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"The right of trial by jury shall remain inviolate. . . ."

Tennessee Constitution, Article I, Sec. 6

July 13, 2005

Governor Phil Bredesen
Tennessee State Capitol
Nashville, TN 37243-0001

Your Excellency:

RE: Adopting a State policy to guard against Eminent Domain abuse

On behalf of the 350+ members of Citizens for Home Rule, Inc., (CHR) a Knoxville-based property-rights organization that was founded in 1980, I bid you greetings.

We are alarmed at the unprecedented erosion of private property rights by the U.S. Supreme Court's recent decision in *Kelo v. New London*. This ruling equates "public benefit" – a term unknown to the U.S. Constitution or the Constitution of the State of Tennessee – with "public use." Thus the Court has opened the door for nefarious takings of private property by all levels of government. Our disagreement with this ruling and the philosophy behind it could not be more profound.

Our organization strongly believes that Tennessee property owners deserve protection against unwarranted exercise of the power of eminent domain. In the coming months and years we will be working with other groups and members of the Legislature to adopt statutory and constitutional protections to preclude abuse of this high power.

As an interim but immediate measure, we call on you to adopt and publically announce a policy applicable to the State and all its departments, agencies, and commissions, that will restrict any exercise of eminent domain to those instances where it is both necessary and for an actual public use. Further, we ask that your policy entirely forsake the exercise of eminent domain for purpose of economic development, or to transfer or to lease property to others.

To emphasize the urgency of this issue, I ask that you meet with a small delegation from our organization at your earliest convenience.

Respectfully submitted,


John A. Emison
President, CHR