

City to Pay \$1.2M In Police Shooting of Unarmed Man by Philadelphia Inquirer via YellowBrix

April 08, 2011



PHILADELPHIA — Philadelphia will pay \$1.2 million to settle a lawsuit filed in the death of a man fatally shot by police responding to New Year’s Eve gunfire.

Bryan Jones, 20, was picking up his teen nephew from a friend’s house when gunfire erupted nearby. The pair were trying to escape down a rear alley when Jones was shot. Officer Steven Szczepkowski said he fired after seeing one person with a gun and a second, Jones, reaching for his waistband.

The family sued the city. A federal judge refused to throw out the lawsuit, ruling in February that a jury could find that the officer used excessive force and acted with willful misconduct.

“I didn’t want it just pushed under the carpet, because it was a tragedy and they (police) were at fault,” his mother, Gloria Jones, 57, told The Associated Press on Thursday. “He was an innocent person trying to get out of harm’s way.”

Jones was unarmed when he was shot twice in the head that night, family lawyer Bruce Ginsburg said.

Former District Attorney Lynne Abraham had cleared Szczepkowski, one of several officers on the scene, of wrongdoing. She said that Jones was known to carry a gun, had gunpowder in his waistband, and had failed to halt or put up his hands.

Authorities recovered 155 shell casings and cartridges from 14 different weapons in and around two row houses where the gunfire had broken out. Nine men were detained, some of whom were charged with shooting at police, but the charges were dropped due to the difficulty of determining who had fired upon whom.

Jones’ death fueled criticism that Philadelphia police were too quick to fire their weapons. In 2006 and 2007 alone, 42 civilians were killed by police.



A year later, police chasing an armed reveler shot into a house filled with New Year's Eve partygoers, killing a 33-year-old man and leaving another man injured and a 9-year-old boy with a graze wound to the chest.

The police department's internal affairs unit had questioned whether Szczepkowski violated the deadly force policy, but a department review board later exonerated him, a city solicitor said.

"Nobody can say what his circumstances were but him," Chief Deputy Solicitor Craig Straw said.

The city settled the lawsuit Tuesday without admitting any wrongdoing. Szczepkowski, after further weapons training, remains on the job, Straw said.

The city was prepared to defend the lawsuit at trial, but settled rather than risk a costly jury verdict, Straw said.

Jones had a job and no police record, potentially making him a more sympathetic victim, he said. Lawsuits over fatal police shootings typically settle for about \$100,000 because they involve victims who were carrying weapons, had committed crimes or had police records, he said.

The police department did not immediately return a call for comment, and a home number for the officer could not be found.

Ginsburg also represents two other police gunfire victims, including the child grazed by the police bullet. The lawsuits over the latter New Year's Eve police shootings are still pending, he said.

The attorney believes the Jones settlement suggests a changing attitude among city officials, including a police chief and district attorney who came aboard since Jones' death.

"I hope that they're being more realistic about what occurs out there, and that police can make a mistake, and do make a mistake," Ginsburg said.

<http://policelink.monster.com/news/articles/152855-city-to-pay-12m-in-police-shooting-of-unarmed-man?print=true>

http://articles.philly.com/2011-04-08/news/29396956_1_shooting-of-unarmed-man-police-officers-million-in-police-shooting

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