

# We Need to Focus on State and Local Governments



By Paul Engel

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- Have you noticed that most of society tries to keep us focused on the President and the Federal Government?
- While everyone is looking toward Washington, D.C. to save us, they are not the only ones taking away your rights.
- Why should we focus on grassroots government rather than Washington, D.C.?

Misdirection is the stock and trade of both magicians and politicians. Over the years, the American people have been conditioned to focus on Washington, D.C. as both the source of our problems and their solution. In doing so, we are allowing those in our state and local government to steal our rights and our liberties right out from under our noses.

## Property Laws

The list of infringements of your rights based on property laws are too numerous to go into detail here, but a few of the more egregious examples are worth looking at.

Let's start with *Civil Asset Forfeiture Laws*. These state, and sometimes local laws, generally allow law enforcement to confiscate your property if they suspect it was used in, or came from, the proceeds of a crime. You do not need to be charged with a crime to have your property confiscated. In

many jurisdictions, law enforcement charges your property with a laughable crime in an effort to get around those pesky constitutional protections of your rights. Many of these laws include “bounties” for the agency that confiscates your property, providing an incentive for them to do so.

Abuses of *Eminent Domain*, have been around for as long as people have owned property. One of the more famous examples is the case *Kelo v. The City of New London*, where the city condemned Ms. Kelo’s property in order to give it to the Bayer corporation to build a new complex. Most people who are aware of the case remember because it made it all the way to the Supreme Court of the United States in 2005, who sadly decided in favor of the city. Of course, that famous case would not have existed if the City of New London had not first tried to benefit by stealing Ms. Kelo’s property and her rights. Today, Fredericksburg Virginia is using tax foreclosures to transfer property to a private corporation that is run by the city manager, using a non-profit run by the city mayor.

Probably the most frequently used abuse of private property rights are state and local zoning laws. Sure, they claim these laws are to keep your property safe for you and others, but frequently these regulations are more about controlling your property than keeping you safe. How has the number of outlets in a room, how far back a structure must be from the property line, or what you are allowed to keep in your yard, become a question of safety? By far the worst of these offenders are Homeowners Associations (HOAs). These private organizations act like mini governments, often enforcing draconian control over what is ostensibly your property.

## **Children and Families**

Schools are meant to be a place of education, for learning the fundamental skills needed to participate in a free society. As recent events have shown, government-run school systems seem more focused on indoctrinating the next generation into

compliance with their agenda than teaching reading, writing, and arithmetic. While not the only example, recent events at the Loudon County School Board have certainly grabbed the attention of many Americans. The use of Critical Race Theory (CRT) based techniques and the promotion of the transsexual agenda has become rampant throughout the country. Loudon County came to national attention not so much because of what the schools were teaching, but because when many parents found out, they stood up and complained. More importantly, they did something about it, and it got news coverage. When the National School Board Association sent a letter to the Biden Administration asking for them to intervene, they referred to the complaining parents as "[equivalent to a form of domestic terrorism and hate crimes](#)." Parents around the nation took notice. This took place during a gubernatorial campaign for the Commonwealth of Virginia. During a debate, the topic of the proper role of parents in curriculum decisions came up. Candidate Terry McCauliffe said:

*"I'm not going to let parents come into schools and actually take books out and make their own decisions," adding, "I don't think parents should be telling schools what they should teach."*

### [Terry McAuliffe's War on Parents](#) – National Review

Loudon County is not alone in this problem. Multiple reports of teachers flagrantly violating state law to promote their political agenda, schools implementing CRT or transgender policies, attempts to hide from parents what their children are being taught, to outright coverups of the damage these policies are doing, are popping up all around the country.

Schools are not the only state and local government agencies after our rights. Some recent stories about the abusive actions of Department of Children and Families (DCF), Child Protective Services (CPS), and other social workers have been truly horrific. Accounts of social workers illegally entering

homes based on unfounded complaints or even doctors using state agencies to punish parents who do not follow their advice is not uncommon. I can only imagine the nightmare of a parent answering a knock at the door only to find a social worker waiting for them.

## **Health and Medical Laws**

Who decides what is the best medical treatment for you or your family? We often look at federal agencies like the Food and Drug Administration (FDA), the Centers for Disease Control and Prevention (CDC), or the National Institutes of Health (NIH), when we consider infringements of our right to make medical decisions for ourselves. But have you considered the role of state health laws and regulations over the medical industry? Remember, it was the states who first locked down their citizens in response to the COVID-19 scare. Many states and cities mandated masks and vaccines, shut down businesses, and even restricted treatments, all with little if any actual medical evidence of effectiveness of their decisions, and in direct violation of both the constitutions of the states and the United States. Even today, there are states and cities that still require masks and vaccines to fully participate in society. These states and cities are requiring that businesses become the enforcer of their illegal mandates or suffer crippling fines and legal actions.

It is also true the states, in conjunction with the federal government, often control what medications and procedures doctors can proscribe to treat their patients, demand invasive knowledge of your medical history, and place burdensome regulations on medical facilities under the failed assertion that they are needed to keep you safe. What many of these regulations actually do is not only restrict your access to medical treatment, but make it more expensive.

## **Food and Drug Laws**

No wants to eat tainted food. But just how far are the states allowed to go in their efforts to protect us from the dangers of food? Does the state have the legal authority to tell you not to drink raw milk or to make it so expensive and cumbersome so as to all but ban it? Does that state have the legal authority to tell you what you should and should not eat, drink, or what “vices” you’re allowed to have? Does the state have the legal right to punish you with taxes for enjoying a glass of wine, a beer, or a smoke? Can they punish those who produce food products with ruinous regulations if we wish to sell the jams, honey, meats, vegetables, baked goods, or anything else produced in their homes? When did we delegate to the state the authority to tell us how to live our lives?

## **Licensing Laws**

Some of the most onerous laws and regulations coming out of our state and local governments require us to beg their permission to exercise our rights. Before I was legally allowed to sell my books in Tennessee, I needed a license from the state to collect sales tax for them. In order to get my sales tax license, I needed a county business license. Now, every year I must renew my request to both the State of Tennessee and my county to do business and sell books within the state. And where there’s a license, there’s a tax, and that is just for selling products. Imagine the licensing regulations around healthcare or the legal profession, food preparation and services, tax and accounting services, electrical and plumbing installations, and even haircare, is licensed by the state. There are also licensing laws for operating different classes of motor vehicles, boats, aircraft, radios, and the carrying of arms. While these regulations are often promoted as necessary to keep us safe, there is little evidence that those government regulators are any less prone to the failures of mankind than anyone else. As recent history has made abundantly obvious, these laws seem more about controlling the people than keeping them safe. If

you wish to try a medical treatment, provide legal counsel, or even exercise your rights to the property of your work or business in a way the state doesn't like, all they usually have to do is threaten your license to get you to comply.

## **Election Laws**

Most don't realize it, but the American people do not vote in federal elections. Your vote for U.S. House, Senate, and even the Presidential Elector is actually a state election. That means that state election laws have a tremendous impact not only on your state, but the nation as a whole.

Take, for example, primary elections. Search the Constitution of the United States and you will not find a requirement for primary elections. In fact, the only place you will even find the word "primary" is in the [Twenty Fourth Amendment's](#) protections against being denied the right to vote for not paying taxes.

Have you ever taken the time to consider what primary elections are and why we have them? Primary elections and caucuses are taxpayer funded elections for private organizations. Political parties are not part of government, they are private non-profit corporations, not unlike The Red Cross, the NAACP, or NRA. Now imagine your governor announcing that the state will be holding, at taxpayer expense, elections for the board of one of those non-profit corporations? How would you react to that? As we approach yet another election season, your state has probably already spent millions of dollars in preparations to hold elections for private organizations. That's not all, because we also have to answer the question: "Why do we have primaries?"

If you think about it, the main purpose of primary elections is for the political party to choose their champions, thereby limiting your choices in the actual election. In the last two presidential elections, Bernie Sanders was the leader in the

primaries for the nomination of the Democratic Party, only to have the party influence the process to choose someone else. While not as blatant, the Republican Party has also used behind the scenes machinations to influence who the eventual nominee is. The primaries themselves and their political manipulations ultimately have a single goal: To limit your choices at the ballot box. While you could legally vote for electors for Bernie Sanders in either the 2016 or 2020 election, the laws in your state made it all but impossible to effectively do so. This means your choices of who to vote for were limited to the candidates the parties have chosen as their champions.

### **Freedoms of Religion, Speech, and Press**

Most people, especially lawyers and judges, ignore the fact that the First Amendment to the Constitution of the United States protects you from federal infringement of certain rights. However, the constitutions of our states prohibit infringement on your right to freedom of religion, speech, press, to peaceably assemble, and to petition your government. Yet all across this country, state and local laws, regulations, and ordinances infringe on these rights every day.

State and local governments pass Sexual Orientation and Gender Identity (SOGI) laws, which claim the authority to force business owners to hire people or accept commissions that violate their religious beliefs. Often these SOGI laws criminalize certain speech or the publication of certain criticisms in order to avoid offending others, while ignoring the offense they themselves are imposing.

Zoning and other regulations are used to prevent churches and religious schools from being established, home bible studies from taking place, or even regulating what displays you can have in public places. Other laws criminalize speech in certain areas, like around abortion clinics, public parks, and

even certain government buildings. Many state colleges and universities go so far as to prohibit free speech except in limited, often secluded, locations, only at certain times, and only with a reservation.

### **What Can We Do?**

We are in a war for the soul of America. Is the Constitution of the United States the supreme law of the land or not? Are governments created to protect our rights or to provide for us? Are the American people citizens in a constitutional republic or subjects of a political class? Will America continue as the land of the free and the home of the brave, or will it fall into the land of the ruled and the home of the fearful? Those issues are what is at stake in this war. If rights, freedom, and liberty are to prevail, then we must have a plan.

The first step in protecting your rights is to remember the magician's trick. Don't focus on what they are telling you is important, but observe what is going on around you. That means looking for and listening to multiple points of view, not just those you agree with. It also means looking beyond your groups, associations, and political parties to see what is truly worth your attention.

Second, we need to develop a good battle plan. One that focuses both on our strengths and provides us the best protections against those who wish to take away our rights. Washington, D.C. and our state houses are the front lines in this war, while our county, city, and district are our home base. If we do not protect our home bases, any wins we may have on the front lines will be little comfort while hearth and home fall.

I spend a lot of time writing, speaking, and traveling this nation to help people learn about the Constitution, our rights, and our liberties. I can only do that if I can trust



that my family is safe at home. Which is why I focus on holding my county office holders accountable to their oaths of office. When I first met with my Sheriff, my opening question to him was to make sure his deputies were being trained that their first duty was to protect the rights of everyone they encounter. Later, when I asked if his deputies would arrest trespassers, even if they were working under federal orders, his answer was yes. I've been told that, when asked if he would enforce unconstitutional mask or vaccine mandates, he laughingly answered no. This gives me some peace of mind, especially when I'm away from home, that my family's rights will be protected.

There's more to this local first plan of protecting our rights. I have much more influence on county office holders than I do at the state or federal level. I have met with my Sheriff and candidates for county office. I have meetings planned with other county officials as well, and they were very easy to schedule. Getting meetings with state officials is a bit more difficult. While my state representative is moderately responsive to my questions, my inquiries to my state senator frequently go unanswered. When it comes to my federal representation, both in the House and the Senate, so far all I've received are pre-canned form letters. This shows that the people's strength is greatest at the local level. This is why the framers of the Constitution delegated limited powers to the federal government, reserving most of the rest to the states.

You may be asking, what good is protecting our counties when our state and federal governments are so corrupt? I point you back to my comment about the Sheriff. Would his deputies protect the rights of everyone involved? If me and my neighbors can make sure our county government is protecting our rights, that protects us. If those in neighboring counties make sure their county government does the same thing, we can have an impact on our state government. Not only will we be

more likely to choose people to represent us who will abide by their oath to support the constitutions of both our state and the United States, but we will be better equipped to hold them accountable. If my neighbors and I can have an impact on our state governments, then you and your neighbors can have an impact on yours. And when more and more states, both governments and citizens, are protecting the people's rights, then Washington, D.C. will take care of itself.

They say the only way to eat an elephant is one bite at a time. If we want fix what is going wrong in America, we must start by chewing on our county governments. If the journey of 1,000 miles begins with but a step, then your first step should be to your county courthouse or city hall.

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