

JUDGES ORDER NEW TRIAL IN '55 SLAYING OF 3 BOYS SPLIT COURT CITES IMPROPER TESTIMONY

By Robert Becker, Tribune Staff Writer

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The horseman convicted four decades after one of the most infamous triple homicides in Chicago history won a new trial Thursday in the 1955 slayings of three boys whose bodies were found on a bridle path on the city's Northwest Side.

In a split decision, the Illinois Appellate Court overturned the conviction of Kenneth Hansen, 67, because the jury at his 1995 murder trial was allowed to hear improper testimony that Hansen molested other boys in the years after the murders of Robert Peterson, 14, John Schuessler, 13, and John's brother Anton, 11.

The ruling resurrects a case that shocked Chicago in the 1950s.

The boys had been headed downtown to see a movie but never returned. Two days later, their naked, battered bodies were found in the Robinson Woods forest preserve on the Northwest Side, prompting area residents to bolt doors that were rarely locked in those days, out of fear for their children's safety.

It took authorities nearly 40 years to bring Hansen to trial and a jury two hours to convict him. A judge sentenced him to 200 to 300 years in prison, but Hansen has steadfastly maintained his innocence.

Justice Thomas E. Hoffman, writing for the majority in Thursday's ruling, rejected prosecutors' attempts to establish a motive for their contention that Hansen murdered the boys at the Idle Hour Stable on Oct. 16, 1955. Specifically, the justices objected to the introduction of testimony from witnesses who said that Hansen frequently picked up young male hitchhikers and took them back to the stable for sex.

Hoffman wrote that most of the evidence of Hansen's sexual activities "pertains to incidents which occurred well after the victims' murders." Therefore, the judge continued, Hansen can "hardly be said to have been motivated to kill the victims in 1955 to prevent the discovery of acts of pedophilia he committed in the 1960s and 1970s."

Additionally, the justices said the lower court erred in allowing into testimony portions of statements of key witnesses who recounted Hansen's sexual activities.

"We cannot say that the evidence that the defendant sexually assaulted innumerable young boys over a period of 20 years did not influence the outcome of this trial," Hoffman wrote.

But in a dissent Justice Shelvin Louise Hall argued that the "other crimes" evidence was admissible because it showed Hansen's patterns of assaulting minors. More significant, Hall wrote, is the "strong evidence" in the case, which includes Hansen's admission to four witnesses that he killed the boys. That, Hall wrote, "renders harmless any error that may have occurred in admitting" the evidence about Hansen's sexual activities.

Cook County Circuit Judge Michael Toomin, who presided over Hansen's trial, could not be reached for comment.

Attorneys for Hansen, who remains in Pontiac Correctional Center, said they were thrilled by the decision. Hansen is "speechless, just choked up with emotion," said Leonard Goodman, one of the attorneys.

The Cook County state's attorney's office vowed to appeal to the Illinois Supreme Court.

Renee Goldfarb, who heads the prosecutor's criminal appeals division, took issue with the court's finding that it was wrong to admit evidence of Hansen's later sexual activities.

"The critical issue is whether or not there was enough evidence to establish a common pattern," Goldfarb said. "We believed that we had established that, the trial judge who allowed the evidence in believed that we had established it and so did Justice Hall."

The reversal represents the latest twist in a case that mesmerized the public and stymied law enforcement officials for nearly 40 years.

It is a case that stretched over 43,000 interviews and became intertwined, for a time, at least, with another famous Chicago murder, that of horseman George Jayne.

In one of the most spectacular twists, Hansen was granted a rare court hearing in 1998 to determine whether he should get a new trial when two Hanover Park women came forward to testify that a relative-- dead for nearly two decades--had confessed to the boys' murders. But Hansen was denied a new trial at that time.

His arrest in 1994 marked the end of a case that had begun when the boys' bodies were discovered in the forest preserve near East River Road and Lawrence Avenue on October 18, 1955. They had been strangled.

The slayings spawned one of the biggest manhunts in Chicago history, and the last hours of the boys' lives were reconstructed up to the moment when they were last seen, hitchhiking in a chilly drizzle near the intersection of Milwaukee and Lawrence Avenues.

In hindsight some experts suggested that the investigation could have been damaged at the start as investigators, reporters and photographers trampled the crime scene. There was also a failure to fully follow up on a witness' claim of hearing at least two blood curdling screams coming from the direction of the Idle Hour Stable, 8600 W. Higgins Rd., on the night the boys disappeared.

The investigation eventually sputtered to a halt until 1993, when William "Red" Wemette, a longtime federal informant, told federal agents that he had had a homosexual relationship with Hansen. During that relationship, Wemette said, Hansen admitted killing the boys at the stable, where Hansen worked at the time.

Another significant development occurred after Hansen was arrested in August 1994 near his Country Club Hills home.

That was when Herb Hollatz, a former stable hand who had moved to Arizona, saw Hansen on a television news report. A few days later, Hollatz told authorities that Hansen had admitted the killings soon after the bodies were found.

