

State's Attorney's Elder Justice Division Concludes First Jury Trial Guilty Verdict of Theft Over \$500

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EDWARDSVILLE — The Madison County State's Attorney's Elder Justice Division announced today it has concluded its first jury trial with a guilty verdict on a count of Theft over \$500, a Class 3 felony.

Jerry L. Yeager Jr. was found guilty on the first count of the theft charge for obtaining control of the property in excess of \$500 by deception with intent to permanently deprive the owner of the use or value of it. Yeager was arrested by the Granite City Police Department on Dec. 9, 2016, for offenses committed against a Granite City couple over 60 years of age, during the period of April 2014 through December 2014.

Yeager was found not guilty of the second count of aggravated home repair fraud of a person 60 years of age or older.

Assistant State's Attorneys James Buckley and Tonya Genovese, of the Elder Justice Division, began presenting evidence on May 13.

Trial testimony proved the victims entered into a contract with Yeager and Ultimate Roofing to repair damages to their roof, siding, garage doors, storm doors, windows and gutters that had resulted from a hail storm in the spring of 2014.

The victims testified they gave the defendant a down payment of over \$15,000 for the work. Six months later, Yeager's company had only completed the roof job, which was not up to City Code as testified to by a Granite City building inspector.

No further work was completed on the property after that time, despite the victims' attempts to contact Yeager for over a year.

Judge Neil Schroeder submitted the case to the jurors for deliberation around 10:30 a.m. on May 16. In less than an hour, the jury announced its guilty verdict on the first count of Theft over \$500 and the not guilty verdict on the second count of aggravated home repair fraud.

Madison County State's Attorney Tom Gibbons expressed gratitude to the jurors for their service and thanks for the guilty verdict on the theft count, but disappointment with the not guilty verdict on the count of aggravated home repair fraud.

"Despite achieving only a partial victory for the victims, in this case, we will not be deterred from continuing our fight to protect senior citizens and vindicate their rights in court," Gibbons said.

According to the USC Center on Elder Mistreatment, 1 in 10 older Americans are victims of elder abuse and as few as 1 in 14 of these cases come to the attention of authorities.

This is the first time in Madison County history that charges of aggravated home repair fraud have been brought to trial. Gibbons said the statute has a very high threshold of proof, making it difficult to obtain a guilty verdict.

"We will take this as a very important learning experience and be better equipped to succeed on these charges in future cases of fraud against senior citizens in Madison

County,” Gibbons said. “I will also be working with our local legislators to see if changes can be made to the aggravated home repair fraud statute to better protect some of our most vulnerable citizens from becoming victims.”

This investigation was a collective effort between the Granite City Police Department, Madison County Elder Justice Initiative and the Elder Justice Division of the Madison County State’s Attorney Office, all of which are focused on a zero-tolerance approach to crimes against the elderly.

Illinois law defines an elderly person as a person 60 years of age or older. Certain criminal offenses, including Aggravated Home Repair Fraud, provide enhanced charges and penalties based upon the age of the victim.

“This case is one of many we are pursuing through our Elder Justice Division to ensure the safety and security of our senior population is protected,” Gibbons said.