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Rhode Island police search-and-seizure case makes it to Supreme Court

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Police entered the home of a Rhode Island man after a domestic dispute and took his two handguns without a warrant, citing mental health concerns though he had no criminal or violent history.

The incident didn't result in charges but sparked a legal battle over police search-and-seizure authority that made it to the [Supreme Court](#).

At issue is the "community caretaker" exception to the Fourth Amendment protections against unreasonable search and seizure. The exception allows law enforcement to search vehicles during times of emergency without first getting a warrant.

The [high court](#) is now poised to decide if that exception can extend beyond cars and into homes.

"Extending it into the home — the most protected of all private spaces [] would create a loophole in the Fourth Amendment's warrant requirement wide enough to drive a truck through," wrote lawyers for Edward Caniglia, the man taking the fight to the [Supreme Court](#).

"So long as an officer reasonably claims to be taking care of the community, he can disregard the Fourth Amendment's protections," the legal brief argued.

Mr. Caniglia's dispute started in 2015 when he and his wife of 22 years got into an argument that lasted several hours. The 68-year-old man took an unloaded handgun, put it on the table and told her, "Why don't you just shoot me and get me out of my misery?"

Fearing his instability, Ms. Caniglia spent the night at a motel. She called the police the next day to do a welfare check on her husband when she could not reach him on the phone.

The police interviewed Mr. Caniglia and took him to the hospital for a psychiatric evaluation. They called superiors, who instructed them to seize Mr. Caniglia's guns from the house without first obtaining a warrant.

Mr. Caniglia was not admitted to the hospital and failed to have his firearms returned months later, even after hiring a lawyer.

A lawsuit followed claiming violations of Mr. Caniglia's Fourth Amendment and due process rights, along with claims under state law.

The police returned the guns after the lawsuit was filed.

The 1st U.S. District Court of Appeals sided with law enforcement, ruling the community caretaker exception could extend into the home.

The community caretaker standard was first described in the 1973 case of *Cady v. Dombrowski* in which the Supreme Court ruled that police can legally search a vehicle in its possession following the arrest of an intoxicated driver. The exception has since been applied in cases when a search is not part of a criminal investigation.

City officials and the Cranston, Rhode Island, police department argued in court filings that law enforcement serves a community caretaking function and the exception should be considered along with other issues such as privacy.

“Demanding an absolute exclusion of officials from the home in community caretaking circumstances is not only directly contrary to the Fourth Amendment’s reasonableness standard but will prevent those officials from meeting societal caretaking demands,” the brief said.

Cranston officials said that when evaluating the totality of the circumstance, “officers determined that [Mr. Caniglia] was imminently dangerous to himself and others.”

Federal appeals courts have split on the matter across the country. The high court will now have to settle the issue. Oral arguments are scheduled for March 24. A ruling is expected by the end of June.

Ilya Shapiro, the publisher of the libertarian Cato Institute’s Supreme Court Review, said it is the type of case to produce a close split among the justices.

“I wouldn’t be surprised to see [Chief Justice John G.] Roberts, [Samuel A.] Alito and [Stephen] Breyer together for law enforcement, [Neil M.] Gorsuch, [Brett M.] Kavanaugh and [Clarence] Thomas for [Mr. Caniglia], and [Elena] Kagan and [Amy Coney] Barrett as the swing votes,” he said, not mentioning Justice Sonia Sotomayor.