

Eruby Abrego is Innocent

Free Eruby Abrego



Eruby Abrego

On May 22, 1999 at around 5:45 pm Jose Garcia, 46, and his nephew Ramon Torres, 32, were sitting in a parked car talking to Julio Lugo and his cousin Isidro Quinones. While the group was chatting, a man in a hoodie sweatshirt shouted gang slogans from across the street and opened fire with a handgun. Jose Garcia was killed and Julio Lugo was wounded protecting Quinones. The police reports contain varying descriptions, but most describe a Hispanic man, around 19-25 years old, about 180-220 lbs., 5'7" - 6'0" tall. Multiple accounts reported he had a darker skin tone. Eruby Abrego is 5'4" and has light skin. 21-year-old Abrego was eventually arrested, tortured, and charged for these murders.

Shortly before the shooting, Lugo (a Latin King) and Quinones had been riding in a car with former Latin King Fred Marrero. They were confronted by members of the Orchestra Albany (OA) street gang riding in a golden Chevy Caprice belonging to Juan Parra. Detectives Anthony Wojcik and Reynaldo Guevara suspected the shooting of Garcia to be related and brought Parra to Area 5 Police Headquarters at Grand and Central Aves. at 1:30 am. He denied any involvement and offered alibis, but investigation of Parra's alibis did not corroborate his account. After being told this Detective Wojcik claims Parra started telling the truth.

Detectives Anthony Wojcik and Reynaldo Guevara, have a long records of being linked to numerous accounts of torture and gang-related frame-ups. Wojcik would later have a significant role in the cover-up of the October 2014 murder of Laquan McDonald. In 1988, the FBI filed a complaint of misconduct against Det. Wojcik for facilitating the acquisition of a weapon from an FBI informant, which he failed to properly report to the CPD. In, August of 1994, Wojcik broke the door off of his ex-girlfriend's apartment and found a man in bed with her. He punched the naked man and hit him with a steel pipe-wrench for which he was criminally charged but not convicted in a bench trial.

Detective Wojcik has over 14 complaints of physical abuse/abusive interrogation techniques, over 19 complaints of forcibly entering a home and searching property without a warrant of permission. Many of these incidents also involve physical abuse of civilians, 4 incidents of denying individuals their right to attorney and accusations of a failure to investigate the misconduct of officers under this jurisdiction.

In 2000, Detective Guevara was cleared of misconduct allegations in part by testimony from Wojcik. In a similar case Judge James Obbish called Guevara a 'bald faced liar' who cannot be given 'an ounce of credibility.' 14 convictions have been reversed due to Detective Guevara with more than 30 cases of misconduct filed against him.

Wojcik says that Parra then claimed that in response to conflict with the Latin Kings he drove Eruby Abrego, Jeremiah Cain and Nicasio Santiago to Latin King territory to beat up a Latin King or damage their cars. On the way they found a car of Latin Kings. Parra claims Abrego, Santiago and Cain got out of the car but the Latin Kings got away. Parra says Santiago and Cain returned to the car but Abrego didn't. Parra then pulled into an alley to wait, then heard several shots and saw Abrego running back with a handgun. This was in Det. Wojcik's report and later given as a court-reported statement.

Det. Wojcik arrested Jeremiah Cain and found the handgun used in the shooting. Under interrogation by detectives Schalk and Bogucki, Cain told about events inconsistent with what Det. Wojcik was told by Parra.

Cain said that he was in a car with Santiago and another OA member Gilbert ("Pee Wee ") when they stopped to throw bottles at a car containing Latin Kings. Gilbert and Pee Wee then dropped Cain off and said they were going to "take care of it." Later, Pee Wee and Gilbert returned and explained that they "took care of business." They gave Cain a handgun and asked him to hold onto it. Cain stashed it in his bedroom.

This did not match what Det. Wojcik believed so he took over the interrogation; suddenly Cain changed his story to match Parra's statement. "Gilbert" was not mentioned in the new series of events and Cain was near the shooting and saw Abrego running from the scene with the gun.

On Wednesday, March 24, 1999, Det. Wojcik broke into Abrego's sister's home, without a warrant, using a long screwdriver to pry open the door. Det. Wojcik and others then entered the home with guns drawn. The officers did not have a warrant. Abrego had no idea why the officers were storming the home. Wojcik hit Abrego twice in the face. Abrego and Santiago were taken to Area 5.

Nicasio Santiago originally told police the shooter was Jason Rodriguez, an OA member but police did not investigate. Santiago later testified to this at Abrego's trial, also stating Abrego was not at the scene. Rodriguez's girlfriend at the time also told police that Rodriguez was the shooter but the Court decided the confession he made to her wasn't credible. Unlike Abrego, Rodriguez matches the physical description of the shooter given by multiple witnesses at the scene.

Abrego was placed in a small interrogation room and left chained to a wall for about an hour and a half, all while denying any involvement in the shooting. Det. Wojcik came to interrogate him alone and spent about 15 minutes demanding a confession. Then Wojcik began beating him, punching him 20-25 times in the ribs, back and chest. After a series of illegally biased lineups that provided inconclusive and contradictory information from multiple witnesses, Abrego was left alone in the interrogation room, chained to the wall and denied food. He wasn't given access to a bathroom and was forced to urinate in the interrogation room. Det. Wojcik saw this and beat him for it. Abrego was starved for several days after this. He requested medical attention but this was denied by Det, Wojcik even when he was vomiting blood. Det. Wojcik then suggested that if he confessed he would be allowed to go to the hospital.

To avoid further torture Abrego gave a statement to an Assistant State's Attorney (ASA). The ASA recited Det. Wojcik's version of events and asked Abrego to confirm it with brief affirmations. Abrego purposefully made verifiable falsehoods to serve as proof that the statement was forced and false. He claimed that he has a little sister when his sister is 12 years older than he is. Still the statement was taken by the ASA who did not take note of Det. Wojcik's presence in the room or Abrego's "pretty rough" physical state, as his sister later described it.

Abrego's injuries were clearly visible at his bond hearing several days later, which no one present disputes. While there was an effort to cover up his injuries, they were mentioned in reports made by an EMT and physician's assistant. Even with physical evidence of his condition Abrego's Motion to Suppress was denied by the Court because they deemed Wojcik to be trustworthy and reliable.

On October 15, 2004, Eruby Abrego was sentenced to 90 years' imprisonment for first-degree murder and aggravated battery with a firearm. The original witnesses that picked Mr. Abrego in the lineup and testified against him in court have since recanted their statements, claiming that police influenced their decisions and that they wanted the real killer to be free to exact 'street justice' for his crimes.

The Exoneration Project at the University of Chicago Law School filed Eruby Abrego's Petition for Post Conviction Relief and included the following claims.

1. Eruby Abrego is innocent. The investigators manipulated witnesses, fabricated inculpatory evidence, and withheld exculpatory evidence.
2. The State failed to disclose the misconduct in the case and the history of misconduct linked to Detectives Wojcik and Guevara.
3. Abrego was denied his Right to Due Process guaranteed by the 5th and 14th amendments to the United States Constitution and Article 1, Section 2 of the Illinois Constitution. The accumulation of all these errors robbed Mr. Abrego of his Right to a Fair Trial.

Eruby Abrego was tortured and framed by police. He has served over a decade in prison for a crime he did not commit. He deserves a full pardon based on innocence to save him from years of incarceration and give him back the life that was taken from him.