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Conviction Overturned in 1979 Ethan Patz Case by US Appeals Court

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A federal appeals court has overturned the murder and kidnapping conviction of Pedro Hernandez, the former Manhattan bodega clerk found guilty of abducting and killing 6-year-old Ethan Patz in 1979. Hernandez, who has been serving a sentence of 25 years to life, was ordered to be released unless prosecutors decide to retry the case within a “reasonable” period set by a federal judge.

The case, which has haunted New York for more than four decades, was reignited when Hernandez was arrested in 2012 and eventually convicted in 2017 after a second trial. On

May 25, 1979, Ethan Patz disappeared while walking alone to a school bus stop in Manhattan's SoHo neighborhood. His face became one of the first to appear on milk cartons nationwide, helping to raise awareness about missing children.

The ruling came from a three-judge panel of the 2nd U.S. Circuit Court of Appeals, which found fault in a state trial judge's handling of jury instructions. Specifically, the appeals court ruled that the judge's guidance to the jury regarding Hernandez's confession statements violated federal law and prejudiced the verdict.

Jury Instruction

Hernandez's conviction was largely based on statements he made to police during interrogations without an attorney present. At the time, Hernandez was 18 and working near the bus stop where Ethan vanished. He confessed to strangling the boy and hiding the body in a box in a trash area outside the store.

Defense lawyers had argued that Hernandez's confessions were coerced and that he suffers from serious mental illness, affecting his perception of reality and making him vulnerable to false confessions. Records show that Hernandez initially confessed without being read his Miranda rights. These legal protections inform suspects of their right to remain silent and have a lawyer present during questioning. Later, after waiving those rights, he was recorded twice on video confessing to the crime.

During the 2017 trial, jurors sent a question to the judge asking if they were required to disregard the two videotaped confessions if they believed the initial confession, which was given without Miranda warnings, was involuntary. The judge replied, "The answer is, no." The appeals court found this response to be "manifestly prejudicial" and improper, significantly influencing the jury's decision to convict Hernandez.

Manhattan District Attorney Alvin Bragg's office now faces the decision of whether to pursue a new trial. A DA spokesperson, Emily Tuttle, stated, "We are reviewing the decision."

The Patz case has long been controversial, with a lack of physical evidence tying Hernandez to the crime and no witnesses from the time of the disappearance. The first trial ended in a hung jury in 2015, underscoring the challenges prosecutors faced.

The appeals court also highlighted that jurors dismissed substantial evidence suggesting another suspect, Jose Ramos, who was a convicted pedophile and boyfriend of the victim's babysitter. Ramos had been a suspect for many years but was never charged.

The decision to overturn Hernandez's conviction shines a light on critical issues in the justice system, particularly regarding interrogation methods and jury instructions. For now, Hernandez remains free unless the Manhattan DA acts swiftly to retry him. The case remains one of the most haunting unsolved child disappearances in modern American history.