Illinois Man Exonerated of 1984 Sexual Assault and Murder that New DNA Evidence Shows He Did Not Commit

Cook County State’s Attorney’s Office Dismissed All Charges and Agreed to Release of Illinois Innocence Project Client Christopher Abernathy from Stateville Correctional Center Yesterday

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(COOK COUNTY, IL – February 12, 2015) — The Cook County State’s Attorney’s Office yesterday morning, February 11, 2015, moved to vacate and dismiss all of the charges against Christopher Abernathy, exonerating him of a sexual assault and murder for which he served 29+ years in prison. Prosecutors agreed to his immediate release from the Illinois Department of Corrections. Approximately three hours later, Illinois Innocence Project staff, students and volunteers joined with Mr. Abernathy’s family to walk him out of Stateville Correctional Center.

“Our client, Chris Abernathy has maintained he was innocent of this horrendous crime from the moment he was arrested in 1985 – he has fought to clear his name for the last three decades and his family, who never stopped believing in him, is elated to bring him home today,” said Lauren Kaeseberg, a Staff Attorney at the Illinois Innocence Project at the University of Illinois at Springfield who represents Mr. Abernathy. “He was only 17 years old at the time this crime occurred, and 18 years old when he was arrested. He has been through an unimaginable ordeal, but we are so thankful that justice has finally arrived for Mr. Abernathy.”

Mr. Abernathy was convicted of the October 3, 1984, sexual assault and murder of Kristina Hickey, a 15-year-old high school student who went missing after a choir concert at Rich East High School in Park Forest. Hickey’s body was found almost two days later, partially concealed under bushes next to a shopping plaza. She had been sexually assaulted, beaten and stabbed to death. Mr. Abernathy, who had known the victim, was not arrested until over a year after the crime, after another teenager told police that Mr. Abernathy had confessed to him. Mr. Abernathy, who had documented learning disabilities and had left school at age 15, was taken into custody and after over 40 hours of interrogation, ultimately agreed to sign a statement implicating himself in the murder.

Mr. Abernathy soon after asserted that he was coerced into signing the statement, and did so only after being told he could go home to his mother if he agreed to sign. Mr. Abernathy was convicted and sentenced to life in prison without the possibility of parole. Since day one, Mr. Abernathy has always maintained his innocence.

In August 2014, pursuant to an agreement between Mr. Abernathy’s attorneys at the Illinois Innocence Project and the Cook County State’s Attorney Office Conviction
Integrity Unit, an Agreed Order for DNA Testing was signed by Judge Frank Zelezinski and DNA testing was conducted. DNA profiling was able to be obtained on 8 different pieces of evidence, including a labia swab from the victim and items of clothing that were handled by the assailant during the crime. The DNA testing on all items excluded Mr. Abernathy and established he was not the person who committed this crime. Moreover, the DNA testing established that the statement given by Mr. Abernathy was a false confession.

Additional investigation revealed that the individual who first pointed a finger at Mr. Abernathy has since recanted that testimony and has said that Mr. Abernathy never actually confessed to him. He maintains that was pressured by police in 1985 to implicate Mr. Abernathy.

After the initial rounds of testing were complete and pointed toward Mr. Abernathy’s innocence, the Cook County State’s Attorney’s Office Conviction Integrity Unit agreed with requests from Mr. Abernathy’s attorneys to expedite additional testing due to extenuating circumstances involving the health of Mr. Abernathy’s mother.

“This is how these cases are supposed to be handled, said John Hanlon, Executive and Legal Director of the Illinois Innocence Project. “We are pleased that the Cook County State’s Attorney’s Office took this case seriously, handled it expeditiously and agreed to grant Mr. Abernathy his long-awaited freedom.”

Larry Golden, Founding Director of the Illinois Innocence Project added, “We were thrilled to walk Chris out of prison as a free man, although we know the road ahead will be difficult for him after spending his entire adult life imprisoned for a crime he did not commit.”

Mr. Abernathy is the 7th client of the Illinois Innocence Project to be released. He is represented by Ms. Kaeseberg and Mr. Hanlon of the Illinois Innocence Project. Additional counsel on his case is Damon Cheronis, of the Law Offices of Damon M. Cheronis. Students from Northern Illinois University School of Law also worked on Mr. Abernathy’s case as part of an externship program with the Illinois Innocence Project.

A news story about the case, linked below, includes a picture of Mr. Abernathy and Ms. Kaeseberg as she walked him out of prison.

Mom never gave up hope on son wrongly accused in child rape and murder

Other stories

Man Freed After Sentence Tossed in Illinois Teen’s Death
Life sentence to be vacated in Illinois teen’s 1984 death

Tribune exclusive: Man Free after 30 years says ‘It’s just scary to be out’

Springfield group earns freedom for wrongly convicted man

Christopher Abernathy freed by DNA tests in 1984 murder

After 27 years in prison Ill man cleared in teen’s murder

Wrongfully convicted Illinois man freed after nearly 30 years in prison

DNA Evidence Frees Illinois Man Convicted of Rape, Murder in 1984