

# Autopsy confirms Patrick Lyoya was killed by shot to the back of the head by Grand Rapids police officer

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An independent autopsy was released on Tuesday confirming that 26-year-old African refugee and auto parts worker Patrick Lyoya was killed by a bullet fired from a gun which a Grand Rapids, Michigan, police officer placed against the back of the young man's head while he was face down on the ground.

Appearing at a press conference with Lyoya family attorneys Ben Crump and Ven Johnson, noted forensic pathologist Dr. Werner Spitz said, "There's no question what killed this young man. This male died as a result of a single gunshot wound with an entrance wound in the back of the head. ... It was a powerful bullet." The official Kent County medical examiner's report has not been released, even though the autopsy was performed on April 4, the day of the shooting.

The 95-year-old Spitz said he performed the autopsy last weekend in a Grand Rapids funeral home. The German American forensic pathologist, who has worked on many high-profile cases, including the assassinations of President John F. Kennedy and Martin Luther King, Jr. and the death of Michael Jackson, is a professor of pathology at the Wayne State University School of Medicine in Detroit.

Patrick Lyoya, a refugee from the Democratic Republic of Congo who came to the US in 2014, was pulled over by a still unnamed Grand Rapids police officer in the southeast area of the city on April 4 for a license plate violation. After the young man exited the vehicle, a short chase and scuffle on the ground ensued over the policeman's taser before the officer pulled his handgun, placed it against the back of Lyoya's head and pulled the trigger.

Protests against the brutal murder have continued since the Grand Rapids Police Department (GRPD)

released four video streams recorded at the scene, including the policeman's body cam, a patrol car dash cam, a home security video and the smartphone video recorded by the passenger in Lyoya's car. The smartphone video captures the entire scuffle in the yard of the residence where Lyoya was pulled over up to the moment of the fatal gunshot.

Attorney Crump read from Spitz's report, which said Lyoya "was conscious and aware of the fact that a gun was being held to the back of his head. Death was instantaneous when the gun was fired."

Spitz said that Lyoya stood 5'8" or 5'9" and weighed 150 pounds, and there were no other injuries or wounds found on his body. He said, "There was no other injury, from the top of the head to the big toe. No other injury."

Seeking to undermine the likely claim by law enforcement that the murder was justified because the policeman's life was threatened—a standard legal argument used to substantiate police use of lethal force and ensure no charges are brought by prosecutors—the victim's lawyers Crump and Johnson emphasized that there was no fight between Lyoya and the officer.

Johnson, a Detroit-area lawyer, said, "There was not really a fight. There's no question my client was resisting arrest. ... But to suggest that he engaged in a physical fight, where he's trying to hurt the officer, never happened." Johnson added, "He was trying to get away, and he was defending himself. He did not physically threaten the officer with his mouth or with his hands or fists."

Spitz gave details of the injury sustained by Lyoya and illustrated the shooting with a skull to show the path of the bullet. The pathologist also showed the

shooting by demonstrating the position of the officer's weapon on attorney Crump's head.

He said the bullet entered at the base of Lyoya's head, "went to the right, through the bone ... but not completely because part of the bullet was still inside the skull. Part of the bullet went through the skull." Saying that the bullet was from a large-caliber weapon, Spitz used a drawing to show how it entered at the base of the head slightly to the left of center and moved diagonally upward and to the right and lodged near Lyoya's right temporal bone.

Attorney Crump reviewed images from the videos of the shooting on a large TV screen, saying that the officer was in "complete control" of Lyoya when he shot him. The civil rights attorney said, "He has his hand on Patrick's head ... on the ground. He takes his gun and puts it on his head ... and he shoots into his head."

Crump said that the report confirms that Lyoya was "shot in the back of his head," and "That is now scientific evidence of this tragic killing and what his family believes was an execution." Crump also said that the video evidence shows that the incident appeared to be a "classic case" of racial profiling.

He said the patrol car video shows the officer facing Lyoya's car and doing a U-turn from about a block and a half away to begin the pursuit. In Michigan, license plates are not on the front of vehicles so the officer could not have immediately suspected a license plate registration issue.

Kent County Chief Medical Examiner Stephen Cohle and spokeswoman Lori Latham have said that the official autopsy is awaiting toxicology results that could take 60 days. Latham said that Cohle has requested the results be expedited but would not commit to a date when they will become available.

Meanwhile, Kent County Prosecutor Christopher Becker said his office plans to review Lyoya's death once the Michigan State Police conclude its investigation. Becker, a Republican, has said he does not expect to request Democratic Attorney General Dana Nessel for assistance in the case. The prosecutor and GRPD Chief Eric Winstrom have maintained that the identity of the seven-year veteran officer, who has been placed on administrative leave, will not be released publicly unless charges are brought against him.

A funeral service for Patrick Lyoya is scheduled for 11:00 a.m. Friday at a Grand Rapids church at which Al Sharpton, longtime Democratic Party operative and head of the National Action Network, is to deliver the eulogy. Attorney Crump said he will also "make a call to action" during the services.

The presence of Sharpton in Grand Rapids—the home of the right-wing founders of Amway, Rich DeVos and Jay Van Andel, and a center of fascistic Republican politics—is the surest sign that the political establishment is doing everything possible to contain the public anger over the murder of Lyoya within the framework of Democratic Party.

Along with Black Lives Matter, Sharpton is intervening to inject racial identity politics into the explosive situation in which workers and young people regardless of skin color have been protesting for days to demand justice for the Lyoya family. Police violence and murder is a product of capitalist class society and can only be stopped by uniting the working class across racial, ethnic and national boundaries in the struggle for genuine equality and socialism.



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