

Judge continues Orr, Roof sentencing to April 1

3.31.11 12:57 p.m.

The sentencing of Jerry D. Roof and Jennifer Orr, the Perry couple who have pled guilty to charges stemming from an August incident involving a then 15-year-old juvenile, started Monday afternoon at 1 p.m. in the Pike County Courthouse in front of Judge Michael Roseberry. After three and one-half hours, the sentencing was continued to Friday, April 1 at 9:30.

In January of this year, Roof had entered a plea of guilty to the offenses of criminal sexual abuse, child pornography and delivery of a controlled substance. Remaining charges against Roof were dismissed pursuant to the plea agreement.

Orr, on the same date, entered into a partially negotiated plea agreement when she signed a guilty plea for the offenses of aggravated criminal sexual abuse and delivery of a controlled substance. The remaining charges against her were also dismissed pursuant to the plea agreement.

Both were charged after police officers obtained a search warrant for their Perry residence and found evidence that led to the charges. The search warrant was obtained after an anonymous tip suggesting cocaine, alcohol and sex with the juvenile had happened at a party at the residence. It was also alleged pictures were taken of the sexual activity.

Roseberry heard testimony from both the victim's mother and grandfather. Both testified the girl had been forced to change schools twice since the incident and, although both admitted she had never been a good student, said her grades, until recently, had been failing following the incident. They also testified the victim had become difficult as far as communicating with her and has other social issues.

Also testifying for the prosecution was Keatra Smith, a probation officer from Schuyler County, who testified Orr had been on probation three times in her county and had only completed one session satisfactorily.

Lawyers for the defense, Monroe McWard for Roof and Mark Wykoff for Orr, suggested the incident had not been as traumatic as the prosecution was suggesting and tried to introduce Facebook, the social networking site, evidence to the contrary. They claim the victim has tried to contact Roof and has said she does not want to see him in prison.

Roseberry was cautious about allowing the information, saying it couldn't be authenticated, the times pictures were taken could differ drastically from the times they were posted and his own lack of familiarity with Facebook.

Also called for the defense was Ryan Miller and Michael Moore, both friends of Roof's and Jessica Schmid, Roof's current girl friend. All testified he was a changed man since the incident

and that he has quit drinking and hardly ever goes out anymore.

Schmid said Roof had told her he regretted the 2010 incident involving the minor and wished it had never happened.

Roof also testified on his own behalf, saying he had stopped all substance abuses, was attending counseling as often as he could and that his memory of the night in question is clouded by the drugs and alcohol. He said he didn't remember photographing Orr and the victim engaged in a sexual act but agreed the pictures were taken on his camera.

The matter is to resume Friday at 9:30 a.m. with Orr's attorney calling witnesses on her behalf. The additional testimony, closing arguments and deliberation is expected to take another two to three hours.

Under the terms of the plea agreement, Roof is eligible to receive a sentence of up to 10 years in the Illinois Department of Corrections with a two-year mandatory supervised release on the child pornography offense, up to seven years in prison on the delivery of controlled substance offense and up to three years in prison on the criminal sexual abuse offense.

Both offenses are subject to up to seven years in prison except that the parties agreed to a cap of six years in prison which means on the sentencing date that Judge Roseberry will be bound not to exceed a six year prison sentence for Orr.

Prior to Monday's hearing, Orr was also ordered to obtain a sex offender evaluation, TASC evaluation and cooperate with the probation office in the preparation of the pre-sentence investigation. Both matters were consolidated for the purposes of the sentencing hearing.

-By Beth Zumwalt