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Jury awards record \$79M in fatal chase

CPD officers engaged in unauthorized pursuit that led to 10-year-old's death

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A Cook County jury awarded a record \$79.8 million to a family that was injured in an unauthorized police chase that killed a 10-year-old girl.

According to the Jury Verdict Reporter, this is the highest reported Illinois verdict for a police pursuit crash.

On Sept. 2, 2020, Kevin Spicer was driving his daughter Da'Karia Spicer, 10, and son Dhaamir, 5, to Da'Karia's school to pick up her school laptop.

As they were driving in the Auburn Gresham neighborhood, they came to a stop near 80th and Halsted streets.

A vehicle being pursued by police blew through a number of stop signs before hitting a car and then crashing into the Spicers' vehicle at about 90 mph, according to court documents.

Da'Karia was killed and Dhaamir sustained a critical injury to his lungs, as well as a fracture and cut over his left eye. Spicer sustained four rib fractures.

The car pursuit that caused the collision was initiated by two Chicago police officers, Dionte Hart and Robert Gleich, court documents stated.

The officers attempted to pull over the vehicle for alleged traffic violations, including using an alley as a through street and not having a front license plate, according to Salvi, Schostok & Pritchard's Patrick A. Salvi II, the plaintiff's attorney.

The vehicle fled and the officers began to chase it for several blocks.

According to the complaint, the officers were in an unmarked vehicle and activated their siren for less than 2 seconds.

As the cars collided, Hart and Gleich allegedly turned off their emergency lights and parked a block or more away from the site of the crash "in an effort to distance themselves from what had just occurred," the complaint stated.

The driver who caused the crash fled the scene, according to the complaint.

The Spicer family sued the city for willful and wanton conduct, wrongful death and survival action in Cook County Circuit Court.

The complaint alleged the officers initiated the vehicle pursuit when the risk of injury or death to the general public exceeded the benefit of apprehending the suspect and was in violation of prior Chicago Police Department training and policies, among other claims.

The city admitted liability before the case went to trial Dec. 5 before Cook County Circuit Judge Preston Jones Jr.

The trial proceeded on damages only.

The jury returned a verdict in favor of the family and against the city on Wednesday.

The jury awarded \$67.4 million to the estate of Da'Karia for loss of society, grief, sorrow and mental suffering, and medical expenses, among other damages.



Patrick A. Salvi II



Lance D. Northcutt



Aaron D. Boeder



Eirene N. Salvi

Dhaamir was awarded \$11.2 million for disfigurement, pain and suffering, emotional distress and medical expenses. Spicer was awarded \$1.25 million for pain and suffering and emotional distress.

The Spicer family is represented by Salvi, Lance D. Northcutt, Aaron D. Boeder and Eirene N. Salvi of Salvi, Schostok & Pritchard.

"Prior to Da'Karia's death, this family was very close and loving," Salvi said. "There's no doubts that they remain close and loving, but a piece of their hearts and souls have been taken from them in a way that can never be filled. This was such a young person ... the loss is going to carry on for

many decades."

Salvi said they are pursuing a separate cause of action against the city's insurance carriers over failure to settle the case before trial, claiming they are putting taxpayer dollars at risk as the award exceeds the city's insurance policy limits.

The city is represented by Amanda C. Guertler, Misha Itchhaporia and Emily E. Schnidt of Borkan & Scahill Ltd.

Kristen Cabanban, director of public affairs for the city's Law Department, said that "the city is reviewing the verdict and has no further comment at this time."

The case is *Spicer v. City of Chicago*, 2021 L 8795.