

Fort Worth Criminal Lawyer TX Publish New Information On Fifth Amendment Rights

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Fort Worth Criminal Lawyer TX has published a new discussion into whether or not police can compel a citizen to unlock their phone using a fingerprint scanner. Texas, United States - January 13, 2017 /MarketersMedia/ -- The fifth amendment states that no person can be compelled to become a witness against themselves. This right against self-incrimination has been vital in preserving a robust and representative legal process. Fort Worth Criminal Lawyer Stephen Handy has been answering common legal questions on his blog to better educate the public as to their rights. His latest answer is based on a question over how the fifth amendment relates to modern smartphone technologies, and in particular, fingerprint scanners.

The legal precedent is more complex than it might first appear. While the fifth amendment applies to all citizens, it does not apply to physical evidence. Previously, because a phone was protected with a PIN or passcode, compelling someone to give up this passcode was considered an 'intrusion into the mind', and was therefore not valid.

Fingerprint scans, because they require biometrics and not mental processes, can therefore be compelled legally. The post discusses this in detail, and cites the case studies that inform the current precedent. Stephen then discusses where Texas law now stands, and where it is likely to fall on the issue. Finally, he suggests how individuals can best protect themselves against giving up evidence to the Police in the event of an arrest.

A spokesperson for Fort Worth Criminal Lawyer TX explained, "Stephen encounters questions like this every day, and he has worked tirelessly on behalf of his clients to ensure they are as protected as possible from the questionable practices used to extort evidence from people. This is a particularly dangerous situation, as the blurred lines of archaic definitions are redrawn in ways that work against defendants. This is why it is so important for individuals to have as much protection as possible. The best protection comes in the form of expert help, which is why Stephen is always on hand to help people in need."

About Fort Worth Criminal Lawyer TX: Fort Worth Criminal Lawyer TX is the practice of lawyer Stephen Handy. Stephen began his career in 1996 as a misdemeanor prosecutor for the Tarrant County District Attorney's Office where he handled hundreds of DWI cases, theft cases, and drug related charges. He was later promoted to a Felony prosecutor position where he handled many felony cases, including sexual assaults, drug cases, aggravated robberies, and burglaries.

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