



2016 Current Legal Issues for Law Enforcement

Sponsored by
Massachusetts Interlocal Insurance Association
and presented by
Attorney John Scheft & Law Enforcement Dimensions, LLC

SESSION ONE



Wednesday, November 18, 2015
Coolidge Hall, Topsfield Fair Grounds
207 Boston Street, Topsfield, MA
8:00 a.m.- 12:00 p.m.
Registration/Light Continental Breakfast: 7:45 a.m.

Purpose

High quality inservice training is essential

- Ongoing, well-delivered training increases professionalism and decreases the likelihood of lawsuits.
- It is significantly more cost-effective to provide training than risk liability [1]
- Our Instructor is certified and our materials are approved for veteran officer, inservice credit by the Municipal Police Training Committee (MPTC).

Our program for 2016

The MIIA and Law Enforcement Dimensions (LED) program features:

1. 4 hour or 8 hour classroom session for your officers . [2]
2. Course manual for each officer (approximately 100 pages).
3. Monthly legal updates for department-wide distribution from October 2015 to June 2016 (nine months)
4. Diagnostic exercise to reinforce concepts
5. Certificates of attendance

What's on the agenda? Just *some* of the critical areas we tackle: **Motor Vehicle & Field Stops.**

- Anonymous tip of reckless driving.
- Hot pursuit covers jailable misdemeanors.
- Civil infractions (plate covers, lights and wipers).
- Inventory: Key case on safety impoundment.

Marijuana Issues

- Vehicle search based on non-criminal amount.
- Home warrants must eliminate medical participation.

Firearms

- "Open carry" issues.
- BB gun response

Domestic Violence and Civil Rights

- Police entry based on exigency.
- Internet harassment issues.
- Racial hostility need not be "substantial" factor.

Juveniles

- Child abuse: frivolous reports & admissible hearsay.
- "Parental Kidnapping" cases.
- "Spanking: children- discipline or crime?"

Sexual Offenses.

- Overview of crimes for street cops.
- First complaint revisited.

Theft Offenses

- Shoplifting changes.
- Lack of consent proves larceny.
- Hotel records.

Interrogation & ID.

- Juvenile waiver extends to 17 year olds.
- Mid-interrogation request for adult help.
- Attorney requests.
- In-court IDs and single-photo showup in cruiser.

Any late breaking developments!

Attendance at this seminar qualifies the MIIA member for 1% credit under the FY 16 MIIA Law Enforcement or Public Officials categories.

John Sofis Scheft, Esq.

-- the founder of Law Enforcement Dimensions -

has educated police officers for over 20 years. He is the author of the most widely used manuals on motor vehicle law, criminal law and procedure, and juvenile issues in Massachusetts.

He has taught throughout the Commonwealth on a variety of legal and human relations topics of concern to law enforcement. Notable clients include the Massachusetts Interlocal Insurance Association (MIIA); Drug Enforcement Administration (DEA); State Police; Boston Police; Massachusetts Association of Campus Law Enforcement Administrators (MACLEA); and Executive Officer of Public Safety & Security (EOPSS).

From 2003 - 2012, Scheft designed the Municipal Police Training Committee's (MPTC)

inservice program and served as its Principal Legal Instructor. Before that, he worked as a police trainer for the Attorney General and as an Assistant District Attorney in Middlesex County, where he specialized in sexual assault cases. A graduate of Northeastern University's School of Law and Harvard University, Scheft lives with his wife and two children in Arlington.

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