



December 15, 2014

Heien v. North Carolina

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An Officer's Determination to Stop a Vehicle Based on a Reasonable Misinterpretation of the Law Does Not Violate the Fourth Amendment

In *Heien v. North Carolina*, No. 13-604 (December 15, 2014), an officer saw a vehicle with one operating taillight. He stopped the vehicle because he believed that North Carolina law required that both taillights be operational. In the course of his investigation, he obtained consent to search the vehicle which led to the discovery of a trafficking amount of cocaine. The law in North Carolina only requires that a vehicle have one working taillight. Thus, the question presented to the Supreme Court was whether a mistake of law can give rise to the reasonable suspicion necessary to uphold the seizure under the Fourth Amendment.

In an 8-1 decision, the Supreme Court said that it could. The Court stated that the touchstone of the Fourth Amendment is "reasonableness." And, to be reasonable is not to be perfect. The Fourth Amendment allows for some mistakes on the part of government officials, giving them fair leeway for enforcing the law in the community's protection. In so holding, the Court emphasized, "[t]he Fourth Amendment tolerates only *reasonable* mistakes, and those mistakes – whether of fact or of law – must be *objectively* reasonable." (Emphasis in original) "Thus, an officer can gain no Fourth Amendment advantage through a sloppy study of the laws he is duty-bound to enforce."

Here, the Court found, the officer's erroneous interpretation of the law was reasonable based on a reading of the North Carolina statute in question. Moreover, the Court noted, at the time of the stop, the relevant provision of the law had never been previously construed by the North Carolina appellate courts. Accordingly, it was objectively reasonable for the officer to think that the Petitioner's faulty brake light was a violation of North Carolina law. And, the Court concluded, because the officer's mistake of law was reasonable, there was reasonable suspicion justifying the stop.