

Request to Reopen Investigation and Review Prosecutorial Declination

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See official board page for the current filing and
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CC: All relevant state and local oversight, civil rights, and prosecutorial review authorities

RE: Request to reopen the investigation into the police use of force against Da'Quain Johnson and to review the decision not to prosecute

Dear Sir or Madam:

This letter requests immediate reopening of the investigation into the police use of force against Da'Quain Johnson and formal review of the prosecutorial decision not to bring charges.

The core issue is direct. If Mr. Johnson was

pinned down, restrained, and no longer posed an immediate threat, continued force cannot be justified as self-defense. A prosecutor should not be permitted to end the matter simply by saying the officers may have believed they were acting in self-defense where the facts indicate the subject was already under control, handcuffed, and being mauled by a police dog. I am requesting that this case be reopened because the available evidence appears to contradict any claim that Mr. Johnson remained an immediate threat at the time force continued to be used against him. A restrained person who is pinned to the ground and under officer control is not in a position to justify prolonged canine force or additional deadly force.

This matter also requires renewed investigation because the witness interviews appear to have been incomplete. Not all eyewitnesses were interviewed. This includes the 13-year-old

daughter who filmed the attack from an apartment window. If critical witnesses were not interviewed, then the factual record was incomplete before any charging decision was made.

There is an additional problem with the legal analysis itself. Even if officers claim some initial basis for stopping or pursuing Mr. Johnson, each separate phase of force must be evaluated on its own. The legality of any initial encounter does not automatically justify what happened after he was pinned down, handcuffed, and no longer posed any immediate threat.

There is also serious concern that officers lacked lawful cause to stop him to begin with. That issue must be examined as part of any reopened investigation. If the stop itself was unsupported, that further undermines confidence in the official version of events and in the decision not to prosecute.

The prosecutor's burden of proving guilt beyond a reasonable doubt does not excuse failure to conduct a full and competent investigation. It does not permit key witnesses to be ignored. It does not permit video evidence to be minimized. It does not convert an unverified self-defense claim into a legally sufficient conclusion.

I personally viewed the video. It was horrific.

What it showed was not a person presenting an immediate danger, but a human being pinned down and subjected to extreme force while no longer posing a threat.

For those reasons, I am requesting the following action immediately:

Reopen the investigation into the use of force against Da'Quain Johnson.

Obtain and review all body-camera, dash-camera, surveillance, dispatch, and bystander video in unedited form.

Conduct or verify complete interviews of every eyewitness, including the 13-year-old daughter who filmed or witnessed the incident and all residents or bystanders with a view of the event. Reevaluate the legal justification for every phase of force used, including the initial stop, the takedown, the K-9 deployment, and the use of deadly force after restraint.

Assign the matter for independent review outside the original prosecutorial chain if necessary to ensure neutrality and public confidence.

Provide a written explanation of how a restrained and pinned subject could still be deemed an imminent threat sufficient to justify continued canine force or gunfire.

A justice system cannot maintain public confidence when prosecution is declined without interviewing all available witnesses, without fully confronting video evidence, and

without applying the law to the actual moment force was used. This case should be reopened in the interest of factual completeness, legal accountability, and equal justice under law.

Sincerely,

[Your Name]

[Your Address]

[Your Phone]

[Your Email]

