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**Office of  
State's Attorney  
Champaign County, Illinois**

**STATE'S ATTORNEY PRELIMINARY REPORT RE:  
RANTOUL POLICE DEPARTMENT OFFICER INVOLVED SHOOTING FEBRUARY 6, 2023**

**Summary Of the Preliminary Investigation**

The State's Attorney's role in an officer-involved shooting is to review the evidence and determine if the officers acted consistently with Illinois law with regards to use of deadly force and to determine if there were any violations of Illinois criminal law. With regards to the events of February 6, 2023, I have reviewed the evidence gathered in the preliminary investigation conducted by the Illinois State Police and are prepared to release a preliminary opinion that Azaan Lee was in violation of Illinois criminal law in that he illegally possessed a firearm, and that he died due to a gunshot from that illegally possessed firearm sustained during a struggle with police over the gun.

Further, Officer Jose Aceves's actions of engaging with Azaan Lee and attempting to search his person, as well as his use of deadly force regarding firing his weapon in the direction of Azaan Lee were legally justifiable given the totality of the circumstances.

**Summary Of Evidence**

It is important first to note that the Illinois State Police investigation is ongoing. At this time, I have received and reviewed sufficient evidence to present a preliminary opinion on the above outlined issues. I have reviewed reports and body camera video from all Rantoul Officers and Champaign County Sheriff's Deputies involved with the incident on February 6. I have reviewed preliminary autopsy information and reports from the Illinois State Police. I expect final autopsy results, including toxicology results, and Illinois State Police laboratory analysis of the firearms, shell casings, and bullets to be completed and available in the future. It is also possible, as in any investigation, that additional witnesses could come forward and provide relevant information. However, I do not expect any additional evidence or information to affect or alter my preliminary opinions.

On February 6, 2023, at 10:43 p.m., Rantoul Police Officers Haley Mennega and Rikki McComas were dispatched to a report of a stolen vehicle in the 200 block of W. Belle Avenue, Rantoul. The reporting person left the keys in the car and the car running parked in the roadway and went into the residence. When the reporting person returned someone was in the car driving away. The officers were speaking with the reporting person in the street when Azaan Lee

approached and interacted with the officers and the reporting person. It was unclear at that time if Lee was involved with the theft of the car. Lee told the officers he was there to see a friend who lives in the area. At 11:04 p.m. the stolen car was located at Scott and Campbell and officers at the scene took the reporting person to that area.

In the meantime, Lee walked away from the original location. Officer Jose Aceves was at Belle and Tanner and saw Lee walking in the area. Officer Aceves was aware of the stolen vehicle report and engaged with Lee. Officer Aceves was unaware that other officers had previously spoken to Lee at the scene.

Lee was wearing a hoodie sweatshirt under a jacket and there was a rectangular heavy object in the pocket of the hoodie sweatshirt weighting it down under the jacket. Officer McComas, who had spoken to Lee at the original scene, arrived and asked Lee if he has any keys on him, as the keys to the stolen car were missing. Lee emptied his pants pockets, pulling out change, a lighter and a headphone case. Officer McComas asked Lee what was in his front sweatshirt pocket. Lee reached his right hand into the pocket, at which time Officer Aceves grabbed Lee's right wrist and patted down the pocket, asking him "what do you have right here?" Officer Aceves reported later that he saw a black object with a circular hole, which appeared to be the bottom of a handgun magazine in the sweatshirt pocket.

Lee pulled away from Officer Aceves with his hand in his pocket. Officer Aceves reached into the pocket and grabbed on to the object. Officer Aceves reported that it was at that time that he realized the object was in fact a handgun. Officer Aceves and Lee then struggled over the gun. Officer Aceves reported that it appeared Lee was trying to pull the gun out of the pocket. Officer Aceves's body camera fell off during the struggle. Officer McComas also attempted to get Lee in custody and all three ended up on the ground. Officer Aceves and Lee got back up and continued to struggle over the gun. Officer Aceves reported that both he and Lee had a hold of the gun from the inside and outside of the hoodie pocket. They struggled over the gun for approximately 20 seconds and at 11:18 p.m., the gun discharged. Lee ran from the scene, dropping the gun. Officer Aceves recovered, got up and fired his weapon three times in the direction of Lee's flight. Lee was not struck by any of those shots. Officer Aceves reported that he fired his weapon due to the seriousness of the offense and because he was concerned about Lee being a danger to the public and possibly possessing another weapon.

Rantoul officers and Champaign County Sheriff's deputies located Lee in a backyard at 208 E. Campbell, Rantoul, at 11:37 p.m. He was unresponsive with a gunshot wound to his inner left thigh. Officers applied a tourniquet and attempted medical assistance until EMS arrived and transported Lee to Carle Hospital, where he was pronounced dead. Preliminary autopsy results from Dr. Shipping Bao indicate that cause of death was a single contact gunshot wound with muzzle imprint to the left anterior thigh, tracking downward from front to back perforating the left femoral artery. Dr. Bao found no other injuries to Lee.

Azaan Lee is a convicted felon, having been convicted of Domestic Battery with a Prior Domestic Battery conviction in Champaign County cause 21 CF 192, and therefore cannot lawfully possess a firearm.

1. Was it legally appropriate for Officer Aceves to engage in contact with Lee and search him?

An officer investigating an offense is legally allowed to approach any individual and request assistance or inquire if that individual is a witness or involved subject. *Florida v. Royer*, 460 US 491 (1983). Officer Aceves's initial contact with Lee fell within this category of investigative inquiry. Officer Aceves was aware of an ongoing stolen vehicle investigation and saw Lee in the area. He was not aware that other officers had spoken to Lee earlier, nor had the stolen vehicle investigation been resolved. It was appropriate for the officers to attempt to determine if he was a witness, the suspect, or uninvolved. Moreover, Officer Aceves reasonably would have potential concerns for his own safety and the safety of the public given the time of day, the lack of lighting, the appearance of a heavy object in Lee's pocket, and Lee's actions when asked about the object. These concerns further justify his attempt to search Lee.

2. Was Officer Aceves's use of deadly force legally justified?

Under 720 ILCS 5/7-5(a), Illinois law in effect on February 6, 2023, a peace officer is justified in using force likely to cause death or great bodily harm when:

- (i) He reasonably believes, based on the totality of the circumstances, that such force is necessary to prevent death or great bodily harm to himself or another person; or
- (ii) When he reasonably believes, based on the totality of the circumstances, both that:
  - 1) Such force is necessary to prevent the arrest from being defeated by resistance or escape and the officer reasonably believes that the person to be arrested is likely to cause great bodily harm to another; and
  - 2) The person to be arrested committed or attempted to commit a forcible felony which involves the infliction or threatened infliction of great bodily harm or is attempting to escape by use of a deadly weapon, or otherwise indicates that he will endanger human life or inflict great bodily harm unless arrested without delay.

Given the totality of the circumstances Officer Aceves's use of deadly force was legally justifiable. Officer Aceves reasonably believed Lee presented a risk to the officers and the public, Lee had attempted to escape the encounter with the illegally possessed firearm, Officer Aceves was not aware of the extent of Lee's injury when he fled, and Officer Aceves reasonably believed Lee may have access to another deadly weapon at the time he fled from Officer Aceves after the gun discharged.

Julia Rietz, Champaign County State's Attorney