



LEGAL UPDATE

Delay in Stopping Motor Vehicle Must be Reasonable

Commonwealth v. Arias, Mass. (April 15, 2026).

RELEVANT FACTS

On March 27, 2019, Boston police officers assigned to the drug control unit were patrolling the Brighton area in unmarked cruisers. At 3:10 PM, one of the officers saw the defendant get into a gray SUV and drive away. While the car was under surveillance, an officer saw the defendant drive quickly to the right of a line of cars stopped at a stop sign. The SUV passed the line of cars, did not stop for the stop sign, and turned left in front of the first car in line. The officer did not follow the car because it was not safe to do so. He also did not call for assistance from a marked unit.

The next day, the defendant was seen getting into the same SUV at approximately 3:15 PM. At 3:27 PM officers requested assistance by calling over the radio, "We're looking to stop a vehicle for a drug investigation." Marked units arrived in the area and pulled the car over. Cocaine was found on the defendant's person and in the SUV.

The defendant was indicted for cocaine trafficking. A motion to suppress was denied and he was convicted. On appeal, the court considered whether the delay in stopping the defendant's vehicle was reasonable.

DISCUSSION

A motor vehicle stop is a seizure in the Constitutional sense. An officer who sees a traffic violation is authorized to stop the vehicle to address the violation, but that authority has limits.

A motor vehicle infraction does not bestow upon the officer "bottomless authority to seize a defendant." *quoting* Commonwealth v. Daveiga, 489 Mass. 342, 350 (2022). To be lawful, the actions of the officer must be reasonable.

For specific guidance on the application of this case or any law, please consult your supervisor or your department's legal advisor.

The court previously determined that the length of a motor vehicle stop must be reasonable. A motor vehicle stop can only last as long as necessary to address the initial infraction. It cannot be unreasonably extended in hopes that reasonable suspicion of criminal activity will appear. The authority to seize the person ends when the “tasks tied to the traffic infraction are – or reasonably should have been - completed.” Rodriguez v. United States, 575 U.S. 348, 354 (2015).

In this case, the court addressed the reasonableness of any delay between the traffic violation and the stop itself. The law sets no “specific time limitation” with respect to how long after witnessing a motor vehicle infraction an officer can pull the car over. (Emphasis in original.) Any lapse of time between the infraction and the stop must be reasonable under the totality of the circumstances. Officers cannot witness a traffic infraction and not act on it indefinitely and simply use the infraction as a pretext to pull the person over after they have engaged in some other suspicious activity.

In this case, some delay in stopping the defendant’s car was warranted. It would not have been safe for the officer to try to perform the same unlawful maneuver the defendant engaged in to bypass traffic in order to try to stop the car, especially in an unmarked cruiser.

However, it is the Commonwealth’s burden to prove that the 24 hour delay in this case between the witnessed traffic violation and the motor vehicle stop was reasonable. The Commonwealth provided no reasonable justification for such a lengthy delay. There was no explanation for why the officer did not request help from marked cruisers on the day of the violation; which is what happened the next day to stop the car.

Considering the totality of the circumstances here, where the Commonwealth has shown that some amount of delay in stopping the defendant for a civil traffic violation was reasonable but has not provided any reasonable justification for a delay lasting twenty-four hours, we conclude that the Commonwealth has not met its burden to show that the stop of the defendant was reasonable.

The motion to suppress should have been allowed.