

The Court held a Motion to Suppress on November 16, 2010. The case was taken under advisement by the court. The facts are that on February 23, 2009 a police officer heard an explosion near Taylor and Altantic in Springfield. The officer saw a person running from the area of the sound of the explosion. The officer stopped the person. The person told the officer that someone in a red or maroon car had thrown a pipe bomb out of the car. The officer detained the person and then advised dispatch of the maroon or red car. Another officer saw a red/maroon car three blocks from Altantic and Taylor and stopped the car based on dispatch's description of the vehicle. There was no other reason to stop the car.

There is no question there was a seizure in this case. The issue is whether the officer had the right to stop the car. An investigatory stop is governed by the Fourth Amendment and is lawful when justified by "reasonable suspicion". This is a lesser standard than probable cause. Reasonable suspicion exists when an officer can point to specific and articulable facts which when taken together with rational inferences from those facts, reasonably warrant the intrusion. *Terry v. Ohio*, 392 US at 21.

The officer in this case was not relying on inarticulable hunches or suspicions. The officers were investigating an explosion of unknown origin. They had detained one person running from the scene and then the car that may have been involved with the bomb. As citizens, we would expect no less from law enforcement. Therefore, the defendant's motion to suppress is overruled and is set for a pre-trial conference on April 22, 2011 at 8:30 a.m. CRH/env