

February 22, 2021

For Immediate Release:

Ms. Sheneen McClain is relieved that the truth surrounding the death of her son is finally coming to light. In exactly three days, Elijah McClain would be celebrating his 25th birthday.

The independent investigation that was commissioned and paid for by Aurora makes clear what was already known: Elijah should never have been stopped by the police, never have been arrested, never have been subjected to extreme force by the police and should never have been forcibly injected with ketamine by Aurora Fire Rescue paramedics. Aurora is responsible for Elijah's tragic death by virtue of its employees' unlawful and unconscionable actions.

We applaud the independent review panel's objective, studious, and comprehensive investigation into the events of August 24, 2019. At every step of the way -- from their initial stop of Elijah through the involuntary injection of an extremely dangerous drug for no medical reason -- Aurora officials indisputably violated Mr. McClain's constitutional rights.

The Report details a cascade of unlawful actions committed by Aurora police officers, particularly Nathan Woodyard, Randy Roedema, and Jason Rosenblatt. On August 24, 2019, these officers seized and then brutalized Elijah for the offense of walking home while Black. Without any suspicion that Elijah committed a crime, these officers unlawfully seized Elijah, detained him, tackled him to the ground, applied multiple carotid holds, which cut off oxygen to the brain and are intended to render the subject unconscious, and then applied a continuous stream of pain compliance techniques while Elijah lay handcuffed on the ground.

As the Report astutely notes, "the responding officers applied pain compliance techniques and restraints to Mr. McClain continuously from the first moments of the encounter until he was taken away on a gurney." As Elijah's life was being squeezed out of him by the officers' brutalization, "[h]is words were apologetic and confused, not angry or threatening. He became increasingly plaintive and desperate as he struggled to breath."

The Report also makes clear that Elijah was not injected with ketamine for any legitimate medical reason. Rather, Aurora Fire Rescue paramedics Jeremy Cooper and Peter Cichuniec "decided to sedate Mr. McClain without conducting anything more than brief visual observation," "despite the fact that he did not appear to be offering meaningful resistance in the presence of EMS personnel." "In addition, EMS administered a ketamine dosage based on a grossly inaccurate and inflated estimate of Mr. McClain's size."

Notably, this Report -- with its stark and unequivocal indictment of Aurora officials' conduct -- is not based on new, revelatory evidence. It is based on evidence that Aurora has had in its possession all along. Yet, at every stage, Aurora has defended its officials for their blatantly unlawful actions and refused to discipline anyone involved in Elijah's death.

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The Report exposes that Aurora engaged in a sham investigation in order to exonerate its employees and hide their wrongdoing. As the Report notes, Aurora investigators “failed to ask basic, critical questions about the justification for the use of force,” and “failed to present a neutral, objective version of the facts and seemingly ignored critical evidence.” At every step, Aurora has stood by its employees, even in the face of overwhelming evidence that they were responsible for Elijah’s tragic death.

Sheneen McClain is grateful that this independent investigation has laid bare the wrongdoing of Aurora employees who are responsible for the death of her son. She continues to call for Aurora to hold its employees accountable. The Aurora officials who contributed to Elijah’s death must be immediately terminated. Ms. McClain continues to call for the criminal prosecution of those responsible for Elijah’s death. Elijah committed no crime on the day of his death, but those who are responsible for Elijah’s death certainly did.

Elijah’s family recognizes that Elijah is but one person on an ever-growing list of unarmed victims of police-related killings. The problem of police abuse continues to plague minority communities throughout the country. This case is a textbook example of law enforcement’s disparate and racist treatment of Black men. Aurora’s continued failure to acknowledge the wrongdoing of its employees only exacerbates the problem.

Elijah’s death has left an enormous void in the lives of the many people who loved him. Ms. McClain states that “Elijah believed in humanity and that humanity mattered. Inhumane humans are a problem and we must stop unjust laws.”



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