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Law prof picks Roberts over Obama on privacy

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When it comes to his ex-students, Laurence Tribe currently has a little more faith in John Roberts than in Barack Obama.

Tribe, a Harvard Law School professor and prominent constitutional legal scholar whose former students include the U.S. Supreme Court's chief justice and the president of the United States, spoke Tuesday to about 1,000 high school and college students at Johnson County Community College in suburban Kansas City. Though a self-described liberal, Tribe praised the conservative-leaning Roberts Court for several important rulings that protect individuals' privacy, including a recent decision that helps protect users' smartphones from searches.

In contrast, Tribe said, the Obama Administration's assurance on privacy has essentially been "trust us."

"Even though Barack Obama is in my personal experience a good guy — he was my research assistant, I like him, he's my friend — I don't trust him," Tribe said, drawing a few laughs in the audience. "That is, I don't trust the whole government bureaucracy of which he is the head."

It was one of a number of counter-intuitive assertions that Tribe offered on Tuesday. The theme of his speech — and of his recent book, "Uncertain



Harvard Law School Professor Laurence Tribe speaks about the U.S. Supreme Court and interpretations of the Constitution during a presentation in suburban Kansas City on Tuesday. Moderating the discussion is Teresa Wynn Roseborough, general counsel for The Home Depot. Photo by Scott Lauck

Justice: The Roberts Court and the Constitution," of which the students received copies as part of the event — is that the U.S. Supreme Court is more complex than the media often portrays it. He urged the attendees to read the court's rulings for themselves and to see the divisions that often crop up between justices who appear to be of the same ideological stripe.

That said, Tribe said he thinks the Roberts Court's general focus has been to put more weight on the objections

that religious people and organizations have to such policies as the Affordable Care Act. While Tribe said he personally thinks the pendulum has swung too far on that issue, he stressed that, under the Constitution, there's not always a single right answer.

"Where to draw the line is a perennially shifting question," he said.

Tuesday's event was presented by the Johnson County First Amendment Foundation and sponsored by Shook, Hardy & Bacon.

