

## Wrongly convicted: Man arrested at 13 is youngest cleared, lawyers say

Thaddeus Jimenez, 30,  
was freed Friday — and  
an arrest has been made.

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# Arrested at 13, inmate freed

## New suspect confessed at time of '93 murder

BY MAURICE POSSLEY

Special to the Sun-Times

More than 16 years ago, 13-year-old Thaddeus Jimenez was arrested for a street gang murder on Chicago's Northwest Side, despite his claim of innocence.

A judge sentenced him as an adult to 50 years in prison, describing Jimenez as a "little punk, probably too young to shave, but old enough to commit a vicious murder."

But Friday, Jimenez, 30, became what his lawyers say is likely the youngest person in U.S. history to be wrongfully convicted of a crime and exonerated after Cook County Criminal Court Judge Joseph Claps vacated Jimenez's conviction. He was released from Hill Correctional Center in Galesburg.

A man arrested Friday in Indiana is suspected of the murder for which Jimenez was wrongly convicted. The man has not yet been formally charged but will be brought to Cook County.

The state's attorney's office and lawyers for Jimenez have scheduled a news conference for 1 p.m. today to formally announce the exoneration of Jimenez and the arrest of the suspect.

The motion to vacate the conviction was filed by Cook County Assistant State's Attorney Celeste Stack and Jimenez's attorneys Stuart Chanen and Steve Drizin, an attorney in the Center on Wrongful Convictions, Bluhm Legal Clinic, Northwestern University School of Law. Chanen,



Thaddeus Jimenez

Drizin and several other attorneys and investigators have been working on Jimenez's case for several years, and Chanen's law firm, Katten Muchin Rosenman, devoted more than 1,200 hours of pro bono attorney time to help free Jimenez.

"We are extremely gratified for this man's release, and we are very appreciative of the work done by the state's attorney's office," Chanen said.

The murder for which Jimenez was convicted happened Feb. 3, 1993, when 19-year-old Eric Morro was gunned down as he walked east in the 3100 block of West Belmont with a 14-year-old friend, Larry Tueffel.

Authorities said then that two other youths approached from behind and, after a brief fight, one pulled a handgun out of his jacket and shot Morro in the chest.

An eyewitness called police later that night and identified Jimenez as the gunman. Police then drove to Tueffel's home and took him to the station, where they interrogated him for several hours until he also iden-

tified Jimenez as the shooter. Jimenez was then arrested.

Chanen said Sunday that there was substantial evidence at the time that suggested the man now under arrest in Indiana was the shooter.

Police were given a taped confession from the apparent real shooter that was secretly recorded by the father of the 12-year-old who was with the shooter and charged as a juvenile. The man under arrest in Indiana is heard on the tape stating, "I had to shoot him" and "after I shot him, I ran." He also said on the tape that he was relieved that police had already "pinned the blame" on Jimenez.

Jimenez was convicted in October 1994, and after the first trial was reversed for legal errors in the jury-selection process, he was convicted again in November 1997 and sentenced to 45 years. The 12-year-old, who was tried separately in Juvenile Court, testified at both trials that the shooter was the man now under arrest in Indiana, not Jimenez. Neither jury heard the tape-recorded confession because the trial judges excluded the tape as hearsay. No physical evidence ever connected Jimenez to the crime.

In July 2006 and May 2007, two key eyewitnesses recanted their testimony.

In September 2007, Jimenez's lawyers presented the recantations to the Cook County state's attorney's office and a reinvestigation of the crime was launched and culminated in Jimenez's release.

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