

Showman Family Files Wrongful Death Civil Rights Lawsuit against San Jose Police Department

Lawsuit claims Officer Wakana Okuma used unnecessary & excessive force in the shooting death of Diana Showman while she was holding a drill & not a threat.

SAN JOSE, CA, USA, August 14, 2015 /EINPresswire.com/ -- San Jose attorneys [Jaime Leanos](#) and [Steven Clark](#) have filed a Federal lawsuit against the San Jose Police Department and its officer Wakana Okuma (United States District Court, Northern District of California Case No. 5:15-cv-03712) alleging that Officer Okuma used unnecessary and excessive force in the August 14, 2014 shooting death of 19-year-old Diana Showman.

The lawsuit claims that Officer Okuma had approximately one minute to properly evaluate the situation when she first saw Ms. Showman exit the house with a drill. Responding to Officer Okuma's command, the lawsuit states that Ms. Showman provided a clear and unobstructed view to Officer Okuma and that from fifteen feet away Officer Okuma should have recognized that the object in her hand as a drill. The other officers present, the complaint states, did not fire their weapons even when Ms. Showman pointed the drill at them.

The complaint states that at no time prior to shooting of Ms. Showman did Officer Okuma use the rifle's scope to identify the drill and at no time did Officer Okuma attempt to utilize her 13 years of crisis intervention training that would have prevented the escalation of lethal force.

The lawsuit alleges that Officer Okuma failed to utilize non-lethal force options that were available at the time of the shooting, including the issuance of a verbal warning to Ms. Showman that she would be shot if she did not drop the drill and failing to exercise the proper method of arresting and detaining individuals with mental health issues. Ms. Showman was diagnosed as bi-polar at a young age and was under medical treatment and taking her medication at the time of the shooting.

Vickie Showman, Diana's mother, states, "Over the last year we have been working to lend our support to creating change in the way interactions with police and the mentally ill are handled. We want the police to have the best tools available to perform their duties as peace officers, and that includes Crisis Intervention Training. De-escalation as a first step in handling situations like our daughter's could save lives and help restore trust and respect for law enforcement."

The Showman family states that going forward they intend to support the push for mandatory Crisis Intervention Training for all law enforcement, and additional resources for mentally ill



people, not only in crisis, but also in day-to-day life.

"The reason we're filing this lawsuit is to try to generate change in the way people with mental illnesses or other challenges are treated in society," stated Jim Showman, Diana's father.

About Jaime Leanos and Steven Clark

Mr. Leanos was born and raised in San Jose. He has filed number [civil rights lawsuits](#) against law enforcement agencies, holding them accountable for wrongful conduct. Most recently Mr. Leanos obtained a \$2.5 million settlement for an individual shot in the back by the CHP and obtained a finding from a Federal Court judge that a San Jose Police detective lied in an effort to convict an innocent man. That ruling led the City of San Jose to settle a lawsuit brought by the wrongfully imprisoned young man.

Mr. Clark is a former Santa Clara County District Attorney with extensive trial experience. He has handled thousands of cases in the criminal, civil and administrative law areas, including high-profile cases throughout the Bay Area. He is frequently requested by the media to provide commentary on legal matters of local and national interest. He has been seen nationally on major news channels, including NBC, MSNBC, CNN and Fox News Channel.

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