

# 2016 Midyear Meeting

ANDREW J. DOYLE

FBA's Midyear Meeting featured a CLE event for the ages: "Policing the Police, from Rodney King to Ferguson: How Federal Authorities Review Alleged Policy Misconduct and Enforce Civil Rights." The panel was august and provided nothing short of—in the words of moderator and FBA Government Relations Counsel Bruce Moyer—"wisdom, insight, and inspiration."

Former federal prosecutor Barry Kowalski captivated the audience with his retelling of the civil rights investigation and prosecution of four Los Angeles police officers for mercilessly beating Rodney King following a highway chase in 1991. (Two were convicted, two were acquitted.) Mr. Kowalski explained that, although videos invariably speak volumes, there are always more facts to gather.

The Justice Department's Steven Rosenbaum discussed the increasingly broad nature of the civil rights investigations and reviews his agency conducts of police departments in conjunction with United States attorneys. Acting United States Attorney Carol Rendon of the Northern District of

Ohio highlighted her office's wide-ranging investigation of and against the Cleveland Division of Police; the probe included the 2014 shooting and death of 12-year-old Tamir Rice.

Yale Law Professor Tracey Meares and DeKalb County Chief of Police Dr. Cedric Alexander urged the FBA's consideration of and action on the recommendations of the President's Task Force on 21st Century Policing on which they sit. (The report is available at [www.cops.usdoj.gov/policingtaskforce](http://www.cops.usdoj.gov/policingtaskforce).) Professor Meares explained the importance of understanding "procedural justice," which regards how citizens feel they are treated by the police. Dr. Alexander underscored the point by sharing his first-hand account of Ferguson, Mo., immediately following the 2014 shooting and death of unarmed Michael Brown and the protests that ensued.

Moyer concluded the event by assuring FBA members that the important conversation would continue, including at the Annual Meeting in Cleveland.



**Photo 1:** Jonathan Turley, professor at George Washington Law School, presents the Midyear Meeting keynote address. **Photo 2:** Speakers from the Midyear Meeting CLE Panel (left to right) Bruce Moyer, FBA government relations counsel; Dr. Cedric Alexander; Tracey Meares; Barry Kowalski; Carol Rendon; Steven Rosenbaum; and W. West Allen, FBA Board of Director. **Photo 3:** Aaron H. Bulloff and Adine S. Momoh during the Midyear Meeting reception. **Photo 4:** Kent Hofmeister spins the FBA wheel during the Midyear Meeting reception to win Cleveland prizes.



Constitutional law professor Jonathan Turley, the keynote speaker at the Mid-year Meeting's luncheon, methodically made his case for gradually expanding the Supreme Court to 19 members—a size more in line with other nations (for example, Germany has 16 and Japan has 15) and of the United States courts of appeals when they sit *en banc* (for example, the Sixth Circuit has 15 and the Third Circuit has 14). More precisely, he proposes that, at any given time, 17 Justices would resolve cases in Washington while two would “ride circuit” on circuit or district courts across the country. In his view, a larger Court would result in clearer precedent with a diminished role for “swing” Justices; less use of the “Ginsburg rule” at confirmation hearings; and a more functional Court while a deceased, incapacitated, or retired Justice is in the process of being replaced. All along the way, Professor Turley enthralled the audience not only with historical facts but a healthy supply of humor. For instance, when asked to predict a nominee from a hypothetical President Trump, Professor Turley deadpanned: “Judge Judy.”

**Photo 5:** Members of the St. Louis chapter during the Midyear Meeting reception. **Photo 6:** Members of the Veterans & Military Law Section during the Midyear Meeting reception. **Photo 7:** (left to right) Christine C. Varnado, FBA Board of Director; Carol Scott; and Bruce Moyer, FBA government relations counsel, during the Midyear Meeting reception. **Photo 8:** (left to right) Robert J. DeSousa, FBA past-president; Dawn E. Stern, FBA Board of Director; Hon. Michael J. Newman, FBA President-Elect; Ernie Bartol, Circuit Vice President for the Second Circuit; and Simeon H. Baum, FBA Board of Director during the Midyear Meeting reception.