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Supreme Court won't extend warrantless searches to people's homes

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Police can't enter someone's home without a warrant except in an emergency, the Supreme Court ruled Monday, refusing to extend search authority that the justices have applied to motor vehicles.

Associate Justice Clarence Thomas: The Constitution's Fourth Amendment prohibits "unreasonable searches and seizures," and "what is reasonable for vehicles is different from what is reasonable for homes."

In a 5-4 ruling in 1973, the court had allowed prosecutors to use evidence police found in the warrantless search of a car they had towed after a drunken-driving crash. The majority said officers believed they would find a gun in the car and were entitled to make a "community caretaking" search without taking the time needed to obtain a warrant.

But to the relief of advocates ranging from the American Civil Liberties Union to gun groups, the court unanimously refused Monday to extend the same rule to home searches.

The Constitution's Fourth Amendment prohibits "unreasonable searches and seizures," and "what is reasonable for vehicles is different from what is reasonable for homes," Justice Clarence Thomas said in the 9-0 ruling. While the 1973 case involved a car that had been impounded, the court has generally given police more leeway to search vehicles without a warrant because of their mobility.

The California Supreme Court issued a similar ruling under state law in 2019.

Monday's ruling involved a Rhode Island man, Edward Caniglia, who got into an argument with his wife, then brought a gun to the dining room table and asked her to shoot him. She left, then tried and failed to reach him by phone the next morning and called police, who found Caniglia sitting on his porch. He denied being suicidal but agreed to go to a hospital, and said police promised not to confiscate his guns.

Officers nevertheless entered the home after Caniglia left and found two guns. He was not charged with a crime but sued the police over the search. The Supreme Court overturned a federal appeals court ruling that relied on the high court's 1973 vehicle case to uphold the search.

In a separate opinion, Justice Samuel Alito said the court had not addressed a potentially related issue: whether police need a warrant to enter a home and seize guns under "red flag" laws, in California and other states, that allow confiscation of firearms based on evidence that the owner is mentally ill or dangerous. He said the court also had not decided whether officers could enter the home of an older person who had not been seen for days and might need help.

Adam Kraut, a lawyer for the Firearms Policy Coalition, said the court had nevertheless recognized that “the sanctity of the home is central to American freedom. ... These so-called ‘community caretaking’ searches of homes and seizures of firearms are based on the flimsiest of standards, without any historical support.”

If one’s home is one’s castle, “that castle is made of sand” if police can enter without a warrant or a life-threatening emergency, said the ACLU in a filing joined by the American Conservative Union Foundation and the libertarian Cato Institute.

The case is *Caniglia vs. Strom*, 20-157.