



LIBERTY & LAW

April 2020

Volume 29 Issue 2



RESCUING KIDS FROM TENNESSEE'S WORST SCHOOLS

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Liberty & Law is published bimonthly by the Institute for Justice, which, through strategic litigation, training, communication, activism, and research, advances a rule of law under which individuals can control their destinies as free and responsible members of society. IJ litigates to secure economic liberty, educational choice, private property rights, freedom of speech, and other vital individual liberties, and to restore constitutional limits on the power of government. In addition, IJ trains law students, lawyers, and activists in the tactics of public interest litigation. Through these activities, IJ 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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Tennessee Parents

Fight to Rescue Their Kids From the State's Worst Schools

BY KEITH NEELY

IJ clients Natu Bah and Builguissa Diallo share an entrepreneurial spirit. Both immigrated to the United States from countries in West Africa, seeking a better life. Both settled just outside Memphis, Tennessee, where together they built an African hair braiding business using the skills that had been passed down to them through generations. And both want to share the opportunities they found in America with the children they are raising here. But despite their hard work, they haven't been able to give their children what matters most: a good education.

That's because Natu and Builguissa live in Shelby County, Tennessee. Shelby County is the state's largest school district. It's also one of the worst. In 2019, just one in five students in Shelby County performed at or above grade level on state exams, with college preparedness rates at half the statewide average.

Tennessee's second-largest school district, Metro Nashville, didn't fare much better, with just one in four students meeting grade-level expectations.

In May 2019, Tennessee gave Natu, Builguissa, and thousands of families like theirs a lifeline by enacting the Tennessee Education Savings Account (ESA) Pilot Program Act. The program provides scholarships worth up to \$7,300 to low- and middle-income families in Shelby County and Metro Nashville. Families can use these scholarships for a wide array of educational expenses, including private school tuition, textbooks, and tutoring services.

Tennessee's program is a game changer for Natu and Builguissa. Although the two share big dreams for their children and a common Muslim faith, they want to make different choices for their children's educations. Builguissa wants to send her kindergartner to Pleasant View School, a private school in Memphis distinctive for its Islamic-centered approach to education. Natu

wants to send her children to Christian Brothers High School, a Catholic school, because of its athletic and academic programs.

But entrenched public school interests in Tennessee want to deny them these options. In February 2020, Nashville Mayor John Cooper announced a lawsuit to strike down the state's new educational choice program. Filed jointly by Metro Nashville, Shelby County, and the Metro Nashville Board of Public Education, the lawsuit alleges that the program violates the Tennessee Constitution. Among other claims, the lawsuit argues that the program violates the state's constitutional guarantee of a system of free public schools by imposing "costs" on the counties.

However, as IJ has repeatedly pointed out—including in the latest edition of *12 Myths and Realities About Private Educational Choice Programs*—studies show that the overwhelming

majority of educational choice programs do not cause a negative fiscal impact on public schools or taxpayers. When a school is not educating a student, no costs are imposed—the school is simply no longer receiving funds to educate a student who is no longer in the classroom. That is true whether the student moves away, enrolls in a charter school, goes to a private school, or is educated at home.

For hardworking parents like Natu and Builguissa, Tennessee's ESA program means being able to rescue their children from failing schools and give them opportunities they themselves never had. That's why IJ has joined with these parents to defend educational choice in Tennessee: to empower them and others like them to make educational decisions that can dramatically improve their children's lives. ♦

Natu and Builguissa want to give their children what matters most: a good education.

Keith Neely is an IJ attorney.





For hardworking parents like Natu and Builguissa, Tennessee's ESA program means being able to rescue their children from failing schools and give them opportunities they themselves never had.

Builguissa Diallo (top) and Natu Bah (right) want to use Tennessee's ESA program to send their children to better schools. They've teamed up with IJ to defend the program.



MAPPING OUT A FREE SPEECH VICTORY AT THE 5TH CIRCUIT

BY KIRBY THOMAS WEST

In February, IJ scored a major win for free speech when a federal appeals court ruled that occupational licensing is not a First Amendment-free zone. The 5th U.S. Circuit Court of Appeals ruled that IJ and our client Vizaline LLC, a technology company, can go forward with a free speech challenge to a licensing law that a state regulatory board is trying to use to put Vizaline out of business.

IJ stepped in to fight for Vizaline in 2018, when the Mississippi Board of Licensure for Professional Engineers and Surveyors sued the company for the unlicensed practice of surveying. The problem with the Board's attack on Vizaline? Vizaline has never done any surveying. Rather, the company combines publicly available legal descriptions of property with satellite photos to create

A photograph of two men, Scott Dow and Brent Melton, standing in front of a laptop screen. They are both wearing light-colored, long-sleeved button-down shirts. The background is a dark green wall with faint, glowing green grid lines. The lighting is dramatic, with strong highlights and shadows.

Thanks to IJ's victory at the 5th Circuit, Mississippi entrepreneurs **Scott Dow** (left) and **Brent Melton** can challenge the regulatory board trying to outlaw their innovative startup.

images that help small community banks better understand their property portfolios. In simpler terms: Vizaline makes maps.

Under the Board's expansive interpretation of "surveying," however, anyone who uses data to superimpose points and lines on satellite images would be in violation of Mississippi's licensing laws—including companies like Google, Uber, and Zillow. The Board's lawsuit against Vizaline, if successful, would force the tech startup out of the state, likely bankrupt the company, and set a dangerous precedent for agency overreach.

Unwilling to let that happen, Vizaline's founders teamed up with IJ to challenge the Board's unjust enforcement action as a violation of their First Amendment rights. We hit a setback in December 2018, when a lower court rejected Vizaline's challenge on the ground that the licensing regulations—which prohibited Vizaline from using publicly available information to draw its maps—did not "trigger First Amendment scrutiny."

IJ appealed that decision to the 5th Circuit, and we won. The 5th Circuit's opinion unanimously rejected the lower court's conclusion, stating that "Mississippi's surveyor requirements are not wholly exempt from First Amendment scrutiny simply because they are part of an occupational-licensing regime."

The decision hinges on a landmark 2018 ruling by the U.S. Supreme Court in *NIFLA v. Becerra*, which adopted a position IJ has long advocated: "Professional speech"—that is, speech subject to licensing requirements—is not exempt from First Amendment protection. In Vizaline's case, the 5th Circuit confirmed that *NIFLA* overruled prior decisions in which the court had erroneously designated "professional speech" a realm of speech removed from full First Amendment scrutiny.

This is an important milestone for all lovers of free speech, but IJ is particularly eager to see its impact on another IJ case pending in the 5th Circuit—*Hines v. Quillivan*. Familiar to longtime *Liberty & Law* readers, Dr. Ron Hines is a retired



The decision in Vizaline's case bodes well for Dr. Ron Hines, a retired veterinarian who wants to give advice to pet owners online.

veterinarian who was looking to give advice to pet owners online when he was targeted by the Texas Board of Veterinary Medical Examiners. The *Vizaline* opinion expressly mentions Dr. Hines' unsuccessful first legal challenge and notes that the 5th Circuit's decision at that time was based on a now-defunct special category for "professional speech"—just as IJ is arguing in this renewed challenge.

IJ will continue to fight for Vizaline, Dr. Hines, and all those who simply wish to speak for a living as we build on this victory and advance freedom of speech around the country. ♦

Kirby Thomas West is an IJ attorney.



“PROFESSIONAL SPEECH”—THAT IS, SPEECH SUBJECT TO LICENSING REQUIREMENTS—IS NOT EXEMPT FROM FIRST AMENDMENT PROTECTION.



ENGINEER'S FREE SPEECH VICTORY LEADS TO NEW TRAFFIC RECOMMENDATIONS

BY PAUL SHERMAN

One of the things that sets IJ's First Amendment practice apart is our belief that freedom of speech isn't just about protests or politics—it's about all the ways that the free flow of information enhances human life. That's why IJ has long focused on defending commercial and occupational speech: Both are socially valuable forms of speech that courts have historically neglected. This approach has led to stunning courtroom victories that have paved the way for real-life changes.

There can be no better recent example of this than the story of IJ client Mats Järllström.

Regular readers of *Liberty & Law* may recall Mats as the Oregon-based electrical engineer who began a one-man quest to change traffic-light timing after his wife received a red-light ticket. With his training as an engineer, Mats discovered a flaw with the 55-year-old formula that governed the timing of yellow lights: The formula worked great for cars driving straight through intersections, but it failed to account for

drivers—like Mats' wife—who needed to slow down to turn in an intersection. The result was unreasonably short yellow lights that led to more tickets and more dangerous roads.

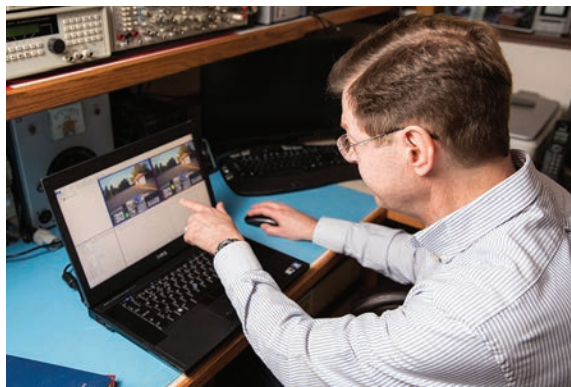
When Mats tried to make his discovery known, the Oregon State Board of Examiners for Engineering

and Land Surveying fined him \$500. His supposed offense? The unlicensed practice of engineering. According to the Board, Mats broke the law simply by doing math.

Represented by IJ, Mats sued the Oregon Board and won. In December 2018, a federal court held that Mats' speech

on traffic lights was fully protected by the First Amendment.

Normally, that's where *Liberty & Law* articles end, with IJ riding to the rescue, winning for our client, and setting an important precedent that can be used by others who face violation of their rights. But what happens next to our individual clients is equally important: They get to use their hard-won freedom, and the impact can be extraordinary.



IJ client Mats Järllström won his free speech lawsuit in 2018, setting a precedent for occupational speech.

When we win for our clients, they get to use their hard-won freedom, and the impact can be extraordinary.

In March, we got an unmistakable reminder of that impact: The Institute of Transportation Engineers—the organization that sets international standards for traffic safety—formally announced that it was adopting Mats’ formula as the standard for determining traffic-light timing. It is the first time the formula has been changed in more than half a century.

The vote could have wide-ranging international ramifications by giving drivers a little more time to get through intersections safely while avoiding frustrating red-light tickets. And it almost didn’t happen, all because a government agency thought it could prohibit the unlicensed practice of math.

What’s perhaps even more remarkable is that, until recently, the Oregon Board’s position was conventional wisdom: Occupational licensing boards across the country routinely behaved as though the First Amendment didn’t apply to them. And in too many cases, federal courts agreed.

Not anymore. Thanks to cases like Mats’, IJ has reminded courts and government agencies that there is no “occupational licensing” exception to the First Amendment.

Now we can see the real-world benefits of those victories. If Mats Järnlström, working on his own, can improve traffic safety for drivers all over the world, imagine what could be accomplished if everyone were free to share their ideas without government censorship.

Let’s find out. ♦

Paul Sherman is an IJ senior attorney.



Christina Walsh Wins National Award for Her Work With Property Owners

In January, the Owners’ Counsel of America, a nonprofit, nationwide network of property rights lawyers, presented the prestigious Crystal Eagle Award to IJ’s Christina Walsh. The Crystal Eagle, the organization’s highest honor, is presented only once a year to recognize heroic achievements in protecting property rights. Although past recipients have largely been attorneys (including IJ’s own Dana Berliner), the organization made a point of honoring Christina in light of her pathbreaking work in designing and building IJ’s unique activism program, which has trained thousands of property owners nationwide and saved tens of thousands of properties from being taken by eminent domain for private development.

Christina’s on-the-ground efforts to rally property owners and others in opposition to deep-pocketed developers have saved thousands of homes and businesses, and Christina and her team regularly succeed against seemingly impossible odds. January’s award is proof that we are not alone in recognizing these achievements: Property rights advocates from around the country have been watching as well. In her acceptance speech, Christina acknowledged the many activists she has worked to help in the past but mostly looked to the future, urging everyone in the audience to continue taking on the most difficult challenges and fighting to protect property rights against menaces that seem unstoppable. We look forward to working alongside her as she continues to do exactly that. ♦



IJ Fights to Protect Motorists in Motor City

BY WESLEY HOTTOT

Each year, Michigan police and prosecutors use civil forfeiture to take hundreds of cars from residents of Detroit and surrounding Wayne County. Law enforcement routinely seizes these vehicles on the thinnest of pretenses, such as a car's presence in a neighborhood known for prostitution. Once cars are seized, prosecutors hold them ransom, demanding \$1,000 or more for a car's return. All too often, innocent people find themselves trapped in this revenue-generating scheme.

That's exactly what happened to Detroit resident Melisa Ingram. Melisa lent her car to her then-boyfriend when he lost his job. After police caught her now-former boyfriend leaving a house allegedly connected to prostitution, they seized Melisa's car. Melisa wasn't at the house or with the car, and nobody alleged that she had done anything wrong. Even so, she was on the hook for the hefty fees required to get her car back. Unable to pay the money the city demanded, Melisa permanently lost her car—a devastating loss that ultimately led her to declare bankruptcy.

Sadly, Melisa's story is not unique. Robert Reeves is another Detroit native who lost his car despite never having been accused of a crime. Robert, a construction worker and auto repairman, found himself surrounded by police officers after meeting with a repeat customer. The officers informed Robert that the customer was accused of theft and, without any evidence connecting Robert to the alleged crime, seized his



Police took **Melisa Ingram's** car when she lent it to her boyfriend. She lost her car permanently when she couldn't pay the fees to get it back.

Watch the case video!



iam.ij.org/DetroitForf



Police seized **Robert Reeves'** car and cash because they suspected one of his customers of theft, despite no evidence connecting Robert to the alleged crime.

1991 Chevy Camaro and all the cash in his wallet. He called the county over 100 times asking what could be done to get his car and money back—he was uniformly told there was nothing to do but wait.

Abuses against innocent car owners like Melisa and Robert have a long history in Detroit. Almost 25 years ago, the U.S. Supreme Court decided an infamous forfeiture case called *Bennis v. Michigan*. In that case, law enforcement used civil forfeiture to take the Bennis family car after finding Mr. Bennis in the car with a prostitute. Although his wife, Tina Bennis, knew nothing of her husband's actions and had nothing to do with his crime, the Supreme Court ruled that forfeiture of her half-interest

Detroit Forfeiture continued on page 18

COMING THIS FALL: IJ'S 2020 PARTNERS RETREAT

This fall, IJ supporters will have an opportunity that comes along only once every few years: the chance to attend an Institute for Justice Partners Retreat.

IJ's 2020 Partners Retreat will be held **September 10–13, 2020**, at **The Resort at Pelican Hill** in beautiful Newport Beach, California. This weekend gathering will offer an unparalleled look inside the Institute for Justice—from the legal battles you read about in these pages, to the talented attorneys and staff who are waging them, to the clients whose lives and liberties hang in the balance.

Our program will feature keynote addresses from legal luminaries Ken White—best known as his online alter ego, "Popehat"—and New York University law professor Richard Epstein, as well as nationally syndicated columnist George F. Will. We will also hear from inspirational entrepreneurs, including celebrity chef and food truck icon Roy Choi. Throughout the weekend, guests will meet and talk to the real-life heroes IJ is privileged to represent as clients.

Combining immersive panel discussions with relaxation and camaraderie amid the stunning scenery of the Pacific Coast, the 2020 Partners Retreat will take you to the front lines of IJ's fight for freedom and reveal our strategy and vision for the next decade.

Members of IJ's Four Pillars Society and those contributing \$1,000 or more to IJ each year (Partners Club and Guardians Circle members) will receive invitations to this exclusive event by mail. If you're not among them, there has never been a better time to increase your commitment to IJ! Simply contact IJ's donor relations manager, Megan Cook, to confirm or update your support and to reserve your place at the 2020 Partners Retreat: mcook@ij.org, (703) 682-9320, ext. 230. ♦

INSTITUTE FOR JUSTICE
PARTNERS RETREAT





IJ's on-the-ground activism goes hand in hand with our legal work to protect and expand educational choice programs across the country. Pictured: Kentucky students and parents with educational choice bill sponsor **Kentucky Rep. Jerry Miller** and **Kentucky Attorney General Daniel Cameron**.

In Capitols and Communities: IJ Teamwork Pushes Educational Choice Forward in Kentucky

BY REBEKAH BYDLAK AND DAVID HODGES

IJ's commitment to helping parents access the best educational options for their children doesn't stop at the courtroom door. Through our 29 years as the lawyers for the educational choice movement, IJ knows that parent participation and grassroots support are crucial to the passage and long-term success of choice programs. That's why IJ attorneys routinely join forces with our activism team to amplify our efforts—with life-changing results.

One recent example of this teamwork in action comes from Kentucky. For several years, legislators and advocates in the Bluegrass State have been working to join the 18 other states with tax-credit scholarship programs. But special interests and the status quo are strong, and it's been a tough slog for grassroots activists who want choice for their children. This year, however, brings the greatest chance for change yet.

One crucial reason for that is the on-the-ground

activism and legal support that IJ is providing our allies. We stand with Kentucky parents who are desperate for better options and with the legislators who are working to get it done, and we see the results unfold every day.

On the activism front, that means talking to parents in schools and at events, training parents on how to talk to their legislators, hosting movie screenings, and going with parents to the state Capitol to talk with elected officials face to face. And when we learn about concerns from legislators, our attorneys are ready, providing regular briefings about ways that educational choice can support their reform goals while remaining entirely consistent with Kentucky's unique state constitutional provisions. We also provide updates about new and pending legal developments, including, most

recently, IJ's case *Espinoza v. Montana Department of Revenue*, which we argued before the U.S. Supreme Court in January this year.

Working hand in hand with families,



IJ's activism team is working with parents and legislators to create new opportunities for educational choice in the Bluegrass State.

More than 1,200 parents and children from across D.C. attended IJ's annual Winter Carnival to celebrate the District's Opportunity Scholarship Program.



We stand with Kentucky parents who are desperate for better options and with the legislators who are working to get it done, and we see the results unfold every day.

this past August, IJ's litigation and activism teams started meeting with legislators from across Kentucky. Some were concerned about legal issues, whereas others wanted to hear from the families who would be affected. As *Liberty & Law* goes to print, Kentucky legislators are in session and educational choice is still up in the air—but IJ is continuing the fight on all fronts to maximize our chances of a victory for all Kentucky families seeking new educational opportunities.

All children deserve the chance to learn at schools that fit their needs, and we are proud to stand with Kentucky families who know they have the full backing of the National Law Firm for Liberty.◆

Rebekah Bydlak is IJ's activism manager.



David Hodges is an IJ educational choice attorney.



Celebrating and Preserving Educational Choice in IJ's Backyard

IJ's annual Winter Carnival brings together more than 1,200 parents and children from across D.C. to celebrate D.C.'s Opportunity Scholarship Program (OSP). The OSP, which provides scholarships to underserved families to attend private schools, is the only federal educational choice program in the country. Since the OSP must be reauthorized every few years by Congress, IJ has a unique opportunity to support, advocate for, and grow a valuable choice program right in our own backyard.

IJ's largest event of the year, the Winter Carnival is a day of fun for families, with giant inflatables, prizes, games, and lots of cotton candy. But it is also a chance for parents to ask for help and advice on participating in the program. At this year's Carnival, more than 100 families consulted with OSP staff—with 51 families completing their applications. Meanwhile, IJ staff and volunteers helped more than 300 families sign up to receive additional information from D.C. Parents for Opportunity, the parent network that supports and advocates for the program. Thanks to events like the Carnival and the work of IJ and our allies, this January the OSP was again reauthorized by Congress to continue serving families.

The Carnival is just one way we provide ongoing support for educational choice in D.C. and elsewhere as we seek to ensure that students of all backgrounds have a chance to attend the best schools for them.◆

Thanks to the work of IJ and our allies, Congress again reauthorized D.C.'s educational choice program.



VICTORY!

MOBILE BOUTIQUES LICENSED TO Breeze Through the Windy City's Streets

BY SELECCA BULGAR-MEDINA

For a decade, IJ has led the charge in the fight to legitimize mobile businesses, such as food trucks and pushcart vendors. We can now add Chicago's mobile boutique owners to the list of entrepreneurs newly free to work. After a five-year advocacy campaign, mobile boutiques can finally obtain a business license to operate in Chicago.

The mobile boutique industry is exploding all over the country, with entrepreneurs like Juana Ryan—whose StellaLily truck sells artwork by local artists and photographers—transforming trucks into retail shops on wheels. Unfortunately, despite industry growth, local governments regularly fail to recognize mobile boutiques as legitimate businesses. This failure is a major source of frustration shared by entrepreneurs in many cities, and Chicago is no different.

In 2015, several mobile boutique operators went to City Hall to obtain a business license and were shocked to find out that a license did not exist for their business type—even though such a license is required to do business in the city. The IJ Clinic on Entrepreneurship teamed up with the mobile boutiques to help them obtain an Emerging Business Permit, a temporary permit intended as a pilot for innovative businesses that do not fall under Chicago's existing license structure. However, the city delayed its decision on whether the businesses could obtain a regular license and instead kept extending the permit, leaving mobile boutiques in regulatory limbo and operating under impractical rules and uncertainty about whether their businesses could ever be permanent.

The IJ Clinic worked closely with the mobile boutiques, strategic allies, aldermen, and city officials to pass an ordinance establishing a permanent license with minimal and sensible—not burdensome and irrational—regulations. The first of these new licenses were issued in January 2020 to IJ Clinic partners Juana Ryan and mother-and-daughter duo Jera and Joslyn Slaughter. They are excited and relieved to finally breeze through the Windy City's neighborhoods as legal businesses no longer in danger of being shut down.



With help from the IJ Clinic on Entrepreneurship, Chicago artist **Juana Ryan** (above left) can now legally operate her mobile boutique. Below, **Juana** celebrates with IJ Clinic staff (from left) **Beth Kregor, Erik Castelan, and Selecca Bulgar-Medina**.



At IJ, we know that advocacy does not only take place in the courtroom or at the statehouse. We are proud of our track record of working directly with entrepreneurs and empowering them to defend economic liberty in their own cities and towns. ♦

Selecca Bulgar-Medina is
a policy fellow at the IJ Clinic on
Entrepreneurship.



TRAINING *and Growing* the Next Generation of Litigators for Liberty

BY LAINEY CARLTON

As IJ tackles ever larger and more complex legal issues, IJ itself must also grow. To successfully recruit attorneys who are both intellectually skilled and passionate about IJ's mission, we must continually enlarge our talent pipeline. One new way IJ is finding the best and brightest legal minds is by expanding our law student training programs.

Introducing the next generation of lawyers to public interest litigation and the way it can advance individual liberty, limited government, and free markets has long been part of IJ's mission. IJ trains law students through programs such as our Dave Kennedy Fellowships for summer law clerks and the Law Student Conference we hold at IJ headquarters each summer. Last year, we set out to increase our reach to talented individuals.

Enter IJ's Legal Intensive Program. Through Legal Intensives designed to reach students at the nation's best law schools, we are bringing the proven content of our Law Student Conference and clerkship programs directly to top talent across the country. By providing content tailored to each Intensive's location and featuring up-to-the-minute legal developments, we can attract students we might otherwise never reach.

Through Legal Intensives designed to reach students at the nation's best law schools, we are bringing the proven content of our Law Student Conference and clerkship programs directly to top talent across the country.

At the first Legal Intensive, held in Los Angeles this past November, select law students from across California joined IJ staff and clients at the University of California, Los Angeles, for a day of theoretical and practical sessions, networking opportunities, and discussions about how to make pro bono or public interest work count in their careers. Through two pilot Intensives in past six months, we have already doubled the number of students we've reached. With a third Legal Intensive in the works, we are poised to grow this number still further.

These efforts will ensure that IJ is engaging with the most talented and motivated students, starting many of them on a track to later become IJ clerks, fellows, or attorneys. Whether these students go on to join IJ full time, pursue judicial clerkships, work for litigation centers in other free-market groups, or enter private practice, IJ is investing in a resource that will pay dividends for the broader liberty movement for many years to come. ♦

Lainey Carlton is IJ's student training manager and recruiter.



IJ's first one-day Legal Intensive brought together clients, students, and IJ staff, including Chief Operating Officer **Deb Simpson** (above right), for training, networking, and advice on pursuing public interest legal work.



JUDICIAL ENGAGEMENT GOES ON TOUR

BY ANTHONY SANDERS

If you're reading *Liberty & Law*, you've probably read the term "judicial engagement." You're also probably familiar with the idea that state constitutions, not just the U.S. Constitution, have a vital role to play in protecting individual liberties.

Over the years, IJ has won many victories for entrepreneurs, property owners, and others by pointing to or reinvigorating state constitutional provisions. But as conversations and debates about judicial engagement increase, we have seen that most of the discussion about the concept centers on the federal Constitution and how judges enforce—or fail to enforce—it.

At IJ's Center for Judicial Engagement, we thought it was time to spread the judicial engagement message to advocates and scholars of state constitutions as well. That's why, in February 2020, we sponsored IJ's first Judicial Engagement State Forum. Each conference in this new series will apply the idea of judicial engagement to a particular state constitution and ask how that constitution can be better enforced against state and local governments.

Our inaugural forum was in Minnesota at the University of St. Thomas School of Law and featured a wide-ranging discussion of the Minnesota Constitution and the duty of Minnesota judges to engage with it. We chose Minnesota because of IJ's long presence



there—we opened an office in Minneapolis in 2005—and our years of experience using the state’s constitution to protect individual rights.

Forum speakers ranged from practitioners to academics to judges themselves. Justice G. Barry Anderson of the Minnesota Supreme Court gave the keynote address, and he mentioned several Minnesota cases in his remarks, including one of IJ’s. Later, panels of experts debated topics including why state judges don’t do more to engage with the Minnesota Constitution, the importance of legal education when it comes to the state constitution, and constitutional provisions that need more attention and enforcement.

Building on our experience in Minnesota, our next stop, on May 14, is the home of the U.S. Constitution itself: Philadelphia. Our focus this spring will be the Pennsylvania Constitution and how judicial engagement can better bring its protections to Pennsylvanians. If you live near Philadelphia—or if you’re willing to travel—you are invited to attend the forum! Just look up the Center for Judicial Engagement at ij.org/center-for-judicial-engagement. ♦

Anthony Sanders is the director of IJ’s Center for Judicial Engagement.



IJ’s Judicial Engagement State Forums are a new conference series bringing together legal practitioners, academics, and judges to discuss specific state constitutions.



The *Bennis* decision has emboldened law enforcement to take thousands of cars from innocent owners in recent decades.

Detroit Forfeiture continued from page 11

in the car did not violate her 14th Amendment due process rights. The *Bennis* decision emboldened law enforcement to take thousands of cars from innocent owners in the ensuing decades.

Now Melisa and Robert are joining with IJ to take up the fight that Tina Bennis valiantly began. The rampant forfeiture activity in Wayne County since the *Bennis* decision has devastated the community, but developments in the law—set in motion by IJ—have created a new opportunity for the Supreme Court

to reconsider *Bennis* and secure greater protection against the county's forfeiture machine. That's why we filed a class action lawsuit in February to finally put an end to unconstitutional vehicle seizures in Detroit—and why we will keep fighting until property owners in Wayne County and around the country are safe from this abuse. ♦

Wesley Hottot is an IJ senior attorney.



Detroit's civil forfeiture scheme violates the rights of innocent owners like **Robert Reeves** by seizing cars, cash, and other property based on other people's alleged misbehavior.

IJ MAKES HEADLINES

These articles and editorials are just a sample of recent favorable local and national pieces IJ has secured. By getting our message out in print, radio, broadcast, and online media, we show the real-world consequences of government restrictions on individual liberty—and make the case for change to judges, legislators, regulators, and the general public.

Read the articles at
[iam.ij.org/
april-2020-headlines](http://iam.ij.org/april-2020-headlines).



the Atlantic

Montana's Original Sin

January 30, 2020

USA TODAY

**To Protect Religious Freedom, The
Supreme Court Must Rule In Favor
Of School Choice**

January 20, 2020

The Washington Post

**Families Should Have The Right
To Choose From Scholarships At
Religious Institutions**

January 18, 2020

THE WALL STREET JOURNAL

The Last Gasp Of James G. Blaine?

January 20, 2020

THE SUN

**Lawyer: Baltimore Food Truck
Restrictions Are Unconstitutional**

February 4, 2020

USA TODAY

**Get States Off The Backs Of
Homemade Food Sellers**

January 8, 2020

AP Associated Press

**Settlement Reached Over Western-
Themed Mural Outside Bar**

February 25, 2020

The Detroit News


**Editorial: Wayne County, Stop
Holding Cars Ransom**

February 11, 2020

VICE

**Michigan Cops Seized This Woman's
Car After Her Then-Boyfriend Allegedly
Picked Up A Prostitute**

February 5, 2020



The city wanted me to pay \$60,000 to renovate a city street
before I could renovate my home of 40 years.

If the city could do this to me, then no homeowner in
America would be safe.

I fought for my property rights.

And I won.

I am IJ.