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# No Room at the Inn For Big Government



photo by Ron Wurzer

IJ clients **Blayne and Julie McAferty** stand in front of their home, which they've converted into a bed and breakfast. The City of Seattle is trying to shut them down.

By Bill Maurer

When Blayne McAferty was laid off from his job in the aerospace industry, he did the entrepreneurial thing: he turned this bad fortune into a chance to do something new. Together with his wife, Julie, he purchased a turn-of-the-century home across the street from Seattle's Green Lake Park, moved in with their two sons and their beagle, and restored the home to its former glory. They then opened up a bed and breakfast offering first-class accommodations, a welcoming atmosphere and delicious food. Soon the Greenlake Guest House filled with delighted guests. This was truly an American success story—faced with adversity, an entrepreneur turns bad news into a thriving business providing a needed and appreciated service.

To the City of Seattle, this kind of thing is just not acceptable.

The City has ordered the McAferlys to shut down their B&B because the McAferlys added one dormer and enlarged another (a dormer is a window that is set vertically on a sloping roof) on their home. While this addition would have been legal in a single-family home, these improvements—which fit perfectly with the character of the neighborhood—violated a provision of the city code that forbids “exterior structural alterations . . . to accommodate bed-and-breakfast use.” The reason for this restriction is presumably to preserve the character of residential neighborhoods by barring any alterations to a B&B's structure—even though private homes are permitted to make the same changes.

**Bed & Breakfast** continued on page 8

# When the Movers Arrive

## *The Human Toll of Eminent Domain in Norwood, Ohio*



**Joy and Carl Gamble** have a final meal in their home as movers help them pack and relocate to a temporary home.

### By Bert Gall

IJ clients Carl and Joy Gamble have lived in their home in Norwood, Ohio, for 35 years. It is the first and only home they've ever owned—the place where they raised their family and hope to spend the rest of their lives. It is their piece of the American Dream.

But in February, in one of the most heartless examples of eminent domain abuse nationwide, the Gambles were forced to hurriedly pack all their possessions and leave their home. That's because Norwood's mayor and city council have used the power of eminent domain to give the Gambles' home to Jeffrey Anderson, a private developer with more than \$500,000,000 in assets,

so that he can tear it down and build a high-end shopping center. Forced from their home in the middle of winter, the Gambles temporarily have taken up residence in their daughter's finished basement in Kentucky.

Even though they are appealing a trial court's decision that allowed this unconstitutional land grab, Anderson told the Gambles they had to leave. Anderson's attorney stated that if the Gambles were still in their home on February 2, "[they] will be deemed trespassers and their personal property will be deemed abandoned." The trial court issued a "writ of possession," which allowed Anderson and the City to force the Gambles out at any time. Anderson

refused to tell them exactly when that would happen. Thus, the Gambles—who could not live under siege, waiting for a knock on the door from the sheriff—had no choice but to make the gut-wrenching decision to pack up and leave. Worse yet, once they left, unless IJ secured court protection, Anderson could have sent in the bulldozers to demolish their home before the courts ever heard their appeal.

On February 3 and 4, IJ Vice President John Kramer and I traveled to Cincinnati to give the Gambles moral support as the movers carted off the bulk of their possessions and took them to a storage facility. The ordeal of being forced from their home drained the

Gambles, both physically and mentally. As Joy said, "I can't bear the thought of leaving. Our family built so many happy memories in this place, and now Mr. Anderson could destroy it before our appeal can be heard. We hope that we have a home to come back to when we win our appeal."

As I spent time with the Gambles during one of the worst weeks in their lives, I wished that every person who has defended the use of eminent domain for the benefit of private parties—and unfortunately, there are far too many of them in local governments across the country, not just Norwood—could actually see the real human tragedy that happens when people are forced from their homes. The abuse of eminent domain isn't just unconstitutional; it's morally reprehensible. All it takes

to understand that is to watch a family like the Gambles being forced from their home so that a private developer can make more money—and to see movers empty out room after room in a home that is so full of precious memories.

The Gambles braved the move with courage, dignity and determination that is both amazing and inspiring. Despite the tragedy they were enduring, the Gambles vowed to continue fighting to save their home. Joy said, "Make no mistake: we're not giving up the fight, and we intend to get our home back." Carl added, "We want to make sure that something like this can't happen to anyone else."

Fortunately, just over two weeks after their move, the Gambles got some much-needed help from Ohio's highest court. On February 22—the same day that IJ was argu-

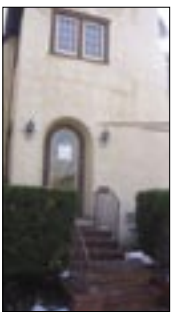
ing the *Kelo* eminent domain case before the U.S. Supreme Court—the Ohio Supreme Court issued an order that temporarily prevents Anderson from destroying the Gambles' home. On April 18, IJ will argue the Gambles' appeal of the trial-court decision that allowed Norwood's and Anderson's unconstitutional land grab before the Hamilton County Court of Appeals. If we prevail, the Gambles could soon have another moving day. Unlike the one they've just endured, however, that moving day will be a joyous one because they'll be moving back into their home. Everyone at IJ will continue to fight to make that happen. ♦

**Bert Gall** is an IJ staff attorney.



**"I can't bear the thought of leaving. Our family built so many happy memories in this place, and now Mr. Anderson could destroy it before our appeal can be heard. We hope that we have a home to come back to when we win our appeal."**

—Joy Gamble, homeowner





**Bishop Harold Ray** addresses school choice supporters on the steps of the Florida Supreme Court on the day seven friend-of-the-court briefs are filed in the Opportunity Scholarship case. Fifty years of Florida practice and precedent support school choice.

## Florida Rallies Behind School Choice

By Clark Neily

On January 24, 2005, the steps of the Florida Supreme Court were packed with parents and kids voicing their solidarity with the 700 Opportunity Scholarship students whose right to choose educational excellence is being challenged in court by teachers unions and other supporters of the public education monopoly. The parents and kids were there that day to attend a media conference and rally announcing the filing of seven friend-of-the-court briefs in the Opportunity Scholarship case. They were also there to put the Florida Supreme Court on notice that whatever it decides about the constitutionality of Opportunity Scholarships will directly affect more than 200,000 students who receive educational aid through a wide variety of public programs that, like Opportunity Scholarships, permit recipients to select among religious and non-religious providers.

After the U.S. Supreme Court upheld Cleveland's voucher program against a federal constitutional challenge in *Zelman*, school choice opponents renewed their tactic of arguing that provisions in certain states' constitutions called Blaine Amendments, which prohibit expenditures "in aid of" religious institutions, prohibit school choice programs that the federal Constitution would permit. That is precisely what the teachers unions and their coalition of choice-hating allies have argued in

Florida, where they have persuaded two lower courts to adopt their radical interpretation of the state's Blaine Amendment.

Perhaps the most glaring problem with that argument is that it directly contradicts more than 50 years of religion-neutral state practice and precedent in Florida. Not only has the Florida Supreme Court interpreted the state's Blaine Amendment as allowing programs that provide only "incidental benefits" to religious organizations, but the legislature has erected over three dozen public aid programs—covering everything from education to drug rehabilitation to support for the homeless—that function exactly like Opportunity Scholarships in providing vouchers to aid recipients and allowing them to choose among a wide variety of religious and nonreligious service providers.

Indeed, as explained in one of the amicus briefs filed in support of the Opportunity Scholarship program, there are more than 200,000 students receiving publicly funded scholarships through nearly a dozen different aid programs in Florida, including McKay Scholarships for disabled students, Corporate Tax Credit Scholarships for low-income K-12 students, and a variety of higher education scholarships that not only allow students to attend religious colleges, but even permit them to study for the ministry if they choose.

Another glaring problem with school choice opponents' attempt to invoke Blaine

Amendments is the bigoted history of those provisions and the blatantly discriminatory manner in which teachers unions and others seek to have them applied today. Academic scholarship is virtually unanimous in its agreement that Blaine Amendments were originally enacted for the specific purpose of discriminating against Catholics and forcing them to enroll their children in unabashedly Protestant "common schools," where they would be taught according to Protestant teachings and forced to read from the Protestant Bible. School choice opponents seek to update the discriminatory intent of Blaine Amendments by arguing that instead of being used to discriminate against one religion, they should be used to discriminate against all religions by excluding them from an otherwise neutral aid program that functions just like dozens of other public aid programs in the state of Florida.

We at IJ wish to express our deepest thanks to those parents and kids who came to the Florida Supreme Court in January to show their solidarity with Opportunity Scholarship recipients and to the lawyers and groups who produced such compelling friend-of-the-court briefs in support of the program. Together, we will prevail. ♦

**Clark Neily** is an IJ senior attorney.



# the Courage of IJ Clients



By John E. Kramer

Freedom isn't secured by the faint of heart.

Freedom is fought for and earned—each day—by men and women willing to stand up and insist upon their rights. That's why so much has been written over the centuries about courage, from Pericles, who said freedom is the fruit of courage, to the last line of our National Anthem, which explains that if America is to remain the land of the free, we must also be the home of the brave.

What makes the courage displayed by the Institute for Justice's clients so remarkable is not only the courage they show once we've joined them in the fight, but their willingness to stand up for what's right long before we've arrived and long after we've left. Oftentimes, after our litigation is successfully concluded, our clients must face again the government bureaucracies that made their lives miserable as these entrepreneurs, property owners and parents seek to exercise the rights we've helped them reestablish. Throughout their struggles, they are vulnerable to retribution, yet still they fight. Here are a few of their stories.

**Lou Ann and Scott Mullen** took a courageous stand against government barriers to interracial adoption, and won.

## Seeking Something Better

The courage of parents from South Central Los Angeles that IJ represented in one of our first school choice lawsuits remains an inspiration. Even as riots surrounding the Rodney King beating broke out throughout the area, parents desperate for better educational options for their children braved the danger of the streets to meet with IJ attorneys to hear about school choice. The shopping center where they met was burned to the ground later that night.

Then there is IJ Clinic client Twyana Bell from Chicago, who suffered an unimaginable tragedy in September 2003, when criminals broke into her home and shot her, her fiancé and her baby boy. Only Twyana survived. Amazingly, she has channeled her grief into a spirit of entrepreneurship. She started a line of clothing for little boys, named after her baby. The IJ Clinic helped her secure her baby's middle name, Casimir, for her trademark, developed contracts to use with graphic designers, and helped her learn about sales tax requirements.

## Joining IJ in the Fight

Joining with IJ in national public interest litigation is not for the faint of heart. Imagine the trepidation of Scott and Lou Ann Mullen, a couple from very rural Texas, who traveled to Washington, D.C., to tell their story about wanting to adopt two of their foster children and how they were being denied because of race-matching by the State's foster care system: the boys were black and the Mullens were not. Scott and Lou Ann emerged from a peaceful rural life to face not only the State's entire fostercare system, but also the fervent opposition of the National Association of Black Social Workers. Braving a bank of 13 television cameras, they told their story to the nation, and fought in court and the court of public opinion. Ever since their victory, the Mullens have provided Matthew and Joseph with the loving home every child deserves.

And, as Bert Gall highlighted on page two of this issue of *Liberty & Law*, senior citizens Joy and Carl Gamble from Norwood, Ohio, continue to demonstrate tremendous courage in standing up to a politically powerful developer with \$500,000,000 in assets,

**Courage** continued on page 10

# Standing Behind the P

## *Kelo v. City of New London* Behind the Scenes at IJ

By Dana Berliner

It was the morning of September 28, 2004, the second day after the U.S. Supreme Court returned from its recess. I don't remember what I was working on when fellow IJ attorney Scott Bullock came into my office and said "The Court just granted cert in New London." The next few days were a blur. Scott called all the homeowners while I drafted the press release. The phone rang off the hook.

And then we settled down to work. The Court takes less than one percent of the applications for review, and it hadn't heard an important eminent domain case in more than 20 years. Selecting a strategic approach was important. Our primary goal has always been to get a ruling that taxes and jobs simply are not a constitutional reason for taking someone's home or business away. We also knew that it is not

There is a general doctrine that government should not take property if it doesn't have a reasonably foreseeable use for it. Here, 11 of the homes are being condemned for . . . something or another—no one knows what, and the other four homes are being taken for an office building that the developer admits won't be built in the foreseeable future. There is also a general eminent domain doctrine that says that when government takes property to give to other private parties, there should be some sort of contractual or statutory controls in place that guarantee the intended public benefit. In New London, there are none of those

of the property be reasonably foreseeable and that there be minimum standards in place ensuring public benefit.

After writing the brief, we began making lists of possible questions we thought the Justices could ask. We solicited questions from everyone at IJ, as well as many others. In the end, we had a list of more than 60 questions, and then we began working on answers. We held four "moot courts," where IJ attorneys, professors or U.S. Supreme Court practitioners pretended to be Supreme Court Justices and asked questions as if it were oral argument. (As it had done in our case challenging New York's bans on the direct shipment of wine to consumers, the Heritage Foundation organized a particularly helpful moot court.) Moot courts are an opportunity to see if a particular explanation makes sense and also to come up with still more possible questions. Our preparations paid off—we anticipated every major question the Justices asked.

The week before the argument, despite undergoing an emergency appendectomy, IJ Vice President for Communications John Kramer

**"There is a general doctrine that government should not take property if it doesn't have a reasonably foreseeable use for it. Here, 11 of the homes are being condemned for . . . something or another—no one knows what, and the other four homes are being taken for an office building that the developer admits won't be built in the foreseeable future."**

a good idea to put all your eggs in one legal basket. Moreover, much as we want a ruling that "economic development" is not a public use, these particular condemnations have other flaws that the Court could rule on if they wanted another option.

controls. We therefore put together a two-pronged strategy: first, we asked for a bright-line rule that taxes and jobs are not a public use, and then, if the Court did not accept that, we asked that the use

# Patriots of Fort Trumbull

## *Castle Coalition Activists Hold Over 30 Rallies Battling Eminent Domain Abuse*

By Steven Anderson

Make noise. That's one of the main strategies advocated by the Castle Coalition to stop the abuse of eminent domain through activism. In keeping with that approach and in conjunction with our historic argument before the U.S. Supreme Court on February 22 in *Kelo v. City of New London*, we did just that.

In the days leading up to the argument, in more than 30 locations involving even more communities around the country, we organized rallies, vigils and other events that demonstrated not only the national scope of the eminent domain problem, but the nationwide reach of the Castle Coalition itself.

The reason was simple: Eminent domain abuse affects every community and the consequences of the case will affect every American property owner. Knowing that there would be an especially large amount of media coverage surrounding *Kelo*, arguably the biggest case of the Court's current term, we sought to link the case with situations occurring in local communities around the country—and we were very successful.

With the help of local contacts, we organized citizen activists in a few short weeks to hold rallies in 15 states,

literally from coast to coast and border to border.

Importantly, homeowners and activists in states like New Jersey, Missouri and California, all of which are serial abusers of eminent domain, held several events between them—the St. Louis area alone had three. While some locations battled bad weather, activists still attended in droves, armed with Castle Coalition signs, stickers and banners, recognizing the unique opportunity to support our clients and highlight their own neighborhood battles. And their efforts were rewarded handsomely—the media attention was significant.

Despite its relative infancy, the success of these events stands as a testament to the Castle Coalition's growth into one of the nation's premier grassroots property rights organizations. Home and small business owners around the country that are faced with unconstitutional government land grabs contact the Castle Coalition daily for advice on stopping eminent domain abuse—and we expect the calls for help to increase as word of our national scope and our ability to produce results continues to spread. ♦

**Steven Anderson** is the Castle Coalition coordinator.



Castle Coalition activists held more than 30 rallies and vigils across the nation—from Gardena, Calif. (left) and Denver, Colo. (center) to Long Branch, N.J. (right).



**Blayne and Julie McAferty** at home in their Seattle B&B with their boys, **Jon**, left, and **Andrew**, right, as well as their beagle, **Emma**.

**Bed & Breakfast** continued from page 1

Unlike its neighbors Vancouver and Victoria, B.C.—each of which has a thriving B&B industry—Seattle has few B&Bs. Until 2003, the City made it illegal to open a B&B except in commercial or multifamily zones—that is, places where no one would put a B&B. Beginning in 2003, Seattle permitted B&Bs in residential neighborhoods in order to boost tourism and home-based businesses. Unfortunately, Seattle’s actions were just for show because the new ordinance makes it practically impossible to open or operate a B&B. In addition to the restrictions on structural alterations, the ordinance makes it illegal to have any signs to help guests find the place. The City also makes it illegal to display the address of

were made to a single-family home that is not used as a B&B. The Washington Constitution requires that restrictions on businesses occurring on private property be reasonable and actually promote the general health and welfare. Seattle’s ordinances fail this test. That is why, on March 1, 2005, the Institute for Justice Washington Chapter (IJ-WA) filed a lawsuit in state court challenging Seattle’s irrational restrictions on B&Bs. Our goal in this case is to vindicate the McAfertys’ fundamental right to earn an honest living on their property and their free speech rights to communicate with the public about their business.

Seattle’s ordinance manifests a disregard for the right of its citizens to earn a living free from unreasonable governmental

**“It would be tempting to say that entrepreneurs are an endangered species in Seattle, but no one would be able to treat an endangered species the way Seattle is treating the McAfertys.”**

the B&B on anything but business cards. Websites, postcards, flyers or other advertising materials that tell potential customers where the B&B is located are prohibited.

Either a dormer destroys the character of a neighborhood or it does not; there is no rational explanation for restricting the McAfertys from making improvements that would be completely legal if they

restrictions. It would be tempting to say that entrepreneurs are an endangered species in Seattle, but no one would be able to treat an endangered species the way Seattle is treating the McAfertys.

By forcing the McAfertys to shut down their business because they made alterations to their home that would have been perfectly legal for anyone else to make,



photos by Ron Wurzer

The **McAfertys** would love to welcome guests into their home, if only the City of Seattle would let them.

Seattle has strayed from the intent of the framers of our state constitution, who created a document that protects the rights of small entrepreneurs. By bringing this suit, IJ-WA will remind Seattle that it, too, must follow the plain language and spirit of the Washington Constitution. ♦

**Bill Maurer** is executive director of the Institute for Justice Washington Chapter.





# Through Careful Research Amy-elizabeth Provost Diversifies IJ's Donor Base

By Chip Mellor

It's clear from the way she runs the office football pool that Amy-elizabeth Provost has a knack for raising money. That's especially true when she backs her favorite team, the New England Patriots. So it's IJ's good fortune that Amy-e, as we call her, is an integral part of our development team where she serves as Assistant Development Director.

Raising our annual budget of \$6.5 million takes a lot of work, much of it behind the scenes here at IJ. A good example of that can be seen in how we find new people to invest significantly in IJ. We seek to build our donor base strategically with both high dollar donors and those who give lesser amounts.

That approach has led to a diversified donor base in which no single donor, of the several thousand who provide support each year, provides more than six percent of our budget.

Amy-e's job is to identify those individuals who have the potential to become significant investors in IJ. And at that she excels. Through careful research, she identifies such prospective donors, and then she decides how best to

introduce the person to IJ. Sometimes that means a letter with select enclosures; other times it may mean a phone call from me. Regardless of the approach, Amy-e enables us to personalize it as much as possible.

With her ever-present good cheer and professionalism, Amy-e sets an example for all of us in the office. As a die-hard Yankees fan, she even managed to endure gracefully the torment she received last fall from ecstatic Red Sox fans (including yours truly). Amy-e grew up in Connecticut and attended the University of Maryland. She started at IJ four and a half years ago, and since that time we have established relationships with dozens of new donors. Not bad, even for a Yankees fan. ♦

**Chip Mellor**  
is IJ's president and general counsel.



IJ client **Susette Kelo** and Senior Attorney **Scott Bullock**, who argued the case for IJ, meet the media immediately following the U.S. Supreme Court argument.

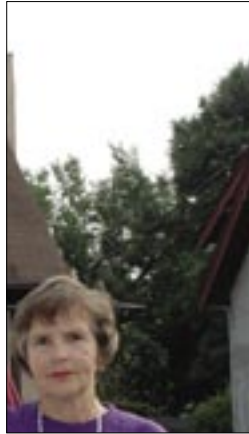
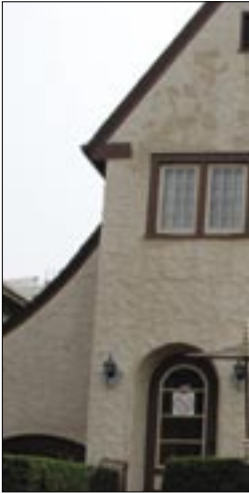
**Kelo** continued from page 6

never missed a day of pounding the phones to promote the *Kelo* case. In Kramer's absence from the office, IJ Communications Director Lisa Knepper admirably stepped up to direct the day-to-day media work. As a result of their combined efforts, dozens of editorial pages nationwide, including *USA Today*, editorialized for ending eminent domain abuse.

The courtroom was absolutely packed on February 22, the day of the oral argument. People came from across the country to see it. Members of the public not in line by 2 a.m. did not get in. The families of every one of our New London homeowners came to the argument. It's been more than four years since we began this legal journey, yet the whole group of homeowners has stuck together.

As 10 a.m. approached, we all sat down at the counsel table—Scott, me, Chip Mellor, and Scott Sawyer, New London counsel for the homeowners. The Justices sit only about ten feet away, but elevated high enough that I, being short, couldn't see them when they leaned back. Unfortunately, neither Chief Justice Rehnquist nor Associate Justice Stevens attended oral argument, although we have been told that both will participate in the decision. Justice Thomas rarely asks questions, so that left six Justices actively participating in oral argument. The most telling moment came when Justice O'Connor asked the lawyer for New London whether a city could take a Motel 6 because a Ritz-Carlton would pay higher taxes. The answer, of course, was, "Yes." As

**Kelo** continued on page 10



The **Gambles** bravely fight eminent domain abuse not only to try to save their home, but so others won't have to relive the nightmare they are going through.



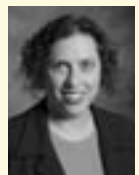
IJ attorneys and clients gather to talk to the media following the argument. People came from across the nation to see the argument. Members of the public not in line by 2 a.m. did not get in.

**Kelo** continued from page 9 we have been saying all along, allowing eminent domain for increased taxes gives the government unlimited power to take property from one private party in order to transfer it to someone else. Justice Scalia also asked if the government could take from A to give to B if B would pay more taxes. Again, the answer was yes.

From the wide variety of questions and issues the Justices raised, one could tell that the Court had not seriously considered the meaning of "public use" in many years. They asked questions ranging from the differences between "public use" and "public purpose," to the meaning of blight, and farther afield into taxation, compensation and many other issues. Although it is difficult to say, it appeared that some were more interested in our bright-line rule, while others found the idea of a reasonableness requirement more appealing. I won't attempt to guess how the Court will decide the case, but it was obvious the Justices were concerned about the consequences of their decision.

We don't expect a decision for several months, probably not until June, and in the meantime, we are actively working with communities across the country to cut back on the power of eminent domain. Regardless of the decision in *Kelo*, state courts will continue to be the main litigation arena for defending homes and businesses from private takings. And IJ will be right there, fighting in court, in the court of public opinion and through the Castle Coalition until cities once again respect the Constitution's mandate that property may be taken only for "public use." ♦

**Dana Berliner** is an IJ senior attorney.



## IJ's Courageous Clients

**Courage** continued from page 5 and his organized efforts to turn the Gambles' own neighbors against them. The Gambles are now fighting on, even after the developer has forced them from their home.

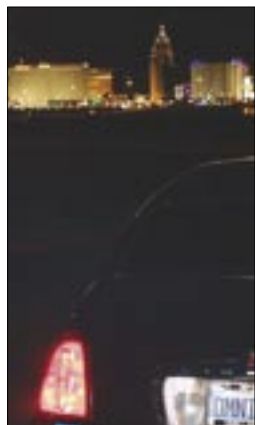
### Taking it to the Streets

Las Vegas limousine client Ed Wheeler faced off against a government-created limousine cartel that allowed existing operators to veto the entry of newcomers, like Ed. After our legal victory, Ed spent much of his savings applying for a permit with no guarantee of success—in fact, as the first new applicant after the court case to go up against the bureaucracy that once tried to shut him down, the odds were stacked against him. But Ed stood up to the machine and he won. And today, he operates Omni Limousine.

Each of these individuals is the kind of person who

makes the world a better place—a freer place. So much of the Institute for Justice's success begins with the courage of clients like these. ♦

**John E. Kramer** is IJ's vice present for communications.



**Ed Wheeler** went up against the powerful Las Vegas limousine cartel and vindicated his right to earn an honest living.

Volume 14 Issue 2

**About the publication**

*Liberty & Law* is published bimonthly by the Institute for Justice, which, through strategic litigation, training, communication and outreach, advances a rule of law under which individuals can control their own destinies as free and responsible members of society. It litigates to secure economic liberty, school choice, private property rights, freedom of speech and other vital individual liberties, and to restore constitutional limits on the power of government. In addition, it trains law students, lawyers and policy activists in the tactics of public interest litigation to advance individual rights.

Through these activities, it challenges the ideology of the welfare state and illustrates and extends the benefits of freedom to those whose full enjoyment of liberty is denied by government.

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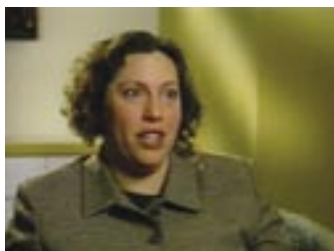
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# Quotable Quotes

**Sunday Morning  
 CBS**



**IJ Senior Attorney Dana Berliner:**  
 "Economic development projects are often crapshoots. Maybe they'll work; maybe they won't, and that's why they're things that are done by private developers engaging in land speculation, not government taking other people's homes away from them."

**The Abrams Report  
 MSNBC TV**

**IJ Staff Attorney Bert Gall:** "What the City of Norwood is doing is unconstitutional, it is wrong and it is outrageous. The Constitution only allows cities to take property for a traditional public use, like a road or a bridge or a courthouse. But the Founding Fathers never envisioned that developers could get cities to take land so that they could build a shopping mall or condominiums. That is just unconstitutional."



**NBC Nightly News  
 NBC**



**IJ Client Joy Gamble:** "They're taking one piece of private property, taking it away from us, and giving it to somebody else who is a private individual, and that's not fair."

**Eyewitness News  
 WCTV-CBS (Tallahassee, Fla.)**

**Micelle Emery (Mother):** "Why should I lose my right to send my children to a school that promotes the values and the level of education and the safety that are important to me simply because that school is religious?"



My city government wants to condemn my family's home.

They want to bulldoze our neighborhood not for public use,  
but for private economic development.

We are fighting for our rights.

And we took our fight to the U.S. Supreme Court.

*We are IJ.*



*Michael and Pasquale Cristofaro  
New London, CT*

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*Institute for Justice  
Property rights litigation*

**“The Institute  
for Justice  
battles against  
nonsensical  
regulations  
nationwide that  
stifle free speech  
and limit  
commerce.”**

*—The Orange County Register*



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