Quiz

1. As to monitoring its workforce in the workplace, it is quite easy for police administrators to create a reasonable governmental interest which can override a police officer’s expectation of privacy

True

Flase

1. A law enforcement officer would have a “reasonable expectation of privacy” in preventing the use of installed GPS equipment in police vehicles (which enable the police agency to locate the officers at any time for their own safety) by their employers

True

Flase

1. Even in the absence of a specific policy regulating the use of social media, employees’ use of social media in a manner detrimental to their agency can subject them to discipline for violating other departmental policies and guidelines

True

Flase

1. In conducting its analysis of whether the employee’s speech is that which warrants constitutional protection, the court will assess its value against the negative effect it has on the government entity’s interest in ensuring efficient operations in the workplace

True

Flase

1. Union members who use a social media site to discuss the lack of appropriate pay by their police agency for overtime but do not disclose any personal information or confidential information involving the police agency is considered a concerted activity protected under labor laws.

True

Flase

1. State Sovereigngn Immunity statutes that prevent lawsuits or limit recovery of damages against police agencies will limit the recovery of damages by a plaintiff who prevails in a copyright lawsuit against a police agency under federal law

True

Flase

1. There continues to be a social movement in local communities that non-violent misdemeanor acts by school children should be handled through the school’s disciplinary process and not the criminal process by way of an arrest of the juvenile by the police

True

Flase

1. Privatization of prisons are non-controversial in nature because they save a state or municipality money.

True

Flase

1. Police officers can seize and look into videos found in a cell phone without a warrant if the cell phone is not password protected

True

Flase

1. Police may use drones to collect evidence inside private residences by peering in windows of a house even if a judge had earlier rejected their application for a traditional search warrant to raid the house for suspected drug usage

True

Flase

1. As to police department’s policies of monitoring their workforce

* They involve the 8th Amendmen
* Prevent monitoring of the workforce unless a warrant is obtained by the employee
* Generally dispel the reasonable expectation of privacy of the worker
* Violate the 1st amendment in of the employee

1. If an police officer is sanctioned by his/her employer at work for social media posts on a Facebook page which is open for anyone to visit and read online but posted on the officer’s own personal time:

* This is an illegal infringement of the 1st amendment by the employer
* If the speech in question does not touch on a matter of public concern, the courts will defer to the government employer’s decision to discipline employees for their speech
* Violation of the 4th amendment as a warrant is needed by the employer before searching that posting
* all of the above are correct answers to the question

1. Pictures and diagrams used by police agencies (without the original author’s permission) that they find on the internet and used for charity purposes to raise money for a fallen officer’s family to advertise the existence of a “go fund me” online donation site:

* are not a violation of copyright law because all items found on the internet are “public domain”
* are covered under the “fair use” defense all the times as this is charity work
* are only protected by copyright laws if they are actually filed with the US Copyright office
* all of the above are incorrect statements

1. If a police officer posts a lie by way of a written comment on social media internet blog that he has recently arrested the town’s mayor for prostitution:

* This is slander
* This is liable
* Qualified Immunity will protect the officer as he was acting as a police officer
* If it is an anonymous posting, then there is no defamation committed here

1. Militarization of police forces:

* have been hard to implement by the police agency because this equipment has been expensive and virtually unavailable in the marketplace
* is a possible cause for the filing of a strict liability type lawsuit against the police agency when heavy combat type vehicles are moving about public roadways
* is a form of community policing
* is useful in establishing a community connection to the local population

1. The use of body cameras by police agencies on their officers:

* raise privacy issues of the subject’s that are filmed if the filming takes place in a private residence without the consent of the occupants of the structure
* are not public records
* can be considered an unreasonable search and seizure of evidence when implemented in the workplace even if the officer informs the subject being filmed that they have a body camera activated
* all of the above are correct responses to the question asked.

1. Police agencies who participate in reality shows such as “cops”

* are a good source of commercial revenues that often show a profit for the agency
* usher in claims of sensationalism against police officers to glamorize an arrest and thus endanger a criminal prosecution
* are encouraged by professional police departments to help promote “due process”
* have privacy issues when individuals are filmed without their consent

1. License plate readers (LPR):

* are not allowed without a warrant issued to collect this data from vehicles on a public roadway.
* some states have passed statutes that limit the storage of this data for a certain period of time by the law enforcement agency for a limited time period (ie. NOT “forever”)
* are not public records if the LPR data is saved in computer systems of police departments.
* none of the above are accurate statements

1. The use of drones by police agencies to fight crime are:

* a violation of the 4th amendment by their nature because they allow the police to see geographic areas on public roadways without driving to those locations
* are not being used by police agencies at this time due to their controversial nature
* can violate a suspects “due process” as the drone cannot be cross-examined
* none of the above are correct answers to the question

1. Cell phone videos taken by the public:

* are a violation of the police officer’s privacy if they record the police officer on duty on a public street.
* are protected from “searches” under the 4th amendment by police if they don’t have a search warrant and the owner does not give consent to search and there are no exigent circumstances
* have not made a major impact on the perceptions of police actions by the public
* can never be evidence as the public has recorded the video, not the police