

YOU & the LAW



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Can police search your cell phone?

In the past, most people kept personal records in paper files, and then in electronic form as home computers became more available. The Fourth Amendment to the U.S. Constitution protects those paper files and computers from unreasonable searches by the government.

It limits the right of police in most instances to search your home, car, office or other personal or business property such as your records or bank accounts. To search your person or property without your permission, police must have probable cause to believe your files contain evidence of a crime and they must have a search warrant signed by a judge.

Today, much of our personal information is contained on our cell phone or smart phone, and it is usually always with us. Does the Fourth Amendment provide the same privacy protection once those personal records on your cell phone are outside of your home in a pocket or purse?

The United States Supreme Court ruled that the Fourth Amendment



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protects cell phones from seizures or searches without a warrant, even when they are out in the open.

In *Riley v. California*, 134 S.Ct. 2473 (2014), the court said, "Modern cell phones are not just another technological convenience. With all they contain and all they may reveal, they hold for many Americans, 'the privacies' of life."

What are your rights if a police officer wants to search your cell phone? Police can search your cell phone if you agree to the search. In that case, they do not need a search warrant.

You have a right to refuse to consent to the search and a right to speak to an attorney before making further statements to the police. Once you agree to allow police to search your phone, it will be difficult to limit what information they can see or to stop the search.

Police do not need a warrant to search your phone if they have probable cause to believe it contains evidence of a crime and that there is immediate danger the evidence will be destroyed.

If police have a search warrant or if you consent to the search, you do not have to assist in the search and you do not have to answer questions without speaking to a lawyer.

But you should not interfere with the search or try to destroy evidence. That can lead to your arrest.

Rules about digital devices and the Fourth Amendment right to privacy are evolving as new technologies develop. For more information on constitutional issues and your rights, visit <http://constitutioncenter.org> and <https://www.eff.org>.



Internet and school work: Finding the right balance

Mobile electronic devices and access to the internet are becoming a commonplace part of life for children and teenagers.

A study by Common Sense Media found that 72 percent of children under the age of eight have used a mobile device, including 38 percent of children under two. Ownership of tablet devices such as iPads increased from 8 percent of all families in 2011 to 40 percent in 2013.

A similar 2012 study of teens by Pew Research Center found that 95 percent of all teens were online, 93 percent had their own computer or access to one at home, and 78 percent had their own cell phone or smartphone that they used to access the internet.

Digital devices, the internet and social media are even becoming part of the school day. Teachers post homework assignments and provide educational content online. Students use the internet to do research and participate in online classroom discussion groups. Once online with access to social media and texts from friends, it can be difficult to stay focused on studying.

Many teachers and parents worry about the effect that too much time spent on social media and the internet have on

children and learning. The Pew Research Center reports that a majority of middle and high school teachers surveyed thought these technologies were harmful to students' attention span.

Having digital devices close is a temptation to multitask — to quickly respond to a text or check Facebook in the midst of studying. A 2010 report by the Kaiser Family Foundation found that almost a third of students surveyed said that when they were doing homework, they were usually also watching TV, texting, listening to music or engaged with some form of electronic media.

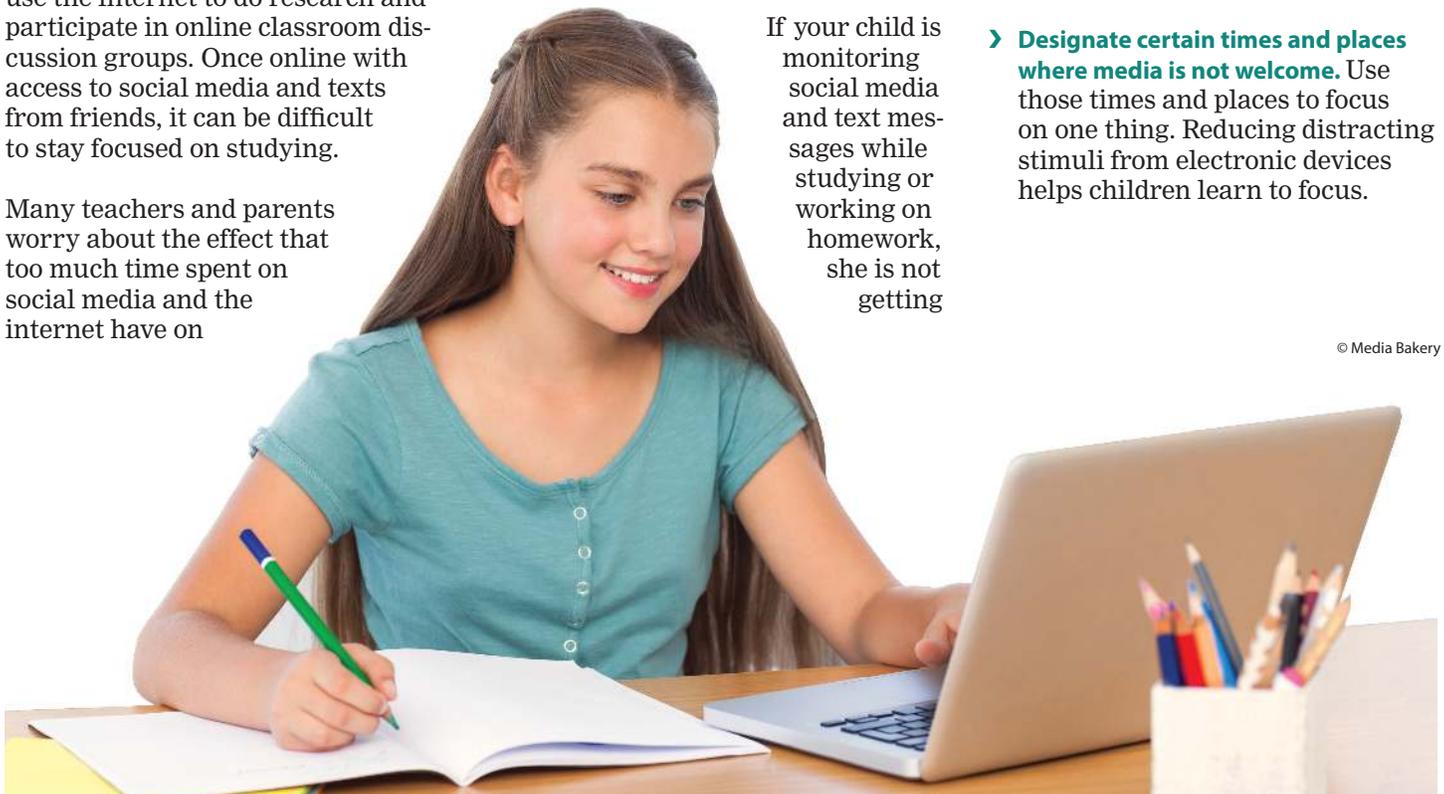
Despite what we may think, our brains do not actually multitask. Instead, the brain shifts its attention rapidly back and forth between tasks. You can brush your teeth and watch the news at the same time without difficulty, but tasks requiring concentration are more difficult for the brain to efficiently process.

If your child is monitoring social media and text messages while studying or working on homework, she is not getting

the full benefit from the time spent. Each time her brain switches attention from homework to her cell phone and back to homework, it has to refocus. Constant refocusing reduces concentration and impairs the ability to remember the material studied.

How can parents help children and teenagers manage their online usage? Here are some recommendations from Common Sense Media:

- › **Keep them on task.** Limit them to one screen and one activity at a time, especially when they're doing schoolwork, and reward them for sticking to it.
- › **Model balanced habits and responsible use of media.** That includes not interrupting conversations with technology.
- › **Co-view or co-play.** Sharing experiences and explaining something you've seen or heard challenges your child to think more deeply.
- › **Designate certain times and places where media is not welcome.** Use those times and places to focus on one thing. Reducing distracting stimuli from electronic devices helps children learn to focus.



Learn to become a smart buyer of vehicle repair services

Today's cars are more reliable and can go longer between servicing. Many manufacturers now recommend oil changes for their new vehicles every 10,000 miles instead of every 3,000 miles, and they've also extended schedules for changing spark plugs and air and oil filters. Fewer service visits for you means less profit for the service department.

Older cars are also less likely to need repairs. If you drive an older vehicle, the mechanic who does an oil change may be pressed to recommend other maintenance services such as replacing brake pads and changing other engine fluids whether you need them or not. It can also be tempting for mechanics to suggest a shorter maintenance schedule.

A recent *Consumer Reports* article highlights the problem. "The reliability of the vehicles and the components in them has shifted the equation from repair to taking care of maintenance items at the right intervals," says John Tisdale of test development operations at the National Institute for Automotive Service Excellence. "Seventy percent of the work being done is maintenance."

Fewer visits for repairs and longer periods between routine maintenance reduces profits for dealership service departments and independent car mechanics. At the same time, cars have more complex engine electronics and fewer drivers are comfortable performing their own maintenance and repair. This can put unwary car owners at greater risk.

Manufacturer recalls and free multipoint inspections are one way to get your car into the service department, but a reliable, honest mechanic will recommend only what's needed to keep your car safely



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How do you protect yourself from unneeded repairs?

- ▶ Read the manufacturer's suggested maintenance schedule for your car. Be wary of mechanics who recommend a shorter schedule or something that is not part of routine maintenance for your car.
- ▶ Ask for an explanation of any recommended repairs or unscheduled maintenance and insist on a written estimate. Inquire if there is a safety risk in delaying the repair. If you're not comfortable with the answers, take your car to another mechanic for a second opinion.
- ▶ Check online at the manufacturer's website and forums of car enthusiasts for information about suggested repairs.
- ▶ Look for a mechanic certified by the National Institute for Automotive Service Excellence (ASE), by parts distributors such as DELCO and NAPA or by automotive manufacturers.

on the road and properly maintained. Less trustworthy shops may try to sell you whatever you are able or willing to buy.

The American Automobile Association (AAA) has an approved repair facility program that sets standards and training requirements before a shop gets its seal of approval. AAA-approved repair shops must have ASE certification, along with an extensive background in automotive service.

A shop with AAA certification successfully completed inspections, verification, insurance and background checks. It has also done well in a service satisfaction survey of its customers.

Finally, ask friends and neighbors where they have their car serviced and if they are satisfied with the experience. That can be a good way to find a trustworthy mechanic with whom you can build a relationship.



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Too much stress can damage your health

If you regularly feel tired, anxious, restless and unable to sleep, the problem may be chronic stress. Chronic stress can also lead to digestive problems, headaches, anger and depression.

A little stress is normal and helpful. It motivates us and gives us the energy and focus to undertake challenging tasks. Stress can also be a lifesaver. In an emergency, the burst of adrenaline your body releases under stress can make the difference between a near miss and disaster. In these instances, the effects of stress on the body are temporary.

But bodies are not designed to withstand long-term, unrelieved stress. This form of unhealthy stress can result from difficult or dangerous work, demands of

difficult family situations, unemployment, divorce or financial worries. Even the noisy, fast-paced pressure of modern life can be a source of chronic stress.

Over time, chronic stress reduces our ability to concentrate, saps our energy, impairs our memory and can actually shrink parts of our brain. It lowers our immune system, making us more susceptible to illness.

One way to relieve stress is to change the circumstance causing it. When you cannot remove the stressful factors, there are ways to help your body counteract its effects:

- ♦ Meditation and exercise are two of the best ways to help your body deal with chronic stress.

- ♦ A brisk walk, a game of tennis, or swimming laps in the pool has direct benefit to your physical health and eases stress levels by helping you relax, lifting your mood, and improving your sleep patterns.
- ♦ Spending time in nature is another stress reliever.
- ♦ A quick way to immediately reduce your heart rate and relax your stress response is to stop and take several deep breaths, breathing in and out slowly, focusing attention on your breath. Deep, slow breathing lowers your blood pressure, reduces your heart rate and relaxes your muscles.