

Supreme Court of California

Tarasoff v. Regents of the University of California, S. Ct. of CA, 1976

Brief Fact Summary. Tatiana Tarasoff's parents (Plaintiffs) asserted that the four psychiatrists at Cowell Memorial Hospital of the University of California had a duty to warn them or their daughter of threats made by their patient, Prosenjit Poddar. The Superior Court of Alameda County (California) dismissed Plaintiffs' action (sustaining a demurrer to Defendant's second amended complaint) for failure to state a valid claim against the therapists, police, and the Regents of University of California (Defendants). Plaintiffs sought review.

Synopsis of Rule of Law. A defendant owes a duty of care to all persons who are foreseeably endangered by his conduct, with respect to all risks that make the conduct unreasonably dangerous. When the avoidance of foreseeable harm requires a defendant to control the conduct of another person, or to warn of such conduct, liability is imposed only if the defendant bears some special relationship to the dangerous person or to the potential victim.

Facts. In October 1969, Prosenjit Poddar (Poddar) murdered Tatiana Tarasoff (Tarasoff). Plaintiffs, Tatiana's parents, contended that only a short time prior, Poddar had expressed his intention to do so. This, they alleged, he had confided to his therapist, Dr. Lawrence Moore, a psychologist employed by University of California. They further alleged that Dr. Moore had warned campus police of Poddar's intentions, and that the police had briefly detained him, but then released him. Plaintiffs asserted two grounds for their action: the failure to confine Poddar, in spite of his expressed intentions to kill Tarasoff, and failure to warn Tarasoff or her parents. Defendants maintained that they owed no duty of care to the victim, and were immune from suit.