

TYPE OF ENCOUNTER	LEVEL OF KNOWLEDGE REQUIRED	NATURE AND EXTENT OF PERMISSIBLE QUESTIONING	AUTHORITY TO SEARCH	FORCE AND DETENTION
<b>I. Request for Information</b>	An objective, credible reason to approach. Suspicion of criminality is not required. However, the UMOS must be able to articulate a basis beyond mere whim and caprice.	Non-accusatory questions concerning the reason for the approach.	At this level of suspicion, there is no basis to search. A request for consent to search the person or a bag, pocketbook, luggage, or other item of personal property is improper.	Force may not be used to detain a subject at this level of suspicion. The subject is free to walk away from the UMOS if they so desire. They need not answer questions.
<b>II. Common-Law Inquiry</b>	A founded suspicion that criminality is afoot. This could be triggered by false responses to questions posed during the request for information, as well as observations by the UMOS.	UMOS may conduct more extensive questioning. Accusatory-type (guilt-seeking) questions may be asked.	A subject may be asked to consent to the search of an item of personal property. This consent must be voluntary on the subject's part.	Force may not be used to detain a subject at this level of suspicion. The subject is free to leave if they desire. They need not answer questions.
<b>III. Stop, Question, And Possible Frisk</b>	An officer has <i>individualized, reasonable suspicion that the subject is committing, has committed, or is about to commit a crime</i> . The New York State Legislature has limited the term crime, for purposes of a stop, to mean a felony or a misdemeanor in the Penal Law. (CPL § 140.50(1)). Reasonable suspicion exists when the information known to the UMOS is of such weight and persuasiveness as to make the UMOS reasonably suspect criminality on the part of the person being stopped.	The UMOS may stop the subject, ask for his or her name and address, an explanation of conduct, and detain the person while an expeditious investigation is conducted to determine if there is probable cause to arrest the subject.	In addition to the consent search described above, the UMOS may frisk the subject for a deadly weapon or any instrument or article readily capable of causing serious physical injury, and of a sort not ordinarily carried in public places by law-abiding persons, if the UMOS reasonably suspects the person is armed and dangerous.	A stop occurs whenever <i>a reasonable person would not feel free to disregard the officer and walk away</i> . A UMOS is permitted to use reasonable force to stop and question a subject. The type and amount of physical force used must be objectively reasonable under the circumstances facing the UMOS.
<b>IV. Arrest</b>	Probable cause to believe that (a) an offense was committed and (b) that the subject arrested committed it. Probable cause requires the existence of facts and circumstances which when viewed together would lead a reasonable person possessing the expertise of the arresting officer to conclude that an offense has been committed.	An UMOS may engage in constitutionally permissible custodial interrogation (i.e., <i>Miranda</i> waiver must be lawfully obtained. <i>Miranda</i> waiver is not required to obtain pedigree information).	"Search incident to arrest" (i.e., a search of a subject conducted immediately after the arrest to secure weapons, prevent evidence destruction).  "Inventory," etc.	A UMOS is permitted to use reasonable force to arrest and detain a subject.

Figure 2 - Investigative Encounters Reference Guide