



# Santa Clara Police Training Flash



## Hot Pursuit or No Pursuit

*Lange v. California (6-23-21)*

On 06/23/21, the United States Supreme Court (SCOTUS) issued their opinion regarding the “hot pursuit” of a misdemeanor offense, while entering the home of a citizen without a warrant.

### Facts (summary):

In this case law, Lange was stopped by a CHP officer in Sonoma for a loud music violation and honking his horn. When CHP activated their emergency equipment, Lange continued to his driveway and entered his attached garage. CHP followed Lange into the garage and questioned him. CHP determined Lange was DUI and a blood test later showed he was over three times the legal limit. Lange was arrested for DUI and misdemeanor evading. The issue at hand, did this justify a warrantless entry by an officer into the private residence of a person under the “hot pursuit” or warrant exception doctrine? Was the blood sample obtained illegally due to the warrantless entry into the home?



### Held:

SCOTUS reversed and held that under the Fourth Amendment, pursuit of a fleeing misdemeanor suspect **does not always** – that is, categorically – justify a warrantless entry into a home. Furthermore, the blood draw evidence was suppressed.

In summary, the Court stated, **“The flight of a suspected misdemeanor does not always justify a warrantless entry into a home. An officer must consider all the circumstances in a pursuit case to determine whether there is a law enforcement emergency. On many occasions, the officer will have good reason to enter – to prevent imminent harms of violence, destruction of evidence, or escape from the home. But when the officer has time to get a warrant, he must do so – even though the misdemeanor fled.”**

**Training Flash:**

2021-06

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