

Judge denies motion requesting name of Midlothian officer who shot Jemel Roberson be released

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FULL TEXT

A U.S. District judge denied a motion Tuesday requesting the release of the name of the Midlothian officer who fatally shot security guard Jemel Roberson.

Gregory Kulis, an attorney for Roberson's family, filed the motion Friday, arguing that because the Illinois State Police, which is investigating the shooting, had issued a press statement with preliminary information about its investigation just two days after the shooting, it had waived its investigatory privilege and should disclose the officer's name and the names of witnesses the agency interviewed.

He simultaneously issued a subpoena to the state police requesting that by Nov. 30 they turn over all preliminary reports regarding the department's findings about the shooting; all police reports, witness statements and other investigative documents pertaining to the shooting; the name of the Midlothian officer who shot Roberson; and any footage from the incident.

"The public should have the right to know who this officer is," Kulis said in court Tuesday. "I should have the right to know who this officer is."

Michael Stephenson, an attorney for the state police, responded to Kulis' motion by calling it "an attempt to side-step the basic rules of motion practice," and asked the judge to deny the motion and give state police until Dec. 17 to respond to the subpoena —approximately 30 days from the time it was issued.

"This Motion is in complete disregard of (subpoena rules)," Stephenson argued in his response. "This is not enough time for the State Police to review the subpoena and respond as appropriate."

Judge Joan Lefkow sided with the state police, saying, "Let's just follow the rules here."

Lefkow said she didn't view the Nov. 13 news release that state police issued on Roberson's shooting to constitute "preliminary findings," as Kulis said news media had characterized it.

"They don't control how the media spin it," Lefkow said of the state police, whose statement on the shooting said their "preliminary investigation" found that Roberson was wearing plain black clothing with "no markings readily identifying him as a Security Guard" and that the Midlothian officer had given him "multiple verbal commands" to drop his gun and get on ground before shooting him.

Multiple witnesses have contradicted the state police account, saying the officer started firing at Roberson before giving him an adequate chance to respond to his verbal commands. Witnesses also said Roberson was wearing clothing clearly emblazoned with the word "Security."

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He had been working security inside Manny's Blue Room in Robbins in the early morning hours of Nov. 11 when a fight broke out between two groups of men and shots were fired.

Police from multiple jurisdictions responded to the shooting, including a white officer from neighboring Midlothian, who shot Roberson in the parking lot as he held one of the suspected bar shooters on the ground at gunpoint, witnesses said.

After learning that its officer had shot a security guard, the Midlothian Police Department issued a statement offering condolences to Roberson's family and calling the shooting "the equivalent of a 'blue on blue,' friendly fire incident."

The department has not responded to questions about the officer's identity or his actions, but has said he was placed on paid administrative leave pending the outcome of the state police investigation into the incident. Kulis told the judge Tuesday that he thinks he knows the officer's name, but is hesitant to release it publicly without confirmation from the department or state police.

"Why can't they just give me the name of the individual?" he said.

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Credit: Zak Koeske

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