FILED
OCT 28 1987
CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

STATE OF IOWA,	)	
Plaintiff-Appellee,	)	Filed October 28, 1987
vs.	)	306
TRACY EUGENE TURNER,	)	7-413 / 86-1786
Defendant-Appellant.	)	

Appeal from the Iowa District Court for Polk County (32269), Dick Strickler and Jack D. Levin, Judges.

Defendant appeals his conviction on the charge of robbery in the first degree. **AFFIRMED.**

Charles Harrington, Chief Appellate Defender, and Linda Del Gallo, Assistant Appellate Defender, for defendant-appellant.

Thomas J. Miller, Attorney General of Iowa, and David L. Dorff, Assistant Attorney General, for plaintiff-appellee.

Considered by Donielson, P.J., and Schlegel and Hayden, JJ. Snell, J., takes no part.

PER CURIAM

Defendant, Tracy Eugene Turner, appeals his conviction on the charge of robbery in the first degree. His sole claim is that the court erred in failing to suppress the fruits of an illegal stop, in violation of his rights under the fourth amendment of the United States Constitution.

At about three o'clock a.m., in the early morning of June 22, 1986, a call from the Des Moines Police dispatcher alerted two officers who were proceeding south on Southwest Ninth Street in Des Moines, that a robbery had just occurred further south on that same street. The dispatcher indicated that the robbery had been committed by several black males.

Shortly after hearing that call, the two officers observed a blue Chevrolet Camero approach the intersection of Southwest Ninth Street and Park Avenue. There were several black male occupants in the car. The location of Park Avenue was approximately three blocks north of the location of the robbery. The car turned north from Park Avenue, proceeded a short distance north on Ninth Street, and then turned to the right or east on the first street north of Park Avenue. The officers turned their patrol car around and started following the Camero, shortly after they observed it. They followed it east off Ninth Street and until it stopped in a driveway at the end of Boulder Street.

When the Camero stopped in the driveway, the officers parked immediately behind it, blocking its departure from that position. The occupants of the Camero got out of the car and started walking to the house located adjacent to the driveway. The police also got out of their car and, identifying themselves as police officers, commanded the men from the other car to stop for questioning. One of the men ran from the scene and made his escape. The defendant started to run, but stopped and remained at the scene.

As a result of the stop, the officers found a shotgun in the street, currency, lottery tickets, and rolls of coins. The defendant was arrested at the scene.

Defendant moved to suppress any evidence obtained as a result of the stop, which he claims was illegal and in violation of his fourth amendment rights.

When confronted with alleged constitutional violations, our review is de novo. We make our own independent evaluation of the totality of the circumstances. State v. Hilleshiem, 291 N.W.2d 314, 316 (Iowa 1980). That reasonable cause is required to stop a vehicle for investigatory purposes is well settled. State v. Hawthorne, 353 N.W.2d 889, 890 (Iowa App. 1984). When a stop is challenged on the basis that reasonable cause did not exist, the State must show that the stopping officer had "specific and articulable cause to support a reasonable belief that criminal activity may have occurred." State v. Aschenbrenner, 289 N.W.2d 618, 619 (Iowa 1980).

Here, the evidence received at the hearing on the motion to suppress showed that at about three o'clock a.m., an all-night store (Kwik Shop) had been robbed by several—two, by the testimony at trial—black males. The robbery was reported to the police, and within a few minutes of the event, the dispatcher put a call out on the radio for all officers to hear that the robbery had occurred, that it was perpetrated by several black males, and at the intersection of Southwest Ninth Street and Watrous Avenue. Within minutes of the robbery, and within a very short time from the dispatcher's call, the officers who ultimately made a stop of the defendant and his companions saw a car, travelling in the close neighborhood of the robbery in which several black males were riding, turning north on Southwest Ninth Street. There being little traffic on that street at that time of morning, the officers could reasonably believe that the occupants of that car might be suspects in the robbery they knew had just happened. The officers also believed that the area was predominantly a white neighborhood.

The officers were bound by true reasons for making the stop, and could not rely on reasons that they might have had but did not actually have. Hawthorne, 353 N.W.2d at 890.

In this case, the officers: (1) knew of the specific crime and that it had happened very shortly before; (2) had been given a description of the suspects; (3) stopped the vehicle within a very few minutes of the call notifying them of the incident. It is not significant that the call did not identify an auto, or that the robbers left the Kwik Shop on foot. It was reasonable for the officers to suspect that though they initially departed on foot, there was transportation waiting for their ultimate getaway.

We hold that the court was correct in overruling the motion to suppress.

AFFIRMED.