

Relatives of Philly man killed by cops is suing

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FULL TEXT

THE relatives of a Tacony man fatally shot by an undercover Philadelphia police officer last year have sued the officer and the city, claiming that the Police Department failed to properly train its officers on the use of deadly force, and that the shooting was "objectively unnecessary, excessive, and unreasonable under the circumstances." In a lawsuit filed in Common Pleas Court on Wednesday, family members of Jeffrey Dennis, 36, allege that Officer Richard Nicoletti, a three-decade member of the force assigned to the Narcotics Field Unit at the time of the shooting, violated Dennis' civil rights during the fatal encounter Aug. 20, 2018, on the 7100 block of Hegerman Street.

"Nicoletti embarked on a willful, malicious, reckless, and outrageous course of conduct that was intended to cause, and in fact did cause, Dennis' death," the family's complaint says.

City spokesperson Mike Dunn declined to comment on the lawsuit, saying city officials were still reviewing it. Nicoletti in December was cleared of criminal wrongdoing by the Attorney General's Office, which weighed criminal charges in the case because Philadelphia District Attorney Larry Krasner, formerly a defense attorney, once represented Dennis.

At a news conference Wednesday, Tiffany Fortune, the mother of Dennis' 7-year-old daughter, one of his three children, said they had been "robbed" by Nicoletti's actions.

"My child will be able to Google how her father was killed," Fortune said.

Attorney General Josh Shapiro said in a statement in December that his office determined there was not enough evidence to support criminal charges. His office released surveillance video of the shooting after announcing the decision.

Nicoletti was part of a group of narcotics officers preparing to raid Dennis' home on the 7100 block of Cottage Street when they spotted Dennis driving a Toyota Camry on Hegerman. Two unmarked cars blocked Dennis' path, and plainclothes officers surrounded his sedan. When Dennis tried to drive away, Nicoletti fired several shots through the driver's window at point-blank range. Dennis was declared dead at the scene minutes later.

Daniel Purtell, one of the attorneys for Dennis' estate, said at Wednesday's news conference that he and the family "categorically" disagreed with Shapiro's decision, saying: "We still think that they murdered Jeffrey Dennis."

Capt. Sekou Kinebrew, police spokesperson, said Wednesday that Internal Affairs had completed its investigation into the incident, but that he could not comment on any disciplinary outcome because a final disposition had not yet been reached.

Nicoletti previously shot and wounded another man under similar circumstances in 2012, the Inquirer reported in December. It was not clear whether he was disciplined over that shooting.

In their lawsuit, Dennis' relatives filed counts of excessive force and assault against Nicoletti, as well as a claim that the Police Department failed to properly train its officers. They asked for monetary damages in excess of \$150,000 for each count as well as punitive damages, according to the suit.

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Credit: By Chris Palmer STAFF WRITER

Illustration

Jeffrey Dennis:Fatally shot in August.

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