

NEBRASKA CASE LAW THAT ALL COPS NEED TO KNOW



1 DAY SEMINAR 9:00 AM - 4:00 PM

Part of any constitutional policing program is knowing and understanding how the Constitution applies to police procedures. Violations of the Federal Constitution can cause loss of public trust, criminal evidence suppression, massive civil liability, administrative sanctions and even criminal prosecution of law enforcement officers.

On the day an officer takes the oath of office, the Constitution becomes more than a legal obligation; it becomes an ethical duty, a matter of promise-keeping—keeping the most solemn promise made in a law enforcement career, the promise to support, uphold and defend the Constitution of the United States of America. However lofty that promise, it is hollow without a thorough understanding of what the Constitution requires of police officers.

This program demonstrates how knowledge of the law can be a powerful tool for achieving investigative goals and it can empower officers to attain higher ethical standards, consistent with their oaths of office, without sacrifice of overall law enforcement effectiveness.

This program examines certain aspects of what some lawyers would call “pre-arraignment criminal procedure,” the law of criminal investigation and, in particular, what law enforcement officers can and cannot do under the United States Constitution. While some state law is more restrictive of police behavior than is the federal constitution, most state law is a mirror image of federal principles. State law may be more restrictive of police practices than the federal constitution but naturally it cannot allow practices that would violate the federal constitution. The starting point, then, in determining the legality of a police action is deciding whether it passes muster under the federal constitution. Where there is in fact state law deviation from the federal standard, such deviation will be highlighted and emphasized in this program so that officers understand where there are additional restrictions on their authority.



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