

## Vacaville to pay \$1.3 million in 2013 officer-involved shooting of mentally ill man

By Ryan Chalk , The Reporter, Vacaville

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The family of a mentally ill man shot and killed by Vacaville police in 2013 have reached a \$1.3 million settlement with the city of Vacaville, attorneys announced Friday.

The settlement comes in connection with the officer-involved shooting of 24-year-old Kendall Walker, of Fairfield. Walker was fatally shot by police after a slow speed pursuit in Vacaville on July 18, 2013, that escalated after officers were confronted by Walker who allegedly exited his vehicle wielding a hammer and a knife.

The notice of settlement, according to Oakland civil rights attorney Michael J. Haddad, was filed Friday in U.S. District Court for the Eastern District of California.

The lawsuit was brought on behalf of Walker's parents and his 7-year-old son, Haddad said, and named the city of Vacaville and members of the Vacaville Police Department as defendants.

Haddad claimed that Walker's only crime that day was speeding, and officers pulled their guns on him with no justification during an earlier traffic stop. Further, officers were aware in advance that Walker suffered from mental illness.

According to the court filing, officers were looking for Walker to speak to him about his unusual behavior toward the daughter of a Vacaville Police Department employee.

When Walker noticed the officers at his sister's apartment, he became alarmed and paranoid and drove away in his Geo Metro at speeds of 15-to-20 miles per hour.

That's when, according to the complaint, officers decided to "conduct an unlawful high risk traffic stop of Kendall Walker."

Vacaville police officials in 2013 offered a different set of circumstances related to the pursuit, and eventual shooting of Walker.

According to police, earlier in the day of the shooting, police were contacted by two people who said they were concerned about "threats and threatening behavior" being exhibited by Walker. An officer received information that Walker was at a residence in south Vacaville and in possession of a folding knife, framing hammer and a crowbar.

Officers spotted a maroon Geo Metro driven by Walker speeding away from the residential neighborhood and tried to pull it over for both traffic violations and to investigate the reports of threatening behavior, police said.

Walker reportedly refused to completely stop the car, yelling at officers before eventually driving away. The officers then engaged in a slow-speed pursuit.

Two PIT maneuvers were necessary to stop Walker, according to police.

Once stopped, Walker grabbed a hammer and a knife, exited his vehicle and started toward officers "in an aggressive and threatening manner, ignoring repeated commands to stop and comply" with orders, police

said.

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One officer fired several shots at Walker, striking him four times. Officers immediately began life-saving efforts while Vacaville Fire paramedics were called to the scene, where Walker died.

Haddad maintained that officers provoked the situation and wrongly applied the use of deadly force on a non-dangerous, mentally ill individual.

“I think we were able to put together a pretty strong case,” Haddad said Friday.

“His parents would gladly give back this money and more to have their son back,” he added.

Officials with the Vacaville City Attorney’s Office could not be reached for comment.

This is the second lawsuit Haddad & Sherwin has brought against Vacaville alleging use of excessive force against a mentally ill person.

In 1998, the firm sued the department after officers killed Doron Lifton, a schizophrenic man, officials from the law firm stated. A federal jury awarded Rebecca Lifton, Doron’s mother, \$1.2 million in wrongful death damages (later reduced to about \$846,000), the firm said.

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