SCALIA, J., concurring

SUPREME COURT OF THE UNITED STATES

Nos. 09-1454 and 09-1478

BOB CAMRETA, PETITIONER

09-1454

v.

SARAH GREENE, PERSONALLY AND AS NEXT FRIEND OF S. G., A MINOR, AND K. G., A MINOR

JAMES ALFORD, DEPUTY SHERIFF, DESCHUTES COUNTY, OREGON, PETITIONER

09-1478

v.

SARAH GREENE, PERSONALLY AND AS NEXT FRIEND OF S. G., A MINOR, AND K. G., A MINOR

ON WRITS OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

[May 26, 2011]

JUSTICE SCALIA, concurring.

I join the Court's opinion, which reasonably applies our precedents, strange though they may be. The alternative solution, as JUSTICE KENNEDY suggests, see *post*, at 13 (dissenting opinion), is to end the extraordinary practice of ruling upon constitutional questions unnecessarily when the defendant possesses qualified immunity. See *Saucier* v. *Katz*, 533 U. S. 194 (2001). The parties have not asked us to adopt that approach, but I would be willing to consider it in an appropriate case.