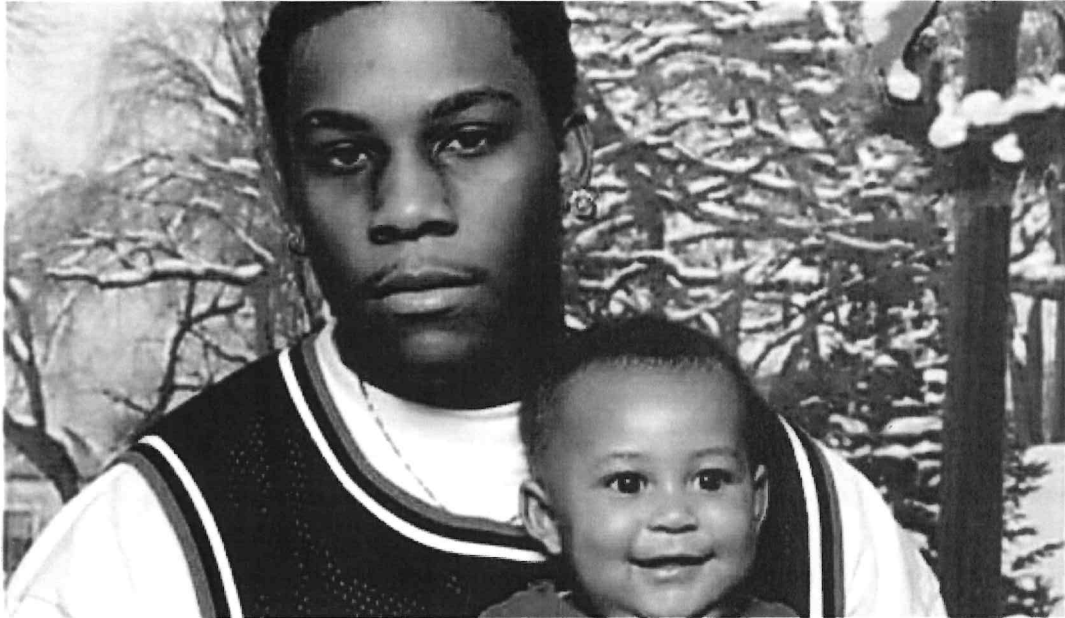


# Dolton officers who fatally shot robbery suspect acted reasonably: jury



Donte Johnson, 30, seen with his son in this family photo, was fatally shot by a Dolton police officer outside a gas station in 2016. Earlier this month, a jury found that the officers who shot Johnson had acted reasonably. (Family photo)

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**A** federal jury found that two Dolton police officers did not use excessive or unreasonable force when they fatally fired on an armed robbery suspect outside a gas station in 2016.

Officers Philip Sheehan and Ryan Perez fatally shot 30-year-old Donte Johnson outside the Shell gas station at 1445 E. Sibley Blvd after they said he pointed a gun at one of them, officials said.

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Johnson's family, which claimed immediately afterward that they doubted the officers' story, filed a civil lawsuit against the officers and the Village of Dolton in April 2017, alleging the officers had shot Johnson as he was running from them and posed no threat.

About a month after the lawsuit was filed, the Cook County State's Attorney, relying on an investigation by the Illinois State Police's Public Integrity Task Force, declined to file criminal charges against the officers.

In a memo explaining the decision, the state's attorney opined that the "uncontroverted evidence established that the officers' use of deadly force was objectively reasonable."

An 11-person jury came to a similar conclusion earlier this month, following a one-week civil trial.

"The jury's verdict in favor of the officers, after only two hours of deliberation, sends an important message," village attorney John Murphey said in a statement about the civil case. "The men and women who serve and protect us must be able to protect themselves when confronted with deadly threats."

The officers encountered Johnson around 5 a.m. June 26, 2016 after responding to a robbery call at the gas station, police said.

A few minutes earlier, Johnson, a Blue Island resident, had allegedly approached a customer at the gas station's service window while wearing sunglasses and a gray hoodie cinched tightly around his chin to conceal his face, police said.

When the customer turned his head toward the approaching figure, Johnson allegedly struck the man in the head with the barrel of a gun and ordered him to empty his pockets, police said.

The Dolton officers arrived as Johnson was allegedly standing over the victim, who was on the ground, after having emptied his pockets and removing his gold watch and necklace, according to the findings of a state police investigation.

Sheehan told investigators he arrived to find Johnson pistol-whipping the victim and said that after shouting at him to drop his gun, Johnson turned toward him and pointed the gun at him.

Perez told investigators he arrived at the scene as Johnson was standing over the victim and pointing a gun at his fellow officer.

Sheehan fired a total of four shots at Johnson as the suspect began to run toward the rear of the Shell station, but did not hit him, the state police investigation found.

Perez then also fired at a fleeing Johnson and struck him multiple times, killing him, police said.

The officers found a loaded pistol that had been reported stolen from a Chicago police officer in 2013 a few feet from Johnson's body, according to the state police investigation.

Murphey, who represented the officers at trial, argued Perez had correctly assessed that his partner faced an imminent threat from Johnson when he shot him.

"This was a life and death situation," Murphey said during the trial's closing arguments. "Officers face split-second decisions. Think about everything that went through Ryan's mind during those two or three seconds. Bad guy with a gun, pointing it in the direction of my partner."

The attorney for Johnson's estate contended that Johnson could not have been an imminent threat to the officers while running from them, as surveillance video introduced at trial showed.

"Was he going to all of a sudden do a cartwheel and jump over the car like Spider Man and all of a sudden shoot?" attorney Brian Coffman said in his closing argument. "No."

Coffman said in an interview that he attempted at trial to highlight inconsistencies between the officers' testimony and statements made by the robbery victim, whom he said testified to never seeing Johnson point or raise his gun toward Sheehan.

"The video surveillance didn't actually capture the ultimate fact in the case — did Johnson actually turn and point a weapon at police?" Coffman said.

The lawyer said he had freely admitted in court that if Johnson had in fact turned his gun on the officer he would have no case, but that he didn't believe Johnson would have done that.

"You can't point a gun at a police officer, that's a suicide mission. People don't do that," Coffman said. "There's no evidence to show he actually did do that, just a very self-serving statement from a cop who had been sued."

He said he believed Perez already had made up his mind to shoot Johnson as soon as he pulled up in his squad car and didn't take time to assess the situation or consider other non-lethal options.

"There's an open field behind this gas station, so there's nowhere for (Johnson) to run," Coffman said. "They could have called state police, set up a dragnet of other squads or dogs to apprehend him."

Murphey, however, said the officers had responded appropriately given the circumstances and a jury had agreed.

"The job of a police officer is incredibly complicated and dangerous," he said in a statement. "They confronted the deadly challenge facing them responsibly and consistent with their training."

At the time of his death, Johnson, a father of seven, had worked as a bouncer at a bar in Indiana and was a traveling barber, Coffman said. He had a lengthy criminal history that included dozens of arrests, but according to the attorney, had not been convicted of any violent crimes.

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