

# Disclaimer

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- This presentation is intended for educational and informational purposes only. Nothing contained in this presentation should be considered as the rendering of legal advice either generally or in connection with any specific issue or case.
- You should always consult with an attorney for legal advice as to any specific issue or case.

# SECTION 3

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## CRIME IN RENTAL PROPERTY

# Crime in Rental Property

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In 2019 there were approximately 1820 calls for service in rental properties in the City of Granite City. These calls for service include everything from, disturbances, to domestic violence, to drug activity, to burglaries, home invasions and much more.

Crime is not just a police problem, it's a societal problem which requires help from everyone to effectively combat it.

**The City of Granite City is about 20 square miles. 30,000 people live in Granite City. There is now approximately 3600 rental properties in the city. That's 27.08% rental.**

**With only 4-7 squads on the street, the police need the public's help.**



# So how do we work together?

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First we must open the lines of communication, and support each other. The Crime Free Multi Housing Unit of the Granite City Police Department is here to help you, not hinder you.

In the past, we've testified in eviction court on behalf of landlords. Issued citations to renters who refuse to take care of the property, stood by for property inspections by the landlord, made arrests when necessary, and even issued warrants.

# PROGRAM GOALS:

**Empower Community Leaders**  
**Train Landlords In Management Skills--NOT Police Work!**

**Provide Support Avenues**  
**Reduce Crime in Rental Property**  
**Reduce the Fear of Crime**  
**Improve Communication**

**Build Trust**  
**Improve Quality of Life in Neighborhoods**  
**Stabilize Property Values**

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So, why are we training landlords?

Because....

# Criminals Prefer Rentals

- They are often very transitory in nature.
- They want to BLEND into a larger crowd.
- Asset-Forfeiture Laws do not generally apply
- If necessary, they can move away quickly.



# We View Criminals like Weeds...



- They GROW
- They ROOT
- They SPROUT OUT
- They SPREAD OUT
- They CHOKE OUT the good plants!

**Criminals; just like weeds will get bigger and stronger with each new success!**

# To Understand Crime...

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- You Need to understand the 'Criminal' Mindset
- Criminals are *PREDATORS! They look for the easy prey, and then stalk their victims, waiting for the perfect time to strike.*

# Most Criminals look for:

- The path of least resistance
- The easy target
- The unaware
- The fearful

**HOW DO WE FIGHT IT?**

Knowledge is power. With a little bit of training, you will be better suited to recognize criminal activity in your rental property, and take steps to reduce your own liability and fix the problem.

The Police have the authority to make arrests, but non violent offenders are usually released on bond in a short period of time or on a recognizance order due to over crowding in our jails.

# Who has the Power?

- The police can arrest, but the offenders are usually released quickly.

- **criminals are not afraid of the police or the courts.**

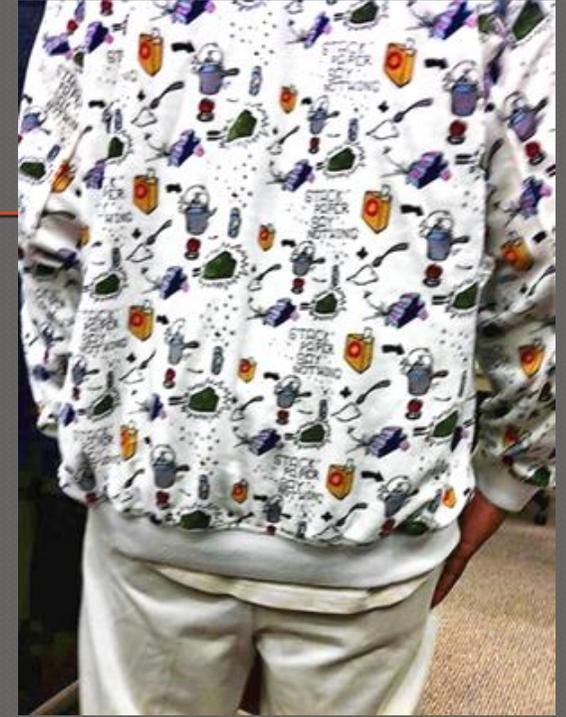
NOVEMBER 20, 2013--The narcotics trafficking **defendant who attended a Florida court hearing wearing a sweatshirt imprinted with a cartoon-like recipe for producing crack cocaine** was convicted last week of a pair of felonies and sentenced to three years in state prison.

Christopher Patterson, a convicted felon who **previously served time for cocaine possession**, entered no contest plea last Tuesday to distribution and conspiracy charges related to the sale of the painkiller Oxycodone to an undercover cop.

**Patterson's colorful sweatshirt carried the slogan "Stack Paper Say Nothing" and included drawings--baking soda, spoons, an open flame, and a stockpot--depicting the procedure to manufacture crack.**

The photo of Patterson was taken by a lawyer who noticed the defendant's incongruous courtroom attire. **Patterson's sweatshirt was manufactured by a firm called Stash House and had a zipper pull in the shape of a handgun.**

**Patterson's criminal history includes arrests for pot possession, larceny, resisting arrest, probation violations, and failure to appear in court. He has also been convicted several times for cocaine possession**



# Who has the Power?

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- Only the **landlord** or their agent has the **authority to permanently remove the tenant** from the property.
- We have more impact on them civilly than criminally.

# Things to Consider?

Q: If you turn a blind eye to criminal activity in your rental property, does that create liability for you and your rental business?

A: Depending on the situation it certainly could. In the litigious society we live in today, people are looking for any reason to sue.

Q: If you suspect there is criminal activity in your rental property but your not sure, can you report it to the police?

A: Absolutely! The police are willing to look into any type of problem you might have. Remember, if you report the issue to the police, it will not count against you or your rental license tier.

# Premise Liability:

Premise Liability is liability created when you fail to take action to protect someone (your tenant or other) from an unsafe environment you knew about or should have known about.

Your failure to take action could render you liable and get you sued. This could include, not only property issues like unsafe electrical, cracks in the sidewalks etc., but could include criminal activity taking place in your property that injures someone.



Here are a few examples of crimes that have occurred in rental property in Granite City. Consider the liability that could be placed on the landlord.

# Granite City man gets 70 years in beating death of toddler

- **MADISON COUNTY** • A Granite City man was given 70 years in prison Wednesday in the beating death of his girlfriend's son in 2012.
- John Holmon III, 42, was sentenced in the death of Jaesean Rusher, 20 months old. [A jury found Holman guilty](#) of first-degree murder after a week-long trial in January.
- Officials said Jaesean was left alone with Holmon on Sept. 10, 2012. [The boy was found with more than 50 injuries](#), including head trauma, later that day. At the time, they lived in the 2000 block of 14th Street in Granite City with the boy's mother.
- At the time Holmon was charged, law enforcement officers described Holmon as a "monster."
- "This is a crime of unspeakable nature," Madison County State's Attorney Thomas Gibbons said at the time. He said the boy suffered "exceptionally brutal and heinous injuries."
- At a press conference to announce the charges the day after the boy's murder, Granite City Police Chief Richard Miller said: "It tugs at the heart strings of law enforcement officers when such innocence can be taken by such violent means."



# Granite City, Illinois: Woman Bludgeoned to Death !

By Paul Hampel

ST. Louis Post-Dispatch  
01/13/2006

Granite City, Illinois

A woman known in her Granite City neighborhood as "The Rappin' Grandma" who helped others was murdered by an ex-convict from Chicago whom she had befriended, police said.

On Friday, Madison County prosecutors charged Brian E. Gary, 41, with murdering Carol J. Newby, 60.

Gary was charged with first-degree murder. Prosecutors say he beat Newby with a bludgeon and smothered her after she let him into her apartment last weekend.

Gary has been held in the Menard Correctional Center since his arrest early Sunday in connection with a peace disturbance in the 2000 block of Cleveland Avenue in Granite City. He was charged then with a parole violation out of Cook County, where he had been convicted of armed robbery.

Police said Gary had been an acquaintance of Newby's.

"We believe the victim let Gary into her home," Granite City Police Major Jeff Connor said at a news conference Friday. "It was in her character to try to help people. But not all those people were what we would call stellar individuals."

When he was arrested, Gary was in possession of a stereo that was later traced to Newby, police said.

"That was the vital piece of evidence," said Granite City Police Chief Rich Miller.

An acquaintance found Newby's body Wednesday evening in her

apartment at 2118 Delmar Avenue.

Police said they could not confirm an exact time of death, but Connor said he believes Gary killed Newby shortly before police arrested him at 2:19 a.m. Sunday.

Miller said that police "do not believe Gary went there (to Newby's apartment) to rob the victim, but things escalated."

Police said Gary had been living for about a year with his brother in the 2400 block of Delmar, a few blocks from Newby.

Police said drugs have been a problem in the area in recent years.

Gary was also charged Friday with the burglary on Christmas of a television in the same block where Newby lived.

Miller complained that Newby's killing was the second murder in the last year in Granite City allegedly committed by a parolee from the Chicago area. In the previous case, James W. Batey, 30, described by police as a drifter from Chicago, was charged last February with fatally stabbing Guy P. Abramson, 46, in a vacant apartment.

"I'd like to know how these people on parole from Cook County are allowed to move down here to Southern Illinois," Miller said.

Newby was described as religious and creative. She mixed rap with Bible verses and preached.

Gary was being held on \$575,000 bail.



Carol Newby - Age 60

Killed in her own home by and ex-con that lived in rental property

# Granite City man convicted of murder

March 10, 2017

- EDWARDSVILLE — A Madison County jury has convicted a Granite City man of first-degree murder following a three-day trial at the Criminal Justice Center.
- Jury selection in the trial of Cory L. Osborne, 32, began Monday, March 6. The trial began Tuesday morning with testimony from several witnesses, including officers from the Granite City Police Department and Detective Brian Koberna of the Madison County Sheriff's Department.
- The jury began deliberating around 11:30 a.m. Friday before returning with its verdict 3-1/2 hours later.
- Granite City police and paramedics responded to a 911 call regarding a woman slumped at the wheel of a running car sitting in a vacant lot at 25th Street and Madison around 5:33 p.m. Feb. 18, 2015. The woman, identified as 35-year-old Stacie A. Williams, was deceased with a single gunshot wound to the head.
- Osborne and Williams were in a previous dating relationship and he was charged in a January 2015 domestic violence case in which she was the alleged victim.
- "Stacie and her loved ones deserve justice and we are very thankful that the jurors have provided it with their verdict today," State's Attorney Tom Gibbons said. "This great success is the result of a combination of extraordinary investigation and trial work. I want to commend the excellent investigative work by the Granite City Police Department, Madison County Sheriff's Office, Madison County coroner and the Illinois State Police. Working together with our trial team of Assistant State's Attorneys Crystal Uhe and Lauren Heischmidt, this team of professionals achieved a great victory for Stacie, her family and for the people of our community. I look forward to seeing this murderer locked behind bars for the rest of his life so the victims and our community can heal from this terrible tragedy. Our thoughts and prayers will remain with the victims as they seek healing."
- Assistant State's Attorneys Crystal Uhe and Lauren Heischmidt, both of the Violent Crimes Unit, prosecuted the case in front of Associate Judge Kyle Napp, who will sentence Osborne at a later date. His bond was revoked and he was taken into custody of the Madison County Jail in Edwardsville, where he will remain until sentencing.
- Osborne faces 45 years to life for the Class M felony. A sentencing hearing will be scheduled following the completion of a pre-sentencing investigation, which usually takes six to eight weeks.



# Keep track of what's going on in your rental!

It's imperative that you pay attention to what is going on in your rental property. Don't just assume that you have good tenants just because they pay the rent on time.

Consider exchanging phone numbers with the neighbors of your rental property. After all, the neighbors will be the first ones to know if there is a problem, and can let you know. You can decide from there what the best course of action to handle the problem should be.

Consider checking on the property weekly. Drive past and take a look around. Is the grass cut? Is the property clean and well kept? Is there junk, trash, and debris in the yard? These can be good indicators of the type of tenants you have.

# Crime can occur in your rental property even after the last tenant has vacated the rental unit!

You are required by the Illinois Landlord Tenant Act 765 ILCS 705/10 to rekey the locks on your rental property in between tenants.

Here is a quick test to verify that you have read this material.

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This is required to get credit for taking this section of the class.

<https://www.egovlink.com/granitecity/action.asp?actionid=19316>

**Thank You.**