

ADMINISTRATION OF JUSTICE

Opening Activity

You be the Judge

Name: _____ Period: _____ Row: _____ Date: _____

You be the Judge is a legal puzzle designed to exercise your mind and reasoning power. Read the facts of this real life court case. Then put your judgment against that of the real jury or trial judge.

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38. Who Polices the Police Department?



Harry is a police officer for XYZ Police Department and is required by police department policy to carry his department issued firearm at all times within the city limits. He returned home from work one evening after finding out his wife was cheating on him. In a moment of anger he shot his wife and then committed suicide. The officer had been reprimanded on two occasions because of citizen complaints for his temper prior to the shooting. The wife suffered irreversible brain damage as a result of the shooting and sued the police department for negligence in retaining the officer. The wife's attorney argues that the police Department failed to adopt an effective program of psychological screening of its police officers. Evidence presented shows the department had tried several psychological programs in an effort to screen out emotionally unstable officers, but these had proven ineffective and were abandoned.

Is the department guilty of negligence in this case? **Explain your answer fully.**

How do you think the case should have been decided?
