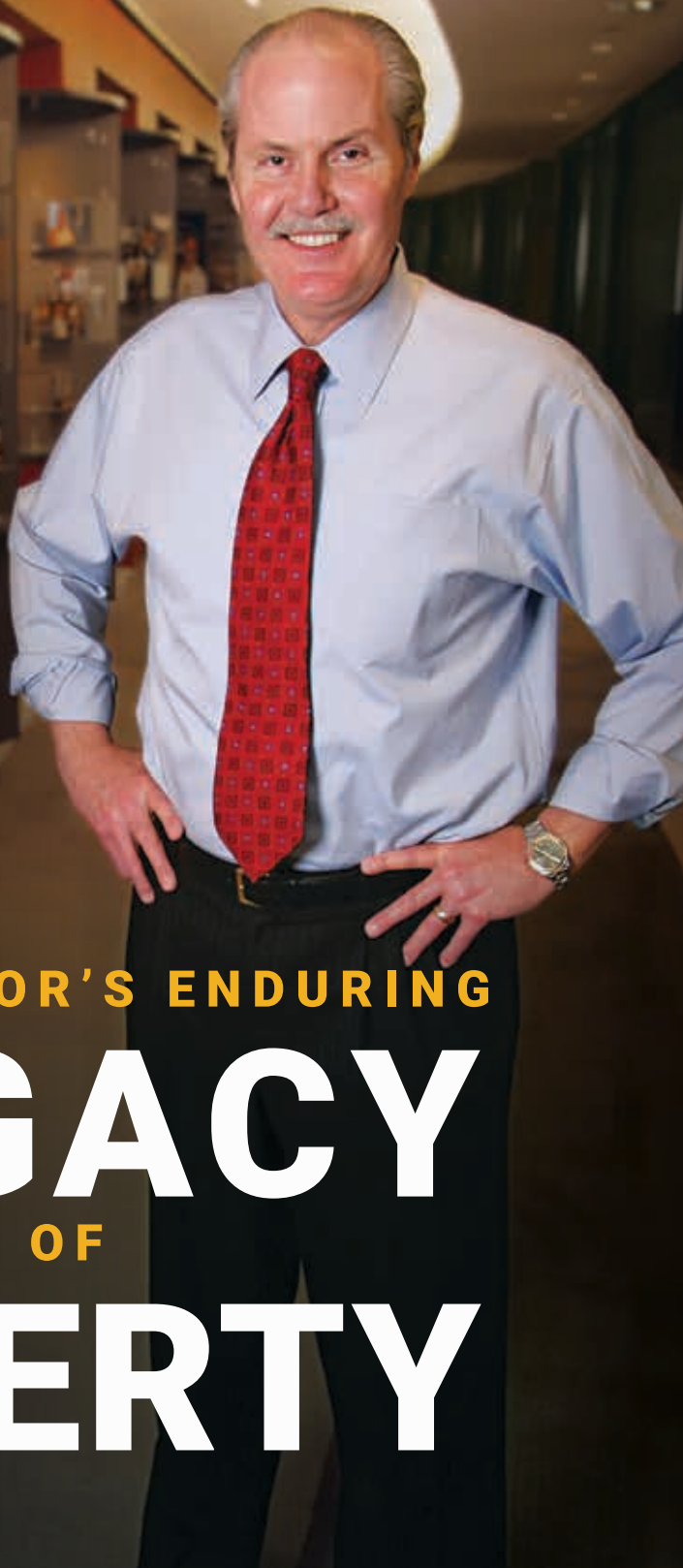




**LIBERTY & LAW**

December 2024  
Volume 33 Issue 6



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LEGACY  
OF  
LIBERTY**

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PUBLISHED BIMONTHLY BY  
THE INSTITUTE FOR JUSTICE

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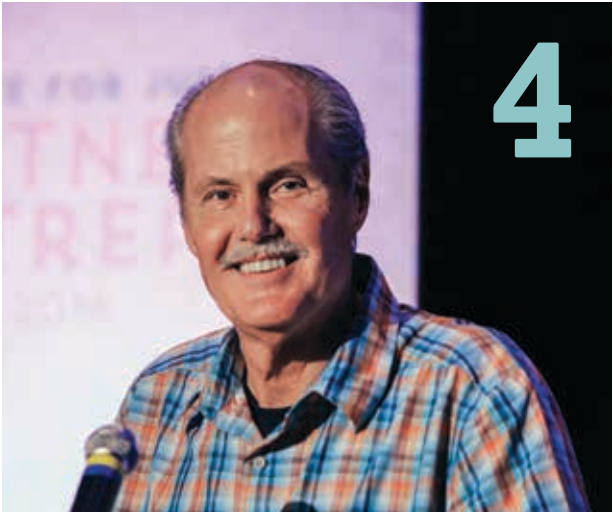
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**Fiscal Year Annual Report Insert**



## LIBERTY & LAW

December 2024 • Volume 33 Issue 6

### 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 illustrates and extends the benefits of freedom to those whose full enjoyment of liberty is denied by government.

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## CHIP MELLOR'S ENDURING

# Legacy of Liberty

BY SCOTT G. BULLOCK

In October, as this issue of *Liberty & Law* began production, the Institute for Justice lost its remarkable founder and board chairman, Chip Mellor. Chip co-founded IJ in 1991 as a new kind of civil liberties law firm that would protect the constitutional rights of ordinary Americans. He passed away surrounded by family at age 73 at the home he loved in Moab, Utah, after a struggle with leukemia.

I met Chip before I had even passed the bar, when he interviewed me for an attorney position at the soon-to-be-launched Institute for Justice. Chip had the vision to see the potential in both ideas and people. He hired me, an unproven 24-year-old at a then-unproven public interest law firm. As you know, in 2016, I had the honor of succeeding Chip as president of IJ, while Chip became chairman of our board. In that role, he continued to nurture IJ. He marveled at our growth, supported us when we faced setbacks, and cheered on our string of successes for the rest of his life.

Chip had the rare trait, especially around the Washington D.C. beltway, of always thinking about building an institution rather than merely promoting oneself. As a result, the institution he founded has grown from the tiniest of places at the beginning (I know, I was there!) to a truly powerful force

for good throughout the nation. I am heartened that Chip passed knowing that IJ will remain that force advancing freedom and justice—never partisanship nor politicians—for decades to come.

In future issues of this publication and in other IJ forums, we will further document Chip's enduring legacy at IJ and how we continue to build upon his vision. But, for now, I want to pass along just a few words about Chip's character. He was undoubtedly a man of Western-style grit and integrity—and great heart and compassion. I, like so many others still at IJ and beyond, made my career under his mentorship. We worked alongside Chip and grew not only to deeply respect him but also to love him and the values for which he stood. After his passing, I heard from person after person—IJers and ex-IJers, clients, donors, allies—about the

enormous impact and influence Chip had on their lives and how they look at the world.

Chip was a devoted husband to his wife, Alison, and father to their children, Mitch and Sarah. He was dedicated without reservation to the principles of liberty upon which IJ was founded. Chip was an institution builder with undeniable love and sentiment inside.

Shortly before Chip's passing, Bob Levy—who served on IJ's board of directors for 25 years and co-authored a book with him—sent Chip a letter. In it, he wrote: "We've had some terrific times together—both business and personal. There's no one I hold in higher esteem and no one I'm more privileged to have known." Many people throughout the land feel exactly the same way, Bob. ♦

I am heartened that Chip passed knowing that IJ will remain that force advancing freedom and justice—never partisanship nor politicians—for decades to come.

Scott G. Bullock is IJ's president and chief counsel.





IJ's co-founder **Chip Mellor** brought passion, integrity, and grit to everything he did. His legacy will live on for generations to come.



IJ Clinic staff with the contestants and judges of our 11th Annual South Side Pitch, which saw estate planning startup InHeirit take first place.

# ENTREPRENEURS GET CHICAGO'S SOUTH SIDE ON TRACK

BY ALEKSEI KAMINSKI, BETH KREGOR,  
AND CATHERINE GRYZCAN



IJ Clinic staff **Beth Kregor** (left) and **Cathy Gryczan** (right) joined clients **Connie Anderson** and **Clifton Muhammad** (center) of The Record Track at a ribbon-cutting ceremony to celebrate their revitalized vinyl record store and “third space” for music.

The IJ Clinic, based at the University of Chicago Law School, empowers Chicago's low-income entrepreneurs through free legal services, resources, and advocacy.

In October, we hosted our 11th Annual South Side Pitch, a *Shark Tank*-style competition to celebrate entrepreneurship on the South Side of Chicago. Nearly 100 budding small businesses applied to participate. The five finalists met with experienced business coaches to prepare and sharpen their pitches before presenting them on stage in front of a live audience.

Each finalist won a cash prize awarded by four esteemed judges: Amor Montes de Oca, strategic initiatives program manager at mHUB; Terrence Johnson, executive director of Greenwood Archer Capital; Britney Robbins, social entrepreneur and founder and CEO of The Gray Matter Experience; and Richard Jones, senior manager in airport operations and supplier performance with United Airlines.

A tech startup called InHeirit took first place. Founders Astin Hayes, Amanda Moutrage, and Rendel Solomon aim to use thoughtful innovation to dispel common myths, disrupt the traditional legal pricing model, and ease uncertainties in estate planning. The company plans to use its winnings to complete development and bring the first iteration of their platform to the community.

Finalist 7323 Chicago Café, operating from a repurposed shipping container in a city park, won both the Community Favorite Award (by audience vote) and the Social Impact Award from the University of Chicago Rustandy Center for Social Sector Innovation.

Clifton Muhammad and Connie Anderson of The Record Track were there to cheer on their fellow entrepreneurs. As 2022 South Side Pitch finalists, they presented a vision to shore up and modernize an outdated vinyl record storefront they inherited to create

a reimagined "third space" for youth and the community to experience music. They joined the IJ Clinic as a client following the competition.

In the two years since their pitch, they completed building renovations after the IJ Clinic helped them secure financing, obtain city building permits, pass inspections, and navigate a complicated grant reimbursement process with numerous seemingly insurmountable hurdles. We celebrated their progress at a ribbon cutting ceremony this fall.

Next, they will be outfitting the new space with donated musical instruments and novel interactive video stations. They hope to welcome customers in the coming months.

And they're just getting started. Against the odds, on a block with many vacant lots and empty storefronts, The Record Track is on track to purchase from the city seven vacant lots next door. They envision a beautiful garden gathering space with an area for small-scale music performances to boost their business and enliven the community.

Cliff and Connie learned from dedicated coaches during South Side Pitch how to convey their story and vision in an impactful way. With that experience as a springboard, they are now making their vision a reality.

We look forward to seeing how this year's finalists manifest their dreams of entrepreneurship to reinvigorate the South Side community! ♦

Aleksei Kaminski, Beth Kregor, and Catherine Gryczan are staff at IJ's Clinic on Entrepreneurship at the University of Chicago.



**South Side Pitch is an opportunity for small business owners to be seen, be heard, and be supported by the community and beyond. For InHeirit, this win validates our mission to mitigate taboos around death planning, and it confirms we're on the right path. For me personally, this recognition fills my heart with gratitude.**

**—Amanda Moutrage,  
InHeirit CEO and Co-Founder**

# IJ FIGHTS PROTECTIONIST ZONING ABUSE IN SOUTH FULTON, GEORGIA

BY RENÉE FLAHERTY

Awa Diagne lived the American Dream for nearly 30 years. She moved here from Senegal in 1992, raised six children, and became a U.S. citizen in 2002. Like many entrepreneurial immigrants, she supported her family by braiding hair in downtown Atlanta.

Then in 2021, tragedy struck when her husband passed away from COVID-19. Awa and her family had just moved to the Atlanta suburb of South Fulton so that her twin daughters could attend the excellent local schools. But without Awa's husband, the logistics of her long commute downtown and getting her daughters to and from school became impossible. She had to move her braiding shop to South Fulton.

Thankfully, Awa found the perfect storefront near her home and the school. She worked with the city, signed a lease, and spent several thousand dollars on renovations. She applied for the necessary special use permit, and both the city's zoning staff and the planning commission recommended that she be approved.

The South Fulton City Council, however, had other plans. Despite overwhelming community support for Awa, the owner of a hair salon in the same shopping center complained that she didn't want to have to compete with Awa. So, at the hearing, the council spent its time focusing on the dangers of competition and denied Awa's permit.

At one point, a councilwoman said that "it is not fair for small businesses to have to compete with someone right next door to them" and that the council should deny Awa because "we don't want any business to suffer any losses due to an oversaturation." One councilwoman even suggested that Awa should work with the city's

"planner" to find another location out of town where she wasn't "competing against anyone" and nobody was competing against her. After these speeches, the council rejected Awa's application.

Without a special use permit, Awa cannot open her braiding shop. Her situation received some news coverage, and several friends of IJ reached out to us. That's because anyone familiar with IJ's work knows that we've defended the rights of natural hair braiders to earn an honest living since our founding. And as we announced in the August issue of this magazine, IJ launched our Zoning Justice Project to protect property owners from outrageous zoning abuse like South Fulton's.

Even more fortunately for Awa, the Georgia Supreme Court held just last year in an IJ case that protecting one business from competition by another is not a legitimate reason for the government to interfere with the right to earn a living. The court struck down the state's onerous license for lactation consultants, and in doing so made clear that the right to earn a living is treated seriously under the Georgia Constitution. IJ and Awa are poised to extend that victory.

Awa refuses to give up on her American Dream. After all, South Fulton did exactly what the state Supreme Court said that government cannot do. It's time to remind them. ♦

Renée Flaherty is an IJ senior attorney.





**Despite overwhelming community support for Awa, the owner of a hair salon in the same shopping center complained that she didn't want to have to compete with Awa.**



**Watch the case video!**

[iam.ij.org/SouthFulton](http://iam.ij.org/SouthFulton)

With IJ's help, Georgia hair braider **Awa Diagne** is fighting back after the South Fulton City Council denied her a special use permit because her braiding salon might provide too much competition.



IJ is finishing 2024 with so many new cases, it's our biggest and busiest year yet! Take a look at some of our newest clients (left to right): **Awa Diagne, Tonya Horn, and Daniel Horowitz.**

# IJ LAUNCHES INTO 2025

## BY ROBERT MCNAMARA

A quick skim of this issue of *Liberty & Law* makes clear that IJ finished off 2024 on a hot streak. We won. A lot. And when we win a lot of cases like that, it brings up an obvious question: “What’s next?”

What’s next is even more. In the few months since the last issue of this magazine, we haven’t just won cases. We’ve filed 10 more—so many that we can’t possibly devote an article to each one of them. You’ll see more about these new cases in the coming months. But, for now, here’s a preview.

In this issue, you’ve already read about Awa Diagne, the Georgia hair braider whose town refused to let her open her business because it might compete with an existing salon the city council liked better. And, in 2025, you’ll hear about how the city council in Kalispell, Montana, arbitrarily stripped a nonprofit homeless shelter of its property—stymieing a private solution to a public need. And, if all goes according to plan, you’ll hear how IJ stopped both cities in their tracks.

There’s more. You’ll read about our new First Amendment lawsuit designed to vindicate the rights of civil rights attorneys to publicly criticize

the government. (That one, admittedly, strikes close to home for us.) And also about a Georgia town where local officials can destroy your home if it’s a “nuisance”—and where a “nuisance” is anything the mayor says it is.

You’ll read about cases that expand on long-running IJ campaigns to change the law. Our efforts to roll back laws that make it harder for people with long-ago criminal convictions to get occupational licenses have led to a new challenge to onerous licensing restrictions in Texas. Our efforts to stop local elected officials from arresting people who criticize them prompted our latest suit against Alabama officials who engineered the arrest of four people—including a local reporter—who spoke out against a favored government employee.

And we’re not done. (If you know anything about IJ at this point, it’s that we’re never done.) Take the California county where housing costs are among the highest in the nation and local officials fined our clients exorbitant amounts for the crime of letting a long-term employee’s family live on their property. IJ was there to file suit. Or take the Pennsylvania state agency that





Among IJ's recent case launches are challenges to the bulldozing of **Eric Arnold's** house without warning or compensation (left), warrantless surveillance of **Tim Thomas' home** (bottom insert), and the mistaken identity arrest of **Jennifer Heath Box** (bottom).

**In the few months since the last issue of this magazine, we haven't just won cases. We've filed 10 more.**

claims the power to go anywhere on private property to investigate illegal fishing—even if “anywhere” is outside the bathroom window while your wife takes a bath. IJ was ready there, too. Local officials who arrested a woman on a warrant issued for another person—who has a different name and is a good 20 years younger—and then didn't bother checking whether they had the right person for the next three days while the woman languished in jail? You get the picture.

In 2025, we'll bring you updates on each of these cases, and we'll file still more. Because when the government abuses its power, IJ stands ready to fight back. And we can't wait to tell you what happens next. ♦

Robert McNamara is IJ's deputy litigation director.



# THE AFTERSHOCKS OF IJ'S SUPREME COURT WIN AGAINST GOVERNMENT RETALIATION

BY ANYA BIDWELL

Some U.S. Supreme Court victories—including the two featured on recent covers of this magazine—come with fanfare after months of exhaustive briefing and oral argument prep followed by many more months of agonized waiting.

Others come quietly, announced with a few lines in an order list. The Court doesn't write an opinion. There is no oral argument or rigorous briefing schedule for sleep-deprived lawyers to explain their positions in excruciating detail. Instead, the Court says three words: Granted, Vacated, Remanded. With this "GVR," it announces that the challenged decision is wrong and orders the lower court to start over.

This is exactly what happened in one of IJ's cases during the first day of this Supreme Court term. Fresh from summer recess, the Court **granted** IJ's petition for certiorari in *Murphy v. Schmitt*; **vacated** the 8th Circuit's ruling barring a claim for retaliatory arrest; and **remanded** the case back to the 8th Circuit to reconsider it in light of the Court's decision in another IJ case, *Gonzalez v. Trevino*.

As you read in August, our previous victory means Sylvia Gonzalez will have a chance to hold her tormentors accountable. Now, with three simple words, Mason Murphy also gets another shot at his lawsuit.

Mason's lawsuit began three years ago, when he was minding his own business, walking on the shoulder of a rural Missouri road. A police officer, Michael Schmitt, stopped Mason and ordered that he identify himself. Mason calmly declined, explaining that he was doing nothing wrong and therefore was not required to disclose his name. Nine minutes into the encounter, Schmitt handcuffed Mason and took him to jail.

At the jail, Schmitt struggled to come up with a crime to justify Mason's arrest. Bodycam footage shows Schmitt complaining that Mason "ran his mouth off" and asking a colleague to help him think of a charge.

"What can I give him?" Schmitt asks.

"I don't know," the colleague responds, "That's gonna be a tricky one."

Ultimately, Mason spent two hours in jail before Schmitt released him, without a charge.

Armed with the bodycam footage, Mason sued Schmitt for a pretextual arrest. As the video showed, Schmitt was upset with Mason for refusing to identify himself (that's speech protected by the First Amendment) and punished him by throwing him in jail. But the 8th Circuit threw out Mason's lawsuit. Like the 5th Circuit in Sylvia's case, it held that because there was technically probable cause for the arrest (Missouri law criminalizes walking on the wrong



side of a road), Mason couldn't sue, no matter how compelling the evidence of pretext.

Fortunately for Mason, by the time his petition got to the Justices, this was no longer the law. In *Gonzalez*, the Supreme Court made it clear that First Amendment violations cannot be so easily laundered through probable cause. When a plaintiff can show that their arrest was unusual—as Sylvia and Mason both did—it indicates that the arrest might be pretextual and entitles the plaintiff to their day in court.

Mason was not the only one to benefit from the new precedent. The following week, the Supreme Court GVRed *Villarreal v. Alaniz*—a case litigated by our friends at FIRE and in which IJ submitted an amicus brief—“in light of *Gonzalez v. Trevino*.”

All in all, GVRs are a rare but significant reaffirmation of how the law has been transformed by IJ. Barely four months after Sylvia's victory, her case has already resonated far and wide, helping others in their quest for justice. ♦

Anya Bidwell is an IJ senior attorney and co-leader of IJ's Project on Immunity and Accountability.



## Bodycam footage shows Schmitt complaining that Mason “ran his mouth off” and asking a colleague to help him think of a charge.

“What can I give him?”  
Schmitt asks.

“I don't know,”  
the colleague responds,  
“That's gonna be  
a tricky one.”

# VIRTUAL VETERINARIAN VICTORIOUS

## IJ'S OLDEST CASE SUCCEEDS AFTER 12 YEARS

BY ANDREW WARD

For Texas veterinarian Dr. Ron Hines, March 19, 2012, was a normal day. As usual, he'd been answering emails, giving advice about how to help pets, strays, and even wild animals. Disabled and getting older, Ron could no longer physically practice, but the miracle of the internet meant not just that he could spend his retirement doing what he loved but also that animal lovers around the world could benefit from his expertise.

That normal day then became decidedly abnormal when the Texas veterinary board told Ron he wasn't allowed to email about specific animals. The state saw him as practicing veterinary medicine, and, in Texas, that's illegal without physically examining the animal first. Ron couldn't even *talk* about how to help an animal, even if it was on the other side of the planet—and even if the alternative was no help at all.

Enter IJ. We sued, arguing that it didn't matter if Texas saw Ron's speech as the practice of a profession. People wanted to hear what Ron had to say, and he had a First Amendment right to say it.

What happened next was a roller-coaster ride up and down (and up and down and up and down) every level of the federal court system. Ultimately, we lost the first case in 2015. But after the U.S. Supreme Court made clear in 2018 that there is no "professional speech" exception to the First Amendment, we jumped right back in the saddle to represent Dr. Hines again.

Across the two cases, we've battled through *ten* judicial rulings asking whether

advice is speech. We've gone to the appeals court three times. We've sorted through emails about a dog in India, a cat in Scotland, and a pigeon in Iran. At one point, we even discovered that the state's own expert witness has a call-in radio show where she gives veterinary advice about animals that she hasn't examined in person.

Through it all, we've kept going. And this September, the 5th Circuit finally got things right, ruling that Ron's advice is speech that Texas can't censor. That's good news for animals (and animal lovers) around the world, and it's important precedent for everyone who wants to communicate useful information—including people who speak for a living.

On a personal note, this case reminds me just how lucky I am to be working at a public interest firm whose donors support it for the long haul. Doing some of the early research for Ron's case was one of my assignments when I was an IJ law clerk during law school,

just over a dozen years ago. When I started full time at IJ in 2018, Ron was one of my first clients. By the third appeal earlier this year, I was standing in front of three federal judges and arguing the case myself. I've grown up as a lawyer alongside it.

And now, after a long time coming, we have finally won. So here's to Ron, here's

to IJ, and here's to keeping free speech free for the next dozen years (and beyond)! ♦

**The 5th Circuit ruling is good news for animals (and animal lovers) around the world, and it's important precedent for everyone who wants to communicate useful information—including people who speak for a living.**

Andrew Ward is an IJ attorney.





Retired veterinarian **Dr. Ron Hines** is now free to give advice to pet owners in Texas and around the world, thanks to an IJ appeals court victory more than a decade in the making.



# VICTORY!

## After Gold Coins And Cash “Go Missing,” IJ Finds Accountability For The FBI

BY JOE GAY

When the FBI lost Don Mellein’s gold coins and Jeni Pearsons’ and Michael Storc’s cash after illegally searching their safe-deposit boxes, it thought it could dodge accountability forever. But not on IJ’s watch. After a federal judge rejected the FBI’s arguments that it can lose people’s property with impunity, the FBI agreed to compensate Don, Jeni, and Michael for every cent that went missing from their boxes.

This is IJ’s latest victory involving the FBI’s outrageous raid at U.S. Private Vaults (USPV) in Southern California. In another IJ case, the 9th Circuit held that the FBI violated the Fourth Amendment when it broke into hundreds of

individual safe-deposit boxes belonging to innocent USPV customers. A separate challenge to the FBI’s attempts to administratively forfeit the valuables it pilfered is ongoing.

Meanwhile, numerous reports have surfaced about valuables going missing during the FBI’s slapdash search at USPV. For Jeni and Michael, \$2,000 disappeared by the time the government stopped trying to forfeit their box. For Don, a retired civil servant who secured part of his retirement savings in his box, 110 gold coins vanished. The FBI eventually found some of them, but 63 were still gone. What could Don, Jeni, and Michael do about their missing valuables?



When the FBI illegally searched and seized the contents of hundreds of safe-deposit boxes, it took and then lost dozens of gold coins belonging to IJ client **Don Mellein**. Thanks to IJ, the FBI has compensated Don.



**Ordinarily, if someone loses or steals your property, they're on the hook for it. But the FBI believed that it didn't have to play by the normal rules.**

Ordinarily, if someone loses or steals your property, they're on the hook for it. But the FBI believed that it didn't have to play by the normal rules. So Don, Jeni, and Michael teamed up with IJ to hold the FBI accountable for losing their belongings.

The government deployed a patchwork of immunities and statutory loopholes to try to escape responsibility. In one filing, it said you can't sue individual FBI agents for losing your property, insisting you have to sue the government directly. In a second filing a few minutes later, it said you can't sue the government directly, because it's immune from those types of claims. Heads, the government wins; tails, ordinary Americans lose.

The federal district court refused to play the government's constitutional shell game. At bottom, it held that if the FBI takes someone's property, it needs a good reason for not giving it back. And losing stuff? That's not a good enough reason.

As the FBI was forced to finally reveal what it did with the property from USPV, its jaw-dropping carelessness became increasingly clear. The FBI didn't even realize it had Don's gold coins—worth hundreds of thousands of dollars—for months. At one point, the coins sat outside in a parking lot. Later, they sat in a general evidence locker instead of the secure vault for valuables. As the troubling details mounted, the FBI decided to throw in the towel.

By fighting back and winning, Don, Jeni, and Michael blazed several trails for vindicating our rights against federal law enforcement. IJ will continue that fight until it's beyond dispute that every American has a remedy when government agents lose or steal their property. ♦

Joe Gay is an IJ attorney.



IJ client **Jeni Pearson** will also be made whole after the FBI failed to return \$2,000 belonging to her. IJ's win for Jeni, Don, and others helps ensure Americans have a remedy when government agents lose or steal their property.

# A SIGN IS NOT A CRIME



## IJ Wins For Low-Cost Commercial Speech

BY BOBBI TAYLOR

Victories at IJ don't always come in the form of a court decision. Sometimes, our lawsuits prompt local governments—on their own—to recognize unconstitutional laws for what they are. Earlier this year, IJ sued Nazareth, Pennsylvania, after retired schoolteacher Will Cramer was charged with a crime for putting a “for sale” sign on his truck. Because we sued, Nazareth changed the law.

Nazareth's prior ordinance prohibited parking a vehicle “for the purpose of selling” it. When a local police officer saw the sign on Will's truck last year, he didn't inquire about Will's motives—the sign itself was enough to issue a ticket. If Will's sign had said anything other than “for sale,” or advertised anything other than his truck, he'd be fine. He'd also be fine if the sign had said “for sale,” but the truck had been *moving* instead of parked.

In other words, the law effectively banned car-for-sale signs in Nazareth. That wasn't just absurd; it was unconstitutional.

The First Amendment protects all forms of speech, including the right to put a “for sale” sign on your truck. Governments can't allow certain messages while criminalizing others. And if a town wants to ban certain types of speech, it needs to show concrete evidence of actual harm. But there's no harm in using traditional signs to sell your car.

So Will teamed up with IJ and asked a court to agree that advertising “car for sale” shouldn't make you a criminal. The challenged law had been in place since 1991, and no one in the town of Nazareth even knew why. So instead of attempting to defend its constitutionality, Nazareth worked with IJ to enact a new ordinance that specifically allows car-for-sale signs and only bans conduct that causes actual harm, like greasing or repairing vehicles on public roads.

Every American has the right to engage in low-cost, traditional, and effective forms of speech like using a sign. IJ will continue to fight unconstitutional bans on ordinary and harmless commercial speech, whether we win in court or prompt the government to finally do the right thing. ♦

Bobbi Taylor is an IJ attorney.



**Will Cramer** and other residents of Nazareth, Pennsylvania, can sell their cars through the time-honored tradition of putting a “for sale” sign in the window, now that the town has legalized this low-cost form of commercial speech following an IJ lawsuit.



## Newsweek

### Woman Sues After Mistaken Arrest Leads To 'Degrading' Christmas Jailing

By Rachel Dobkin | September 19, 2024

Harris County accidentally put Box's photo on the warrant for the wanted woman, but Box's middle and last name were different from the ones on the warrant, and there were multiple physical discrepancies. Box was 23 years older and 5 inches taller than the suspect, and she had a different eye color, hair, and skin tone.

"I've never done anything to where I would find myself on the other side of bars," Box said at a press conference on Thursday. "It was really difficult for me because I had to call my kids and tell them that I wasn't going to be there" for Christmas.

*To continue reading, scan the QR code above or visit [iam.ij.org/december-2024-headlines](http://iam.ij.org/december-2024-headlines).*

## THE TENNESSEAN

A GANNETT COMPANY

### Nashville Attorney Fights Court Gag Order For CoreCivic Social Media Posts Around Lawsuits

October 1, 2024

## The New York Times

### An 'Utterly Bonkers' Miscarriage Of Justice In Texas

September 26, 2024

## ars TECHNICA

### Lawsuit: City Cameras Make It Impossible To Drive Anywhere Without Being Tracked

October 22, 2024

## IN MEMORY OF CHIP MELLOR, IJ'S CO-FOUNDER AND FORMER PRESIDENT

## THE WALL STREET JOURNAL.

William H. Mellor, 1950-2024  
October 14, 2024



SPN Reflects On Chip Mellor:  
A Visionary Leader And  
Champion Of Liberty  
October 14, 2024



Chip Mellor's Legacy Promotes A  
Broader Concept Of Civil Liberties  
October 16, 2024

## POWERLINE

William "Chip" Mellor, RIP  
October 15, 2024

## MOAB SUN NEWS

In Memory Of William "Chip" Mellor III  
October 16, 2024

# Peppermint Biscotti

Yield: 3 dozen biscotti

← Recipe from *Farmstead Chef* by IJ Client  
Lisa Kivirist & co-author John Ivanko

## Ingredients:

$\frac{3}{4}$  c. butter, softened (1  $\frac{1}{2}$  sticks)  
 $\frac{3}{4}$  c. sugar  
3 eggs

2 t. peppermint extract  
 $3\frac{1}{4}$  c. all-purpose flour  
1 t. baking powder  
 $\frac{1}{4}$  t. salt  
 $1\frac{1}{2}$  c. crushed peppermint candy, divided  
White chocolate bark for frosting.

## Directions:

- \* In a large mixing bowl, cream butter and sugar.
- \* Add eggs, one at a time, beating well after each addition. Beat in extract.
- \* Separately, mix flour, baking powder, and salt. Stir in 1 c. peppermint candy.
- \* Gradually add flour/candy mixture to creamed mixture, beating until blended (dough will be stiff).
- \* Divide dough in half. On ungreased baking sheets, roll each portion into a 12 x 2  $\frac{1}{2}$  inch rectangle.
- \* Bake at 350 degrees for 25-30 minutes or until golden brown. Carefully remove to wire rack. Cool 15 minutes. On cutting board, cut diagonally into  $\frac{1}{2}$  inch slices.
- \* Place cut side down on ungreased baking sheets. Bake 12-15 minutes until firm.
- \* For frosting, melt chocolate. Dip one end in chocolate and roll in the remaining candy. Cool on wax paper.



One winter we realized we had accumulated a big plastic bag filled with various candy canes and peppermint candies. We hate to throw things out — yet we realized we'd never eat the candies. So we developed this "re-purposing" recipe to transform those candy canes and mints into something new and improved. We now have a holiday cookie tradition where friends collect and send us their leftover candy canes to transform into these cookies.

# IJ ANNUAL REPORT FISCAL YEAR '24

(JULY 1, 2023 – JUNE 30, 2024)

Dear *Liberty & Law* reader,

IJ does not often publish annual reports like this one. Transforming the law in favor of individual freedom is an unpredictable and long-term endeavor; a single case on behalf of a sole client can take nearly a decade to litigate, yet a victory can potentially safeguard the rights of every American. It comes as no surprise, then, that yearly numbers aren't always the best way to capture true impact—nor do they fully represent how we at IJ measure our success. But as you read about some heroic clients and heartwarming triumphs in this final issue of 2024, I thought you might also appreciate some behind-the-scenes data to give context to the stories you're used to reading in this magazine.

The figures you'll see here represent our most recent fiscal year, which ran from July 1, 2023, through June 30, 2024. This is just a snapshot of IJ as we take on ever greater challenges. Indeed, it only represents half of the current calendar year—our biggest and busiest year yet, with two U.S. Supreme Court victories and a docket that is on track to exceed 110 active lawsuits in state and federal courts throughout the nation by the time this publication arrives in your mailbox.

Since 2020, our caseload has grown by an astonishing 85%, our staff has grown by 41%, and we've launched three initiatives—the Project on Immunity and Accountability, the Project on the 4th Amendment, and the Zoning Justice Project—that bring our unique legal strategy to burgeoning areas consistent with our mission. And we aren't slowing down. Across America, governments at all levels continue to violate our most cherished constitutional rights. So long as there is a need for our work, IJ will strive to meet that need.

One number you will not see in this report is the number of clients we represented. In 2024, IJ represented 233 clients directly—from mechanics to homeless shelters—always at no cost to them. However, we also represented thousands more through 12 class-action lawsuits. Every one of these cases was chosen to protect not only our clients, but countless others like them.

We at IJ are deeply grateful for the generosity and compassion of our supporters and for the courage of our clients. Without you, none of these achievements would be possible. Thank you.

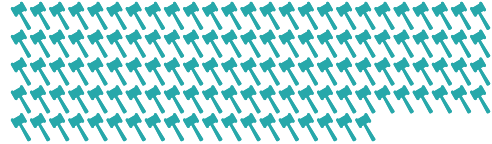
Scott Bullock  
President and Chief Counsel

# IJ BY THE NUMBERS

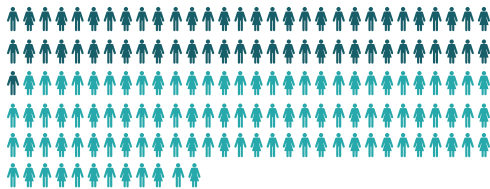
IJ launched **30 cases.**



We litigated a total of **119 cases.**



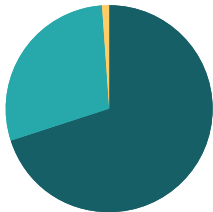
IJ employed **162 total staff.**  
Of those, **61 were attorneys.**



We partnered with **42 members of IJ's Human Action Network**



(folks we trained as students who went on to private practice or other nonprofits) who helped IJ in some capacity—serving as local counsel, drafting amicus briefs, etc.

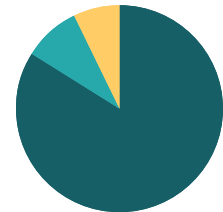


IJ received support from a total of **9,710 donors.**

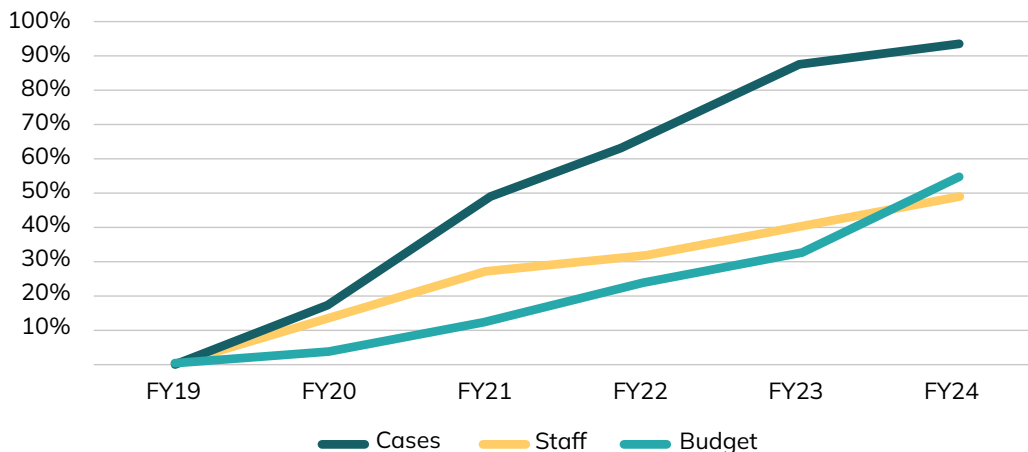
87% individuals,  
12% foundations,  
1% businesses

Our budget was **\$43,487,898.**

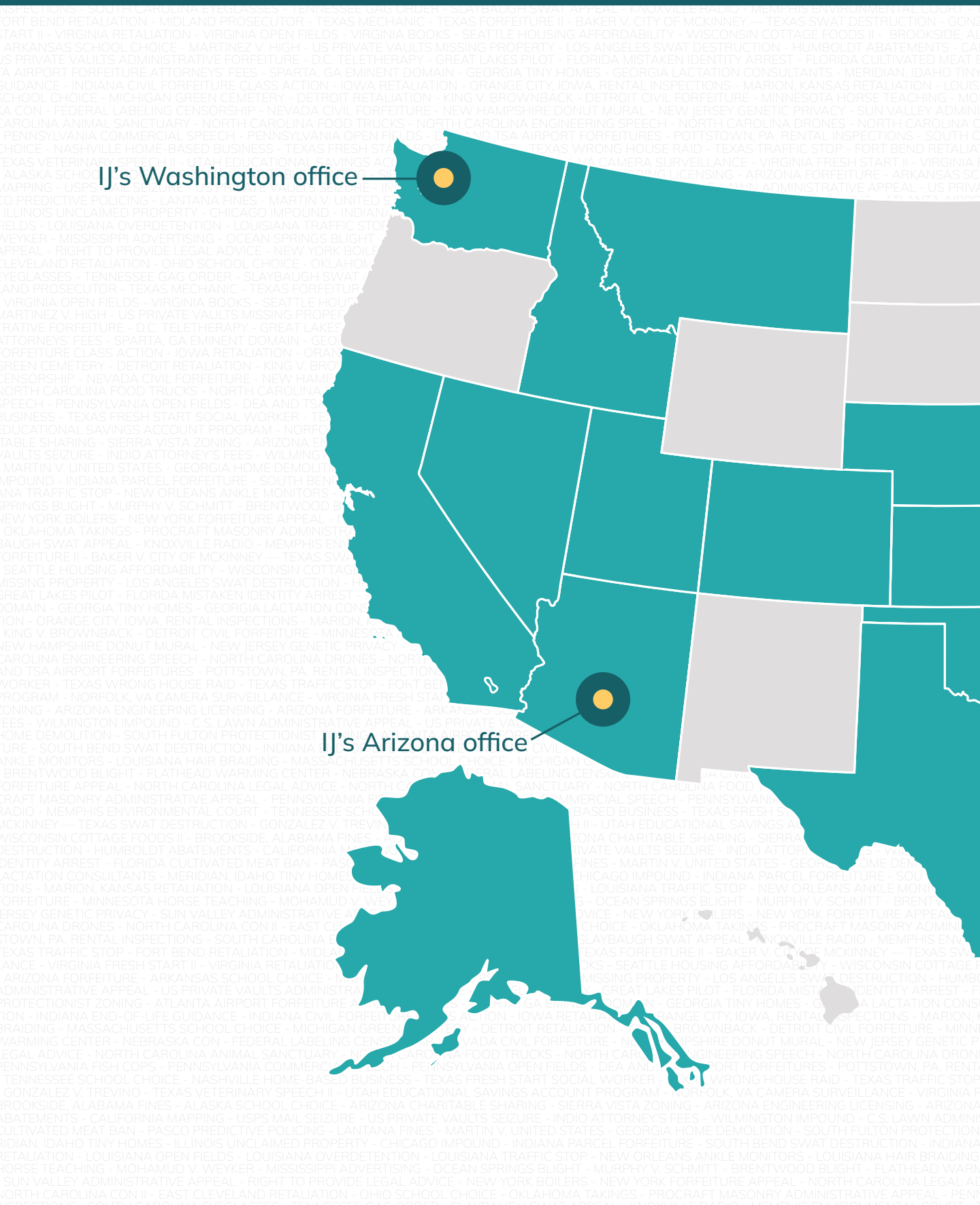
84% programs,  
9% administration,  
7% fundraising



## Here's how we've grown since 2019:



# WHERE IS IJ ACTIVE?



IJ's Washington office

IJ's Arizona office





**PENDING IJ CASE**



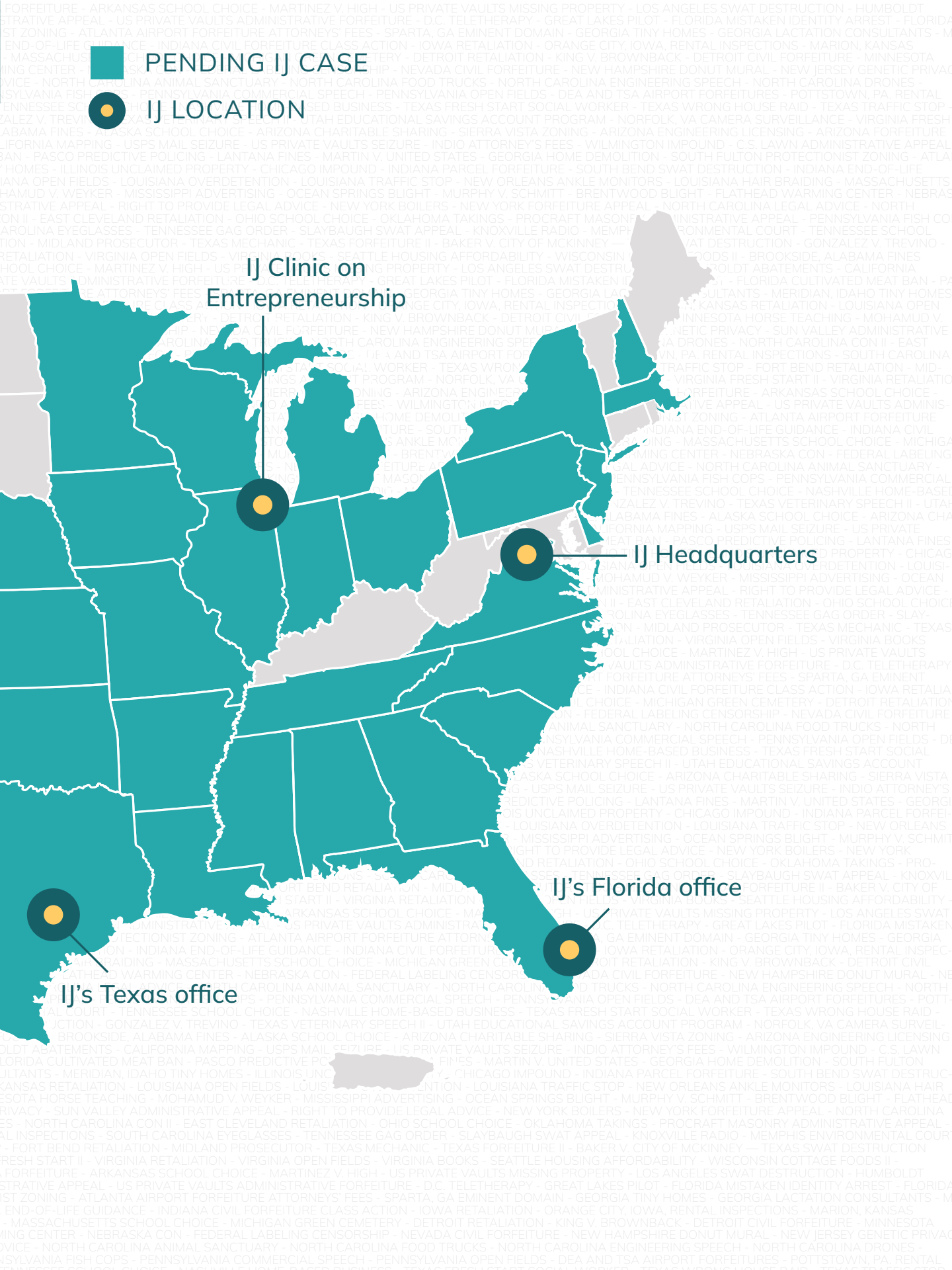
**IJ LOCATION**

**IJ Clinic on  
Entrepreneurship**

**IJ Headquarters**

**IJ's Florida office**

**IJ's Texas office**



# REAL WORLD RESULTS

In FY24, IJ secured **25 victories** through litigation in cases filed in state or federal courts—including **2** at the U.S. Supreme Court, **6** at federal appellate courts, and **2** at state supreme courts.

Because victories in court are a long-term endeavor, we bring to bear all the tools of public interest litigation to advocate for incremental change.

This success generates momentum in every area we litigate as we work toward ultimate victory at the highest courts in the nation. In addition to litigation victories, IJ spurred more than 40 mission-supporting wins through legislation, grassroots activism, amicus briefs, and “litigation by letterhead.”

## In FY24, IJ...



Helped create or expand educational choice programs in **10 states**



Reduced regulations in **15 industries**



Removed barriers for small businesses in **6 states**



Secured the return of **\$50,240** in cash and other property to its rightful owners



Saved **6,000 acres** of farmland from eminent domain

# IJ'S INFLUENCE

## Notable strategic research cites

In May 2024, IJ research earned **2 citations** by the U.S. Supreme Court in *Culley v. Marshall* (doubling the all-time count of IJ research in the Justices' writings). Unfortunately, the Court declined the opportunity to guarantee property owners prompt preliminary hearings after their property is seized. But in a concurrence, Justices Gorsuch and Thomas argued that modern civil forfeiture has departed from its historical roots to such a degree that it raises many other due process concerns. In doing so, they relied on data and legal analysis from IJ's third edition of *Policing for Profit*. They also pointed to our *Fighting Crime or Raising Revenue?* as evidence of forfeiture's problematic financial incentives, noting that “when local law enforcement budgets tighten, forfeiture activity often increases.”

In addition, our strategic research was cited in at least **2 scholarly books** and **20 scholarly articles**.


## Published 7 reports




- *Striving for Better Care: A Review Kentucky's CON Laws*
- *New Data Show Homemade Food for Sale Is Incredibly Safe*
- *Does the Growth of Food Trucks Threaten the Sustainability of Restaurants? Evidence From a Nationwide Analysis of U.S. Businesses*
- *Unaccountable: How Qualified Immunity Shields a Wide Range of Government Abuses*
- *Good Fences? Good Luck*
- *Small Business Insights and Policy Recommendations Report: Kansas City*
- *Are Municipal Fines and Fees Tools of Statecraft?*

## IJ's YouTube channel

- Earned **16.7 million views** during FY24 alone.
- Gained more than **51,400 additional subscribers**, reaching **437,279 subscribers** total.
- Created and posted **29** videos, including **7 episodes** of the new video podcast series *Beyond the Brief*.

IJ cases or projects were highlighted in **1,581**  **print or broadcast media clips**.

IJ collaborated with **117 organizations**. 

# WHAT DOES IT TAKE TO LITIGATE AN IJ CASE?



Let's review *Gonzalez v. Trevino*, our recent U.S. Supreme Court victory for a Texas woman who fought back after local officials had her arrested and jailed for criticizing city government.

**63 staff** contributed to the case, working a total of **5,406 hours**.

The total cost for the case thus far is

**\$828,662**

(data from 4/1/20 to 9/30/24)

## Gonzalez v. Trevino Timeline

Sylvia Gonzalez is arrested **2019**

IJ meets Sylvia **2020**

IJ files suit

Briefing

Court denies governments motion to dismiss and denies qualified immunity **2021**

Individual officials appeal qualified immunity denial

Briefing and argument

Court overturns, grants officials qualified immunity **2022**

IJ petitions for rehearing

Rehearing denied  
with 6 judges dissenting from denial **2023**

IJ files cert petition to the U.S. Supreme Court

Cert granted

Briefing  
(including 10 amici from the ACLU, FIRE, and more)

U.S. Supreme Court argument **2024**

**VICTORY AT the U.S. Supreme Court!**

Case can proceed **NOW**



**DISTRICT COURT**

**5TH CIRCUIT**

**5TH CIRCUIT EN BANC**

**U.S. SUPREME COURT**

**DISTRICT COURT**

**FUTURE**

## POTENTIAL NEXT STEPS

**DISTRICT COURT**

Resolve discovery fight

Trial TBD (probably 2026 or later)

Judgment for Sylvia: ultimate victory!

# HOW YOU CAN SUPPORT IJ!

**Designate IJ as a beneficiary of your will, trust, or investment account**

**Make a gift through your IRA**

**Donate stock**

**Donate cryptocurrency**

**Ask if your employer will match your charitable donations**

**Use a donor-advised fund**

**Donate by mail using the enclosed envelope**

**Give one-time—or sign up to give monthly**

**Donate online at [ij.org/donate](https://ij.org/donate)**



Scan the QR code to learn more about these options or visit [ij.org/support](https://ij.org/support)



When I first decided to follow my gut and open a braiding salon, I never would have imagined I was going to face so many barriers to do something so natural and simple. Without the help of

IJ, I would not have been able to have my dream come true. IJ has helped me not only earn an honest living for myself and family but has helped me help so many others do the same. Because of their support, I've been able to exceed my dreams, and because of IJ, I'm a believer that dreams still do come true.

—Melony Armstrong (Mississippi Braiding)

IJ has terrific “bang for the buck.” They keep winning case after case or convincing governments to back off their overreach, from the U.S. Supreme Court to state supreme courts to local courts. Every one of these cases restores or enhances freedom, not only for the IJ client, but for all of us.

—Rob G., Pennsylvania (donor)

