

TOP STORY EDITOR'S PICK

Family, Ventnor reach settlement in Galloway woman's suicide

Eric Conklin

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VENTNOR — The city and a Galloway Township woman’s estate have agreed to a \$2 million settlement following a lawsuit over the use of her boyfriend’s police service weapon to die by suicide.

Kelly Ann McDowell’s family sued the city and police Lt. Francisco O’Neill in 2018, contesting that McDowell’s death was preventable. Before the settlement, a trial court found O’Neill negligent as a matter of law for leaving his service weapon accessible against regulations, said Paul D’Amato, the attorney representing McDowell’s parents, Kevin and Carol McDowell.

McDowell died by suicide April 17, 2017.

“We feel daily the pain of Kelly’s loss, as do her three children, and the pain is even more searing knowing her death was absolutely preventable,” Kevin and Carol McDowell said in a joint statement Tuesday. “Kelly Ann, who was a remarkable working single parent, would be alive today if police rules about gun safety and storage had only been followed. We hope, in the

aftermath of this settlement, and the court ruling, other innocent lives can be saved through stricter compliance by law enforcement — individuals and departments — regarding gun safety, including when officers are off-duty.”

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Ventnor Mayor Lance Landgraf said Wednesday the settlement was fulfilled by the municipality’s joint insurance fund.

“I am sorry for the McDowell family’s loss,” Landgraf said. “This was a terrible incident.”

Landgraf directed questions about O’Neill’s employment status to police Chief Joe Fussner, who did not immediately return a request for comment Wednesday.

Kelly Ann McDowell and O’Neill shared a home with five children when she died. Her body was discovered by her oldest son, Ryan Strazzeri.



Family sues Ventnor police sergeant over gun used in suicide

According to the suit, O'Neill's police weapon was unsecured on their bedroom's walk-in closet floor when Kelly Ann McDowell obtained it.

"There is no closure, no celebration that comes with the end of this case," D'Amato said Tuesday. "There's vindication for the plaintiffs in having the court substantiate in its Motion for Summary Judgement finding, our position that O'Neill was obligated, and could be held financially accountable, under New Jersey law to follow his department's gun-safety and storage requirements, even in his residence when he was off-the-clock. The case could have far-reaching implications throughout New Jersey and beyond for responsible gun safety applicable to law enforcement."

The defense said previously O'Neill, who held the rank of sergeant at the time the lawsuit was filed, was a certified firearms instructor and underwent the department's training on general firearm safety, which includes the provision that "firearms shall never be left unsecured."

O'Neill also was trained to spot signs of mental health issues, D'Amato said. McDowell's family said O'Neill was aware of those issues.

Kelly Ann McDowell reported feeling increasingly anxious and depressed since moving into her home with O'Neill, family and health records say. She had three children while O'Neill had two of his own.

Court documents say McDowell was treated for depression at AtlantiCare Regional Medical Center, Mainland Campus, about one month before her death. Records from AtlantiCare Behavioral Health indicate she had reported increased anxiety related to her work and home lives.

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