



Urbana Police Chief Finally Admits Misconduct in Aleyah Lewis Arrest

by Christopher Hansen



Christopher Hansen studied electrical engineering at UIUC and has resided in Urbana for the past 18 years. He currently runs his own small electronics business, and enjoys woodworking projects.

It has been more than seven months since the violent arrest of Urbana resident Aleyah Lewis. Tens of thousands of people have watched the videos of Urbana Police Officers throwing Lewis to the ground, pinning her, punching her in the head, and kneeling her in the ribs. Hundreds of concerned residents have spoken about the incident, amounting to probably 40 hours of public input at Urbana City Council meetings.

The Urbana Police Department (UPD) issued press releases, they issued a Use of Force Review report, and they gave a great big presentation at the April 27 City Council meeting. Mayor Marlin pushed her own propaganda as often as possible, and then she spent over \$20,000 of taxpayer money to have the Chicago firm Hillard Heintze (a consulting firm the City brought in to perform a review of the incident—see the article by myself and others in the September 2020 issue of the *Public i*) issue its own brand of propaganda. They told us from every angle, at every opportunity, that UPD had done everything correctly, and that our concerns were not real. The public is wrong, because we don't understand police stuff.

On September 8, the day of the long-anticipated Hillard Heintze presentation on the April 10 Aleyah Lewis arrest, I released an article demonstrating irrefutable evidence of Urbana Police misconduct at that incident. The article shows that during the entire Aleyah Lewis arrest struggle, Officer Eric Ruff had left the safety selector switch of his M&P-15 rifle in the “fire” position.

While wrestling with Lewis, Ruff's rifle swung around haphazardly, was frequently pointed at Aleyah Lewis, the other officers, and often at Ruff's own foot/leg. This blunder was, without question, the most dangerous component of the Lewis arrest, and it was the most likely possible cause for serious injury or death on that scene. (The article can be seen at <https://checkcu.org/the-safety-of-wrestling-with-your-rifle/>.)

One hour before the Hillard Heintze presentation, I emailed my article to Council members Jared Miller, Dennis Roberts, Bill Brown, and Maryalice Wu, hoping that one of them would raise the issue with the Hillard Heintze team. I did not want to raise the issue any earlier—in my experience, this often just enables the unscrupulous types to formulate craftier lies.

Of course, it was Jared Miller that came through and raised the issue of Ruff's rifle. Hillard Heintze representative Debra Kirby had nothing intelligent to offer about Ruff's rifle safety, but she said her team would go back and review that issue. Then Mark Giuffre, from the Hillard Heintze team, gave a long-winded attempt at distracting from the issue of Ruff's rifle safety by claiming that a fellow officer in need was being assaulted by Lewis.

The issue of Ruff's rifle was raised several times by members of the public at Council meetings, and on October 12 Chief Seraphin said that Hillard Heintze had kicked the question back to UPD, claiming that the issue was not within the scope of the Hillard Heintze contract, which is not true. It seems Hillard Heintze was unwilling to acknowledge its own negligence and preferred to just quietly back out of the room.

Meeting after meeting, the issue was raised by members of the public, and Seraphin refused to acknowledge the violation. No aspect of this issue was complicated—UPD policies specifically describe safe gun handling and indicate that an officer is always responsible for retention of his firearm. Officer Eric Ruff's conduct was extremely negligent in this regard.

The issue was raised by the public again during the Urbana Police Use of Force Listening Session on November 12. I also commented on the issue, since I'd written the original article. At the end of that listening session, Chief Bryant Seraphin gave the following statement:

“An issue that has come up repeatedly, that was fallout from the Aleyah Lewis event, had to do with Officer Ruff's rifle safety and I've heard it come up a couple different times. And I don't recall exactly, there was an email submitted, and maybe that was Mr. Hansen's sort of step-by-step photographic freeze-frame. That matter was taken seriously, it was referred to his supervisor for an investigation, the safety was in the wrong position, and it was a violation of policy. And it has been addressed by his supervisor. So, I just at least wanted to say that, that was not exactly how it was supposed to go.”

Chief Seraphin took an itty bitty baby step in the right direction when he finally admitted to that specific element of misconduct, but he completely missed the big picture. Here's the big picture:

- The hundreds of people who claimed misconduct (thousands, if you include protests and online commentary) in the Aleyah Lewis arrest were right.

- The press releases issued by UPD and the City of Urbana were wrong.
- The internal use of force review conducted by UPD was wrong.
- The April 27 presentation on the Lewis arrest, given by Bryant Seraphin and Jason Norton, was wrong.
- The State's Attorney, Julia Rietz, was wrong.
- The \$20,000 Hillard Heintze review, ordered by Diane Marlin, was wrong.
- Mayor Diane Marlin was wrong.
- The City Council members who agreed with the “official” findings and City statements were wrong.
- There is now even clearer evidence that the Urbana Police Department and the City can't be trusted, and the residents of Urbana will remember all of this for at least a decade.

There's much more, though. The misconduct was not just limited to Officer Ruff's rifle handling. The way they stopped suspects not matching the description was not reasonable, the way that Officer Michael Cervantes and Ruff simultaneously shouted orders at suspects was unreasonable, Cervantes's run toward Lewis was stupid and irresponsible, and nothing about the amount and type of force wielded upon Lewis was even remotely reasonable. There never existed any reasonable suspicion that Aleyah Lewis had committed any crime. Cervantes created the circumstances for charging Lewis with resisting arrest and aggravated battery by running toward her and starting a fight.

Much of the public is already aware of these facts, as they are so plainly visible. It is likely that many of the men and women in the UPD are aware of these facts. They simply won't admit it, and that is why we won't have community trust with the police department. We don't know how to have honest conversations in Urbana government.

Chief Seraphin and his officers could have taken responsibility for their mistakes immediately, and then Urbana could have moved directly into being a leader in police reform. Instead, we're still stuck at the fundamentals of human thought: when a thing happens, can we accept that it happened? Instead of being a leader, Urbana seems to be looking around at other governments who have no claim to success in police reform, endeavoring to find the bare-minimum passable posture in regards to police misconduct.

After posting this article, I will send it to the Urbana City Council, hoping that Council members will read far enough to get to this one simple message: you really screwed this up, but it's not too late to admit it and then do the right thing.