

Oregon Case Law

♦ *State v. Weaver*, 214 Ore. App. 633, 168 P.3d 273 (2007): Deputies' entry into defendant's home was lawful under the emergency aid doctrine, where they were accompanying Department of Human Services workers investigating a report of child abuse, neither DHS nor the officers engineered the emergency, the officers responded to the children's call for help, and there was a reasonable concern for the immediate safety of the children and DHS workers trying to help them. However, the search made upon the second entry into the home after defendant's arrest, which produced firearms, was not authorized by an exception to the warrant requirement, and the firearm evidence was suppressed.

♦ *State v. Agnes*, 118 Ore. App. 675, 848 P.2d 1237 (1993): Officers' entry was legal under the emergency aid exception to the warrant requirement, where a neighbor called the police regarding a loud quarrel, defendant's companion opened the door slightly when police knocked, police believed that defendant was intoxicated and the companion might be in danger, they opened the door and turned on the lights, and observed cocaine in plain view on the table. The officers reasonably believed that they could ensure the occupants' safety only by immediately going inside.

[Return to AMBER Alert Legal Database](#)