

Ex-Miami students are found not guilty

2 were charged with posting racist fliers

BY STEVE KEMME
The Cincinnati Enquirer

OXFORD — Two black former Miami University students who were accused of staging a hate-crime hoax on campus last year claimed victory Wednesday after a jury acquitted them of criminal charges.

After almost eight hours of deliberation, a Butler County Area I Court jury of seven whites and one black found Nathaniel Sewer and Brad M. Allen not guilty of criminal mischief and criminal trespassing.

Mr. Sewer and Mr. Allen, both 22 years old, joyfully embraced their attorneys after Judge Bob Lyons announced the jury's verdict. A conviction could have brought a sentence of 90 days in jail and a \$750 fine.

"The Lord just delivered me and Brad from Miami University," said Mr. Sewer, of College Hill. "It's a victory, but it's not redemption on all levels."

Mr. Sewer and Mr. Allen, who goes to suburban Cleveland, vehemently denied posting racist and anti-gay fliers. They said their reputations have been severely damaged by the case. They acknowledged that



B. Allen

N. Sewer

some people will continue believing that they entered Miami's Center for Black Culture and Learning after closing time on Oct. 30 and posted 55 racist and anti-gay fliers and typed racial messages on four 1000-peter terrazzo.

The discovery of the fliers sparked a Nov. 10 protest against racism by 100 Miami students who linked arms and blocked U.S. 27 and Ohio 73.

Mr. Allen participated in the protest and Mr. Sewer, who was president of the Black Student Action Association, later disrupted campus racial issues with Miami President James C. Garland.

Both Mr. Sewer and Mr. Allen withdrew from the university after Miami officials confronted them with evidence against them — which included their fingerprints on the fliers.

The defense contended that both men touched the paper before the fliers were posted.

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Mr. Sewer, who didn't testify, said Wednesday that one of his jobs was to distribute blank paper in the Center for Black Culture and that the fliers must have been printed on paper he handed out.

A female juror who declined to give her name said the jury didn't think there was enough evidence to prove that Mr. Sewer and Mr. Allen were at the center when the fliers were posted. Other jurors declined to comment.

Richard Little, Miami spokesman, said he was disappointed by the verdict and said he believed there was enough evidence to convict the two men.

"We did what we had to do in prosecuting the case," he said.

He criticized defense attorneys Kenneth Lawson and Jay Clark for implying during the trial that Syd Carthel, Miami's assistant director of affirmative action for minority affairs, might have posted the fliers.

"Their attack on Syd Carthel was uncalled for and shameful," Mr. Little said.

Mr. Carthel, who testified that he discovered the fliers at 8 p.m. Oct. 30 after returning to his office to pick up concert tickets, denied posting the fliers.

None of Mr. Carthel's fingerprints were on the fliers. But 44 of the 55 fliers contained the fingerprints of either Mr. Sewer or Mr. Allen, according to testimony.

The end of this seven-day trial may not be end of legal action in this case.

Mr. Lawson said the investigation by the university police was shoddy and that Mr. Sewer and Mr. Allen may file a civil lawsuit against Miami.

"These charges could have ruined these young people's lives," he said.

Mr. Little said Miami is considering further "legal options" against the two former students.

Mr. Sewer and Mr. Allen said they don't know if they will ask to be readmitted to Miami.

If they apply for readmission, Mr. Little said, Miami officials would review pending disciplinary charges against them, the same as it would for any applicant. Miami has a higher standard of behavior than society's laws and has a lower standard of evidence than a court of law, he said.

Mr. Sewer was a senior at Miami majoring in English education and black work studies. He is a part-time student at the College of Mount St. Joseph and works as a bus driver and a dispatcher for Metro.

Mr. Allen was a senior chemical engineering major at Miami. He works as a secretary at John Carroll University in Cleveland and has tentative plans to enroll in classes there next spring.

"I'm just glad this is over," Mr. Allen said.

Mr. Little said the outcome of this trial won't discourage Miami from filing criminal charges in the future under similar circumstances.

"We will continue to prosecute if someone goes where

they're not supposed to be and posts anonymous hateful fliers," he said.

Although the fliers initially created a lot of racial tension, students said the case's impact on race relations on campus has faded.

"I don't hear people talking about it," said David Smith, a white 22-year-old Miami senior. "It might have had an impact at first, but not now."

Robert Echols, a black 27-year-old Miami senior, said officials and students connected with the Center for Black Culture and Learning are eager to put this case in the past.

"It put us off in a bad light," he said.

Mr. Echols, who knew Mr. Sewer and Mr. Allen, said he's happy for them that they were acquitted. But he said he doesn't know whether they posted the fliers.

"I don't know if justice was served," he said. "It's a sad situation."