

# In-store video shows DeAnthony VanAtten shopping prior to being shot in the parking lot by East Lansing, Michigan police

Michael Anders  
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More than a week after the East Lansing Police Department (ELPD) in central Michigan released external surveillance and bodycam footage of the shooting of 20-year-old DeAnthony VanAtten in the parking lot of a Meijer on April 25, they finally released video from the in-store surveillance system on May 16.

This new footage provides critical evidence in evaluating the police's confrontation with VanAtten in the Meijer parking lot. Significantly, the police claim that they did not release the internal surveillance footage originally because it did not show anything significant.

The video released on May 5 showed the officers confronting VanAtten inside the store, shouting profanities at him. This is followed by a brief chase that ended with an officer shooting at VanAtten as he was running, hitting him twice in the back.

All of the May 5 footage presents VanAtten as a criminal. In every clip where we see him, VanAtten is running, first toward the store and then away from the police.

The supposedly irrelevant footage from inside the store shows a very different picture from the original release. In the new footage we see VanAtten shopping for corn and macaroni and cheese. He goes to the self-checkout, where he calmly pays for his items with a card, then puts them in a grocery bag along with the receipt.

The city's Independent Police Oversight Commission has since identified the two officers who fired their weapons at VanAtten as Jose Viera and Jim Menser, both having been policemen for two or more years.

Avoiding any attempt to explain why the in-store

video was not released with the other footage on May 5, ELPD Chief Kim Johnson stated, "This video footage is being released as a part of ELPD's ongoing commitment to transparency in this case and to accommodate a request made by the East Lansing Independent Police Oversight Commission."

The police arrived at the Meijer store after receiving a 911 call in which a woman reported seeing a black man take a gun out of his car and run toward the store. Both the 911 caller and the dispatcher who talked with the police pointed out that the man was not threatening anyone with the gun.

The shooting of VanAtten has been met with public outrage. On May 3, a multiracial group of community members and local Black Lives Matters organizers held a protest outside of Ingham County Jail. VanAtten was being held there on a probation violation unrelated to the shooting after getting out of the hospital.

VanAtten's mother, Burnette VanAtten, has set up a GoFundMe page appealing for help and demanding justice. In her appeal, she points out, "Unarmed and in a parking lot full of people, police fired multiple shots, striking him twice from behind while running with his hands in the air. Both of these bullets remain lodged in his body."

The GoFundMe appeal concludes, "We need CHANGE and ANSWERS!" As of this writing, the fundraiser has gathered \$345.

VanAtten's aunt, Charity Hope VanAtten, also posted on Facebook, "I want to take a second to say thank you to everyone who is standing with us. Who is standing with DeAnthony. My heart is so heavy. The shock I feel at this whole situation is unreal. I don't even have the proper words to express my disgust and

utter sadness. #justicefordeanthony.”

The shooting of VanAtten was handed over to the Michigan State Police (MSP) for an investigation which has been completed and submitted for evaluation to the office of Michigan Attorney General (AG) Dana Nessel. The Michigan AG is to determine what, if any, charges will be brought against the two officers involved in the shooting.

As usual, there have already been attempts to justify the actions of the officers. MLive published an article on May 10 containing an interview about the VanAtten shooting with Dennis Savard, an associate criminal justice professor at Saginaw State University.

On the one hand, Savard notes that, when a person who presents no danger is fleeing, “police cannot shoot the individual fleeing from them.” However, he continued, “If his partner says he [VanAtten] has a gun and he’s running out near you, what do you think the reaction of the officer is going to be? He’s probably going to pull out his gun and neutralize the threat.”

This military phrase “neutralize the threat,” in this case, translates to shooting VanAtten in the back as he was unarmed, running away from police officers who were threatening him with Tasers and pistols.

MLive also interviewed Midland County Sherriff Myron Greene as a continuation of the pursuit to justify the officers’ actions. Greene made the common excuse, “How you perceive things in the heat of the moment is how you’re going to react.”

Greene then goes on to edit the facts of VanAtten’s shooting: “[One officer] heard another officer say, ‘He’s got a gun,’ heard a couple gunshots go off and then he sees the suspect running out ... I can guess he felt threatened or he felt the public was threatened. He already heard someone shoot. Whether at that point it was a suspect or officer, you don’t know.”

In point of fact, it was another officer who had fired those two gunshots, and VanAtten was unarmed by this point.

Meanwhile, the state of mind of the officers involved comes out quite clearly in the original footage. As VanAtten writhed in agony on the ground, officers continued to scream orders and profanities at him. The officers then began to roughly move him around to handcuff him and, ostensibly, to see where he was hit.

The footage also showed a brutish encounter between the police and a young woman who witnessed the

shooting, who has since been identified as VanAtten’s girlfriend. One of the officers rendering aid to VanAtten baselessly affirmed to another, “She’s got to have that gun.” Two officers then advanced on her, took her baby from her and rifled through her pockets, demanding to know where the gun was.

These attempts at spinning the story against VanAtten echo similar efforts made by the press in the case of Patrick Lyoya in Grand Rapids. Lyoya was executed by GRPD officer Christopher Shurr on April 4. The media sought to portray Shurr as a hero and Lyoya as a criminal. After the official autopsy report was released ruling Lyoya’s death a homicide, the media latched onto the fact that Lyoya’s blood-alcohol was three times the legal limit.



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