

The Alphabet Soup Criminal Enforcement Agencies

There are over twenty government enforcement agencies. Some are necessary, but most are not. There is a simple litmus test for Congress and the courts to follow to determine if a law is constitutional: If the law does not protect the fundamental rights of citizens equally and falls under the umbrella of federal grants of powers permitted by the Constitution – it must fail.

One reason to explain the decline in fundamental rights is the outlandish overreach of federal enforcement agencies. The federal government has grants of power in the Constitution to police counterfeiting, piracy, crimes against the nation, treason, and slavery. A strong argument can be made that the federal government also has the power to enforce national security measures which are intended to protect the fundamental rights of citizens. But that is it!

Now consider that there are over 5000 federal statutes and over 400,000 federal regulations that carry criminal penalties. If that does not sound outrageous consider the United States has only been a nation for fewer than 90,000 days. The amount of federal interference in crime is mindboggling because it means that even the best citizens have probably unintentionally violated several of these laws or regulations.

One book, *Three Felonies a Day*, details how even the most noble citizens unknowingly commit three felonies every day. Any American can be jailed if the government decides to go after you. No one is safe! I estimate that well over 90% of federal laws fail the simple litmus test posed at the beginning of this essay.

How did the federal government receive a grant of power to police local crimes such as murder, assault, theft, and burglary? The government provided itself this grant of power through the interstate commerce clause. Now it easy to turn everyday crime that should be enforced by the local police into federal offenses.

The interstate commerce clause once meant to oversee trade between the states can now be used for anything including regulating migratory birds, manufacturing, and regulating minimum wages. Any crime labeled, for instance, as a hate crime rises to a federal offense. But what crime is not done out of hate? The government has made it an art to turn crime into federal offenses by writing vague and broad statutes to allow the government to invent crimes on the fly and to prosecute cases where there are no victims. Federal enforcement agencies are out of control.