

For the International Municipal Lawyer's Association - IMLA's 5 things to know for March 8th

1. There wasn't enough yesterday to justify a 5 things to know, but today we'd just run on but for the commitment to listing just 5. So, apparently, in New York City someone released over 300 personnel files of police officers that reflect badly on those officers and creates controversy over when an officer should be fired and how difficult that practice may be. The headline – hundreds of cops kept jobs despite misconduct thanks to police union.

<http://dailycaller.com/2018/03/06/nypd-police-new-york-city-maryland/>

2. In Baltimore, the city is suing the federal government over a loss of grant funds for teen pregnancy prevention. The feds claim there are insufficient data as to the benefits of the program. Some 80 other cities are affected.

<https://www.bizjournals.com/baltimore/news/2018/03/07/baltimore-to-sue-feds-over-cuts-to-teen-pregnancy.html>

3. The 11<sup>th</sup> Circuit granted immunity to officer who shot and killed a mentally disturbed man. The officers were called to a disturbance at a restaurant and eventually found the man. He had a hatchet he wouldn't drop and despite repeated commands to drop the hatchet advanced on an officer threateningly to within 5 feet before he was shot and killed. The body camera video was used by the court to support its decision. Oddly, one judge only concurred in the result citing a duty to do so based on 11<sup>th</sup> Circuit precedent.

<http://media.ca11.uscourts.gov/opinions/pub/files/201711694.pdf>

4. The 9<sup>th</sup> Circuit denied immunity to child protective workers for violating the judge made constitutional right of familial association when they removed a child from her mother's care based on their concern (reported to them by a hospital) that she was suicidal and needed in patient evaluation. And we think lawyer jobs are tough!

<http://cdn.ca9.uscourts.gov/datastore/opinions/2018/03/06/16-16568.pdf>

5. In a case out of the Supreme Court of North Carolina we see the rule involving good deeds and punishment followed to an extreme. Property owners abutting a lake owned by the city asked the city to raise the level of the lake to allow them a more luxurious use of the lake. The city heeded their request, but apparently raised the lake a little too much and the property owners sued asserting a "taking". Construing North Carolina law, the Supreme Court concluded that the property owners had a viable claim against the city.

<https://appellate.nccourts.org/opinions/?c=1&pdf=36667>

The Omni hotel is almost full. Don't wait to register for the hotel and our Seminar. Make sure you consider registering for our Supreme Court practice track, we only have a handful

of seats left. Get more from IMLA by joining. Not a member? Contact us. Sign up at [www.imla.org](http://www.imla.org) . Have a great day and make it an inspirational one.