



FOR IMMEDIATE RELEASE

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## WEST VIRGINIA POLICE OFFICER FIRED FOR NOT SHOOTING FILES SUIT AGAINST MUNICIPALITY

WEIRTON, W.Va. — The American Civil Liberties Union of West Virginia and the Law Offices of Timothy P. O'Brien, Esq. (lead counsel) have filed a wrongful termination lawsuit against the City of Weirton, West Virginia on behalf of Stephen Mader, who was fired from the Weirton Police Department because he chose not to shoot and kill R.J. Williams, an African-American male, during a domestic disturbance call in May, 2016.

Williams' girlfriend had called 911 because he was threatening to hurt himself with a knife. When Mader reached the house, he found Williams outside with his hands behind his back. After several orders from Mader, Williams showed his hands, and he was holding a gun. He said to Mader repeatedly, "Just shoot me," and Mader kept replying calmly, "I'm not going to shoot you. Just put the gun down." Williams appeared to be choked up; Mader was certain he was suicidal. Two other officers arrived at the scene, and within seconds, one shot Williams in the head, killing him. The Weirton Police Department placed Mader on administrative leave and then fired him for supposedly putting other officers at risk by failing to shoot and kill Williams.

"When I arrived at the scene, Mr. Williams was pleading for me to shoot him. He didn't appear angry or aggressive," says Stephen Mader. "He seemed depressed. As a marine vet that served in Afghanistan and as an active member of the National Guard, all my training told me he was not a threat to others or me. Because of that I attempted to deescalate the situation. I was just doing my job."

After the shooting, police confirmed that the gun held by R.J. Williams—as had been reported by Williams's girlfriend and as Mader suspected—wasn't loaded.

“The City of Weirton’s decision to fire officer Mader because he chose not to shoot and kill a fellow citizen—when he believed that he should not use such force, not only violates the Constitution, common sense and public policy— but incredibly punishes restraint—when given the tragic, and, far too frequent unnecessary use of deadly force,” says lead counsel, Timothy P. O’Brien. “Such restraint should be praised not penalized. **To tell a police officer—when in doubt— either shoot to kill, or get fired, is a choice that no police officer should ever have to make and is a message that is wrong and should never be sent.**”

After the City of Weirton fired Mader, he spoke to a newspaper about the death of Williams and his termination. In response, the City and its agents engaged in a campaign to harass Mader and tarnish his reputation by holding a press conference making false allegations against Mader, sending profanity-laced text messages and spreading misinformation about him at his job training program.

“Officer Mader did exactly what we want our police officers to do. He attempted to deescalate a tense situation. He attempted to save R.J. Williams’ life. The Weirton Police Department so deeply misunderstands Stephen Mader’s sensible attempt to prevent violence and death that it kicked him off the force and then publicly attacked his character when he spoke out” said Joseph Cohen, Executive Director of the ACLU of West Virginia. “The Weirton Police Department, like so many others in West Virginia, needs training to appropriately engage with people, to fight the implicit biases that infect our society, and to make de-escalation a primary goal.”

“I lost a job I loved,” says Mader. “As a police officer I took an oath to protect and serve my community. I feel like I was fired for trying to uphold that. Even still, I would have done the same thing.”

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