

Chicago officer sues estate of teenager he fatally shot

George Marlowe
18 February 2016

The Chicago police officer who fatally shot Quintonio LeGrier late last year is now suing the dead teenager's family estate for more than \$10 million in punitive damages.

Officer Robert Rialmo's legal team claims that he suffered "emotional trauma" from the young man's "atrocious" actions. The highly unusual countersuit against the family's own wrongful-death lawsuit over the shooting is an intimidation tactic meant to silence opposition to police murders.

On December 26, Officer Rialmo was sent to deal with a domestic disturbance in an impoverished neighborhood of the West Side of Chicago. The Chicago Police Department (CPD) and Rialmo allege that the young man came swinging at him with a baseball bat in close proximity. The officer shot multiple times at the nineteen year old LeGrier and his fifty five year old neighbor, Bettie Jones, and both were killed.

Witnesses, however, contradict the officer's claim that LeGrier was in close proximity to the officer or that he constituted a danger. LeGrier and Jones were several feet away before they were shot, according to witnesses. Additionally, several shell casings were found near the porch of LeGrier's home and around the sidewalk.

LeGrier was studying electrical engineering at Northern Illinois University in DeKalb, Illinois, and was home for Christmas break at his father's home. Jones was a workers' rights and community activist opposed to police brutality. Police claimed that Jones "was accidentally struck and killed" by stray bullets fired by Rialmo. LeGrier died of multiple gunshot wounds.

Quintonio LeGrier's father, Antonio LeGrier, filed a wrongful-death lawsuit against the city immediately

following the shooting. He stated that his son was inside the house when police officers shot at him from a distance of twenty to thirty feet. The father alleges that the officer shot "blindly, recklessly into the doorway," and that his son's actions did not warrant the discharge of a weapon.

While the father and son got into a fight, Antonio LeGrier stated that his son was having emotional troubles and was taking medication. "I wanted someone to try to help him with whatever he was going through," he told CNN, "because I was not trained."

In response to the father's lawsuit, the officer filed a countersuit which states LeGrier's death was his own fault and not that of the officer. The lawsuit states that the "fact that LeGrier's actions had forced Officer Rialmo to end LeGrier's life, and to accidentally take the innocent life of Bettie Jones, has caused, and will continue to cause, Officer Rialmo to suffer extreme emotional trauma." It adds that the officer opened fire after LeGrier "took a full swing" at the head of the police officer, only "missing it by inches."

According to the CPD and the city, they have claimed to have nothing to do with the countersuit being brought up by Rialmo.

Joel Brodsky, the lawyer representing Rialmo has a checkered and controversial past, including getting into verbal fights and being ejected from courtrooms. He previously took up the sensationalist Drew Peterson murder case and was alleged to have a conflict of interest due to media contracts he signed previously.

Brodsky, in a statement posted on Facebook, claimed that Rialmo "was taken aback by the speed in which the family of Mr. LeGrier rushed to file a lawsuit." He added, "[Rialmo] wants to make the point that having a relative killed in an officer-involved shooting is not the same thing as winning the lottery. Only the few cases

of truly excessive use and abuse of force should be subject to legal actions.”

Basileios Foutris, the attorney representing LeGrier’s family has argued, instead, that Brodsky is merely trying to shift blame to the victim. “This counterclaim is an attempt to deflect from what the officer did,” he stated. “[The officer] shot a teen four times in the back.”

“It’s a new low for the Chicago Police Department,” Foutris told the *New York Times*. “First you shoot them, then you sue them. It’s outrageous. I can’t believe that this police officer has the temerity to turn around and sue the estate of the person who he killed.”

According to legal experts, however, the countersuit is part of a process of trying to “send a message” that any lawsuit against police officers in cases of police misconduct or brutality will not be tolerated. While it is not unprecedented for a police officer to sue a civilian in a countersuit, it is almost unheard of in cases of fatal shootings. One likely goal is to try to and get the family to drop their lawsuit with a strong-arming legal tactic of a countersuit.

Indeed, if Rialmo is successful in his complaint, it will set a precedent across the country for further countersuits by police officers against anyone that legally challenges their actions.

The death of LeGrier and the recent countersuit are part of a string of revelations that have exposed the pervasive levels of police brutality in cities like Chicago, and others around the country. The shooting of LeGrier happened right after Chicago city officials, including Mayor Rahm Emanuel, faced growing public criticism and outrage for the cover-up of the 2014 police murder of Laquan McDonald and many others.

The Emanuel administration came under fire for entrenching the police department’s de facto policy of “shoot first and ask questions later.” At first, the administration feigned ignorance about the events and expressed concern that there were “serious questions” about what happened in the death of LeGrier and how officers are trained to handle those with mental health issues.

According to text messages released to the public, however, it’s clear that Emanuel was fully kept abreast of the incident while on vacation in Cuba. His only concern was that the media story and the public outrage be contained.

Far from addressing any of these systemic issues of police brutality and murder, the Democratic mayor’s administration and the city council have attempted to cover up the systemic forms of police brutality by pseudo “reforms” in an attempt at political damage control.

One such proposal was that officers wear body cameras and that all dashboard cameras on the police vehicles be properly equipped. Recent revelations, however, have shown that officers have been intentionally destroying dashboard cameras.

The role of the police unions, and their so-called regulatory bodies such as the Independent Police Review Authority (IPRA), have also been further exposed and implicated in the campaign to defend and cover up police brutality.

According to a joint study conducted by the *Chicago Reader* and *City Bureau*, more than half of CPD statements on fatal shootings are false. Fifteen of thirty five statements given by the spokesperson of the Fraternal Order of Police since 2012 were later proven to be false through legal testimony, video, media investigations and even contradictory police statements themselves. While the department has sought to claim lethal action was justified in every case because of officers fearing for their lives, such contentions have repeatedly been proven false.

Moreover, the Justice Department’s role in investigating and proposing police reforms is largely an attempt to provide broader political cover for attacks on democratic rights and the complicity of the Democratic Party itself, as has been seen in the events in Ferguson, Baltimore and beyond.

The rise in police murders in major cities like Chicago and the institutionalization of various forms of police state measures are the response of a decaying capitalist system to the immense class tensions and social anger building up in the United States and all around the world.



To contact the WSWWS and the
Socialist Equality Party visit:

wsws.org/contact