



**LIBERTY & LAW**

February 2020

Volume 29 Issue 1



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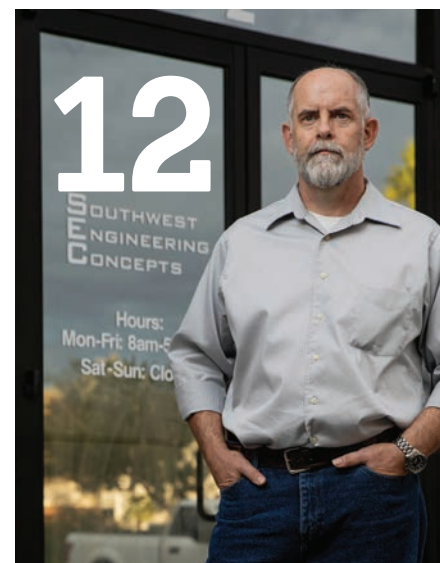
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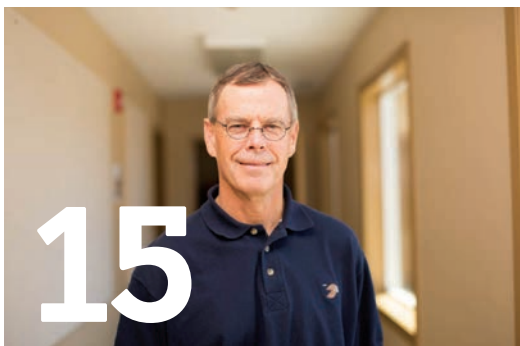
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**About the publication:**

*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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# IJ SUES TSA AND DEA

*For Taking Cash From Innocent Flyers*



Terry Rolin didn't do anything wrong, but the government took his life savings anyway.

BY ANDREW WIMER

## For many travelers, dealing with the hassles of airport security is the worst part of flying.

For those traveling with cash, that hassle turns into a nightmare when they are treated like criminals—and even find their money taken from them through civil forfeiture.

That's what happened to Terry Rolin and his daughter, Rebecca Brown. Terry is a retired railroad engineer living near Pittsburgh. As the son of parents who lived through the Great Depression, he

distrusted banks and hid his money in the basement of his family home. When Terry decided that his old house required too much upkeep and that the time had come to move into a smaller apartment, he became uncomfortable with keeping his life savings—more than \$82,000—in cash.

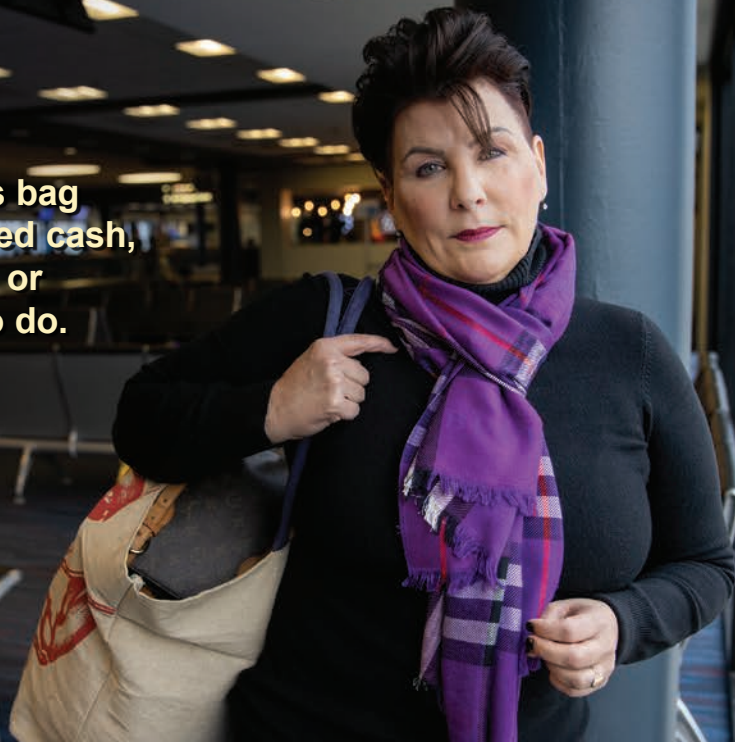
So last summer, when Rebecca made a weekend trip from her home in Boston to visit her father, Terry told her about the money and his growing concern about keeping it in the new apartment. They agreed that she would open a new joint bank account and use the funds to take care of him, including

getting him dental work and fixing his truck.

Because Rebecca's Monday morning flight home was scheduled to depart before the banks opened for the day, she knew she had to take the money home with her in order to deposit it. But she was nervous about traveling with it, so she did her research and confirmed that it is legal to fly domestically with any amount of cash. She packed Terry's life savings in her carry-on and headed to Pittsburgh International Airport.

At the airport, Transportation Security Administration (TSA) agents found the money when

**The TSA seized Rebecca's bag merely because it contained cash, something it is not legally or constitutionally allowed to do.**



Rebecca's bag went through security screening. They flagged it and made Rebecca wait while they contacted Pennsylvania state troopers. The troopers ultimately let her proceed to her gate, but one of them approached her again before departure, this time bringing along a Drug Enforcement Administration (DEA) agent.

That DEA agent questioned Rebecca once more and then insisted on speaking with her father. Terry, who doesn't usually wake up until later in the morning, was startled and disoriented by the agent's call. Declaring that he wasn't satisfied with Terry's answers, the DEA agent seized the cash. Rebecca wasn't arrested and, despite everything, made her flight home. But the money was gone. After holding on to the cash for

months, the DEA finally informed Terry and Rebecca that the agency was going to take Terry's life savings through civil forfeiture.

Terry and Rebecca did nothing wrong, and Terry doesn't deserve to



lose what he worked for decades to earn. They teamed up with IJ to file a major class action lawsuit against the TSA and DEA—IJ's third case in three years defending Americans who have done nothing more than try to fly with a "large" amount of cash. Both agencies

violated Terry's and Rebecca's constitutional rights. The DEA took the money without probable cause and without charging anyone with a crime. The TSA seized Rebecca's bag merely because it contained cash, something it is not legally or constitutionally allowed to do.

IJ will pull out all the stops to get the government to quickly return Terry's life savings. Yet our suit won't end when the money is returned. Terry and Rebecca will continue fighting on behalf of a class of people like them to end the practice of seizing cash from travelers based on mere suspicion and to continue to curtail forfeiture abuse. ♦

**Andrew Wimer is IJ's assistant director of communications.**



# When Protectionism Hurts Those in Need

IJ Challenges “Certificate of Need” Law That Prevents Home Health Entrepreneurs From Helping Underserved Communities

BY JAIMIE CAVANAUGH

Louisville, Kentucky, may be best known as the home of the Kentucky Derby and Louisville Slugger baseball bats. Many people may not know, however, that Louisville is also home to a large community of Nepali-speaking immigrants. Many of these immigrants are refugees, who resettled in Kentucky after being violently expelled from their native Bhutan. And just like the rest of

the population, as these individuals age, they need more medical attention.

That’s where entrepreneurs Dipendra Tiwari and Kishor Sapkota saw an opportunity to help their community. A few years ago, Dipendra and Kishor noticed that their aging friends and relatives needed home health care services ranging from house-keeping and meal prep to administering medication and therapy. Such care is typically



## Hospitals and other large health care providers fight vigorously to keep these laws on the books and keep their competitors out of business.

less expensive than institutional care in a hospital or a nursing home, and many patients prefer getting care from the comfort of home. There was only one problem: Few home health aides in Louisville speak Nepali.

Kishor and Dipendra were in the perfect position to fulfill this unmet need. Kishor works as a home health aide and is married to a nurse. And Dipendra used to keep the books for a home health agency in Virginia. Together, they developed a plan to open their own agency focused on serving the Nepali-speaking community.

But Kishor and Dipendra were forced to put their dream on hold when the state told them there wasn't any "need" for their services. That's because Kentucky is one of 18 states that require new home health agencies to apply for a "certificate of need" (CON) in any county where they wish to operate.

Regular readers of *Liberty & Law* will recall that CON laws are the result of a 56-year-old failed experiment in controlling health care costs. In the 1970s, the federal government created incentives for states to enact these laws, thinking they would keep health care costs down. Even though it quickly became apparent that restricting the supply of health care had precisely the

opposite effect, most states still have CON laws of some form. Not surprisingly, hospitals and other large health care providers fight vigorously to keep these laws on the books and keep their competitors out of business.

Unfortunately for Louisville's Nepali-speaking community, Kentucky's formula for determining "need" ignores factors like the need for care in a particular language. Even so, Dipendra and Kishor applied for a certificate, hoping they could demonstrate that Nepali speakers are unable to find adequate care. In response, a \$2 billion health care conglomerate objected to Dipendra and Kishor's application, and the state denied it.

But Dipendra and Kishor refuse to give up. They have teamed up with IJ to challenge Kentucky's anticompetitive CON law as a violation of the U.S. Constitution.

As Dipendra notes, other Certified Public Accountants weren't allowed to veto him when he opened his accounting practice, and his and Kishor's home health business should be no different. IJ will fight as long as it takes to help Dipendra and Kishor get into business. ♦

Jaimie Cavanaugh is an IJ attorney.



Entrepreneurs **Kishor Sapkota** (left) and **Dipendra Tiwari** (right) developed a plan to open their own home health care agency, focused on serving the Nepali-speaking community.

# To Get a Warrant Or Not to Get a Warrant? There Is No Question

BY ROB PECCOLA

We've all heard the saying that your home is your castle. Zion, Illinois, has added an asterisk to that well-known idea: \*unless you're a renter.

Ordinarily, if the government wants to search a person's home, it needs to get a warrant. But under a recently enacted city ordinance, Zion residents who rent their homes must open themselves up to intrusive code inspections—no warrant required. To make matters worse, if a renter refuses to consent to an inspection and demands the government inspector return with a warrant, the city punishes the rental property's owner with fines of \$750 *per day*. One Zion landlord accrued fines totaling an astonishing \$114,000.

The city's motive is obvious: It wants to coerce property owners into strong-arming their tenants into submitting to unconstitutional searches.



Zion resident and property owner **Josefina Lozano** (above) is outraged that her renters **Dorice** and **Robert Pierce** (below) must submit to unconstitutional searches.





This abusive policy outraged Zion resident Josefina Lozano. As the owner of two rental buildings in Zion, and as a lawyer who went to law school to start a second career, she resents the government forcing her to aid and abet the city's violation of her tenants' constitutional rights.

Her renters—Della Sims and Robert and Dorice Pierce—feel the same. Having rented from Josefina for well over a decade, they see these apartments as their homes. They understand what the city is doing is wrong and won't open their homes to inspection without a warrant. They have nothing to hide; they just value their property rights and believe that no one should be punished for simply asserting and defending those rights.

This isn't the first time IJ has encountered a city trying to skirt the Fourth Amendment by punishing landlords with fines when their tenants ask inspectors for a warrant. We first fought this battle several years ago in *Black v. Village of Park Forest*, when the village tried to charge a fee whenever tenants demanded that inspectors get a warrant. We won that case and established a vital principle: Tenants do not check their Fourth Amendment rights at the door of their homes simply because they choose to rent.

Yet cities like Zion are still violating this fundamental principle. If Zion officials want to conduct an inspection, they should obtain renters' consent or get a warrant. They cannot punish a landlord just because her tenants assert their Fourth Amendment right to be free from warrantless wall-to-wall searches of their homes.

Those rights are particularly important to Josefina—who is not just a believer in the American Dream but someone who has lived it. A first-generation immigrant from Mexico who became a citizen and raised two children, both college graduates, she understands the value of American constitutional rights more than many.

That is why Josefina and her tenants teamed up with IJ to fight back. Last fall, we filed a federal lawsuit in Illinois challenging Zion's unconstitutional rental inspection program. We quickly obtained a court order temporarily halting Zion's punitive actions against Josefina and her tenants. Now, we will vindicate the Fourth Amendment and ensure that the home remains a castle—for owners and renters alike. ♦

Rob Peccola is an IJ attorney.



**The city's motive is obvious: It wants to coerce property owners into strong-arming their tenants into submitting to unconstitutional searches.**

# IJ Launches New Project To Challenge Unjustified Immunity Doctrines

BY SCOTT BULLOCK

In January, the Institute for Justice announced an exciting and vitally important new endeavor: IJ's Project on Immunity and Accountability.

As IJ Senior Vice President and Litigation Director Dana Berliner described in the last issue of *Liberty & Law*, immunity doctrines shield government officials from having to pay damages even when they blatantly violate someone's constitutional rights. What's worse, courts routinely use the fact that officials don't have to pay to avoid deciding whether anyone's rights were violated at all. That leaves individuals who have suffered government abuse without any legal recourse.

As with so many IJ issues, when I first explain immunity doctrines to non-lawyers, most are stunned that this exists in America. Here's an example of one type of immunity—qualified

immunity—in action. Last year, Fresno, California, police officers were accused of stealing over \$225,000 in cash and rare coins from a home they were searching. Even though the owners were never criminally charged and even though, as the Ninth Circuit later conceded, “virtually every human

society teaches that theft generally is morally wrong,” the court granted the officers qualified immunity and ruled that they could not be sued. How is that possible? Because, the court said, “there was no clearly established law holding that officers

violate the Fourth or Fourteenth Amendment when they steal property seized pursuant to a warrant.” Therefore, it was not “obvious” the officers were in the wrong legally. Immunity applies.

It is easy to see how this doctrine turns fundamental concepts of American jurisprudence on their heads. If citizens must follow the law, the government

**Immunity doctrines shield government officials from having to pay damages even when they blatantly violate someone's constitutional rights.**

Immunity continued on page 18



## The Government Destroyed Her Home With Grenades; She's Fighting Back at the U.S. Supreme Court

BY ROBERT MCNAMARA

The Institute for Justice launched the Project on Immunity and Accountability with a petition for certiorari that highlights the threat these immunity doctrines pose to fundamental rights.

When our client Shaniz West came home to find her house surrounded by local police looking for her ex-boyfriend, she did what the government probably hopes all citizens would do. She told them the truth (her ex wasn't there) but gave them permission to go inside to look for themselves.

The problem is that they didn't go inside—at least, not for a long time. Instead, they decided to besiege the house, repeatedly firing tear-gas grenades and destroying walls, ceilings, and essentially everything Shaniz owned. At the end of the siege, the police discovered what Shaniz had already told them: The ex-boyfriend wasn't there. Instead, they had spent the day bombarding a house that was empty except for Shaniz's dog, Blue.

Shaniz sued, arguing that she had given police consent only to go inside her house, not to blow it up. But she lost. She didn't lose because the courts held that consent to go into a house is consent to destroy it. She lost because no court had ever ruled in a case exactly like hers before. And because no court had explicitly considered these facts, qualified immunity applied.

IJ is asking the Supreme Court of the United States to take Shaniz's case and rule that qualified immunity cannot be used like this to strip basic protections for property rights. With Shaniz's case—and more like it to come—IJ will take on the complex system of government immunity to make sure that officials are held accountable for constitutional violations—and that individuals have a path forward when defending their rights. ♦

Robert McNamara is an IJ senior attorney.



The local police department's 10-hour siege of **Shaniz West's** empty house destroyed everything inside.



# Engineering

## Economic Liberty Protections For an Arizona Entrepreneur



**BY ADAM GRIFFIN**

Greg Mills is an engineer. He has spent more than 30 years designing and building electrical circuits for everything from flashlights to satellites and has worked for companies like General Dynamics and Spectrum Astro. Greg became an entrepreneur when he opened his own small business—Southwest Engineering Concepts—to help other entrepreneurs and small businesses. He provides safe, affordable, high-quality engineering services by designing, analyzing, testing, and

building electrical circuits to turn his clients' ideas for new products into prototype realities.

Greg's business was booming until he received a letter from the Arizona Board of Technical Registration. The Board informed Greg that he needed a license from the state to continue in his life-long occupation—or even to continue calling himself an engineer. Greg was stunned. He had worked as an electrical engineer for decades, and nothing he designs requires a licensed engineer's approval to build. Even so, the Board threatened Greg with \$6,000 in fines and potential criminal liability, demanding that he shut down his business or obtain an engineering license.

To protect public health and safety, building codes require plans for construction projects to be approved (“signed and stamped”) by licensed design professionals before they can be built. However, most engineers, like Greg, work in industries that don't require them to have a license to do their jobs; indeed, about 80% of engineers work without a license. Moreover, most states, including Arizona, allow engineers to work for a manufacturer without a license or licensed supervision. But now that Greg is in business for himself, doing the same work that



**Greg Mills** has worked as an electrical engineer for decades, and nothing he designs requires a licensed engineer's approval to build. Even so, the Arizona Board of Technical Registration threatened Greg with \$6,000 in fines and potential criminal liability, demanding that he shut down his business or obtain an engineering license.

he was allowed to do at General Dynamics, the Board wants to shut him down.

Beyond the obvious problems with *what* the Board is doing to Greg, there are also serious problems with *how* they are doing it. Greg's case is a perfect example of the problems with modern administrative agencies. The Board makes its own rules, enforces those rules, and then judges violations of those rules, leaving Greg without any meaningful way to assert his rights.

That is why he teamed up with IJ to fight back. The Arizona Constitution protects Greg's right to truthfully call himself an engineer and provides even stronger protection than the federal Constitution for his right to earn an honest living. A law that permits 80% of engineers to work without a license but singles out Greg for doing the exact same work violates those protections. The Arizona Constitution also protects individual rights by strictly separating government powers. That means the Board cannot restrict speech and economic liberty, or impose fines, without a meaningful check by the judicial branch.

By winning Greg's case, IJ will vindicate the Arizona Constitution's greater protections for free speech and economic liberty.

In doing so, we will protect the liberties of all Arizonans from an overzealous and overreaching administrative board. ♦

Adam Griffin is an IJ constitutional law fellow.





## School Choice In Action

### ESPINOZA V. MONTANA DEPARTMENT OF REVENUE

As this issue of *Liberty & Law* goes to press, IJ is before the U.S. Supreme Court defending educational choice on behalf of parents and children in Montana. In addition to arguing our case before the Justices, we organized a rally of more than 150 school children benefiting from the opportunity to choose the school that is right for them—just as our clients seek to do. Through the rally and an all-out media and outreach campaign, we are—as always—keeping the families whose futures are at stake front and center as we fight for their rights. ♦



# IJ Notches a VICTORY For Washington Students

BY MICHAEL BINDAS

For nearly three decades, as part of our defense of educational choice, IJ has tackled—and defeated—state constitutional provisions known as Blaine Amendments. Found in some 37 state constitutions, these relics of 19th-century bigotry are favorite tools of teachers’ unions and others seeking to cripple otherwise robust educational choice programs. We recently chalked up a big win in our anti-Blaine campaign, and we have good reason to believe it could be the harbinger of even bigger things to come.

The victory came in our challenge to the Blaine-based ban on religious options in Washington’s work study program: a financial aid program that provides funding for low- and middle-income students who want to earn money for college by working in jobs that relate to their field of study. Because the program permitted students to work for the government, nonprofit organizations, and for-profit businesses, but banned work for “sectarian” employers, students majoring in social work, for instance, could not work with the homeless at a church’s soup kitchen.

In August 2018, IJ challenged the ban on behalf of Summit Christian Academy, a religious school that had been rejected as a work study employer, and the Young Americans for Freedom group at Whitworth University, whose members were impacted by the sweeping restrictions on their work study options.

Our argument was simple: The U.S. Constitution requires that the government remain neutral with respect to religion. That means Washington’s Blaine Amendments cannot be used to banish religious options. If this argument sounds familiar, that’s because it is the same one we have made in successfully defending programs from Blaine-based threats throughout the country.

That list of victories now includes Washington. In November, in response to our lawsuit, the state amended its work study regulations to allow students to work for religious employers among other options.



Wes Evans, principal at Summit Christian Academy, wanted to give college students the opportunity to serve as tutors under Washington’s work study program. Thanks to IJ’s victory, he can.

**We recently chalked up a big win in our anti-Blaine campaign, and we have good reason to believe it could be the harbinger of even bigger things to come.**

The new regulations will greatly expand employment options for students, especially in fields such as education, health care, and social services, in which religious employers play an important role.

That’s a huge boon for Washington’s work study students, and it may also be a sign of bigger things to come for educational choice.

In January, IJ went before the U.S. Supreme Court in our challenge to Montana’s reliance on its own Blaine Amendment to ban religious options from a K–12 school choice program. The case has the potential to resolve the Blaine issue once and for all. We’re confident that the Supreme Court, like Washington, will agree that when it comes to programs that empower parents to make choices concerning their children’s education, the Constitution demands government neutrality toward religion. ♦

Michael Bindas is an IJ senior attorney.



# Mothers and Babies <sup>and Those Who Help Them</sup> Deserve Their Day in Court



IJ Client Mary Jackson

## BY MARY JACKSON

Working as a certified lactation counselor has taken me to some interesting places, including hospitals, clinics, and medical schools all over the country. In January, my commitment to breastfeeding education and awareness took me somewhere entirely new: the Georgia Supreme Court.

I went with my colleagues at Reaching Our Sisters Everywhere (ROSE), a nonprofit organization that works to reduce breastfeeding disparities in communities of color. Together, we are fighting to overturn a state occupational licensing requirement that will put me and nearly 800 other lactation consultants out of business—while benefiting special interests.

When these political insiders initially proposed licensing lactation consultants, they invited me and other ROSE leaders to participate in the legislative process, but they went behind our backs and changed the bill's language in their favor after pretending to accept our input. The resulting law, passed in 2018, declares me unqualified to continue in my chosen occupation despite my nearly 30 years of experience.

Over the decades, I have taught breastfeeding principles to thousands of parents, nurses, doctors, medical students, and hospital administrators.

My credentials are solid. Yet Georgia regulators now insist that I pay for two years of coursework and complete more than 300 hours of supervised, unpaid clinical work to continue doing what I love.

The intent is to provide better care for young mothers and their infants. But the misguided requirements will have the opposite effect. Competent lactation counselors who cannot afford the new state license will get pushed aside. Some will change careers, while others will move underground—daring state officials to punish them for helping nursing mothers.

Lower-income families, especially in rural communities, will suffer the most. They already struggle with access to health care in a system that not only fails to teach and encourage breastfeeding, but often impedes it. The new Georgia law is just the latest example.

When the district court ruled against us in May 2019, we knew we had to continue the fight for our right to earn a living. Too many people depend on us.

Our clients include doctors, nurses, and medical students who come to us for training—but also new mothers who lack a voice in the political system. Some of these women just need affirmation. Others need one-on-one guidance in a safe environment.





When IJ client **Ash Patel** teamed up with IJ to fight Texas' requirement that eyebrow threaders get a license to work, he never thought that his name would become synonymous with one of IJ's most important economic liberty victories in our 29-year history.

## Transforming the Legal—and Regulatory—Landscape in Texas

One of the hallmarks of IJ's economic liberty litigation is our strategic vision. We win victories to build a rule of law that protects the right of everyone to earn an honest living free from unnecessary government interference. After securing wins in court, IJ of course builds on that precedent by filing new lawsuits. But winning in court also helps us advance economic liberty in other ways.

In Texas, IJ's strategic plan is playing out in real time after our landmark 2015 victory for economic liberty in the Texas Supreme Court. In that case, *Patel v. Texas Department of Licensing and Regulation*, Texas' high court struck down state licensing requirements for eyebrow threaders and announced that the Texas Constitution requires that courts provide meaningful scrutiny of economic regulations and determine whether they are unreasonably burdensome. The impact of IJ's *Patel* victory now extends to all three branches of the Texas government.

In the years following *Patel*, IJ worked in the Texas Legislature and with the Office of the Governor to help create structural change in the executive branch that would simplify and streamline licensing in Texas. Now, all proposed regulations from the state's 49 licensing boards must pass an independent review tasked with rooting out economic protectionism. IJ also worked on lowering regulatory burdens and eliminating criminal penalties from scores of occupational licensing laws. Referencing the *Patel* standard, Governor Abbott recently ordered all state agencies to review and overhaul their licensing requirements, adding instructions to trim regulatory barriers and education requirements.

This *Patel* ripple effect has had an immediate and transformative impact on entrepreneurs in the Lone Star State. It also demonstrates that IJ victories reach beyond the courtroom and change the way that politicians and regulators alike approach restrictions on productive enterprise. ♦

**The impact of IJ's *Patel* victory now extends to all three branches of the Texas government.**

One recent walk-in at the ROSE Baby Café in Atlanta hesitated to give her name. She was older than most first-time moms—probably in her mid-30s—and embarrassed about her inability to master something she expected to come naturally.

We later learned that she was a pediatric emergency room physician with years of medical school training. Yet she started parenthood with the same level of experience as everyone else: None.

Feelings of inadequacy, guilt, frustration, and even physical pain often result when women are left to figure out breastfeeding on their own. That is what attracted me to lactation counseling in the first place. I endured the challenges firsthand as a nursing mother who received little information and support, and I did not want anyone else to go through the journey alone.

That is why we partnered with IJ, and why we will not stop fighting. Georgia mothers and their babies—and those who support them—deserve their day in court. ♦

Mary Jackson is a certified lactation counselor and vice president of Reaching Our Sisters Everywhere. She also works as a lactation consultant at Grady Memorial Hospital in Atlanta.



**James King** is petitioning the U.S. Supreme Court to vindicate his rights and hold authorities accountable for detaining and beating him after wrongly identifying him as a fugitive.



**Immunity continued from page 10**

must also, and that includes following the Constitution. That means that officials acting with the vast power of government behind them must be held accountable for violating constitutionally protected rights.

When the Constitution was drafted and ratified, there was a rich history of judicial remedies against government officials who violated the law. Through the Project on Immunity and Accountability, IJ will foster a growing legal consensus that current doctrines shielding officers and officials from accountability—qualified immunity, prosecutorial immunity, the severe restriction on *Bivens* actions, and others—are inconsistent with this history and must be abandoned.

IJ has increasingly encountered immunity in our property rights cases, and we began to lay the groundwork for future challenges with amicus briefs, legal scholarship, and outreach to practitioners and journalists through our Short Circuit newsletter and podcast series.

Now, we are asking the U.S. Supreme Court to consider government accountability in two important cases:

one on behalf of Shaniz West (see page 11 for more information on her case) and one on behalf of James King, who was detained and beaten by officials who wrongly identified him as a crime

**Officials acting with the vast power of government behind them must be held accountable for violating constitutionally protected rights.**

suspect. He filed a lawsuit against them for violating his constitutional rights. However, because the officials were acting as part of a federal-state task force, an intermingling of state and federal authority allows the government to pick and choose what rules and protections apply, making it virtually impossible for James—or any individual who has been wronged—to get a lawsuit against the perpetrators to proceed. IJ’s petition asks the Supreme Court to hold that when the law creates a remedy for individuals seeking to vindicate their rights, that remedy must be enforced. The government can’t simply invoke

whatever protection suits its purposes to evade accountability.

Challenges to immunity face long odds. But IJ launches this project with a clearly defined mission and multiple cases that epitomize the problem and what we seek to accomplish. What’s more, we have the lessons of many past uphill fights behind us—from eminent domain abuse to civil forfeiture to occupational licensing—each of which we turned from dead letters in the law to issues garnering widespread interest and support for reform. We will use all the tools of public interest litigation to alter the course of the law on this issue as well.

As Alexander Hamilton noted, “a fondness for power is implanted in most men, and it is natural to abuse it when acquired.” Through this new project, IJ will ensure that when officials abuse their power and violate individual rights, citizens have a meaningful opportunity to take them to court and hold them accountable to the law and the Constitution. ♦

Scott Bullock is IJ’s president and general counsel.



# 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 and regulators, and the general public.

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



## The New York Times

**Montana Battle Over Aid For  
Religious Schools Reaches  
Supreme Court**

December 23, 2019



**Why City Hall Sees Your Home As  
ATM, Sweet ATM**

December 9, 2019

## Daily Mail

**Family Sues TSA After 79-Year-  
Old Man's \$82,000 Life Savings  
Were SEIZED At An Airport—But He  
Wasn't Charged With A Crime**

January 19, 2020

## Bloomberg Law

**Justices Unsure Of Constitutional  
'On-Off Switch' At U.S. Border**

November 12, 2019

## TULSA WORLD

**National Advocacy Group Asks City  
Councilors Not To Use Eminent Domain  
For Pearl District Detention Pond**

December 19, 2019

## NEW YORK POST

**Traffic Lights Could Change  
Worldwide Because Of This Man**

October 22, 2019

## courier-journal

**Lawsuit: Kentucky 'Certificate Of  
Need' Law Blocked Opening Of  
Louisville Health Care Firm**

December 4, 2019

## reason

FREE MINDS AND FREE MARKETS

**Contempt For Renters Leads To  
Second-Class Search And Seizure  
Protections**

January 13, 2020

Mississippi tried to ban us from describing our products using the terms that consumers understand.

The survival of our business depends on our right to speak.

We fought for our First Amendment rights.

And we won.

*We are IJ.*

