

Case Summary: *Case v. Montana*, No. 24-624 (U.S. Jan. 14, 2026)

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(All views expressed in this article are those of the author and do not necessarily represent the position of the Clemson Law Review or its leadership.)

In September 2021, Montana resident William Case placed a phone call to his ex-girlfriend, J.H. During the conversation, Case told her that he would commit suicide and leave behind a suicide note. J.H. then heard clicking, which she assumed sounded like the cocking of a gun, followed by a popping sound and then silence. When J.H. could not get Case to respond to her, she contacted the police.¹ The police officers at the scene knew of Case’s troubled history of alcohol abuse, mental health issues, and previous suicide attempts.² Upon arrival, the police officers attempted to make contact by knocking on the door and calling out into an open window, but received no response from Case. Through the windows the police officers observed an empty handgun holster and a notepad with writing on it that was believed to be a suicide note.³ Determining that Case needed emergency assistance, the officers entered the

¹ *Case v. Montana*, No. 24-624, slip op. at 1-2 (U.S. Jan. 14, 2026).

² *Id.* at 2 (“The officers were aware that Case had a history of alcohol abuse and mental-health issues; that he had previously threatened suicide at the school where he worked; and that he had once seemed to attempt ‘suicide-by-cop,’ by confronting the police in a way that was likely to provoke a lethal response.”).

³ *Id.* at 2 (“Shining their flashlights inside, they could make out empty beer cans, an empty handgun holster, and a notepad with writing on it, which they took to be the suicide note Case had mentioned to J. H.”).

home and announced themselves throughout their search.⁴ Case never responded as he was hiding in the closet of a bedroom. An officer entered the bedroom and Case revealed himself from behind a curtain. The officer observed Case holding an object and in fear of his life, he shot Case in the abdomen.⁵ Case then received medical attention from the officers on scene and was transported to the hospital by ambulance where he later recovered.

As a result of this confrontation, Case faced charges of assaulting a police officer. In response, he filed a request to suppress all evidence found during the home entry, arguing his Fourth Amendment right against unreasonable searches and seizures was violated by the police's entry into his home without a warrant.⁶ The trial court denied the motion because the police officers had responded to what they reasonably believed was a legitimate emergency. The jury found Case guilty of the charge and the verdict was appealed to the Montana Supreme Court where it was upheld based on the "community care doctrine."⁷ According to this doctrine, police officers are given the authority to enter a home to conduct a "welfare check" should there be "objective and articulable facts" suggesting that a person in the home "is in need of help or is in peril."⁸ The court rejected Case's interpretation of the "probable

⁴ *Id.* at 2 ("Once the chief came, the officers conferred and decided to enter the house 'to render emergency aid.' *Id.*, at 198.").

⁵ *Id.* at 3 ("Case did not answer; he was hiding in the closet of a bedroom upstairs. When one of the officers entered that room, Case threw open the closet curtain and appeared from behind it, holding 'a black object' which looked like a gun. *Id.*, at 194. Fearing that he was about to be shot, the officer fired his own rifle.).

⁶ *Id.* at 3.

⁷ *Id.* at 3. (553 P. 3d 985, 990 [Mont. 2024]).

⁸ *Id.* at 4. (553 P. 3d, at 990, 991).

cause” standard because it applies only during criminal investigations where police must have a reasonable basis for believing a crime has been committed. Case then appealed this decision to the U.S. Supreme Court.

The Supreme Court affirmed the judgment by a unanimous vote but disagreed regarding the legal reasoning. The Supreme Court’s analysis relied on the precedent of *Brigham City v. Stuart*, 547 U. S. 398 (2006), which held that police officers can enter a home without a warrant if they have “objectively reasonable basis for believing” an occupant inside requires emergency assistance.⁹ This scenario is distinct from a criminal investigation, which would require probable cause. The Supreme Court noted that the language in Montana’s caretaker doctrine serves only in application to investigative street stops, and that there was no language in the law allowing the doctrine to be used to permit home entries without a warrant.¹⁰ Consequently, although the Fourth Amendment permits a warrantless home entry for a welfare check under the standard of an emergency-aid exception, *Brigham City* does not apply.

Justices Sotomayor and Gorsuch delivered concurring opinions. Justice Sotomayor emphasized the importance of police officers considering whether home entry would serve to rescue the occupant rather than escalate the risk of harm. Justice Sotomayor also referenced studies that correlate increased risks of harm with

⁹ *Id.* at 5.

¹⁰ *Id.* at 7 (“That test’s language, as the dissenting justices noted, evokes the Fourth Amendment standard applying to brief, investigative street stops: ‘reasonable suspicion’ based on ‘specific and articulable facts.’ *United States v. Sokolow*, 490 U. S. 1, 7 [1989]; *Terry v. Ohio*, 392 U. S. 1, 21 [1968]; 553 P. 3d, at 999 [McKinnon, J.]”).

police encounters during mental health crises to dissuade police intervention as the first course of action.¹¹ Justice Gorsuch argued that the emergency-aid exception can be associated with common-law standards where private citizens are allowed to enter homes to render aid to the occupant should there be suspected harm occurring.¹² While police officers are not private citizens, he asserted that they still do enjoy some privileges that private citizens do, and that consequently these common law standards ought to apply to them here.¹³ He further reasoned that the Fourth Amendment allows officers to save a life as any private citizen would, based on the interpretation of common law emergency aid standards.¹⁴

Ultimately, the judgment of this case provides a clarification regarding the difference between the caretaker doctrine and the precedent of *Brigham City v. Stuart* and their applications. If an officer has knowledge of or observes an emergency that would cause harm to the occupant of a home, then the officer should not be impeded from their duty to protect. The Supreme Court corrected Montana's interpretation of the caretaker doctrine to ensure police officers can protect citizens in their homes without fear of retaliation. The judgment clarifies that a warrantless home entry is not a violation of the Fourth Amendment when there is a reasonable

¹¹ *Id.* at 2-3 (Sotomayor, J., concurring).

¹² *Id.* at 1 (Gorsuch, J., concurring) (“From before the founding through the present day, the common law has generally permitted a private citizen to enter another’s house and property in order to avert serious physical harm.”).

¹³ *Id.* at 3 (Gorsuch, J., concurring) (“See, e.g., *Entick v. Carrington*, 19 How. St. Tr. 1029, 1066 [C. P. 1765]; 1 J. Chitty, *Criminal Law* 36 [1819]; 2 M. Hale, *Historia Placitorum Coronae* 91 [1736].”).

¹⁴ *Id.* at 2-3 (Gorsuch, J., concurring).

basis to believe that immediate emergency aid is required for an occupant inside the home.