

Recent Case Report

Brigham City v. Stuart

(2006) __ U.S. __ [2006 WL 1374566]

ISSUE

Can officers enter a house under the emergency aid exception if they reasonably believe that the occupants are presently engaged in a fistfight?

FACTS

At about 3 A.M., four Brigham City, Utah police officers were dispatched to a report of a loud party at a certain house. As they pulled up, it was apparent that people inside were engaged in a fistfight. In addition to the sounds of “thumping and crashing,” they could hear people inside shouting such things as, “stop, stop” and “get off me.”

Walking down the driveway toward the direction of the noise, the officers passed an open screen door. Looking through the screen into the kitchen, they saw four adults trying to restrain a juvenile. Just then, the juvenile “broke free, swung a fist and struck one of the adults in the face.” The victim of the assault started “spitting blood into a nearby sink.”

The officers immediately opened the door and tried to announce their presence, but, in the words of the Court, “Amid the tumult, nobody noticed.” So they entered, broke up the fight, and arrested the adults for disorderly conduct, among other things.

DISCUSSION

The defendants contended that the officers’ observations from inside the house should have been suppressed because, despite the fight, the warrantless entry was unlawful. In a succession of mind-boggling decisions, the trial judge, the intermediate appellate court, and Utah’s Supreme Court all agreed with the defendants. Specifically, the Utah Supreme Court ruled the entry could not be based on exigent circumstances because, (1) the victim, though spitting blood, had not suffered a sufficiently serious injury inasmuch as he remained conscious; and (2) it appeared the officers’ objective was to arrest the occupants, not assist the victim.

In a unanimous opinion, the United States Supreme Court ruled the entry was lawful. As for the seriousness of the victim’s injuries, the Court noted, “Nothing in the Fourth Amendment required [the officers] to wait until another blow rendered someone ‘unconscious’ or ‘semi-conscious’ or worse before entering.” As the Court aptly pointed out:

The role of a peace officer includes preventing violence and restoring order, not simply rendering first aid to casualties; an officer is not like a boxing (or hockey) referee, poised to stop a bout only if it becomes too one-sided.

As for the officers’ motivation for entering, the Court ruled it didn’t matter because they were aware of facts that reasonably indicated an immediate entry was necessary. While some courts have held that an officer’s motivation

for entering or searching is relevant or even crucial, the Court ruled that motivation is immaterial when, in situations such as this, the officer's actions are objectively reasonable. In other words, if officers have probable cause or reasonable suspicion to believe an immediate entry is necessary to prevent injury to a person, they may enter.

Consequently, the Court returned the matter to the Utah Supreme Court for a more fitting disposition.

COMMENT

Although an officer's motivation for entering or searching is immaterial when the action is supported by reasonable suspicion or probable cause, it remains essential in situations where the action is essentially a community caretaking function; e.g., welfare check. POV