



June 9, 2021

## FYI: CANIGLIA v. STROM

*The United States Supreme Court holds that law enforcement “community caretaking” duties does not create a standalone doctrine justifying a warrantless search and seizure in a home.*

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In *Caniglia v. Strom*, No. 20–157 (May 17, 2021), Caniglia sued the law enforcement officers who seized weapons from his home. The evidence showed that during an argument with his wife, 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 her 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, but only on the condition that the officers not confiscate his firearms. But once Caniglia left, the officers located and seized his weapons from inside his home.

Caniglia sued the officers, claiming that they violated his Fourth Amendment rights when they entered his home and seized his firearms without a warrant. The District Court granted summary judgment to the officers and relying on *Cady v. Dombrowski*, 413 U. S. 433(93 S.Ct. 2523, 37 L.Ed.2d 706) (1973), the First Circuit affirmed solely on the ground that the decision to remove Caniglia and his firearms from the premises fell within a “community caretaking exception” to the warrant requirement. Citing the *Cady* Court’s statements that police officers often have noncriminal reasons to interact with motorists on “public highways,” the First Circuit extrapolated a freestanding community-caretaking exception that applies to both cars and homes. Accordingly, the First Circuit saw no need to consider whether anyone had consented to officers’ actions; whether these actions were justified by “exigent circumstances”; or whether any state law permitted this kind of mental-health intervention. Instead, the First Circuit found, all that mattered was that the officers’ efforts to protect Caniglia and those around him were distinct from the normal work of criminal investigation, fell “within the realm of reason,” and generally tracked what the court viewed to be “sound police procedure.” The U. S. Supreme Court granted Caniglia’s petition for writ of certiorari and reversed the First Circuit.

The Court held that neither the holding nor logic of *Cady* justifies such warrantless searches and seizures in the home. *Cady* held that a warrantless search of an impounded vehicle for an unsecured firearm did not violate the Fourth Amendment. In reaching this conclusion, the *Cady* Court noted that the officers who patrol the public highways are often called to discharge noncriminal “community

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caretaking functions,” such as responding to disabled vehicles or investigating accidents. But, the Court stated, searches of vehicles and homes are constitutionally different. The very core of the Fourth Amendment’s guarantee is the right of a person to retreat into his or her home and to be free from unreasonable governmental intrusion. A recognition of the existence of “community caretaking” tasks, like rendering aid to motorists in disabled vehicles, is not an open-ended license to perform them anywhere.

Thus, the Court concluded, what is reasonable for vehicles is different from what is reasonable for homes. Moreover, the Court noted, it has repeatedly declined to expand the scope of exceptions to the warrant requirement to permit warrantless entry into the home. And, the Court stated, in this case, there were no exigent circumstances justifying the entry, no search warrant and no consent by Caniglia’s wife to enter the home. Therefore, because there was not basis justifying the seizure of Caniglia’s firearms from inside his home, the Court reversed the judgment of the First Circuit.

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