



**ILLINOIS MOTOR VEHICLE THEFT
PREVENTION COUNCIL**
300 West Adams, suite 200
Chicago, Illinois 60606

COUNCIL MEETING
Tuesday, September 25, 2012
Chicago, Illinois
MEETING MATERIAL

**ILLINOIS
MOTOR VEHICLE
THEFT
PREVENTION
COUNCIL**



ILLINOIS MOTOR VEHICLE THEFT PREVENTION COUNCIL

September 25, 2012 – 1:00 P.M.

**Illinois Criminal Justice Information Authority
300 West Adams Street, Suite 200
Chicago, IL 60606**

**300 West Adams Street, Suite 200
Chicago, Illinois 60606-3997
Phone: (312) 793-8550
Fax: (312) 793-8422
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Pat Quinn, Governor

Hiram Grau, Chairman
Illinois State Police

Anita Alvarez
Cook County State's Attorney

Larry C. Cholewin
MetLife Insurance

Gerald M. Farina
State Farm Insurance

Brian B. Fengel
Chief, Bartonville Police Department

Garry McCarthy
Superintendent, Chicago Police Dept.

Larry D. Johnson
Farmers Insurance

Beau Parrillo
United Automobile Insurance Company

Donald L. Sauzek
Country Companies

Jesse White
Illinois Secretary of State

Jack Cutrone
Executive Director
Illinois Criminal Justice
Information Authority

AGENDA

- **Call to Order and Roll Call**
- **Chairman's Remarks, Director Grau**
- A. Approval of the Minutes of the June 27, 2012 Council Meeting**
- B. Program Director's Report, Greg Stevens**
- C. Grant Review Committee Report, Lt. Col. Lemming**
 - 2012 Designation Revisions
 - 2013 Program Designations
- D. Re-vote on H.R. 1107**
- E. Resolution of Commendation**
 - **Old Business**
 - **New Business**
 - **Adjourn**

This meeting will be accessible to persons with disabilities in compliance with Executive Order #5 and pertinent State and Federal laws upon anticipated attendance. Persons with disabilities planning to attend and needing special accommodations should contact by telephone or letter Mr. Hank Anthony, Associate Director, Office of Administrative Services, Illinois Criminal Justice Information Authority, 300 West Adams Street, Suite 200, Chicago, Illinois 60606-3997 (telephone 312/793-8550). TDD services are available at 312-793-4170

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MINUTES

**Illinois Motor Vehicle Theft Prevention Council
June 27, 2012 – 10:00 A.M.
300 W. Adams Street, Suite 200
Chicago, IL 60606**

The Illinois Motor Vehicle Theft Prevention Council held its second quarter 2012 Council meeting at 10:00 a.m. on June 27, 2012 at the offices of the Illinois Criminal Justice Information Authority, 300 W. Adams Street, Suite 200, Chicago, Illinois 60606.

CALL TO ORDER AND ROLL CALL

Director Demuzio chaired the Council meeting and called the meeting to order. Junaid Afeef, Illinois Criminal Justice Information Authority associate general counsel, called roll. Present in person at the meeting were:

Director Demuzio, Mr. Cholewin, Mr. Farina, Chief Fengel, Mr. Johnson and Mr. Sauzek.

The following members were absent:

State's Attorney Alvarez, Chairman Grau, and Superintendent McCarthy.

Mr. Parrillo participated in the meeting via conference call.

A quorum was established.

MINUTES OF THE FEBRUARY 24, 2012 COUNCIL MEETING

Director Demuzio asked if there were any additions, deletions, or questions regarding the February 24, 2012 Council meeting minutes behind TAB 1 of the meeting materials. There were none. Chief Fengel moved to approve the 2/24/12 Council meeting minutes. The motion was seconded by Mr. Johnson and approved by a unanimous voice vote (7-0-0).

PROGRAM DIRECTOR'S REPORT

Director Demuzio called on Program Director Stevens to provide the Director's Report. During his report Mr. Stevens referenced the written and bound materials provided to each of the Council members in advance of the meeting.

Mr. Stevens first addressed the Trust Fund Reports. Referencing the yellow divider in the materials Mr. Stevens noted that the fiscal status report for January 1, 2012 through March 31, 2012 showed a balance of \$4,307,469. Referencing the green divider Mr. Stevens addressed the Council's cash flow projection report for 2012 and noted that at the end of 2012 the projected balance of funds was \$2,640,817. He also referred the Council members to the Lapsed Funds by Calendar Year Report covering 2002 through 2011.

Mr. Stevens noted that for calendar year 2012 the Council designated \$6,499,884 with only \$116 remaining undesignated. Mr. Stevens noted that the grantees and the Council members received an email from him recently asking for grantees to identify potential lapsing funds so that the upcoming July GRC meeting may consider re-programming options. There was a discussion of options for re-programming of the funds. It was noted that the options should be things that will not create obligations beyond the current grant period and which would not violate the rules against supplanting. Mr. Stevens remarked that fuel cost was an expense identified as a possible focus of re-programmed funds. He also noted that presently none of the task forces and/or grantees was

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delinquent on their fiscal, data and prosecution reports.

Mr. Stevens next addressed staff activities. He referenced the detailed list of activities behind the purple divider which were noted in a memo covering January 1, 2012 through March 31, 2012. He noted that the annual report was completed and that this year the document was not produced in hardcopies, and instead, was made available electronically on the web. He also noted that 290 letters were sent to insurance companies identified as being required to contribute to the Motor Vehicle Theft Prevention Trust Fund. There was a brief discussion about the process of identifying which insurance companies are required to contribute the trust fund. Mr. Stevens noted that staff receives a very large list of insurance companies from the Illinois Department of Insurance and that he goes through this extensive set of data to identify which companies will be contacted. Mr. Stevens also noted that the Council's website will be looked at and updates will be made to it.

Lastly, Mr. Stevens referenced the Program Vehicle Fleet Summary. Mr. Stevens noted that this report was prepared by Vehicle Acquisition Specialist Luisa Salazar. He noted that this report summarized the entire vehicle fleet being utilized by the Council funded programs, and that the report included vehicles that were Council purchased and leased and also vehicles that were provided by insurance companies.

GRANT REVIEW COMMITTEE REPORT

Director Demuzio noted that the last Grant Review Committee (GRC) meeting was held on April 25, 2012 and that the materials pertaining to the GRC were located behind Tab 3 of the meeting materials. He called upon GRC Chair Bruce Banks to give the GRC meeting report.

Chairman Banks gave the GRC meeting report. He noted that there was a discussion of increasing the appropriations amount to allow the Council to tap into the growing reserve of lapsed funds. This led to a discussion of the lapsed funds reserve. Chairman Banks asked Mr. Afeef what, if any, impact the PCIAA litigation has on the appropriations cap. Mr. Afeef noted that the PCIAA litigation has a court order that currently prevents money being swept from the Motor Vehicle Theft Prevention Trust Fund, but that the litigation does not have a direct impact on the setting of the appropriations amount.

Mr. Cholewin commented that his communications with the plaintiff in the PCIAA case suggested that the plaintiff may be considering a voluntary dismissal of its suit. Mr. Cholewin asked Mr. Afeef for an opinion on the subject of the PCIAA plaintiff seeking a dismissal. Mr. Afeef stated that he could not opine on that matter. He further advised the Council that the Attorney General's office was considering a motion for summary judgment.

There was also a discussion about the amount of money that is collected annually from insurance companies. It was noted that this year the Council collected almost exactly \$6.5 million and that if in future years the collection exceeds the \$6.5 million appropriation level, then all the additional funds will automatically accrue along with the lapsed funds. It was also noted that the Council does not have audit authority over the insurance companies and therefore cannot verify whether all insurance companies who should be paying into the Motor Vehicle Theft Prevention Trust Fund are in fact doing so.

Mr. Cholewin recommended creating a subcommittee to develop a plan to identify the additional uses of the funds accumulating in the Trust Fund and to develop a strategy to seek an increase in the appropriations. Director Demuzio noted that the insurance industry would have to take a leading role in any advocacy efforts that sought an increase in the appropriations.

PROGRAM PROFILES

Director Demuzio noted that program profiles for the Cook County Motor Vehicle Theft Prosecution Unit and for the Motor Vehicle Theft Intelligence Clearinghouse Program are found behind TAB 4 of the meeting materials. Assistant State's Attorney Andy Varga introduced himself as the new director of the Cook County Motor Vehicle Theft Prosecution Unit, gave some background on his professional experience and then gave a brief summary of the recent work and accomplishments of his unit. Analyst Lynn McCloskey gave a brief report on the recent work of the Motor Vehicle Theft Intelligence Clearinghouse Program. There were no questions for the presenters.

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RESOLUTIONS OF COMMENDATION

Director Demuzio noted that there are two (2) Resolutions for Commendation for consideration. They are for Mr. Kevin Byrne and for Mr. John Chojnacki in recognition of their respective substantial contributions towards fulfilling the mission of the Council. Director Demuzio stated that the Council needs to vote on these resolutions. Chief Fengel moved to adopt both resolutions. Mr. Cholewin seconded the motion. The motion was passed by a unanimous voice vote.

OLD BUSINESS

There was no old business.

NEW BUSINESS

Sgt. Tim Gainer, president of the Illinois Auto Theft Directors Association, was invited to recognize some individuals for outstanding performance during the previous quarter. SLATE director Greg Cavanaugh along with inspector Jennifer Beckman and Inspector XXXX were asked to step forward. Sgt. Gainer recounted the extraordinary efforts of the two SLATE inspectors and presented them each with a certificate of recognition.

Mr. Johnson brought up a legislative matter that was considered by the General Assembly. He wanted the Council to discuss H.R. 1107. It is a legislative matter that may be pursued during the forthcoming veto session. There was some discussion. It was explained to the Council by Mr. Johnson and by Ms. Heather Wright of Farmers Insurance (who was asked to attend the meeting by Mr. Johnson) that the resolution seeks to create a task force that will study the bodily injury insurance fraud problem in Illinois and make recommendations on how to address this problem. There was a discussion on about who sits on the proposed task force. Mr. Farina made a motion to seek an amendment to the resolution to add MVTPC as a member of the task force. The motion was seconded by Chief Fengel and passed by a unanimous voice vote.

ADJOURN

Director Demuzio reminded the Council that the next Council meeting will be on August 31, 2012 in Chicago. Chief Fengel moved to adjourn and Mr. Sauzek seconded the motion. The motion was passed by a unanimous voice vote.

Respectfully submitted,

Junaid M. Afeef
Associate General Counsel
Illinois Criminal Justice Information Authority



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TO: Motor Vehicle Theft Prevention Council Members

FROM: Greg Stevens, Program Director

SUBJECT: Director's Report

DATE: September 5, 2012

Trust Fund Reports - Behind the yellow divider is the *Fiscal Status Report* for January 1, 2012 through June 30, 2012. As the report indicates, a balance of \$6,390,554 remains at the end of the reporting period.

Behind the green divider is a *Cash Flow Projection Report* for 2012. It is projected there will be a Trust Fund balance of \$2,637,817 at the end of 2012. Please review the footnotes located behind the report for additional fiscal disclosures.

Fiscal staff will be available to discuss the above reports.

Fiscal, Data and Prosecution Submission Summary – Behind the purple divider is a chart prepared by Criminal Justice Specialist Terry Dugan summarizing the record of each unit in submitting the various monthly reports required by the Council. The summary covers the period of January through July 2012.

Program Vehicle Fleet Summary – Behind the blue divider is a chart prepared by Vehicle Acquisition Specialist Luisa Salazar summarizing the entire vehicle fleet being utilized by the Council funded programs. The chart includes vehicles that are Council purchased, leased or insurance provided.

Staff Activities – Behind the pink divider is a memorandum listing all staff activities for the period of April 1, 2012 through June 30, 2012.

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TO: Illinois Motor Vehicle Theft Prevention Council
FROM: Ronald Litwin
SUBJECT: CY12 Fiscal Report – Motor Vehicle Theft Prevention Trust Fund @ 6/30/12
DATE: September 4, 2012

The following table presents CY12 receipts, expenditures and balances in the Motor Vehicle Theft Prevention Trust Fund for the period January 1, 2012 through June 30, 2012. As can be seen, a balance of \$6,390,544 remains at the end of the report period:

	CY11 1/1/12 -6/30/12
Beginning Fund Balance	\$3,056,018
Receipts	\$6,513,529
Interest	\$7,705
Transfer to General Revenue Fund	\$0
Operations Expenditures	(\$121,581)
Awards and Grants Expenditures	(\$3,065,117)
Ending Fund Balance	\$6,390,554

The fiscal staff will be glad to answer any questions you may have regarding this fiscal report

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ILLINOIS MOTOR VEHICLE THEFT PREVENTION TRUST FUND
Cash Flow Projection- 2012

9/19/2012

(SUBJECT TO CONTINGENCIES IN NOTES ON THE FOLLOWING PAGES)

		<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>
		actual	actual	actual	actual	projection
Beginning Balance	Trust fund balance on January 1st	\$1,799,353	\$2,123,012	\$2,574,841	\$2,844,981	\$3,056,017
Interest	Earned on the fund balance monthly	\$105,130	\$40,641	\$22,985	\$26,106	\$20,000
Insurance company payments	Based on existing fee structure Due April 1st	\$6,398,636	\$6,474,670	\$6,486,893	\$6,403,814	\$6,500,000
Grants and Awards	Please see a discussion in notes 1, 2 and 3	(\$5,874,870)	(\$5,822,886)	(\$5,975,205)	(\$5,906,896)	(\$6,500,000)
Administrative Costs	Projected expense amounts are the State budget	(\$305,237)	(\$240,596)	(\$264,533)	(\$311,988)	(\$378,200)
Transfers to general fund	Please see a discussion in notes 1, 2 and 3	\$0	\$0	\$0	\$0	\$0
Audit fees	Bi-annual audit of the fund			\$0	\$0	(\$60,000)
Ending Balance	Trust Fund Balance on December 31 Note 2	<u>\$2,123,012</u>	<u>\$2,574,841</u>	<u>\$2,844,981</u>	<u>\$3,056,017</u>	<u>\$2,637,817</u>

ILLINOIS MOTOR VEHICLE THEFT PREVENTION TRUST FUND
(The Trust Fund)
Cash Flow Projection 2012

1. Projected grant amounts and the cash balances of the Trust Fund in this report are qualified as to amount of lapses in the final fiscal reports from the grantees and subject to “sweeps” and freezes by the Governor’s office.

Projected grant amounts in 2012 are the State of Illinois budgeted (appropriation) of \$6.5 million.

It is reasonably possible that substantial “sweeps” to the fund could occur in the calendar years after 2011 based upon historical amounts determined by the State of Illinois and a reasonably possible conclusion in favor of the State of Illinois of the legal proceedings discussed in note 2.

It is reasonably possible that “sweeps” that materially affect the future results of the fund operations could occur as early as July 1, 2012. Budget reductions in 2012 and years after 2012 may be required as a result of sweeps that might occur.

2. The projected fund balance of \$2,637,817 at the end of the period will not be available for future programs unless the budgeted appropriation of \$6.5 million is increased to allow for this amount to be spent. Any lapsed funds in 2012 will increase the amount not available.

3. There two significant legal proceedings affecting the fund.

The Property and Casualty Insurers Association of America (PCIAA) filed a suit in the State of Illinois in 2006. The Governor and other top Illinois State officials (the State) are named as defendants. The suit asks for the return of over \$6 million of monies removed from the fund and for an injunction barring further removal of funds from the Trust Fund.

An agreed court order between the plaintiff and defendants was entered on June 6, 2006. The State agreed that no money would be withdrawn from the fund and the plaintiff agreed to withdraw its motion for preliminary injunction.

The defendants filed a motion to dismiss all counts of the complaint which was heard and denied in October 2006. The plaintiffs filed a motion for summary judgment which was denied in January 2008. Another similar case, A.B.A.T.E of Illinois v the State as described below stayed the legal proceedings of PCIAA and there are no legal proceedings proposed or undertaken to date.

In A.B.A.T.E. (ABATE) of Illinois v. Illinois State officials (the State), a group of motorcyclists challenged the transfer of money from the Cycle Rider Safety Training Fund to the General Revenue Fund pursuant to the Fiscal Year 2004 and Fiscal Year 2005 Budget Implementation Acts. The trial court rejected the ABATE's constitutional and statutory challenges and granted a motion of summary judgment for the State. ABATE filed an appeal with the Illinois Appellate Court, Fourth Judicial District. The appellate court affirmed the judgment of the trial court in granting the motion of the State for summary judgment. On October 27, 2011, in a 6-to -1, decision the Illinois Supreme Court upheld the Illinois Appellate Court and the Sangamon County Circuit Court ruling backing the Governor and the Legislature's ability to sweep funds.

The Office of the General Counsel of the Illinois Criminal Justice Information Authority (OGC) states that the ABATE decision may not significantly impact the PCIAA litigation because the statute section of the Illinois Motor Vehicle Theft Prevention Act that creates the Motor Vehicle Theft Prevention Trust Fund is substantially different than the statute in the ABATE case. OGC further states that the Supreme Court ruling in ABATE will not likely end the PCIAA litigation.

The management of the Illinois Criminal Justice Information Authority stated in a report to the Illinois Office of the Comptroller that the probability of loss or "sweeps" to the trust fund as a result of a decision favorable to the State in the PCIAA litigation is reasonably possible. Under Statement of Accounting Standard No. 5, this is defined that the chance of the future event is more than remote but less than likely.

IMVTPC Submission Summary Report January through July 2012

09/10/12

2012	#	REPORTS	JAN	FEB	MAR	APR	MAY	JUN	JUL
SOS	001	FISCAL	02/21/12	03/15/12	04/08/12	05/17/12	06/25/12	07/19/12	08/28/12
		DATA	02/07/12	03/06/12	04/08/12	05/07/12	06/07/12	07/20/12	08/14/12
COOK	004	FISCAL	02/15/12	03/20/12	04/17/12	05/14/12	06/18/12	07/16/12	08/23/12
		DATA	02/15/12	03/15/12	04/16/12	05/15/12	06/18/12	07/16/12	08/13/12
TCATTF	008	FISCAL	02/21/12	03/15/12	04/27/12	05/17/12	06/25/12	07/18/12	08/17/12
		DATA	02/15/12	03/15/12	04/16/12	05/15/12	06/18/12	07/17/12	08/16/12
MEATTF	010	FISCAL	02/10/12	03/15/12	04/13/12	05/15/12	06/11/12	07/16/12	08/09/12
		DATA	02/10/12	03/15/12	04/13/12	05/14/12	06/18/12	07/10/12	08/14/12
NEMATTF	012	FISCAL	02/27/12	03/15/12	04/27/12	05/17/12	06/25/12	04/30/00	08/16/12
		DATA	03/26/12	03/15/12	04/13/12	05/17/12	06/12/12	07/18/12	08/16/12
NICB	016	FISCAL	02/10/12	03/16/12	05/01/12	05/14/12	07/31/12	07/31/12	09/14/12
		DATA	02/15/12	03/09/12	04/27/12	05/30/12	06/25/12	07/20/12	08/24/12
ISP-C	019	FISCAL	02/22/12	03/15/12	04/10/12	05/09/12	06/11/12	07/16/12	08/09/12
		DATA	02/06/12	03/15/12	04/13/12	05/13/12	06/14/12	07/13/12	08/13/12
GMAT	022	FISCAL	02/27/12	03/15/12	04/10/12	05/17/12	06/25/12	07/16/12	09/10/12
		DATA	02/27/12	03/15/12	04/10/12	05/17/12	06/25/12	07/16/12	08/15/12
NIATTF	025	FISCAL	02/27/12	03/15/12	04/16/12	05/17/12	06/18/12	07/17/12	08/15/12
		DATA	02/15/12	03/15/12	04/16/12	05/17/12	06/18/12	07/17/12	08/15/12
ISP-A	036	FISCAL	02/10/12	03/15/12	04/10/12	05/09/12	06/11/12	07/16/12	08/09/12
		DATA	02/06/12	02/28/12	04/10/12	05/09/12	06/07/12	07/10/12	08/06/12
SLATE	040	FISCAL	02/15/12	03/22/12	04/16/12	05/15/12	06/13/12	07/12/12	08/15/12
		DATA	02/14/12	03/15/12	04/18/12	05/07/12	06/18/12	07/16/12	08/13/12

Illinois Motor Vehicle Theft Prevention Council Fleet

Task Force	Vehicle	Acquisition Type
<i>Greater Metropolitan Auto Theft Task Force</i>	Sedan	Insurance Provided: State Farm
	Sedan	Insurance Provided: State Farm
	Sedan	Insurance Provided: State Farm
	Sport Utility Vehicle	Insurance Provided: Allstate
	Sedan	Insurance Provided: Allstate
	Sedan	Leased
	Sedan	Leased
	Sedan	Leased
	Sport Utility Vehicle	Leased
	Sport Utility Vehicle	Leased
	Sport Utility Vehicle	Leased
	Sport Utility Vehicle	Leased
	Sport Utility Vehicles	Owned
	Sport Utility Vehicles	Owned
	Sedan	Owned
	Sedan	Owned
<i>Cook County Motor Vehicle Theft Prosecution</i>	Sedan	Owned
<i>McHenry County</i>	Sedan	Insurance Provided: State Farm
<i>Metro East Auto Theft Task Force</i>	Sedan	Insurance Provided: Liberty Mutual
	Pickup Truck	Insurance Provided: Liberty Mutual
	Minivan	Owned
	Sedan	Owned
	Sedan	Owned
	Sport Utility Vehicle	Owned
	Pickup Truck	Owned
	Sport Utility Vehicle	Leased
	Sport Utility Vehicle	Leased
	Sport Utility Vehicle	Leased
	Sport Utility Vehicle	Leased
	Sport Utility Vehicle	Leased
	Sport Utility Vehicle	Leased
<i>Northeast Metro Auto Theft Task Force</i>	Wagon	Insurance Provided: State Farm
	Sport Utility Vehicle	Insurance Provided: State Farm
	Sport Utility Vehicle	Insurance Provided: State Farm
	Wagon	Insurance Provided: American Family
	Sedan	Owned
	Minivan	Owned
	Minivan	Leased
	Pickup Truck	Leased
<i>Northern Illinois Auto Theft Task Force</i>	Sport Utility Vehicle	Insurance Provided: County Mutual Ins.
	Sport Utility Vehicle	Insurance Provided: State Farm
	Pickup Truck	Leased
	Pickup Truck	Leased
	Sport Utility Vehicle	Leased
	Sedan	Owned
	Sedan	Owned
	Sedan	Owned
	Sedan	Owned

Illinois Motor Vehicle Theft Prevention Council Fleet

	Pickup Truck	Owned
	Motorcycle	Owned
<i>State and Local Auto Theft Enforcement Task Force</i>	Sedan	Owned
	Sport Utility Vehicle	Owned
	Sport Utility Vehicle	Owned
	Sedan	Insurance Provided: State Farm
	Sedan	Insurance Provided: State Farm
	Sport Utility Vehicle	Insurance Provided: State Farm
	Pickup Truck	Insurance Provided: State Farm
	Pickup Truck	Insurance Provided: State Farm
	Pickup Truck	Insurance Provided: EMC Insurance
<i>Secretary of State Special Audit Program</i>	Minivan	Insurance Provided: State Farm
	Sport Utility Vehicle	Insurance Provided: Allstate
	Minivan	Insurance Provided: State Farm
	Sedan	Insurance Provided: Allstate
	Sport Utility Vehicle	Insurance Provided: State Farm
	Sedan	Insurance Provided: American Family Ins.
	Sedan	Insurance Provided: Allstate
	Sport Utility Vehicle	Insurance Provided: Allstate
	Sedan	Insurance Provided: State Farm
	Sport Utility Vehicle	Insurance Provided: State Farm
	Sedan	Owned
	Sedan	Leased
	Sedan	Leased
	Sedan	Leased
	Sedan	Leased
	Sedan	Leased
	Sedan	Leased
<i>Tri-County Auto Theft Task Force</i>	Pickup Truck	Owned
	Motorcycle	Owned
	Sedan	Owned
	Sedan	Owned
	Sport Utility Vehicle	Insurance Provided: State Farm
	Sport Utility Vehicle	Insurance Provided: American Family Ins.
	Sport Utility Vehicle	Insurance Provided: State Farm
	Sport Utility Vehicle	Insurance Provided: State Farm
	Sport Utility Vehicle	Insurance Provided: State Farm
	Pickup Truck	Leased
	Pickup Truck	Leased
	Sport Utility Vehicle	Leased
	Sport Utility Vehicle	Leased
	Sport Utility Vehicle	Leased

Total Vehicles: 90	Total Donated: 35
	Total Leased: 29
	Total Owned: 26

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Country Companies

Jesse White
Illinois Secretary of State

Jack Cutrone
Executive Director
Illinois Criminal Justice
Information Authority

TO: Motor Vehicle Theft Prevention Council Members
FROM: Greg Stevens, Program Director
SUBJECT: Staff Activities
DATE: September 10, 2012

The following are highlights of staff activities for the period of April 1, 2012 through June 30, 2012:

- On May 8th, Terry Dugan conducted a training with the Greater Metropolitan Auto Theft Task Force.
- On May 24th, Terry Dugan conducted a site visit with the Metro East Auto Theft Task Force.
- On June 20th, Terry Dugan conducted a site visit with the SOS Audit Program and the ISP Clearinghouse Program.
- On June 21st, Terry Dugan conducted a site visit with the ISP – Motor Vehicle Theft Training Program.
- During the quarter Luisa Salazar replaced five insurance provided vehicles with five late-model, low-mileage vehicles, which required minimal repair work.
- Sharyn Adams developed the Metro East Auto Theft Task Force program profile that will be presented at the Fall Council meeting.

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**ILLINOIS MOTOR VEHICLE THEFT
PREVENTION COUNCIL**
300 West Adams, suite 200
Chicago, Illinois 60606

COUNCIL MEETING

Tuesday, September 25, 2012

Chicago, Illinois

MEETING MATERIAL

T A B C

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TO: Motor Vehicle Theft Prevention Council Members
FROM: Greg Stevens
SUBJECT: Grant Review Committee Report
DATE: September 4, 2012

The Grant Review Committee met on August 14, 2012 and prior to today's meeting to discuss and develop recommendations regarding the reprogramming of 2012 lapsing funds and the 2013 award designations.

Grant Review Committee Chairman, Lieutenant Colonel Terry Lemming, will present a report summarizing the recent Grant review committee meetings held in Chicago, IL.

The following will serve as reference for the items to be discussed:

- Blue divider – Summary of the August 14, 2012 Grant Review Committee meeting.
- Green divider – Summary of the revised 2012 award designations.

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**Illinois Motor Vehicle Theft Prevention Council
Grant Review Committee Meeting**

Tuesday, August 14, 2012 – 10:00 AM
Illinois Criminal Justice Information Authority
300 West Adams Street, Suite 200
Chicago, IL 60606

Meeting Summary

CALL TO ORDER

Lieutenant Colonel Terry Lemming, the newly appointed chair of the Grant Review Committee called the meeting to order at 10:00 AM. Chairman Lemming then introduced himself to the committee members and to the audience attending the meeting. Chairman Lemming also introduced Ms. Wendy McCambridge as ICJIA's new associate director of the Federal and State Grants Unit.

Next Chairman Lemming asked Junaid M. Afeef, an associate general counsel at ICJIA, to call the roll.

Chairman Lemming	Present	Chief Fengel	Present
Sgt. Cappitelli	Present	Mike Golden	Present
Larry Cholewin	Present	Beau Parrillo	Telephone
Director Demuzio	Telephone	Larry Johnson*	Present
Gerad Farina	Absent		

Mr. Johnson, a board member of the MVTPC, was appointed to serve on the GRC for the purposes of this meeting. A quorum was confirmed.

APPROVAL OF THE APRIL 25, 2012 GRANT REVIEW COMMITTEE SUMMARY

Chairman Lemming referenced the meeting summary from April 25, 2012, a copy of which was provided to all GRC members in advance, and asked for any additions, deletions or questions. Hearing none, he then asked for a motion to approve the 4/25/12 meeting summary. Chief Fengel moved to approve the meeting summary. Sgt. Cappitelli seconded the motion. The 4/25/12 meeting summary was unanimously approved by a voice vote.

PROGRAM DIRECTOR'S REPORT

Chairman Banks called upon Program Director Greg Stevens to present his report. Mr. Stevens presented the following report to the members of the GRC:

Financial Status Report & Cash Flow Projection – Mr. Stevens presented the most recent Financial Status and Cash Flow Projection Reports for the Committee's view. Mr. Stevens noted expected expenses through June 30, 2012 were \$3,124,174 and the reported expenses for this period were \$2,737,520. Mr. Cholewin asked about whether this information on projected vs. actual expenses could be and/or should be collected sooner. Mr. Stevens noted that these issues can be addressed later in the meeting when lapses and re-programming of lapsed funds is discussed. Mr. Cholewin agreed to pursue this issue during the later agenda item.

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Mr. Stevens noted that the Cash Flow Projection report indicated an expected trust fund balance of \$2,637,817 at the end of 2012. Mr. Stevens noted that fiscal staff from ICJIA was available via conference call to answer any questions about the financial information presented.

Calendar year 2012 Program Funding – Mr. Stevens pointed that this issue will be discussed in detail as a separate agenda item during the meeting.

Fiscal, Progress and Prosecution Submission Summary – Mr. Stevens noted that the fiscal, progress and prosecution report prepared by Criminal Justice Specialist Terry Dugan summarizing the record of each unit submitting the various reports to the Council covers January-July 2012.

Vehicle Fleet – Mr. Stevens briefly referenced the vehicle fleet chart in the materials. He noted that this chart was prepared and maintained by Vehicle Acquisition Specialist Luisa Salazar. The chart includes vehicles that are Council purchased, leased or insurance provided.

Staff Activities – Mr. Stevens next highlighted some staff activities from April 1, 2012 through June 30, 2012.

QUARTERLY ACTIVITY REPORT

Chairman Lemming directed the committee members to the Quarterly Activity Summary behind TAB 3 of the printed materials. He asked if there were any comments or questions regarding the summary. There were no questions. Mr. Stevens stated that Lynn McCloskey of the Motor Vehicle Theft Intelligence Clearinghouse was asked to give a presentation on the quarterly activity report and how it is developed. Mr. Stevens noted that this presentation may be scheduled for a GRC meeting in the fall of 2012.

2012 PROJECTED LAPSES & PROGRAMMING

Chairman Lemming next directed the committee's attention to TAB 4 and to Mr. Stevens' memo on 2012 projected lapses and programming. Chairman Lemming asked Mr. Stevens to present the memo.

Mr. Stevens explained the process he used to determine the projected lapses and the recommendations for re-programming those lapses to other uses in 2012. Mr. Stevens then reviewed the projected lapses in five programs. He noted that the five programs with anticipated lapses also had requests for using some or all of the projected lapsed funds during 2012. One program, the Tri-County Auto Theft Task Force did not have any anticipated lapses but did have a request for additional funding.

Mr. Stevens reviewed each of the five programs, the amount of anticipated lapse in each program, the reason behind the anticipated lapse, and the program's request for re-programming some of those lapsed funds within the program. It was noted that since Mr. Stevens' memo (dated 7/11/12), one of the programs, Motor Vehicle Theft Investigation Training Program, found an alternative use for the \$2000 in anticipated lapses and therefore would be excluded from deliberation. The State and Local Auto Theft Enforcement Task Force (SLATE) reported an anticipated lapse of \$17,000 but requested that this amount not be re-programmed to another program. SLATE requested an additional \$18,000. They proposed to use the \$17,000 plus the additional \$18,000 (requested funds) for the purposes of purchasing two vehicles (and thereby allow SLATE to return two insurance provided vehicles to the MVTPC).

Chief Fengel made a motion to adopt the following revised designations:

Insurance Vehicle Expense Fund Program:	Reduce designation to \$41,590
Motor Vehicle Theft Intelligence Clearinghouse	Reduce designation to \$356,196
State and Local Auto Theft Enforcement Task Force	Increase designation to \$405,113
Tri-County Auto Theft Task Force	Increase designation to \$810,434

Sgt. Cappitelli seconded the motion. There was no further discussion. The motion was passed unanimously.

2013 PROGRAM FUNDING

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Chairman Lemming directed the committee's attention to Mr. Stevens' memo behind TAB 5. The memo outlined the funding requests for 2013 and asked Mr. Stevens to present the information to the committee.

Mr. Stevens explained that each 2012 funded program submitted a proposed budget for 2013. The total of all proposed budgets was \$6,772,467 which exceeds the annual budget appropriation of \$6.5 million by \$272,962. Mr. Stevens reviewed 12 proposals, which included the programs funded and one new request from SLATE. Mr. Stevens compared each program's 2013 requested amount with the 2012 designation. Seven of the programs sought increased funding for 2013. The discussion focused on the programs seeking additional funding and the new request from SLATE to help provide funding for the Midwest MV Conference in 2013.

Each program seeking increased funds (and SLATE's additional request for the conference) were discussed in turn. The program directors were asked to explain the need for additional funding. After reviewing each of the seven programs the committee decided not to make any recommendations until each program provided additional information. The committee agreed to reconvene an additional GRC meeting on 9/12/12 in order to make recommendations to the MVTPC.

OLD BUSINESS

There was no old business.

NEW BUSINESS

There was no new business.

MOTION TO ADJOURN

Chief Fengel moved to adjourn the meeting. Mr. Johnson seconded the motion and the motion passed by a unanimous voice vote.

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TO: Motor Vehicle Theft Prevention Council Members

FROM: Greg Stevens

SUBJECT: 2012 revised designation recommendations

DATE: September 5, 2012

The following two program designations will be considered by the Grant Review Committee on September 25, 2012. Recommendations to the Council will depend on the outcome of the Grant Review Committee discussions.

Greater Metro Area Auto Theft Task Force

Original designation:	\$758,348
Identified lapse:	\$20,833

The program has identified \$20,833 lapse in the Personnel category from a short-term vacancy and from a local officer reimbursement being lower than originally budgeted. The program requests to use \$300 of the lapse for badges and \$14,300 towards vehicle maintenance/supplies, leaving \$5,833 in unbudgeted grant funds.

Recommended revised designation: \$752,515

Motor Vehicle Theft Intelligence Clearinghouse

Original designation:	\$360,859
Identified lapse:	\$88,000

The program has identified \$88,000 in the Personnel category due to a vacancy in a funded position. The program requests to use \$5,000 of the lapse to update two aging computers and necessary software. This will leave \$83,000 in lapsing funds.

Recommended revised designation: \$277,859

The following designation revisions were discussed at the August 14, 2012 Grant Review Committee meeting and approved for recommendation to the Council:

Insurance Vehicle Expense Fund Program

Original designation:	\$63,590
Identified lapse:	\$22,000

The program has identified \$22,000 in the Contractual category that will not

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be spent. This is due to the slow start-up of the program this year with the newly filled Vehicle Acquisition Specialist position.

Recommended revised designation: \$41,590

Northeast Metro Auto Theft Task Force

Original designation: \$515,991

Identified lapse: \$32,254

The program has identified \$10,000 in overtime, \$6,000 in vehicle maintenance, \$16,254 in a short-term vacancy in personnel. The program requests that \$8,500 be allowed to be used on unplanned office relocation expenses and the remaining \$23,754 for the purchase of a vehicle. The purchase of the vehicle will allow the program to no longer have to lease a vehicle.

Recommended revised designation: \$515,991/ no revision to designation

State and Local Auto Theft Enforcement Task Force

Original designation: \$387,113

Identified lapse: \$17,000

The program has identified \$17,000 in the Personnel and Contractual categories. The program requests to use the identified lapse and an additional \$18,000 for the purchase of two vehicles. The grant-purchased vehicles will allow the program to return two insurance provided vehicles. The returned vehicles, in-turn could then be placed with other programs currently leasing vehicles.

Recommended revised designation: \$405,113

Tri-County Auto Theft Task Force

Original designation: \$802,934

Identified lapse: \$0

The program requests an additional \$7,500 in grant funding to cover an anticipated budget shortfall in fuel costs. In 2011 the program budgeted \$25,000 towards fuel costs and incurred \$30,890 on costs. This year the program again budgeted \$25,000 towards fuel costs and the fuel prices are above last year's prices.

Recommended revised designation: \$810,434

The chart on the following page summarizes the above detailed revisions.

**Illinois Motor Vehicle Theft
Prevention Council**

CY 2012 MV Program Lapses and Reprogramming					
	Current Designation	Identified Lapse	Lapse Available for Reprogramming	Additional Funding Request	Recommended Designation
Cook Co.	\$ 802,644	\$ -	\$ -	\$ -	\$ 802,644
Greater Metro	\$ 758,348	\$ 20,833	\$ 5,833	\$ -	\$ 752,515
Ins. Vehicle Expense	\$ 63,590	\$ 22,000	\$ 22,000	\$ -	\$ 41,590
ISP Clearinghouse	\$ 360,859	\$ 88,000	\$ 83,000	\$ -	\$ 277,859
ISP Training Academy	\$ 51,964	\$ 2,000	\$ -	\$ -	\$ 51,964
Metro East	\$ 752,810	\$ -	\$ -	\$ -	\$ 752,810
NEMAT	\$ 515,991	\$ 32,254	\$ -	\$ -	\$ 515,991
Northern IL	\$ 621,595	\$ -	\$ -	\$ -	\$ 621,595
SOS Audit Team	\$ 1,382,036	\$ -	\$ -	\$ -	\$ 1,382,036
SLATE	\$ 387,113	\$ 17,000	\$ -	\$ 18,000	\$ 405,113
Tri-County	\$ 802,934	\$ -	\$ -	\$ 7,500	\$ 810,434
Total	\$ 6,499,884	\$ 182,087	\$ 110,833	\$ 25,500	\$ 6,414,551
Grants Appropriation	\$ 6,500,000				\$ 6,500,000
Available for Programming	\$ 116				\$ 85,449

Note - The Recommended Designations in bold need Council approval.



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COUNCIL MEETING

Tuesday, September 25, 2012

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TAB D

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TO: Motor Vehicle Theft Prevention Council Members
FROM: Junaid M. Afeef
SUBJECT: Re-vote on H.R. 1107 Required
DATE: July 23, 2012

The Motor Vehicle Theft Prevention Council (MVTPC) passed a motion regarding follow up action to H.R. 1107, a resolution presented in the Illinois House which indirectly related to the work of the MVTPC. The vote on what the MVTPC is to do vis-à-vis H.R. 1107 is invalid and the motion must be made, seconded and re-voted upon at the next duly called MVTPC meeting.

The topic of H.R. 1107 was raised during new business by MVTPC member Larry Johnson. This item was not on the agenda. Pursuant to the Open Meetings Act, substantive votes cannot be taken on matters that are not properly disclosed on the publicly distributed meeting agenda.

It was appropriate to raise the topic of H.R. 1107. It was also appropriate to have a discussion on H.R. 1107. However, the vote on whether and/or how the MVTPC might proceed vis-à-vis H.R. 1107 was improper.

Council members who wish to have substantive decisions made on issues must include those issues on the meeting agenda. With H.R. 1107 being properly introduced during the 6/27/12 meeting, it will be placed as an agenda item on the next meeting of the MVTPC. At the next MVTPC meeting the Council members will be able to re-introduce the motion and take another vote.

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TO: Motor Vehicle Theft Prevention Council Members
FROM: Director Hiram Grau, Chairman
SUBJECT: Resolution for Commendation
DATE: September 6, 2012

Staff has prepared a Resolution of Commendation for the following individuals for their contributions towards filling the mission of the Council. Each has performed their duties with distinction and should be commended. A copy of each Resolution is located behind this memo.

Philip L. Cappitelli – Sergeant Cappitelli has been a Chicago Police Officer for 32 years and served as the Chicago Police Department’s representative on the Grant Review Committee from July, 2010 until his retirement on November 15, 2012.

Tom Wittmuss - Mr. Wittmuss served as the program director of the Secretary of State Special Audit Teams Program from January, 2003 until his retirement on June 30, 2012.

The contributions of each individual will be greatly missed.

A copy of each Resolution is located behind this memo.

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RESOLUTION OF COMMENDATION

Philip L. Cappitelli

WHEREAS, Philip L. Cappitelli has served with distinction as the Chicago Police Department's representative on the Grant Review Committee, and

WHEREAS, Philip L. Cappitelli made many outstanding contributions toward fulfilling the mission of this Council; and

WHEREAS, Philip L. Cappitelli has earned and continues to enjoy the respect of his colleagues, members of the law enforcement community, Council members, and staff;

BE IT RESOLVED that Philip L. Cappitelli is hereby commended and cited for his outstanding service to the Illinois Motor Vehicle Theft Prevention Council.

BE IT FURTHER RESOLVED that the grateful appreciation of this Council and the people of the State of Illinois are conveyed to Philip L. Cappitelli and that a formal copy of this Resolution of Commendation is presented to him in honor of his dedicated service and achievement.

ADOPTED UNANIMOUSLY this 25th day of September 2012.

Hiram Grau
Chairman

Jack Cutrone
Executive Director

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RESOLUTION OF COMMENDATION

Tom Wittmuss

WHEREAS, Tom Wittmuss has served with distinction as the Program Director for the Secretary of State Special Audit Teams Program, and

WHEREAS, Tom Wittmuss made many outstanding contributions toward fulfilling the mission of this Council; and

WHEREAS, Tom Wittmuss has earned and continues to enjoy the respect of his colleagues, members of the law enforcement community, Council members, and staff;

BE IT RESOLVED that Tom Wittmuss is hereby commended and cited for his outstanding service to the Illinois Motor Vehicle Theft Prevention Council.

BE IT FURTHER RESOLVED that the grateful appreciation of this Council and the people of the State of Illinois are conveyed to Tom Wittmuss and that a formal copy of this Resolution of Commendation is presented to him in honor of his dedicated service and achievement.

ADOPTED UNANIMOUSLY this 25th day of September 2012.

Hiram Grau
Chairman

Jack Cutrone
Executive Director

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