



OAKLAND COUNTY SHERIFF'S OFFICE TRAINING BULLETIN

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Barnes v Felix – United States Supreme Court (2025)

Barnes v Felix USSC (2025), overview:

The U.S. Supreme Court decided a use-of-force case cannot review the totality of the circumstances if it has put on chronological blinders by applying *the moment-of-threat rule*, overruling the 5th Circuit Court doctrine and any other Circuit with similar *moment-of-threat rules or doctrines*. **The 6th Circuit Court had not adopted this rule/doctrine, and therefore there is no application of Barnes v Felix affecting any 6th Circuit Court Cases.**

In **Barnes v Felix USSC (2025)**, the Supreme Court ruling is as follows, holding:

A claim that a law enforcement officer used excessive force during a stop or arrest is analyzed under the Fourth Amendment, which requires that the force deployed be objectively reasonable from “the perspective of a reasonable officer at the scene.” *Graham v. Connor*, 490 U. S. 386, 396. The inquiry into the reasonableness of police force requires analyzing the “totality of the circumstances.” *County of Los Angeles v. Mendez*, 581 U. S. 420, 427–428; *Tennessee v. Garner*, 471 U. S. ES v. FELIX 1, 9. That analysis demands “careful attention to the facts and circumstances” relating to the incident. *Graham*, 490 U. S., at 396.

Most notable here, the “totality of the circumstances” inquiry has no time limit. While the situation at the precise time of the shooting will often matter most, earlier facts and circumstances may bear on how a reasonable officer would have understood and responded to later ones. Prior events may show why a reasonable officer would perceive otherwise ambiguous conduct as threatening, or instead as innocuous. *Plumhoff v. Rickard*, 572 U. S. 765, well illustrates this point. There, an officer’s use of deadly force was justified “at the moment” partly because of what had transpired in the preceding period. *Id.*, at 777. **The moment-of-threat rule applied below prevents that sort of attention to context, and thus conflicts with this Court’s instruction to analyze the totality of the circumstances.** By limiting their view to the two seconds before the shooting, the lower courts could not take into account anything preceding that final moment. So, for example, they could not consider the reasons for the stop or the earlier interactions between the suspect and officer. And because of that limit, they could not address whether the final two seconds of the encounter would look different if set within a longer timeframe. A rule like that, which precludes consideration of prior events in assessing a police shooting, is not reconcilable with the fact-dependent and context-sensitive approach this Court has prescribed. A court deciding a use-of-force case cannot review the totality of the circumstances if it has put on chronological blinders.

The Court does not address a separate question about whether or how an officer’s own “creation of a dangerous situation” factors into the reasonableness analysis. The courts below never confronted that issue, and it was not the basis of the petition for certiorari.