



## Supreme Court Unanimously Agrees: Police Illegally Seized A Man's Firearms In Violation Of The 4th Amendment

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The Supreme Court on Monday ruled unanimously that police illegally seized a Rhode Island man's firearms in violation of his Fourth Amendment rights. The SCOTUS decision overturned a 1st Circuit Court ruling that said police officers in the case were well within their right to confiscate the man's firearms.

Police responded to a domestic violence call in 2015, at which point Edward Caniglia's wife believed he was suicidal. He brought out a handgun, put it on the table, and instructed his wife to "shoot [him] and get it over with." She ended up leaving for the night but had police conduct a welfare check after she failed to reach him, court documents explain.

When police arrived, Caniglia was sitting on the porch. He agreed to undergo a psychiatric evaluation under the condition that his firearms would not be seized. He was taken to a nearby hospital for evaluation, at which point police entered his home and confiscated two of his firearms. Caniglia's firearms were confiscated without a warrant because he was deemed a threat to himself and others, police said.

Caniglia sued saying his Fourth Amendment rights were violated. Both the federal court and the 1st Circuit Court of Appeals stated the police were well within their rights. They cited the "community caretaking exception," which was established in the *Cady v Dombrowski* case. In that case, "an officer took a gun out of an impounded car without a warrant. The Supreme Court ruled at the time that police can conduct such warrantless searches if they are performing 'community caretaking functions' in a 'reasonable' manner," TIME reported.

According to the Supreme Court, the *Cady* case is irrelevant to the *Caniglia* case and "is not an open-ended license to perform [the community caretaking functions] anywhere," as Justice Clarence Thomas explained the Court's view in the opinion:

*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 Court noted that the officers who patrol the “public highways” are often called to discharge noncriminal “community caretaking functions,” such as responding to disabled vehicles or investigating accidents. But searches of vehicles and homes are constitutionally different, as the Cady opinion repeatedly stressed. The very core of the Fourth Amendment’s guarantee is the right of a person to retreat into his or her home and “there 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.*

The American Civil Liberties Union (ACLU), the American Conservative Union (ACU), and the Cato Institute filed a joint amicus curiae brief in the case, arguing against the *Cady* application in the case.

“The Fourth Amendment does not permit such a freewheeling balancing inquiry when it comes to searches of homes,” the joint brief explained. “... Given the capacious array of activities that could be called “community caretaking,” it is hardly surprising that courts have relied on it to uphold warrantless entries based on a wide variety of police actions.”

Other organizations that filed amicus curiae briefs include the Institute for Justice, National Association of Criminal Defense Lawyers, Firearms Police Coalition, American Association of Suicidology, The Rutherford Institute, Gun Owners of America, Second Amendment Foundation, Pacific Legal Foundation, and the Constitutional Accountability Center.