

For the International Municipal Lawyer's Association - IMLA's 5 things to know for June 1st

1. From beautiful Ft. Pierce Florida we have a report that a jury after listening to a case involving a police shooting concluded that the victim was 99% responsible for the event and under the comparative negligence law was entitled to only 1% of the jury's award of damages. The total damage award of \$4 amounts to a recovery for the victim's family of 4 cents.

https://www.seattletimes.com/news/jury-awards-4-cents-to-family-of-man-killed-by-deputy/?utm_source=referral&utm_medium=mobile-app&utm_campaign=ios

2. From Connecticut, that state's Supreme Court recently decided an interesting issue of local law that gets into the question of Home Rule and preemption. A vacancy occurred on the council and a charter provision allowed the remaining members to appoint a replacement. State law would allow for appointment and then a special election. The lower court ordered the special election, it was not stayed on appeal and the Supreme Court concluded that the lower court erred and that the Home Rule Charter prevailed. The elected member is removed and the appointed member reinstated.

<https://jud.ct.gov/external/supapp/Cases/AR0cr/CR328/328CR40.pdf>

3. After reporting yesterday on the Washington Supreme Court case finding that trade secrets might not be protected under that state's Public Information Act, we see a new challenge under the Act with interesting facts. In Oregon investigations of child sexual abuse cases are not open for inspection, that's not necessarily true in Washington. Problem here, the investigation of a convicted child predator was sent by Portland to a jurisdiction in Washington for its sexual offender registry. The defendant, now back in Oregon and again on trial, wants discovery of the prior investigation and the victim from that case is understandably concerned. Portland will sue to protect the confidentiality of the records.

<https://www.opb.org/news/article/public-record-child-sex-abuse-portland-clark-county-washington-block/>

4. Earlier this week, the 6th Circuit concluded that Plaintiffs asserting that their rights are violated when US currency passes through their hands because of its religious motto "In God We Trust" did not state a cause of action. I just wish more would pass through my hands.

<http://www.opn.ca6.uscourts.gov/opinions.pdf/18a0096p-06.pdf>

5. In Baltimore the city will sue a police Lieutenant who was charged with overtime fraud to recover the fraudulently accumulated overtime pay. The underlying facts of the case that involved a corrupt unit of the police department will have most sensible people pulling out their hair in shock as the judge gave the officer probation before judgment saying the department did not have "clean hands." To all the judges out there – what about the taxpayers? Restitution could have been part of the probation. Congratulations to Andre Davis, Baltimore City Solicitor for taking on the fight to recover these moneys.

<http://www.baltimoresun.com/news/maryland/politics/bs-md-ci-city-sue-officer-20180530-story.html>

We're already getting ready for our conference in Houston. Have you heard of the Beer Can House? It's in Houston and you'll want to be registered for a land use tour that goes there. Remember, it's a city without zoning. Oops, you missed the best rates, but don't wait any longer. Register today. Get more from IMLA by joining. Not a member? Contact us. Sign up at www.imla.org. Have a great day and a great weekend and make it an inspirational one.