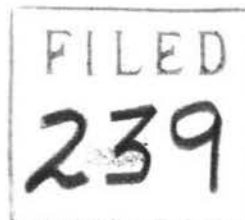


August 23, 1967



Honorable George W. Parker
State Representative - District 120
507 E. Rollins
Columbia, Missouri

Dear Mr. Parker:

This is in response to your request for opinions as follows:

1. Must a highway patrolman have reasonable grounds or suspect some law violation before he can stop a person on the road?

2. Could you provide an outline of guidance on this subject, for example, that would be used to instruct patrolmen?

A second topic--when a minor is apprehended for drinking alcoholic beverage, is the fact that he has been drinking consideration sufficient evidence of illegal possession? If not, why?

If in No. 1 you mean before an arrest and search can be made, the answer is yes, see State v. Brown, 291 S.W. 2d 615, State v. Loftis 316 Mo. 878, 292 S.W. 29.

With respect to No. 2 such an outline was prepared by Professor John Scurlock of the University of Missouri at Kansas City Law School and published in the University of Kansas City Law Review, Volume XXIX, p. 117. It is already in use by many law enforcement agencies throughout the state. Professor Scurlock has brought the treatise up to date this summer so as to reflect recent developments in the field and he should be contacted if copies are desired.

Your third question is answered in the attached Opinion, No. 100-1967.

Very truly yours,

NORMAN H. ANDERSON
Attorney General

Attachment

Opinion no. 100-1967