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Record \$4.4M settlement in 2014 Philadelphia police shooting

The city of Philadelphia has agreed to pay \$4.4 million to settle two lawsuits after an unarmed black man was shot repeatedly by police in 2014. The sum is the largest shooting-related police settlement in the department's history and closes civil litigation from an incident the city called a "tragic misunderstanding."

Undercover white police officers were investigating a shooting incident in West Philadelphia around 10 p.m. on April 22, 2014 and tried to pull over Phil Holland, who was unarmed and wearing a black hoodie while he worked his food delivery job.

After dropping off a hamburger to someone's home, he noticed two people approaching him suspiciously. He entered his Ford Taurus from the passenger side in an attempt to conceal himself from the oncoming men who he did not know were police officers, according to the two lawsuits he filed, one in state court and a separate action in federal court.

The plainclothes officers never identified themselves, and Holland thought he was about to be the target of a robbery after being shone in the face with a flashlight and seeing one of the men holding a gun.

In response, he quickly took off in his car. That's when police fired a barrage of bullets at his car, according to Holland's attorney **Tom Kline**.

"He was a young college student making extra money and was delivering literally a hamburger when he was gunned down by police officers who fired 14 bullets into his moving vehicle in violation of police policy," Kline said.

Bullets struck Holland in the forehead, neck and leg. He was left in critical condition. Holland, who was at the time attending Delaware County Community College, hopes to re-enroll in college soon, though he remains to suffer from health complications from the shooting, including reoccurring seizures, Kline said.

The officers involved, Kevin Hanvey and Mitchell Farrell, were not charged by the Philadelphia District Attorney's Office. Both officers have been placed on administrative leave, according to a police spokesman.

Hanvey and Farrell offered investigators a slightly different version of events. They said a witness told them Holland was the shooter, although that witness later denied singling out Holland, instead saying gunshots were heard in a general location near where Holland was at the time. The two also claim they informed Holland they were police officers before approaching his vehicle.

Philadelphia police protocol bans firing at moving vehicle unless they are being fired upon.

"Shooting accurately from a moving vehicle is extremely difficult and therefore, unlikely to successfully stop a threat of another person," according to the department's rule.

The city has initiated new training for plainclothes officers so that suspects are more readily aware they are being questioned by undercover cops, in addition to a training video all undercover officers must watch before heading out on an assignment.

"There was no justification, no probable cause, and no basis for shooting 14 bullets into Holland's vehicle," Kline said. "It will hopefully never occur again if policies, practices and procedures are correctly followed."

Kline said he hopes the new reforms in the police department that were sparked as part of the settlement become known as the "Holland protocol," including the new training and increased awareness of a potential suspects' civil rights. Police officials say those measures were already being taken as part of the U.S. Department of Justice's suggested reforms concerning the Philadelphia Police Department's use-of-force policy.

"We will strive to ensure that tragedies such as this do not happen again in our city," City Solicitor Sozi Tulante said in a statement, a sentiment echoed by the police department.

"Our police department exists to protect and serve all people who live, work in, or visit Philadelphia and greatly values your trust," said Police Commissioner Richard Ross.

"The City of Philadelphia strives to earn, maintain, and build that trust by ensuring that police act within the scope of their lawful authority and hold paramount the civil rights of those they serve."