



Supreme Court: Cops can pull you over even if you haven't broken a law

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In a ruling [handed down](#) by the U.S. Supreme Court, the nation's top court found that a police officer who mistakenly interprets a law and pulls someone over hasn't violated their Fourth Amendment rights.

The case pertained to a traffic stop initiated on Nicholas Heien in North Carolina, on account of a broken tail light. The stop and search of the vehicle, conducted by the officer after the initial citation, yielded a good amount of cocaine. Heien was charged with drug trafficking.

The problem? According to North Carolina traffic law, only one tail light needs to be functional. That means the initial stop, justified on these grounds, would have been illegal — and so would the seizure of the cocaine found in Heien's car.

Heien filed a lawsuit to suppress the evidence of cocaine possession based on this fact, [according to the Supreme Court ruling](#), and was eventually vindicated by the state Court of Appeals. But that was overturned by the North Carolina State Supreme Court and brought to the nation's highest court on appeal.

The final ruling examined whether the misunderstanding of the law would be considered “reasonable” for an officer to make.

The majority opinion issued Dec. 15 and written by Chief Justice John Roberts found that police officers only need to “reasonably believe” something is against the law to pull someone over. Effectively, this means cops can pull you over even if you haven't broken a law.

“I understand the idea that when, you know, 99 people out of a hundred think you have to have two brake lights, like you do everywhere else in the country, that it's reasonable for the police officer to think that,” [said Roberts during oral arguments](#), siding with the police.

“The government's basic argument is that it was reasonable to pull over the driver based on the law as it was believed to be at the time; the officers who made the stop weren't acting culpably or wrongly based on the situation they confronted,” [wrote Orin Kerr](#), professor of law at the George Washington University Law School.

Critics of the case point to a certain amount of double standard when it comes to knowing the law for citizens and police officers.

“The result is a system in which “ignorance of the law is no excuse” for citizens facing conviction, but police can use their own ignorance about the law to their advantage,” notes the [legal brief](#) on the case by a coalition of civil rights organizations, including American Civil Liberties Union and Cato Institute, a libertarian think tank.

The brief filed with the Supreme Court argues the decision made by the North Carolina State Supreme Court was “inconsistent with the logic that applies to factual mistakes committed by law enforcement and erodes civil liberties, all while undermining police authority and safety.”

“Citizens are presumed to know and understand the laws in every jurisdiction in which they drive,” notes [the brief](#). “Thus, the North Carolina Supreme Court’s rule exempts police officers from the ambit of the presumption exactly when it is most likely to vindicate constitutional protections.”

So while police officers are sworn to uphold, execute and enforce the law, that doesn’t mean they need to understand it completely to carry out traffic stops and eventual arrests on citizens.