

Media intensifies campaign to exonerate cop who killed Patrick Lyoya

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On May 6, Kent County Medical Examiner Dr. Stephen Cohle released the results of the official autopsy of Patrick Lyoya, who was killed execution-style by Grand Rapids, Michigan, police Officer Christopher Schurr during a traffic stop on April 4.

The autopsy confirms that the 26-year-old Congolese refugee was shot in the back of the head, and the cause of his death was ruled a homicide. Dr. Cohle told CNN that the autopsy was conducted on the same day that Lyoya was killed, but the report was released to the media only after it was given to the prosecutor's office.

The medical examiner also qualified his homicide determination, telling CNN, "What it implies is that in this case ... the officer meant to shoot him," adding that it is "up to the prosecutor to decide whether it is justifiable."

As seen on the dashcam, bodycam and smartphone videos, Patrick Lyoya was pulled over by Schurr in a residential neighborhood of Grand Rapids at 8:00 a.m. on April 4 because his license plate registration did not match the vehicle he was driving. After a scuffle in which Schurr's taser was wrestled away from him by Lyoya, the officer pinned Lyoya's head to the ground, pulled his police handgun, press it against the driver's head and pulled the trigger.

The Kent County autopsy was held back because the medical examiner was awaiting the results of the toxicology examination and other tests to complete the report. The findings of Dr. Cohle's examination—which have been known for five weeks—correspond entirely with those of the independent autopsy conducted by Dr. Werner Spitz on behalf of the Lyoya family on April 19. Dr. Spitz found that the young man was killed instantly by a "gunshot wound of the head."

As the legal team for the Lyoya family has maintained, the autopsy findings, plus the video

evidence released by the Grand Rapids Police Department (GRPD) on April 13, are enough for the Kent County prosecutor to bring criminal charges against Schurr. In a statement on Saturday, Lyoya family attorneys Ven Johnson and Ben Crump called for the immediate release of the Michigan State Police report on the shooting and the prosecution of Schurr for an "unjust killing."

However, local news media has instead focused attention on the secondary finding of the medical examiner's report: Lyoya had a blood alcohol concentration (BAC) of .29, which is more than three times the legal driving limit at the time he was killed.

For example, the *Detroit News* published an article on Monday under the headline, "Lyoya super drunk under law when pulled over in fatal traffic stop, exam finds." The article, written by crime reporter George Hunter, is exploiting a Michigan law passed in 2010 that designates someone as "super drunk" if their BAC is .17 or above while operating a motor vehicle.

Hunter, who describes himself as having spent a "long time covering crime" and that "three of my siblings were police officers in Detroit," wrote in the article that it is "unclear whether Schurr also suspected Lyoya was intoxicated, because every line of the officer's three-page use of force report was redacted in records obtained by the *News*." The reporter paints a picture of Lyoya as a dangerous criminal who "disobeyed commands from Schurr" and builds up the image of an officer who received "14 commendations" and was cleared by an "international investigation" after a citizen claimed the officer stole his grandmother's ashes during an arrest.

A similar article was published by the *Detroit Free Press* on May 6 with the headline, "Patrick Lyoya's autopsy report released by Kent County, blood-alcohol

levels over limit.”

The purpose of the emphasis on Lyoya’s BAC being above the legal driving limit is very clear. Along with previous reports that detailed Lyoya’s record of run-ins with law enforcement, details about his driving record and alleged domestic violence, the corporate media is preparing public opinion to accept either the complete exoneration or a slap on the wrist for Schurr.

As quoted in the *Detroit News* article, attorney Ven Johnson denounced the repeated attacks on Lyoya and said, “Let’s talk about the real story, that the autopsy 100 percent confirms what we told everyone from Day One.” Johnson added, “The gunshot wound was to the back to the head and the manner of death was homicide. ... Alcohol to us is irrelevant as it relates to the cause and manner of death. Assuming the results are correct, and I’ll litigate at the time of trial, it is what it is. If this is accurate, then, yes, he was highly intoxicated. But the last time I checked, the penalty for drinking and driving is not execution.”

What the media campaign in support of Schurr and against Lyoya is seeking to conceal is the reality of life facing young workers and the class basis of the police violence that is meted out against them in neighborhoods and communities across the US every day.

Originally from the Democratic Republic of Congo (DRC), Patrick Lyoya arrived in the US when he was 18 years old in 2014 along with the rest of his family. Before winning asylum to enter the US due to violence in the DRC, the Lyoya family lived in a refugee camp for 11 years in the east African country of Malawi.

Patrick attended high school in Lansing, Michigan, while his parents worked odd jobs. His mother, Dorcas, worked in a laundromat, and his father, Peter, worked in a nursing home. Patrick also worked while he attended high school. A report by National Public Radio (NPR) noted that he worked in a small manufacturing plant making auto parts and was also employed at a turkey farm and at a vacuum cleaner and appliance store.

Patrick was described to NPR by his coworker Ramazani Malisawa as “just focused on the work. He was a good worker and worked hard.” Malisawa said that it was important for Patrick to be able to send his two young daughters to school. He said Lyoya once told him, “My kids, they will know we had a father,

and our father—he worked hard.”

Meanwhile, Schurr is currently on administrative leave awaiting the decision of Kent County Prosecutor Chris Becker, who says he has not received a complete investigative report from the Michigan State Police.

Protesters demanding justice for the Lyoya family demonstrated on Tuesday and forced the early shutdown of a monthly Grand Rapids City Commission meeting for a second time. A protester was later arrested outside of City Hall by the GRPD.



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