

The US Police Officers in Front of Law

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Law Enforcement Authority and Equal Application of Law

Laws are meant to protect the citizens from the offenders and criminals by minimizing crime. However, as binding citizens of the US, police officers are as accountable in front of laws as any other citizens. And it was proved by Highway Patrol Trooper Donna Jane Watts. She caught a [police officer](#) who was driving at 120mph to an off-duty job and was in his police uniform and driving a police car. The caught officer was Fausto Lopez from the Miami Police Department. At first, Lopez ignores her existence on the highway and continues with the speed, but Watts chases him, and after four minutes, he pulls over. She arrests him there. However, it creates problems for Watts. She gets prank calls, and she looks into it and finds 88 [law enforcement](#) officers from 25 agencies have accessed Watts' driver's license more than 200 times in three months. She has sued the 25 departments for accessing her data for illegitimate reasons. As the police officers looked up her license information and harassed her, she was right in suing the cops. However, the police have the immunity that allows them to access the data. Regardless of the immunity, she did not do something against the law to be harassed and must sue the police officers who violated her privacy. (*Watts v. City of Hollywood*, 2015; *Watts v. Camacho*, 2017)

The Florida federal laws have limited the highway speed limits under 75mph, and anybody going over it, is illegal. However, there are exceptions for the police who can break the speed limits when they are chasing criminals or rushing to save someone living in a case of emergency. Although Fausto Lopez builds the motion that he was in a hurry and had to reach an off-duty job, it does not fall under the state of emergency that the state has built for the police. Also, he was misusing his authority as an officer and speeding above the legal limits. He was stopped and arrested for what he did wrong. Watts was doing her duty, and she did it properly. Although she saw it was a police car, and the person was in the police uniform, she did not give in as many police officers do as a protocol. They led them to break the rules without consequences. However, Watts was brave to take him down and arrest him. Moreover, it was difficult for her to believe him as some criminal might steal the police cars to commit a crime. Regardless of whether she recognized the man as a police or a thief, she arrested him. The police officer was dismissed for breaking the traffic laws. (*Fla. Stat. § 316.187*)

However, it is surprising that she was harassed by the police officers for stopping a man from violating state laws. One officer stops another officer from breaking the law, and her colleagues, instead of praising her for her dedication towards her job, harass her. They harass her, prank her, and even throw human faeces in her car. They harass her so much that she is scared of opening her mailbox. And 88 police officers have looked up her driver's law information illegally 200 times. Some

of the people said that they were curious and wanted to see who Watts was. They might be curious about Watts because she did not care about the police protocol, nor did she take sides with the police. However, the curiosity cannot be justified for illegally accessing her data and harassing her. Moreover, she is relocated from Dade County to Broward County. Although it is just relocation, why does she need to be relocated to do her job right? Hence, many of the police officers were probably offended by what she did, which is why they were harassing her.

Police Misconduct and Ethical Accountability

Additionally, the police officers are there to enforce the laws that the state makes for them; if they break them without a legitimate reason, it justifies the breaking of laws even for the citizens. Moreover, if police officers care for each other and let each other break the laws, it will increase police brutality. As there is no one to stop them from committing crimes, they will not feel a need to be careful. Although professional courtesy is important, it should not be implemented in all cases. He might have gotten the professional courtesy if the speed was 85mph or a bit above it, a person cannot disregard the law totally to provide professional courtesy. And it might be the reason for the harassment that Watts faced. However, it should not have been the case because there might have been serious consequences for both the officers if Lopez had gotten into an accident with that speed. Thus, the protection of law enforcement is more important than professional courtesy.

It is unethical for the law enforcement to break the laws. If the police break the law, it might lead to discrimination and obstruction of justice. It is a barrier for the justice to reach to the people. If a person cannot respect the laws, why would they tell others to care for it, and why would others follow their lead? It is crucial for law enforcement to respect the laws that they expect other people to follow. Additionally, it scares people, and they do not trust the police department for the misconduct of some people. In this case, the colleagues must have sided with Watts and appreciated her, but they took the wrong side. They harassed the person who was upholding the law. It sends the message that upholding and charging the police who break the laws might cause isolation and ostracization by others. It scares other police to stand up and uphold the law and charge those who are wrong. It encourages the police who break the law to continue doing it because many people are siding with the wrong person. Therefore, the police must help the person who is upholding the laws, and it is their duty. But if they get involved with breaking the laws and side with such people, then there must be laws to protect the people who are trying to do their duties properly. Hence, she has the right to sue these people who are disrespectful towards the laws.

Privacy Rights, Qualified Immunity, and Legal Remedies

The Federal Driver Privacy Protection Act does not allow the Motor Vehicles Department to access personal data for illegitimate reasons. (18 U.S.C. § 2721) In the case of Watts, there was no legitimate

reason for looking up her information, which makes it illegal. The legitimate reasons to obtain and access the information are to perform police work, to investigate claims, to verify the identity of a person, for lawsuits and with the consent of the person. However, these were not reasons for obtaining information about Watts. The police officers obtained her information for their curiosity or to harass her, due to which she is right in filing the lawsuit against them. Moreover, the people who accessed her data will be paying a fine of \$2500 for violation of information which amounts to a total of \$500,000. (18 U.S.C. § 2724) As her rights were violated, she has the right to file the case.

However, some argued that the lawsuit was invalid because of the qualified immunities. The qualified immunities apply only if it is established that the lawsuit was invalid. In the case of Watts, 88 officers accessed her data for non-legal purposes which makes it illegal. Moreover, some of them harassed her after getting her address and phone number. They cannot be immune from the lawsuit. However, the decision against five officials in the lawsuit said Watts “did not show that the officers...violated federal law. Because she failed to show the officers...purpose was that not permitted by the DPPA.” Hence, they concluded the officers had the qualified immunity to access the information. Although the rights of Watts were violated, the officers were immune due to their status. (*Watts v. Camacho*, 2017) However, many of the groups had settled the issue with Watts.

To conclude, policing is difficult as it is a job that requires courage and strength of values to be professional. And Ms. Watts has fulfilled that responsibility. She has not cared for the professional courtesy or the friendships. She focused on her duty, and that earned her animosity from her other colleagues, but she did not get threatened by it. However, the law sometimes protects the wrongdoers. In this case, the police officers who accessed her information and harassed her did wrong in many ways. For instance, they violated the privacy of an officer. They did it to threaten her for fulfilling her duties properly. It sent a negative message that if a person goes against their colleagues, even if they are wrong, they will have to bear the consequences. It safeguards those officers who break the law. It is unethical to side with the criminals and harasses her. However, it was a powerful step taken by a brave police officer. It does not matter whether she won the lawsuit or not; it raised awareness among people and showed them the police are not immune from punishments when they break the laws.

References

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