

Couple alleges misconduct during South Carolina traffic stop

Written by Australian Business

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Most police officers try to act professionally and complete the difficult job they have to do while respecting the fundamental rights of suspects. But, even the best officers are only human and can occasionally slip up -- and of course there are also a few bad eggs who repeatedly abuse their power and violate the basic rights of citizens.

In South Carolina, one recent incident has come to light in which a couple believes they were racially profiled and subjected to an unreasonable search by a police officer. If you are facing criminal charges in South Carolina and were subjected to the type of treatment the couple is alleging, you may have legal remedies available to you -- like getting evidence collected in violation of your rights thrown out in court.

Couple claims officer conducted search without probable cause

A couple from California -- both of them actors -- was recently visiting South Carolina on what was meant to be a romantic vacation. The actor and actress happened to be African American, and didn't think much of it when they were initially pulled over and ticketed for speeding. But, just a short while later after pulling over to take a few roadside photographs, they began to notice a pattern when they claim another officer accosted them and ordered them out of their car.

According to the television program TODAY, where the couple recently rehashed their experience, the officer initially claimed -- falsely -- that there was a warrant out for the man's arrest. When he asked the officer if this was being done because they were black, the officer handcuffed the man and accused him of having drugs in the car. The man inquired as to what the officer's probable cause was for the search, to which the officer reportedly replied that there could be a dead body in the trunk, with no further explanation.

The search turned up nothing illegal, and the couple was finally permitted to leave. But even though the couple was not charged with a crime in connection with the incident, they have

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turned to social media to express their outrage at what they viewed as racial profiling and an illegal search. The sheriff's department in the county in which the incident occurred issued a statement condemning racial profiling and assuring that the allegations would be thoroughly and quickly investigated.

Subjected to police misconduct? Call a South Carolina criminal defense attorney

The police misconduct alleged in this instance is serious. The authorities cannot pull you over or search you on a whim; there must be some objectively reasonable level of suspicion that you have committed a crime or are about to commit a crime. If the facts alleged by the couple are true, had the officer actually found drugs in the search, a drug crimes attorney would likely have been able to get them excluded from evidence as the fruit of an illegal search.

Most cops are professionals. But if you've had the misfortune of encountering a good cop on a bad day, or if you've run into one of a few bad apples on the force, your rights could have been violated. Ensure that police misconduct does not taint the evidence against you if you've been charged with a crime: get in touch with a South Carolina criminal defense attorney today.