
GERHARDSTEIN & BRANCH

A LEGAL PROFESSIONAL ASSOCIATION

441 VINE ST., SUITE 3400

CINCINNATI, OHIO 45202

(513) 621-9100

FAX (513) 345-5543

* ALPHONSE A. GERHARDSTEIN
JENNIFER L. BRANCH
REBECCA SALLEY
M. CAROLINE HYATT

**Also admitted in
Minnesota*

Of Counsel
ROBERT F. LAUFMAN

September 28, 2020

Members of City of Cincinnati City Council

RE: Proposed Ban on No Knock Warrants

Dear Members of Council:

I write in support of the proposed ban on no-knock warrants. Al has been litigating police misconduct cases for more than forty years, and Jennifer for over 23 years. Several of our cases have involved citizens shot or seriously injured during the execution of no-knock warrants. One case in particular haunts us. In *Jennings v. City of Lima, Ohio*, USDC, ND OH Case No. 3:08-cv-01868, we represented the five surviving children of Tarika Wilson. The regional drug unit in Lima, Ohio raided her home at night using a no-knock warrant where a suspected drug dealer was located. When members of the SWAT team rushed into the home, they encountered pit bulls who were promptly shot by officers. The discharge of those weapons caused the officer clearing the upstairs to believe he was under fire. He saw movement in a bedroom doorway and fired in that direction striking Tarika in the neck, killing her. She was standing near the doorway holding her baby and trying to shield her other four young children in the bedroom. The baby was struck by high powered ammunition in his shoulder causing severe injuries.

Tarika was unarmed. The suspected drug dealer was unarmed. The children were unarmed. The officer did not properly assess the risk and needlessly took Tarika's life. The local Black Community was outraged at the reckless use of no-knock warrants. Our case settlement included an independent review of SWAT search warrant policies and practices in an effort to restrict their use.

We have not seen evidence that no knock warrants are utilized in a way that puts innocent people at risk in Cincinnati. But not every Chief may be as careful as Chief Isaac. The fact is that the killing of innocents is likely to happen if the intelligence about the target home is wrong and people in addition to the suspect are present when the warrant is executed. Such errors do

happen. We have litigated these cases in other communities. It is not worth the risk. We urge you to pass the measure and would be happy to provide additional information. Thank you.

Sincerely,

Alphonse A. Gerhardstein

Jennifer L. Branch

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Jennifer L. Branch