

**CRAWFORD COUNTY DEPUTIES
MICHAEL JACOBI & MATTHEW SWOPE
& TRAVERSE CITY OFFICER MICHAEL WITCZAK**

The standards regarding police use of lethal force are based on saving innocent lives. Officers faced with a situation in which it's reasonable to believe they are in imminent danger of death or injury may do so. Moreover, officers have the *duty* to protect the community they serve, and implementing deadly force to prevent others from being killed or injured is a crucial aspect of that sworn obligation.

In the early morning of last Dec. 12 Crawford County Deputies Michael Jacobi and Matthew Swope and Traverse City Officer Mark Witczak were compelled to act both in self-defense and for the sake of others who were directly in harm's way.

As is true in almost all lethal force cases, these officers cannot be sure exactly how many innocent people they protected by shooting an armed, wildly angry man who obviously was intending to harm, and probably to murder, others. They *can* be certain, however, that in this case they, themselves, were targeted and at least several members of the subject's family were in immediate mortal danger. Those relatives, who witnessed the subject's death, were very supportive of the officers' action because they were convinced that it prevented them from being shot.

The chain of events which led unexpectedly to heroic performances of duty began at 12:33 a.m. on M-72, just outside the city limits of Grayling, when a pickup truck abruptly veered into the path of Deputy Jacobi's one-man patrol car then quickly cut back into its proper lane. Jacobi reversed his direction and activated his overhead lights in order to make what seemed likely would be a normal traffic stop.

His assessment of "probably routine" changed during the next several minutes. After a few additional minutes it would be drastically different. The driver of the pickup ignored the flashing emergency lights behind him and continued motoring westbound on the highway. Deputy Jacobi reported the situation via police radio as he continued his pursuit. Deputy Swope responded to the radio call and began driving toward Jacobi in order to provide backup.

After continuing for about a mile, the pickup pulled into a party store parking lot and stopped. Deputy Jacobi was understandably wary, given the truck driver's suspicious behavior to that point. Besides, he was far from being a rookie officer. He was a 32-year veteran who had retired from the Genesee County Sheriff's Department and was now in his fourth year with Crawford County. He wouldn't simply assume that any traffic stop would turn out to be routine, much less one that began this way.

His cautious approach proved wise. Inside the pickup was a man in his mid-50s, accompanied by two dogs. One of the dogs was agitated and jumping into lap

of the driver, who kept pushing the animal away. Next to the driver, leaning against his seat, was an uncased long rifle. Later, after the incident that was only beginning had been brought to a close, it was realized that the distraction of the excited dog might well have prevented Deputy Jacobi from being ambushed.

The driver claimed the rifle was not loaded, but Deputy Jacobi was taking no chances. He drew his service pistol and held it at his side. When questioned, the driver said he was headed to Traverse City. When asked for his license and registration, the driver glared menacingly and clutched the documents tightly as if deciding whether to actually release them to the deputy's possession. When he did let go of them it momentarily appeared the situation might be resolved peacefully.

Reality quickly set in.

The driver suddenly gunned his pickup across the lot and roared onto westbound M-72, thereby transforming the traffic stop into a full-fledged police chase and his personal status to fleeing suspect. Every subsequent action he would take from that point would be progressively more dangerous to more people.

Deputy Swope, just reaching the area in response to the call for backup, took the lead in the developing pursuit. While following, Deputy Jacobi reported the unfolding situation to his department's central dispatch. He requested that police agencies to the west of his current location be contacted for assistance and notified that the subject was armed.

From the outset the subject demonstrated that he couldn't care less about anyone else's safety. He raced through Crawford County into Kalkaska County at over 100 miles per hour. When he reached US-131 he barreled through a stop sign and made a screeching turn to the south. The chase, which now included a Kalkaska County patrol unit, continued to an intersection road, where the pickup was braked to a halt.

Deputy Swope, attempted to make a felony stop at that point, but the driver took off again, headed toward Traverse City. Deputy Jacobi moved into lead position in the pursuit, which became even more hazardous by the minute. Once again maintaining speeds upward of 100 miles per hour the subject periodically turned off his headlights as he tore west through the middle-of-the-night darkness into Grand Traverse County.

"Stop sticks" set in the fleeing truck's path failed to even slow it. By now, the Traverse City Police, Grand Traverse Sheriff's Department, and Michigan State Troopers had merged into the pursuit. Elements from each agency blocked intersections and units zeroed in on the pickup truck from several directions. The subject countered attempts to trap him by swerving his vehicle into oncoming traffic lanes and speeding directly at police vehicles.

Traverse City Officer Mark Witczak maneuvered his unit closer to the fleeing pickup, joining Jacobi's and Swope's cars in the forefront of the chase team. The

officers were operating in enormously hazardous circumstances, pursuing a berserk driver who was so desperately obsessed with eluding capture that he tore through a public park and raced down residential streets, sometimes jumping curbs.

Finally, with numerous patrol cars closing in, the subject careened into the driveway of a private home. This had been his destination all along and there was no doubt that he intended to cause serious harm to people inside the house.

Several police vehicles immediately surrounded the pickup. Deputy Jacobi, Deputy Swope, and Officer Witczak took cover behind their patrol cars. The subject, rifle in hand, exited the truck. Deputy Jacobi shouted “gun, gun, gun!” then every officer at the scene yelled commands to drop the weapon. Instead of complying and saving his own life, the man attempted to take the lives of officers. He pointed the rifle in the direction of Jacobi, Swope, and Witczak and scanned for a target. All three officers fired, wounding him fatally.

Until that final moment the officers involved in the incident had no time to speculate about *why* it was happening. They were focused solely on doing their jobs under menacing conditions. Information learned in the aftermath showed how critical their actions had been.

Among those inside the house that night were the subject’s estranged wife, whom he had threatened in a dispute over his rights to visit a grandchild, and his daughter and son-in-law. Given the facts— the wild chase, the subject’s utter

disregard for innocent lives, the weapon, the targeting of officers, the fact that investigators found the rifle was loaded and the chambered round's primer showed there had been a firing pin strike – it is manifestly clear he was determined to harm those in the house and anyone who got in his way.

Deputy Michael Jacobi, Deputy Matthew Swope and Officer Mark Witczak, you placed yourselves at great risk to protect others. In the end, you defended the lives of the innocent individuals who were inside the home, the lives of fellow officers, and your own lives. You did your duty, and that meant enduring extremely dangerous circumstances throughout the incident and, in the end, literally being in the line of fire.

With admiration for your bravery, pride in your professionalism, and gratitude for your life-saving actions, the POAM honors you as Police Officers of the Year.

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