


GAINESVILLE POLICE DEPARTMENT

GENERAL ORDER

	TITLE Stolen & Recovered Vehicle, Vehicle Part, and License Plate Procedures		ACCREDITATION 61.4.3.c
	PROponent UNIT Criminal Investigations Division		PRIOR REVISIONS 04/29/02; 10/24/05, 02/29/12, 11/27/19 ATTACHMENT:
NUMBER 40.16	ISSUE DATE 07/01/1998	REVISION DATE 09/17/2024	TOTAL PAGES 10

I. **PURPOSE:** This Order establishes procedures for investigating and reporting stolen and recovered vehicles, vehicle parts and license plates.

II. **POLICY:** Department members shall rigorously investigate incidents of stolen vehicles and vehicle parts, and instances of stolen license plates / decals.

III. **DEFINITION:**

- A. **Motor Vehicle:** Any self-propelled vehicle not operated on rails or guide-way (does not include bicycles or mopeds).
- B. **Note:** Even though Florida law does not define a moped as a motor vehicle, the NCIC code manual states that mopeds are entered into the vehicle file, and classified as a motorcycle. Therefore, ONLY for the purposes of entering mopeds into F/NCIC are they to be considered motor vehicles.

IV. **PROCEDURE:**

A. **Receiving Stolen Vehicle Complaints:**

The Communications call-taker or the Front Desk person receiving the report shall screen the call to verify the circumstances and jurisdiction of the theft.

- B. **Dispatch:** Communications personnel shall prioritize the complaint based upon the circumstances of the crime.

1. **In-Progress or Just-Occurred:** Sworn members will be dispatched to the area/location of the offense to attempt to apprehend the offenders and recover the vehicle.
2. **After the Fact:** The complainant will be requested to stand by at the scene for a Police Service Technician or an officer.
3. **BOLO Information:**

- i. A [limited] BOLO (Be On the Look Out) for the vehicle shall be dispatched to all field units when the complaint is received.
 - ii. Information shall be updated as additional information is received and verified.
- C. **Initial Investigation/ Responsibilities:** While conducting a preliminary stolen vehicle investigation, a member shall verify that the vehicle has been stolen (rather than towed, repossessed, borrowed, etc.), and, if so, that it occurred in the City of Gainesville. The investigating member shall:
 - 1. Contact Communications to request that personnel check the tow log to ensure that the vehicle has not been reported as towed or repossessed.
 - 2. If the Communications person reports that the vehicle is not on the tow log, the investigating member shall note the date and time, and the ID# and name of the advising Communications person in the investigative report.
 - 3. Tactfully ask the owner about the lien holder and the status of the payments (if applicable) for the vehicle.
 - 4. Inquire as to the vehicle's last known location (in case the complainant may have forgotten where it was parked), personal relationships and the possibility that a known person may be in possession of the vehicle.
 - 5. Members shall inform persons making stolen vehicle reports that whoever is found driving the vehicle will be arrested for grand theft auto.
- D. **Reporting Responsibilities:** Members taking a stolen vehicle report shall conduct a thorough investigation, and shall:
 - 1. Obtain information surrounding the circumstances of the theft, to include, but not be limited to:
 - i. Location of theft;
 - ii. Year, make, model, color, and other identifying characteristics of the vehicle;
 - iii. License plate number, decal number (if applicable) state, and expiration date;
 - a Some states issue two license plates; if this applies, include in the report.
 - b Verify whether the tag reported stolen is assigned to the stolen vehicle.
 - iv. VIN (vehicle identification number);
 - v. Conditions and surrounding circumstances of the vehicle at the time of theft, such as whether:
 - a The keys were in it, or if anyone else had keys to it;

- b There may have been any witnesses, and, if so, what they may have seen;
 - c It was able to be locked;
 - d It was running low on gas;
 - e It had any mechanical trouble that could inhibit its travel;
 - f Any other details that could contribute to its identification and recovery.
 - 2. Verify proof-of-ownership.
 - i. The vehicle registration, title, or some other legal proof of ownership (such as a rental/lease contract or power of attorney) can serve as verification of ownership.
 - ii. In the absence of other supporting documentation, members may conduct a registration inquiry and use the computer document to serve as a proof of ownership.
 - 3. Confirm the complainant's identity;
 - i. Verify that the complainant is the owner or the owner's authorized representative.
 - ii. A complainant who is not the registered owner must have legal documentation (such as power of attorney, notarized letter) which authorizes him/her to make a report on behalf of the owner.
 - 4. Issue a BOLO for the vehicle (or an updated BOLO, if applicable);
 - 5. Complete an *Investigative Report*,
 - i. When possible, attach a photocopy of the owner's (or complainant's) identification and proof of ownership to the *Investigative Report*.
 - ii. Computer registration print-outs should always be attached to the report to document ownership.
 - 6. Complete the appropriate *FCIC/NCIC Data Entry*, *copy and paste into a message to records. Records will acknowledge the message; the officer shall cut and paste this acknowledgement in the notes area of the property or vehicle section*
 - i. Records personnel will enter the stolen vehicle information into FCIC/NCIC.
 - ii. Records will provide an NIC #. Copy and paste the number provided by records in the NIC # box
- E. **Vehicles Which Appear Stolen (Theft Cannot be Verified)**: Whenever a member comes into contact with a vehicle (abandoned, vehicle crash, etc.) that may have been the subject of theft (looks hot-wired, VIN plate altered / removed, etc.), but the theft cannot immediately be verified, the member will make every effort to identify and contact the

registered owner. In most cases, it will be appropriate (with supervisory approval) to tow the vehicle.

1. Verify Registration / Contact Owner:

- i. If the vehicle identification information (tag, VIN, etc.) is intact, and the tag and VIN agree with the vehicle registration, the member shall contact the owner to determine the status of the vehicle.
- ii. If an owner identifies the vehicle as stolen, the investigating member shall take an original stolen/recovered vehicle report, and have the owner produce the proper paperwork and fill out the proper forms.

The investigating member shall proceed with the recovery investigation as outlined in **Section IV, F** (Below).

2. Vehicles Without VIN Plates: Removal of VIN plates is unlawful, and vehicles without VIN plates should be immediately towed, pending further investigation.

- i. If the wrecker driver locates the VIN, the member shall run a registration / stolen check on the number, verify that it identifies the vehicle and owner, and attempt to contact the owner. ***However, the vehicle shall still be towed.***
 - a. The VIN identified by the wrecker driver shall be noted on the tow report.
 - b. If a VIN is not located or identified by the wrecker driver, note this as well.
 - c. Be sure not to confuse the engine number with the VIN.
- ii. The investigating member shall contact an on-duty detective, or leave a message for the Auto Theft Detective so that a member of the Criminal Investigations Division is aware of the vehicle tow and need for VIN verification.

F. Recovered Stolen Vehicles:

1. **General Responsibilities:** Members shall conduct an investigation and complete a report, to include the following information:
 - i. Location where vehicle was recovered;
 - ii. Description of the vehicle (year, make, model, color, license number, Vehicle Identification Number [VIN]);
 - iii. Condition of the vehicle (list missing parts/damage to the vehicle);
 - iv. Contents of the vehicle;
 - v. Information on occupants, or arrestees, if any;
 - vi. Vehicle's mileage;
 - vii. Vehicle owner's name;
 - viii. Whether the owner was notified;
 - ix. Person to whom the vehicle was released;
 - x. Name of towing and storage service, if applicable;

- xi. Location of vehicle's keys;
 - xii. Processing;
 - xiii. Witness and suspect information;
 - xiv. Whether the proper license plate information is included.
 - xv. If the vehicle is recovered with a license plate on it, that the license plate is
 - a The one assigned to the vehicle, and/or
 - b The one reported to be on the vehicle at the time it was stolen.
 - c If the vehicle is recovered without the license plate on it, or is recovered with a different tag than the one assigned to the vehicle, ensure that:
 - 1) **If Reported Stolen to GPD:** The tag is reentered into the computer as stolen.
 - 2) **If Reported Stolen to Another Agency:** The agency is informed of the status of the license tag (absence of or improper tag on the vehicle, etc.) so that agency can reenter the tag as stolen.
 - d Follow up regarding tags not assigned that have been recovered on vehicles to determine information such as:
 - 1) If the tags have been reported stolen,
 - 2) The proximity of the theft of the tag to the vehicle theft,
 - 3) If the suspect used his/her own tag or someone else's he/she may know.
2. **Reported Stolen to and Recovered by GPD:** When a vehicle reported stolen to or recovered by GPD, the member assigned the call shall:
- i. Conduct an investigation;
 - a Run a wanted check to verify the 'hit', compare case numbers, vehicle and registration information, vehicle identification number (VIN), etc.
 - b Pull the original report to compare and verify all pertinent information.
 - c Check to determine if the vehicle may have been involved in any other crimes (robbery, hit-and-run, et al) regarding which forensic evidence may be of value.
 - ii. Complete a *Supplemental Report*. Identify the original location from which the vehicle was stolen in the block on the report requesting the location of offense. Do not write the location at which the vehicle was recovered.
 - iii. To remove a vehicle from FCIC/NCIC the officer will forward the "Hit" to records and request that it be removed. The records technician information who removed the vehicle from FCIC/NCIC shall be listed in the report.

- iv. If the tag was not recovered, re-enter the tag.
- v. In cases where the vehicle is returned to the owner directly after recovery, the request to have the vehicle removed shall be forwarded immediately to ensure timely removal from the FCIC/NCIC computer files.
- vi. Process the vehicle on scene.
 - a. If the vehicle cannot be processed at the scene, the member assigned the call will (See also G.O. 84.2):
 - 1) Tow the vehicle by the contract wrecker to a secure storage facility
 - 2) Complete a *Tow Report*.
 - 3) A copy of the Tow Report will be placed in the Forensics Unit's tray in the temporary evidence room or the left at the front desk in the FCU tray.
[CALEA 61.4.3.c]
 - 4) Conduct an inventory (a visual inventory may suffice) to the extent possible so evidence remains intact.
 - 5) Note limitations on the tow sheet.
- vii. Attempt to contact and notify the vehicle owner regarding the recovery of the vehicle and its status (i.e., release, processing, hold, and damage, etc.).
 - a. Members shall use the information in the [original] *Investigative Report* to assist in determining the current owner;
 - b. Members shall not use just the DHSMV registration records to identify the owner (This registration information could be inaccurate or obsolete due to a recent title transfer or other action).
- viii. Verify the tag registration information and whether it was assigned to that vehicle.
- ix. Dispose of the vehicle by releasing it to an authorized representative or by towing it.
 - a. Release the vehicle to the owner (or owner's representative) if the owner can respond to claim the vehicle and the vehicle does not need to be held for processing or an investigative purpose.
 - b. If unable to contact the owner, or if the vehicle is to be held, tow the vehicle using the contractual wrecker and complete a *Tow Report*.
 - 1) Indicate on the *Tow Report* why the vehicle was towed, such as:
 - i) The owner was not contacted, or
 - ii) The vehicle was towed and held for an investigative purpose (include the purpose)
 - 2) The Contract Tow vendor shall send a notification letter to the owner/lienholders within 5 days after the vehicle is towed.

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- b Attach a copy of all teletypes sent to and received by the recovering agency.
 - c Include information on arrest(s), if any, and the location of the vehicle and name(s) and location(s) of arrestees (when applicable).
 - viii. Inform the owner of the vehicle's recovery and location;
 - ix. Document attempted / successful owner notification information (date, time, who was contacted and by whom) in the supplemental report.
- 4. **Reported Stolen to Another Agency and Recovered by GPD:** When a member recovers a vehicle reported stolen by another agency, the member recovering the vehicle will verify all vehicle, license and registration information against that reported stolen, as well as perform the following tasks:
 - i. Notify the originating agency of the recovery.
 - ii. Request a teletype be sent (field units may request via Communications or by phone via Records) to inform the reporting agency of the recovery and the required information regarding the vehicle and the case.
 - a The agency may be contacted by phone as well, especially if local; however, the teletype serves as proof of our notifying them, and the contents of the notification, in case of any question later, or the vehicle is not removed from F/NCIC in a timely manner.
 - b Include the following information in the teletype notification:
 - 1) Vehicle's description and condition, and the VIN and tag numbers;
 - 2) Whether an arrest was made;
 - 3) If an arrest(s) was made, include the suspect information and the jail contact information, if applicable.
 - 4) Whether the tag was recovered with the vehicle, or if a different tag than that reported stolen with the vehicle was recovered (include tag information);
 - 5) Location, address, and phone number where the vehicle will be stored;
 - 6) The officer assigned the case;
 - 7) Case numbers of the originating agency, as well as the GPD case number for the recovery.
 - c If the originating agency is geographically close enough and chooses to respond, turn the vehicle over to that agency upon their arrival;
 - iii. Process the vehicle (unless specifically requested otherwise).

- iv. If the vehicle is to be processed later, secure it as best as is possible.
 - a Tow the vehicle via the contractual towing service.
 - b If the vehicle cannot be processed at the scene, place the vehicle into secure storage.
 - c If the originating agency has requested GPD to process the vehicle, leave a copy of the Tow Report in the Forensic Unit tray in the temporary evidence room or at the Front Desk. [CALEA 61.4.3.c]
 - v. Complete a *Tow Sheet* [CALEA 61.4.3.c]
 - vi. Complete an *Investigative Report*.
 - a Attach a copy of the related teletype(s) to the report.
 - b The originating agency (not GPD) is responsible for removing the vehicle from the FCIC/NCIC computer and notifying the owner of the recovery.
- G. **Stolen Part Computer Entry:** This section pertains to original reports of vehicle part thefts, and partial recovery of vehicles reported stolen.
- 1. **Recovered Stolen Vehicles In-Part:** If a vehicle is recovered without an engine, transmission, or a VIN plate, then these [missing] items shall be re-entered into the NCIC/FCIC computer stolen files (after the vehicle itself has been removed from NCIC/FCIC).
 - 2. **Theft of Vehicle Parts:** If a complainant reports the theft of a vehicle part(s) only, members shall obtain, whenever possible, the pertinent identifying numbers for entry into the FCIC/NCIC system.
 - 3. **Members' Responsibilities:** Members shall complete *the NCIC/FCIC Request entry* and/or exit and forward it to Records via MCT. Members shall also complete the *GPD Investigative Report in RMS*.
 - 4. **Records Section Responsibilities:** The *NCIC/FCIC Request entry* and/or exit and the Supplemental report(s) shall be forwarded to the Records Section, for entry into F/NCIC.
- H. **Stolen License Plates/Decals:** Members shall take investigative reports when vehicle license plates and/or decals are stolen.
- 1. **Verify Jurisdiction:** Ensure that the offense occurred in GPD jurisdiction.
 - 2. **Verify Ownership:** Members shall view a vehicle registration or run a registration check via F/NCIC to verify the ownership of the vehicle/license plate.
 - 3. **Verify Complainant ID:**

- i. When a report is made in person, verify the identity of the complainant.
 - ii. For phone reports, verify that the caller's name matches that on the registration.
4. **FCIC/NCIC Entry:** For stolen license plates and most stolen decals, members shall complete an electronic FCIC/NCIC data entry form in order to enter the tag/decal into the computer.

Ensure an electronic FCIC/NCIC entry is filed on the tag if a stolen vehicle is recovered, but the tag is not recovered with the vehicle.

- I. **Towing Administrator Follow-up:** Towing Administrator, while ensuring their responsibilities as outlined in this Order, pertinent parts of G.O. in 84.2 [Vehicle Inventory, Tow and Release Procedures], and in applicable Statutes and ordinances are met, shall, when a tow report does not include a VIN number, notify the Criminal Investigations Division so a detective can follow up on locating a VIN number.

By Order of

*Signed Original on File in the
Accreditation Unit*

**Nelson Moya
Chief of Police**