



Feb 22, 2019

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U.S. Supreme Court Rules Eighth Amendment Excessive Fines Clause Applies to State and Local Governments

On February 20, 2019, the Supreme Court of the United States ruled unanimously in the case of [Timbs v. Indiana](#) that the Constitution's prohibition on excessive fines applies to state and local governments, limiting their ability to impose fines and seize property.

The Supreme Court ruling centered on the arrest of Tyson Timbs, who pleaded guilty in Indiana state court to dealing a controlled substance (heroin) and conspiracy to commit theft. When Timbs was arrested, the police seized his Land Rover SUV, which he purchased for \$42,000 with money he received from an insurance policy after his father passed away. Following his arrest, the State sought civil forfeiture of Timbs's vehicle, stating that it was used to transport heroin.

While it is not uncommon for law enforcement to seize property they believe was used as a revenue stream by someone suspected of a crime, the trial court denied the State's request because the maximum monetary fine assessable against Timbs for his drug conviction was \$10,000. The court determined that, based on the value of the vehicle, seizing Timbs's Land Rover would be grossly disproportionate to the gravity of his offense and, therefore, unconstitutional under the Eighth Amendment Excessive Fines Clause.

The Court of Appeals of Indiana affirmed this decision; however, the Indiana Supreme Court reversed, holding that the Constitution's Excessive Fines Clause only applies to federal government action and is inapplicable to state action.

Delivering the opinion of the U.S. Supreme Court, Justice Ruth Bader Ginsburg held that the Excessive Fines Clause of the Eighth Amendment is an incorporated protection under the Due Process

Clause of the Fourteenth Amendment.

This Supreme Court's unanimous decision affects state and local governments (particularly law enforcement agencies) as it gives criminal defendants a means to challenge civil forfeitures charged against them by asserting forfeitures are grossly disproportionate to their offenses. Furthermore, this decision enables judicial oversight and constrains abuses of civil forfeitures and excessive fines under the Constitution.

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