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Feature Writing

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Eminent Domain: What You Don’t Know Can Hurt You.

Last week, in a writing class at the Pulitzer Center, I learned about this thing, this really important thing called Eminent Domain. The class was hosted by Pier Penic and led by Kiah Collier, a journalist who frequently covers the US/Mexico Border Wall for the Texas Tribune. I thought I knew all about the border wall, but by the time the class was over, I was frankly amazed by how much I didn’t know. And what you don’t know *can* hurt you.

It took nearly two hours to get to the Pulitzer Center, and forty of those minutes were spent being lost because the Google Maps app was inaccurate (remember this, it will be important later). Who knew the Pulitzer Center was actually located *inside* a building called the “Carnegie Endowment for International Peace”?

Ms. Collier started her presentation by asking my class how many of us knew about the border wall. Of course, all of us knew about it, or we thought we did. We’d all heard about the “Trump Wall” for the past year and a half. Then, she started telling us about the border wall that already exists, and I realized I didn’t know as much as I thought I did. Maybe you think you know, too, but then again, maybe you don’t.

Currently along the US/Mexico border, there are 654 miles of fencing, surveillance, and Border Patrol Officers, costing $1.3m to $6.5m per mile. These fences are 18 ft tall, with an extra 6 ft in the ground, and there is an aerial monitoring system that costs roughly $1 billion. But when asked by a fellow student if people could climb over this fence, Ms. Collier replied in a no-nonsense tone, “Of course, of course, it’s easily climbed--I tried myself.”

A San Diego resident told the Texas tribune, “It’s like you could hop over it. It’s like a joke. It’s a joke.”

Easily climbed? A joke? Is the United States border really supposed to be a hop, skip and a jump away when we’re spending millions a year to prevent that? How did that happen?

First of all, the barrier was rushed, with no official statement as to why. The Army Corp of Engineers was given just 2 years to create about 234/654 miles of the barrier, which caused them to renounce over *30* environmental laws to speed up the process, as well as abuse the 5th amendment, the amendment of taking.

I was stunned that I didn’t know about this. I mean, it was put up more than *ten years ago.* But wait, it gets worse.

Have you heard of eminent domain? According to the Merriam-Webster online dictionary, Eminent Domain is “a legal strategy that allows a federal or local government to seize private property for public use. The seizing authority must pay [fair market value](http://www.investinganswers.com/node/5496) for the property seized.” This “strategy” is protected under the 5th amendment and allows the federal government to seize your property and provide you with “just compensation.” Maybe this doesn’t automatically sound horrible to you. Maybe it sounds like you’ll get a huge chunk of “just compensation,” and you can retire early!

Except it doesn’t workthat way, and this is why you should care about the millions of people who had their private land seized by the federal government in order to build the US/Mexican barrier. Most of them did not receive fair compensation, nor did they know how to fight for it.

Federal officers showed up at their homes in uniforms, guns on their hips with a bill of declaration of the 5th amendment in their hands and demanded their property.

These federal officers *did not* run property appraisals. They already had prices for the owners from using an aerial scan, i.e, *Google Maps*. Remember how earlier I mentioned getting lost for 40 minutes because Google Maps was inaccurate? The Federal government trusted this service to determine property size and boundaries. They *did not*take the owner’s profession into account so if you were a farmer, this would eliminate any mention of your farming profit that you would lose with the loss of your land. Simply put, the US government *did not* give the owners “just compensation” as promised in the 5th Amendment, which should consider all their losses, or at least provide fair market value.

And this where what I said earlier about *what you don’t know can hurt you* comes in. Most private landowners didn’t stand up against the federal government. Why not? The reasons range from fear of opposing the government to hope that human traffickers and drug dealers would stop running through their yards by the wall, all the way to confusion about what this barrier was, and hey, maybe they *were* getting a good deal. But the major reason was that they simply didn’t know their rights and how eminent domain affected them.

Most people didn’t have money to hire a lawyer, and some of those who did didn’t know you *weren’t supposed to trust the government.*  In this situation, the truth is, you had *no chance* of receiving just compensation if you didn’t hire a lawyer. If you had say, 18 acres of land, you could receive $1.4 million for it. If you did not have a lawyer and you had 24 acres of land, you might receive *$400k* for it. The compensation wasn’t fair or equal.

In fact, the process was so rushed that some people ended up getting money for property they didn’t even own, and others still haven’t received their just compensation. At this point in class, I wondered, “Just how much has the government paid in total for these 60 miles or so of land?”

The government paid $18.2m total for the 60 miles of land and homes. Think about it; 640 acres are in a single mile.

I was personally thinking how EVERYONE WAS SCREWED. And then Ms. Collier asked us, “But why do you think we should care about this?”

I immediately thought why *shouldn’t* we care about this? Everyone should care about it. This could happen to anyone.

There have been plenty of cases similar to this all over the United States, including a fight for a boathouse in my hometown of Alexandria, Virginia just a few months ago.

It’s going to worse: if the Trump Wall *is* put in place as President Trump promises, *people need to be aware of what eminent domain is.* Their homes, their families, and their very livelihoods depend upon knowing as much as possible.

Look it up, research it, and know where you might stand. This can happen to anyone.