



Ancel Glink Defense E-News

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Welcome to *Ancel Glink Defense E-News*, our electronic newsletter. In this newsletter, we focus on the latest court decisions and legislative changes in litigation which may affect you.

Ancel Glink Defense E-News is a publication of the defense litigation group of Ancel, Glink, Diamond, Bush, DiCianni & Krafthefer, P.C.

For more information about this edition of the *E-News*, please contact litigation partner, [Lucy Bednarek](#).

Special Alert of the Ancel Glink Defense E-News

As our clients are well aware, police misconduct claims, particularly involving the use of deadly force by police, are some of the most controversial and difficult cases that our clients are facing at this time. In the wake of Ferguson, Baltimore, Chicago, and other high-profile incidents, defending the positions of police officers who use deadly force in the course of interactions with citizens has taken on a new complexity. In addition to dealing with the normal issues raised in any difficult litigation, an inordinate amount of media coverage of these matters as they occur has fueled a new level of suspicion and in some instances an anti-police sentiment which has raised the settlement value and trial exposure of these cases.

Against this backdrop, Ancel Glink is proud to report two very recent successes it achieved in very difficult police deadly force cases. Those cases are discussed below.

- Federal Court/Chicago - *Howell v. City of Zion* - Tom DiCianni and Darcy Proctor defended Eric Hill, a patrol officer for the City of Zion, Illinois, who shot and killed 17-year-old Justus Howell while responding to a 911 call of a fight in progress and gunshots fired. Officer Hill pursued Howell on foot after seeing him run from the area of the call. Hill testified he believed Howell had a gun in his hand as he chased Howell on foot down a Zion street. Howell then turned toward Hill with the gun in his hand, and Hill fired two shots striking Howell in the back causing his death. The pursuit and shooting were recorded on a security video on nearby property. The plaintiff admitted Howell had a gun but argued it was in Howell's pocket and was removed from his pocket by the police after the shooting. The plaintiff contended the video did not show a gun in Howell's hand or a turn by Howell toward Hill while running, and other witness testimony and forensic evidence disputed Hill's version of the events. Defense argued that the video did not capture Officer's Hill's perspective at the time of the shooting, that forensic evidence actually supported Hill's account of events, and that Hill was justified in using deadly force to protect himself and other officers in the area from imminent danger of death or serious bodily harm. The trial was bifurcated as to liability and damages. The plaintiff's settlement demand was \$4.5 million. The jury deliberated for two days before returning

a not guilty verdict.

- Federal Court/Chicago - *Harris v. Officer Joseph Richardt* - Ellen Emery and Lucy Bednarek defended Officer Joseph Richardt in the trial of the case. The plaintiff alleged excessive use of deadly force when Officer Richardt shot the plaintiff in the abdomen, causing severe injury, as he fled in his vehicle following a traffic stop. The plaintiff dragged the officer as he fled from the stop, leading Richardt to fire the shot. Defense argued that the use of deadly force was necessary to prevent imminent harm to Officer Richardt. The plaintiff asked the jury for \$3 million in damages. The jury found in favor of the officer.

Please feel free to contact [Tom DiCianni](#) or [Lucy Bednarek](#) to discuss these cases or any other matters relating to Ancel, Glink's litigation practice.

ABOUT ANCEL GLINK DEFENSE

The attorneys who comprise Ancel Glink's defense litigation group are dedicated almost exclusively to defending governmental entities in tort, civil rights, employment, business and other claims and lawsuits. In addition to defending municipalities, school districts, park districts, townships and other entities in lawsuits in state and federal courts, Ancel Glink's litigation group handles appeals, administrative hearings, critical incident crisis management, loss control training and seminars, file audits, and special consultation. Visit our web-site at www.ancelglink.com or email us at e-news@ancelglink.com.

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