

# St. John's Law Review

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Volume 72  
Number 3 *Volume 72, Summer-Fall 1998,*  
*Numbers 3-4*

Article 6

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March 2012

## Appendices: Three Justices' Notes on the Supreme Court Conferences On the Stop and Frisk Cases

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### Recommended Citation

Barrett, John Q. (1998) "Appendices: Three Justices' Notes on the Supreme Court Conferences On the Stop and Frisk Cases," *St. John's Law Review*. Vol. 72 : No. 3 , Article 6.

Available at: <https://scholarship.law.stjohns.edu/lawreview/vol72/iss3/6>

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APPENDICES: THREE JUSTICES' NOTES OF THE SUPREME COURT  
CONFERENCES ON THE STOP AND FRISK CASES

These appendices contain my transcriptions of the handwritten notes that Associate Justices William O. Douglas, William J. Brennan, Jr., and Abe Fortas created during the private conferences of the Supreme Court Justices that followed the oral arguments in the stop and frisk cases.<sup>526</sup> The Justices discussed *Wainwright v. New Orleans* in conference on October 13, 1967. They discussed *Sibron v. New York*, *Peters v. New York*, and *Terry v. Ohio* in conference on December 13, 1967.<sup>527</sup>

The Douglas, Brennan, and Fortas conference notes are reproduced here in two formats. Appendix A contains the notes verbatim, and in a physical arrangement that mirrors the handwritten originals. Appendix B contains, for each case, the notes in parallel columns. To facilitate comparisons of each notetaker's entry regarding any aspect of the conference discussion, the entries in each column have been spaced to make equivalent notes (or the absence of an equivalent note) align horizontally.

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<sup>526</sup> These Douglas and Brennan conference notes are in the Library of Congress, Manuscript Division. The Fortas conference notes are in the Yale University Library, Manuscripts and Archives.

Justices Douglas and Fortas took notes during the conference consideration of each stop and frisk case. Justice Brennan took notes during the *Sibron* and *Terry* conference discussions, but apparently not during the conference discussions regarding *Wainwright* or *Peters*.

<sup>527</sup> The Justices also discussed *Wainwright* again on December 13, but the discussion apparently was so brief that no one created a substantive note of it. See *supra* text accompanying notes 188-90.