

**CANIGLIA v. STROM**, U.S. Supreme Court, decided May 17, 2021

This case addresses the limitations that Law Enforcement Officers have when using the community caretaking exception to enter a home.

**Issue:**

Does the community caretaking exception to the Fourth Amendment's warrant requirement extend to the home? (Short Answer: No when there is no longer an emergency/exigency - i.e., suspect is gone)

**Facts:**

During an argument with his wife, petitioner Edward Caniglia placed a handgun on the dining room table and asked his wife to "shoot [him] and get it over with." His wife instead left the home and spent the night at a hotel. The next morning, she was unable to reach her husband by phone, so she called the police to request a welfare check. The responding officers accompanied Caniglia's wife to the home, where they encountered Caniglia on the porch. The officers called an ambulance based on the belief that Caniglia posed a risk to himself or others. Caniglia agreed to go to the hospital for a psychiatric evaluation on the condition that the officers not confiscate his firearms. But once Caniglia left, the officers located and seized his weapons. Caniglia sued, claiming that the officers had entered his home and seized him and his firearms without a warrant in violation of the Fourth Amendment. The District Court granted summary judgment to the officers. The First Circuit affirmed, citing the Court's decision in *Cady v. Dombrowski*, 413 U. S. 433, a theory that the officers' removal of Caniglia and his firearms from his home was justified by a "community caretaking exception" to the warrant requirement.

**Holding:**

In a unanimous opinion, the U.S. Supreme Court ruled against police who seized Caniglia's guns without a warrant while he was in the hospital for a suicide evaluation. Police cannot justify the warrantless search and seizure based on the "community caretaking" exception to the Fourth Amendment, Justice Clarence Thomas wrote in his opinion for the high court. The Supreme Court had recognized the exception in a 1973 case, *Cady v. Dombrowski*, in which police searched the trunk of a car that had been towed after a crash. In upholding the search of the vehicle, the Court recognized that law enforcement had community caretaking authority to search for the unsecured firearm to prevent it from being taken by anyone who might rummage through the unsecured vehicle. In a 9-0 decision, the Court has now held that this community caretaking exception does not apply to the entry of a home and the seizure of firearms, after Mr. Caniglia, who was reportedly suicidal had agreed to go to the hospital for an evaluation as long as officers did not seize his firearms. Here, Mr. Caniglia was gone from the residence, thus the time element (no time to get a warrant) was not in play and the officers had time to now obtain a search warrant for the firearms. This Court ruled that what is reasonable for vehicles is different from what is reasonable for homes.

**Bottom Line:**

This is a very limited decision holding that the community caretaking exception does not apply to homes. Several justices wrote concurring opinions making clear that was the only restriction created by this decision and that the various exigent entry exceptions were still intact. The government cannot invade a private house without permission, a warrant, or an emergency. Without a warrant or an ongoing emergency, a private citizen's right to be secure in their home will not be disturbed.

Full link to the case: [https://www.supremecourt.gov/opinions/20pdf/20-157\\_8mjp.pdf](https://www.supremecourt.gov/opinions/20pdf/20-157_8mjp.pdf)