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Federal Appeals Court Rules Tulsa Police Officer Must Stand Trial in Major Civil Rights Case

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Gibson Dunn and Solomon Simmons Law have secured a significant appellate victory in the Tenth Circuit in *Manning v. City of Tulsa, et al*., rejecting the qualified immunity defense of the officer who shot and killed Terence Crutcher, an unarmed Black man killed by Tulsa police in 2016. The case will now proceed to trial before a jury to resolve the civil rights claims of Mr. Crutcher's Estate against the officer for Mr. Crutcher's unconstitutional killing.

Mr. Crutcher's death is captured on video, which shows that at the time he was shot, he was unarmed, his hands were raised, and he was not under arrest. His death sparked protests in Tulsa and drew national media attention. Although the officer who killed Mr. Crutcher was criminally prosecuted, she was acquitted in 2017.

Mr. Crutcher's Estate filed this civil rights lawsuit in 2017, alleging constitutional violations against the officer for using deadly force against Mr. Crutcher when he had no weapon, had his hands raised, and posed no threat. After years of delays, the district court granted the officer qualified immunity. On March 30, 2026, the Tenth Circuit reversed.

The decision is a resounding victory for the Estate. The Court reaffirmed the "baseline principle that a police officer may not seize an unarmed, nondangerous suspect by shooting him dead" and found that under the proper standard, "the evidence supports the Estate's claim that [the officer] violated [Mr.] Crutcher's constitutional rights by using unreasonable force."

The case will now proceed to trial in federal court before a jury.

"This decision confirms what we have said from day one: Terence Crutcher should be alive," said civil rights attorney Damario Solomon-Simmons. "The Tenth Circuit made clear that an officer cannot shoot an unarmed, non-threatening man and hide behind qualified immunity. Now, the question is not what happened—we know what happened. The question is whether the City of Tulsa will finally take responsibility."

"The Court has sent this case back for a jury to decide," Solomon-Simmons added. "The City now has a choice: continue to defend the indefensible or step forward and do what justice requires."

"We all deserve to be free from unjustified police violence. The Tenth Circuit made that clear yesterday and reminded us of the fundamental civil rights the Constitution is designed to protect," said Karin Portlock of Gibson Dunn, co-counsel for the Crutcher family. "The law has long been established—an officer cannot shoot an unarmed and non-threatening individual—and excessive force will not be tolerated."

"Terence Crutcher should be alive today," Portlock added. "We will continue our fight for justice for his family, and we look forward to trying this case before the jury."

Related People

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“For nearly a decade, we have carried both truth and grief in the same hands,” the Crutcher family said in a statement. “Today reminds us that persistence matters. Even when justice feels far away, it is still worth fighting for. This moment brings hope, but that hope has come at a cost. It has taken years of waiting, pushing, and holding on when it would have been easier to let go.”

“Our beloved Terence had his hands up. He was unarmed. He needed help, but instead he was killed,” the family added. “We will not stop until there is full accountability.”

View the full decision here.

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