

April 25, 2023

FOR IMMEDIATE RELEASE: Video released to family. Brendan Burns was killed by the police, who pursued and fired at him recklessly—by homes, stores, a school—while he was walking with his elderly mother in broad daylight. His family intends to seek justice for his death.

On March 20, 2022, Brendan Burns was tragically killed by police officers in his mother's own backyard in Rochester, in broad daylight. Despite being portrayed as a hardened criminal in some press reports, he was not wanted for any murder. He made no threats. He was a young man in poor mental and physical health, struggling with addiction to prescription drugs, a widespread issue in the United States. Indeed, Brendan was in need of care. Instead, he was chased through the streets like an animal and fired upon from the back repeatedly by a small army of heavily armed police officers, which led to his untimely death.

The Rochester Police Department recently released a partial video of the incident to the Burns family, but it only shows a limited view of the final events of Brendan's tragic life, and not the full story. Still even the partial video released, and public surveillance footage, raise serious questions about the actions taken by the police, who chased Brendan with military-style weapons and in full body armor, by schools, by homes, and stores, shooting up an entire street.

At the end of the video released, the police can be heard shouting, “We are not trying to hurt you!” as some tacked-on justification for their actions. They displayed obvious contrary intent by pursuing Brendan fiercely with their weapons drawn and having repeatedly just fired upon him recklessly.

The Burns family has requested all of the body camera footage, as the video released by the police is only a partial representation of what occurred. Nate McMurray, attorney for the Burns family, stated, “The Burns family are good people who have devoted their lives to Rochester and have always supported the police. They are devastated at the loss of their brother and son and are determined to seek a full explanation of how these events spiraled out of control so quickly.”

Furthermore, McMurray added, “Brendan was sick at the time of his death. He was not a criminal mastermind, but rather a troubled young man who was going through a difficult time in his life after years earlier of being a contributing, diligent member of the community. Brendan himself once pursued a career in law enforcement before choosing to work at the U.S. Postal Service.”

**advocates
for justice**
chartered attorneys

McMurray further clarified, “The police knew where he lived and had identified him as a potential suspect in a vandalism incident from days earlier, not in some vicious shooting spree as has been implied. He weighed only 140 pounds at the time of his death. He did not charge at police. He ran away from them. Instead of deescalating the situation, they came for war.”

The release of the partial video raises serious questions about the actions taken by the Rochester Police Department. The community demands a full investigation and justice for Brendan Burns. McMurray stated, “I want people to consider carefully that Brendan was walking calmly with his elderly mother in broad daylight, yet the Rochester Police felt the best way to handle confront him was to send dozens of officers, at that moment, in full armor, with an armored vehicle to confront him. They shot up the street like a scene from a movie, and as a result, a good family is mourning, shocked, and a neighborhood is traumatized. It didn't need to happen. It should never happen again.”

The family is calling for greater compassion, care, and reform within the Rochester Police Department to prevent such tragedies in the future. They plan to seek justice through civil action.

nmcmurray@advocatesny.com

716-517-5506