

Yard Rage: The Rand Paul Assault

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Credit Julian Stratenschulte/AFP, via GettyImages

By Bob Morris

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When Senator Rand Paul, Republican of Kentucky, was tackled by a neighbor while riding his lawn mower this month, the initial assumption was that it was about politics. Not necessarily. It was more likely about yard waste, the developer of the gated community where the neighbors live told The Louisville Courier-Journal.

“This has been festering for years,” he said. His best guess was that Senator Paul, a libertarian and believer in property rights, provoked the incident by blowing lawn trimmings from his yard into that of his alleged assailant, Rene Boucher. Errant tree branches may have also been at the root of things — with no pun intended.

Of course, in this don’t-tread-on-me society, landscaping disputes between neighbors are as common as dandelions. Too much fertilizer, too little grass-cutting and new trees blocking sunlight can all light a fuse. Even too many vines growing on the wrong side of a fence can offend. Not to mention noise, which may have attributed to the attack on the senator, given his frequent mower riding. In 2015, he told Us Weekly that he found it therapeutic.

In my years as a weekend homeowner on Long Island, I've alienated a beloved neighbor on one side by having her yew tree trimmed to keep it from covering my chimney. She had agreed to it, but the man we hired lopped off too much.

Then, when my other neighbor cut back my pine branches hanging over her driveway, I dragged a mass of dying bamboo from a trash pile on someone's curb to shield my view of her floodlight and car. The animosity I caused with my guerrilla landscaping only ended when I removed the offending wall of organic detritus and she invested in a tasteful latticed fence to stop my whining.

At least she didn't back her car into me. That's what a landscaper in 1997 claimed Martha Stewart did when she discovered him erecting an illegal fence for Harry Macklowe next to her Hamptons property. She had already been feuding with Mr. Macklowe, a real estate magnate, winning a ruling from the village zoning board when she accused him of trying to "suburbanize the area with inappropriate dark greenery." He put in more dark greenery anyway, and she managed to rip several plants out before his injunction stopped her. The lawsuits went on for years.

Another celebrity yard war involved Julie Newmar, who, The Los Angeles Times reported in 2004, had once egged the house of Jim Belushi. Among her biggest gripes: Additions to his home kept the sunlight from her garden.

If good fences make good neighbors, then entitlement, it seems, makes bad ones.

Blocking a view is another cause of arboreal animosity. Larry Ellison of Oracle was in the news in 2011 for suing the San Francisco neighbors below him for letting their privacy trees grow despite the city's Tree Dispute Resolution Ordinance guidelines. They eventually settled, but not before The Wall Street Journal jumped into the media birdbath and called it a "full-blown spectacle."

More recently, on Kauai, Hawaii, Mark Zuckerberg rankled locals by building a legal wall that blocked an ocean view from the road and, some even claimed, a breeze. One neighbor told the local paper that the wall was "oppressive." Others made unfair comparisons with the president's proposed wall for Mexico.

Later, when Mr. Zuckerberg had to file a lawsuit to sort out ancestral land rights issues on the 700-acre property, more neighbors took offense and one local elected official told the press, "You don't initiate conversation by filing a lawsuit."

But you also don't initiate conversation by assaulting a neighbor. Senator Paul has six broken ribs and an injured lung.

Nearly a week after the incident, with his assailant out of jail on a \$7,500 bond, the reason for the attack remains anyone's guess.

My own is that it's not just about a yard or politics.

“Often this kind of dispute is more about control than anything else,” said Barri Bonapart, a Bay Area lawyer who specializes in tree law and who once had to stop a client in a view war from buying a gun. “If you’ve been fired from your job, have family conflicts or a serious health issue, a common response is to fixate on things you believe you can do something about, even if that turns out to be delusional.” She also thinks conflict can be an opportunity to find a solution.

But on Thursday, the assailant, a retired anesthesiologist, pleaded not guilty to misdemeanor assault charges and otherwise remained, well, mum.

His lawyer insisted the attack wasn’t political and was over trivial matters. Jim Skaggs, the developer who sold both men their homes, agreed and noted that the senator dislikes the community’s property rules. A Republican strategist said to CNN that coastal elites fail to understand “the leaf-blower wars that take place all across Middle America.”

Is there a lesson in this bizarre story? One might be to watch your back this month while blowing your leaves. Also watch where you’re blowing them.

Bob Morris is the author of “Assisted Loving” and “Bobby Wonderful.”

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