

Officer Mistakenly Shoots 5-Year-Old Boy to Death

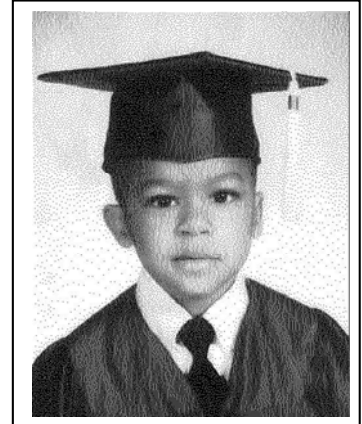
March 3, 1983

Name: _____ Period: _____ Row: _____

STANTON, California (AP) -- A 5-year old boy left alone in a darkened bedroom at 9:30p.m., while his mother was at work was shot to death by a Stanton policeman reacting to a toy gun the child pointed at him last night. "You want yell and scream about it," said Richard Baines, a neighbor in this blue-collar town of 25,000. But then you try putting yourself in the officer's place and it must be a terrible feeling knowing you have just shot a 5-year-old boy.

The 24 year old officer is obviously very upset about what has happened," Police Chief Robert Walker said at a news conference. "It's just one of those unforeseeable incidents that police officers unfortunately face more often than we care to imagine." Responding officers and medical personnel found the officer in a state of shock.

Patrick Madson was shot once in the neck by the officer, who kicked in the door of the bedroom in which the boy was apparently playing in the dark, illuminated only by the flicking light of a small television set in a corner of the room. The officer told investigators as he was entering the room with his flashlight he saw a shadowy figure about 15 feet away that appeared to be crouching behind the bed pointing what he thought was a real gun at him, so he fired in self-defense.



The "weapon" the 5-year-old was holding turned out to be a toy replica of a 45 caliber automatic hand gun which the boy's mother told officials she bought two weeks ago. Apartment manager Anne Roberts, who stood outside the apartment after letting the officer in with a passkey, heard the single gunshot and the officer say "Oh my God, I shot a kid!" Roberts rushed into the apartment and found the officer beating his head on the wall, saying, what have I done? What have I done?" The boy died at a local hospital about an hour after the 9:30 p.m. shooting.

"The officer thought he was in a situation in which he was being set up to be killed by gang members," police sources said, adding that the racially mixed, low-income neighborhood had been the scene of recent gang fights, family disturbances, thefts and arson fires. "We had reason to believe there had been victims of foul play" in the apartment based on the informants call to police.

The policeman involved was a former probation officer with just 18 months on the police force at the time of the shooting and was investigating a call from a woman who said she had not seen or heard from the 5 year olds mother in several weeks. The woman who had made the call was a friend of the boy's 29 year old mother.

At the time of the incident the officer believed something had possibly happened to the woman and her son when he knocked on the door followed by no response. When he reported to the station that the apartment was locked and there was no answer inside, he was instructed to contact the building manager, who then let the officer into the apartment with a passkey to investigate. After entering the apartment the officer heard muffled sounds coming from a back bedroom and went to investigate with his gun drawn and his flashlight on to see in the darkened apartment.

A preliminary police inquiry found "no fault with the officer," other than he may have shown a lack of judgment in failing to call for a back-up before entering the apartment. The officer has been suspended from duty police pending investigation by police and the Orange County District Attorney's Office as the incident will be referred to the Grand Jury to determine if the officer should be brought to trial. In addition to any possible criminal charges that may be filed the officer could be fired if he failed to follow department policy.

The boy's mother, Patricia Roberts, works as an apprentice auto mechanic and had left her son alone in the 297 unit apartment complex a total of four days this week, returning only late at night following her work. She told officials she couldn't afford a babysitter and that her son had been home sick from school for two weeks.

ADMINISTRATION OF JUSTICE

Opening Activity

Officer Mistakenly Shoots 5-Year-Old Boy to Death

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

Read the article on the back of this handout and answer the following questions about the article.

1. Why was the officer dispatched to this location?

2. What did the officer do when he found the door locked and no answer?

3. Where was the 5 year old boy's mother?

4. Why did the boy's mother leave him home alone late at night?

5. Describe what circumstances led to the officer shooting the boy?

6. What was the officer's reaction at the time of the shooting?

7. If you were the district attorney what charges could you bring against the mother?

8. If you were the district attorney what charges could would you consider against the officer?

9. What do you think the DA's office actually did with regard to the mother/

10. What do you think the DA's office actually did with regard to the officer?
