

Police actions and courts procedures

Law



Police actions and court procedures Questions Do you agree that for police action to be just, it must recognize the rights of individuals while at the same time hold them accountable to the social obligations defined by law? Please support your position.

Yes, I agree with the assertion that police officers must acknowledge human rights of individuals for their actions to be just. Respecting human rights by the police force enhances their effectiveness (Taylor, 2003). This is because systematic respect of human rights by police officers enables them to develop professionalism in their approach to solving issues, crime prevention as well as law and order maintenance. It is a legal, moral, ethical imperative, and also a practical requirement in law enforcement.

Respecting and upholding human rights by the police promotes successful legal prosecutions in court, public confidence and community policing. The police forces are considered to be part of the community and the social function they perform is viewed as valuable (Taylor, 2003). Knowledge of human rights put policemen in a closer relationship with the community, and this makes them capable of preventing and solving crimes through proactive policing. This promotes peaceful complaints and conflicts resolution.

Have the courts provided adequate protection to citizens against overzealous police officers?

It is true to say that the court has put adequate measures to protect citizens from overzealous police officers. The courts have clearly laid down frameworks that define the legal rules for police officers to use their powers (Denning, 2012). The courts have also recommended the review and investigations of police officers who have cases of brutality against members of the public. In small police departments, sergeants' investigates the

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complaints filed by civilians against police officers. However, in large police departments, the Internal Affairs Division (IAD) will investigate cases filed by civilians against law enforcers. The reports and reviews are submitted to the Chief of Police who disciplines the incriminated police officers.

(a). In which areas of search and seizure and interrogation law do you think the courts have not gone far enough?

The Supreme Court's case involving the Fourth Amendment's veto on irrational searches fails to clearly differentiate between a routine search for marijuana or stolen goods and a preventive search for anthrax vial or a bomb. In addition to that, the government must have a probable cause and the belief that the intended search would expose evidences of crime before obtaining a wiretap, searching a dwelling or doing a thorough check in a car (Welty, 2012).. These rules and regulations do not make sense since the rationale of conducting the search is to prevent mass killings.

2. (b). In which areas do you think the courts have gone too far? Please support your answers.

The courts have gone too far by recognizing the constitutionality of forced blood draws conducted by medical professionals in medical settings. The constitution as stated in the Fourth Amendment recommends forced blood draw when police officers: have reasons to believe that the individual in question must have committed an offense and if the blood sample can provide fresh evidence (Taylor, 2003). In some cases, individuals may not consent to drawing of their blood because of their own special reasons. Due to the Fourth Amendment, there is nothing they can do since the courts will approve it, rather than view it as an infringement of their human rights. The passing of this law by the Supreme Court shows how far they have gone in <https://assignbuster.com/police-actions-courts-procedures/>

trying to minimize crime.

References

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