



Written by [Bob Adelman](#) on April 26, 2016

## Cleveland Settles Tamir Rice Shooting Lawsuit for \$6 Million

On Monday the city of Cleveland [announced](#) that it had settled a wrongful-death federal lawsuit brought by Tamir Rice's family for \$6 million, while admitting no wrongdoing. The city implied that it was a matter of expediency, noting that neither the family nor the city was interested in a long, expensive and likely politically explosive trial in an effort to defend itself.



Rice's estate will receive \$5.5 million while Samaria Rice, Tamir's mother, and Tajal Rice, his sister, will each receive \$250,000. The city will pay out \$3 million this year and the balance next year.

The lawsuit was filed just days after Rice's death late last year. Rice, age 12, was playing with an Airsoft replica pistol when a neighbor alerted 911 that he was pointing it at people at a local playground. A Code 1 call went out to officers, who understood that they were going to be confronting a man with a gun. When they arrived on the scene, they saw a 200-pound young black man with a pistol in his belt. When one of the officers shouted for him to show his hands, Rice instead reached into his belt and started to pull out the pistol (image shown). One of the officers fired two rounds, one of them hitting Rice in the stomach, causing his death.

Subodh Chandra, a local high-profile litigation attorney, filed suit against the city, against the two officers, against the police officers who hired them, and against the 911 telephone operator who took the call. When the settlement was announced, the real purpose behind the lawsuit became clear in Chandra's statement: "Regrettably, Tamir's death is not an isolated event. The problem of police violence, especially in communities of color, is a crisis plaguing this nation. It is the Rice family's sincere hope that Tamir's death will stimulate a movement *for genuine change in our society and our nation's policing* so that no family ever has to suffer a tragedy such a this again." (Emphasis added.)

Added Chandra:

They lost a child. And they also feel, correctly, that they were cheated out of a fair criminal justice process. If the process had been fair, the family would have been willing to accept whatever result came out of it.

But because it was transparently unfair, it's just hard for them. There is no justice here, and they will never have their beloved child back.

The Mayor of Cleveland, Frank Jackson, chimed in with a similar homily. Jackson has had it in for local law enforcement ever since he took office in 2005, introducing new policing rules for the CPD, including a vague, negative, threatening use-of-force policy: "Excessive force shall not be tolerated." Jackson, also a member of Michael Bloomberg's Mayors Against Illegal Guns Coalition, performed as expected,



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focusing on the victim and not on the police officers defending themselves in an apparent life-threatening event: "There is no price that you can put on the life of a lost 12-year-old child." Added Jackson:

I can't speak to how difficult it must have been for the family of Tamir Rice. I can't even speak to that, because it's hard for me to imagine how I would feel and behave at that time....

At the end of the day, a 12-year-old child lost [his] life, and that should not have happened in the city of Cleveland. It should not have happened.

When a grand jury ruled that the officers' actions were reasonable, another sycophant seeking change, Guyora Binder (a law professor at the University of Buffalo), rejected the argument presented to that jury that the police were justified in defending themselves against that perceived threat, that they had to make a life-or-death decision in seconds, and that looking back on the event from the advantage of knowing all the facts later couldn't be counted. Instead, said Binder, using logic that only a lawyer could love, "Officers are 20 times more likely to kill a civilian than to be killed by a civilian ... [showing] that police face no greater risk of homicide than the general population."

The officers involved are not home free owing to Cleveland's payout, not by a long shot. There's the automatic federal investigation into such matters by Attorney General Loretta Lynch and her Department of Justice. There's an ongoing internal department investigation. And there's the indelible mark on their records that will follow them for the rest of whatever might be left of their careers in law enforcement.

When a local paper tried to lend a little balance to the skewed equation, it was excoriated, as the information it provided didn't fit the narrative: Both of Rice's parents, Samaria Rice and her husband, Leonard Warner (who for some reason didn't get a dime from the settlement), have multiple convictions for breaking the law. Leonard, according to the Northeast Ohio Media Group, which exposed the facts, "has multiple convictions for the abuse of women."

This was totally unacceptable to the Huffington Post's Nick Wing, who said that those facts really don't matter, that they intend instead to deflect concern away from the police officers' bad behavior. Chris Quinn, the Media Group's vice president of content, responded: "One way to stop police from killing any more 12-year-olds might be to understand the forces that lead children to undertake behavior that could put them in the sights of police guns." Knowing such details, wrote Quinn, "can shed further light on why this 12-year-old was waving a weapon around a public park."

The bias is palpable, and the agenda is clear: use another unfortunate incident to sully the reputations of police officers trying to do their duty without being murdered in the process, sully the reputation of their department, call into question the decision of a grand jury that took months to look at all the facts (which filled 224 pages with interviews with at least 27 people including teachers, friends and the 911 caller himself) and then, when frustration levels reach a peak, recommend the inevitable, predictable remedy: make the local police a branch of a national federal police force.

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