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Wrongful Death Lawsuit filed against Chicago Police Officer Patrick Kelly, City of Chicago in Shooting Death of 21-year-old Father of Two

November 10, 2017

Romanucci & Blandin, LLC and The Law Offices of Jeffrey Granich, representing the family of Hector Hernandez, today announced the filing of a civil lawsuit against Chicago Police Officer Patrick Kelly and the City of Chicago for the wrongful shooting death of the 21-year-old father of two.

The complaint filed in the Northern District of Illinois states that on April 7, 2014, Hernandez was visiting his girlfriend's home in Gage Park, preparing to take their young son to Chuck E. Cheese when a verbal argument broke out, causing Chicago Police be called to the home. When Officer Kelly arrived at the home, fellow officers armed with Tasers were on the scene and already attempting to deescalate the situation. The complaint states that Hernandez never threatened the present officers. Once inside the house, Kelly and a fellow officer fired their weapons, fatally hitting Hernandez multiple times.

The complaint further alleges that the City of Chicago was aware of Kelly's excessive history of misconduct, including having been arrested by his own Chicago Police Department for assault and battery on at least two occasions and having been found unfit for duty on at least two occasions following psychiatric evaluations. Kelly had over 17 complaints filed against him and was named as a defendant in five lawsuits alleging excessive force, false arrest or other forms of misconduct, placing him within the top 2-5% of Chicago police officers with the largest number of citizen complaints. Yet, the City of Chicago repeatedly failed to discipline Kelly and allowed him to remain on active duty.

"It is no secret that Officer Kelly both while on and off-duty, has had a long history of misconduct and violent, disturbing behavior unfit for a police officer, whose duty is to protect and serve the residents of this city," said plaintiff's attorney, Antonio M. Romanucci, principal and partner at Romanucci & Blandin, LLC. "There is a very clear pattern of the city and Mayor Emanuel protecting rogue officers - which a jury recognized and called out when issuing their verdict in Michael LaPorta's case. Yet again, we are seeing another family whose lives are forever altered as a result of the city turning a blind eye to the repetitive, violent behavior of one of its officers."

Last month a jury verdict found Kelly to be responsible for shooting his friend Michael LaPorta and the City responsible for failing to investigate its officers and having no adequate early warning system (*First Midwest Bank v. City of Chicago, et al.*, No. 14 C 9665), awarding a record \$44.7 million dollars to LaPorta. The case was handled by Romanucci & Blandin and is the largest verdict ever returned in a police misconduct lawsuit involving the city of Chicago and in the state

of Illinois.

“Had the City of Chicago done its job in disciplining and holding Officer Kelly accountable for his numerous, previous complaints, this victim's death may very well have been avoided, thereby alleviating the pain and suffering my clients will now have to contend with the rest of their lives,” added plaintiff's attorney Jeffrey Granich.

The Plaintiffs are seeking judgment against the City of Chicago and Officer Kelly, awarding compensatory damages and attorney's fees.

Romanucci & Blandin attorneys Bhavani Raveendran and Bryce Hensley along with Josh Morrison from the Law Firm of Jeffrey Granich will also be handling the case.

About Romanucci & Blandin, LLC

Romanucci & Blandin has been rated as a leading civil trial practice law firm in Chicago centering in police misconduct, personal injury, medical malpractice, and bullying and hazing. The attorneys at the Chicago law firm represent individuals and their families in catastrophic personal injury matters, wrongful death and workers' compensation cases. The cases that are referred to Romanucci & Blandin involve accidents or injuries which occurred due to negligence and carelessness on the part of individuals, governmental bodies and corporations of all sizes. Since its inception more than 16 years ago, Romanucci & Blandin has secured more than \$500 million in verdicts and settlements on behalf of their clients. For more information about Romanucci & Blandin, please visit www.rblaw.net or call (312) 458-1000.

About the Law Offices of Jeffrey Granich

The Law Offices of Jeffrey Granich has been serving the citizens of Chicago for over twenty years in the areas of criminal defense and federal civil rights litigation. Mr. Granich started his career concentrating solely in criminal defense, which after being exposed to numerous of his clients being wrongfully accused and rights being violated quickly branched into the practice area of Federal Civil Rights Litigation. The Law Offices of Jeffrey Granich has secured numerous verdicts and settlements in his continued pursuit to defend the constitutional rights of his clients. For more information about the Law Offices of Jeffrey Granich, you may visit www.chicagocriminaldefenselaw.com or call (312) 939-9009