



# 3 Levels of Police Encounters With Citizens

## Police/Citizen

(Lowest Level)

- The officer can approach a citizen, ask for ID, and freely question a citizen with or without any basis or belief that the citizen is involved in criminal activity,
- The hook: The officer cannot create the impression that the citizen may not leave.

## Articulable Reasonable Suspicion

- This level, officer can briefly detain a suspect.
- Judge will look from the standpoint of an objectively reasonable police officer and ask: would a reasonable officer think the person was engaged in wrongdoing?
- the determination of reasonable suspicion must be based on common sense, judgments and inferences about human behavior.

## Probable Cause

- Highest level.
- Burden on the State to prove.
- Judge will look to see if there exists such facts and circumstances as would excite the belief in a reasonable mind, that the person charged was guilty of the crime.
- The Judge will look to the facts and compare them to the elements of the alleged charge.