

For the International Municipal Lawyer's Association - IMLA's 5 things to know for February 2nd

So, it's Groundhog Day again. Let's not repeat ourselves.

1. The best thing about IMLA comes from meeting lawyers who are dedicated to their communities and who make a difference. Some stand out – like John Hessel from Kirkwood, Missouri. John is in private practice and he and his firm represent a number of cities. Ten years ago next week, John was at the council meeting in Kirkwood when a disgruntled resident came to the meeting and opened fire. He killed five and wounded two others. John helped stave off the assault by throwing chairs at the gunman until the police were able to end the shooting. John spoke about this harrowing event at an IMLA seminar and that's where I got to meet him. John will return to speak at our IMLA Seminar in DC this April and recount the events, lessons learned and offer insight into security at council meetings. Join us.

http://www.stltoday.com/news/local/metro/from-our-archives-dead-in-shooting-rampage-at-kirkwood-city/article_9be94f3b-50e9-5bc9-9a80-c129a2d44dea.html

2. In Baltimore, the city is suffering through a police corruption trial at which abuse of overtime raised its ugly head. The city intends to use biometrics to address the potential for overtime abuse by requiring officers to sign in and out with their fingerprints.

www.baltimoresun.com/news/maryland/crime/bs-md-ci-police-biometric-system-20180131-story.html

3. So, you're a police officer and you are tasked with arresting a pretty bad guy with a known alias. Other officers hunt him through various on-line resources and find a person by that name is working at a store nearby. You arrest him and he says "it ain't me; you got the wrong guy". He's jailed and sits in jail for a spell before it becomes clear he ain't the right guy. Liability – yes. According to the 6th Circuit, while officers can discount protestations of innocence they must at least check fingerprints and other data in their records to determine whether they have the right person locked up.

Seales v. City of Detroit, Mich

<http://www.opn.ca6.uscourts.gov/opinions.pdf/18a0057n-06.pdf>

4. In IMLA Advocacy news, the Pennsylvania Supreme Court has decided to review a lower court decision upholding the Philadelphia sugary beverage tax. IMLA supported Philadelphia in the intermediate appellate court and will support Philadelphia at the state Supreme Court.

<https://www.bizjournals.com/philadelphia/news/2018/01/31/pa-supreme-court-soda-tax-sterling-act-prek-pepsi.html>

5. Today, IMLA's second substantive podcast discusses the opioid litigation and gives background on the issue. Download it from iTunes or SoundCloud. Erich Eiselt

discusses the crisis and the litigation. He leads regular bi-weekly calls on the topic for IMLA. As an update he notes that the recent MDL hearing went well for the cities and that the judge seems interested in finding ways to settle the litigation and get money to solving some of the problems faced by cities due to the over peddling of these drugs.

Our Seminar in DC provides a great opportunity to learn and gain CLE credits while you do. It's filling up quickly and could sell out, so don't wait to register. Make sure you consider registering for our Supreme Court practice track. Get more from IMLA by joining. Not a member? Contact us. Sign up at www.imla.org . Have a great day and make it an inspirational one.