

# Family of man killed in police raid files wrongful death suit; blasts 'trigger happy' officers



Howard Bowe, 34, died 11 days after Hallandale Beach police SWAT members shot his dog, burst into his duplex, and shot him in his underwear in his kitchen.

**Tonya Alanez** **Contact Reporter** Sun Sentinel

Lawsuit rips "trigger happy" officers for killing unarmed Hallandale man in his underwear during 6 a.m. raid

The parents and son of an unarmed Hallandale Beach man who was shot and killed in his underwear in his kitchen by a SWAT team carrying out an early-morning search warrant have filed a wrongful death lawsuit in federal court.

Howard Bowe, 34, died in the hospital 11 days after the May 8, 2014 raid on his home.

Filed electronically Sunday in federal court in Fort Lauderdale, the civil suit seeks damages in an unspecified amount and alleges the city and police Chief Dwayne Flournoy failed to adequately train or supervise its "trigger happy" officers.

"There was no reason to shoot Howard Bowe Jr., who was standing in his own home, in his underwear, unarmed and with both hands clearly visible," the lawsuit said. "But for the unconstitutional conduct of defendants, Howard Bowe Jr. would be alive and with his family today."

Hallandale Beach police officials did not respond to requests for comment.

Bowe, who owned a car wash business and lawn mowing service, suffered a single blast from a 12-gauge Remington 870 shotgun. The bullet shot through Bowe's right arm and into his abdomen, records show.



Grand jury pardons Hallandale Beach cop who shot, killed man during 6 a.m. raid

Last month, a **Broward County** grand jury determined that Bowe's homicide "was the result of the justifiable use of deadly force."

The precursor to the search warrant was Bowe's alleged sale of \$100 worth of crack cocaine to a police informant nine days before the SWAT team's arrival, records show.

The team of 15 officers showed up to execute the search warrant about 6 a.m., shot and killed Bowe's chained pit bull, broke down Bowe's duplex door, deployed a flash grenade and fired a single fatal shot into Bowe's chest as he stood in his kitchen.

In the aftermath of the shooting, police confiscated about 18.5 grams of crack cocaine from Bowe's home, according to a police report.

Bowe's relatives are suing the city of Hallandale Beach, Bowe's shooter Officer Michael McKenzie and three officers — Paul Heiser, Christopher Allen and Marc Dubuisson — who are accused by Bowe's family of unjustly roughing up, handcuffing and detaining Bowe's 16-year-old son.

"Whenever you kick down a door at 6 a.m. without announcing your presence as a police officer, you can expect the homeowner is going to be standing in his own home, perhaps in his underwear," said Greg Lauer, the Bowe family's lawyer. "You've got to be trained a little bit better not to pull the trigger and kill an unarmed man.

"This is exactly why we need body cameras."

Bowe's son and namesake, Howard Bowe III, was asleep in his bedroom when his father was shot.

"[Allen and Heiser] pulled him from his bed, hit him, stomped on his back, placed him in handcuffs and then dragged him through the house and over his father who lay bleeding on the floor," according to the lawsuit.

Bowe III lay in the dirt for 20 minutes before he was put into the back of a patrol car and driven to the police station by Dubuisson, according to the lawsuit. Bowe's aunt followed in her car, demanded and eventually gained her nephew's release.

The lawsuit also seeks punitive and compensatory damages for Bowe's son's alleged battery, intentional infliction of emotional stress, false imprisonment and deprivation of his civil rights.

In the decade from March 1998 to October 2008, Bowe was sentenced three times on cocaine possession charges. The first sentence was the most severe:

30 days in jail followed by 18 months of probation. The others resulted in probation.

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