

**STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT
COUNTY OF WINNEBAGO**

TRACEY JACKSON, Special Administrator of the)
Estate of RAYMOND JACKSON, Deceased, TRACEY)
JACKSON, Individually and as Parent and Next Friend)
of [REDACTED], a minor, and JAMIE)
REINERT, Individually and as Parent and Next Friend)
of [REDACTED] a minor,)

Plaintiffs,)

v.)

CITY OF ROCKFORD and DEVONTE FLINT,)

Defendants.)

No. 2021-L-0000112

COMPLAINT AT LAW

The Plaintiffs, TRACEY JACKSON, Special Administrator of the Estate of RAYMOND JACKSON, Deceased, TRACEY JACKSON, Individually and as Parent and Next Friend of [REDACTED] a minor, and JAMIE REINERT, Individually and as Parent and Next Friend of [REDACTED] a minor, through their attorneys, MOTHERWAY & NAPLETON, LLP, complain of the Defendants, CITY OF ROCKFORD and DEVONTE FLINT as follows:

Count I – Willful and Wanton Conduct/Wrongful Death/Est. of Raymond Jackson v. City of Rockford

1. On April 25, 2021 and at all relevant times herein, the Defendant, CITY OF ROCKFORD, did operate a police force commonly called the Rockford Police Department in the City of Rockford, County of Winnebago, State of Illinois.

2. On the said date, shortly before 4:50 p.m., the Defendant, CITY OF ROCKFORD, through its police force, became engaged in a vehicle pursuit.

3. At all relevant times herein, the aforesaid fleeing vehicle being pursued by the police force was driven by Defendant, DEVONTE FLINT.

4. At the aforesaid date and time, and at all relevant times herein, the Defendant, CITY OF ROCKFORD, through its police force, the Rockford Police Department, had issued a General Order, numbered 2.04, regarding “Vehicle Pursuits” (the Policy).

5. The Policy stated that “Vehicular pursuits of fleeing suspects can present a danger to the lives of the public, officer(s), and suspect(s) involved in the pursuit. Tactics used to stop a fleeing vehicle may be considered a use of force. It is the policy of the Rockford Police Department to regulate the manner which vehicle pursuits are undertaken and performed.”

6. The Policy provided, under Procedures, regarding “Initiation of Pursuit” that “Pursuit is authorized only if the officer has a reasonable belief that the suspect, if allowed to flee, would present a danger to human life or cause serious injury. In general, pursuits for minor violations are discouraged” (II.A.1 of the Policy). The Policy also stated that “The decision to initiate a pursuit must be based on the pursuing officer’s conclusion that the immediate danger to the officer and the public created by the pursuit is less than the immediate or potential danger to the public should the suspect remain at large” (II.A.2 of the Policy).

7. The Policy called for the police force to consider a variety of factors before initiating or continuing a vehicle pursuit, given the danger that such a pursuit presents to the public,

which included but were not limited to: the seriousness of the offense, information known about the suspect, road configuration, physical location and population density, the existence of vehicular and pedestrian traffic, and lighting and visibility.

8. On information and belief, the police force had little knowledge, if any, regarding any serious offense committed by the fleeing driver, Defendant, DEVONTE FLINT, before engaging in and/or continuing the pursuit of the Flint vehicle. Mr. Flint was noted in local news to have a pending domestic battery charge against him after his arrest following the chase.

9. On information and belief, as provided in a media release by the Defendant, CITY OF ROCKFORD, the police force had previously attempted to stop the fleeing Flint vehicle with “stop sticks,” but was unsuccessful. Following that, according to the Defendant, CITY OF ROCKFORD’s media release, the fleeing Flint vehicle traveled another mile before reaching the intersection of 9th Street and Harrison in Rockford, Illinois.

10. That the intersection of 9th Street and Harrison in Rockford, Illinois, as well as its immediate surrounding areas, is an urban environment with residential homes and commercial businesses.

11. At the aforesaid date and time, and at all relevant times herein the Defendant, CITY OF ROCKFORD, through its police force, the Rockford Police Department, had duty of care to refrain from willful and wanton conduct that could cause injury to other persons.

12. On the aforesaid time and date, at the same time the aforesaid vehicle pursuit led the Flint vehicle to the intersection of 9th Street and Harrison, the decedent, RAYMOND JACKSON, was the driver on a vehicle at the same intersection.

13. At the said time and at the intersection of 9th Street and Harrison, the Plaintiff TRACEY JACKSON's decedent, RAYMOND JACKSON, had in his vehicle two of his children, [REDACTED] both of whom were minors, as passengers.

14. At the said time and at the intersection of 9th Street and Harrison, the Flint vehicle, while being pursued by the police force, collided at high speed with the vehicle being driven by the decedent, RAYMOND JACKSON.

15. At the said date, and in the time period of the pursuit preceding the collision, the Defendant, CITY OF ROCKFORD, through its agents and employees within the Rockford Police Department, acted willfully and wantonly, with utter indifference or conscious disregard to the safety of others, in one or more of the following ways:

- a. Engaging in a high-speed vehicle pursuit in an urban environment when it was inappropriate and unsafe to do so; or
- b. Failed to stop or call off a vehicle pursuit when it was unsafe to continue to engage in a vehicle pursuit.

16. As a proximate result of one of the forgoing acts and/or omissions, the Flint vehicle being pursued by the Defendant, CITY OF ROCKFORD, through its police force, did come into contact with the vehicle being operated by the decedent, RAYMOND JACKSON, causing him injury and death.

17. That at the time of his death, the Plaintiff TRACEY JACKSON's decedent, RAYMOND JACKSON, was lawfully married to the Plaintiff herein, TRACEY JACKSON.

18. That decedent, RAYMOND JACKSON, is survived by his next of kin: his wife, TRACEY JACKSON, his three adult children, Megan Jackson, Rayne Jackson, and Rachel Jackson, as well as two minor children, [REDACTED] and an unborn child, which was at approximately 34 weeks of gestation at the time of the crash, all of whom have

and will suffer grief, sorrow, pecuniary loss and loss of society as a result of RAYMOND JACKSON's death.

19. This count is brought under the Illinois Wrongful Death Act, 740 ILCS 180/1 et seq.

WHEREFORE, the Plaintiff, TRACEY JACKSON, Special Administrator of the Estate of RAYMOND JACKSON, Deceased, respectfully requests this Honorable Court enter judgment in her favor and against the Defendant, CITY OF ROCKFORD, in an amount in excess of jurisdictional limits of the Law Division of Winnebago County, and the costs of this suit.

Count II – Willful and Wanton Conduct/Tracey Jackson for Raylynn Jackson, a minor v. City of Rockford

20. Plaintiff, TRACEY JACKSON, Individually and as Mother and Next Friend of [REDACTED] a minor, restates the allegations of Count I as though set forth herein.

21. Plaintiff, TRACEY JACKSON, is the mother and next friend of [REDACTED] a minor.

22. As a proximate result of one or more of the aforementioned acts and/or omissions, the vehicle being pursued by the Defendant, CITY OF ROCKFORD, through its police department, did come into contact with the vehicle being operated by the decedent, RAYMOND JACKSON, causing injuries of a personal and pecuniary nature to [REDACTED] a minor, which continue.

WHEREFORE, the Plaintiff, TRACEY JACKSON, Individually and as Parent and Next Friend of [REDACTED] a minor, respectfully requests this Honorable Court enter judgment in her favor and against Defendant, CITY OF ROCKFORD, in an amount in excess of jurisdictional limits of the Law Division of Winnebago County, and the costs of this suit.

Count III – Willful and Wanton Conduct/Family Expense Act/Tracey Jackson for Raylynn Jackson v. City of Rockford

23. Plaintiff, TRACEY JACKSON, restates the allegations of Counts I and II as though fully set forth herein.

24. As a result of the foregoing, the plaintiff, TRACEY JACKSON, Individually and as Parent and Next Friend of [REDACTED] was obligated for medical expenses for [REDACTED] a minor at the time of her injury, and hereby makes a claim for the same pursuant to 750 ILCS 65-15, commonly known as the Family Expense Act.

WHEREFORE, the Plaintiff, TRACEY JACKSON, Individually and as Parent and Next Friend of [REDACTED] respectfully requests this Honorable Court enter judgment in his favor and against Defendant, CITY OF ROCKFORD, in an amount in excess of jurisdictional limits of the Law Division of Winnebago County, and the costs of this suit.

Count IV - Willful and Wanton Conduct/Jamie Reinert for Jonathan Jackson, a minor v. City of Rockford

25. Plaintiff, JAMIE REINERT, Individually and as Parent and Next Friend of [REDACTED] a minor, restates the allegations of Count I as though set forth herein.

26. Plaintiff, JAMIE REINERT, is the mother and next friend of [REDACTED] a minor.

27. As a proximate result of one or more of the aforementioned willful and wanton acts or omissions, the vehicle being pursued by the Defendant, CITY OF ROCKFORD, through its police department, did come into contact with the vehicle being operated by the decedent, RAYMOND JACKSON, causing injuries of a personal and pecuniary nature to [REDACTED] a minor, which continue.

WHEREFORE, the Plaintiff, JAMIE REINERT, Individually and as Parent and Next Friend of [REDACTED] a minor, respectfully requests this Honorable Court enter judgment in her favor and against Defendant, CITY OF ROCKFORD, in an amount in excess of jurisdictional limits of the Law Division of Winnebago County and the costs of this suit.

Count V – Willful and Wanton Conduct/Family Expense Act/Jamie Reinert for Jonathan Jackson v. City of Rockford

28. Plaintiff, JAMIE REINERT, restates the allegations of Counts I and IV as though fully set forth herein.

29. As a result of the foregoing, the plaintiff, JAMIE REINERT, Individually and as Parent and Next Friend of [REDACTED] was obligated for medical expenses for [REDACTED] a minor at the time of his injury, and hereby makes a claim for the same pursuant to 750 ILCS 65-15, commonly known as the Family Expense Act.

WHEREFORE, the Plaintiff, JAMIE REINERT, Individually and as Parent and Next Friend of [REDACTED] respectfully requests this Honorable Court enter judgment in her favor and against Defendant, CITY OF ROCKFORD, in an amount in excess of jurisdictional limits of the Law Division of Winnebago County and the costs of this suit.

Count VI – Negligence/Est. of Raymond Jackson v. Flint

30. On April 25, 2021, there existed an intersection between 9th Street and Harrison Avenue in the City of Rockford, County of Winnebago, State of Illinois.

31. On the said date, at approximately 4:50 p.m., the Defendant, DEVONTE FLINT, was driving a vehicle towards the aforesaid intersection.

32. On the said date, the Plaintiff's decedent, RAYMOND JACKSON, was driving a vehicle through the aforesaid intersection and had the right-of-way.

33. That at all relevant times the Defendant, DEVONTE FLINT, had a duty of reasonable care towards other drivers and vehicles using the roadway.

34. That notwithstanding the foregoing, the Defendant, DEVONTE FLINT, was negligent in one or more of the following ways:

- a. Failed to stop his vehicle at a stoplight; or
- b. Failed to yield; or
- c. Traveled at an unsafe speed.

35. As a proximate result of one or more of the foregoing acts or omissions, the vehicle being driven by the Defendant, DEVONTE FLINT, contacted the vehicle driven by the Plaintiff TRACEY JACKSON's decedent, RAYMOND JACKSON.

36. That at the time of his death, the Plaintiff TRACEY JACKSON's decedent, RAYMOND JACKSON, was lawfully married to the Plaintiff herein, TRACEY JACKSON.

37. That decedent, RAYMOND JACKSON, is survived by his next of kin: his wife, TRACEY JACKSON, his three adult children, Megan Jackson, Rayne Jackson, and Rachel Jackson, as well as two minor children, [REDACTED] and an unborn child, which was at approximately 34 weeks of gestation at the time of the crash, all of whom have and will suffer grief, sorrow, pecuniary loss and loss of society as a result of RAYMOND JACKSON's death.

38. This count is brought under the Illinois Wrongful Death Act, 740 ILCS 180/1 et seq.

WHEREFORE, the Plaintiff, TRACEY JACKSON, Special Administrator of the Estate of RAYMOND JACKSON, Deceased, respectfully requests this Honorable Court enter judgment in her favor and against the Defendant, DEVONTE FLINT, in an amount in excess of jurisdictional

limits of the Law Division of Winnebago County, and the costs of this suit.

Count VII – Negligence/Tracey Jackson for Raylynn Jackson, a minor v. Flint

39. Plaintiff, TRACEY JACKSON, Individually and as Mother and Next Friend of [REDACTED] a minor, restates the allegations of Count VI as though set forth herein.

40. Plaintiff, TRACEY JACKSON, is the mother and next friend of [REDACTED] a minor.

41. As a proximate result of one or more of the aforementioned acts or omissions, the vehicle being driven by Defendant, DEVONTE FLINT, came into contact with the vehicle being operated by the decedent, RAYMOND JACKSON, causing injuries of a personal and pecuniary nature to [REDACTED] a minor, which continue.

WHEREFORE, the Plaintiff, TRACEY JACKSON, Individually and as Parent and Next Friend of [REDACTED] a minor, respectfully requests this Honorable Court enter judgment in her favor and against Defendant, DEVONTE FLINT, in an amount in excess of jurisdictional limits of the Law Division of Winnebago County, and the costs of this suit.

Count VIII – Negligence/Family Expense Act/Tracey Jackson for Raylynn Jackson v. Flint

42. Plaintiff, TRACEY JACKSON, restates the allegations of Counts VI and VII as though fully set forth herein.

43. As a result of the foregoing, the plaintiff, TRACEY JACKSON, Individually and as Parent and Next Friend of [REDACTED] was obligated for medical expenses for [REDACTED] a minor at the time of her injury, and hereby makes a claim for the same pursuant to 750 ILCS 65-15, commonly known as the Family Expense Act.

WHEREFORE, the Plaintiff, TRACEY JACKSON, Individually and as Parent and Next Friend of [REDACTED] respectfully requests this Honorable Court enter judgment in

his favor and against Defendant, DEVONTE FLINT, in an amount in excess of jurisdictional limits of the Law Division of Winnebago County, and the costs of this suit.

Count IX - Negligence/Jamie Reinert for Jonathan Jackson, a minor v. Flint

44. Plaintiff, JAMIE REINERT, Individually and as Parent and Next Friend of [REDACTED] a minor, restates the allegations of Count VI as though set forth herein.

45. Plaintiff, JAMIE REINERT, is the mother and next friend of [REDACTED] a minor.

46. As a proximate result of one or more of the aforementioned acts or omissions, the vehicle being driven by the Defendant, DEVONTE FLINT, did come into contact with the vehicle being operated by the decedent, RAYMOND JACKSON, causing injuries of a personal and pecuniary nature to [REDACTED] a minor, which continue.

WHEREFORE, the plaintiff, JAMIE REINERT, Individually and as Parent and Next Friend of [REDACTED] a minor, respectfully requests this Honorable Court enter judgment in her favor and against Defendant, DEVONTE FLINT, in an amount in excess of jurisdictional limits of the Law Division of Winnebago County, and the costs of this suit.

Count X – Negligence/Family Expense Act/Jamie Reinert for Jonathan Jackson v. Flint

47. Plaintiff, JAMIE REINERT, restates the allegations of Counts VI and IX as though fully set forth herein.

48. As a result of the foregoing, the plaintiff, JAMIE REINERT, Individually and as Parent and Next Friend of [REDACTED] was obligated for medical expenses for [REDACTED] a minor at the time of his injury, and hereby makes a claim for same pursuant to 750 ILCS 65-15, commonly known as the Family Expense Act.

WHEREFORE, the Plaintiff, JAMIE REINERT, Individually and as Parent and Next

Friend of [REDACTED] respectfully requests this Honorable Court enter judgment in her favor and against Defendant, DEVONTE FLINT, in an amount in excess of jurisdictional limits of the Law Division of Winnebago County, and the costs of this suit.

Pursuant to Illinois Supreme Court Rule 222(b), the undersigned counsel for the plaintiff avers that the money damages herein sought exceed FIFTY THOUSAND (\$50,000) DOLLARS.

Respectfully submitted,

/s/ Brion W. Doherty

Brion W. Doherty

One of the Attorneys for plaintiff

MOTHERWAY & NAPLETON, LLP

140 S. Dearborn, Suite 1500

Chicago, IL 60603

(312) 726-2699

ARDC: 6292713

bdoherty@mnlawoffice.com

mshore@mnlawoffice.com