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## A Chicago Cop Is Accused Of Framing 51 People For Murder. Now, The Fight For Justice.

Chicago Police Detective Reynaldo Guevara is accused of framing at least 51 people for murder. When a group of mothers, aunts and sisters found that no officials — not the state's attorney's office, not the mayor's office — wanted to take up their cause, the women went in search of justice themselves. Next week a man convicted in one of Guevara's most dubious

cases will be in court for what could be his last chance at freedom. Will prosecutors continue fighting to keep Roberto Almodovar behind bars?



**Melissa Segura**  
BuzzFeed News Reporter

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[Roberto Almodovar Finally Walks Free](#)

[Justice Delayed](#)

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## DECEMBER 23, 2013

The retired detective sits slightly hunched, his eyes darting between the attorneys who the city of Chicago sent to defend him on one side of the table and the lawyers suing him on the other.

The law office conference room is sparse, with nothing on the walls, and cold. The detective's black windbreaker fights the chill. His once thick sable hair is thin and gray. A fine gold chain around his neck is the only visible relic of what he once was: the strutting, bejeweled, loudmouth detective every gangbanger on Chicago's Northwest Side knew could *Fuck. Him. Up.* For life.

His voice, once bellowing, registers a few decibels lower as he states his name for the record.

"Reynaldo Guevara. G-U-E-V-A-R-A."

The opposing attorney wastes little time with pleasantries.

"Mr. Guevara, isn't it true that you intentionally framed Jacques Rivera for a murder that he did not commit?"

Guevara barely raises his eyes as he answers: "On the advice of my attorney, I assert my Fifth Amendment rights."

Over the next eight hours and 32 minutes, lawyers for the civil rights firm Loevy & Loevy tick through the names of the dozens of people who have accused the detective of beating them into confessions, manipulating witnesses into selecting the innocent from lineups, or just plain lying in order to frame them for murders they didn't commit.

As the deposition trudges through its sixth hour, the attorney asks questions about Roberto Almodovar, a 19-year-old who'd swapped his gang affiliation for fatherhood. He'd been logging 17-hour days cleaning toilets at a factory and taking GED courses when, in 1994, Guevara booked him on a double homicide.

"Isn't it true that you framed Roberto Almodovar?"

Guevara's face remains unchanged as he repeats his refrain. "On the advice of my attorney, I assert my Fifth Amendment rights."

# SUMMER, 1999 — THE AUNTS

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**Mary Almodovar** and her sisters, Gladys and Iris, settled into the sofa in an unfamiliar house, surrounded by unfamiliar faces, nervously sipping coffee. They were working up the courage to speak of a shame they hadn't shared with even their closest friends.

It had been four years, Mary began, since Guevara took the stand and helped send Roberto Almodovar — the nephew she and her sisters had helped raise — to prison for life, for a double murder that she along with a litany of other witnesses, neighbors, coworkers and stacks of documents could prove he did not commit. The agony she'd felt when the jury forewoman read aloud the verdict — *guilty* — hadn't subsided. Roberto heard it in her voice each time he called from prison, which is why he encouraged Mary and her sisters to attend a support group he'd heard about on his cellblock, for the families of convicted killers.

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Francisca Rodriguez hosted the gathering in her home in Humboldt Park, a working-class, predominantly Puerto Rican section of Chicago. She told of her son Angel's conviction for the 1996 murder of a storekeeper on the Sunday before Thanksgiving. Francisca remembered that day well because Angel was with her at the time of the murder, buying fixings for their holiday meal. The testimony of a single eyewitness, a young teenage store clerk, was the prosecution's only evidence. One of the officers in his case was the same man who arrested Mary's nephew: Guevara.

## How could one officer be linked to all their cases?

Another mother, Neida Serrano, bags beneath her doe eyes, recounted the moment in June 1993 when Guevara burst into her home, screaming that her son Armando had killed a man. The murder of the factory worker had taken place four months earlier, on an ordinary weekday no one in her family could recall, leaving Armando without an alibi. The judge relied on the testimony of one witness, a heroin addict and convicted robber, to sentence her son to 55 years in prison.

As the evening grew late, Mary and her sisters headed to their car, not sure if they felt more

comforted by the camaraderie or unnerved by the coincidence: How could one officer be linked to all their cases?

# FAILURE OF JUSTICE

Francisca Rodriguez's living room where the support group first met.

*Jon Lowenstein for BuzzFeed News*

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**Here's the easy** story of Guevara: It's the tale of one allegedly rogue cop accused by at least 51 people of framing them for murders from the 1980s through the early 2000s in the rough-and-tumble Humboldt Park section of Chicago. His alleged misdeeds led 48 men and one woman to be sentenced to a total of more than 2,300 years in prison. Three were acquitted. Five received life sentences. Three were sentenced to death but spared when in 2003 Gov. George Ryan, disturbed by a rash of wrongful convictions, commuted all death sentences to life or less. Two men died behind bars, including Daniel Peña, an illiterate man who testified Guevara beat him into signing a confession he couldn't read.

These numbers could place Guevara's alleged misconduct among the most egregious policing betrayals in modern history, alongside the Rampart scandal in Los Angeles in the 1990s, when more than 100 convictions were tossed based on police corruption; the crack-era sentences of the 1970s and '80s in Brooklyn, when dozens of defendants accused Detective Louis Scarcella of manufacturing evidence against them; and, closer to home, in Chicago, where during the '70s and '80s former Commander Jon Burge led a team of detectives to beat — and even electrocute — more than 100 men, most of them black, on the city's South Side into confessions.

But the scope of Guevara's alleged misdeeds tells only part of the story. Chicago's police brass, its prosecutors, its judges, police oversight commissions, and even federal authorities had ample warnings about Guevara, numerous chances to make amends for the injustices he stands accused of committing and to stop him from perpetrating more. They didn't.

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When the Rampart scandal surfaced, the LAPD submitted to a federal consent decree and enacted a long series of reforms. In Brooklyn, the district attorney revamped the office's Conviction Integrity Unit, boosting its budget and manpower to review the Scarcella cases.

Yet in Chicago, which has been called the "false conviction capital" of the United States, the police department stood behind Guevara, promoting him and sending him off to retirement. So did prosecutors, who built cases around the people he said were eyewitnesses despite unlikely scenarios in their accounts.



So did judges, who turned a deaf ear to people who swore in open court that Guevara had beaten them or coerced their confessions or



Reynaldo Guevara leaves criminal courts, July 29, 2013.

*Alex Wroblewski | Sun-Times Media*

testimony. So did high-ranking city, county, and federal officials, who for decades ignored mounting claims of misconduct, choosing instead to defend the honor of the law enforcement establishment.

In 2013, faced with a number of exonerations of Guevara defendants and the possibility of numerous civil lawsuits seeking large payouts, the city ordered an independent review of Guevara cases, and, in 2015, determined that four imprisoned men were more than likely innocent. Anita Alvarez, the state attorney for Cook County, whose office had the power to release the men from prison, initially declined to act on those findings. After Alvarez was ousted from office last March, her replacement, Kim Foxx, via a spokesperson, told BuzzFeed News it had launched its own review of

Guevara's cases. She declined to answer questions, instead issuing a statement that said because the review is ongoing, "it would be inappropriate for the office to provide any comments at this time." Last month, she announced plans to revamp her office's conviction integrity unit, a team of lawyers which is charged with reviewing questionable convictions.

In this environment, the work of uncovering Guevara's misconduct has fallen to women such as Mary and her sisters, part of a group of mostly working-class mothers, aunts, and sisters, many with limited education, English, and familiarity with the law. They are armed with nothing more than dining room tables full of transcripts, police reports, and Post-it Notes marking the cracks in the cases against their loved ones. Together they have identified patterns running through Guevara's cases: the glut of child eyewitnesses, at least one who was roused from bed at night to view a lineup. The witnesses on the second floors of nearby buildings who all happened to be looking out their windows at just the right time to see a crime. The witnesses who say they were beaten. The confessions that people say were coerced. The anonymous phone calls to police that miraculously broke open previously unsolved cases. The men who couldn't read but wrote detailed statements.

Again and again, the women presented their findings at police board meetings and via formal complaints to the Chicago Police Department. Yet, in a city infamous for both police corruption and a political machine that enabled it, the women were largely ignored. This past January, much of what the women discovered years or even decades ago about how the police department buries such claims came to light in an unsparing US Department of Justice investigation of the city's police force. The report, which did not address the Guevara cases specifically, found that the department was "broadly ineffective" at detecting police misconduct and routinely ignored complaints.

Guevara and his attorney repeatedly declined to answer questions from BuzzFeed News. Contacted at his modest brick home on Chicago's South Side earlier this year, Guevara said, "No, thank you," when asked to address the allegations. He also declined to accept a detailed written list of questions about his conduct and shut the door, decorated with a Christian inscription. The list of questions was subsequently sent to Guevara's home and to his attorney, who also did not respond to numerous requests for comment. In 2009, the *Chicago Tribune* quoted Guevara's attorney, James Sotos, alleging a gang conspiracy against the detective. "We strongly believe there is an orchestrated effort by gang members that witnesses were told to recant," Sotos said.

## **The true killers, in some cases, have escaped justice.**

The Chicago Police Department referred all questions about the detective to the city's Department of Law, which released a statement saying the city's 2013–2015 review of Guevara cases had found "no widespread pattern of wrongdoing" despite the four likely innocent people who had been sent to prison.

Officials added that the department has "zero tolerance for police misconduct" and that in recent years it has instituted "a series of internal initiatives and reforms to ensure past incidents of police misconduct are not repeated and that those who do commit misconduct are held fully accountable."

Mary and the other women achieved some victories. Spreadsheets they built and gave to defense attorneys helped free Juan Johnson, who later won a record \$21 million judgment against the city of Chicago because of Guevara's misconduct in his case.

So far, six men Guevara had helped put behind bars have seen their convictions overturned, and 12 others have served their time and been released. But at least 29 men who say Guevara framed them remain in prison.

Some of these people may be guilty of the crimes for which they were convicted. But strong evidence suggests that some of them are innocent, and the protections that were supposed to guarantee them fair treatment were trampled upon.

Alderman Roberto Maldonado, who represents Humboldt Park on the Chicago City Council, had not heard of the Guevara cases. When BuzzFeed News outlined its findings for the official, he called the city's response to the allegations "grossly irresponsible."

Meanwhile, Guevara, 73, who retired in 2005, collects a full pension from the city, which last year paid him \$75,650. The true killers, in some cases, have escaped justice. And the rot at the heart of the system still festers — to this day. All this points to a much more sweeping and disturbing narrative: This is the story not merely of one allegedly rogue cop, but of a massive breakdown of almost every safeguard in Chicago's criminal justice system.



# THE DETECTIVE

**Humboldt Park.**

*Jon Lowenstein for BuzzFeed News*

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**When Guevara showed up** for his shift on September 1, 1994, the sergeants had an assignment for him — a drive-by double murder of two teens. The crime scene was a block and a quick left turn from where Roberto Almodovar, who goes by Robert, lived with his aunt Mary.

Initial reports from responding officers indicated no clear motive, no suspects, and no solid leads, but Guevara was the department's closer. He was the guy who found the witnesses and elicited the

confessions other cops didn't.

At 5 feet 9 inches, Guevara weighed 200 pounds, with a head full of black curls. A wide black mustache burst from his upper lip. His large brown eyes seemed warm — an effect canceled out by his chest-puffed gait and a voice that seemed to have two volumes, loud and louder. He adorned himself with thick chains around his neck and rings on several of his fingers. When the tip of his car peeked out from around a corner, the neighborhood boys ran away and their mothers checked their lipstick.

Guevara knew the streets he patrolled better than any of his colleagues in the police department's elite Gang Crimes North unit. Born in Puerto Rico in 1944, he moved with his family to Humboldt Park when he was in elementary school, joining the neighborhood's island diaspora. He boxed in the local gyms as a kid; hit towering, left-handed home runs on its ball fields; and missed so many of its school days that administrators kicked him out. Guevara joined the Navy at age 17, but an eye condition boomeranged him back home. He took a series of odd jobs, married a fellow Humboldt Park Puerto Rican named Gloria, and started raising their five kids. By 1976, after a few years of fixing vending machines for a 7UP bottling company, Guevara, at age 32, took a job that offered more upward mobility: He became a cop.

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## Guevara was the department's closer.

He joined the force just four years after a blue-ribbon panel led by Illinois Rep. Ralph Metcalfe released a report outlining widespread police abuse and misconduct, particularly in minority communities. Guevara soon found himself working in his old Humboldt Park

neighborhood, where police-community relations cratered in 1977, following riots in which more than two dozen officers were injured and a lieutenant shot and killed two Latino men. Guevara knew Humboldt Park's people, he spoke its strange brew of Puerto Rican Spanish mixed with Midwestern inflections, and he knew its gangs. He knew the boundaries between the Latin Kings and the Latin Eagles, the Spanish Cobras and the Dragons, and the names of the gang members' parents and the addresses of their girlfriends.

As early as the 1980s, people in the neighborhood began complaining of Guevara's conduct. In 1985, the parents of two teenage girls — both honor students — sued the city, claiming Guevara had blasted into their home on a Saturday afternoon, yanked the girls by the hair, slapped them, and torqued one of their arms so hard the bone broke. Another woman claimed Guevara pushed her off a bus, punched her in the nose, and told her she was a "silly nigga bitch." A man said Guevara, frustrated the man wasn't answering questions to his liking, put a gun to the head of his

pet dog. Another man claimed that when he cut in front of Guevara in traffic, the detective sprung from his cruiser and punched the driver in the head, yelling, "Nigger dog."

The department brushed the complaints aside, declining to discipline Guevara in any of these instances. The lawsuit from the teenage girls was dismissed on a technicality.

In 1990, Guevara was promoted based on a recommendation from a superior, thus bypassing the rigorous written test usually required to become a detective.

Around the same time, Guevara was facing intense financial pressure at home. He and his first wife, Gloria, had divorced, and a judge ordered him to pay financial assistance to her and two of their five children. Courts garnished his wages in a protracted child support case with one of the many mothers of his children. Another judge ordered that another chunk of his check should support yet another child by another woman. By his best guess, Guevara said he'd fathered "about 15" kids. Deepening his financial troubles, an auto accident left his second wife, Magneset, in a coma and nearly half a million dollars in medical bills in his mailbox.

The job, meanwhile, brought its own punishing stress. Humboldt Park was in the Chicago PD's Area 5 division, among the city's bloodiest. A patchwork of more than three dozen street gangs competed for territory. The murder rate crept up to record-breaking numbers. Residents complained that officers seemed desensitized to violence, in some instances unofficially categorizing gang-on-gang killings as "no humans involved." One witness in a Guevara investigation said that when a 15-year-old boy was shot in front of his high school, officers checked for signs of life by pouring coffee on his body.

An oversized chalkboard at the Area 5 violent crimes office displayed the department's open murder investigations. Its purpose was part organization, part intimidation. Officers knew that everyone from the mayor to the Cook County State's Attorney to the police commissioner downtown to the supervisor a desk over all expected them to "move the X" — department slang for shifting the "X" on the case status reports from the "open" to the "cleared" category.

No one in Area 5 moved the X faster than Guevara. One of his colleagues, Detective William Dorsch, watched with astonishment, not sure if he should be envious or suspicious.

Dorsch made up his mind in the winter of 1992.

An Area 5 supervisor instructed Dorsch to help Guevara with two teenage boys who claimed to have witnessed an unsolved murder from the year before.

Dorsch, a more senior officer than Guevara, was honored as a two-time outstanding police officer for his district. He joined Guevara in a second-floor interview room and helped him spread mugshots across a table. Dorsch separated the boys, instructing one to stand back against the wall and calling the other to the table. He didn't want the boys viewing the pictures at the same time or knowing which photo the other one had selected. Splitting up witnesses for lineups was an established best practice and a way of minimizing the chances of a wrongful identification.

The first boy Dorsch waved to the table stared at the pictures, scanning the faces over and over, seemingly stumped. Silence weighed heavy in the room. Then Dorsch said he saw what he'd never witnessed before or after in all his 25 years on the force: Guevara blurted out, "That's him," placing

his finger next to one of the photos.

"Yeah, that's him," Dorsch testified the boy said. "I was just about to say that's him."

Dorsch was unmoored. Witnesses were supposed to lead police to the suspect, not the other way around. "You don't have to be a cop to know it's wrong," Dorsch said when describing the incident to BuzzFeed News.

Paul Carroll, the training coordinator who instructed Guevara on eyewitness identification procedures, expressed a similar view of Guevara's tactic when told of it by BuzzFeed News. "Wrong," said Carroll, who helped the DOJ devise guidelines for lineups. "Capital, bold, italicized wrong."



Cook County Correctional Facility in Chicago.  
*Jon Lowenstein/NOOR for BuzzFeed News*

Dorsch shoed the witnesses out of the room. The identifications were enough to bring the guy in the photo in for questioning.

Dorsch's suspicions deepened when he went out the next day to bring the man to the police station. He knocked on the suspect's door and found a young man in well-pressed slacks and a tie seated at a table covered with books from his college classes.

The following day, Dorsch picked up the two teens and drove them to court to testify at the college student's arraignment. As the boys sat in the back of the cruiser, Dorsch, still uneasy about the case, said to the boys, "You better tell me the truth. Do you really want to send an innocent person to jail?" The boys cracked, telling Dorsch a gang member paid them to make an identification. Dorsch convinced prosecutors to drop the charges.

Yet any satisfaction Dorsch felt from potentially saving an innocent man from jail vanished when he returned to Area 5.

"What the fuck are you doing?" Dorsch remembers a supervisor asking as he walked through the door. "We're never going to solve this case."

The supervisors' follow-up instructions, he recalled, were stark: No more investigating.

The case, Dorsch said, was buried, along with a big lead the family had passed along: the name of a boy who they said had bragged about pulling the trigger.

Dorsch had just encountered what some police critics, including Mayor Rahm Emanuel, have referred to as the Chicago PD's "code of silence": "the tendency," as Emanuel described it in a 2016 speech, "in some cases to cover up the bad actions of a colleague or colleagues."

The murder case remains unsolved.

And the Chicago Police Department missed a warning sign and a chance to stop Guevara early in his career.

In the years that followed, at least 34 more people made claims that Guevara framed them. Among them was Robert Almodovar, the man Guevara arrested in the double murder he was assigned to solve at the beginning of his shift on September 1, 1994.

# THE MURDER

Mural of neighborhood houses near the Almodovars' house.

*Jon Lowenstein for BuzzFeed News*

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**At 12:45 a.m.** on September 1, 1994, four teens sat on an apartment building stoop, enjoying summer's last gasps. Amy Merkes, 18, had just finished her first day at Triton College, the first step to becoming a high school history teacher. She sat with her best friend, Jackie Grande; her boyfriend, Kennelly Saez; and his best friend, Jorge Rodriguez.

The moon had yet to rise. A naked bulb above the apartment building's main door and a streetlight half a block away cast the only light. Rodriguez and Saez watched as a blue Oldsmobile passed by, then reversed, and stopped in front of the stoop. A voice from the half-rolled-down window called out, "What's up, folks?"

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Saez recognized the greeting. It was code, a reference to an alliance of gangs to which he belonged. He walked toward the rear passenger side, where the window was half rolled down. As he neared, he saw a man, a gun, a flash.

**He couldn't be sure who shot them or why, but this much was certain: Someone was going to pay.**

Saez dropped face-forward into a grass patch along the curb. Another car parked along the street shielded him from the torrent of bullets that followed. When the shooting stopped and the car drove away, Saez ran back to the apartment building where he found Merkes, dying, with a gunshot through her back. He went to check on Rodriguez.

"Did you see what just happened?" his best friend asked him, seemingly unaware of the bullet that had traveled through his back and out his chest.

"I'm good," Saez started.

But then Rodriguez fell over and started gasping for air. Within moments, he, too, was dead. A bullet had ripped through Grande's shoulder, but she was still breathing.

As Saez stood over his friends' bodies, he couldn't be sure who shot them or why, but this much was certain: Someone was going to pay.

# THE ALIBI

The house where Robert was living on the night of the murder.

*Jon Lowenstein for BuzzFeed News*

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**On nearly any** other night, Robert's aunt Mary would have been able to hear the shots that killed Merkes and Rodriguez. The victims sat a thousand feet from Mary's house. But the argument playing out in her dining room between her nephew Robert and his girlfriend, Sassy Carrillo, grew so loud in the early hours of September 1, 1994, that Mary couldn't hear herself think, much less a gun firing from around the block.

Three months earlier, Mary, a 34-year-old mother and office worker at a candy factory, had converted her dining room into a bedroom for Robert, Sassy, and their infant daughter, Jasmyn, who had been born prematurely.

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Sassy was a 15-year-old runaway who bounced from friend's couch to friend's couch for much of her pregnancy. Robert, 19, had dropped out of school just shy of graduation and was living with his cousin. So Robert did what he always did when he needed something: He called his aunts. And Mary did what she always did when Robert called: She opened her home.

Mary and her sisters, Gladys and Iris, offered Robert the warmth and stability otherwise lacking in his life. His father, the aunts' brother, had struggled with drug addiction for much of Robert's life. His mother, according to stories young Robert told, beat his older siblings, placed a padlock on the refrigerator, and punished her son by pressing his hands over a hot stove. Even as a kindergartner, Robert sought refuge with his aunts, walking more than a mile alone from his mother's apartment to his grandfather's home. There, he knew he'd find one of his aunts, and, on a good day, a family barbecue.

**Robert had never been convicted of a crime, even a petty one.**

"From him coming from those two parents," Gladys said, "he turned out to be really, really good." Prior to the day he was arrested for murder, Robert had never been convicted of a crime, even a petty one.

Yet, he lived within Humboldt Park, where gang membership was a near requisite for survival for young men. When he was 18 years old, Robert, along with his cousin Sergio, joined the Insane Dragons gang, shepherded by an uncle who was a high-ranking member. Robert said he joined for protection from a nearby white gang, the Gaylords, whose members, he said, beat him when he tried to pass through a nearby Italian neighborhood to see Sassy.

The gang membership was short-lived, according to Robert. The Gaylords retreated and Robert had an automatic out with the gang: He was about to be a father. Robert claims he quit the gang, a point police would later dispute.





An Almodovar family picture. Robert is second from the left, top row.

*Jon Lowenstein/NOOR for BuzzFeed News*

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Shortly before his daughter was born, Robert enrolled in a GED course and told Sassy he was thinking about a career in carpentry — maybe getting one of those high-paying union jobs. In the meantime, he was putting in long days: 11 hours scrubbing toilets at the candy factory where Mary had gotten him a job, a bus ride, then his three-hour night class, and the bus home again. On the night of the murder, he returned home at about 11 p.m., exhausted.

Mary started hearing angry voices 15 or so minutes later, when Sassy arrived home with Jasmyn

after a rare night out with friends. She, too, was tired, after weeks of her daughter's every-four-hours medical checks. The couple had more responsibilities than resources, more pressures than sleep. They exploded.

"We get up early around here and you have to respect that," Robert yelled. "And I don't want you out there late with the baby."

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Sassy responded by packing her things. Their voices grew louder, their words turned harsher. As Robert tried to stop Sassy from leaving, Mary came into their room.

She'd spent the day buying school supplies and scraping together tuition money for her 12-year-old son, Joey, who was scheduled to start seventh grade at a Catholic school the next morning. He needed his rest.

When Mary couldn't stop the fight, she called Sassy's sister, Amaris, who happened to be married to Sergio, Robert's cousin and best friend. She figured the two of them could calm the flames. But when Amaris and Sergio intervened, they, too, began arguing, upping the volume.

Robert and Sassy, Amaris and Sergio, each recall Mary's final plea.

"It's 1:30 in the morning," Mary said. They had been in that house fighting for more than two hours. By that time, Amy Merkes and Jorge Rodriguez had been dead for 45 minutes.

# THE HUNCH

An alley in Humboldt Park.

*Jon Lowenstein for BuzzFeed News*

**The reports from** the crime scene didn't give Guevara much to work with. A witness described three shooters, all Latino males in their late teens wearing Starter jackets. Detectives from the first and second shifts didn't get much more. Saez, who was out on the stoop that night, told cops the car was a "dark blue, short body Delta 88, 4," meaning a four-door.

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Another detective went to the hospital that morning to speak with Grande. She gave a similar description of the car but added a detail: The driver was "tall, skinny, light complexioned, with dark hair." The front passenger was "skinny with a long face, light complexion wearing a black jacket and a red hat." The shooter, she said, was "skinny, medium complexion with dark hair, clean looking."

That was it. Those descriptions helped Guevara narrow his search to...almost every teenage male in the predominately Latino neighborhood.

## Robert's long face

Prosecutors would describe what Guevara did next as a

**and square jaw  
seemed to fit a  
description  
[Guevara] said  
Grande gave.**

deductive leap based on deep insight honed by years on the streets. Defense attorneys cast it differently: baseless speculation by a reckless cop.

Guevara thought back to another case on the murder board. This one detailed a shooting from the day before.

The victim, Carlos Olan, died in a turf war between Olan's gang, the Insane Dragons, and Saez's. According Guevara's reports, he drew a quick conclusion: The bullets were meant for Saez, as payback by the Insane Dragons.

Guevara followed up his hunch later in the week by contacting a gang crimes officer from the neighborhood — Mark Olszewski, who knew Robert and his cousin Sergio from their gang days. Olszewski told Guevara about a bust September 4, four days after the murders. Olszewski's report detailed passing by Sergio's house and seeing a gang meeting in progress. Sergio maintained it was just four friends — including Robert — lounging on his couch, taking a break from helping a family member move. Regardless, the officers searched the apartment and claimed they found a sawed-off shotgun. Sergio and Robert say the gun wasn't theirs. But officers arrested Robert and took his picture.

Olszewski gave the picture to Guevara. Robert's long face and square jaw seemed to fit a description he said Grande gave — a "rectangular-shaped head with long hair."

What the aunts found odd was this: That description didn't appear in any of Guevara's police files. Not typed up in any official reports, not scribbled in any coffee-stained notebooks. Nowhere.

## THE LINEUP

Humboldt Park at night.

*Jon Lowenstein for BuzzFeed News*

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**On September 12, 1994**, 12 days after the murders, Saez claimed Grande knocked on his door and asked him to come downstairs. Guevara was waiting. With photos.

Guevara, Saez said, held up two Polaroids — one of Robert and one of William Negron, who police said was driving the car during the shooting. According to Saez, the conversation that followed went something like this:

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"Are these the guys?" Guevara asked. "Are these the guys?"

"Yes, that is the guys," Grande said.

What happened next is exactly why police protocols instruct officers to separate witnesses when making identifications.

Saez said Guevara seemed sure. Grande seemed sure. And for damn sure two of Saez's friends were dead. So when Guevara looked to him for his answers, he agreed. "Yes," he said. "These are the guys."

Guevara loaded Grande and Saez in the back of his police car and headed to Area 5 headquarters. "You're going to see a lineup," Saez remembers Guevara saying. "The two guys you saw in the picture are going to be in the lineup."

**"Don't tell anyone I showed you the pictures."**

And there was one more thing Saez testified Guevara told him: Don't tell anyone I showed you the pictures.

By 6 p.m. on September 12, 1994, Saez and Grande stood before a lineup and picked out the two men Saez said they'd seen in the pictures. On the police report Guevara filed later that night, Guevara wrote, "Kennelly Saez had not viewed any photos of Roberto Almodovar or William Negrón prior to the lineup." That, Saez now says, was a lie.

At Sassy's mother's house, Robert was helping load their friends' car when officers arrived, cuffed him, and whisked him away.

He had never heard of or met Guevara, but the incident at Sergio's apartment was just the latest in a string of dustups with Olszewski. Once, in a Burger King, Olszewski accused him of dealing drugs, then took his cash, Robert said. So he started carrying his pay stubs with him. He pulled them out the next time Olszewski cornered him, this time in an alley.

"You can't take my money," Robert told him.

Olszewski, according to Sassy, who says she witnessed the incident, looked at the stubs and let him go. But not without a warning.

"One of these days," Robert remembers Olszewski saying, "We're going to get you good."

Olszewski didn't respond to messages by BuzzFeed News left at his door and with his wife.

As Robert, now cuffed in an Area 5 interview room and charged with murder, rifled through those memories, he said he heard the door open. Olszewski popped his head in, according to Robert, and had only one thing to say: "Gotcha."

# THE TRIAL

Outside the Chicago PD's old Area 5 headquarters.

*Jon Lowenstein for BuzzFeed News*

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**For Mary and** her sisters, the police reports confirmed what they already knew: Their nephew was innocent. The date of the crime, the night of the fight, and Mary's son's first day of school aligned. Surely, the aunts thought, the police department would correct this injustice. Once the police and prosecutors verified their nephew's alibi, Robert would come home. But no one from the police department or prosecutor's office spoke with them. Nor, the aunts said, did anyone speak with neighbors who heard the fight.

The aunts also wondered why Guevara didn't document a search for the third person Saez and Grande had reported seeing in the car. And why hadn't the police come to any of their homes, looking for the weapon?

Their confidence in Robert's defense skyrocketed in March 1995, five months after the murder. Robert's lawyer told the aunts about how Saez and another man walked into her office and offered an affidavit stating how he "was wrong" about his identifications. He swore he "couldn't see." The man in the corner stayed quiet as Saez recanted. Robert's attorney also went to visit Grande at the grocery store where she worked. Grande told the lawyer, according to notes of the interview, that two cops had visited her in the hospital, taken out photos, and instead of asking her to identify the shooter, simply told her, "Here are the guys who did it."

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Robert's trial began November 28, 1995, with no physical evidence against him, a solid alibi, a recantation from Saez, and questionable police work related to Grande's identification. Surely, Mary thought, the court would bring an end to this injustice.

**"There's no way. I knew where he was at that night."**

"There's no way," Mary remembered telling her sisters, that Robert would be convicted. "There's *no* way. I knew where he was at that night." She was optimistic that her nephew would be coming home at the trial's end.

But their optimism shifted to anxiety as Grande took the stand. She denied officers had coached her. Robert's attorney pressed her about how certain she could be when making an identification in the dark, at a distance, in a matter of seconds, before turning her back and running away from the shooters. Regardless, she insisted that it was Robert who fired the gun. Mary's dread deepened as Saez took the stand. He testified that the man who accompanied him to Robert's attorney's office was a gang leader who came along to ensure Saez changed his story.

But the aunts figured they still had their ace: Robert's alibi. When it was the defense's turn to call witnesses, the attorney convinced the family that only Mary, Sassy, and Robert should testify about the fight. Too many people, the attorney reasoned, meant too many opportunities for conflicting details and varying words, phrases, and times.

The strategy backfired. In closing arguments, prosecutors jumped on the other witnesses' silence, suggesting if they really could have provided an alibi, they would have done so in open court.

The jury took little time in deciding its verdict. Guilty. On all charges.

Robert called his aunt Gladys a few hours later from the county jail, crying. "I'm so sorry," he kept repeating. "I did so bad on the stand."

For the next three days, Mary and her sisters wandered around in a fog of disbelief.





[View this video on YouTube](#)

*Ciara Allen/BuzzFeed News*

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But they forced themselves to focus on preparing Robert's appeal. Mary and Iris added the reams of trial transcripts to their reading piles. Gladys moved back to her father's home to save money for a new attorney. Meanwhile, Robert, in prison, couldn't shake the nagging guilt in the pit of his stomach. "I felt bad they spent all that money on a lawyer. Even though I didn't do this, I felt sorry for being such a burden," he said. "I hate to do that."

During the bulk of Robert's first trial, the aunts viewed their nephew's arrest as a mistake, some quirk in the justice system. But as they prepared for his appeal, they began noticing signs that pointed to something more sinister.

Their new attorney found Saez three years after Robert's trial, and this time he did more than recant his identification. He had been in protective custody on a parole violation at the time of Robert's trial, he told Robert's new lawyer. "I was tired of being in jail. In a way I was scared because there was so many gang members in there. So I was like, 'You can get me out of jail and I'll go testify.'" Two days after Saez took the stand in Robert's trial, records show, prosecutors dropped Saez's case. He was freed.

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In a 1999 hearing during Robert's unsuccessful appeal, the lead prosecutor in the case, Jack Callahan, testified, "I made no promises" to Saez in exchange for his testimony incriminating Robert. At the same hearing, Grande testified Guevara never told her whom to identify nor did she witness the detective showing Saez photographs.

Saez told city investigators that helping to frame Robert had been "selfish" and he wanted to make it right. Risking perjury charges, he has repeatedly testified under oath that he has no idea who killed his friends that night.

# DENCE OF A FRAME-UP

Angel Rodriguez in his living room.

*Jon Lowenstein for BuzzFeed News*

**With Robert in prison**, his aunts found solace in their support group. Week by week, the women needed more chairs and a bigger pot of coffee to accommodate their growing group. Francisca Rodriguez's son Angel called regularly with new names of inmates who said Guevara framed them. At churches where Rodriguez's mom and sister told their story, women regularly pulled them aside, whispering that the same thing happened to their son or brother or husband. Angel's sister, Ruthie Peña, created a flyer asking for anyone who believed they'd been set up by Guevara to contact her and she sent it to Angel to post in the prison. Stacks of letters from the Illinois Department of Corrections soon piled up in her mailbox.

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From their work at the candy factory, Mary and her sister Gladys knew how to make spreadsheets. So they invited the women to their father's home, where they would sit around a desktop computer and chart the onslaught of cases. There seemed to be inconsistencies in many of them. But they seemed so subtle — a tweak or an embellishment to a witness statement, small irregularities in a police lineup — that even the aunts sometimes doubted themselves and wondered if their nephew's conviction had been the result of an honest mistake.

Then on a muggy night in the summer of 1999, school cafeteria worker Neida Serrano sat down to tell the aunts about her son's case — and the benefit of any doubt they'd afforded Guevara vanished.

On June 11, 1993, Guevara burst through her front door and took her son Armando away on a murder charge.

Armando Serrano's conviction hinged on testimony from a 22-year-old heroin addict facing 100 years in prison for a string of armed robberies. That man, Francisco Vicente, later said under oath that he had lied about Serrano. He said he had done so at the request of Guevara himself — in exchange for a lighter sentence, conjugal visits, and cash.

**“Everyone's gonna know what you did. You'll be a snitch.”**

According to an affidavit and notes from an interview Vicente gave to Northwestern University journalism students in 2004, which were both subsequently entered into evidence in a 2010 court

case, Guevara summoned Vicente from his cell. Guevara told him that word on the street was that Serrano, Jose Montañez, and Jorge Pacheco shot a factory worker as he sat in his van, warming it up before leaving for work.

“We want you to say you were there,” Vicente said Guevara told him, “and you saw it.”

Vicente said he refused. Placing himself at the scene of a murder with the killers? No way.

Guevara countered, according to Vicente. “How 'bout if you say that after the murder, they told you and gave you the gun.”

Still no.

Over the next three hours, Vicente said Guevara brainstormed scenarios and pitched stories, with Vicente rejecting every one. Then, Vicente said, Guevara issued a not-so-friendly reminder. Vicente had already signed a statement against another man in another Guevara murder case 17 days earlier. “You might as well go all the way,” Vicente recalled Guevara telling him. Otherwise things would get very uncomfortable for him in prison. “Everyone’s gonna know what you did. You’ll be a snitch.”

Vicente relented.

Nine days later, Guevara came for Neida Serrano’s son.

“Why,” she cried, looking up at her son Armando. He stood barefoot, shirtless, and handcuffed near their front door, several feet away. “Why are you taking my son?”

“Your son,” Guevara yelled at her, pointing his finger in her face, “killed someone.”

Two weeks later, Guevara called on Vicente one more time, asking him to claim that in reference to a killing in an alley, a perfect stranger told him, “I shot that bitch in the head.”

It would be the third time in six weeks that Vicente claimed someone — in two cases, a stranger — had confessed their crimes to him. His statements helped Guevara send a total of four people to prison.

# THE PROSECUTORS AND THE JUDGES

Armando Serrano at his parents' home.

*Jon Lowenstein for BuzzFeed News*

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**Robert's aunts already** had a catalog of things they claim the Cook County State's Attorney's Office failed to do: Prosecutors didn't call any of the family members present for the big fight with Sassy. They didn't check with the neighbors who'd heard the whole ordeal and would have no reason to protect Robert. They made no attempts to verify, or even shred, his alibi.

The lead prosecutor in Robert's case, Jack Callahan, is now a judge. Citing judicial ethics, he declined to speak with BuzzFeed News. In a 1999 post-conviction hearing, he testified that he was assigned the case just six weeks before trial. The assistant prosecutor, Thomas Lyons, is also a judge now, meaning he, too, is unable to comment, according to a court spokesperson.

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Hearing about the three statements that Vicente said he gave Guevara over six weeks — each littered with hard-to-believe scenarios — the aunts couldn't believe prosecutors and judges had swallowed it.

## **The aunts couldn't believe prosecutors and judges had swallowed it.**

In the Serrano case, believing Vicente's story meant accepting, among other things, that a carload of men stood in freezing rain, for hours, arguing loudly about a murder, in front of a Catholic school bustling with parents and their kids.

Vicente's other confessions required prosecutors to accept similarly unlikely scenarios. Vicente claimed one man, Robert Bouto, had confessed to him while they were in the Area 5 lockup. But cells there are so far apart that Bouto would have had to shout for Vicente to hear him, and then the guards would have heard him too.

As for Geraldo Iglesias, who Vicente said confessed to shooting "that bitch" in the alley, prosecutors moved forward despite the unlikelihood that Iglesias, just like Bouto, would confess the ultimate crime to a total stranger.

Judge Michael Bolan looked past the gaping holes in Serrano's case and in Vicente's credibility. Instead, after the prosecution rested its case, the judge called for a five-minute bathroom break. When he returned, he declared Serrano, Montañez, and Pacheco guilty. Citing judicial ethics, Bolan declined to comment.

Serrano was sentenced to 55 years. Vicente, on the recommendation of the state attorney's office, would serve nine instead of 100 years.

# THE FEDS SHRUG

Esther Hernandez claims her two sons, Juan and Rosendo, were framed by Guevara for a 1997 murder. She currently organizes other family members of Guevara defendants.

*Jon Lowenstein for BuzzFeed News*

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As such evidence piled up, the women shifted from being an emotional support group to a political committee, complete with an office and a formal name, Comité Exigimos Justicia (We Demand Justice).

They organized protests outside police stations and handed out pamphlets at parades to draw attention to their cases. “There’s nothing more painful than when I gave someone a flyer and explained what happened,” Mary said, “and you see in their eyes they don’t believe you.”

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Then, something happened that made them think authorities might start to give their complaints credence. In December 1998, FBI agents arrested a burly, blue-eyed Area 5 sergeant, [Joe Miedzianowski](#), on suspicion that he operated a drug ring stretching from Miami to Chicago. The case against him dragged on for years, generating scores of depositions, wiretaps, and other evidence. Miedzianowski, who was convicted and in 2003 sentenced to life in prison, worked in the same station as Guevara.

The women began protesting outside the US Attorney's Office, trying to [draft off](#) the Miedzianowski scandal. A few weeks after one such protest, in May 2003, the women won a meeting with Assistant US Attorney Brian Netols, who had worked on the case.

The women told Netols about the information they'd gleaned from the spreadsheets the aunts helped create. They laid out how they believed Guevara had framed their loved ones — the alleged witness tampering, the beatings — even if they couldn't explain why he'd want to.

Unbeknownst to the women, this was not the first time Netols had heard allegations against Guevara. The detective's name had come up in the Miedzianowski case — and with it, a possible motive for framing innocent people.

According to [FBI notes](#) of an interview with a convicted drug dealer, dated June 23, 2001, one of Miedzianowski's main accomplices in a drug ring said that Guevara worked with a defense lawyer to allow suspects to "[buy their way out of trouble](#)." Guevara, the informant claimed, would fix an investigation so the suspect would escape a murder conviction — if he paid the lawyer [\\$20,000](#).

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The lawyer named in the FBI notes didn't respond to repeated messages from BuzzFeed News, but in a 2015 deposition he called the allegations an "[absolute lie](#)." Mohammed Omar, the former drug dealer who told the story to authorities, didn't respond to multiple requests for comment.

**"If my family didn't have money, I could have been one of those innocent people locked up."**

But BuzzFeed News found two people who said they participated in the scheme. Sam "Spanky" Perez said he paid \$20,000 in [September 1998](#) to the lawyer after one of his friends was arrested by



Guevara for fatally stabbing a bus passenger. Within a few hours of payment, Guevara released his friend.

The friend, Ibrahim Omar (no relation to Mohammed Omar), confirmed the payout: “If my family didn’t have money, I could have been one of those innocent people locked up for something they didn’t do.”

The women knew nothing about this at the time of their meeting with Netols. They thought he seemed to listen attentively. Surely, the aunts thought, his office would not ignore Robert’s misfortune. It would not allow the police officer’s alleged misconduct and the court’s mistaken verdict to stand. Federal officials would take action. After leaving the federal building, Gladys recalled, she told her sisters, “Now we’re getting somewhere.”

But they weren’t.

Netols didn’t ask them for more information, they said. In fact they claim they never heard from him again.

Despite the wealth of information the women offered about Guevara’s conduct and the shocking allegations that Guevara was selling freedom at \$20,000 a head — and despite the dozens of prisoners who had accused Guevara of framing them, two of whom had already had their convictions overturned — there is no record that federal authorities investigated Guevara in the wake of that meeting. In fact there is no record they did anything with the information.

Netols did not respond to letters, to an email, or to an in-person visit from BuzzFeed News; a spokesperson from the US Attorney’s Office declined comment.

# COMPLAINTS

# GO NOWHERE

Mary Almodovar

*Jon Lowenstein for BuzzFeed News*

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**Mary was beginning** to despair. Years were passing, and yet, despite all she and the others had learned about Guevara, Robert’s release seemed just as far out of reach. Court motion filed; motion rejected. Over and over again. Month after month, Mary and her sisters took turns making the seven-hour drive to see Robert in prison.

During their visits, he peppered his aunts with questions about how they were, how his daughter was, how his grandfather was, all while dodging questions about how he himself was. He hung on to his faith, quite literally, by keeping close a pocket-sized green Bible a priest had given him when he first arrived at the Cook County jail. He kept his daughter Jasmyn’s picture tucked in its pages. On one of her birthdays, he sent his daughter a handcrafted Winnie the Pooh card, writing, “I promise, one day we will be together, and happy again.”

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But in the middle of some nights, Mary would wake up and worry, *What if I'm an old lady and he's still in prison?* Her sister Gladys occasionally drove around Mary's neighborhood late at night, looking for the blue Oldsmobile — and, maybe, the real killer.

Mary and her sisters still met the other women for Thursday night meetings, still held protests, and still attended every police board meeting they could.

They also filed complaints with the Chicago Police Department.

## Nearly 90% of reports against officers resulted in no disciplinary action.

The aunts no longer had much faith in these official channels but still thought it was important to record grievances. The subsequent investigations went nowhere, like most complaints about the Chicago Police Department. An analysis by BuzzFeed News of more than 240,000 complaints from 1967 to 2016 found that nearly 90% of reports against officers resulted in no

disciplinary action taken by the department.

The DOJ found similar problems in its report issued earlier this year. Federal investigators highlighted the 2014 police shooting death of Laquan McDonald, a black 17-year-old shot 16 times while he backed away from police and then fell to the ground. An official report at the time said McDonald had “raised [a] knife across his chest and over his shoulder” at a responding officer, and that such actions justified the police officer shooting him. But when a court forced the city to release video of the incident in 2015, it showed no raised knife nor any other equivalent provocation.

The very same officer who signed off on the false report about McDonald's killing, Lt. Anthony Wojcik, had years earlier been assigned to investigate Guevara. In 2000, a Guevara defendant out on bond, Juan Hernandez, had filed a complaint stating that Guevara had framed him for a murder he did not commit. After investigating, Wojcik submitted a report with demonstrably false information, including the untrue assertion that Hernandez had not lodged similar accusations in court. Then Wojcik cleared Guevara.

Wojcik did not respond to messages left by email and at his home or with an attorney who represented him in a lawsuit related to the McDonald case.

That was just one of 27 complaints that BuzzFeed News found people had lodged against Guevara over the years. That is more than five times as many as a typical officer garners.

But the Chicago Police Department found merit to only four complaints against Guevara, disciplining him in three. Police suspended him for two days for lying about beating a bar patron in an off-duty fight. They sidelined him for one day for striking his stepdaughter in a domestic dispute. The stiffest punishment, a 20-day suspension, was handed down when Guevara threatened to fight another police officer who wouldn't help him fix a parking ticket.

Yet the department dismissed 10 separate complaints in which Guevara was accused of witness tampering or abusing suspects. It didn't even discipline Guevara in two cases in which it paid out settlements to his accusers.

For years, the courts had been as unyielding as the police department. But in 2000, Mary and her fellow fighters celebrated when an appeals court overturned the conviction of Angel Rodriguez — the son of Francisca, who had first welcomed Robert's aunts into her home and the support group. The court found a lack of evidence in his case. Two years later, in May 2002, a jury issued what looked like a watershed decision: It overturned the conviction of Juan Johnson based on witnesses testifying that Guevara had told them to pick Johnson out of a photo book. Mary and her sisters were in the courtroom in 2009 when a jury awarded Johnson a record \$21 million from the city of Chicago and \$15,000 in punitive damages from Guevara. It was the first time a court validated what the women had long argued: Guevara tampered with witnesses.

But these victories often felt bittersweet, each release reminding the women of their loved ones who still remained captive.

After years of fighting Guevara together, exhaustion set in among the women of the committee. Tensions roiled. With every passing week, fewer and fewer families showed up for the Thursday night meetings.

The committee had given Mary and her sisters the emotional support they'd needed and opened leads in Robert's case they'd never expected. But there was little left in the coffers for a new lawyer. Their motions had mostly been rejected anyway.

Then help strode up in a pair of Louboutins.

**“BITCH SPARKLE”**

Attorneys Ashley Cohen (foreground) and Jennifer Bonjean work on Robert Almodovar's case the night before a court hearing.  
*Jon Lowenstein for BuzzFeed News*

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**In a stretch** of warehouses in the Crown Heights section of Brooklyn, attorney Jennifer Bonjean hopped over the stacks of papers covering her floor in order to make it to her desk. She's a tall, slender brunette, and peeking from the cuffs of her shirtsleeves are tattoos of Serrano's arrest date and the phrase "Evil deeds do not prosper, the slow man catches up with the swift." She has a penchant for profanity, a master's degree in opera performance, and a propensity to fight for the indigent while wearing Armani suits. A fellow attorney occasionally sends her draft motions so that Bonjean can add her "bitch sparkle" to them. On weekends she rehabs dilapidated homes in distressed neighborhoods — an embodiment of her readiness to swing a sledgehammer.

Raised in an affluent neighborhood on the outskirts of Chicago, she worked from 1999 to 2004 in the Illinois State Appellate Defender's Office, the agency representing poor clients on appeal. Around the office, she and her colleagues kept an unofficial list of bad cops. These were names of officers that popped up repeatedly and credibly from their clients. Guevara's name, she said, always neared the top. After five years, frustrated by Cook County's justice system ("Who do you have to fuck to get a fair trial?" she asked), Bonjean quit and moved to New York. She opened her own law practice. But not without taking some of her Chicago cases with her.

The Almodovar aunts heard of Bonjean through the courtroom grapevine and contacted her. She gathered the case files. Robert's case was easy; he had a rock-solid alibi. She looked through the decades of statements given by Mary and others present during the fight. They simply hadn't changed. She interviewed Sassy, who had long since broken up with Robert and thus had fewer reasons to protect him. Yet Sassy still stuck to her story: She was fighting with Robert at the time of the murders. The key witness, Kennelly Saez, had clearly cut a deal to get himself out of jail. And Jackie Grande, the other witness who maintained her ID? A bulk of social science research had since come to light undercutting the reliability of eyewitness identifications such as hers.

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Bonjean also examined four other Guevara cases she'd picked up. One was Serrano's. The robbery motive in his case was absurd: How many junkie robbers left \$190 in cash on the victim? Then she got to Vicente: Three confessions in six weeks — *three* — and all happened to be investigated by Guevara?

**The lawyer knew she'd need much more than proof of innocence to free her clients.**

She studied the 2004 affidavit Vicente gave to Northwestern University journalism students detailing alleged abuses by Guevara. After the students and their professor exposed some of the alleged abuses in the Chicago Police Department, the state attorney's office had swiftly taken action — not against the police but against the head of the journalism program, David Protes. The state attorney accused Protes's students and a private detective who assisted them of making unspecified promises to Vicente and arranging a visit by a female student as a "treat" in exchange for his affidavit. (Protes retired after a university investigation discovered he had doctored an email about a class policy regarding sharing his classes' findings with defense attorneys.)

Bonjean took on the Guevara appeals free, preferring her payment in the intoxication that came from "kicking someone's ass and doing the right thing." She regularly returned to Chicago, knocking on doors in some of the city's most run-down neighborhoods at all hours, looking for answers.

Yet the lawyer knew she'd need much more than proof of innocence to free her clients. In Illinois, innocence alone isn't enough to overturn a conviction. She'd need new evidence that couldn't have been reasonably discovered before her clients' convictions. In short, she needed proof that Guevara routinely, systematically, and knowingly framed innocent people.

By 2010, she assembled the tidbits of information she'd accumulated from all her door-knocking and fashioned it into an appeal for Robert. If the court knew of all the allegations of misconduct against Guevara, she argued, it could have changed the outcome of his case. This was the last best shot at overturning his conviction. Could the appellate court, the aunts wondered, be the institution to address what they viewed as the grave injustices in Robert's case?

Three years later, the appellate court returned with a decision: It agreed that the evidence against Robert was "arguably quite tenuous."

Thanks to his aunts, and Bonjean, Robert Almodovar was headed back to court for a judge to determine whether he should get a new trial.

# MORE LIKELY HAN NOT INNOCENT.

Jennifer Bonjean reviews paperwork as she works on Robert Almodovar's wrongful conviction case.

*Jon Lowenstein for BuzzFeed News*

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**By the summer** of 2013, Chicago officials had plenty of reasons to worry about how much the Guevara cases might cost the cash-strapped city.

In 2006, an appellate court ruled on the appeal of a man who claimed he had been framed by Guevara and then beaten by him until he confessed to a grisly double murder. The court found in favor of the man, Arturo Reyes, who appealed his conviction on the grounds that Guevara had engaged in a “pattern and practice” of misconduct. While judges made no ruling on that question directly, their decision opened the door for other Guevara defendants to make similar claims. In 2009, Johnson won his \$21 million verdict (later revised to \$16.4 million) against the city for his wrongful conviction. And two years later, in 2011, the conviction of another Guevara defendant, Jacques Rivera, was tossed.

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Payouts to victims of police misconduct were about to hit a record high — \$84.6 million in 2013 — and more than a dozen Guevara defendants had appeals pending in court. If those men won, Chicago could be facing more payouts right at a time when the city was already battling a financial crisis and downgraded bond ratings.

Mayor Emanuel’s administration hired the glossy law firm Sidley Austin to investigate the claims the women and the committee had been making for years — that Guevara framed and sometimes abused innocent people.

**In two cases, investigators found that it was “more likely than not” that Guevara had engaged in misconduct.**

The goal, officials said in a statement, was “to ensure the integrity and public trust in the Police Department by pursuing cases where something potentially unjust had happened, and protect taxpayers from exposure because of potential wrongdoing.”

Sidley Austin assigned a team of at least 20 lawyers, led by the former US Attorney Scott Lassar, who had been involved in the Miedzianowski case.

City officials say Sidley Austin reviewed more than 70 Guevara cases. Most Guevara defendants interviewed by BuzzFeed News say they were never contacted by the law firm. Lassar, citing attorney-client privilege, told BuzzFeed News he needed permission from the city to discuss his team’s investigation. The city refused to allow it but a city spokesperson called the review a “very thorough investigation.”

Mary and her sisters welcomed the attorneys. No questions were off limits. The attorneys went



through the documents, interviewed Robert and alibi witnesses — the work the aunts had expected the police and prosecutors to do 20 years earlier. On Feb. 9, 2015 — 19 years, two months, and 10 days after his conviction — Sidley Austin issued a memo stating: "It is more likely than not that Roberto Almodovar is in fact innocent."

Though investigators called the evidence against Almodovar's codefendant, Negron, "slim," they did not support his innocence claim. "Unlike Almodovar," they wrote in their report, "Negron has no credible support for his alibi defense — just his say so."

Sidley Austin concluded that at least three other men — including Serrano and his codefendant, Montañez — were also likely innocent.

In two cases, investigators found that it was "more likely than not" that Guevara had engaged in misconduct. In one instance, for example, they found it likely that the detective had beaten two suspects in order to get them to confess to murder.

In two other cases, including Robert Almodovar's, they wrote that they could not determine whether Guevara had committed misconduct.

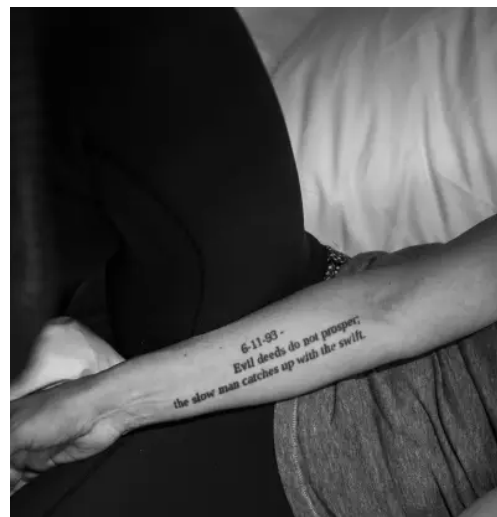
But the report gave weight to the claim most important to Mary and her sisters: Robert's innocence. They plastered news of the report all over their Facebook pages. At last, after years of frustrated hopes, the aunts did not have to wonder if justice would prevail. Here they had their answer: An official report had vindicated their nephew — and with him, the struggle that had consumed the women's lives for so many years. On her Facebook wall, Mary asked friends and family to share the news. "We need as much exposure as possible. These men have suffered enough...it's time to come home."

But instead of heeding the findings of the city's report, the state attorney's office continued to fight against releasing him.

In June, the Illinois State Appellate Court responded to a motion Bonjean filed in Serrano's case. The court's response was about as unrestrained in its language as legal writing goes — calling a failure to review Serrano's case as a "palpable injustice" and that his case "presented profoundly alarming acts of misconduct in the underlying investigation and prosecution, all of which warrant closer scrutiny by the appropriate authorities."

A month later, a representative of the state attorney's office called Bonjean with news: The office was dropping its case against Serrano and one of his codefendants.

Bonjean texted Mary and her sisters with the news. Robert's aunts grabbed their purses and ran from their jobs at the candy factory to the courthouse around the corner to witness the moment. Back in prison, Robert's cellmate shook him awake the next day and turned their TV on to show him news reports of Serrano's release. "Stop playing with me," a groggy Robert told his cellmate. But when he wiped the sleep from his



eyes, he saw images of Serrano, free. "This just lets me know my day is coming," he said. "I can't wait to experience that day like they did."

But in Robert's case, prosecutors doubled down.

They flew in Grande — the witness who clung to her identification of Robert — from her home in the Pacific Northwest, about as far as she could get from Humboldt Park. Under cross-examination by Bonjean, Grande pointed to a man sitting in the court gallery, saying he, too, looked like he could be the shooter. She also couldn't identify Bonjean as the woman who knocked on her door on a Friday afternoon a year earlier, speaking with her for several minutes on her front porch — thereby calling into question Grande's ability to recognize and remember faces. But she held fast to Robert's guilt, swearing he was the man she saw in the dark, for a fleeting moment, under a hail of gunfire, 22 years earlier.

In written answers to questions on the case submitted to the court in early March, Guevara once again asserted his Fifth Amendment rights against self-incrimination — 159 times.

A spokesman for the city of Chicago said the state attorney's failure to heed the finding that Robert Almodovar is likely innocent is not the city's problem. "We have done what we can in terms of addressing it. We referred it to the state's attorney's office," said city spokesman Bill McCaffrey. "They need to be the ones to take the next steps."

When asked specifically about this, the state attorney's office said, in an email in late March, that it was continuing to review Guevara defendants' claims on "a case by case basis to determine if moving forward is in the best interests of justice." In court, the office has continued to fight to keep Robert behind bars.



Jennifer Bonjean and Armando Serrano have the same tattoo, which reads "Evil deeds do not prosper, the slow man catches up with the swift."

*Jon Lowenstein/NOOR for BuzzFeed News*

# STILL BEHIND BARS

View of Cook County jail.

*Jon Lowenstein for BuzzFeed News*

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**More than 22** years after Robert's arrest, Mary still sees it. Looking out the front window of the house she once shared with her nephew, she still catches the suspicious stares and pointed fingers of passersby saying, *That's the house. That's the family. There lived the murderer.*

But now, Mary can imagine the narrative changing; one day those very same people will walk by and say, *That's the house. That's the family. There lived the guy who suffered behind bars for a crime he didn't commit.*

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She'll sometimes look out the window when Robert calls from prison and hear that same optimism in his voice. He tells her what he'll do if he ever gets out.

If he ever gets out, he'll feel the rain on his skin, see the stars in the sky.

**If he ever gets out,  
he'll feel the rain on  
his skin, see the  
stars in the sky.**

If he ever gets out, he'll make his daughter Jasmyn pretend she doesn't know how to ride a bike so he can pretend to be the one to teach her.

If he ever gets out, he'll go to work. Anywhere. "I could work at McDonald's or Burger King with the biggest smile on my face. They'd be like, 'Why is he smiling?' – not knowing what I've been through and how happy I am to be free."

Robert could learn his fate as soon as April 10, when Cook County Judge James Linn could rule on the question of whether he should have a new trial. The Cook County State's Attorney's Office has, thus far, remained steadfast that he should not.

Bonjean, based on what the judge has and hasn't allowed into evidence, what questions he has and hasn't asked, isn't optimistic.

"Every time I think about it," she says, "I get heart palpitations."

When asked what would happen next if the court rules against Robert, she's silent. ●



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**Opening image:** *At least 51 people, along with many of their families, have accused Det. Reynaldo Guevara of framing them for murders. Those exonerated, along with the families of those still fighting for freedom for their loved ones, posed for portraits in Chicago, Sept. 2016.*

**Left to right, from the top row:** *Mary Rodriguez (aunt of Robert Almodovar, sentenced to life), Gladys Ramirez (aunt to Robert Almodovar, sentenced to life), Juan Johnson (exonerated after 11 years incarcerated), Sara Ortiz (mother to William Negron, sentenced to life), Donnovan Hernandez (son of Juan Hernandez, sentenced to 111 years), Esther Hernandez (mother to Juan and Rosendo Hernandez, sentenced to a combined 211 years), Tony McDowell (father to Antonio McDowell, sentenced 110 years), Maria Serrano (sister to Armando Serrano, exonerated after 23), Jessica Almodovar (cousin to Robert Almodovar, sentenced to life), Makayla Goins (niece to Antonio McDowell, sentenced to 110 years), Malachi McDowell (nephew to Antonio McDowell, sentenced to 110 years), Ruthie Pena (sister to Angel Rodriguez, exonerated after 3 years, co-founder of Comité Exigimos Justicia), Francisca Rodriguez (mother to Angel Rodriguez, exonerated after three years, co-founder of Comité Exigimos Justicia), Diane Spraggs (aunt to Antonio McDowell, sentenced to 110 years), Florine McDowell (mother to Antonio McDowell, sentenced to 110 years), Christina Rodriguez, Juan Rodriguez, Jasmyn Almodovar (daughter to Robert Almodovar, sentenced to life), Moses Vazquez (brother-in-law to Jose Montañez, exonerated after 23 years), Lisa Spiloto (cousin to Jose Montañez, exonerated after 23 years), Maria Jimenez, Angel Rodriguez (exonerated after 3 years), Neida Serrano (mother to Armando Serrano, exonerated after 23 years), Jose Montañez (exonerated after 23 years), Jacques Rivera (exonerated after 23 years), Carmen Montanez (sister to Jose Montanez, exonerated after 23 years), Michael Spiloto (cousin to Montanez, exonerated after 23 years) Paul Diaz (cousin to Jose Montañez, exonerated after 23 years), Blanca Gonzalez (sister to Nelson Gonzalez, released after 23 years), Reynaldo Hernandez (best friend and alibi witness to Edwin Davila, sentenced to 50 years), Stephanie Weiner (community activist with Comité Exigimos Justicia), Lynette Serrano (daughter to Nelson Gonzalez, released after 23 years), Iesha Gonzalez (niece to Nelson Gonzalez, released after 23 years), Kayla Gonzalez (mother to Nelson Gonzalez's two sons), Victoria Carrillo (granddaughter to Nelson Gonzalez, released after 23 years).*



**Melissa Segura**  
BuzzFeed News Reporter

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