats what everyone else says. What's left out is drawn too, because an absence often says as much as an argument. Second, it grades the writing on nine measures: whether it's worth your time, whether it shows its work, whether it pushes ideas forward, whether it contains ideas of its own, the quality of its evidence, whether the argument holds up, what a reader gains — and, inverted, whether it's a rant and whether it's filler. Every grade has to be backed by direct quotes from the piece. A score with no evidence behind it is treated as a failure of the tool, not a judgment about the article. Citations get checked: does the cited work exist, is it attributed correctly, does it actually support the claim it's attached to? Glossary definitions get checked for accuracy. And when a piece involves government action, it gets a separate analysis in the negative-liberty tradition — the right at stake, what the government did, whether it was lawful, what follows if it stands, and who forced the correction. Rants, name-calling, and filler Three more things the tool measures, because they're the failure modes I see most in local media. Ranting is not intensity. Force, anger at government, moral certainty, blunt language — the best American writing has all of it. A rant is defined by what it lacks: unnamed antagonists, no dates or documents, circling instead of arguing, nothing a reader can carry away. Anger with receipts is a polemic and scores well. Anger without them doesn't score at all. Name-calling gets judged by whether it earns itself. If I call an officeholder a RINO and define what makes him one — the votes, the positions abandoned — that's an insult doing real work. If a writer invents a nickname for a group of enemies and never defines it or names a single member, that's not a polemic. It's an argument only his friends can decode, and nobody can check. The tool treats undefined coinages as a serious defect, and I'd rather it apply that rule to me too. Media filler is the local content-farm pattern: one fact stretched across five hundred words, rewritten from a press release, padded with rhetorical questions and a bolted-on local angle. The tool states in a single sentence everything an article actually tells you, then counts the verifiable facts against the word count. Try it on the average local radio-station story sometime. AI articles The tool never labels an article as AI-written. It doesn't need to. Pure AI articles score almost identically to media filler, and the reason is simple:

media companies use AI to produce their filler, even when the byline credits a familiar reporter or "brand ambassador." Other signals can help identify AI writing, but that misses the point. A fully AI-written article is usually slop — boring, pointless, or walking an intellectual path to nowhere. Different method from the ranter, same outcome: nothing a reader can use. Everything is published The metrics, the scoring ladders, what a "5" means, the fairness rules, the known limits, and a dated log of every change ever made to the engine are all at https://jeffapierson.com/journaltools/ideagraph/how-it-works.html. The scoring runs the same way every time, so the same article gets the same grades. There's a button to have a second, independent AI re-score any piece and show you where the two disagree rather than averaging the disagreement away. And the tool's limits are listed on the same page as its methods — including the ones that make it look bad. Note: I am an advocate for Liberty. I do not charge for access to Substack or any other platform, and I do not ask for donations. I mention this because I want you to test the Article Values Graph as much as you want, and I can provide you with the code to run this on your own computer or a hosted server, where you can customize and modify as you see fit — I want you to create your own.



NOTE 232

Graphic — end of July

July 31, 2026 · Graphic · https://substack.com/@jeffapierson/note/c-305592300



NOTE 233

Shareable graphic — July 31

July 31, 2026 · Graphic · https://substack.com/@jeffapierson/note/c-305592549

