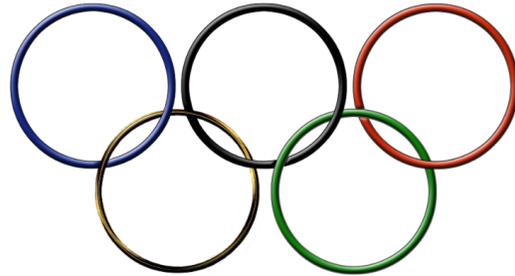




Director's Corner

Angela T. Baldree, MLS

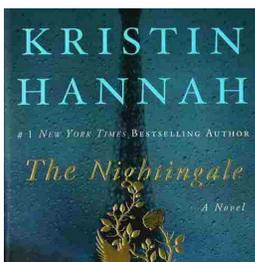


Games of the XXXI Olympiad are set to begin on Friday, August 5, from Rio de Janeiro. While there has been some skepticism surrounding these games, I'm betting they will be just as successful

as other games. I have enjoyed watching the Olympics since 1984 when I was 12 years old. My family is from Fairmont, WV - home of Mary Lou Retton, so of course, we watched our hometown girl win the hearts of the world. I remember the victory parade when she returned home and her portrait which hung in the local McDonald's for years!

Sports is a great way to bring people of all backgrounds together and create heroes from everyday people. As a native Clevelander, I am still basking in the improbable comeback win for my Cleveland Cavaliers. Being downtown with thousands of my closest friend will always be one of my best memories.

The Law Library has many resources on sports law. ***Eight Men Out: The Black Sox and the 1919 World Series*** tells the story of the 1919 Chicago White Sox who threw the World Series to the Cincinnati Red Sox. ***Equine Regulatory Law*** is a new resource that provides insight into the world of horse racing. ***Fundamentals of Sports Law*** deals with all aspects of professional and amateur sports including injuries, constitutional implications, and contracts.



The Nightingale Book Discussion

August's Brown Bag Lunch Program

Judge Charles Schneider will lead a discussion of Kristin Hannah's 2015 novel *The Nightingale*. Have the book read and be ready to discuss this thought-provoking novel on two sisters in occupied France during WWII. Complimentary copies of the book will be given to the first 10 participants who register for the program.

Join us **Wednesday, August 17, 2016, at 12:15**. Reservations for all classes are mandatory. Call or stop by the Circulation Desk to register. Participants should bring their own brown bag lunch to the class. [See our flyer for more information.](#)

WestlawNext - Advanced Class

August's Brown Bag Lunch Program

Westlaw has been a staple in the legal research arena for years. Their latest incarnation is WestlawNext. A new intuitive interface makes researching even easier than before. **This class will build on the beginner class offered in February.**

Classes will be offered on **Wednesday, August 3, 2016, at 11:30am, 1pm, and 2:30pm.**

Reservations for all classes are mandatory. Class size is limited to 8 participants. Call or stop by the Circulation Desk to register. Participants should bring their own brown bag lunch to the class.

Participants may receive one general Ohio CLE credit. [See our flyer for more information.](#)

Law Library History: Suing for Funds

Jennifer D. Jones



Ohio established statutory funding for law libraries in 1872 when law libraries were private associations. At that time, as long as a law library was located within a city "of the first class" that had a population between 50,000 and 150,000 and a police court, and as long as that library provided

resources to the courts and county officials free of charge, it was entitled to funding from the police courts (see *Laws of Ohio* vol. 69, pages 165-66).

Despite the statutory provisions for funding, law libraries do not always receive the payments due them. In 1913, Franklin County Prosecutor E.C. Turner had ordered the clerk of the police court to pay funds due the Columbus Law Library Association into the county treasury but not release the money to the Library. The Library's trustees organized a committee to investigate, and the committee "called upon Mr. Turner and preferred its request that said funds be paid over to the Association, but Mr. Turner positively refused to permit this to be done. He took the position that the Association is a private concern and not entitled to be supported from public funds and that the law, under which said Police Court fines have heretofore been paid to the Association, is unconstitutional and void" (minutes of CLLA trustees' meeting, Sept. 22, 1913).

The Law Library followed with a suit in mandamus against county officials, and the Ohio Supreme Court ruled in favor of the Law Library, stating that although the trustees "were in default for some years in not making a detailed statement to the auditor of the county of the fines and penalties so received by them" and "moneys due from this source to the association were received by an officer of the association not by law entitled to receive them" and were "misappropriated," the defendants were not excused "from drawing warrants in favor of the officers who are entitled to the funds since accumulated." The defendants had made the argument that the Constitution prohibited the county from raising public money for private use; however, the Supreme Court found that the article of the Constitution upon which the defendants made their case concerned "safeguarding of revenues raised by taxation," not the "use of money derived from the assessment of fines and penalties in state cases" (see *State ex rel. Pugh v. Sayre*, 90 Ohio St. 215 (1914)).

This case was one of the earliest of many to come before Ohio courts regarding disagreements between law libraries and city and county officials over funding-including another one filed by the Columbus Law Library Association in 1932 (more on that in future articles). There is at least one earlier case: In 1912, the Cleveland Law Library Association sought to retain funding when the jurisdiction of the police court in Cleveland was transferred to the municipal court. However, the Circuit Court found in favor of the defendant, Municipal Court Clerk Peter J. Henry, because the police court did not simply change names-a new court had been created, and the statutes governing the new municipal court outlined clearly how it was to pay the funds it collected (see *State ex rel. Cleveland Law Library Association v. Peter J. Henry, etc.*, 34 Ohio C.D. 371 (1912)).

DNA Testing

Susanna Marlowe

A few months ago, we had a Brown Bag program debating the merits of the disturbing Netflix show ***Making a Murderer***. This documentary presented how Brendan Dassey and Steven Avery were tried for murder using controversial DNA evidence. Netflix says there will be a season 2 of ***Making a Murderer***, although there is no release date as of yet. After it comes out, we would love to

have another Brown Bag program to discuss it. In June, the *Atlantic* magazine posted the following article on its website: [The False Promise of DNA Testing: the forensic technique is becoming ever more common - and ever less reliable](#). Although not specifically about Avery's case, this article makes clear that the reality of forensic science is very different from what is shown on TV programs such as *CSI*. *New York Times* reporter Matthew Shaer documents the many mistakes that crime lab technicians make in analyzing DNA evidence. Shaer also argues that DNA technicians feel pressure to obtain results favorable to the prosecution. For example, in North Carolina, crime labs have been compensated \$600 for each DNA analysis that results in a conviction.

For more information about using, or defending against, scientific evidence in the courtroom, refer to *Forensic Sciences* (call number KF 8961 .F67), an up-to-date LexisNexis publication, available for checkout at the Franklin County Law Library.



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