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LDF and Co-Counsel Reach Unprecedented Settlement For Protestors and West Philadelphia Residents Who Suffered Police Violence During 2020 Protests

Today, the Legal Defense Fund (LDF), the [Abolitionist Law Center](#), and the law firm of [Kairys, Rudovsky, Messing, Feinberg & Lin LLP](#) announced an unprecedented settlement with the City of Philadelphia for the Philadelphia Police Department's (PPD) excessive, militaristic use of force during peaceful protests in 2020. LDF and co-counsel's case is one of four cases arising out of the police violence directed at residents and protestors in West Philadelphia and the I-676 highway in Philadelphia – the other cases by additional law firms and lawyers include *Weltch, et al. v. City of Philadelphia*, *Hough, et al. v. City of Philadelphia*, and *Zolitor, et al. v. City of Philadelphia*.

LDF and co-counsel's lawsuit, [filed](#) in July 2020, challenged the PPD's response to protests in West Philadelphia, which included attacking peaceful demonstrators with rubber bullets and pepper balls and other uses of force, even harming demonstrators and uninvolved residents with chemical munitions.

Under the settlement terms for all four cases, the City of Philadelphia has agreed to pay monetary damages totaling \$9,250,000 collectively to those harmed by the PPD's conduct in the summer of 2020, one of the largest settlements of its kind in Philadelphia history. Additionally, the City has disengaged from the 1033 program, a federal program which arms state and local law enforcement with military weapons and equipment. Under the settlement, the City has committed to meet every six months with the West Philadelphia community to present data around the Department's use of force and respond to questions and comments from the community. Finally, the City has also agreed to commit \$500,000 to a fund that will provide interdisciplinary, trauma-informed counseling to victims of police violence and provide support for and promote community-led programming in the aftermath of police violence and misconduct. The funds will be distributed through a community-led grantmaking process administered by Bread & Roses.

"Today's monetary compensation is an important step, but it does not represent full accountability for the harm that occurred. Police fired tear gas at our family's home, leaving my three-year-old son crying and my six-year-old son completely terrified. The house was enclosed in gas, and we were trapped inside with nowhere to go," said Shahidah, a plaintiff in the case. "The city still has not given us a simple apology, and it must properly acknowledge this

egregious act before true healing can begin. I pray this settlement will change how the city and its police force deal with those they are supposed to protect and serve."

"Instead of protecting us, the Philadelphia Police Department waged war in our streets, tear gassed us, and shot us with rubber bullets. By blanketing a community with tear gas, they haphazardly attacked law-abiding citizens in their homes and on their sidewalks" said Amelia Carter, a plaintiff in the case. "There should be no place for the militarization of a police department that is supposed to serve us. The disengagement from the 1033 program, which arms law enforcement with military equipment, is a welcome start that prioritizes our safety. This settlement represents a significant stride in preventing the police department from being granted the authority to act against its own citizens in the future."

"In the midst of historic racial justice protests calling out the systemic injustices and anti-Black racism perpetuated by law enforcement, the Philadelphia Police Department did not simply harm and terrorize individual people exercising their right to protest," said LDF Deputy Director of Litigation Rachel Kleinman. "It inflicted wanton violence and devastated a predominately Black community. We believe that today's settlement represents a long-overdue and frank recognition of the stark violence inflicted on these Philadelphia residents and protestors by police, and the continued significance of their calls, along with calls around the nation, for racial justice and police accountability. We hope that it provides a measure of healing to those harmed by police violence in 2020 and beyond."

"Often, settlements come in the form of compensating a harmed person without accounting for the damage that police violence does to the whole community," said Director and Practice Associate Professor of the Advocacy for Racial and Civil (ARC) Justice Clinic Cara McClellan. "This settlement, however, features a recognition of the damage the PPD has done throughout West Philadelphia and it communicates the importance of centering the community in a path towards healing. Today's settlement sets an important precedent for accountability in future cases."

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Founded in 1940, the [Legal Defense Fund](#) (LDF) is the nation's first civil rights law organization. LDF's Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the Legal Defense Fund or LDF. Please note that LDF has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights.