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First Amendment

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Officer Craig Mathews was punished by his superiors for reporting the existence of an illegal arrest-quota system. Mathews accused his superiors of violating his First Amendment rights of freedom of speech. In the lawsuit, Mathews claimed that he was subjected to a “campaign of retaliation and harassment” after complaining about the system that required several quotas for arrests, summonses, and stop-and-frisk encounters.

A federal judge dismissed the suit stating that the officer’s complaints were “made pursuant to his job duties,” and was not constitutionally protected speech. However, the United States Court of Appeals overturned the ruling, stating that the record had not been “sufficiently developed” in the lower court. Therefore, whether Officer Mathews had been speaking “pursuant to his official duties” when he made the complaints could not yet be determined.

The appeals court stated that for Officer Mathews to be able to sue for his First Amendment rights, he would’ve had to have spoken “as a citizen addressing matters of public concern.” Christopher Dunn who is representing Mathews said that the officer “chose to expose this corruption, and instead of commending him, the Police Department made his life miserable.”

Officer Mathews stated in his lawsuit that he complained countless times to his commanding officers about the quota system. Mathews found that it “was causing unjustified stops, arrests, and summonses because police officers felt forced to abandon their discretion in order to meet their numbers.”

As Officer Mathew's superiors, they take on the responsibility of having to listen to any concerns that their subordinates have. Instead of punishing him for voicing out his concerns, they should have put his thought into consideration. Although the appeals court believes that under this condition, Mathews was not a citizen who was talking about public affairs, they are wrong for punishing him for speaking out.

Regardless of the fact that Mathews voiced his opinion about his work duties specifically, he still had the right to do so. He stated what he found to be unjust, and under the First Amendment, his freedom of speech is protected. His superiors did not have the right to punish him for talking about an issue that he found important to discuss. Mathews was putting the public's rights into consideration when he voiced his opinion, and instead of recognizing the issue, it was brushed off quickly instead.

The stop-and-frisk procedure is already under scrutiny by the public. This procedure allows police officers to stop and search anyone that they consider to be suspicious. Although this strategy is said to help reduce crime, it is found that the vast majority of the stops do not result in any findings of wrongdoing on the person who is checked by the officer. Stops are illegal without a reasonable suspicion of a crime and frisks are illegal without a reasonable suspicion of a weapon. Critics believe that officers are unfairly targeting young men who are black or Hispanic since 85% of these stops are focused on them.

It is admirable that Officer Mathews pointed out this issue that has become a public concern. Being an officer, one might feel obliged to follow orders without questioning them. It takes a lot of courage to openly state that what the law enforcement is doing might not be right. Mathew's superiors should not infringe on his right of freedom of speech, especially since it was a selfless act that was speaking for the rights of others and would not benefit him in any way.

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