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Jerry Pacek

Shortly before midnight on November 17, 1958, 13-year-old Jerry Pacek was walking home from his girlfriend's home late at night when he heard moans coming from a neighbor's yard in Brackenridge, Pennsylvania, a steel mill town about 20 miles from Pittsburgh.

When he went to investigate, he saw a man rise up and flee on foot. In the yard, Pacek discovered 52-year-old Lillian Stevick. She had been beaten savagely and died 45 minutes later on a hospital operating table.

Though only 13, Pacek was physically larger and he had been shaving since the age of 10. Police brought him in for questioning because he said he had found the victim.

Pacek denied committing the crime and passed two polygraph examinations.

But after 17 hours of interrogation, he provided a confession. He would later say he believed that his girlfriend would be arrested if he told the truth. At the time, his girlfriend was 20 years old and Pacek's parents had obtained a court order forbidding her from seeing him. Pacek later said that he gave the statement to protect his girlfriend and because he believed the court would recognize it as false and release him. The statement contained inconsistencies—at one point he said he committed the murder with a metal object, and then changed it to a hatchet.

The reason for the change was the failure of police to find a murder weapon at the scene. The chief homicide investigator found a rusty, mud-covered hatchet in the woods 100 yards from where the victim

was killed.

Pacek was charged with the crime as an adult. During the trial, he was made to re-enact the murder at the crime scene, pretending to beat a female police officer who posed as the victim. Although tests on the hatchet eliminated it as the murder weapon, it was entered into evidence as one of the types of weapons that could have been used.

Pacek was convicted on April 19, 1959 and he was sentenced to 10 to 20 years in prison.

Pacek's attorney dropped the appeal, but never told Pacek, who assumed it had been denied. He was released from prison in November 1968 after serving 10 years.

In 1990, Jim Fisher, a former FBI agent and criminology professor at Edinboro University, in Edinboro, Pennsylvania, took an interest in the case. He began investigating and amassed considerable evidence suggesting Pacek's innocence, including that Pacek's clothes were clean, despite evidence that blood spattered as far as 25 feet from the victim. In addition, he bore no scratch marks, though it appeared that fragments of the attacker's flesh were lodged under the victim's fingernails.

In December 1990, Allegheny County law enforcement re-opened the case. Pacek was hypnotized for five hours to help police produce a sketch of the man he saw the night of the murder.

On September 12, 1991, the Pennsylvania State Pardons Board voted unanimously to pardon Pacek. The pardon was approved by Gov. Robert P. Casey on November 15, 1991.

Pacek filed a civil wrongful conviction lawsuit, but it was dismissed. Police developed two suspects in the murder and said that they found a heavy metal object in a Brackenridge basement that might have been the murder weapon. DNA testing was unsuccessful and no one was ever charged with the murder.

Two attempts to pass legislation to compensate Pacek failed to pass. Pacek died November 24, 2004.

– *Maurice Possley*

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State: Pennsylvania

County: Allegheny

Most Serious Crime: Murder

Additional Convictions: Rape

Reported Crime Date: 1958

Convicted: 1959

Exonerated: 1991

Sentence: 10 to 20 years

Race: Caucasian

Sex: Male

Age: 13

Contributing Factors: False Confession

Did DNA evidence contribute to the exoneration?: No

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The National Registry of Exonerations is a joint project of the University of the Michigan Law School and the Center on Wrongful Convictions at Northwestern University School of Law.

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