

Minutes of January 9, 2008

Next Meeting: February 13, 2008

Program: Fire Patterns

Location: **Salvation Army 8354 W. Foster Av. Norridge, IL 60706 (NE corner of Cumberland and Foster)**

Time: 0900

Vice-president Grygiel opened the meeting at 0915 hrs.

?? A motion was made, and 2<sup>nd</sup>, to accept the December Minutes. The motion passed.

?? A motion was made, and 2<sup>nd</sup>, to accept the Treasurers Report. The motion passed.

?? **Over 90 members were in attendance.**

?? Nominations for the Harry P. Schaefer Award need to be turned in to a board member by the April Executive Board meeting, Tuesday April 1, so that we have time to select a worthy recipient. All board members e-mail addresses are on the web site.

?? We will present the Schaefer Award at the May seminar.

?? The training records should be available at the February meeting.

?? Nominations for the Illinois Arson Awards are available on our website. These are monetary awards given to citizens who give information leading to the arrest and conviction of arsonists.

?? The Salvation Army occasionally holds food and clothing drives throughout the year. When the next one comes around we would appreciate it if all of our members could bring items to donate. We will keep you apprised of the next date.

Our originally listed speaker had to reschedule (possibly for March) so Mary Lacy, of the Cook County States Attorney's Office, substituted. Because of budget cuts, Mary has lost her staff and some of the less serious arson offenses now go to other ASA's. However, Mary is always available to help if you have a problem. If you have an inexperienced prosecutor, offer to sit with them and go over the case. Also, encourage them to call Mary if they have questions.

Motive, opportunity and incendiarism (technically you do not need motive) if you have these elements then you can bring charges.

In Cook County 75% to 80% of cases plead out and never see a jury. In Aggravated Arson cases the minimum sentence is six years and the defendant must serve 85% of that time, less serious arson cases only have to serve 50% of the sentence, so a lot of defendants plead to the lesser crimes so they do less time.

Residential Arson is a Class 1 felony that is non-probational with a minimum sentence of four years. However, the house must be used as a residence at the time of the fire. An empty home does not qualify under the statute. Most judges will give probation for a first offense if they are allowed by law to do so. Probation violations are strictly enforced and you only need a preponderance of the evidence, and not guilt beyond a reasonable doubt, to prove a violation.

Mary stated that often hospitals, nursing homes, mental institutions etc. are reluctant to file charges against patients who start fires. Just remember, pressing charges is not the choice of the management and Mary can get a Grand Jury subpoena forcing personnel from those establishments to testify; she only needs to call the person to the stand and ask them if they “consented to have their property damaged by fire”. Also, you can ask the person who does not want charges brought if they are willing to have their name on your report as the person who did not want to prosecute if this offender goes out and starts another fire.

Mitch arrived at 10:30 after working a fire in Chicago. Mitch introduced his boss, Northern Illinois Arson Administrator, Luke Hartigan. Mitch mentioned that he would like departments to bring Cold Cases to our future meetings, in the hopes that maybe someone in the audience will be able to help solve the case.

Mitch also did a little more NFPA 921 training. Remember, 921 is a guide! You are allowed to render an opinion; just be able to back it up. Stick to the truth and no SWAGS (Scientific Wild A—Guesses)!

Our thanks go to Mary Lacy for filling in at the last minute and giving an excellent presentation.

**Side Note:** After 12 years, Peter Hommerson was found guilty of murdering Marvin and Kay Lichtman in their Barrington home and then setting the house on fire. Our congratulations to everyone who participated in the investigation, apprehension and prosecution of Hommerson.

Respectfully Submitted,  
John T. Gilleran  
Secretary F.I.S.F.