

Lewis acquitted of killing tot - Linn jury decides verdict in 4 hours

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(Color photo, 1A) Tuesday's relatively quick acquittal of Matthew Lewis left him and his family thankful and the family of the little girl he was charged with murdering dismayed.

The 23-year-old Lewis clenched his hands in a prayerful pose when the jury returned its not guilty verdict in Linn County District Court after about four hours of deliberation.

He then hugged his attorneys, Duane Rohovit and Fae Hoover-Grinde, with all his might.

"I've never been hugged (by a client) like that before," Hoover-Grinde said.

"It was very emotional for all of us," Rohovit said.

Lewis' mother, Colleen, said she never doubted her son's innocence for a minute.

The verdict stunned the family of Rylee Gray, the 2-year-old daughter of Elise Gray who died last Christmas Day, the victim of shaking and slamming.

Rylee's grandfather, Don Gray of Central City, said last night that he, Rylee's mother and their entire family felt as if it was last Christmas all over again.

"I think we're victimized again," Don Gray said. "It's just very hard to put into words the despair I feel over all of this."

Lewis' attorneys said the verdict was a reaffirmation that the system works.

A disappointed prosecutor, Todd Tripp, said the case against Lewis was never "a sure bet."

"I thought we presented a case the jurors could convict on," he said. "At the same time, this is not a completely irrational verdict. Sometimes verdicts come back and everybody wonders, 'How could that have happened?' It is not beyond my comprehension that this is the verdict they reached."

Lewis' defense team never shirked from admitting that Rylee was shaken and slammed into a coma before Lewis and girlfriend Elise Gray turned up at the St. Luke's Hospital emergency room at 8:48 a.m. Dec. 23.

Gray tacitly pointed the finger at Lewis when she said her daughter must have been injured about 8 a.m. when she left Rylee alone with Lewis while she went out for milk.

Lewis' attorneys steered blame back on Gray, noting that Rylee may have been injured before 3 a.m. on a late-night car trip that Gray took in search of an ex-boyfriend.

The defense's medical expert said Rylee's injury likely happened hours earlier than 7 or 8 a.m., and the prosecution's expert said it likely happened when Rylee's mother was out for milk.

Defense attorneys Rohovit and Hoover-Grinde emphasized that Lewis' acquittal in no way means Gray hurt her own child, even though that suggestion was the center of their defense.

"We said in our opening statement to the jury that you don't have to prove anybody else did it," Rohovit said. "If the state fails to go beyond a reasonable doubt, then it's up to the

police to investigate and find out who did it."

Jury foreman Richard Fader, of Lisbon, declined to elaborate on the jury's verdict.

"It's an emotional issue and I rather not make a statement," Fader said. "I think the verdict says enough for itself."

Juror Bruce Young, of Cedar Rapids, said "too many open ends, too many possibilities" prevented the jury from convicting Lewis.

From conflicting testimony of medical experts Young concluded that the injury to Rylee could have taken place over a period of up to 12 hours.

"Anything can happen in that amount of time," he said.

He said it was not his job to point a finger at anybody else for Rylee's murder.

Lewis' family and friends waited an hour after the trial in the lobby of the Linn County Jail for him to come through the door a free man for the first time in nearly 11 months.

His mother, Colleen, and his sister, Lori, knew the jail lobby well from once-a-week visits over that time. They knew the names of some of the other inmates and they knew which lobby door stuck the most.

Colleen Lewis clung to a little, stuffed elephant that her son had bought Rylee and had insisted she bring to the trial to remind him of the dead girl.

"It's been with me everyday," Colleen Lewis said.

She said her son, who has a high school diploma from Kirkwood Community College and has spent two years in the U.S. Navy, plans to find a job, live with his sister and get on with life.

"I feel pretty good," said Lewis, emerging from jail, his waist size up from 28 to 34. "I would just like to say thank you to everybody who's helped me through this ordeal."

No, he said, he didn't know how Rylee was hurt.

"What happened to Rylee is a tragedy. I miss her dearly," Lewis said.

Rylee's grandfather, Don Gray, said he resents most that the reasonable doubt that freed Lewis came at the expense of his daughter, Rylee's mother.

"Every word of out her (defense attorney Hoover-Grinde's) mouth was nothing but innuendo, and if said outside a courtroom it would be considered slanderous and libel," Gray said. "She hung a tag on Elise forever."

Only Elise, Gray said, eagerly took a lie detector test for police investigators, which she passed. He compared the Matthew Lewis trial to the O.J. Simpson one.

"They put the police, the scientists, and everybody else but O.J. on trial. They never put the defendant on trial," he said.

Caption: COLOR PHOTO Lisa Powell
Matthew Lewis hugs his mother, Colleen Lewis, after being released from jail Tuesday. Lewis was found not guilty of murdering Rylee Gray.

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