

State v. Doughty (Walter Moses)

No. 82852-1

CHAMBERS, J. (concurring) — I agree with the majority that, on the record before us, there were insufficient facts to justify a *Terry*¹ stop. I write separately to suggest that, in my view, had the record contained more specific facts indicating why this house was designated a “drug house” our analysis might be different. We look at the totality of the circumstances to determine whether an officer was justified in making an investigatory stop. *State v. Glover*, 116 Wn.2d 509, 514, 806 P.2d 760 (1991). Here, where the only facts suggesting that the house Walter Doughty approached was a drug house are neighbors’ complaints of short stay traffic, the totality of the circumstances do not justify the stop.

I respectfully concur.

¹ *Terry v. Ohio*, 392 U.S. 1, 88 S. Ct. 1868, 20 L. Ed. 2d 889 (1968).

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AUTHOR:

Justice Tom Chambers

WE CONCUR:
