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ALERT TOP STORY

Family of man killed by former Tucson police officer files lawsuit

Jamie Donnelly

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Richard Lee Richards
Courtesy of John Bradley

Jamie Donnelly


The family of a man who was shot and killed by an off-duty Tucson police officer last year has filed a civil rights lawsuit against him and the city of Tucson.

The lawsuit was filed Monday in federal court on behalf of Richard Lee Richards and Victoria Richards, his sister, against Ryan Remington for fatally shooting Richards as he sat in his wheelchair, said John Bradley, attorney for the family and the estate.

Remington was fired by the Tucson Police Department after the shooting and was recently indicted on a manslaughter charge in the case.

“Mr. Remington’s shooting and killing of Mr. Richards instead of using, or even attempting to use, a method of non-deadly force violated Mr. Richards’s right to be free from unreasonable seizure and to be free from discrimination because of his disability,” Bradley said. “Mr. Remington’s actions were unconscionable, unreasonable, and in intentional disregard of Mr. Richards’s rights.”

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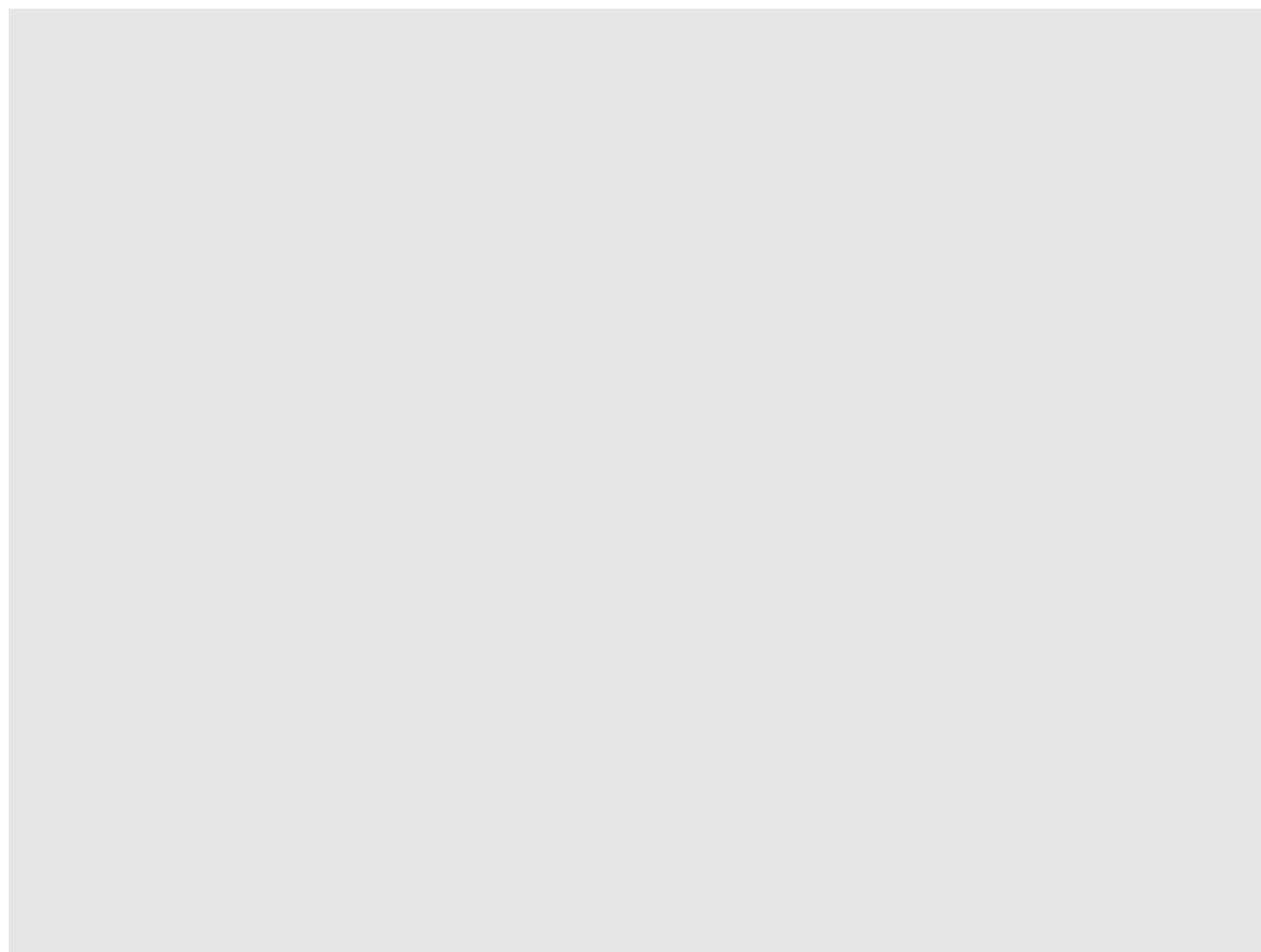
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The shooting occurred Nov. 29, after a Walmart employee alerted Remington, who was off-duty, that Richards reportedly stole a toolbox, said a previous news release from the Tucson Police Department.

According to police, the employee said he caught up with Richards as he fled the store and asked for a receipt for the items he was carrying, to which Richards flashed a knife and replied, “Here’s your receipt.”

Richards continued to head through the Walmart and Lowe's parking lots on Valencia Road near Midvale Road. According to the Walmart employee, Richards said, "If you want me to put down the knife, you're going to have to shoot me," police said.

Remington and another officer followed Richards to the Lowe's and yelled at him to stop as he approached the garden section entrance.



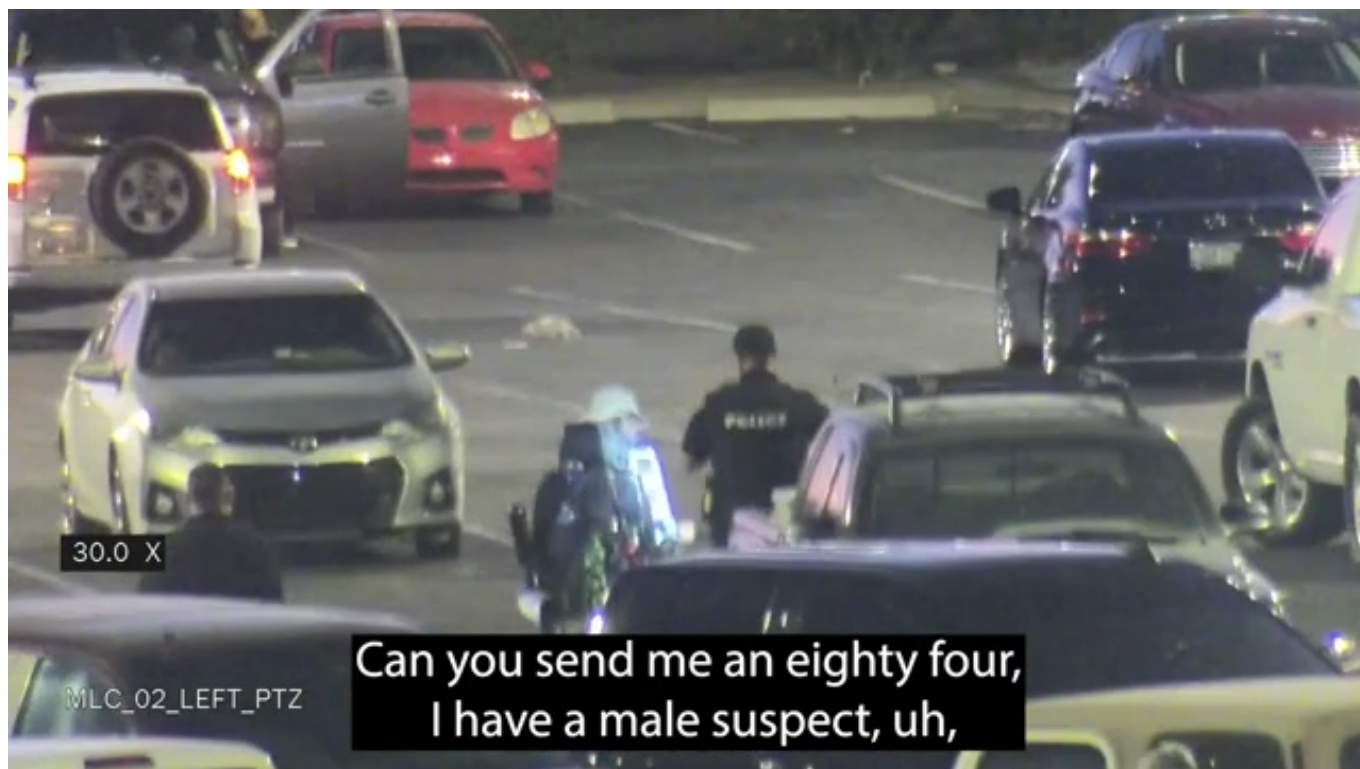
Ryan Remington

Tucson Police Department

Remington then fired at Richards nine times, striking him in the back and the side, police said. Richards was declared dead at the scene.

In the lawsuit, Bradley said Richards had discarded the toolset he had taken in the parking lot. He also said Richards was confined to a battery powered wheelchair with a maximum speed not much faster than an ordinary walking pace.

Remington never warned Richards that he was going to shoot him and never used or even drew his Taser, Bradley said. He also failed to have his pepper spray with him that day, which he was required to carry by TPD policy, the lawyer said.



WARNING: This video contains graphic content. Store surveillance video and police body-worn camera video of a Tucson Police officer shooting a man in a motorized wheelchair outside of a Lowe's Home Improvement store on W. Valencia Road on Nov. 29, 2021. Video courtesy of Tucson Police Department.

Tucson Police Department

Shortly after the shooting, Remington told a Tucson Police Department sergeant that he shot Richards because he felt Richards was a threat to the Lowe's store clerk who was sitting on a stool inside the garden center, the lawsuit says.

The lawsuit will seek financial compensation for damages, Bradley wrote; no dollar figure was cited.

"This lawsuit seeks to achieve a measure of justice for Richard Lee Richards and his survivors by establishing the obvious: An officer cannot shoot in the back and kill a slow-moving shoplifting suspect in a wheelchair, without warning, when no one is in imminent danger. ... Punitive damages are necessary," the lawsuit states.

As of Tuesday afternoon, the city had not received the suit nor has it been served yet, a spokesman said.

There was no immediate response from Remington's attorney to the lawsuit.

Under the direction of Police Chief Chad Kasmar, Remington, who was hired on Jan. 6, 2017, was terminated from his job in January.

Last month, Pima County Attorney Laura Conover announced that Remington had been indicted on one count of manslaughter. Her office began reviewing the case in December and by early summer had decided to seek a grand jury review.

"This has been very hard on our family," Victoria Richards said in a statement. "There is not a day that goes by that I do not think about Richard and the way that he died. If it weren't for Ryan Remington's actions, Richard would have turned 62 last week. We love Richard and we miss him."

Jamie Donnelly covers breaking news for the Arizona Daily Star. Contact her via e-mail at jdonnelly@tucson.com

By Jamie Donnelly
