

Ryburn v. Huff, --- U.S. --- (2012)
Decided January 23, 2012

FACTS: Officers Ryburn and Zepeda (Burbank PD) were called to a local high school because a student, Huff, was “rumored to have written a letter threatening to ‘shoot up’ the school. During their investigation, they learned Huff had been absent for two days and was frequently bullied. One of his classmates “believed that [Huff] was capable of carrying out the alleged threat.” Because they had received training on the subject, the officers recognized “these characteristics are common among perpetrators of school shootings.” They proceeded to his home to question him, but received no answer to their knocks or their call to the home phone. However, when they called Huff’s mother on her cell phone, she answered and said she was actually at home and that Huff was with her.

Mrs. Huff refused to come outside and speak with the officers, and hung up on him. A few minutes later, though, both came out of the house and stood on the steps. “Officer Zepeda advised [Huff] that he and the other officers were there to discuss the threats.” Mrs. Huff refused to allow them into the house to discuss the matter and Sgt. Ryburn, who was also present, found it “‘extremely unusual’ for a parent to decline an officer’s request to interview a juvenile inside” and that she herself never asked why the officers were there.

Sgt. Ryburn asked about guns in the house and Mrs. Huff immediately turned and ran back inside. Sgt. Ryburn, concerned, went in behind her. Huff followed the officer and was, in turn, followed by Officer Zepeda, who did not want Sgt. Ryburn inside alone. The remaining two officers, who had been out of earshot also entered, believing that they had been given consent by Mrs. Huff to enter.

They all remained inside for some 5-10 minutes, until Mr. Huff emerged and challenged their right to be there. The officers “ultimately concluded that the rumor about [Huff] was false. They did not search anyone or any place while inside the house.

The Huffs brought suit under 42 U.S.C. §1983, claiming that their Fourth Amendment rights were violated by the officers’ entry. The District Court found in favor of the officers at a bench trial, concluding that the officers were entitled to qualified immunity “because Mrs. Huff’s odd behavior, combined with the information the officers gathered at the school, could have led” the officers to believe there were weapons inside the house. The Court noted that in such a “rapidly evolving incident,” the “courts should be especially reluctant ‘ to fault the police for not obtaining a warrant.”

The Ninth Circuit, on appeal, upheld qualified immunity for the last two officers who entered, but reversed it as to the remaining officers. The Court of Appeals found no reason to believe the officers (or others inside the home) were in any

danger, finding instead Mrs. Huff had “merely asserted her right to end her conversation with the officers and returned to her home.”

The Government appealed and the U.S. Supreme Court granted certiorari.

ISSUE: May officer enter a home without a warrant if they reasonable believe that is necessarily to prevent harm to themselves or others?

HOLDING: Yes

DISCUSSION: The Court agreed with the lone dissenting judge in the Ninth Circuit. That judge noted that “the discrete incident that precipitated the entry in this case was Mrs. Huff’s response to the question regarding whether there were guns in the house.” She “faulted the majority for “recit[ing] a sanitized account of this event,’ that differed markedly from the District Court’s findings of fact.” Instead, she looked to “cases that specifically address the scenario where officer safety concerns prompted the entry” and concluded that the officers “could have reasonably believed that [they were] justified in making a warrantless entry to ensure that no one inside” would post a risk to them.

The Court agreed that “no decision of this Court has found a Fourth Amendment violation on facts even roughly comparable to those present in this case.” The Court found that “on the contrary, some of our opinions may be read as pointing in the opposition direction.”

The Court looked primarily to Brigham City v. Stuart¹ which found that “officers may enter a residence without a warrant when they have ‘an objectively reasonable basis for believing that an occupant is ... imminently threatened with [serious injury].’ The need to preserve and protect life “is justification for what would be otherwise illegal absent an exigency or emergency.”

The Court noted that the Ninth Circuit majority - “far removed from the scene and with the opportunity to dissect the elements of the situation – confidently concluded that the officers really had no reason to fear for their safety or that of anyone else.” They ignored the fact that the Huffs did not respond to the officers knocking on the door and did not answer their home telephone, that Mrs. Huff hung up on the officers and that she ran back into the house when asked about guns. The Court noted that the Ninth Circuit apparently believed “that conduct cannot be regarded as a matter of concern so long as it is lawful.” Their “method of analyzing the string of events ... was entirely unreasonable.” The Court noted that “It is a matter of common sense that a combination of events each of which is mundane when viewed in isolation may paint an alarming picture.”

¹ 547 U.S. 398 (2006).

The Court agreed that “reasonableness must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight” and that “[t]he calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments – in circumstances that are tense, uncertain, and rapidly evolving.”²

The Court summed up the case, stating “reasonable police officers in [this] position could have come to the conclusion that the Fourth Amendment permitted them to enter the Huff residence if there was an objectively reasonable basis for fearing that violence was imminent” and that the facts as described in this case, could have given the officers that reasonable belief.

The Court reversed the decision with respect to the officers remaining in the case and remanded the case for judgment in their favor.

FULL TEXT OF OPINION: <http://www.supremecourt.gov/opinions/11pdf/11-208.pdf>.

² Graham v. Connor, 490 U.S. 386 (1989).