

# After 2-Year Search for Answers, Mother of Marquese Alston Sues D.C. Police for Fatally Shooting her Son

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## Georgetown Law's Civil Rights Clinic files \$100 million wrongful death suit on behalf of Kenithia Alston

**WASHINGTON** – On the second anniversary of the fatal police shooting of Marquese Alston, and two years into a dogged and largely fruitless search for answers, his mother, Kenithia Alston announced Friday that Georgetown Law's **Civil Rights Clinic** has filed a \$100 million wrongful death suit against the District of Columbia and its police department on her behalf.

**The complaint** also seeks to hold the officers who shot the 22-year-old father individually liable, but does not name them, because D.C.'s Metropolitan Police Department (MPD) has never released their names.

"It's been two years since police killed my son and they still haven't publicly released the body-cam footage or got their story straight about what happened that night," Alston said. "Nothing they have told me adds up. They can't just get away with killing Marquese by refusing to release evidence."

Without a public video or the benefit of a large platform that such visibility can bring, Ms. Alston's determined fight for justice has largely flown under the radar. But this past Saturday, Ms. Alston captivated large crowds of protestors demonstrating in Washington for racial justice in the wake of the police killing of George Floyd.

"We got Black Lives spray-painted across Lafayette Square. Do Black lives really matter? If your accounts are true about what you said my son did – release the body-cam," she demanded.

Ms. Alston's new lawsuit details the lack of due process her son's case has received.

## BASIC QUESTIONS REMAIN UNANSWERED

On June 12, 2018, MPD officers shot Marquese between 12 and 18 times and for two years have refused to publicly release critical details regarding why they chased him before shooting him, the un-edited footage from the officers' body cameras, the names of the officers who shot Marquese, or why it took over an hour for medics to arrive on the scene.

"The Mayor's recent symbolic overtures are the height of hypocrisy," said Zina Makar, supervising attorney in Georgetown Law's Civil Rights Clinic. "How she and MPD have treated Ms. Alston and what they did to her son is simply inexcusable."

"Why would they go to such lengths to conceal the footage for two full years?" Makar added. "One is only left to presume that they have something to hide."

Ms. Alston learned of her son's death from a friend the day he was killed and saw reports of his death on the evening news before she heard from police themselves. MPD officers waited until the following day to come to her house and only stated that Marquese was involved in an "incident," the lawsuit says.

Since then, MPD has changed its account of what happened the day Marquese was killed multiple times, the lawsuit claims. In its first reported statements MPD alleged that officers approached Marquese in an alley, that he ran away, **SKIP TO MAIN CONTENT** and that he had reached toward his waistband and brandished a gun before officers shot him.

The next day the story changed. MPD claimed that Marquese had fired shots at the officers, forcing them to shoot him in self-defense. But witnesses in the community who saw the chase say that neither story is correct and that they never saw Marquese with a gun, according to the lawsuit.

## "COVERING UP WHAT REALLY HAPPENED"

The suit further alleges that after refusing to publicly release the body-cam video, MPD eventually allowed Ms. Alston to come into a police precinct and watch a pre-edited and clearly chopped-up version of the footage that only included the brief moments when Marquese was shot and killed. Preceding events, including the initial chase, were omitted from the edited footage.

Ms. Alston says that what she saw did not support any of MPD's claims, including any clear evidence of cross-fire or that Marquese was in possession of a gun.

"All I saw was my son running from the police," Ms. Alston said. "It's obvious to me they're covering up what really happened."

An autopsy report indicates that Marquese was shot in the head, forearm, upper back, and thighs, the majority of which entered his body from behind.

Since the statute of limitations for a wrongful death claim kicks in two years from the incident, the lengthy investigation could be a ploy by MPD to avoid liability, Makar said. She said that with the clock about to run out, Ms. Alston felt she was left with no other choice but to file a lawsuit.

“MPD has been evading release of critical facts in this case now for two years by classifying Marquese’s shooting as an active investigation,” Makar said. “This delay is unconscionable and justice cannot wait any longer.”

## QUALIFIED IMMUNITY AND POLICE REFORM

This litigation comes as police departments and legislators around the country are scrambling to respond to the nationwide outcry for reform, calling for an end to police brutality against black communities. Ms. Alston’s attorneys anticipate that MPD Officers will claim qualified immunity as a defense for their actions.

Qualified immunity is a judicially created doctrine that shields officers from virtually all liability. But given the scrutiny this legal doctrine has garnered in addition to a recent U.S. Court of Appeals opinion that declined to apply qualified immunity to officers who fatally shot a homeless man 22 times in 2013, Ms. Alston feels hopeful.

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Makar says that if D.C. moves to dismiss the case and qualified immunity is not applied, D.C. will be left with only one option: to finally give Ms. Alston answers.

The suit filed Wednesday by Georgetown Law’s Civil Rights Clinic seeks \$100 million in damages to compensate Ms. Alston for the wrongful death of her son, the emotional distress she has endured, as well as punitive damages to deter MPD, and others alike, from using fatal force as opposed to de-escalation tactics in black communities.

**[Read the full complaint here.](#)**

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