

Michigan State Police submit initial investigative report on police killing of Patrick Lyoya

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On Thursday, the Michigan State Police (MSP) submitted part of their investigation into the shooting of African refugee Patrick Lyoya by Grand Rapids, Michigan police officer Christopher Schurr to the Kent County Prosecutor's office.

In a brief press release, the MSP said its Sixth District Special Investigations Section had submitted its "investigative report and supporting documentation" to county prosecutor Chris Becker. The MSP added, "The investigation remains in on-going status as detectives await the return of forensic reports from the manufacturer of the body camera and Taser. Those reports will be forwarded to the Prosecutor once received."

Prosecutor Becker released his own statement on Thursday that said he would "begin to review the materials" from the MSP, "but I cannot, and will not, make a final decision until they submit all the necessary information." In other words, there is no timeline or deadline for the completion of the police investigation or the decision of the prosecutor whether or not to charge Schurr with murder more than three weeks after he killed Lyoya.

Lyoya, 26, was shot in the back of the head by Schurr on April 4 during a traffic stop that quickly escalated into a physical confrontation and scuffle over the officer's taser. Although the Grand Rapids Police Department (GRPD) has stated that the specific reason Lyoya was pulled over has yet to be disclosed, Schurr's body cam video recorded him telling the driver he was stopped because the license plate was not registered to the vehicle he was driving.

The entire incident, which ended with the brutal execution-style murder of Lyoya by Schurr, was captured on multiple video streams, including one recorded on a smartphone by a passenger in Lyoya's car. These videos,

plus the independent autopsy performed by forensic pathologist Dr. Werner Spitz, show that Lyoya never posed a threat of any kind to Schurr. He was also unarmed.

Protests have taken place in Grand Rapids, Lansing and Detroit over the past four weeks with workers and young people demanding justice for Lyoya's family. The demonstrations have demanded that Schurr be charged, arrested and prosecuted for murder. At first the Grand Rapids law enforcement authorities refused to release the video of the shooting or the name of the officer who killed Lyoya.

The young man, who worked in a Grand Rapids auto parts factory and had two young children, came to the US with his parents and siblings in 2014 to escape dire social and economic conditions in the Democratic Republic of Congo. Both Peter and Dorcas Lyoya, Patrick's parents, have spoken publicly at some of the demonstrations and joined in the demands for the officer to be brought to justice for the murder of their son, who posed no threat whatsoever to the officer.

On Friday, the GRPD released a series of documents related to the shooting that included the incident report, the use of force report, the forensics report, a computer aided dispatch (CAD) report, the personnel file of Schurr as well as recordings of police, fire and medical radio traffic. These items were provided to Wood TV8 in response to a Freedom of Information Act request by the Grand Rapids television station.

These documents add very little that is new to what is already known publicly about the shooting. Instead, they appear to be self-serving for the GRPD and part of the developing campaign to publicly exonerate Schurr and demonize Lyoya.

The incident report consists of descriptions from five

officers who arrived on the scene after the shooting. The report by Sergeant Tim Johnson said that he rolled Lyoya over and he observed that Schurr's taser was "lying underneath the suspect where his hand had been and also Officer Schurr's Body Worn Camera, which was still recording."

Seargent Johnson also interviewed the passenger in Lyoya's vehicle who was taken into custody at the scene and has yet to be identified. Johnson's report says, "The subject's slow responses to my commands, lack of any verbal responses, and general lethargic demeanor made be [sic] believe he may have been under the influence of alcohol or a controlled substance." This was a man who just witnessed, and recorded on his smartphone, the brutal execution of the driver of the car he was in.

Another report by officer Sean LaHuis said that he interviewed witnesses and spoke with one person who saw the struggle over the taser. LaHuis reported, "I asked him if he saw the suspect point the Taser at the Officer and he stated, 'No they were tussling and he took it away.'"

The use of force report is almost completely redacted, including the check boxes under the heading "Reason for Officer Reaction." In the section labeled "Weapon?," there is check mark for "Yes," but everything under "How was Weapon Used/Allegedly by Subject?" is blacked out.

Schurr's personnel file is 79 pages of information about his career with the GRPD going back to the submission of his resume in January 2015 and application to join the force in June 2015. It also includes numerous letters of recognition for his police work. There was also a GRPD Internal Affairs investigation regarding a formal complaint filed by a citizen in April 2021 about an improper search conducted by Schurr which was subsequently deemed "proper" by the investigator.

The release of the GRPD documents also coincided with the publication by the *New York Times* on Wednesday of a lengthy article entitled, "The Driver, the Officer and the Deadly Traffic Stop in Grand Rapids," that both sanctifies Schurr and rationalizes Lyoya's "deadly encounter" with the police officer on April 4 as yet another in a long string of traffic stops which have ended in drivers being shot by the police.

After describing the shooting of Lyoya by Schurr, the *Times* presents the police officer as a model member of society who was "tenacious" and a star athlete in high school and college although he had a "temper" that was not good for team sports. The *Times* profile goes on to

paint Schurr as an international humanitarian, "His faith was paramount to him, teammates said. Mr. Schurr had attended Corinth Reformed, an evangelical church in Byron Center, and later went with his girlfriend on Christian missions to southwestern Kenya."

During his mission work in Kenya, the *Times* says, Schurr and other volunteers, "built houses for widows, played with orphans and visited residents." According to his pastor, the Kenyan villagers referred to the future Grand Rapids police officer as "Okebe, meaning large heart."

Meanwhile, the *Times* says of Lyoya that he "never quite found his footing," and had, while he dreamed of coming to America, "struggled to find his place, bouncing among homes, low-wage jobs and jail." Acknowledging that many in the Congolese refugee community in Grand Rapids considered Lyoya to be "very giving" and a "helper," the *Times* reported that he also "got into trouble."

The *Times* then repeated the information first reported in the *Detroit Free Press* about Lyoya's encounters with law enforcement—misdemeanor driving violations, "domestic violence" allegations and time in jail.

As pointed out to the *Free Press* by family attorney Ven Johnson, none of these facts have anything to do with Lyoya's murder by Schurr on April 4. However, the steady flow of disparaging information about Lyoya and accolades for Schurr in the press are the surest signs that the Kent County Prosecutor—in coordination with state and federal authorities—is preparing to ensure that the office is let off with minimal or no charges at all.

The campaign to demand justice for the Lyoya family must be stepped up by mobilizing the entire working class. Police violence is carried out across the United States against workers and poor people of all racial and ethnic backgrounds. The only way to ensure that the death of Patrick Lyoya is not swept under the rug is by mounting an independent political struggle against both the Democrats and Republicans who are the political representatives of the capitalist system, which is the ultimate source of police violence.



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