



## **HERRMANN LAW GROUP**

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### **FOR IMMEDIATE RELEASE:**

February 17, 2022

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### **NEWS CONFERENCE:**

February 17, 10:30 am, Aero Club, 9901 NE 7<sup>th</sup> Ave. #C200, Vancouver, WA.

### **FAMILY SUES CLARK COUNTY IN SHOOTING OF UNARMED DRIVER**

VANCOUVER, WA. – Today Mark Lindquist of Herrmann Law Group filed a federal lawsuit against Clark County on behalf of the family of Jenoah Donald, an unarmed African-American man who was shot and killed by a Clark County Sheriff's Deputy during a traffic stop on February 4, 2021.

The wrongful death lawsuit alleges Assault and Battery, negligence, and deprivation of civil rights. Further, the lawsuit states, "Clark County has a policy, custom, and established practice of failing to train its officers to use deadly force only as a last resort."

In late 2020, Clark County Sheriff's Deputies shot and killed Kevin Peterson Jr. as he was running away from them during a drug sting operation. More recently, a Clark County Sheriff's Deputy shot and killed an off-duty Vancouver Police Officer, apparently mistaking him for a criminal suspect.

Mr. Donald was unlawfully stopped for suspicion of drug use under the pretext of a defective rear light. So-called "pretextual stops" are prohibited under Washington state law. A second deputy, who was new to law enforcement, joined the stop. She mistakenly believed she saw a weapon in the clutter of Mr. Donald's car. Photos later revealed the "weapon" was a standard screwdriver.

Mr. Donald, who was unarmed, never verbally threatened the deputies or reached for the screwdriver or anything else that could be mistaken for a weapon. On the autism spectrum, Mr. Donald was prone to withdrawal in stressful situations.

The veteran deputy ordered Mr. Donald out of his vehicle. When Mr. Donald did not immediately comply, the deputy aggressively escalated the situation by attempting to physically drag Mr. Donald out. Mr. Donald passively resisted. Unable to wrestle Mr. Donald out of the car, the deputy punched Mr. Donald in the nose. This "diversionary tactic" also failed to remove Mr. Donald from the car. Rather than step back and attempt de-escalation, the deputy decided to wrestle with Mr. Donald. As Mr. Donald continued to passively resist, the gear shift was somehow knocked into drive and the car rolled forward.

Moving back with his feet "planted on the ground," the deputy shot at Mr. Donald. The first bullet missed, striking the outside of the pillar between the front and back seats. The second bullet hit Mr. Donald in the head. He died seven days later in the hospital.

In addition to Assault and Battery, Wrongful Death, negligence, and deprivation of civil rights, the lawsuit alleges Clark County failed "to supervise and adequately train officers on de-escalation techniques, non-lethal tactics, the decision making-process preceding use of deadly force, and how to interact with citizens suffering from behavioral health issues such as autism."

Attorney Mark Lindquist said, "This is a bigger issue than one or two officers."

As required by state law, the family filed a claim against Clark County before filing the lawsuit. Susan Zawacky, Mr. Donald's mother, said, "Our hope is that truth and justice prevail, people are held accountable, and things change."

Lindquist and the family will be available for questions at the news conference at the Aero Club on February 17, 2022 at 10:30 a.m. Copies of the complaint will be available at the news conference or by email.

Herrmann Law Group has offices in Seattle and Tacoma. Established in 1950 by former State Senator and Insurance Commissioner Karl Herrmann, the firm represents victims of mass disasters, police shootings, automobile and truck collisions, and other incidents causing injuries. Their high-profile cases include the crashes of Lion Air Flight JT 610 and Ethiopian Airlines Flight 302, and the shooting of Kevin Peterson Jr. Learn more at [www.HLG.lawyer](http://www.HLG.lawyer).

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