

# Still no decision on charges against Grand Rapids officer who killed Patrick Lyoya on April 4

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Nearly two months after Grand Rapids, Michigan, police Officer Christopher Schurr shot 26-year-old Patrick Lyoya in the back of the head during a traffic stop on April 4, Kent County Prosecutor Chris Becker has yet to make a decision on whether criminal charges will be brought against the officer.

When Becker received the preliminary investigative report into the shooting from the Michigan State Police (MSP) on April 28, he said he needed additional information before he could draw his review to a conclusion.

Then three weeks later, on May 18, the prosecutor issued a public statement saying he was under pressure from “several concerned community members” to release an update. He acknowledged the slow pace of the investigation, and while he would be receiving the full MSP report soon, he said that this “does not mean my decision is imminent.” He concluded the statement with a request for the public’s “continued patience.”

In explaining the ongoing delay, Becker declared that he was seeking “guidance” from “state and national experts.” Beyond these vague phrases, Becker did not elaborate on what exactly this “guidance” was supposed to be or who the experts were that he was consulting with. Becker also declined to give a timetable for when he would reach a decision in the case.

Lyoya, a refugee from the Democratic Republic of Congo, was pulled over by Schurr in a southeast Grand Rapids neighborhood, ostensibly due to a license plate violation. Following a short chase and scuffle on the front lawn of a residential home that involved Lyoya gaining control of Schurr’s taser after the officer discharged it twice unsuccessfully, the officer killed

Lyoya with a single bullet from his service handgun to the back of his head.

After officials initially attempted to sweep the death of Lyoya under the rug, protests erupted in Grand Rapids and other Michigan cities demanding that the police release the video evidence of what took place on April 4. Once the videos became public, protesters demanded that the name of the officer be released. This information was only provided after National Action Network leader and Democratic Party operative Al Sharpton made an appearance in Grand Rapids in order to contain the spreading protests.

Lyoya’s murder is not the only Michigan police shooting that is being monitored intensely by the public. On April 25, 20-year-old DeAnthony VanAtten was shot in the back twice by an East Lansing police officer. While VanAtten survived his violent encounter with the police, video footage shows that he was shot in the back in a crowded Meijer supermarket parking lot, where he had just bought food for a barbecue.

In VanAtten’s case, police released footage from May 5 that painted him as a criminal who was trying to flee the police. Then on May 16, the police released what they had said was irrelevant footage, showing VanAtten at the self-checkout paying for his food items.

In a similar fashion to the selective release of police video in the VanAtten shooting, the media has been doing all it can to demonize Patrick Lyoya and depict his killer as a saint-like figure. However, when the official autopsy report for Lyoya was released on May 6, the medical examiner notably ruled the death an intentional homicide. Therefore, it is clear that the delay by the Kent County prosecutor’s office was over

whether the use of deadly force against Lyoya by Schurr could be legally justified.

There is clear evidence in police bodycam and dashcam videos, as well as the smartphone video of an eyewitness, that shows Schurr pinning Lyoya to the ground, pulling his gun from its holster, aiming it at the back of Lyoya's head and pulling the trigger. However, instead of focusing on these facts, the media has focused on the toxicology report saying that Lyoya was "super drunk" when he was pulled over by Schurr for a license plate violation.

Since Lyoya's blood alcohol content (BAC) at the time of his death was 0.29, more than three times the legal limit. According to Michigan law such an elevated level while driving can be referred to as "super drunk," and the media latched onto this dubious and wholly irrelevant piece of information. As many have pointed out, the officer had no idea what Lyoya's BAC was when he shot him, nor is his level of intoxication a justification for his killing.

Contrasted to this is what Peter Lyoya had to say about his son. He told News 8 shortly after his son's killing, "He was a good kid, a smart kid. He was a hard worker. He was a sharing person. He helped his family. If he had money, he would share with them."

Public outrage has been simmering in Grand Rapids and across Michigan over the killing of Lyoya. Protesters continue to be present at the twice-monthly Grand Rapids City Commission meetings to demand justice for Patrick Lyoya and his family.

Community groups, such as the Grand Rapids Association of Pastors (G-RAP) and the Grand Rapids NAACP, have called for Becker to recuse himself from the case because of the close relationship between the Kent County prosecutor's office and the Grand Rapids Police Department (GRPD). Prosecutor Becker has rejected these calls outright, telling MLive, "I've done numerous officer-involved shootings over the past six years I've been elected. I'm not sure why that would change now."

Others have issued calls for a federal investigation and the intervention by the Biden administration's Department of Justice to investigate not only the murder of Patrick Lyoya but the entire "history and culture" of the GRPD. G-RAP, for example, has also demanded that public input be solicited in the negotiations of the police union contract and for city

bodies, namely the Civilian Appeal Board and Office of Oversight and Public Accountability, to be granted control over the police department.

In the case of VanAtten, the Michigan State Police investigation was handed over to the office of state Attorney General Dana Nessel. Ingham County Prosecutor Carol Siemon, who covers Lansing, instituted a policy to refer all officer-involved shootings to the AG's office for review.

These developments come just one week after President Joe Biden signed an executive order that was billed as "police reform," when in fact it was a measure to strengthen police departments in communities across the country. Notably, during the drafting of his order, Biden worked closely with pro-police organizations who signed off on the proposals.

The order, which requires the Department of Justice to "promote officer wellness" and "support programs" as well as requiring an "updated approach" to "recruitment, hiring, promotion and retention of law enforcement officers," called for governors and mayors to use unspent COVID-19 relief money to hire more police.

Biden timed the signing of his executive order for the two-year anniversary of the brutal murder of George Floyd by Minneapolis police on May 25, 2020. Peter Lyoya, Patrick Lyoya's father, was one of several people invited to Washington D.C. to attend the signing. With him were also family members of Breonna Taylor and George Floyd, Peter's interpreter Israel Siku, and the Lyoya family's attorneys, Ben Crump and Ven Johnson.

The fight for justice for Patrick Lyoya and his family cannot be waged through appeals to the Democratic Party or calls for police reform. Only the mobilization of the working class in a political struggle against the capitalist system can defend democratic rights and put a stop to police violence and repression.



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