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Zarzur Law, P.A. Announces Settlement Agreement in Tymar Crawford Case City Acknowledges Wrongful Conduct of Officer

PENSACOLA, Fla. (July 29, 2020) — The firm is pleased to announce that the City of Pensacola and the family of Tymar Crawford have reached an amicable settlement of the Pensacola Police Department's (PPD) use of excessive force that resulted in the killing of Mr. Crawford on July 5, 2019.

As the Pensacola Police Department determined, Officer Siemen violated the City's use of deadly force policies when he shot and killed Mr. Crawford. These violations already resulted in his firing. By meeting the demands of Mr. Crawford's family, the City has further acknowledged the wrongful conduct of its officer. This acknowledgment has meant a great deal to Mr. Crawford's family and friends most affected by his death.

The settlement amount was the maximum amount allowed by Florida law under these facts and circumstances. By settling this case, by establishing the Citizen's Review Board, and by hiring a consultant to assist them in reviewing and reforming its police training, the City has shown that it is taking steps toward addressing the inadequacies apparent from this tragedy. We hope that the City will remain focused on addressing any and all police training issues which allow for abuses of its use of force policies.

While this particular deadly interaction was somewhat different than many of other instances of police excessive force across our country, it is similar in one way—the relatively higher incidence of excessive, deadly force used against African American citizens.

We acknowledge that racism is a systemic issue that is not confined to law enforcement agencies. In fact, it is an issue in all industries and communities from medical and educational to legal and financial and all those in between. Police officers are face to face with the public every day. With their powers to arrest and detain, they are entrusted with so much power relative to the average citizen. Further, many officers, like the ones employed by the City, have every one of their movements and interactions recorded by video cameras. Obviously, these mechanisms allow their own systemic racial issues and unconscious bias to be highlighted more than others. However, we all have work to do on these issues. We all have the same unconscious bias that leads to disparate treatment and sometimes injury and death.

Law enforcement agencies do, however, have a special responsibility to address these issues. Their authority to use force, including deadly force, is not bestowed on any other profession. As such, their disparate treatment of African-Americans is more likely to result in injury or death than other professions. Further, the law very frequently protects officers against any consequences of their use of excessive force. The legal doctrine of qualified immunity basically shields police officers/agencies from being exposed to liability for the use of excessive force. Unlike other industries that harm their customers, police officers have several tough layers of legal protection that must be peeled back before they face any consequences. Therefore, it is incumbent upon each such agency to take this responsibility seriously internally because external or judicial consequences are very rare. It appears that the City of Pensacola and its police department have a sincere interest in continuing to own up to this responsibility and in acknowledging that there is plenty of room to improve moving forward.

While this settlement can not bring Mr. Crawford back to his family, his story and the settlement should be used as a spring board for further progress in our community. Mr. Crawford's family looks forward to working with City and PPD officials to protect against possibility that this kind of excessive force tragedy is allowed to occur again.

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About Zarzaur Law, P.A.

Joe Zarzaur is a Board Certified Civil Trial Attorney whose firm is dedicated to promoting community safety since 2007. OUR AREAS OF PRACTICE: Serious Personal Injury and Wrongful Death related to: Product Defects, Auto Accidents, Cycling Accidents, Medical Malpractice, Excessive Force cases, Motor Vehicle Accidents, Products Liability, Boat and Jet Ski Accidents, Slip and Fall Injuries, and more. Licensed in Alabama and Florida. www.zarzaurlaw.com