

**ILLINOIS MOTOR VEHICLE THEFT
PREVENTION COUNCIL**



Council Meeting

March 22, 2013

Chicago

**ILLINOIS
MOTOR VEHICLE
THEFT
PREVENTION
COUNCIL**



ILLINOIS MOTOR VEHICLE THEFT PREVENTION COUNCIL

March 22, 2013 – 10:00 A.M.

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

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Chicago, Illinois 60606-3997
Phone: (312) 793-8550
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www.icjia.state.il.us/mv

Pat Quinn, Governor

Hiram Grau, Chairman
Illinois State Police

Anita Alvarez
Cook County State's Attorney

Larry C. Cholewin
MetLife Insurance

Gerald M. Farina
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Brian B. Fengel
Chief, Bartonville Police Department

Garry McCarthy
Superintendent, Chicago Police Dept.

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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 November 16, 2012 Council Meeting (Including the closed portion of the November 16, 2012 meeting.)**
- B. Program Director's Report, Greg Stevens**
- C. Grant Review Committee Report, Lt. Col. Lemming**
- D. Chicago Police Department Declination of Funds**
- E. Program Profile**
 - **Greater Metropolitan Area Auto Theft Task Force**
- **Old Business**
- **New Business**
- F. Motion to Close Meeting for PCIAA Update**
- G. Motor Vehicle Theft Prevention Council's Legal Position on PCIAA vs. Blagoievich et al. litigation: Discussion & Vote**
- **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

"A working partnership of the public and private sectors fighting vehicle theft in Illinois"

TAB

A

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MINUTES

**Illinois Motor Vehicle Theft Prevention Council
November 16, 2012 – 10:00 A.M.
300 W. Adams Street, Suite 200
Chicago, IL 60606**

The Illinois Motor Vehicle Theft Prevention Council held its fourth quarter 2012 Council meeting at 1:00 p.m. on November 16, 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 Brad Demuzio chaired the Council meeting and called the meeting to order. Junaid Afeef, Illinois Criminal Justice Information Authority associate general counsel, called roll.

Name	Present	Telephone	Absent
Hiram Grau			X
Anita Alvarez	X		
Larry Cholewin	X		
Gerald Farina	X		
Brian B. Fengel	X		
Garry McCarthy			X
Larry D. Johnson	X		
Beau Parrillo		X	
Donald L. Sauzek			X
Brad Demuzio as designee for Jesse White	X		

A quorum of the members was present.

MINUTES OF THE OCTOBER 30, 2012 COUNCIL MEETING

Director Demuzio asked if there were any additions, deletions, or questions regarding the October 30, 2012 Council meeting minutes behind TAB 1 of the meeting materials. There were none. Chief Fengel moved to approve the 10/30/12 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 asked Program Director Greg Stevens to present his report. Mr. Stevens began with the Trust Fund Reports. He noted that there was a balance of \$4,681,177 in the trust fund as of September 30, 2012. He further noted that the cash flow projections for 2013 indicate a projected trust fund balance of \$2,640,817 at the end of 2012. Mr. Stevens asked Mr. Ron Litwin, ICJIA's Acting CFO, to provide information on an audit expense which was in the financial materials. Mr. Litwin explained that in various years the state charges an audit expense and that this amount reflects that expense. Mr. Litwin further explained that this audit expense is not incurred every year. There were no additional questions. Mr. Stevens then referred the Council members to the "Fiscal, Data and Prosecution Submission Summary" and to the "Program Vehicle Fleet Summary" reports.

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GRANT REVIEW COMMITTEE REPORT

Director Demuzio invited the Grant Review Committee Chairman Terry Lemming to provide a report of the latest GRC meeting which took place earlier in the day on 11/16/12.

Chairman Lemming reported that the GRC met on earlier that morning to discuss and develop recommendations regarding the programming of \$83,005 from the 2013 budget. Chairman Lemming noted that Mr. Stevens solicited all of the task forces for input on how to use these funds, and based on that solicitation, there was only one proposal which was from NEMAT for an expansion of staffing. Director Demuzio asked for questions and/or discussion. There was no discussion, nor any questions. Chief Fengel made a motion to approve the programming of \$83,005 to NEMAT in 2013 for new staffing. Mr. Farina seconded the motion. The motion was approved by a unanimous voice vote.

CALENDAR YEAR 2013 MEETING DATES

Mr. Stevens reported that Mr. Farina would be presenting a motion to create, in addition to meeting dates for the GRC and for the Council in 2013, specific back up dates in the event quorum could not be achieved at the primary meeting date. A schedule of the meeting dates and the corresponding backup dates were provided to the Council members as follows:

Grant Review Committee

<u>Scheduled Date</u>	<u>Alternate Date</u>
Wednesday, January 23, 2013	Wednesday, January 30, 2013
Wednesday, April 3, 2013 *	Wednesday, April 10, 2013
Wednesday, July 24, 2013	Wednesday, July 31, 2013
Wednesday, October 2, 2013	Wednesday, October 9, 2013

* Meeting to be held in Springfield, IL

Council

<u>Scheduled Date</u>	<u>Alternate Date</u>
Wednesday, February 27, 2013	Wednesday, March 6, 2013
Wednesday, May 8, 2013**	Wednesday, May 15, 2013
Wednesday, August 28, 2013	Wednesday, September 4, 2013
Wednesday, November 6, 2013	Wednesday, November 13, 2013

** Meeting to be held in Peoria, IL

Mr. Farina made a motion to approve the foregoing meeting dates and their respective backup dates. Director Demuzio seconded the motion. The motion was approved by a unanimous voice vote.

FISCAL YEAR 2013 ADMINISTRATIVE BUDGET

Director Demuzio next called the Council members attention to the fiscal year 2013's administrative budget in the materials. He noted that this information was being presented for informational purposes and that no action by the Council was required.

Mr. Stevens noted that many of the expenses found in this budget are set by CMS. Mr. Litwin was asked if that was correct, and Mr. Litwin agreed and gave a few examples from the budget to illustrate the point. Among other things Mr. Litwin noted that personnel is a large item and that those expenses go up as required by union contract from time to time.

OLD BUSINESS

There was no old business.

NEW BUSINESS

Master Sergeant Tim Gainer with NEMAT, also the president of the Illinois Auto Theft Task Force Directors Associations, made a presentation during new business. He noted that a quarterly award was established to recognize auto theft investigators who went above and beyond the call of duty. Master Sergeant Gainer recognized Investigator Dan Albrecht from BATTLE. He described the efforts of Investigator Albrecht that earned him this recognition and then presented him with a certificate. Chairman Lemming also noted that Master Sergeant Gainer was promoted to his current position on 11/15/12 at 5pm.

Mr. Afeef then reminded the Council members that annual ethics training is mandatory and asked members to return proof of completion before Christmas 2012. He further noted that there were forms that could be completed on site for those who have completed the training already.

Mr. Litwin introduced Ms. Nancy Determann. Mr. Litwin noted that Ms. Determann was promoted into the position previously held by Mr. Jim Oas.

CLOSED MEETING SESSION: PCIAA LITIGATION DISCUSSION WITH ATTORNEY

Mr. Afeef reported to the Council members that the Illinois Attorney General had recently appointed an attorney to represent the Council, and that this attorney, Ms. Laura Vaught, would be calling in to speak with the Council today. Mr. Afeef noted that the attorney who has been representing both ICJIA and the Council will continue to represent the Council, and that this step was taken because of the conflict of interest in the positions between ICJIA and MVTPC. Mr. Afeef explained that he would not be able to participate in any litigation related work with the Council and that discussion between the Council and its new attorney may be held in a closed session pursuant to the "pending litigation" exception of the Open Meetings Act. Mr. Afeef explained that a motion would have to be made, seconded and passed to close this portion of the meeting. He further noted that he would have to leave because he represented ICJIA, and only Council members and Mr. Stevens (who would be serving as the recording secretary) would be able to participate in the closed meeting. Director Demuzio asked what the urgency was to have this conversation over the telephone rather than having Ms. Vaught come in person. Mr. Afeef reported that there was a motion for summary judgment pending.

Chief Fengel made a motion to adjourn. Mr. Farina seconded the motion. The motion to close the meeting was approved unanimously. Mr. Afeef then left the meeting at that point. The meeting recording was stopped. Mr. Stevens took over as recording secretary and began a new recording of the meeting.

Respectfully submitted,

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

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Executive Director
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TO: Motor Vehicle Theft Prevention Council Members
FROM: Greg Stevens, Program Director
SUBJECT: Director's Report
DATE: February 14, 2013

Trust Fund Reports - Behind divider one is the *Fiscal Status Report* for January 1, 2012 through December 31, 2012. As the report indicates, a balance of \$2,933,951 remains at the end of the reporting period.

Behind divider two is a *Cash Flow Projection Report* for 2013 and the *Lapse Funds Report* for 2008 -2012. It is projected there will be a Trust Fund balance of \$2,523,950 at the end of 2013. Please review the footnotes located behind the report for additional fiscal disclosures.

Fiscal staff will be available to discuss the above reports.

Program Vehicle Fleet Summary – Behind divider three 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 – On January 18, 2013 Council staff and program staff conducted a presentation to the Illinois Chapter of the International Association of Special Investigative Units at the State Farm Insurance offices in Downer's Grove, IL. The presentation was organized by Luisa Salazar and provided an overview summary of the Council, its strategy and the programs funded by the Council.

The speakers included Andrew Varga from the Cook County State's Attorney's Motor Vehicle Theft Prosecution Unit, Tim Gainer from the Northeast Metro Area Auto Theft Task Force, Lynn McCloskey from the Motor Vehicle Theft Intelligence Clearinghouse and Jason Devino from the Motor Vehicle Theft Investigations Training Program.

On February 13, 2013 staff attended the Illinois Auto Theft Directors Association in Pontiac, IL.

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TO: Illinois Motor Vehicle Theft Prevention Council
FROM: Ronald Litwin
SUBJECT: CY12 Fiscal Report – Motor Vehicle Theft Prevention Trust Fund @ 12/31/12
DATE: February 27, 2013

The following table presents CY12 receipts, expenditures and balances in the Motor Vehicle Theft Prevention Trust Fund for the period January 1, 2012 through December 31, 2012. As can be seen, a balance of \$2,933,951 remains at the end of the report period:

	CY12 1/1/12 -12/31/12
Beginning Fund Balance	\$3,056,018
Receipts	\$6,497,455
Interest	\$18,725
Transfer to General Revenue Fund	\$0
Operations Expenditures	(\$346,655)
Awards and Grants Expenditures	(\$6,291,592)
Ending Fund Balance	\$2,933,951

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

“A working partnership of the public and private sectors fighting vehicle theft in Illinois”

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2/19/2013

ILLINOIS MOTOR VEHICLE THEFT PREVENTION TRUST FUND
Cash Flow Projection- 2013
(SUBJECT TO CONTINGENCIES IN NOTES ON THE FOLLOWING PAGES)

		2009	2010	2011	2012	2013
		actual	actual	actual	actual	projection
Beginning Balance	Trust fund balance on January 1st	\$2,123,012	\$2,574,841	\$2,844,981	\$3,056,017	\$2,933,950
Interest	Earned on the fund balance monthly	\$40,641	\$22,985	\$26,106	\$18,725	\$10,000
Insurance company payments	Based on existing fee structure Due April 1st	\$6,474,670	\$6,486,893	\$6,403,814	\$6,497,455	\$6,500,000
Grants and Awards	Please see a discussion in notes 1, 2 and 3	(\$5,822,886)	(\$5,975,205)	(\$5,906,896)	(\$6,291,592)	(\$6,500,000)
Administrative Costs	Projected expense amounts are the State budget	(\$240,596)	(\$264,533)	(\$311,988)	(\$346,655)	(\$360,000)
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	\$0	(\$60,000)
Ending Balance	Trust Fund Balance on December 31 Note 2	<u>\$2,574,841</u>	<u>\$2,844,981</u>	<u>\$3,056,017</u>	<u>\$2,933,950</u>	<u>\$2,523,950</u>

ILLINOIS MOTOR VEHICLE THEFT PREVENTION TRUST FUND
(The Trust Fund)
Cash Flow Projection 2013

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 2013 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 2012 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, 2013. Budget reductions in 2013 and years after 2013 may be required as a result of sweeps that might occur.

2. The projected fund balance of \$2,523,950 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.

MOTOR VEHICLE THEFT PREVENTION TRUST FUND						
Lapsed funds by calendar year - amount under budget						
GRANT NUMBER	PROGRAM	2008 LAPSED	2009 LAPSED	2010 LAPSED	2011 LAPSED	2012 LAPSED
MV001	SECRETARY OF STATE, SPECIAL AUDIT TEAMS	29,496	33,699	22,843	0	51,511
MV004	COOK COUNTY STATES ATTY, THEFT PROSECUTIONS	0	38,374	52,210	68,853	1,029
MV008	JOLIET, TRI-COUNTY AUTO THEFT TASK FORCE	48	0	6	34	274
MV010	BELLEVILLE, METRO EAST AUTO THEFT TASK FORCE	22,679	4,591	14,625	10,702	14,058
MV010-1	BELLEVILLE, METRO EAST AUTO THEFT TASK FORCE	Note 1	0	1	0	ended in 2010
MV011	ELGIN, KANE COUNTY AUTO THEFT TASK FORCE	503	52,256	11,699	64,679	ended in 2011
MV012	VILLAGE OF LYNNWOOD, NEMAT TASK FORCE	Note 2	299,463	22,632	1,059	not available
MV016	INSURANCE VEHICLE EXPENSE FUND	17,460	40,492	27,088	52,644	17,926
MV019	IL STATE POLICE, MV THEFT INTELLIGENCE CLEARINGHOUSE	137,035	143,291	128,547	26,681	1,548
MV021	DUPAGE SHERIFF, AUTO THEFT TASK FORCE	23,491	27,526	44,938	24,599	ended in 2011
MV022	LEMONT, GREATER METRO AUTO THEFT TASK FORCE					1,988
MV025	WINNEBAGO SHERIFF, NORTHERN IL AUTO THEFT TASK FORCE	12991	2,460	0	5,463	1,867
MV036	IL STATE POLICE MVTP TRAINING	17,721	22,001	18,589	37,437	11,362
MV040	PEORIA/ STATE AND LOCAL AUTO THEFT ENFORCEMENT (SLATE)	14,272	12,906	47,541	12,355	690
		<u>275,696</u>	<u>677,059</u>	<u>390,719</u>	<u>304,506</u>	<u>102,253</u>
	Note 1: period of performance of 1/1/09-06/30/10.					
	Note 2: period of performance of 1/1/08-12/31/09.					

DIVIDER

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Illinois Motor Vehicle Theft Prevention Council Fleet

Task Force	Vehicle	Acquisition Type
<i>Greater Metropolitan Auto Theft Task Force</i>	Sport Utility Vehicle	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>	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
	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
	Sedan	Owned
	Sedan	Owned
	Minivan	Insurance Provided: State Farm
	Sport Utility Vehicle	Insurance Provided: American Family Ins
	Sport Utility Vehicle	Insurance Provided: State Farm
	Sedan	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: 89	Total Donated: 34
	Total Leased: 29
	Total Owned: 26

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TO: Motor Vehicle Theft Prevention Council Members
FROM: Greg Stevens, Program Director
SUBJECT: Grant Review Committee Report
DATE: February 6, 2013

The Grant Review Committee has not met since the last Council meeting on November 16, 2012. Grant Review Committee Chairman Terry Lemming will be present at the meeting to discuss items of importance for the upcoming year.

The 2013 Motor Vehicle Programs Funding Chart is located behind this memo for reference purposes.

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**Illinois Motor Vehicle Theft
Prevention Council**

Calendar Year 2013 Motor Vehicle Theft Prevention Program Funding				
	CY13 designation			
Cook Co. Prosecution	\$ 823,644			
Greater Metro	\$ 768,464			
Insurance Vehicle Program	\$ 60,000			
Intelligence Clearinghouse	\$ 330,948			
ISP Training Academy	\$ 51,964			
Metro East	\$ 752,810			
NEMAT	\$ 584,105			
Northern IL	\$ 623,315			
SOS Audit Team	\$ 1,297,068			
SLATE	\$ 380,254			
SLATE - Midwest Conf.	\$ 22,505			
Tri-County	\$ 804,918			
Total	\$ 6,499,995			
Grants				
Appropriation	\$ 6,500,000			
Available for programming	\$ 5			

TAB

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SUBJECT: Chicago Police Awards Declinations
DATE: February 6, 2013

At the November 18, 2011 Council meeting the Council approved grant awards to the Chicago Police Department in the amounts of \$21,582 for the purchase of bait car equipment and \$81,100 for phase one of a multi-phase technology project to merge databases used by the police department and the Department of Revenue.

At the October 30, 2012 Council meeting the Council approved a grant award to the Chicago Police Department in the amount of \$33,449 for the purchase of a bait car and bait car equipment.

On December 12, 2012 staff was informed by Chicago Police Department's Director of Grants Management, Larry Sachs, that due to unexpected procurement delays the department would have to decline the bait car awards. The declination letters follow this memo.

Council staff was also notified by Mr. Sachs that the department was declining the award for the database project. The declination letter also follows this memo.

The grand total of \$136,131 awarded to Chicago Police for the projects cannot be awarded to any other programs this year because the Council has already reached its \$6.5 million grants appropriation cap.

Mr. Sachs will be present at the meeting and will be providing further explanation on the declination of funds.



Rahm Emanuel
Mayor

Department of Police • City of Chicago
3510 South Michigan Avenue • Chicago, Illinois 60653

Garry F. McCarthy
Superintendent of Police

Mr. Terry Dugan, Grants Manager
Illinois Motor Vehicle Theft Prevention Council
300 West Adams Street, Suite 200
Chicago, Illinois 60606-3997

December 12, 2012

Re: MV #12-041

Dear Mr. Dugan,

The Chicago Police Department (CPD) is grateful for the opportunity afforded us by the Illinois Motor Vehicle Theft Prevention Council for this grant funding to improve the capacity of our Bait Car Team program to meet Council and local vehicle theft reduction and recovery goals and objectives. However, because we have encountered unanticipated procurement difficulties that make it impossible to use this funding as intended by the grant end date, we must respectfully decline to accept this award.

We very much hope to resolve these procurement obstacles in the near future, and that the Council will find other opportunities to improve CPD's operational capacity to reduce vehicle theft, and to improve rates of vehicle recoveries and successful prosecutions of vehicle thieves.

Respectfully,

A handwritten signature in black ink, appearing to read "Larry E. Sachs".

Larry E. Sachs, Director of Grants Management
Research and Development Division,
Bureau of Organizational Development



Rahm Emanuel
Mayor

Department of Police • City of Chicago
3510 South Michigan Avenue • Chicago, Illinois 60653

Garry F. McCarthy
Superintendent of Police

Mr. Greg Stevens, Program Director
Illinois Motor Vehicle Theft Prevention Council
300 West Adams Street, Suite 200
Chicago, Illinois 60606-3997

January 30, 2013

Re: ALPR grant

Dear Mr. Stevens,

CPD was unable to act on the IMVTPC grant for \$81,100 to enhance our ALPR capacity because the approved amount was not sufficient for CPD to implement even the revised Phase I of the ALPR data automation project.

The Chicago Police Department (CPD) is grateful for the opportunity afforded us by the Illinois Motor Vehicle Theft Prevention Council for this grant funding, but respectfully must decline that award.

Respectfully,

A handwritten signature in black ink, appearing to read "Larry E. Sachs".

Larry E. Sachs, Director of Grants Management
Research and Development Division,
Bureau of Organizational Development



Rahm Emanuel
Mayor

Department of Police • City of Chicago
3510 South Michigan Avenue • Chicago, Illinois 60653

Garry F. McCarthy
Superintendent of Police

Mr. Greg Stevens, Program Director
Illinois Motor Vehicle Theft Prevention Council
300 West Adams Street, Suite 200
Chicago, Illinois 60606-3997

December 12, 2012

Re: MV #12-050

Dear Mr. Stevens,

The Chicago Police Department (CPD) is grateful for the opportunity afforded us by the Illinois Motor Vehicle Theft Prevention Council for this grant funding to improve the capacity of our Bait Car Team program to meet Council and local vehicle theft reduction and recovery goals and objectives. However, because we have encountered unanticipated procurement difficulties that make it impossible to use this funding as intended by the grant end date, we must respectfully decline to accept this award.

We very much hope to resolve these procurement obstacles in the near future, and that the Council will find other opportunities to improve CPD's operational capacity to reduce vehicle theft, and to improve rates of vehicle recoveries and successful prosecutions of vehicle thieves.

Respectfully,

A handwritten signature in black ink, appearing to read "Larry E. Sachs".

Larry E. Sachs, Director of Grants Management
Research and Development Division,
Bureau of Organizational Development

TAB

E

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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

TO: Motor Vehicle Theft Prevention Council Members

FROM: Greg Stevens

SUBJECT: Program Presentation

DATE: January 30, 2013

Behind this memo is a copy of the Greater Metropolitan Area Auto Theft Task Force Unit program performance profile. The profile was prepared by Sharyn Adams, research analyst for the Illinois Criminal Justice Information Authority.

At the February 27, 2013 Council meeting a representative from the program will be present to provide an overview of the work of the programs over the last twelve months.

“A working partnership of the public and private sectors fighting vehicle theft in Illinois”

A Profile of the Greater Metropolitan Auto Theft Task Force (GMAT)



Prepared for

The Illinois Motor Vehicle Theft Prevention Council

**Pat Quinn, Governor
Hiram Grau, Chairman**

February, 2013

Illinois Criminal Justice Information Authority

**Executive Director
Jack Cutrone**

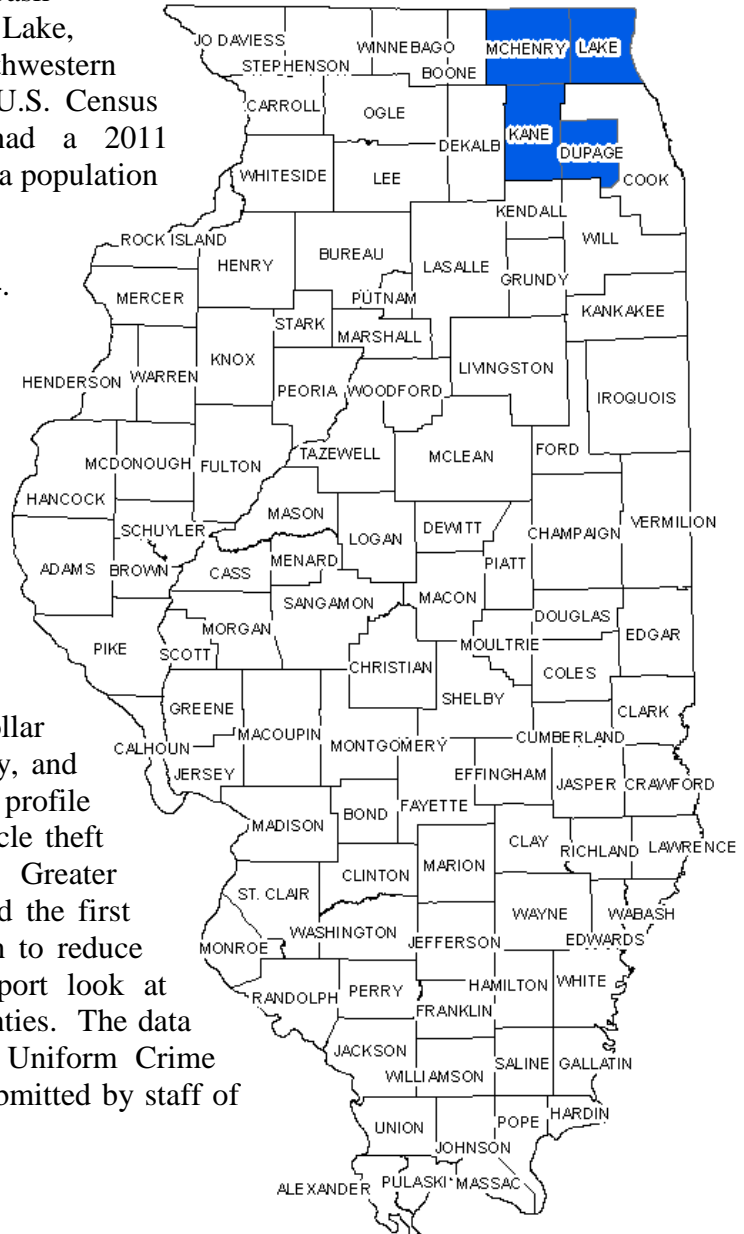


**ILLINOIS MOTOR VEHICLE
THEFT PREVENTION COUNCIL**

Introduction

The Greater Metropolitan Auto Theft Task Force (GMAT) serves DuPage, Kane, Lake, and McHenry counties, and the northwestern corner of Cook County. According to U.S. Census Bureau estimates, DuPage County had a 2011 population of 923,222, Kane County had a population of 520,271, Lake County had a population of 706,222 and McHenry County had a population of 308,944. Including the areas serviced in Cook County, GMAT services a population of approximately three million people. GMAT covers an area of approximately 2,000 square miles. According to the Illinois Secretary of State's Office, there were 1,952,298 passenger cars, trucks, and motorcycles registered in DuPage, Kane, Lake and McHenry counties in 2011.¹

GMAT covers four out of the five collar counties (DuPage, Kane, Lake, McHenry, and Will) that border Cook County. This profile provides a general overview of the vehicle theft problem in the areas covered by the Greater Metropolitan Auto Theft Task Force and the first year activities the task force engaged in to reduce vehicle theft. The statistics in this report look at DuPage, Kane, Lake, and McHenry counties. The data are based on the Illinois State Police Uniform Crime Reports and the monthly data reports submitted by staff of GMAT.



¹ State of Illinois. Office of the Secretary of State, 2011.

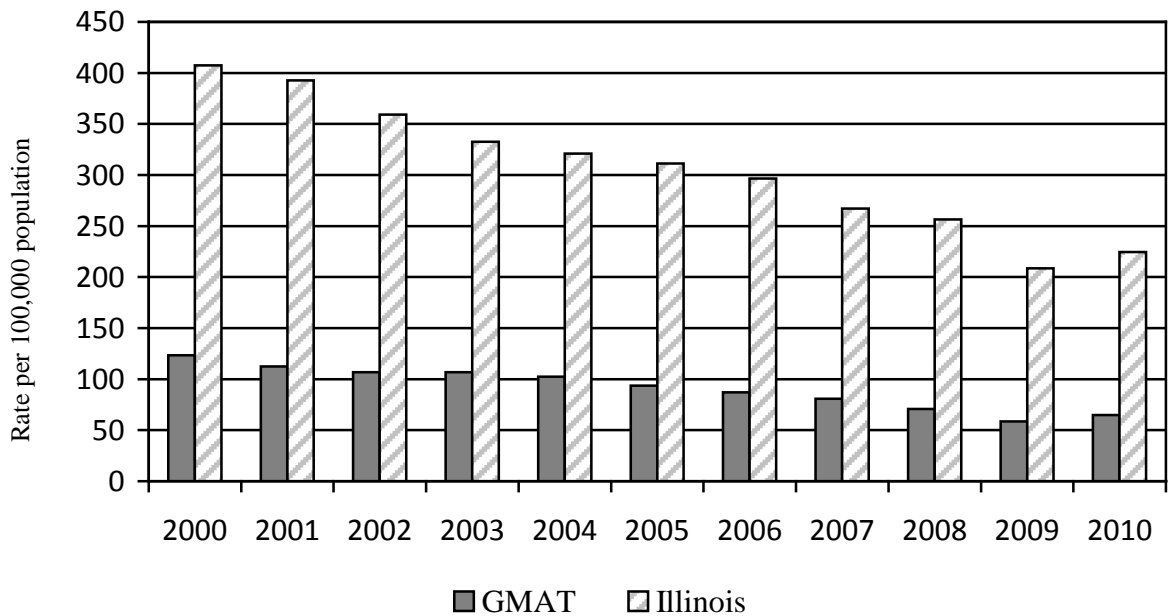
Motor Vehicle Theft in the Greater Metropolitan area

According to the Illinois State Police, the number of motor vehicle thefts reported in the area covered by the Greater Metropolitan Auto Theft Task Force (GMAT) decreased 48 percent between 2000 and 2010, from 2,747 thefts to 1,417 thefts. Motor vehicle thefts also decreased 43 percent statewide during the same period.

Between 2000 and 2010, a time when the population in the area covered by GMAT was growing, the motor vehicle theft rate in the region decreased 47 percent, from 123 to 65 offenses per 100,000 population. The statewide motor vehicle theft rate also decreased, from 407 to 224 offenses per 100,000 population.

Figure 1

**Greater Metropolitan Area Motor Vehicle Theft Rate
2000-2010**



Data Source: Illinois Uniform Crime Reports and Crime in the United States, 2010.

Program Summary

The Greater Metropolitan Auto Theft Task Force (GMAT) is a specialized, cooperative, law enforcement effort which combined the previously funded DuPage Auto Theft Task Force (BATTLE) with the Kane-Cook Auto Theft Task Force (KCAT). GMAT's purpose is to combat auto theft by bringing together the expertise and unique resources of all participating agencies, maximizing the investigative and prosecutorial efforts directed at the auto theft and auto insurance fraud problem within the GMAT service area.

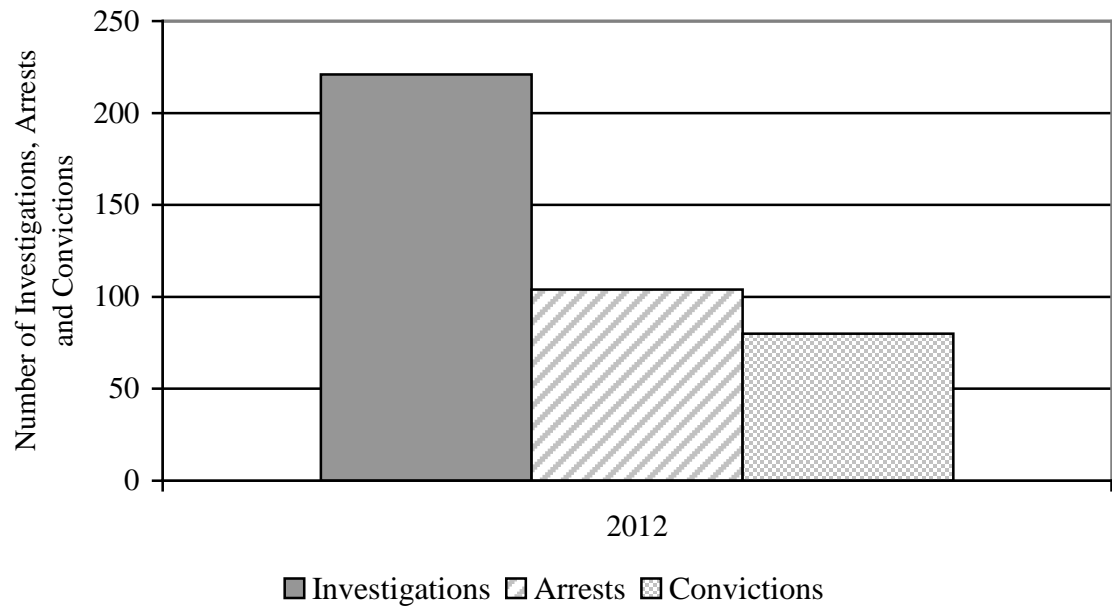
GMAT provides the ability to field several investigators who are specially trained in auto theft investigations and who have statewide police authority to pursue those investigations. GMAT directly supports the prosecution of auto theft offenders through the dedication of a full time auto theft prosecutor by the Kane County State's Attorney and the dedication of a full time auto theft prosecutor by the DuPage County State's Attorney. GMAT also works in cooperation with the dedicated, full time prosecutors of the Cook County State's Attorney Auto Theft Prosecutions Unit. They also maintain a working relationship with the National Insurance Crime Bureau (NICB), the Illinois Secretary of State Special Investigative Unit, insurance and credit industry special investigative units, and federal agencies, including: the Federal Bureau of Investigation (FBI), the Bureau of Alcohol, Tobacco and Firearms (ATF), and the United States Secret Service (USSS).

Program Activity

Since the programs began reporting data in January 2012, through December 2012, the Greater Metropolitan Auto Theft Task Force (GMAT) has conducted 83 self-initiated and 138 assisted investigations, resulting in 104 arrests and 80 convictions. Figure 2 shows the number of motor vehicle theft investigations, arrests, and convictions for GMAT for 2012.

Figure 2

**Greater Metropolitan Auto Theft Task Force
Investigations, Arrests and Convictions, 2012**

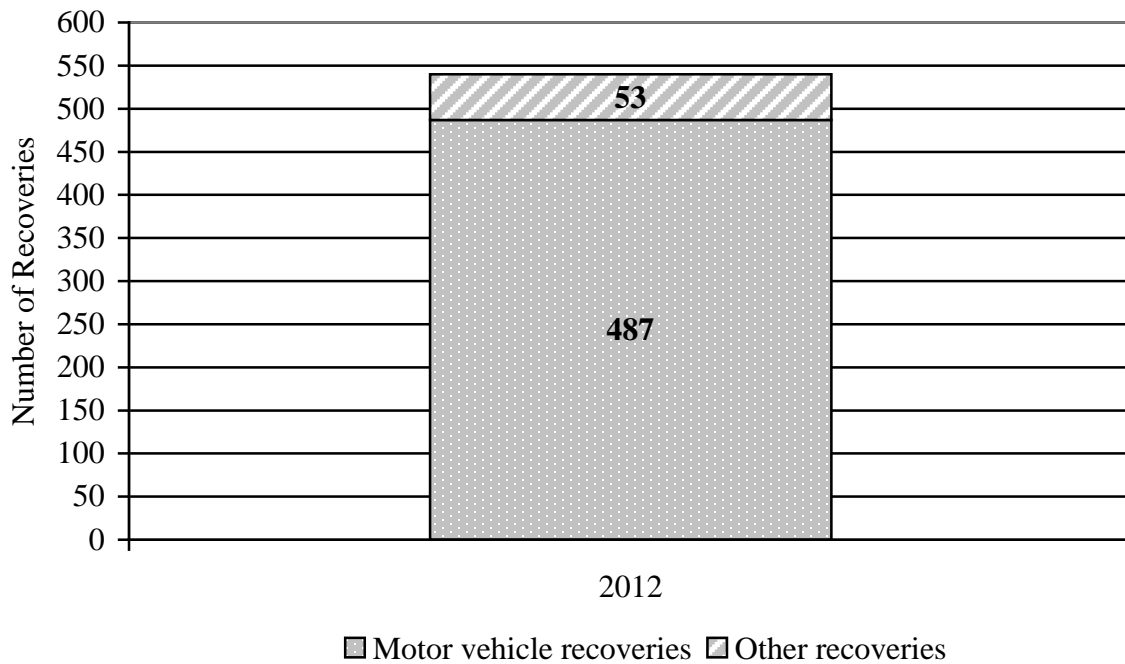


Data Source: GMAT monthly data reports

From January 2012 through December 2012, the task force has recovered 487 vehicles worth an estimated \$9.656 million. GMAT also recovered 53 items of other equipment worth an estimated \$1.65 million. Figure 3 shows the number of recoveries made by the task force for 2012.²

Figure 3

**Greater Metropolitan Auto Theft
Task Force Recoveries, 2012**



² GMAT reports the total estimated value of all the vehicles that it recovers each month. However, this includes only cases handled by the task force, not all vehicle thefts within DuPage, Kane, Lake, McHenry counties and part of Cook County.

Funding Summary

The Illinois Motor Vehicle Theft Prevention Act that took effect on January 1, 1991, created the Illinois Motor Vehicle Theft Prevention Council. The Council has the statutory responsibility to “prevent, combat, and reduce motor vehicle theft in Illinois.”³

The Act also established the Motor Vehicle Theft Prevention Trust Fund, a special trust fund in the State Treasury, from which the Council makes grants to eligible applicants for programs that address motor vehicle theft in Illinois. The Act requires all insurance companies licensed to write private passenger motor vehicle physical damage coverage in Illinois to pay annually into this trust fund an amount equal to \$1 for each earned car year of exposure for physical damage insurance coverage during the previous calendar year. Approximately \$6 million is collected each year.

The Motor Vehicle Theft Prevention Trust Fund funds the Greater Metropolitan Auto Theft Task Force (GMAT). Table 1 lists the amount granted to and expended by the task force for each program year.

Table 1

**Greater Metropolitan Auto Theft Task Force (GMAT)
Funding by Program Year**

Year	Grant Amount	Expenditures	Lapses
2012	\$752,515	\$750,527	\$1,988
TOTAL	\$752,515	\$750,527	\$1,988

³ Chapter 20 Illinois Compiled Statutes 4005/2.

Figure 4 summarizes GMAT’s program expenditures for 2012. Expenditures are divided into six categories:

Personnel—includes salaries, social security, and fringe benefits for program staff.

Equipment—includes computers, communication devices, and other equipment with a cost greater than \$50.

Commodities—includes consumable supplies (such as office supplies) and equipment costing less than \$50.

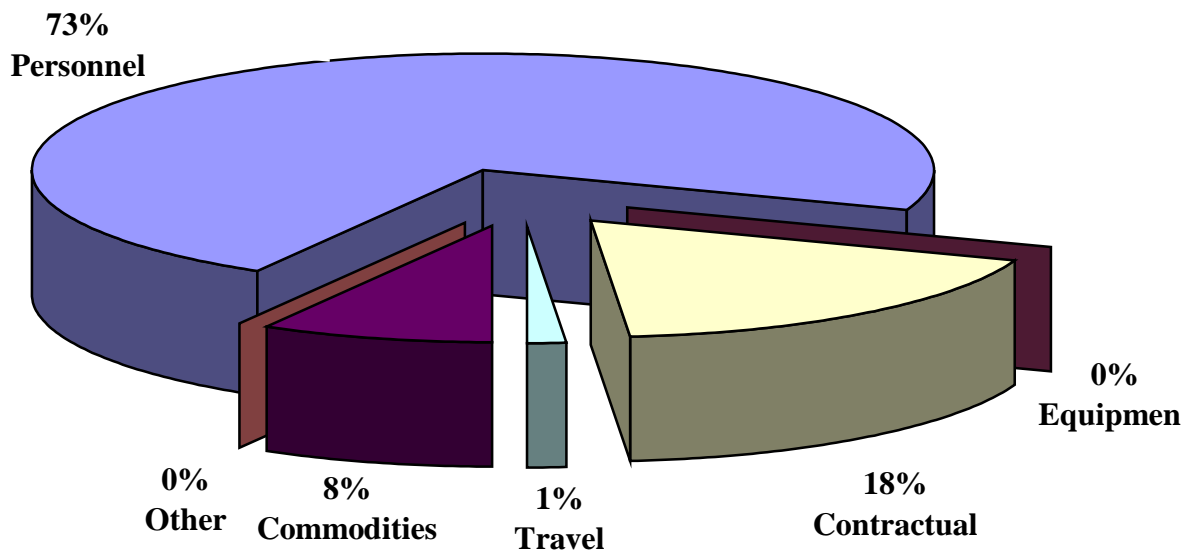
Travel—includes lodging, food, and transportation expenses incurred by program staff while conducting official program-related business.

Contractual—includes facility costs, utilities, telephone service, equipment rentals, and wages for hourly personnel.

Other—includes any costs not covered by the above categories.

Figure 4

**Greater Metropolitan Auto Theft Task Force
Percentage of Expenditures by Category
2012**



*Due to rounding, the category percentages may not total 100 percent.

Conclusion

From 2000 to 2010, motor vehicle thefts in DuPage, Kane, Lake, and McHenry counties decreased 48 percent, from 2,747 to 1,417. During this same time the vehicle theft rate has decreased by 47 percent, from 123 to 65 offenses per 100,000 population.

The FBI estimates that the average dollar loss per stolen vehicle in the United States in 2010 was \$6,152.⁴ Based on this value, the decrease of 33 auto thefts in DuPage, Kane, Lake and McHenry counties between 2009 and 2010 amounts to a saving of \$203,016.

GMAT received a total of \$752,515 in funding from the Illinois Motor Vehicle Theft Prevention Trust Fund in 2012, and has recovered over \$11.2 million (\$11,220,127) in stolen vehicles, cargo and parts. Combining the recovery value (\$11,220,127) with the savings from reduced auto theft (\$203,016), the task force has produced a 'return rate' of approximately \$15.18 for every \$1 of funding in 2012.

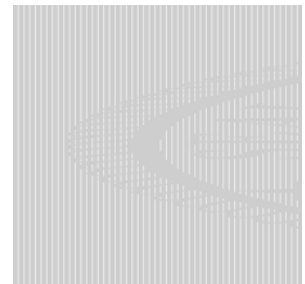
⁴*Crime in the United States – 2010: Uniform Crime Reports*. Federal Bureau of Investigations. 2011.

NOTES



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Illinois Criminal Justice Information Authority



Pat Quinn, Governor
Jack Cutrone, Executive Director

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Illinois Secretary of State

Jack Cutrone
Executive Director
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TO: Motor Vehicle Theft Prevention Council Members
FROM: Greg Stevens, Program Director
SUBJECT: PCIAA Litigation Update
DATE: February 14, 2013

The Illinois Attorney General's Office assigned an attorney to represent the Illinois Motor Vehicle Theft Prevention Council. The attorney's name is Laura Vaught. She is based in Springfield, Illinois.

The Illinois Criminal Justice Information Authority continues to be represented by Joshua Ratz who is also with the Illinois Attorney General's Office. There appeared to be a conflict of interest between ICJIA and MVTPC as to their respective positions on the legality of the sweeps (and this issue is central to the PCIAA vs. Blagojevich et al. litigation now pending in Sangamon County).

Ms. Vaught will be attending the February 27, 2013 meeting to provide members with an update on the PCIAA vs. Blagojevich et al. litigation that is now pending. She will also be available to field questions from Council members.

The portion of the meeting set aside to meet Ms. Vaught and to discuss the PCIAA litigation will be closed pursuant to a successful motion to close (the closure is allowable under one of the exceptions in the Open Meetings Act) by a Council member.

"A working partnership of the public and private sectors fighting vehicle theft in Illinois"