

U.S. District Judge Dee Benson [has ruled](#) that Tim DeChristopher, the student who bid on federal oil and gas leases to protest global warming, cannot present a necessity defense in his criminal trial. The decision is not a surprise. The necessity defense typically faces a high bar in US courts, which require that the defendant show that his actions were necessary to prevent imminent harm and that no lawful alternative existed. According to the Salt Lake Tribune's report, Judge Benson ruled against DeChristopher on both counts. DeChristopher's defense team is reportedly reviewing its options, "including making a case that others who have bid at oil and gas lease auctions and not paid the government were not prosecuted."

I wrote about this story in more depth [here](#).