BEACH, J., dissenting. I respectfully dissent. I agree with the majority that there was a *Terry*-type seizure under our state constitution, and I agree that the introduction into evidence of the seized items is not justified by the plain view doctrine. I part paths only on the question of whether the police officers had a sufficiently reasonable and articulable suspicion to justify the *Terry*-type[1] seizure.

I accept, as do the majority and apparently both parties, the factual findings made by the trial court. As to this issue, the court found that Detective Justen Kasperzyk received a telephone call from a confidential informant between 9 a.m. and noon on February 24, 2006. The informant had provided reliable information in the past, and search warrants and arrest warrants had been issued on information provided by the informant. The informant told Kasperzyk that the defendant, Michael K. Clark, was selling drugs in the Hill section of New Haven and that he was driving a tan Chevrolet Cobalt with Pennsylvania license plates. Kasperzyk knew the defendant because of a prior arrest and because the defendant had worked as an informant for another officer.

Later that day, Kasperzyk and two other officers drove to the Hill area to look for the vehicle. They located a tan Chevrolet Cobalt with Pennsylvania plates at approximately 5 p.m. in the Hill neighborhood. Kasperzyk recognized the defendant as the operator of the automobile. Officers approached the car when it was stopped in traffic. The court found that there was a seizure at this point.

Though factual findings of a trial court are to be accorded great deference, the standard for our review of the legal conclusions of a trial court concerning whether a reasonable and articulable suspicion exists is plenary. *State* v. *Foote*, 85 Conn. App. 356, 363, 857 A.2d 406 (2004), cert. denied, 273 Conn. 937, 875 A.2d 43, 44 (2005). The test to be applied is whether, under the totality of the circumstances, the police had a particularized and objective basis for suspecting the particular person stopped of criminal activity. *State* v. *Cofield*, 220 Conn. 38, 45, 595 A.2d 1349 (1991). The reliability of the informer and the basis of the informer's knowledge are important considerations and are highly relevant to the determination of whether a reasonable and articulable suspicion exists. *Alabama* v. *White*, 496 U.S. 325, 328–29, 110 S. Ct. 2412, 110 L. Ed. 2d 301 (1990); see also *State* v. *Leonard*, 31 Conn. App. 178, 186, 623 A.2d 1052, cert. granted on other grounds, 226 Conn. 912, 628 A.2d 985 (1993) (appeal withdrawn January 7, 1994). "[A] deficiency in one [factor, however] may be compensated for, in determining the overall reliability

of a tip, by a strong showing as to the other, or by some other indicia of reliability such as corroboration by the police. . . . The police, however, are not required to corroborate all of the information provided by a confidential informant. . . . Partial corroboration may suffice." (Citations omitted; internal quotation marks omitted.) *State* v. *Leonard*, supra, 186–87.

This case presents a close question. The police received information from an informant who had provided reliable information in the past. The court found him to be reliable. The fact that the informant was known and reliable sets this case apart from cases in which the informant was anonymous. Cf. *Florida* v. *J.L.*, 529 U.S. 266, 272, 120 S. Ct. 1375, 146 L. Ed. 2d 254 (2000). Tips from known, reliable informants require less verifying detail than tips from anonymous sources. See, e.g., *Adams* v. *Williams*, 407 U.S. 143, 147, 92 S. Ct. 1921, 32 L. Ed. 2d 612 (1972) (unverified tip from known informant sufficient to justify *Terry*-type stop). Details given by the informant describing the automobile with great particularity and some distinctiveness were corroborated by police observation. Although the police did not observe the defendant engage in any criminal behavior, the informant's tip predicted, if somewhat generally, the location of the car and, with particularity, the association of the defendant with the car. When the police were able to corroborate the details, they reasonably could infer that however the informant came by his information, the tip was reliable. Finally, the police had independent information regarding prior criminal activity by the defendant. When the facts are totaled, I believe that they support the conclusion that the police acted on the basis of a reasonable and articulable suspicion sufficient to justify the minimally intrusive initial stop that subsequently occurred. Although any one of these factors may not by itself constitute sufficient suspicion of illegal conduct, when taken together, they amount to a reasonable and articulable suspicion. See *State* v. *Leonard*, supra, 31 Conn. App. 178.[2] This court's review is plenary, and, accordingly, I would conclude that the trial court improperly determined that the seizure of the defendant was not based on a reasonable and articulable suspicion. I would reverse the judgment of the trial court and would remand the case with direction to deny the defendant's motion to suppress and for further proceedings according to law.

I respectfully dissent.

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

[2] The facts of this case closely parallel those found sufficient in *State* v. *Leonard*, supra, 31 Conn. App. 186–88, to support a stop pursuant to *Terry* v. *Ohio*, 392 U.S. 1, 30, 88 S. Ct. 1868, 20 L. Ed. 2d 889 (1968).