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Gratiot Gas Station Fatal Shooting Warrant Returned to DPD for Further Investigation

On October 12, 2020 at 10:45 p.m. it is alleged that an 18-year-old male clerk fatally shot Joshua Lewis, 30, inside a gas station convenience store located in the 10070 block of Gratiot in the City of Detroit. The Detroit Police Department submitted a warrant request to the Wayne County Prosecutor's Office on October 14, 2020 at approximately 12:30 p.m. The case has been assigned to the Prosecutor's Violent Crime Reduction Initiative*, which has determined that several items are needed to complete their review:

- There are only a few police reports although other officers can be seen on body worn camera video. The police reports are needed for all uniformed officers and a plain clothes officer who responded to the crime scene
- A police report from the officer who retrieved the video from the store
- The Medical Examiner's report
- The Evidence Technician's report, photographs and sketch of the scene
- EMS Run Sheet
- Video and Phone – Specific work is needed in this case
- Numerous instances of basic investigative work must be completed

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- Required reports related to the suspect and the victim
- Reports related to the firearm in the case that were not submitted
- Witness List and Discovery for Defense

As a result, the warrant has been returned to the Detroit Police Department for further investigation.

In the past week the Prosecutor's Office has had to return two other VCRI homicide warrants that were missing basic reports that are required for the review of a homicide case. These items included: a suspect's statement, video statements of witnesses, crime scene photos, body-worn camera video, an evidence technician's report and sketch of a crime scene, tape of a 911 call, video surveillance footage, a facial recognition report, firearm reports, photos shown to a suspect, photo lineup documentation, and search warrants.

"The Gratiot gas station shooting occurred on Monday, October 12th. We did not receive the warrant request until Wednesday, October 14th, and it was missing documents necessary for a proper review and charging decision. We will not have the information that we need today. As a result, by law the suspect will be released today pending a charging decision in this case," said Prosecutor Worthy. "Unfortunately, this is not the first time this has happened or even the 20th, but it seems to be occurring with much more frequency lately. Just yesterday, we had two other homicide cases that had to be returned to DPD because they were missing so many basic reports and evidence that it completely prevented us from going forward. This is very disturbing.

*On October 23, 2018, the Violent Crime Reduction Initiative (VCRI) was presented to the Wayne County Prosecutors Office (WCPO). One of VCRI's goals is to make the warrant recommendation process for designated homicides as productive as possible. This initiative also includes the review of designated non-fatal shootings. Homicide and non-fatal shooting warrant requests are extremely time-consuming, frequently contain voluminous digital records, and generally require hours of legal work prior to the point where a charging decision can be made.

Warrants are often rejected due to a lack of admissible evidence or a failure to fully garner all the available evidence at the initial stage. An early legal review of the available evidence--when resources permit--along with the early collaboration between the WCPO and DPD, enhances the warrant review process and will be a savings in both time and effort.

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