In an 8-1 opinion the Supreme Court held that a police officer may initiate a traffic stop after learning the registered owner of the vehicle has a revoked license unless the officer has information negating the inference the owner of the vehicle is the driver.

In *Kansas v. Glover* Deputy Mehrer ran the license plate of a vehicle he saw being driven lawfully, matched it to the vehicle he observed, and learned it was registered to Charles Glover who had a revoked driver’s license. Deputy Mehrer initiated a traffic stop and discovered Charles Glover was in fact driving the vehicle.

The Supreme Court has held per the Fourth Amendment that police officers may initiate brief investigative stops if they have a “particularized and objective basis for suspecting the particular person stopped of criminal activity.” Glover claims that in this case Deputy Mehrer lacked the necessary reasonable suspicion to stop him.

The Supreme Court disagreed with Glover finding reasonable suspicion in this case. According to the Court: “Before initiating the stop, Deputy Mehrer observed an individual operating a 1995 Chevrolet 1500 pickup truck with Kansas plate 295ATJ. He also knew that the registered owner of the truck had a revoked license and that the model of the truck matched the observed vehicle. From these three facts, Deputy Mehrer drew the commonsense inference that Glover was likely the driver of the vehicle, which provided more than reasonable suspicion to initiate the stop.”

Justice Thomas, writing for the majority, noted that the fact that the registered owner of a vehicle isn’t always the driver doesn’t negate the reasonableness of the officer’s inference. Reasonable suspicion, according to the Court, “falls considerably short’ of 51% accuracy.” Moreover, studies show that drivers with revoked licenses frequently continue to drive. Finally, “Kansas law reinforces that it is reasonable to infer that an individual with a revoked license may continue driving. The State’s license-revocation scheme covers drivers who have already demonstrated a disregard for the law or are categorically unfit to drive.”

The Court did note that additional facts might dispel reasonable suspicion. “For example, if an officer knows that the registered owner of the vehicle is in his mid-sixties but observes that the driver is in her mid-twenties, then the totality of the circumstances would not ‘raise a suspicion that the particular individual being stopped is engaged in wrongdoing.’”

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Tags: Fourth Amendment, Supreme Court, reasonable suspicion, revoked drivers license, search and seizure, Policy Area, Public Safety, Crime, Traffic Crimes