

*Officer  
Richard  
Neil*  
(retired)



**Stops & Approaches**  
**Unit 8-5**

OP  
RU TUNNEL

54

TUNNE  
CLEARAN

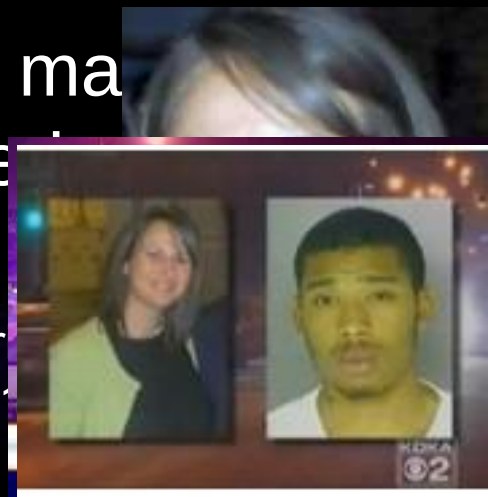
COPS

# Officer Safety



- Every year, 60,000 law enforcement officers are assaulted on the job,
- Resulting in about 16,000 injuries
- 18,661 male officers killed in the line of duty since 1792
- 237 women have been killed on the job since 1916
- "Women are just as likely as their male counterparts to be assaulted, injured, or killed in the line of duty."

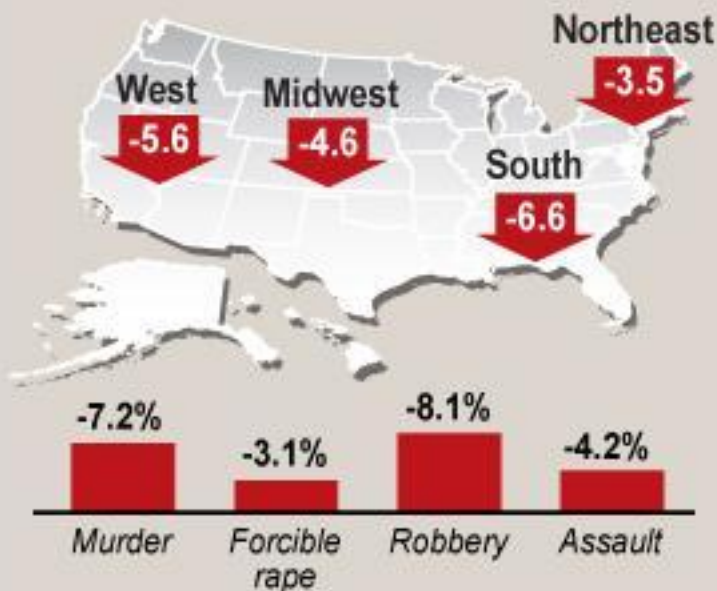
Janine Tr  
Feb. 201





## Violent Crime: By the Numbers

According to preliminary statistics, violent crime last year fell for the third year in a row. A closer look:



# SPO #1 TWO METHODS BY WHICH AN OFFICER MAY BE INJURED OR KILLED DURING A TRAFFIC STOP

- Assault

- Accident

- All tactics used by officers when making a traffic stop must:
- Account for these two possibilities
- Protect against injury or death from both





# SPO #2 DEFINITION OF VEHICLE STOPS

ANY SITUATION IN WHICH THE  
OFFICER DEPLOYS DIRECTLY  
FROM A CRUISER



Deployment tactics taught here are effective for any type of suspect contact

- Suspect stopped in vehicle on road
- Suspect parked in a vehicle
- Suspect hitchhiking





A vehicle stop begins when an officer has probable cause or reasonable suspicion to detain a person or vehicle

- Probable Cause of a Traffic Violation or
- Reasonable Suspicion that criminal activity is afoot





# ALL STOPS PROCEED THROUGH 3 DISTINCT STAGES

- Beginning
  1. Calling in
  2. Assessing stop
  3. Positioning cruiser
- Middle: Tactical portion, where most changes occur
- End: Clearing the scene



# SPO #3 THE PRIMARY GOAL OF PATROL OFFICERS DURING THEIR TOUR OF DUTY IS CONTROL OF:

- Traffic
- People
- Situations, etc.






# Control enhances officer's survival opportunity

- Best way to control is thru voluntary compliance
- Stages of arrest should be followed in tactical order
- Establish control, verbal or physical
- Handcuff to maintain control
- Search, including groin and bra, depending on sex-Female officer should be asked to accomplish, if at all available
- Prepare suspect for transport





TV  
PG  
L

ATLANTA, GEORGIA

# SPO#4 THE MOST CRUCIAL COMPONENT OF THE TRAFFIC STOP IS

## THE ASSESSMENT



# Stop Assessment

- Prior to beginning a stop, officer should evaluate the potential threat level
- Do you need backup before making the stop?





# Stop Assessment

- Without assessment officer cannot choose a plan of action
- Without assessment officers work blindly and rely on luck
- Assessment can change at any time during the stop based on additional information



A&E  
aetv.com

# Stop Assessment

- Officers must balance risk of potential assault with tactics which are:
  - Acceptable to public
  - Objectively reasonable officers
  - Lawful and constitutional
  - "Objective Reasonableness Standard"  
Graham v. Connor, 1989





# Items to consider when making or changing assessment of stop:

- Available information
- Time of day
- Structural design of vehicle
- Number of occupants
- Weather conditions
- Traffic congestion
- Location
- Movement of occupant(s)
- Reason for stop
- Availability of backup
- Situational surroundings, etc



**Cleveland  
Police  
Department  
(Ohio - May 30, 2001)**

# SPO#5 3 GENERAL CATEGORIES OF VEHICLE STOPS

- Low Risk
- Unknown Risk
- High Risk
- There is no such thing as a “***NO RISK***” traffic stop





STOP

STOP



TAMPA POLICE

911

www.tampagov.net/police

# SPO#6 DEFINITION OF LOW-RISK VEHICLE STOP

- ONE WHICH HAS AN UNLIKELY POTENTIAL FOR FELONIOUS ASSAULT OR ACCIDENT

- Typically, these are minor daytime conditions with few occupants
- Traffic conditions which pose unlikely potential for



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# SPO#7 DEFINITION OF UNKNOWN-RISK VEHICLE STOP

- ONE IN WHICH THE POTENTIAL FOR FELONIOUS ASSAULT OR ACCIDENT IS UNKNOWN
- Majority of all stops fall category



# UNKNOWN-RISK VEHICLE STOPS

- Suspicious vehicle/person(s)
- O.V.I. (Operating Vehicle Under the Influence)
- D.U.S. (Driving Under Suspension)
- No O.L. (No Operator's License)
- Fictitious registration
- No rear plate stickers
- Night time
- Structural problems
- Van
- Motorcycle
- Tinted windows
- Elevated pickup
- Truck
- Semi, etc.



# UNKNOWN-RISK VEHICLE STOPS

- Unusual driver actions
- Shoulder
- Head
- Exiting, etc.
- Unusual passenger actions
- Head/Shoulder movement
- Exiting vehicle without officer's request
- Agitated state of mind, etc.





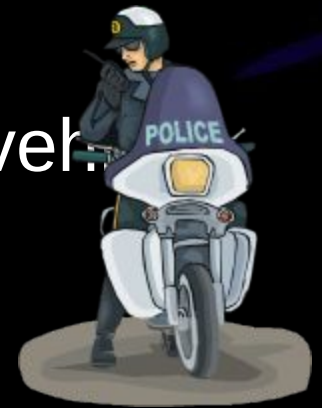
# UNKNOWN-RISK VEHICLE STOPS

A dark blue Dodge vehicle, possibly a patrol car, is shown from a side-rear perspective. The text 'EMERGENCY 9-1-1' is printed on the side panel, and the number '1019' is visible on the rear. The vehicle is set against a dark, textured background.

- Situational surroundings
- High crime area
- Bars
- Gangs, etc.
- No visible license plate
- Obstructed license plate
- Multiple vehicles
- High profile violation
- Excessive speed
- Reckless operation, etc.
- Multiple Occupants
- Symbols
- Gang street/MC
- Bumper stickers

# UNKNOWN-RISK VEHICLE STOPS

- Some misdemeanor warrants
- Whether the driver and/or passenger(s) have CCW licenses and are carrying firearms
- Stops for most misdemeanor crimes
- Stops for non-violent felonies
- Unusual vehicle actions
- "Turn Out"
- Slow in pulling over
- Back-up lights coming on



# UNKNOWN-RISK VEHICLE STOPS

- Aggressive body language
- Abruptly pulling over immediately when signaled or prior to signal
- Traffic conditions which pose a reasonable potential for accident







cl

# SPO#8 DEFINITION OF HIGH RISK VEHICLE STOP

ONE IN WHICH THERE IS A LIKELY  
POTENTIAL FOR FELONIOUS ASSAULT



# HIGH RISK STOP

- Known, possibly violent, felony stops
- Suspected violent felony stops
- Known or suspected weapons related stops
- Pursuits
- Some high misdemeanors, assault warrants





# Cruiser Position for Stops

- No "One-Way" to position a cruiser will account for all possible encounters an officer may have
- By knowing the strengths and weaknesses of several basic positions, an officer may utilize any position in a variety of ways



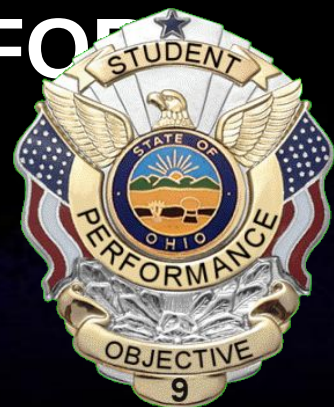
# Cruiser Position for Stops

- Considerations for choosing a cruiser position
- Choice should be based on which position provides greatest control
- Officer must consider which hazard is of foremost concern:
  - Felonious
  - Accidental
- Cruiser positioning should be considered in relation to the contact method officer intends to use



# **SPO#9 SEQUENTIAL ORDER OF THE 8 VERBAL TACTICS AN OFFICER SHOULD USE WHEN MAKING A VEHICLE STOP**

- 1. GREET THE VIOLATOR**
- 2. IDENTIFY YOURSELF AND YOUR  
DEPARTMENT**
- 3. STATE THE REASON FOR THE STOP**
- 4. ASK FOR JUSTIFICATION FOR  
VIOLATOR'S ACTIONS**





# **SPO#9 SEQUENTIAL ORDER OF THE 8 VERBAL TACTICS AN OFFICER SHOULD USE WHEN MAKING A VEHICLE STOP**

- 5. REQUEST THE VIOLATOR'S OPERATING  
LICENSE**
- 6. REQUEST THE VIOLATOR'S REGISTRATION  
AND INSURANCE PAPERS**
- 7. RETURN TO THE CRUISER AND  
YOUR DECISION**
- 8. COMPLETE THE CONTACT IN A  
PROFESSIONAL MANNER**



**MAKE**



MS  
NBC

00:23:33

JAN 23 91  
AM 1:23

# SPO#10 TWO LEGAL FOUNDATIONS FOR MAKING A VEHICLE STOP

- REASONABLE SUSPICION
- PROBABLE CAUSE





An orange traffic cone with a white reflective band near the top, positioned on the left side of the graphic. The cone is leaning slightly to the right.

CLASSIC  
CLIP

tru TV

# SPO#11 TENNESSEE V. GARNER (1985)

ESTABLISHED THE STANDARD OF  
IMMINENT JEOPARDY AND  
PRECLUSION AS THE JUSTIFICATION  
FOR LETHAL FORCE



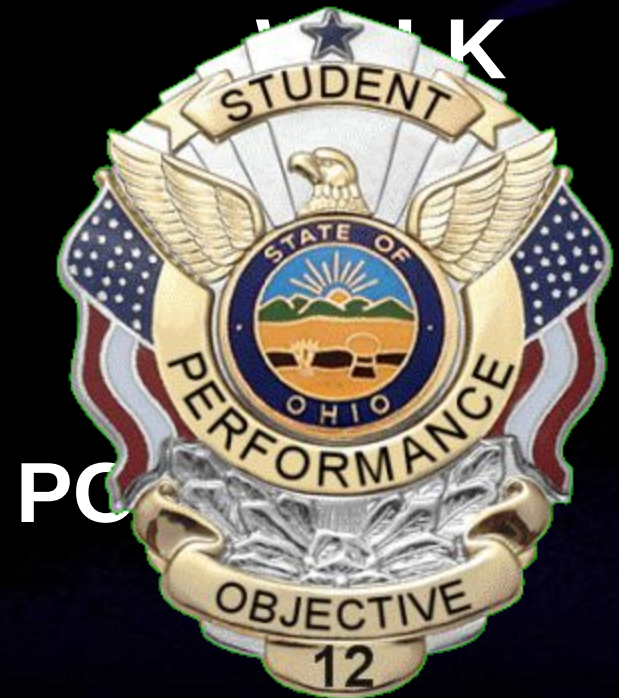




# SPO#12 FIVE LOW RISK APPROACH PATTERNS



1. "STANDARD WALK UP" –  
SIDE ONLY)
2. "TACTICAL LEFT SIDE WALK UP"
3. "TACTICAL RIGHT SIDE  
UP"
4. "P.A. LEFT SIDE  
POSITION"
5. "P.A. RIGHT SIDE  
UP"



# REASONS FOR USING THE POST AHEAD POSITION

- TO VIEW THE VEHICLE IDENTIFICATION NUMBER (VIN)
- TO VIEW THE AREA UNDER THE FRONT SEAT FOR HIDDEN WEAPONS OR CONTRABAND—POSITION OF CHOICE FOR FIREARMS CONCEALED IN A VEHICLE BESIDES ON THE OCCUPANT
- TO CHANGE POSITION FOR A TACTICAL REASON





# REASONS FOR USING THE POST AHEAD POSITION





# REASONS FOR USING THE POST AHEAD POSITION

- TO CREATE A FRIENDLIER OFFICER-VIOLATOR CONTACT, AND GIVE A MORE PROFESSIONAL APPEARANCE
- TO FOLLOW THE VIOLATOR'S HANDS IF THEY REACH TOWARD THE CENTER CONSOLE



# **SPO#14 FOUR ELEMENTS TO CONSIDER IN ORDER TO REACT TO THE SUSPECTS ACTIONS**

- 1. PERCEIVE THE THREAT**
- 2. EVALUATE INTENTION AND AVAILABLE DELIVERY SYSTEM**
- 3. DECIDE ON AN APPROPRIATE TACTICAL RESPONSE**
- 4. ACT OR RESPOND TO THREAT**







# **SPO#15 8 KILL ZONES THROUGH WHICH AN OFFICER MOVES DURING A TYPICAL “WALK-UP” APPROACH TO A SUSPECT’S VEHICLE**

- 1. THE OFFICER IS STILL INSIDE THE CRUISER, WITH THE CRUISER MOVING OR PARKED**
- 2. THE OFFICER HAS EXITED THE CRUISER, WITH THE CRUISER DOOR OPENED OR CLOSED**
- 3. THE OFFICER IS BESIDE THE CRUISER HOOD**



**SPO#15 8 KILL ZONES THROUGH WHICH  
AN OFFICER MOVES DURING A TYPICAL  
“WALK-UP” APPROACH TO A SUSPECT’S  
VEHICLE**

- 4. THE OFFICER IS IN THE OPEN SPACE  
BETWEEN THE BUMPERS OF THE  
VIOLATOR’S VEHICLE AND THE CRUISER**
- 5. THE OFFICER IS BESIDE THE TRUNK  
AREA OF THE VIOLATOR’S VEHICLE**



# **SPO#15 8 KILL ZONES THROUGH WHICH AN OFFICER MOVES DURING A TYPICAL “WALK-UP” APPROACH TO A SUSPECT’S VEHICLE**

- 6. THE OFFICER IS AT THE “VIOLATOR CONTACT POSITION”, DIRECTLY BEHIND THE TRAILING EDGE OF THE DRIVER’S SIDE DOOR**
- 7. THE OFFICER IS AHEAD OF THE VIOLATOR’S SIDE DOOR (P.A. POSITION)**
- 8. THE OFFICER IS APPROACHING FROM THE RIGHT SIDE**







# PRIMARY ADVANTAGES OF AN OFFICER MOVING BEFORE ATTEMPTING TO DRAW

- IT TAKES TIME TO DRAW A SIDEARM FROM A SECURITY HOLSTER
- MOVING FIRST ALLOWS THE OFFICER A FEW EXTRA SECONDS TO EVALUATE WHAT ACTION IS APPROPRIATE
- MOVING FORCES THE SUSPECT TO REACT
- IT IS HARDER TO SHOOT A TARGET



# PRIMARY ADVANTAGES OF AN OFFICER MOVING BEFORE ATTEMPTING TO DRAW

- IF THE OFFICER MOVES TO THE RIGHT, A SUSPECT SEATED IN A VEHICLE WOULD HAVE TO STOP SHOOTING AND TWIST TO HIS RIGHT TO RE-LOCATE THE OFFICER, OR EXIT HIS VEHICLE
- THE FIGHT ISN'T OVER UNTIL THE SUSPECT IS INCAPACITATED






# SPO#17 THREE INITIAL THINGS TO CONTROL IN HIGH RISK STOPS

1. KEYS
2. HANDS
3. EYES





2:32 A.M.  
Traffic Stop

10 3

# RULES FOR HIGH RISK VEHICLE STOPS

1. TAKE YOUR TIME PRIOR TO BEGINNING THE ACTUAL STOP
2. COMMUNICATE DIRECTLY TO CRUISER UNITS
3. POSITION CRUISERS TO CREATE A "WALL" BETWEEN OFFICERS AND SUSPECTS: STAY BEHIND WALL AT ALL TIMES
4. REMAIN BEHIND COVER IN A LOW PROFILE POSITION
5. GIVE LOUD, CLEAR VERBAL COMMANDS TO VEHICLE OCCUPANTS





# RULES FOR HIGH RISK VEHICLE STOPS

6. EACH OFFICER MUST PERFORM ASSIGNED JOB
7. VERBALLY, CONTROL ALL SUSPECTS' HANDS
8. OFFICER WITH *BEST VIEW* OF A SUSPECT *DIRECTS AND CONTROLS* THAT SUSPECT
9. USE *CONTACT AND COVER* PRINCIPLES
10. FOLLOW STAGES OF ARREST IN TACTICAL ORDER

**SPO#18 THE MOST IMPORTANT RULE  
FOR HIGH RISK STOPS IS  
STAY DOWN BEHIND COVER**



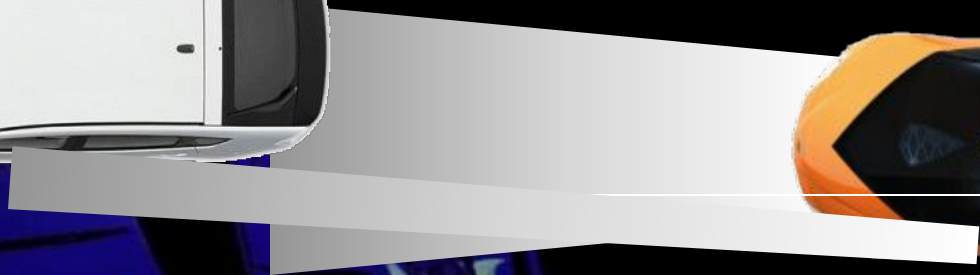
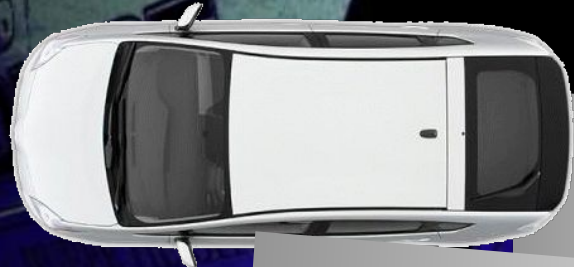
# L.O.C.A.L.

- L = LOCATION
- O = OCCUPANT(S)
- C = COLOR
- A = AUTO
- L = LICENSE





20' Back and Offset 3'  
Left



DPS TYLER

GOINES



**20' Back and Offset 3' Left**

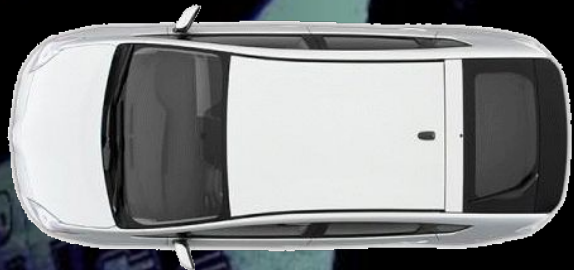




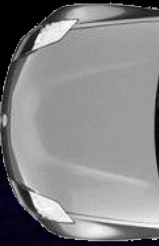
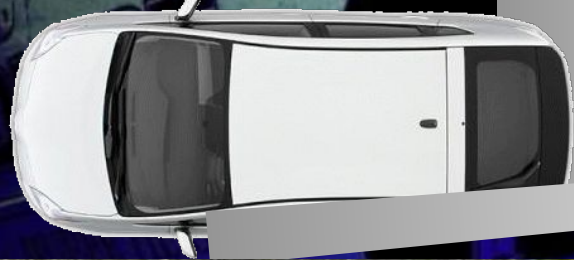


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# Angle Offset Daytime (Spotlight for night)



# Passenger Side Approach



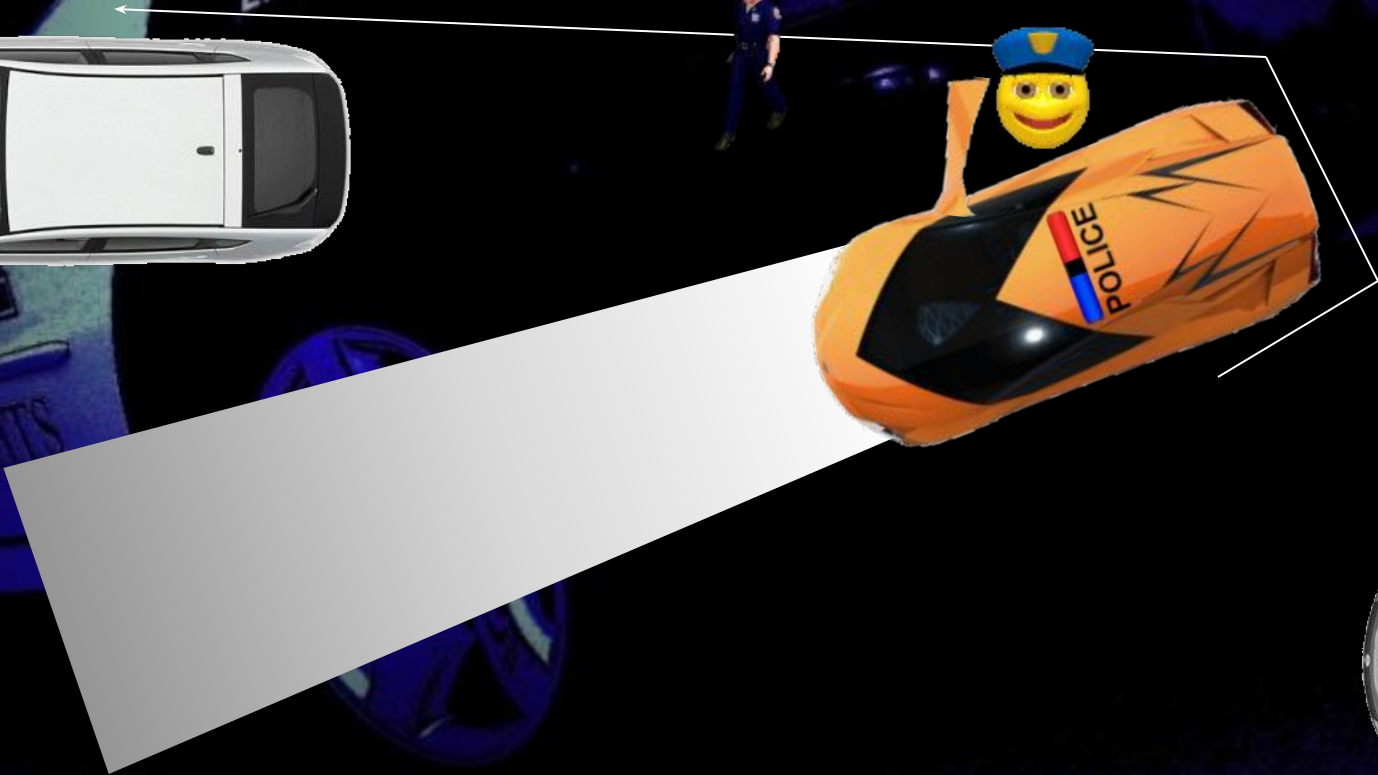


2:38 PM

COCONUT CREEK PARKWAY AND  
LYONS ROAD



# Passenger Side Approach Daytime (Spotlight for night)



# Backup Officer





TRP SAGENDORF

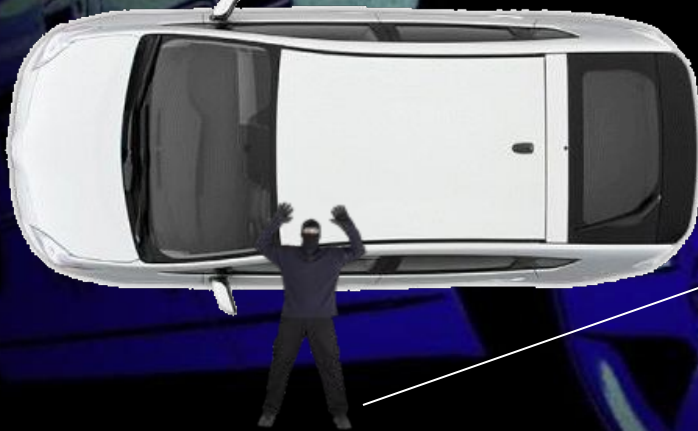


H21:09:37

10-26-96

Ogden, UT

# Violator Back to Police Cruiser





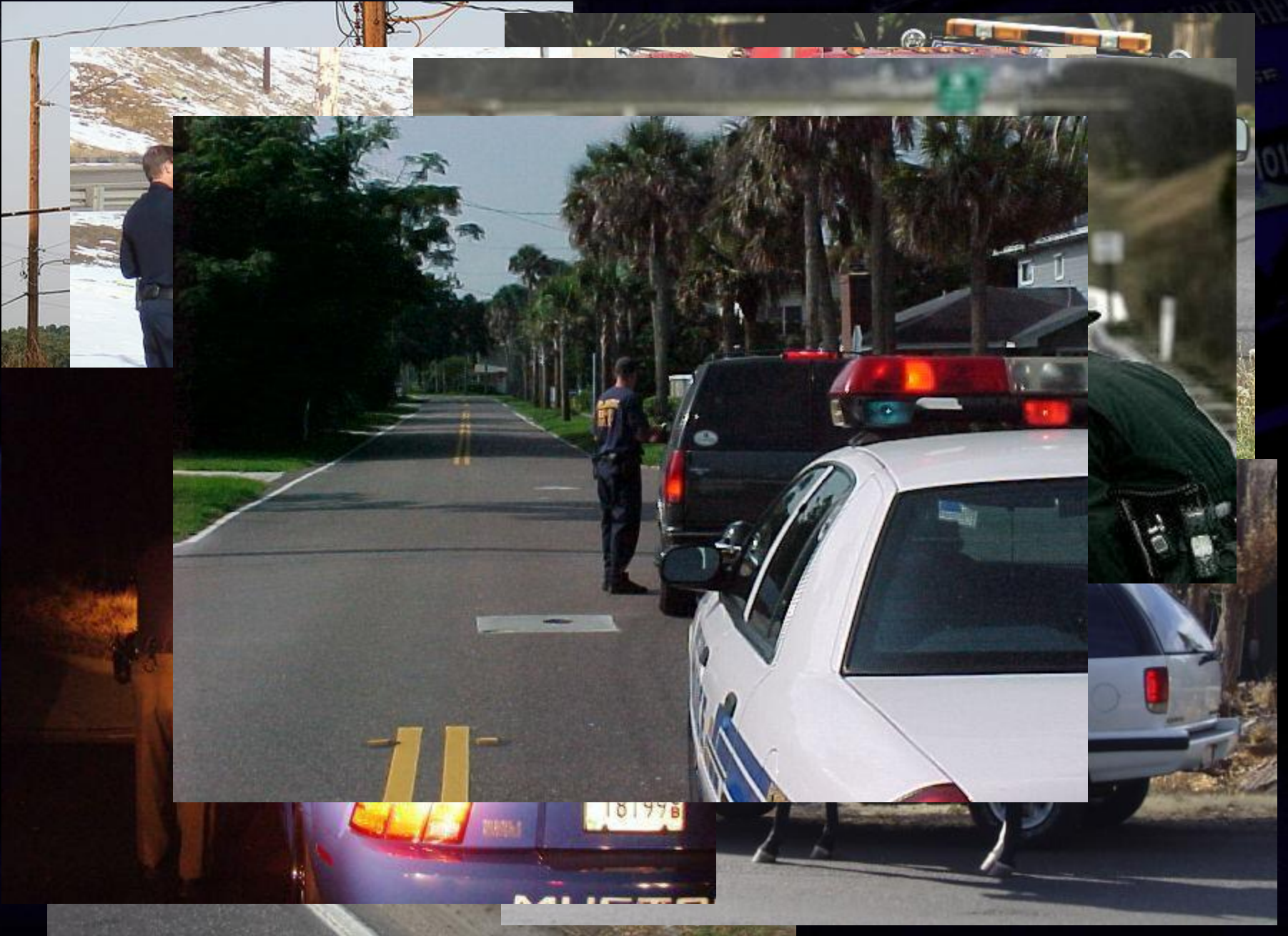
# High Risk Stop/Felony Stop













# Vehicle Searches



**Probable Cause**

# New Recruit Questionnaire

- Sheriff: What is 1 and 1?
- Gomer: 11
- Sheriff: What two days of the week start with the letter 'T'?
- Gomer: Today and tomorrow
- Sheriff's final question:
- Who killed Abraham Lincoln?"



- Gomer finally admitted, "I don't know."
- Sheriff: Well, why don't you go home and work on that one for a while?
- Gomer ran over to the pool hall where his pals were to tell them he got the job!
- "It went great! First day on the job and I'm already working on a murder case!"





# PROBABLE CAUSE

Absolute  
Certainty

100

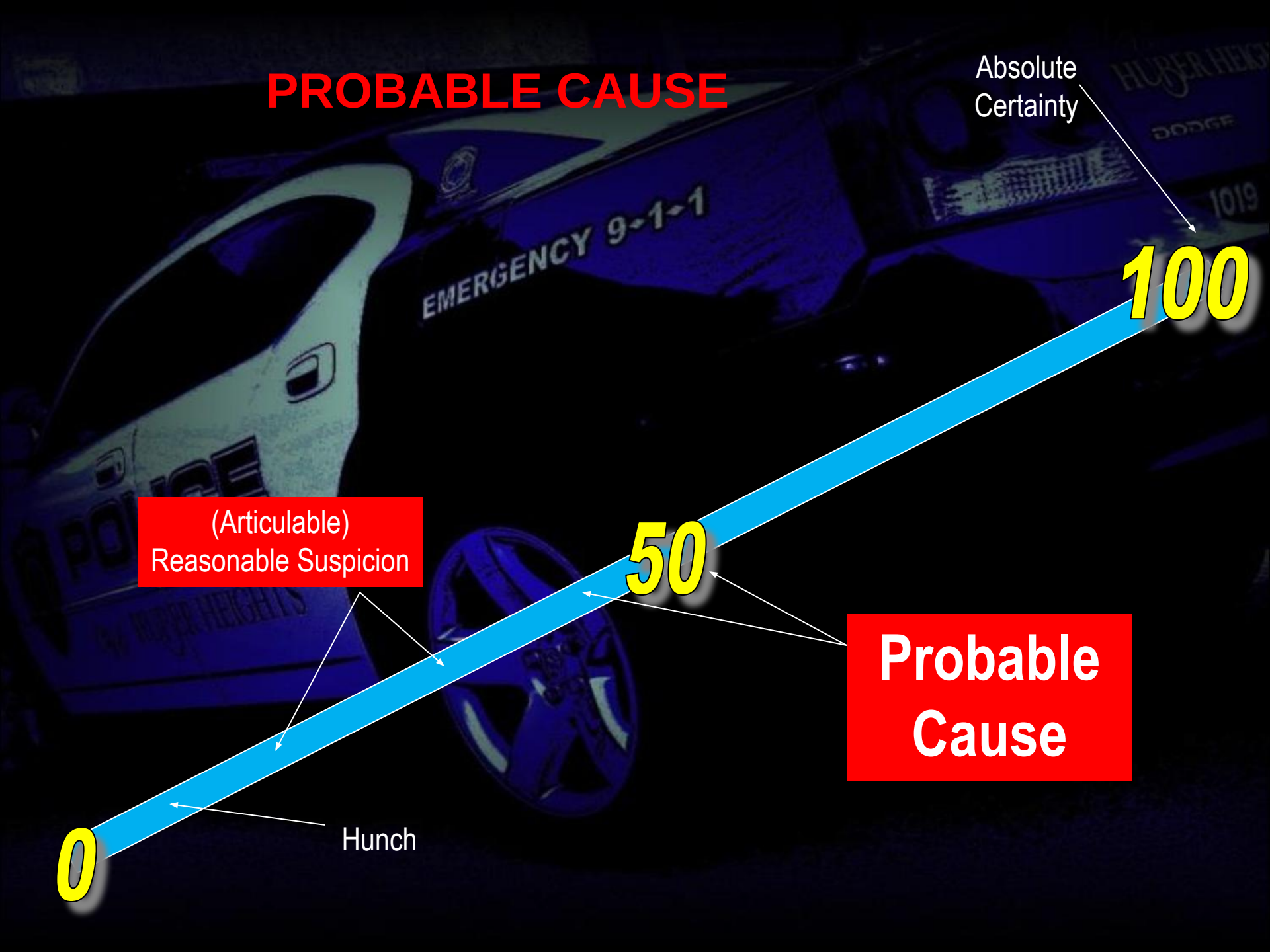
50

(Articulate)  
Reasonable Suspicion

Probable  
Cause

Hunch

0



## PROBABLE CAUSE

In layman's terms, how will you define Probable Cause for a jury.

A reasonable person would believe:

- That a crime (traffic violation) has been committed
  - And the person to be arrested (cited) committed that




# PROBABLE CAUSE

## Test for Probable Cause

- The focus in determining probable cause is not on the certainty that a crime was committed, but on the likelihood of it.
- Don't have to be RIGHT; *but*, you do have to be REASONABLE



A man wearing a green military-style cap and a tan jacket is holding a white sign. The sign has the text "A GRATEFUL WAR VETERAN THANKS YOU MERRY" written on it. The background is a blurred outdoor setting.

**Do We Have  
Probable  
Cause To  
Arrest?**

A GRATEFUL  
WAR VETERAN  
THANKS YOU  
MERRY

# Mobile Conveyance Exception

## *2 requirements to search*

1. Must be probable cause to believe that evidence of a crime or contraband is located in the vehicle to be searched.
2. The vehicle be mobile.”



COPS



# *Carroll v. United States* (1925)

If an officer stops a car based on probable cause and conducts a search in order to preserve evidence due to the automobile's mobility, the search may be conducted without a warrant.



# *Chambers v. Maroney* (1970)

A warrantless search of a vehicle is valid despite the fact that a warrant could have been procured without endangering the preservation of evidence.



# *United States v. Ross* (1982)

If probable cause justifies the search of a lawfully stopped vehicle, it justifies the search of every part of the vehicle and its contents that may conceal the object of the search.





# *Maryland v. Dyson* (1999)

Officers are not required to obtain a search warrant for a mobile conveyance even if they have time to

one.



# *California v. Carney* (1985)

A motor home is treated as a vehicle, rather than a dwelling, if it is immediately mobile.





# *California v. Acevedo* (1991)

- In a search extending to a container located in an automobile, police may search the container without a warrant where they have probable cause to believe that it holds contraband or evidence.
- *Wyoming v. Houghton* (1999) The mobile conveyance exception to the 4th Amendment's warrant requirement allows the officers to search passengers' containers.



# *Arizona v. Gant*

129 S. Ct 1710 (2009)

The justifications for searching a vehicle incident to arrest are

- (1) officer safety, and
- (2) evidence preservation.

Once an arrestee is secured and can no longer access his vehicle, there is no longer any risk that he will access weapons or evidence contained therein.



# *Arizona v. Gant* (2009)

However, police may search a vehicle incident to arrest after the arrestee has been secured when it is reasonable to believe that evidence related to the crime of \_\_\_\_\_ found within.



# Consent &



# Ohio v. Robinette



# Consent Search

- 1<sup>st</sup> - The consent must be voluntarily given
- Consent cannot be coerced, by explicit or implicit means, by implied threat or covert force
- 2<sup>nd</sup> – Person has authority over the place to be searched
- An individual may limit the scope of any consent





HUMAN  
EXPERIENCE  
PART 2 OF 2  
TLC  
NUMBER 28

# Consent Search

- A LEO does not have to specifically request permission to search each closed container found within the vehicle
- If the individual does not have the requisite authority, the container may not be searched
- LEO must seek a separate consent from that individual to search those containers



# Consent Search

- “It is very likely unreasonable to think that a suspect, by consenting to the search of his trunk, has agreed to the breaking open of a locked briefcase within the trunk...”
- *United States v. Strickland*, a police officer could not reasonably interpret a general statement of consent to search an individual’s vehicle to include cutting open the spare tire

# AUTHORITY TO DETAIN A MOTORIST - PROLONGED

## State v. Robinette 1997

After a Montgomery County, Ohio, deputy sheriff stopped Robinette for speeding, gave him a verbal warning, and returned his driver's license, the deputy asked whether he was carrying illegal contraband, weapons, or drugs in his car





## **AUTHORITY TO DETAIN A MOTORIST - PROLONGED**

**State v. Robinette 1997**

Robinette answered "no" but consented to a search of the car, which revealed a small amount of marijuana and a pill

He was arrested and later charged with knowing possession of a controlled substance when the pill turned out to be a methamphetamine



## AUTHORITY TO DETAIN A MOTORIST - PROLONGED

### State v. Robinette 1997

The Court held “when a police officer’s objective justification to continue detention of a person stopped for a traffic violation for the purpose of searching the person’s vehicle is **NOT** related to the purpose of the original stop, and when that continued detention is **NOT** based on any articulable facts giving rise to a suspicion of some illegal activity justifying an extension of the detention, the continued detention to conduct a search constitutes an illegal seizure”

## AUTHORITY TO DETAIN A MOTORIST - PROLONGED

### SUMMARY

Once the reason for the initial stop ends, the reason for the detention **MUST** end!

Once an individual has been unlawfully detained, in order for a consent to search to be considered an independent act of free will, the totality of the circumstances must clearly demonstrate that...

a reasonable person would believe she/he had the freedom to refuse to answer any additional questions and could in fact leave the area





# Seizures & Detentions



# Terry Stops & Frisks

## POLICE AUTHORITY TO DETAIN

Looking at the right of police officers to stop a suspect under circumstances in which there was insufficient grounds for an actual arrest

Requires **REASONABLE ARTICULABLE SUSPICION**

This does ***NOT*** authorize police to detain anyone on mere SUSPICION or a HUNCH!



# LEVELS OF CRIMINAL EVIDENCE

Beyond Reasonable Doubt

100%

Clear and Convincing

Preponderance

Probable Cause

50%

Reasonable Suspicion ~ articulable (*explain the facts*)

Hunches or Whims ~ can't articulate

0%

Trial

Investigation



## POLICE AUTHORITY TO DETAIN

### Terry v. Ohio, 1968

In Terry, the US Supreme Court upheld the authority of the police to stop or detain (or seize) a person where the officer observes unusual conduct which leads the officer reasonably to conclude, in light of his/her experience (including training), that criminal activity may be afoot.

“Terry Stop” vs. “Terry Frisk”

Hi8

0:18:10

SEDUCING CINDY  
SERIES PREMIERE

IN 4 DAYS



## POLICE AUTHORITY TO DETAIN

Terry v. Ohio, 1968


**A Terry Stop** - an investigative detention of a suspect. *Not* a search!

Officers can conduct a Terry Stop with reasonable (**articulable/explainable**) suspicion that criminal activity is *afoot*.

Officers can stop a suspect and investigate that person for a **reasonable** period of time.

Even though its *not* a formal arrest, it is a **seizure** under the 4<sup>th</sup> Amendment.



A blurry night street scene with light trails and a timestamp. The image shows a dark road at night with several bright, out-of-focus light sources, likely streetlights or vehicle headlights, creating a bokeh effect. The overall scene is dark and lacks sharp detail due to motion blur or camera shake. In the bottom left corner, there is white text indicating the time and location.

10:46 PM  
STREET PATROL

Reasonable Suspicion + Armed & Dangerous =

# FRISK

- *Terry* requires an officer to articulate a reasonable belief that a suspect is armed and poses a threat before the officer is permitted to conduct a limited “Pat Down” of the suspect’s outer clothing.
- **Just because I can “Terry Stop” someone doesn’t automatically give me the right to frisk them for a weapon.**





**tru**TV.com



# Frisking Containers

- An officer who finds a closed container within lunging distance of a suspect who is being lawfully stopped and frisked, may open the container to see if it contains a weapon if:
  - in light of the officer's experience and training the item could contain a weapon, and
  - the container is NOT locked

## POLICE AUTHORITY TO DETAIN

### Terry v. Ohio, 1968

## 2 Requirements Which Must be Established Before Conducting a *Terry* “Pat Down” Or “Frisk”

1. Officers are required to articulate a reasonable belief that the suspect is Armed; **AND**
2. Officers are in fear for their safety or safety of others








## POLICE AUTHORITY TO DETAIN

### Terry v. Ohio, 1968

- After legally detaining the suspect in a Terry Stop
- The officer also has reasonable suspicion that the suspect's presently armed and dangerous
- Then the officer can conduct a limited search, or "*Terry Frisk*" of that suspect's outer clothing for weapons
- Weapons are basically anything that can be used to hurt the officer



A photograph taken from the passenger side of a car, showing Officer Tom Clayton in the driver's seat. He is wearing a dark uniform and is looking out the windshield. The scene is at night, with a dark blue sky and some streetlights visible through the glass. The interior of the car is dimly lit, and the dashboard is visible in the foreground.

**Officer Tom Clayton**

## POLICE AUTHORITY TO DETAIN

### Terry v. Ohio, 1968

- Search or “*Frisk*” is going to be limited to searching for *hard* objects...
- That the suspect could use to *hurt* the officer like guns, pocket knives, mace, clubs, ...
- Not limited to just those things we ordinarily think are weapons...
- It could also be things like car keys or pens because those could *hurt* an officer as well...







## POLICE AUTHORITY TO DETAIN

### Terry v. Ohio, 1968

- While an officer may want to conduct a frisk for “officer safety” purposes, the law requires more than that.
- Reasonable suspicion that someone’s presently armed and dangerous is just what it sounds like, but most importantly, the officer has to have facts to support that conclusion.





## POLICE AUTHORITY TO DETAIN

### Terry v. Ohio, 1968

- Look, Feel, Crush and method – *FLETC*
- If your actions are and executed only to determine whether the suspect possesses a weapon, then the “Terry Frisk” is constitutionally proper
- When trying to determine, through *sense of touch*, the nature or identity of an object you know *cannot* be a weapon ~ the frisk exceeds Terry!



*reasonable*

## POLICE AUTHORITY TO DETAIN

### Terry v. Ohio, 1968

- Example: Can you conduct a Terry Stop of someone if there is reasonable (articulable/explainable) suspicion he is in possession of a stolen credit card?
- The officer *will* want to conduct a brief detenti to investigate further.
- Is there anything about being in possession of stolen credit cards that would *automatically* make you to believe the person is armed and dangerous?
- Without additional facts: a Terry Stop is authorized, but not a Terry Frisk



Hi8

0:18:10

SEDUCING CINDY  
SERIES PREMIERE

IN 4 DAYS





## POLICE AUTHORITY TO DETAIN

### Terry v. Ohio, 1968

- Offenses like drug distribution or burglary just go with weapons.
- Courts have held that people who sell drugs most often carry weapons to protect their money and product.
- Burglars need burglary tools - things to break windows, screw drivers, and crow bars to pry doors open.
- In Terry the detective had reasonable suspicion to believe an armed robbery was afoot.





LA INK  
THE NEW  
EDITION



## POLICE AUTHORITY TO DETAIN

Terry v. Ohio, 1968

# Reasons For The Frisk: Articulating Your Reasonable Suspicion

- Person's Appearance
- Person's Actions
- Prior Knowledge of the Person
- Location
- Time of Day
- Law Enforcement Purposes
- Companion





# Stops & Approaches



Videos

# WEAPONS



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