

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION**

LaTAYSHIA SHAW, on behalf of decedent's)	
minor children, MIRACLE SHAW and MELODY)	
GRANTON, and as administrator of the estate of)	
MAURICE GRANTON, JR.,)	
Deceased,)	
Plaintiff,)	Case No.
)	
vs.)	
)	
CHICAGO POLICE OFFICER)	
SHELDON THRASHER, Star No. 17871; and)	
CITY OF CHICAGO, a municipal corporation,)	
)	
Defendants.)	JURY TRIAL DEMANDED

COMPLAINT AT LAW

NOW COMES the Plaintiff, LaTAYSHIA SHAW, on behalf of decedent's minor children, MIRACLE SHAW and MELODY GRANTON, and as administrator of the estate of MAURICE GRANTON, JR., deceased (hereinafter referred to as "Plaintiff"), by and through her attorneys, Romanucci & Blandin, LLC, and Action Injury Law Group, LLC, and in the following Complaint at Law against Defendant Chicago Police Officer SHELDON THRASHER (hereinafter referred to as "Defendant Officer") and Defendant CITY OF CHICAGO, a municipal corporation, pleading hypothetically and in the alternative, states as follows:

INTRODUCTION

1. On June 6, 2018, at the age of 24 years old, MAURICE GRANTON, JR. was killed when he was shot in the back without lawful justification by Defendant Chicago Police Officer SHELDON THRASHER, who was acting under color of law as a police officer for Defendant CITY OF CHICAGO.

2. This action is brought pursuant to the laws of the State of Illinois against Defendant Officer THRASHER and Defendant CITY OF CHICAGO for their willful and wanton actions causing MAURICE GRANTON, JR.'s death on June 6, 2018 in Chicago, Illinois.

3. At the time of his death, decedent MAURICE GRANTON, JR. lived with and was the boyfriend of Plaintiff LaTAYSHIA SHAW and is survived by his two one-year old daughters, MIRACLE SHAW and MELODY GRANTON. This action is brought on their behalf for the death of their father at the hands of Defendant Officer THRASHER and Defendant CITY OF CHICAGO.

JURY DEMAND

4. The Plaintiff hereby demands a trial by jury.

PARTIES

5. At the time of his death, MAURICE GRANTON, JR. was a 24-year-old African-American man and the father of two daughters, MIRACLE SHAW and MELODY GRANTON.

6. At the time of his death, MAURICE GRANTON, JR. was a citizen of the United States and a resident of the City of Chicago, Cook County, Illinois.

7. Plaintiff LaTAYSHIA SHAW is the administrator of the estate of decedent MAURICE GRANTON, JR. and brings this action on behalf of decedent and their minor children, surviving heirs, and next of kin, MIRACLE SHAW and MELODY GRANTON. At the time of Decedent's death, Plaintiff LaTAYSHIA SHAW lived with and was MAURICE GRANTON, JR.'s girlfriend and mother of his two children.

8. MIRACLE SHAW is the minor child, surviving heir, and next of kin of decedent MAURICE GRANTON, JR. MIRACLE SHAW was approximately one-and-a-half-years-old at the time her father was killed.

9. MELODY GRANTON is the minor child, surviving heir, and next of kin of decedent MAURICE GRANTON, JR. MELODY GRANTON was approximately seven-months-old at the time her father was killed.

10. At all material times, Plaintiff LaTAYSHIA SHAW and the only surviving heirs and next of kin of the decedent, MIRACLE SHAW and MELODY GRANTON, have resided and currently reside in the City of Chicago, County of Cook, State of Illinois.

11. MIRACLE SHAW and MELODY GRANTON have not yet reached the age of majority and will not until 2034 and 2035, respectively.

12. Letters of Administration were granted to LaTAYSHIA SHAW on July 25, 2018 by the Probate Department of the Circuit Court of Cook County, Illinois, establishing her as the administrator of Maurice Granton, Jr.'s estate.

13. Upon information and belief, at all material times, Defendant Officer THRASHER resided in the City of Chicago, County of Cook, State of Illinois.

14. At all material times, Defendant Officer THRASHER was acting within the scope of his employment and agency with Defendant CITY of CHICAGO as a sworn Chicago police officer.

15. Defendant CITY OF CHICAGO is a municipal corporation, duly incorporated under the laws of the State of Illinois, and was at all material times, the employer and principal of Defendant Officer THRASHER.

FACTUAL ALLEGATIONS

A. The Incident

16. On June 6, 2018, at approximately 8:12 p.m., decedent MAURICE GRANTON, JR. was standing on the street with friends underneath the 47th Street Green Line CTA Station in Chicago, Illinois 60615.

17. On June 6, 2018, at approximately 8:12 p.m., Chicago Police officers, including Chicago Police Officer Wallace and Defendant Officer THRASHER, were allegedly conducting a narcotics investigation in the same area.

18. On June 6, 2018, at approximately 8:12 p.m., decedent MAURICE GRANTON, JR. was not suspected of any violent offenses nor any other offense that would necessitate the use of deadly force.

19. On June 6, 2018, at approximately 8:12 p.m., decedent MAURICE GRANTON, JR. was not suspected of a felony.

20. On June 6, 2018, at approximately 8:12 p.m., Chicago Police Officer Wallace drove his vehicle eastbound down 47th Street and parked it underneath the 47th Street Green Line Station.

21. On June 6, 2018, at approximately 8:12 p.m., Chicago Police Officer Wallace exited his vehicle and began chasing decedent MAURICE GRANTON, JR. southbound underneath the Green Line Station.

22. On June 6, 2018, at approximately 8:12 p.m., decedent MAURICE GRANTON, JR. began running southbound down the alley, underneath the Green Line.

23. On June 6, 2018, at approximately 8:12 p.m., Chicago Police Officer Wallace began chasing decedent MAURICE GRANTON, JR., while the rest of the individuals present under the Green Line Station walked westbound down 47th Street before turning south on Prairie Avenue,

24. On June 6, 2018, at approximately 8:12 p.m., as he was running southbound down the alley, decedent MAURICE GRANTON, JR. turned right and jumped over a fence into an abandoned lot that was located between the alley and Prairie Avenue, and behind 315 E 47th Street, Chicago, Illinois 60653.

25. On June 6, 2018, at approximately 8:12 p.m., decedent MAURICE GRANTON, JR. began running west through the abandoned lot.

26. On June 6, 2018, at approximately 8:12 p.m., Defendant Officer Wallace halted his pursuit of decedent MAURICE GRANTON, JR., as he could not get over the fence.

27. On June 6, 2018, at approximately 8:12 p.m., after decedent MAURICE GRANTON, JR. continued running west through the abandoned lot.

28. On June 6, 2018, at approximately 8:12 p.m., decedent MAURICE GRANTON, JR. reached the fence on the west side of the abandoned lot, which separated the abandoned lot from Prairie Avenue.

29. On June 6, 2018, at approximately 8:12 p.m., decedent MAURICE GRANTON, JR. placed both hands on the fence on the west side of the abandoned lot and began climbing.

30. On June 6, 2018, at approximately 8:12 p.m., upon information and belief, Defendant Officer THRASHER had less-lethal means of force available to him including, but not limited to, a taser, which could have been used to stop and/or detain decedent MAURICE GRANTON, JR.

31. On June 6, 2018, at approximately 8:12 p.m., with both hands on the fence, decedent MAURICE GRANTON, JR. was shot in the back by Defendant Officer THRASHER.

32. On June 6, 2018, at approximately 8:12 p.m., Defendant Officer THRASHER acted intentionally, willfully, with malice, and/or with reckless indifference for decedent MAURICE GRANTON, JR.'s rights and life when he shot him in the back.

33. On June 6, 2018, at all material times, decedent MAURICE GRANTON, JR. cannot be seen carrying a firearm or any other weapon in any of the body-cam footage released by the Chicago Police Department.

34. On June 6, 2018, at approximately 8:12 p.m., with both hands on the fence, decedent MAURICE GRANTON, JR was posing no threat of harm to Defendant Officer THRASHER when he was shot in the back by Defendant Officer THRASHER.

35. On June 6, 2018, at approximately 8:12 p.m., with both hands on the fence, decedent MAURICE GRANTON, JR. was posing no threat of harm to any Chicago police officer when he was shot in the back by Defendant Officer THRASHER.

36. On June 6, 2018, at approximately 8:12 p.m., with both hands on the fence, decedent MAURICE GRANTON, JR was posing no threat of harm to any person when he was shot in the back by Defendant Officer THRASHER.

37. On June 6, 2018, at approximately 8:12 p.m., with both hands on the fence, decedent MAURICE GRANTON, JR. was not immediately likely to cause death or great bodily harm to the member or others

38. On June 6, 2018, at approximately 8:12 p.m., with both hands on the fence, decedent MAURICE GRANTON, JR. did not have the means or instruments to cause death or great bodily harm.

39. On June 6, 2018, at approximately 8:12 p.m., with both hands on the fence, decedent MAURICE GRANTON, JR. did not have the opportunity and/or ability to cause death or great bodily harm.

40. On June 6, 2018, at approximately 8:12 p.m., the bullet discharged by Defendant Officer THRASHER into the back of decedent MAURICE GRANTON, JR. striking MAURICE GRANTON, JR.'s spinal cord, leaving him writhing on the ground until he died at approximately 8:41 p.m.

41. On June 6, 2018, after shooting decedent MAURICE GRANTON, JR., Defendant Officer THRASHER can be heard mocking the decedent, saying to the crowd that formed, “You see your homie right there,” and “You see your homie shot,” as decedent MAURICE GRANTON, JR. laid writhing on the ground in pain and in need of medical attention.

B. The Department of Justice Report--Background

42. On January 23, 2017, the United States Department of Justice (DOJ) Civil Rights Division and the United States Attorney’s Office Northern District of Illinois released its report titled: “Investigation of the Chicago Police Department.”¹

43. On December 7, 2015, the U.S. DOJ, Civil Rights Division and Special Litigation Section, as well as the U.S. Attorney’s Office for the Northern District of Illinois initiated an investigation (“The Investigation”) of the Chicago Police Department (CPD) and the Independent Police Review Authority (IPRA).

44. The Investigation was undertaken to determine, among other things, whether the CPD was engaging in a pattern or practice of unlawful conduct when it came to the use of force, both deadly and less-lethal.

45. The Investigation relied on thousands of pages provided by CPD, IPRA, and the City, itself; the City’s misconduct complaint database; data from all use of force reports; and then investigative reports into officer-involved shootings, less-lethal uses of force, and investigations into citizen complaints from January 2011 until April 2016.

46. The Investigation also relied on meetings with community members, CPD officers, IPRA investigators, CPD leadership, union leadership, and visited numerous CPD training facilities watching CPD training programs.

¹ A copy of the report can be found at <https://www.justice.gov/opa/file/925846/download>

47. The Investigation also relied on interviews and the assistance of subject matter experts in the use of force, accountability, training, supervision, community policing, officer-involved domestic violence and sexual misconduct, officer wellness, and more.

C. The Department of Justice Report—Findings—Use of Force Generally

48. The Investigation found reasonable cause to believe that the CPD had engaged in a pattern or practice of unreasonable force and that the deficiencies in CPD’s training, supervision, accountability, and other systems had contributed to the that pattern or practice.

49. The Investigation found that CPD had not provided officers with adequate guidance to understand how and when they may use force or how to safely and effectively control and resolve encounters to reduce the need to use force.

50. The Investigation found that CPD often did not appropriately supervise officers to identify dangerous tactics or behaviors that may have indicated officers need additional training or other intervention.

51. The Investigation found that CPD also did not review its force practices as a whole to identify problematic trends or patterns that endanger officers and others.

52. The Investigation found that these collective failures resulted in CPD engaging in a pattern or practice of using force in a manner that was unconstitutional.

D. The Department of Justice Report—Findings—Shooting at Fleeing Suspects

53. The Investigation found that the CPD engaged in dangerous and unnecessary foot pursuits and other unsound tactics that resulted in the CPD shooting people, including those who were unarmed.

54. The Investigation found that the CPD’s pattern or practice of unreasonable force included shooting at fleeing suspects who presented no immediate threat.

55. The Investigation found multiple instances where CPD officers chased and shot fleeing persons who posed no immediate threat to officers or the public.

56. The Investigation found that in those instances, CPD and administrative officials took officers' reporting of events as true, even where there was contrary evidence.

57. In the past five years, there have been at least six instances of Chicago police officers shooting fleeing suspects while unarmed and/or when not posing a threat to those around them:

- a. On July 4, 2013, Christian Green was shot in the back while running from Chicago police officers.
- b. On October 12, 2014, Ronald Johnson was shot in the back and died while running from Chicago police officers.
- c. On October 24, 2014, Laquan McDonald was shot 16 times and died with many of those shots being to his back while walking away from and not posing a threat to officers, including three times in the back as he laid on the ground motionless.
- d. On July 28, 2016, Paul O'Neal was shot in the back and died while unarmed and running from Chicago police officers.
- e. On November 13, 2016, Kajuan Raye was shot in the back and died while unarmed and running from Chicago police officers.
- f. On February 25, 2018, an unidentified man was shot in the buttocks while unarmed and running from Chicago police officers.
- g. Other instances that are unidentifiable without victim's names are also listed in the DOJ Report by the Investigation.

58. The Investigation found that CPD had long had detailed policies regarding vehicle pursuits, but it did not have a foot pursuit policy.

59. The Investigation found that the CPD had failed to take corrective action to address problematic foot pursuits.

60. Despite recommendations from the Investigation that it should have a foot pursuit policy, as of the filing of this complaint, a year-and-a-half after the DOJ Report was issued, upon information and belief, the CPD still does not have a foot pursuit policy and/or the training necessary to implement such a policy. This “puts officers and the public in danger and results in unreasonable uses of force.”

61. Upon information and belief, the CPD does not have training in place to adequately instruct its officers and members on the appropriate levels of force to be used when an individual is unarmed and running from police.

COUNT I – Willful and Wanton Conduct – Wrongful Death
Against Defendant Officer Thrasher

62. Plaintiff incorporates all preceding paragraphs as though fully set forth herein.

63. Plaintiff, LaTAYSHIA SHAW, as Administrator of the Estate of MAURICE GRANTON, JR., deceased, brings this cause of action pursuant to the provisions of 740 ILCS 180/1, *et seq.*, commonly known as the Illinois Wrongful Death Act.

64. At all material times, Defendant Officer THRASHER, acting as a duly authorized agent of Defendant CITY OF CHICAGO, owed decedent MAURICE GRANTON, JR. a duty to refrain from wanton and willful acts and omissions, which could cause him harm.

65. At all material times, Defendant Officer THRASHER, by and through his acts and/or omissions and as an agent, employee, and police officer of the CITY OF CHICAGO, breached his duty to decedent MAURICE GRANTON, JR. by acting in an intentional manner, willful and wanton manner, and/or with utter indifference and conscious disregard for decedent MAURICE GRANTON, JR.’s health and safety in one or more of the following respects:

- a. Shot decedent MAURICE GRANTON, JR. in the back without lawful justification;
- b. Discharged a weapon in such a manner as to shoot decedent MAURICE GRANTON, JR. in the back without lawful justification;
- c. Discharged a weapon in such a manner as to shoot decedent MAURICE GRANTON, JR. in the back in an excessive and unreasonable way;
- d. Used force in such a manner against decedent MAURICE GRANTON, JR. in a way that violated Chicago Police Department policies;
- e. Discharged a weapon in such a manner as to shoot decedent MAURICE GRANTON, JR. in a way that violated Chicago Police Department policies;
- f. Used excessive and inappropriate deadly force on decedent MAURICE GRANTON, JR. when he shot him in the back without lawful justification;
- g. Failed to exercise the proper level of force that was warranted under the circumstances;
- h. Used excessive and inappropriate deadly force without lawful justification;
- i. Failed to use less dangerous means of restraint on decedent MAURICE GRANTON, JR. before using and discharging his firearm, as decedent MAURICE GRANTON, JR. was not engaged in conduct that would justify such deadly force;
- j. Failed to warn decedent MAURICE GRANTON, JR. of the impending use of force;
- k. Failed to implement and adhere to a use of force continuum consistent with that used by law enforcement agencies in Illinois; and/or
- l. Was otherwise willful and wanton.

66. As a direct and proximate result of said willful and wanton acts and/or omissions, decedent MAURICE GRANTON, JR. died on June 6, 2018.

67. Decedent MAURICE GRANTON, JR., is survived by his minor children and heirs, MIRACLE SHAW and MELODY GRANTON.

68. By reason of the death of decedent MAURICE GRANTON, JR., decedent's heirs have suffered pecuniary damages, including the loss of support, comfort, love, affection, protection and society of their father, decedent MAURICE GRANTON, JR.

WHEREFORE, LaTAYSHIA SHAW, on behalf of decedent's minor children, MIRACLE SHAW and MELODY GRANTON, and as administrator of the estate of MAURICE GRANTON, JR., deceased, demands judgment against Defendant Officer THRASHER for an amount in excess of fifty-thousand dollars (\$50,000.00) in damages, costs, disbursements, attorney's fees, interests, and for any further relief that this Court deems fair and just.

COUNT II – Willful and Wanton Conduct – Survival
Against Defendant Officer Thrasher

69. Plaintiff incorporates all preceding paragraphs as though fully set forth herein.

70. Plaintiff, LaTAYSHIA SHAW, as Administrator of the Estate of MAURICE GRANTON, JR., deceased, brings this cause of action pursuant to the provisions of 755 ILCS 5/27-6, commonly known as the Survival Act of Illinois.

71. At all material times, Defendant Officer THRASHER, acting as a duly authorized agent of Defendant CITY OF CHICAGO, owed decedent MAURICE GRANTON, JR. a duty to refrain from wanton and willful acts and omissions, which could cause him harm.

72. At all material times, Defendant Officer THRASHER, by and through his acts and/or omissions and as an agent, employee, and police officer of the CITY OF CHICAGO, breached his duty to decedent MAURICE GRANTON, JR. by acting in an intentional manner, willful and wanton manner, and/or with utter indifference and conscious disregard for MAURICE GRANTON, JR.'s health and safety in one or more of the following respects:

- a. Shot decedent MAURICE GRANTON, JR. in the back without lawful justification;
- b. Discharged a weapon in such a manner as to shoot decedent MAURICE GRANTON, JR. in the back without lawful justification;
- c. Discharged a weapon in such a manner as to shoot decedent MAURICE GRANTON, JR. in the back in an excessive and unreasonable way;

- d. Used force in such a manner against decedent MAURICE GRANTON, JR. in a way that violated Chicago Police Department policies;
- e. Discharged a weapon in such a manner as to shoot decedent MAURICE GRANTON, JR. in a way that violated Chicago Police Department policies;
- f. Used excessive and inappropriate deadly force on decedent MAURICE GRANTON, JR. when he shot him in the back without lawful justification;
- g. Failed to exercise the proper level of force that was warranted under the circumstances;
- h. Used excessive and inappropriate deadly force without lawful justification;
- i. Failed to use less dangerous means of restraint on decedent MAURICE GRANTON, JR. before using and discharging his firearm, as decedent MAURICE GRANTON, JR. was not engaged in conduct that would justify such deadly force;
- j. Failed to warn decedent MAURICE GRANTON, JR. of the impending use of force;
- k. Failed to implement and adhere to a use of force continuum consistent with that used by law enforcement agencies in Illinois; and/or
- l. Was otherwise willful and wanton.

73. As a direct and proximate result of Defendant Officer THRASHER's willful and wanton acts and omissions, decedent MAURICE GRANTON, JR. suffered damages, including physical and emotional injuries, past medical expenses, and conscious pain and suffering while still alive on the ground, writhing in pain, after being shot.

74. As a direct and proximate result of said willful and wanton acts and/or omissions, decedent MAURICE GRANTON, JR. died on June 6, 2018.

75. As a further direct and proximate result of one or more of the foregoing acts and/or omissions, caused decedent MAURICE GRANTON, JR., to lose his chance of survival.

76. As a further direct and proximate result of Defendant Officer THRASHER's willful and wanton acts, decedent MAURICE GRANTON, JR. suffered injuries of a personal and pecuniary nature, including without limitation, disability, disfigurement, pain and suffering, emotional

trauma, and loss of chance of survival, for which decedent MAURICE GRANTON, JR. would have been entitled to receive compensation from Defendant Officer THRASHER, had he survived.

WHEREFORE, LaTAYSHIA SHAW, on behalf of decedent's minor children, MIRACLE SHAW and MELODY GRANTON, and as administrator of the estate of MAURICE GRANTON, JR., deceased, demands judgment against Defendant Officer THRASHER for an amount in excess of fifty-thousand dollars (\$50,000.00) in damages, costs, disbursements, attorney's fees, interests, and for any further relief that this Court deems fair and just.

COUNT III – Willful and Wanton Conduct – Wrongful Death
Against Defendant City of Chicago

77. Plaintiff incorporates all preceding paragraphs as though fully set forth herein.

78. Plaintiff, LaTAYSHIA SHAW, as Administrator of the Estate of MAURICE GRANTON, JR., deceased, brings this cause of action pursuant to the provisions of 740 ILCS 180/1, *et seq.*, commonly known as the Illinois Wrongful Death Act.

79. At all material times, Defendant CITY OF CHICAGO, through its agents, owed decedent MAURICE GRANTON, JR. a duty to refrain from wanton and willful acts and omissions, which could cause him harm.

80. At all material times, Defendant CITY OF CHICAGO, by and through the acts and/or omissions of its agent, employee, and police officer, Defendant OFFICER THRASHER, breached its duty to MAURICE GRANTON, JR. in Defendant OFFICER THRASHER's acting in an intentional manner, willful and wanton manner, and/or with utter indifference and conscious disregard for MAURICE GRANTON, JR.'s health and safety in one or more of the following respects:

- a. Shot decedent MAURICE GRANTON, JR. in the back without lawful justification;

- b. Discharged a weapon in such a manner as to shoot decedent MAURICE GRANTON, JR. in the back without lawful justification;
- c. Discharged a weapon in such a manner as to shoot decedent MAURICE GRANTON, JR. in the back in an excessive and unreasonable way;
- d. Used force in such a manner against decedent MAURICE GRANTON, JR. in a way that violated Chicago Police Department policies;
- e. Discharged a weapon in such a manner as to shoot decedent MAURICE GRANTON, JR. in a way that violated Chicago Police Department policies;
- f. Used excessive and inappropriate deadly force on decedent MAURICE GRANTON, JR. when he shot him in the back without lawful justification;
- g. Failed to exercise the proper level of force that was warranted under the circumstances;
- h. Used excessive and inappropriate deadly force without lawful justification;
- i. Failed to use less dangerous means of restraint on decedent MAURICE GRANTON, JR. before using and discharging his firearm, as decedent MAURICE GRANTON, JR. was not engaged in conduct that would justify such deadly force;
- j. Failed to warn decedent MAURICE GRANTON, JR. of the impending use of force;
- k. Failed to implement and adhere to a use of force continuum consistent with that used by law enforcement agencies in Illinois; and/or
- l. Was otherwise willful and wanton.

81. At all material times, Defendant CITY OF CHICAGO, by and through the acts and/or omissions of its other agents, employees, and officers, breached its duty to decedent MAURICE GRANTON, JR. in an intentional manner, willful and wanton manner, and/or with utter indifference and conscious disregard for citizens' health and safety, which caused the death of decedent MAURICE GRANTON, JR. in one or more of the following respects:

- a. Maintained a practice and/or custom of using unjustified, deadly force on fleeing individuals;

- b. Maintained a practice and/or custom of failing to train officers on the proper, justified use of force on fleeing individuals who posed no immediate threat and/or were unarmed;
- c. Disregarded that its agents and police officers had repeatedly shot fleeing individuals who posed no immediate threat and/or were unarmed;
- d. Disregarded the recommendations of the Department of Justice and its sub-agencies, the District Attorney's Office of the Northern District of Illinois, and subject matter experts in the field of police practices on increased training and new policies as it related to foot pursuits and fleeing individuals;
- e. Failed to implement increased training and/or new policies as it related to foot pursuits and fleeing individuals;
- f. Failed to train its agents and police on the use of force as it related to fleeing individuals, unarmed individuals, and feeling unarmed individuals;
- g. Was otherwise willful and wanton.

82. As a direct and proximate result of said willful and wanton acts and/or omissions, decedent MAURICE GRANTON, JR. died on June 6, 2018.

83. Decedent MAURICE GRANTON, JR., is survived by his minor children and heirs, MIRACLE SHAW and MELODY GRANTON.

84. By reason of the death of decedent MAURICE GRANTON, JR., decedent's heirs have suffered pecuniary damages, including the loss of support, comfort, love, affection, protection, and society of their father, decedent MAURICE GRANTON, JR.

WHEREFORE, LaTAYSHIA SHAW, on behalf of decedent's minor children, MIRACLE SHAW and MELODY GRANTON, and as administrator of the estate of MAURICE GRANTON, JR., deceased, demands judgment against Defendant CITY OF CHICAGO for an amount in excess of fifty-thousand dollars (\$50,000.00) in damages, costs, disbursements, attorney's fees, interests, and for any further relief that this Court deems fair and just.

COUNT IV – Willful and Wanton Conduct – Survival
Against Defendant City of Chicago

85. Plaintiff incorporates all preceding paragraphs as though fully set forth herein.

86. Plaintiff, LaTAYSHIA SHAW, as Administrator of the Estate of MAURICE GRANTON, JR., deceased, brings this cause of action pursuant to the provisions of 755 ILCS 5/27-6, commonly known as the Survival Act of Illinois.

87. At all material times, Defendant CITY OF CHICAGO, through its agents, owed decedent MAURICE GRANTON, JR. a duty to refrain from wanton and willful acts and omissions, which could cause him harm.

88. At all material times, Defendant CITY OF CHICAGO, by and through the acts and/or omissions of its agent, employee, and police officer, Defendant OFFICER THRASHER, breached its duty to MAURICE GRANTON, JR. in Defendant OFFICER THRASHER's acting in an intentional manner, willful and wanton manner, and/or with utter indifference and conscious disregard for MAURICE GRANTON, JR.'s health and safety in one or more of the following respects:

- a. Shot decedent MAURICE GRANTON, JR. in the back without lawful justification;
- b. Discharged a weapon in such a manner as to shoot decedent MAURICE GRANTON, JR. in the back without lawful justification;
- c. Discharged a weapon in such a manner as to shoot decedent MAURICE GRANTON, JR. in the back in an excessive and unreasonable way;
- d. Used force in such a manner against decedent MAURICE GRANTON, JR. in a way that violated Chicago Police Department policies;
- e. Discharged a weapon in such a manner as to shoot decedent MAURICE GRANTON, JR. in a way that violated Chicago Police Department policies;
- f. Used excessive and inappropriate deadly force on decedent MAURICE GRANTON, JR. when he shot him in the back without lawful justification;

- g. Failed to exercise the proper level of force that was warranted under the circumstances;
- h. Used excessive and inappropriate deadly force without lawful justification;
- i. Failed to use less dangerous means of restraint on decedent MAURICE GRANTON, JR. before using and discharging his firearm, as decedent MAURICE GRANTON, JR. was not engaged in conduct that would justify such deadly force;
- j. Failed to warn decedent MAURICE GRANTON, JR. of the impending use of force;
- k. Failed to implement and adhere to a use of force continuum consistent with that used by law enforcement agencies in Illinois; and/or
- l. Was otherwise willful and wanton.

89. At all material times, Defendant CITY OF CHICAGO, by and through the acts and/or omissions of its other agents, employees, and officers, breached its duty to MAURICE GRANTON, JR. in an intentional manner, willful and wanton manner, and/or with utter indifference and conscious disregard for MAURICE GRANTON, JR.'s health and safety in one or more of the following respects:

- a. Maintained a practice and/or custom of using unjustified, deadly force on fleeing individuals;
- b. Maintained a practice and/or custom of failing to train officers on the proper, justified use of force on fleeing individuals who posed no immediate threat and/or were unarmed;
- c. Disregarded that its agents and police officers had repeatedly shot fleeing individuals who posed no immediate threat and/or were unarmed;
- d. Disregarded the recommendations of the Department of Justice and its sub-agencies, the District Attorney's Office of the Northern District of Illinois, and subject matter experts in the field of police practices on increased training and new policies as it related to foot pursuits and fleeing individuals;
- e. Failed to implement increased training and/or new policies as it related to foot pursuits and fleeing individuals;
- f. Failed to train its agents and police on the use of force as it related to fleeing individuals, unarmed individuals, and feeling unarmed individuals;

g. Was otherwise willful and wanton.

90. As a direct and proximate result of Defendant Officer THRASHER's willful and wanton acts and omissions, decedent MAURICE GRANTON, JR. suffered damages, including physical and emotional injuries, past medical expenses, and conscious pain and suffering while still alive on the ground, writhing in pain, after being shot.

91. As a direct and proximate result of said willful and wanton acts and/or omissions, decedent MAURICE GRANTON, JR. died on June 6, 2018.

92. As a further direct and proximate result of one or more of the foregoing acts and/or omissions, caused decedent MAURICE GRANTON, JR., to lose his chance of survival.

93. As a further direct and proximate result of Defendant Officer THRASHER's willful and wanton acts, decedent MAURICE GRANTON, JR. suffered injuries of a personal and pecuniary nature, including without limitation, disability, disfigurement, pain and suffering, emotional trauma, and loss of chance of survival, for which decedent MAURICE GRANTON, JR. would have been entitled to receive compensation from Defendant Officer THRASHER, had he survived.

WHEREFORE, LaTAYSHIA SHAW, on behalf of decedent's minor children, MIRACLE SHAW and MELODY GRANTON, and as administrator of the estate of MAURICE GRANTON, JR., deceased, demands judgment against Defendant CITY OF CHICAGO for an amount in excess of fifty-thousand dollars (\$50,000.00) in damages, costs, disbursements, attorney's fees, interests, and for any further relief that this Court deems fair and just.

Respectfully Submitted,

Plaintiff, LaTAYSHIA SHAW, on behalf of
decedent's minor children.

By: /s/Antonio M. Romanucci
Attorney for Plaintiff

Antonio M. Romanucci
Bhavani Raveendran
Bryce T. Hensley
ROMANUCCI & BLANDIN, LLC
321 N. Clark Street, Suite 900
Chicago, IL 60654
(312) 458-1000 *telephone*
(312) 458-1004 *facsimile*
aromanucci@rblaw.net
braveendran@rblaw.net
bhensley@rblaw.net

Andrew M. Stroth
Carlton Odum
ACTION INJURY LAW GROUP, LLC
191 N. Upper Wacker Drive, Suite 2300
Chicago, IL 60606
(844) 878-4529 *telephone*
(312) 641-6866 *facsimile*
astroth@actioninjurylawgroup.com
carlton@actioninjurylawgroup.com

