

The Fourth Amendment to the United States Constitution protects against unreasonable searches and seizures. These principles govern temporary detentions for investigation, such as ordinary traffic stops. A driver may be stopped if a police officer can point to specific facts providing an objective reason to believe that the driver is involved in criminal activity.

The suspected criminal activity in this case was driving a vehicle without valid license plates or a temporary operating permit. An officer saw Mr. Hernandez driving a truck without license plates. The officer also noticed a temporary permit in the truck's rear window. Nothing about the temporary permit suggested it was invalid and the officer observed no other traffic violation. Nevertheless, the officer stopped Mr. Hernandez. The reason the officer gave for doing so was that, in his experience, "apparently valid" temporary permits very often are in fact forged, have been issued for a different vehicle, or the vehicle itself has been stolen. Mr. Hernandez resisted arrest and was convicted of obstructing an officer in the performance of his duties, being under the influence of methamphetamine, and driving under the influence of drugs.

The question is whether the convictions should be reversed on the basis that the officer did not have sufficient particularized suspicion to justify the traffic stop.