



Written by [Becky Akers](#) on February 3, 2011

## ObamaCare Ruling Spotlights Criminal Courts

Monday's decision regarding ObamaCare's unconstitutionality makes it easy to forget that American courts operate for government's benefit, not ours — and certainly not for such amorphous, lobby-less concepts as justice or fairness.

We can't help but cheer Judge Roger Vinson's argument: ["It is difficult to imagine that a nation](#) which began, at least in part, as the result of opposition to a British mandate giving the East India Company a monopoly and imposing a nominal tax on all tea sold in America, would have set out to create a government with the power to force people to buy tea in the first place. If Congress can penalize a passive individual for failing to engage in commerce, the enumeration of powers in the Constitution would have been in vain for it would be 'difficult to perceive any limitation on federal power' and we would have a Constitution in name only ..."



But suspicion that this judge, like all others, is concerned for his political party's interests, not ours or the Constitution's, mounts the more we investigate. First, decisions in the four legal challenges Obamacare has generated fall along party lines: two judges who owe their appointments to Democratic presidents decreed this blatantly anti-constitutional law constitutional, while judges with debts to Republicans found the opposite. Further evidence comes from Vinson's ["sid\[ing\] with the administration on one major issue](#) in the case: the expansion of Medicaid to cover more low-income people."

Of course, forcing some Americans to pay for the medical insurance of other Americans is no more constitutional than is "penaliz[ing] a passive individual for failing to engage in commerce." But [Republicans have long promoted Medicaid and its wildly popular cousin, Medicare.](#)

It seems, then, that the judiciary is as concerned with growing government's power as the executive and legislative branches are. Its lackeys sacrifice taxpayers to the State's interests — if they consider us at all.

But why wait for a constitutional crisis to illustrate these very obvious facts? Ordinary cases do so every day.

Courts often refuse to compensate us when government's employees steal from us even if someone catches the thief red-handed and even if he's fined. Whatever money the State collects it keeps for itself. In fact, victims are doubly penalized because government taxes them for the prison that will house and feed the parasite.



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But when those same employees steal from the government ... well, unlike us, the State needs its money, and judges ensure that it has restitution, regardless.

Two thieves neatly prove these points. Both were around 50 years old at the times of their crimes; both “worked” for Public Enemy #1, the Transportation Security Administration (TSA); both appeared in court Monday, September 13, 2010, on charges of pilfering around \$20,000. But there the similarities end.

It seems that Richard Scepkowski, 49, of Schenectady, NY, leached off our taxes as a “[TSA safety technician](#)” at Albany International Airport. He claims he was injured on the job July 4, 2004. That allowed him to continue leeching off our taxes via the Feds’ version of Workman’s Comp without the bother of going all the way out to the airport every day. “[To get the benefits through the U.S. Department of Labor](#), Scepkowski informed the agency he was not employed nor had ownership or involvement with any businesses.” We paid him to loaf from September 2004 through August 1, 2009 — which, admittedly, is a lesser evil than his reporting for duty, given his employer.

But in the spring of 2008, this bloodsucker began working at an “auto repair shop” — apparently hard enough to buy the place a year later.

In court that Monday, a federal judge sentenced Richard “The Sponge” Scepkowski to restore the “\$21,897 in benefits” he absorbed during those eighteen months. The Sponge might have soaked up more of our money during the six months in prison that federal sentencing guidelines recommend, but the judge put him on probation for 5 years.

Contrast that with the tale of Randy Pepper, 50, on the other side of the country. The TSA employed him to rifle our checked bags at Seattle-Tacoma International Airport. No doubt Randy confiscated — State-speak for “stole” — [items from those bags the TSA doesn’t like](#). He apparently decided to steal for himself too, while he was at it, instead of robbing us only on the government’s behalf, and so he took “[gold pins, sterling silver necklaces](#), earrings, coins, bracelets and rings.... Few of the items were recovered, according to prosecutors, because most had been sold to pawn shops and melted down for their metal content.” I suppose that’s by way of explaining why Randy’s victims won’t see dime one of restitution — not even from the fine of \$250,000 the judge could have imposed when sentencing Randy last November (no accounts tell us whether he did or not. But if Randy pays any penalties, it’s a safe bet they’ll enrich the State’s coffers).

Our Rulers’ interest in crime extends not to making the victims whole but only to punishing the culprit who dared break their rules — providing he’s a lowly grunt like Randy. Yet the politicians and bureaucrats who write the TSA’s regulations ought to stand in the dock, too. After all, they suborned Randy with theft so easy only a chump wouldn’t avail himself: they prohibit passengers from carrying many valuables onboard, then force us to check our jewelry, electronics, etc, in unlocked bags subjected to X-rays that reveal their contents, thus saving thugs like Randy time and effort when deciding whose luggage to loot.

No wonder the Fourth Amendment vehemently forbids warrantless searches. Meanwhile, the courts and the entire system of “justice” shield officials from the consequences of their anti-Constitutional wickedness.

Too many of freedom’s friends look to the judiciary for salvation from tyranny. That’s as foolish as looking to Bill and Hillary for marital advice.



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