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Claim Alleges Tacoma Police Fatal Shooting Was Unjustified

Attorneys Ben Crump, Dale K. Galipo, Lara Herrmann and Crystal R. Lloyd file wrongful death claim over September shooting of Bennie Branch

Tacoma, Wash., June 29, 2020 – Attorneys representing the mother of Bennie Branch are filing a claim of excessive force against the City of Tacoma and Officer Ryan Bradley of the Tacoma Police Department who fatally shot Mr. Branch on September 8, 2019. Sixty days after filing the claim, a lawsuit will be filed in federal court at the U.S. District Courthouse in Tacoma.

Brendelin Branch is represented by Ben Crump, Dale K. Galipo and local attorneys Lara Herrmann and Crystal R. Lloyd. Mr. Crump has represented many families who have been victimized by the use of excessive force, including the family of George Floyd in Minnesota and the family of Ahmaud Arbery in Georgia. Mr. Galipo has handled hundreds of police shooting cases and is considered one of the top civil rights lawyers in the nation. Lara Herrmann and Crystal R. Lloyd of Herrmann Law Group have recently worked with civil rights attorney Ben Crump to secure a settlement in the fatal police shooting of farm worker Antonio Zambrano-Montes in Pasco, Washington.

Bennie Branch had only recently turned 24 when he was fatally shot by Officer Bradley. After being contacted by members of the Tacoma Police Department, including Officer Bradley, Mr. Branch was fatally shot in the back and elsewhere as he was running away. His mother was present at the scene and witnessed the shooting.

Mr. Branch did not physically injure, attempt to injure, or threaten anyone prior to the shooting. Police allege Mr. Branch had a BB gun on his person when he was shot. Mrs. Branch, however, reported Mr. Branch no longer had the BB gun as it had been already removed and brushed away by the officers. The case is currently under investigation by the Pierce County Sheriff's Department.

Attorneys for the Branch family are filing a claim against the City of Tacoma and Officer Bradley on behalf of Mr. Branch and his mother who suffered as a witness to the killing. The claim seeks monetary damages in excess of \$1 million. Under Washington law, a claim for damages must be submitted before bringing a lawsuit against a municipality or its employees, for violations of state tort law.

This is the third incident in nearly 10 months where local police departments, Tacoma PD and Lakewood PD, killed an individual they were taking into custody. On March 3, 2020, Manuel Ellis, 33, died after being restrained by four police officers in Tacoma. The Ellis case is currently under investigation by the Washington State Attorney General's Office.

On May 1, 2020, Said Joquin, 28, was pulled over for rolling through a stop sign. Shortly thereafter, he was shot by Officer Mike Wiley of the Lakewood PD who made the traffic stop. The Joquin case is currently under investigation by the Cooperative Cities Crimes Response Unit (CRU).

The recent killing of George Floyd, in addition to the killings of many other young African American men such as Ahmaud Arbery and Rayshard Brooks, has garnered national media attention. There have been widespread protests throughout the country and even the world. Many are demanding changes, reforms, and even defunding of the police.

Washington State law does not permit police officers to use deadly force unless a reasonable officer, similarly situated, would believe the person posed an immediate threat of death or serious bodily injury to the officer or others. In addition, if feasible, officers must give warnings before resorting to deadly force.

On Monday, July 6th at 2:00 p.m., the lawyers for the Branch family will hold a press conference via Zoom to announce the filing of the claim and answer media inquiries. Copies of the filing will be made available upon request. The families of Mr. Branch, including his sisters and grandmother, will be available for comment during the upcoming press conference.

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