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LAW ENFORCEMENT OFFICER TRAINING CASE OF THE MONTH

By Don Hays

Month of June – 2026

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District of Columbia v. R. W., 146 S. Ct. 1069, April 20, 2026.

THE CASE SEARCH AND SEIZURE: After receiving a report concerning a strange car, an Officer witnessed the passengers of the car flee from the Officer and the driver of the car attempt to drive away. Did the Officer have sufficient reasonable suspicion to justify a *Terry* stop of the suspect vehicle?

FACTS: In the wee hours of a winter morning in Washington, D. C., a Police Officer received a radio dispatch call directing him to check out a suspicious vehicle at a specific address. The Officer reached the apartment building at that address around 2:00 a.m. As he turned his marked police vehicle into the parking lot, he saw two people immediately flee from a car, “unprovoked,” after the “[p]olice had not done anything other than simply pull up.” The runners left open at least one of the car doors. The driver then began to back out of the parking space, rear door still open. The Officer decided to investigate. He parked directly behind the car, left his own vehicle, ordered the driver, R.W., to put his hands up, and drew his service weapon.

Largely based on evidence found after the Officer told R.W. to put his hands up, the District of Columbia charged R. W. (a minor at the time) with the unauthorized use of a motor vehicle, felony receipt of stolen property, unlawful entry of a motor vehicle, and operating a vehicle in the District of Columbia without a permit. Before trial, R.W. moved to suppress the evidence obtained after he was stopped. Specifically, R.W. argued that the Officer lacked sufficient justification to support conducting a *Terry* stop of his car. Following a suppression hearing, the trial court denied R.W.’s motion, relying on four facts to conclude that the officer had reasonable suspicion to stop R. W.: (1) the officer had received a radio dispatch call regarding a suspicious vehicle at a specified address, (2) the officer saw “ ‘two persons fleeing from a vehicle’ ” upon his arrival, (3) “ ‘[i]t was almost 2 a.m.,’ ” and (4) as the officer approached the car, it began “ ‘backing out of the parking space ... while the rear driver's side door [was] still open.’ ” After a bench trial, the trial court adjudicated R.W. delinquent on all counts and assigned R.W. to one year of probation with conditions.

From this decision, R.W. brought an appeal. The District of Columbia Court of Appeals held that the Officer, by stopping R.W. without reasonable suspicion, violated the Fourth Amendment. Specifically, the D. C. Court of Appeals reached a different conclusion than did the District Court by “excis[ing]” the radio dispatch and the conduct of R.W.’s companions from the analysis, and considering only “the lateness of the hour and the slight movement of the car.” The DC District brought this appeal before the United States Supreme Court.

SEARCH AND SEIZURE RULES LISTED BY THE SUPREME COURT:

A. When an officer makes a brief investigatory stop of persons or vehicles that falls short of a traditional arrest, the Fourth Amendment is satisfied if the officer's action is supported by reasonable suspicion to believe that criminal activity may be afoot. U.S. Const. Amend. 4.

B. In assessing whether an officer had reasonable suspicion of criminal activity supporting a brief investigatory stop, a reviewing court must look at the totality of the circumstances of each case, which is an analysis that precludes the evaluation and rejection of factors in isolation from each other. U.S. Const. Amend. 4.

C. “Reasonable suspicion” that a suspect has engaged in criminal wrongdoing, supporting a brief investigatory stop, arises when, based on the totality of the circumstances, the detaining officer had a particularized and objective basis for suspecting criminal wrongdoing. U.S. Const. Amend. 4.

D. Reasonable suspicion of criminal activity, supporting a brief investigatory stop, depends on the factual and practical considerations of everyday life on which reasonable and prudent men, not legal technicians, act; it permits officers to make commonsense judgments and inferences about human behavior. U.S. Const. Amend. 4.

E. The totality-of-the-circumstances test precludes a “divide-and-conquer” analysis when considering whether an officer had reasonable suspicion of criminal activity supporting a brief investigatory stop; the whole is often greater than the sum of its parts, especially when the parts are viewed in isolation. U.S. Const. Amend. 4.

F. Reasonable suspicion of criminal activity, supporting a brief investigatory stop, need not rule out the possibility of innocent conduct. U.S. Const. Amend. 4.

G. The Fourth Amendment requires that a court sloss its way through a fact-bound morass when considering whether an officer had reasonable suspicion of criminal activity supporting a brief investigatory stop. U.S. Const. Amend. 4.

H. There may be no easy-to-apply legal test or “on/off” switch when considering whether an officer had reasonable suspicion of criminal activity supporting a brief investigatory stop, but one thing is clear: the “totality of the circumstances” requires courts to consider the whole picture. U.S. Const. Amend. 4.

ISSUE #1: Did the Officer have sufficient reasonable suspicion of criminal activity to support an investigatory stop of R.W.'s vehicle?

FINDINGS: On the facts of this case, the United States Supreme Court held that the Officer clearly had reasonable suspicion to stop R.W. The Court reasoned that already on alert from the late-night dispatch call about a suspicious vehicle, the officer observed every person in R.W.'s car respond strangely to an approaching police car. Two people took off running. [The Court noted that it had previously observed that “unprovoked flight upon noticing the police is certainly suggestive” of wrongdoing.] The driver, R.W., did not run from the car, but his companions’ flight cast his presence in a suspicious light. Further, the Court noted that it had also previously observed that “ ‘a car passenger ... will often be engaged in a common enterprise with the driver, and have the same interest in concealing the fruits or the evidence of their wrongdoing.’ ”

The Court also noted that it need not determine whether that connection between the passengers and the driver alone supported reasonable suspicion because R.W. was in the driver's seat and—after the passengers fled from the car—began backing out of the parking space, ignoring the car's open back door. The Court observed that for most drivers, it would be a surprising event for their back-seat passengers to exit the car and run headlong away from them. But it doubted that most would respond by putting their car into reverse and attempting to drive away without at least checking whether the doors were closed. According to the Court R.W.'s own actions—combined with the panicked flight of his companions—strongly suggested that he was (like them) engaged in unlawful conduct he wished to hide from police. Therefore, the District Court correctly denied R.W.'s motion to suppress.

ISSUE #2: ERROR OF THE D.C. COURT OF APPEALS: The D.C. Court of Appeals reached a different conclusion than did the District Court by “excis[ing]” [removing] the radio dispatch and the conduct of R. W.'s companions from its analysis, and considering only “the lateness of the hour and the slight movement of the car.” The totality-of-the-circumstances test, however, “precludes this sort of divide-and-conquer analysis.” According to the Court, “the whole is often greater than the sum of its parts—especially when the parts are viewed in isolation.” The Court noted that this case revealed the perils of reviewing facts piecemeal and without context. Considering the passengers’ flight from the car. The Court stated that it had little doubt that, in some circumstances, an officer could not reasonably attribute his suspicion of a fleeing individual to bystanders milling nearby. But, the Court declared, the “whole picture” here tells a different story. After watching two people flee from a suspicious car, a reasonable officer surely would question the driver's next move. Why would the driver hurriedly back up the car without even closing a car door left open by his fleeing companions? The Court speculated that perhaps one could imagine an innocent explanation for such unusual behavior—the court below, for example, surmised that R.W. “may not even have noticed that his companions left the door open.” However, the Court recognized that reasonable suspicion ‘need not rule out the possibility of innocent conduct.’ ” Based on everything the officer observed on the night in question, the Court concluded that he drew the “commonsense inference” that all three people in the car—including the driver—were trying to hide wrongdoing from the police.

The United States Supreme Court concluded that “(t)he ‘totality of the circumstances’ required the courts to consider ‘the whole picture,’ ” The D.C. Court of Appeals expressly declined to do that. It instead considered only the observations that “(1) it was 2:00 a.m. and (2) R. W. reversed a few feet in a parking spot while the vehicle's rear door was open.” Expressly “excis[ed]” from its analysis was, for example, the compelling fact that two individuals fled the vehicle as soon as they spotted the police car. Pretending that the most revealing aspect of the encounter did not happen is incompatible with the totality-of-the-circumstances approach required by our precedents. This, according to the Court, constituted error.

CONCLUSION: The judgment of the Court of Appeals was vacated, and this case was remanded for further consideration.

DISSENT: One Justice disagreed with the Majority in this case.

QUIZ QUESTIONS FOR THE MONTH OF JUNE – 2026

District of Columbia v. R. W., 146 S. Ct. 1069, April 20, 2026.

1. When an officer makes a brief investigatory stop of persons or vehicles that falls short of a traditional arrest, the Fourth Amendment is satisfied if the officer's action is supported by reasonable suspicion to believe that criminal activity may be afoot.
 - a. True.
 - b. False.

2. “Reasonable suspicion” that a suspect has engaged in criminal wrongdoing, supporting a brief investigatory stop, arises when, based on the totality of the circumstances, the detaining officer had a particularized and objective basis for suspecting criminal wrongdoing.
 - a. True.
 - b. False.

3. The Supreme Court listed three factors witnessed by the Arresting Officer that contributed to create a reasonable suspicion that criminal activity was occurring. Which one of the following factors was ***not*** one factors listed by the Court in this case?
 - a. the officer had received a radio dispatch call regarding a suspicious vehicle at a specified address.
 - b. the suspicious vehicle started to drive away after its passengers had fled.
 - c. the Officer had previous observed criminal activity in the area where the suspicious car was located.
 - d. it was almost 2 a.m. when the Officer arrived on the scene.

4. The D.C. Court of Appeals concluded that the facts in this case did not justify a *Terry* stop of the suspect vehicle. Did the United States Supreme Court agree with this finding?
 - a. Yes.
 - b. No.

QUIZ ANSWERS AND DISCUSSION FOR THE MONTH OF JUNE – 2026

District of Columbia v. R. W., 146 S. Ct. 1069, April 20, 2026.

1. When an officer makes a brief investigatory stop of persons or vehicles that falls short of a traditional arrest, the Fourth Amendment is satisfied if the officer's action is supported by reasonable suspicion to believe that criminal activity may be afoot.
 - a. True. This is what the Supreme Court concluded.**
 - b. False.

2. “Reasonable suspicion” that a suspect has engaged in criminal wrongdoing, supporting a brief investigatory stop, arises when, based on the totality of the circumstances, the detaining officer had a particularized and objective basis for suspecting criminal wrongdoing.
 - a. True. This is what the Supreme Court concluded.**
 - b. False.

3. The Supreme Court listed three factors witnessed by the Arresting Officer that contributed to create a reasonable suspicion that criminal activity was occurring. Which one of the following was **not** one of the factors listed by the Supreme Court in this case?
 - c. the Officer had previously observed criminal activity in the area where the suspicious car was located.**

4. The D.C. Court of Appeals concluded that the facts in this case did not justify a *Terry* stop of the suspect vehicle. Did the United States Supreme Court agree with this finding?
 - b. No.** The Court concluded that the Court of Appeals failed to consider the “totality of the circumstances” when it made its determination.