

Bond Case Briefs

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Robinson v. Village of Sauk Village

Appellate Court of Illinois, First District, FIFTH DIVISION - April 9, 2021 - N.E.3d - 2021 IL App (1st) 200223 - 2021 WL 1399812

Pedestrian brought action against two villages and police officers, seeking damages for injuries he sustained when he was struck by vehicle driven by car theft suspect who was fleeing from the police. Both villages and officers filed a motion for summary judgment asserting immunity under Local Government and Governmental Employees Tort Immunity Act.

The Circuit Court granted summary judgment in favor of all of the defendants. Pedestrian appealed.

The Appellate Court held that:

- Genuine issue of material fact existed as to whether car theft suspect had escaped or was escaping when he struck pedestrian during police chase, precluding summary judgment;
- Genuine issue of material fact existed as to whether police officers engaged in willful and wanton conduct when they pursued car theft suspect, precluding summary judgment; and
- Genuine issue of material fact existed as to whether police officers chasing vehicles driven by car theft suspect was a material element and a substantial factor in bringing about the collision with pedestrian, precluding summary judgment on issue of proximate cause.