



Open Fields Closed

July 29, 2026

The Pennsylvania Supreme Court has ruled 7-0 to protect the state's hunting clubs from warrantless searches of their property.

The Institute for Justice [observes](#) that the decision protects the right “to be secure on their land” of all Pennsylvanians “and marks a final victory with no further appeal available.”

The decision is a big deal. For decades, courts have accepted the “open fields doctrine” advanced in a 1924 U.S. Supreme Court [decision](#). According to this rule — or rationalization — officials may conduct warrantless searches on any land beyond that which

immediately surrounds a home. Even if the open-field land is clearly marked as private property.

This, despite the fact that the Fourth Amendment [prohibits](#) warrantless searches and the issuing of warrants without probable cause.

Other courts have routinely followed the 1924 precedent. The result, [says](#) IJ, has been that “about 96% of all private land in the country, and over 90% of all private land in Pennsylvania, was previously exposed to warrantless searches and surveillance.”

The present case arose because officials of the Pennsylvania Game Commission conducted frequent fishing expeditions on the lands of IJ's clients, the Punxsutawney and Pitch Pine hunting clubs.

Like the Institute, the president of the Punxsutawney Hunting Club, Frank Stockdale, is confident that the ruling “is a victory for all landowners in Pennsylvania.”

This same logic should be pushed throughout the union, curbing government and providing owners the same common-sense protections in every state.

This is Common Sense. I'm Paul Jacob.