

## Chicago Officer, Citing Emotional Trauma, Sues Estate of Teenager He Fatally Shot



*Janet Cooksey, embraced at the funeral of her son, Quintonio LeGrier last January. The police officer who fatally shot Mr. LeGrier in December filled a lawsuit seeking more than \$10 million in damages from the teenager's estate for "extreme emotional trauma."*

By MITCH SMITH: FEB. 7, 2016

CHICAGO — The Chicago police officer who fatally shot a black 19-year-old and an unarmed bystander in December has filed a lawsuit seeking more than \$10 million in damages from the teenager's estate, an unusual legal approach based on a claim that the young man's actions leading up to the gunfire were "atrocious" and have caused the officer "extreme emotional trauma."

The lawsuit provides the first public explanation by the officer, Robert Rialmo, of what happened on Dec. 26 when he confronted Quintonio LeGrier, a college student who Officer Rialmo said was wielding a baseball bat. Mr. LeGrier and his neighbor Bettie Jones, 55, who the police said was an innocent bystander, both died after Officer Rialmo fired several shots.

The shooting, which is under investigation, further strained relations between the Chicago Police Department and African-American residents just weeks after another Chicago officer was charged with murder and as the Justice Department was beginning a broad review of Chicago police practices.

Basileios J. Foutris, a lawyer for Mr. LeGrier's estate, called the lawsuit "nonsense" and said Officer Rialmo's account of what had happened was "pure fantasy."

"It's a new low for the Chicago Police Department," Mr. Foutris said.

"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."

Officer Rialmo's lawsuit, filed Friday in Cook County Circuit Court, was a counterclaim to a wrongful death case brought weeks ago by Mr. LeGrier's estate. The estate's lawsuit claimed that Officer Rialmo acted improperly and that Mr. LeGrier "never posed a danger or threat of harm to any Chicago police officer."

Joel A. Brodsky, a lawyer for Officer Rialmo, said that his client had responded appropriately after Mr. LeGrier confronted him with a baseball bat, but that the officer felt terrible that Ms. Jones had also been killed.

"He just wants to stress he did not see her. He did not know she was there," Mr. Brodsky said. "When I say he feels extremely horrible about her death, that's an understatement. But the bottom line is that it was Quintonio LeGrier who forced him to shoot."

Mr. Brodsky acknowledged that it was rare for a police officer to sue the estate of a person he killed, but said Officer Rialmo was entitled to do so.

"There is no question that he suffered very extreme emotional trauma and stress as a result of what Quintonio LeGrier did," Mr. Brodsky said.

The lawsuit said Mr. LeGrier, who before officers were dispatched had called 911 and been hung up on, continued advancing with the bat after those two swings. At that point, the counterclaim said, Officer Rialmo feared for his life and fired his gun from a few feet away.

Mr. Foutris said the officer's account was contrary to the evidence he had seen so far. "Why would a kid that called three times asking for police help ever swing a bat at a cop?" he asked.

Mr. Brodsky said Officer Rialmo is a white Chicago native in his 20s from a family with several police officers and firefighters. He said Officer Rialmo, who remains on desk duty, joined the department about three years ago after serving in the military.

Anthony Guglielmi, a police spokesman, said Sunday that the counterclaim was "not a department lawsuit" and declined to comment further. Adam Collins, a spokesman for Mayor Rahm Emanuel, said in an email that "the city does not support" the counterclaim "and is not involved in any way."

Mr. LeGrier and Ms. Jones were killed about a month after Officer Jason Van Dyke was charged in the 2014 shooting death of Laquan McDonald, who was 17 and black. Video footage showed Officer Van Dyke continuing to fire his gun after Mr. McDonald, who was carrying a knife but veering away from police officers, fell to the ground, seeming to contradict statements by the police.

A version of Officer Rialmo's account of the shooting provides far more detail than the city's official statements, which acknowledged that Ms. Jones was accidentally struck but provided few details about what happened before the gunfire.

According to the officer's counterclaim, Mr. LeGrier charged down a staircase and swung a baseball bat twice at Officer Rialmo. Though the officer was not struck, the lawsuit said, one swing came "close enough for Officer Rialmo to feel the movement of air as the bat passed in front of his face."

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