

Daniels v city of arlington case study example

[Law](#), [Criminal Justice](#)



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Type of Action

The case is a review by the United States Court of Appeals on an inferior court's ruling providing for the apparent denial of partial summary judgment and the dismissal on summary judgment requested by the appellant.

Facts of the case

Daniels, a police officer in Arlington used to work in the plain clothes department. Daniels used to wear a gold cross pin as a symbol of his evangelical Christianity. He was transferred to a uniformed division that did not require him to wear a gold cross pin. Arlington Police Department General Order 205 required any officer seeking to wear a pin to get written permission directly from the police chief. He made a written request to the police chief, but the police chief responded by saying he had not authorized any non department to wear pins, and he was not intending to so in the

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future. Daniels continued to wear the pin without authorization. He did not respond to the accommodations provided by the police chief and was fired for insubordination. Consequently, Daniels sued, claiming that the no-pin policy was unconstitutional, and it amounted to religious discrimination. His pleas were denied in the District Court, and he consequently appealed to the United States Courts of Appeals.

Contentions of the parties

Daniels argued that the Police General Order no. 205 is unconstitutional and places an unnecessary restraint on the freedom of speech. The uniform standards violated the First Amendment to the United States Constitution, because it placed a restraint on the freedom of religious expression.

Daniels argued that the order is overboard as it gave the police chief too much mandate in determining what should be expressed in the police uniform. The City argued that the Police General Order 205 was not unconstitutional. It was the city's opinion that the Police Department's no-pin policy passed the deferential rational review standard and urged the court to apply the same.

Issues

Does the Police General Order number 205 of police uniform standards violate the freedom of expression clause of the First Amendment of the United States constitution? Does Daniel express a legitimate public concern through wearing the pin on his police uniform?

Decision

The United States Court of Appeals concurred with the decision made by the District Court. The Court held that Police General Order 205 was not offensive to the constitution of the United States of America. The no-pin police policy did not prohibit the expression of a legitimate public concern; hence the policy did not violate the freedom of religious expression guaranteed by the First Amendment.

Reasoning

On the matter of communicating a public concern, the court applied the two tests both postulated in *Connick*. On the citizen-employee test, the court held that Daniels was a private citizen expressly seeking personal interests. The court applied the content test and found out Daniels's opposition to the no-pin policy was motivated by a desire to seek personal interests. The Police Department's policy on the police uniform passes the Application of *Pickering* balance test. The matter expressed by the appellant is not a legitimate public concern; therefore, it does not offend the freedom of expression articulated in the First Amendment.

Rule of law

The court applied the singularity test promulgated by the United States Supreme Court in *Pickering v. Bd. of Education*. The claims failed to pass the singularity test and emerged as motivated by personal interests. The *Connick* test concerning the interests of employees and legitimate public concern, the court held that Daniels's interests were purely personal in nature.

References

Connick v. Myers, 461 U. S. 138 (Supreme Court of the United States April 20, 1983).

Pickering v. Board of Education, 391 U. S. 563 (Supreme Court of the United States June 3, 1969).