

Equal rights

S.O.B.'S STORY (spouse of boss) DAN HAMMES

The good news is property owners now have the same rights as child rapists.

The bad news is it took millions of dollars and a Supreme Court decision before government bureaucrats understood that.

This is one of those stories that most folks read and say 'duh.' Well, not most folks. Very few of us even pay attention. And that's the problem.

But more on that later.

Last week's 9-0 Supreme Court decision on behalf of an Idaho couple who had been targeted by the EPA caused quite a stir among people who believe in property rights.

As it should.

In essence, the court decided that the EPA can no longer act as judge, jury and executioner when issuing decrees as to which property deserves what protection, when and at what cost.

In other words, the Supreme Court affirmed that property owners do have a right to their day in court.

It seems insane, but prior to last week's decision, that was not true.

Before last week, an EPA bureaucrat could levy up to \$75,000 a day in fines AND threaten prison to any property owner who did not obey a directive issued by that bureaucrat. There was no opportunity for appeal before the fine was paid and the order obeyed. Given the power and wealth of the EPA, property owners dared not defy the agency once an order was issued.

With the exception of the power to abuse a bride before her wedding night, one writer compared the relationship between the EPA and property owners to medieval England and that of a Lord to his serfs.

Alright.

We just made that up.

Before the last paragraph was written no writer that we know of wrote that. And, given the low esteem with which some readers view this column, they would say no writer has

yet done so.

But tell that to the Sacketts.

For those who don't know, Mike and Chantell Sackett bought a lot overlooking Priest Lake in 2005. The couple planned to build a home on their property and had actually started work when the EPA ordered them to stop.

The federal agency decreed that the Sackett's property was a wetland and that if the young couple did not restore it immediately they would be fined and, if necessary, jailed. Knowing the lot they purchased in the subdivision was not a wetland, the Sacketts decided to appeal.

Except there was no appeal.

Fortunately for the Sacketts, the Pacific Legal Foundation took their case and sued the government, which is how the case ended up at the Supreme Court last week.

The fact is no ordinary American has the money to fight the EPA. Without help from the Pacific Legal Foundation, the Sacketts would simply have been forced to comply with the EPA's edict and in all likelihood, would have been bankrupted in the process.

For years the EPA has intimidated-compelled-bullied-forced-coerced taxpayers into compliance. It is anybody's guess how many thousands of Americans have been denied that basic right over the years. It is also impossible to tally how much the EPA dictatorial arrogance has cost American families.

What is certain is that last week's ruling is no guarantee that the practice will end. Just because we now know that property owners have the right to appeal, does not mean a property owner can afford to appeal.

The EPA has employed this method of operation for years and, before the Sacketts' case, we all simply accepted it. In fact, few people were even aware of the abuse.

And that is stunning.

Which brings us back to our child molester.

Can you imagine the outcry if an accused child molesters were treated the same as property owners have been?

That is, what would happen if an accused child molester were denied access to the courts until after the sentence concocted by the prosecutor had been served?

The media is rightly so - would have gone ballistic. Such an abuse of power would have garnered so much publicity that everybody in America would have been aware of such an

atrocities. Literally dozens of law firms would be lined up to take the case and the publicity surrounding it at no charge. While many Americans may not agree with sentencing for heinous crimes, all of us agree that the accused deserve their day in court.

Although it was a bit more subtle - if a seven-year ordeal can be described as such but thanks to the efforts and perseverance of Mike and Chantell Sackett, property owners now have the same rights in this country as child molesters.

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