

Supreme Court Reaffirms Reasonableness Standard for Warrantless Entry into Residences to Render Emergency Aid

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ATTORNEYS

The U.S. Supreme Court has reaffirmed that police officers may enter a home without a warrant if they have an objectively reasonable basis for believing that someone inside needs emergency assistance.

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In *Case v. Montana*, the Court considered a situation in which officers responded to a 9-1-1 call made by the ex-girlfriend of William Case, who had threatened to kill himself and who had a known history of alcohol abuse and mental illness. The caller reported hearing what she thought was a gunshot. Officers knocked on Mr. Case's door multiple times but got no response. Through the windows they saw empty beer cans, an empty handgun holster, and what looked like a suicide note. The officers decided to enter the home to render emergency aid or prevent Mr. Case from seriously injuring himself. When an officer entered the room he was hiding in, Mr. Case abruptly came out of a closet holding a gun. The officer fired his own gun and hit Mr. Case in the abdomen. He was transported to a hospital, and later charged with assaulting a police officer. Mr. Case argued the police had violated his Fourth Amendment rights by entering his home without a warrant because they did not have probable cause to believe he needed emergency aid.

The Court reaffirmed a 20-year old principle that officers may enter a home without a warrant when they have "an objectively reasonable basis for believing that an occupant is seriously injured or imminently threatened with such injury," and determined the officer's entry met that standard. The Court declined Case's request to apply the "probable cause" requirement, emphasizing it is limited to criminal investigations.



For further guidance on Fourth Amendment issues, please contact **Marian Slocum** or any attorney in **RWG's Public Law Department**.