

**LOS ANGELES POLICE DEPARTMENT
VEHICLE THEFT INVESTIGATION (ICI)
1850-30190**

Instructional Goal: To provide the basic skills of a vehicle theft investigation.

Performance Objectives:

- Upon completion of the course, the student/investigator will be familiar with:
 - Vehicle identifications
 - Unlawful Towing Operations
 - Cargo Theft
 - Motorcycle Thefts
 - Laws and Filing
 - Investigative Resources
 - Department of Motor vehicle procedures

References: Instructors, facilitators and training supervisors shall ensure that current references are utilized

Day 1

I. INTRODUCTION AND ORIENTATION

90 Min

- A. Welcome and Introduction
 - 1. Course Coordinator
 - 2. Students
 - a. Name, Assignment
 - b. Experience
 - 3. Commanding Officer (if applicable)
- B. Course Goals (Students will demonstrate)
 - 1. Locate all vehicle identification markings
 - 2. Determine if a vehicle or parts are stolen
 - 3. Investigate theft by fraud cases
 - 4. Know suspect method of operations
 - 5. Demonstrate investigative techniques
 - 6. Investigate related thefts (cargo, boat, motorcycles)
 - 7. Use investigative resources
 - 8. Conduct plain clothes operations
- C. Expectations
 - 1. Attendance
 - a. To receive credit for this course, a person can only miss 10% of the course
 - 1) Starts promptly at 0700 hours
 - 2) Instructors will provide breaks every hour
 - 3) Return from lunch at 1200 hours
 - 4) There are 23 modules to cover over the next five days
 - b. Students must actively participate in class discussions and exercises
 - c. Excused absences
 - 1) Subpoenaed for court
 - 2) Sign out the afternoon prior for morning court
 - 3) Daily sign-in roster
 - d. Location of sign-out form

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2. Critiques
 - a. Critiques should be completed daily
 - b. Students should retain all critiques until the last day and turn in after the final examination
3. Dress Code
 - a. The students may wear casual attire
 - b. No Shorts
 - c. No tank tops
 - d. No sandals
4. Facility Information
 - a. Rules of the facility
 - b. Parking
 - c. Rules on food and drink in the classroom
 - d. Location of restrooms
 - e. Location of vending machines
 - f. Location of break and smoking areas
5. Telephone availability and cell phones
 - a. Set cell phones on vibrate or turn off
 - b. Return calls at the break if possible
 - c. Location of telephones
6. Emergencies
 - a. All emergencies should be handled through ICI Presenter/Coordinator
 - b. Roll of the course coordinator during an emergency
7. A student must seek permission from the instructor prior to tape recording session
8. Final examination
 - a. Must pass a final examination for course credit
 - b. Multiple choice, true/false examination
 - c. 70% is the passing score
 - d. Complete an evaluated Field Exercise
9. A certificate of training is awarded to each student that successfully completes the course

II. VEHICLE IDENTIFICATION

390 Min

- A. Introduction to Vehicle Identification
 1. Goals and Performance Objectives
 - a. Understand various methods to identify vehicles without a Vehicle Identification Number (VIN)
 - b. Understand how to use National Insurance Crime Bureau (NICB) resources
 - c. The reasons for the class and the importance of vehicle identification
 - d. Ability to provide expert testimony
 - e. Core Values
 - 1) "Integrity in all we say and do"
 - 2) "Quality through continuous improvement"
 2. Scope of the problem
 - a. Annual rate of auto thefts within the State of California
 - b. Annual rate of auto thefts within the City of Los Angeles
 - c. Type of tools used to commit vehicle theft

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- B. Locating Vehicle Identification Numbers
 - 1. History
 - a. Secondary numbers started in the 1930's
 - b. Prior to 1955, all vehicles registered by engine number
 - 1) Vehicle Identification Number (VIN) not descriptive
 - 2) Change engine
 - 3) Change registration
 - 4) Usually not re-registered under new engine
 - c. 1955 all vehicles registered by VIN
 - 1) Usually 8 to 10 digits
 - 2) Descriptive
 - 3) Make, year and plant, production number
 - d. Stainless steel plate
 - e. Spot-welded, left door hinge area
 - f. Most engine numbers removed in 1955
 - 1) Started to stamp engine/transmission numbers again in 1968
 - 2) Generally, American vehicle's engine/transmission numbers are a derivative of the VIN
 - g. 1981 VIN plates are required be consistent and contain 17 digits
 - 2. Foreign vehicles
 - a. Passenger vehicles VIN stamped into firewall, stock tower and other locations
 - b. Toyota and Nissan trucks VIN stamped in different areas
 - c. Foreign vehicle's engine/transmission numbers are reference numbers and are not derived from the VIN
 - 3. Check digit
 - a. Formula protected by law
 - b. Check digit in VIN automatically checked by computer
 - 4. National Insurance Crime Bureau (NICB) resources
 - a. What are they?
 - b. What do they contain?
 - c. How are they use?
 - 5. National Highway Traffic Safety Administration (NHTSA) Stickers
 - a. Placed on 14 different locations on certain high-dollar vehicles
 - b. Possible 20 locations on some vehicles
 - c. Factory installed anti-theft devices exemptions
 - 6. Identification of a vehicle
 - a. VIN Plate visible by Drivers front dash/windshield
 - b. Secondary VIN – Frame number or firewall
 - c. Vehicle computer (via OBD reader)
 - d. Engine number
 - e. Transmission number
 - f. Federal Safety Certificate Labels
 - g. Tire sticker for American vehicles may contain the Vehicle Identification Number
 - h. Federal Motor Vehicle Theft Prevention Standards (Page 11 in NICB book)
 - 1) Engine, Transmission
 - 2) Front fenders, (left and right)

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- 3) Hood
- 4) Front doors, (left and right)
- 5) Rear doors, (left and right)
- 6) Sliding cargo doors
- 7) Bumpers, (front and rear)
- 8) Rear quarter panels, (left and right)
- 9) Rear doors, (decklid, tailgate, and hatchback)
- 10) Pickup box or cargo box
- i. Vehicle computer information
 - 1) OBD reader
 - 2) Retrieves generic and manufacturer specific Diagnostic Trouble Codes (DTC) (look up codes on google - The best way!)
 - 3) Retrieves VIN (Vehicle Identification No) on newer vehicles (2002)
 - 4) Works with all OBD-II compliant U.S., European and Asian vehicles (OBD-II is standard on all cars sold in U.S. post-1996)
7. Information Contained in VINs
 - a. Make
 - b. Model
 - c. Year
- C. Altered Vehicle Identification Numbers
 1. Introduction
 - a. Acquaint detectives with VIN renumbering, removal and altering procedures
 - b. Identify 10751 procedures
 - c. Detail parts removal procedure
 - d. Know Points of Identification procedure
 - e. Identify vehicles with numbers removed
 2. Definition of Altered VIN's
 - a. Vehicle Code Sections which apply:
 - 1) 10750 VC – Altering or changing vehicle identification numbers
 - 2) 10751 VC – Manufacturers serial or identification numbers
 - a) Buy
 - b) Sell
 - c) Receive
 - d) Possess
 - e) Removed
 - f) Altered
 - 3) 10752 VC – Fraudulent acquisition or disposition of vehicle identification numbers
 - a) Possess or sell
 - b) Counterfeit or genuine
 - b. 10751 Hearing
 - 1) Vehicle / component part with serial number
 - 2) Removed
 - 3) Altered
 - 4) Destroyed / defaced
 - 5) No California number assigned
 - 6) Claimant for vehicle / part

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- a) Unable to provide proof of ownership
 - b) One or more claiming ownership
 - c) No hearing required for abandoned vehicle
3. Recognition of an altered VIN
- a. Suspect methods
 - 1) Place production sticker over where stamped number was
 - 2) Drill out rivets
 - 3) Counterfeit VIN plates, Fed Label, EPA, etc.
 - a) Print onto sticker
 - (1) Cut out by hand (crooked)
 - (2) Spelling problems
 - (3) Font variation
 - b) VIN plates
 - (1) Switch
 - (2) Stamp new one
 - 4) Purposely damaging labels to hide year
 - 5) Remove windshield to facilitate VIN replacement
 - 6) Re-rivet
 - a) Different color rivets
 - b) Reuse rivets
 - c) New rivets missing small metal piece in center
 - d) Rusted VIN plate with new rivets
 - b. Appearance
 - 1) Check for correct rivets
 - 2) Evidence of paint, glue or adhesives
 - 3) Bent, scratched VIN plate or spin marks
 - 4) Altered Federal label
 - 5) Altered secondary number
 - c. Method by which it is affixed
 - 1) Rosette pop rivets
 - 2) Round head pop rivets
 - 3) Phillips head screws (least common)
 - 4) Plastic rivets
 - 5) Glues or adhesives
 - d. Condition of Federal tag
 - 1) Dog-eared
 - 2) Portions missing
 - 3) Anti-theft perforations broken
 - 4) Self-destroying tags voided
 - 5) Spelling mistakes
 - 6) Creasing
 - 7) Portions rubbed off or scratched off/over
4. Investigative steps for altered VIN
- a. Photograph vehicle intact
 - b. Check alternate number locations to see if they differ or are they also altered (e.g. scratches)

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- 1) Engine
- 2) Transmission
- 3) Firewall
- 4) Frame
- 5) "Secondary number" match and/or evidence of removal
 - a) Firewall numbers
 - b) Frame numbers
 - c) Engine numbers
 - d) Transmission numbers
 - e) X reference
 - f) Other parts
 - (1) Airbags
 - (2) Floor mats
 - (a) Chart
 - (b) Contains year on left
 - (c) Contains dots in chart to indicate month
 - (3) Seatbelts
 - (4) Any with numbers that can indicate date, make, model of manufacture
 - (5) Glass – usually among the last part added to verify by date
- c. Thorough vehicle search
- d. Notification to Commercial Crimes Division or taskforce for inspection or expertise
- e. Department of Justice stat run
- f. Personal points of identification
 - 1) Upholstery
 - a) Burns
 - b) Tears
 - c) Wear
 - d) Stains
 - e) Debris
 - 2) Body
 - a) Scratches
 - b) Dents
 - c) Repaint
 - d) Repair
 - e) Owner modifications
- g. Noting of personal points of ID for court
 - 1) Obtain personal points of identification from victim prior to inspection of vehicle and make notations of same
 - 2) Photograph victim identifying those points
 - 3) 1040 of the Evidence Code
 - 4) 10751 VC – Hearing
 - 5) Last resort
5. Investigating Officer Duties
 - a. Complete your investigation, provide proof that the serial number was:
 - 1) Removed
 - 2) Altered

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- 3) Destroyed or defaced
- b. Notification to person from whom vehicle or part was seized from, within (5) working days (See Notice of Impoundment of Vehicle and/or Component Parts)
- c. See flow chart in student handbook
- d. Must be completed and before a judge within 90 days (civil trial handled by police)
6. California Tag – Replacement Letter
 - a. Vehicle is positively identified
 - b. Released to victim
 - c. Letter to DMV for victim from Police Department identifying vehicle
 - d. Victim to DMV / CHP for vehicle re-number
7. California Tag – Blue Tag
 - a. Purpose – to restore lost or stolen VIN plate (Replacement tag)
 - b. Constructed of heavy aluminum foil material (1"X 4")
 - c. Attached by adhesive and rivets
 - d. Stamped with California (CAL) state logo
 - e. Control number can be cross-referenced
 - f. Original plate listed in Stolen Vehicle System (SVS)
8. Victim Vehicle Identification
 - a. Set the tone with your telephonic interview
 - b. Set a date/time for meeting at tow yard
 - c. Bring photos and keys if still in possession
 - d. In-depth interview
 - e. Prior traffic collision (T/C) damage
 - f. Specialty equipment and/or accessories
 - g. Stickers, decals or identifying marks, etc.
9. Parts Removal
 - a. Vehicle impounded, put-together with stolen parts
 - b. Parts identified to a victim
 - c. Order parts removed by Official Police Garage (OPG)
 - d. Bill removal to suspect's vehicle
 - e. Release to victim or insurance company
 - f. Other possibilities - innocent 3rd party
10. Stat Runs
 - a. A computer run of stolen vehicles which is used to identify a vehicle when all identifying numbers have been removed
 - b. Stolen Vehicle System (SVS) information
 - c. Off-line searches for purged stolen vehicle records
 - d. Stolen vehicles remain in the Stolen Vehicle System for four years plus the current year
 - e. Purged stolen vehicle records remain in NICB records after purged from SVS
- D. Number Restoration
 1. The importance of restoring altered VIN's
 2. Methods used to restore altered VIN's
 - a. Physical inspection of vehicles
 - b. Preliminary inspection
 - c. Tape lifting of number surface
 - d. Actual processing

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3. Techniques of restoration
 - a. Chemicals
 - b. Heat
 - c. Metal identification
- E. Salvaged Vehicles
 1. What is a salvaged vehicle
 - a. Section 544 VC
 - b. Insurance definition
 - c. Examination of recovered vehicles for vehicle code violations
 2. Salvaged vehicles
 - a. Come from
 - 1) Accidents
 - 2) Theft
 - 3) Recoveries
 - 4) Floods / Natural disasters
 - 5) Vandalism / Burns
 - b. Where do you start
 - 1) National Insurance Crime Bureau
 - 2) Department of Motor Vehicles (DMV)
 - 3) Insurance companies
 - 4) Salvaged yards
 3. What documents do you need?
 - a. Certified DMV history
 - b. Salvage or insurance photos and purchase documents
 - c. Statement from salvage purchaser and current owner
 4. Common Terms
 - a. Salvage Certificate
 - b. Junk Certificate
 - c. Salvage Pool
 - d. Clean Title
 5. DMV Salvage Sections
 - a. 543VC
 - b. 544VC
 - c. 11515VC
 - d. 11515.1VC
 - e. 11540VC
 6. Steps of a Salvage
 - a. Vehicle is recovered or damaged
 - b. Vehicle goes to Official Police Garage (OPG) or private tow
 - c. Adjuster determines cost of repair
 - d. The vehicle is repaired; OR
 - e. Determined Total Loss
 - f. Total Loss Salvage occurs when the cost of repair exceeds the actual cash value of the vehicle less the salvage value
 - g. Formula for Salvage
 7. Benefits to Insurance Companies

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- a. Cost savings
- b. No future liability
- 8. Types of Salvage Sales
 - a. Live Auction Sale
 - b. Sealed bids
 - c. Contract sale
- 9. What is the end result?
 - a. Legitimately rebuilt or repaired
 - b. VIN-Switched stolen
 - c. Put together with stolen parts
 - d. Junked or dismantled
- F. Business Inspections, 2805 CVC
 - 1. History (Authority)
 - 2. Who can inspect
 - a. Primary assignment to auto theft investigations (just one detective)
 - b. California Highway Patrol
 - c. City police departments
 - d. County sheriff departments
 - 3. Who cannot inspect
 - a. Uniformed officers
 - b. Investigators working other assignments (if unaccompanied by Vehicle Theft Det)
 - 4. Hours of inspection
 - a. During business hours
 - b. If the business is open (workers working) it is business hours
 - 5. Manner of inspection
 - a. Officers must minimize interference
 - b. Business must comply or be arrested (PC148)
 - c. Cities likely have Municipal Code forcing record retention (e.g. LAMC 103.204)
 - 6. Locations of inspections
 - a. Highway
 - b. Public garage
 - c. Repair shop
 - d. Parking lot
 - e. New or used car lot
 - f. Auto dismantler's lot
 - g. Vehicle shredding facility
 - h. Vehicle leasing/rental lot
 - i. Vehicle equipment rental yard
 - j. Vehicle salvage pool
 - k. Other similar establishments
 - 7. What can an investigator look for
 - a. Autos
 - b. Identifiable parts
 - c. Implements of husbandry
 - d. Special construction equipment
 - e. Special mobile equipment

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- f. When (3, 4, 5) are incidentally operated upon a highway
- 8. Inspection techniques
 - a. Enough officers to check all vehicles in as short a period of time as possible
 - b. Identify yourself as an auto theft investigator and get authority for being there
 - c. Don't block business with police vehicles
 - d. Fill out top of 2805 VC inspection sheet
 - e. Systematically check yard or body shop
 - f. Identify the person in control of the location
- 9. Licenses
 - a. Consumer Affairs
 - b. State of California, Vehicle Dealer Permit
 - c. California State Board of Equalization
 - d. City of Los Angeles Secondhand Dealer's Permit
 - e. City of Los Angeles Alarm Permit
 - f. Air Quality Management District
 - g. Check for manufacture/owner applied VIN:
 - 1) Doors
 - 2) Fenders
 - h. Ask for work orders
 - i. Assistance
 - j. Bureau of Automotive Repair (BAR)
 - 1) Can use BAR web site to obtain smog info
 - 2) Will provide location of smog
- 10. Pitfalls (potential misuses)
 - a. It is not a search warrant for contraband
 - b. It is not a way to get around a search warrant
 - c. It is not an excuse to further any other type of investigation
 - d. Abuse will lead to suppression of evidence and curtailment of the privilege

Day 2

III. VEHICLE REPOSSESSION

60 Min

- A. Repossession Agency
 - 1. any person who, for any consideration whatsoever, engages in the repossession
 - 2. A business that accepts employment to locate or recover personal property, including but not limited to, personal property registered under provisions of the Motor Vehicle Code which is subject to a security agreement (B&P 7500.2).
- B. Legal repossession assignment
 - 1. Holder of valid repossession agency license or registration
 - 2. Representatives of financial institutions
 - 3. United Adjuster
 - 4. Nations Recovery Services
- C. Locations of lawful repossessions
 - 1. Areas open to the public
 - 2. Private dwellings open to the public
 - 3. Enclosed structure or secured area with consent

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4. Open to the public
 - a. In front of gate only, not behind
 - b. With permission
- D. Completed repossession
 1. Vehicle is on property open to the public
 2. Repossessor has gained entry to vehicle
 3. Vehicle is connected to a tow truck in a public place.
- E. Areas not open to public
 1. Private properties not open to public access
 2. Fenced yards
 3. Garages
 4. Secured parking lots
 5. Behind fence
- F. Unlawful repossession
 1. Repossessor commits a crime (e.g., trespassing)
 2. Repossessor take possession of vehicle on private property not open to the public
 3. Registered owner/person with legal possession claims possession prior to it being connected to a tow truck
- G. Law enforcement involvement
 1. Peace officers may not advance or hinder repossessions
 2. Keep the peace
 3. Ensure the possession of a valid repossession license
 4. B&P 7502 - officers can request to see repossession License
 5. Ensure possession of "lawful foreclosure documents" by reposessor
 6. Advise the reposessor as necessary
 7. Advise the registered owner /person in legal possession of vehicle as necessary
 8. If the reposessor has not gained entry into the vehicle, or the vehicle is not connected to a tow truck, and the registered owner or other person legally entitled to possession of the vehicle is present, the vehicle shall be released to the registered owner or other person legally entitled to possession of the vehicle;
 9. The existence of a repossession order or other legal documentation does not give a reposessor the right to take the vehicle when another person legally entitled to possess the vehicle is present
 10. If the reposessor has gained entry into the vehicle's driver's compartment or the vehicle is connected to a tow truck, the vehicle shall be released to the vehicle reposessor if the vehicle is in a public place or on private property accessible to the public. Officers shall determine the exact location of the vehicle at the time the reposessor gained entry into it.
 11. Section 7502, Department personnel may request to see a vehicle repossession license prior to releasing a vehicle to a repossession agent.
 12. If the officers observe the vehicle reposessor in the process of committing a crime (e.g., trespass), the vehicle reposessor can be arrested and the vehicle may be released to the registered owner or other person legally entitled to possession of the vehicle
 13. If the vehicle reposessor has possession of the vehicle when the officer arrives and a misdemeanor crime not committed in the officer's presence is alleged, the vehicle shall be released to the vehicle reposessor. Officers shall complete the appropriate crime reports in

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all cases where a crime has been alleged. Additionally, officers shall advise all parties involved in the vehicle repossession that they may seek civil remedies.

14. If the vehicle reposessor gained entry into the vehicle illegally (e.g., locked or unlocked garage, fenced or gated rear yard/driveway), the vehicle shall be released to the registered owner or other person legally entitled to possession of the vehicle
15. When a vehicle is in the possession of a mechanic or other repairperson and a "mechanic's lien" is claimed, the vehicle shall be released to the vehicle reposessor when valid repossession documents are provided.

H. Detectives Responsibility

1. Repossessed vehicles operating with expired registration
2. Repossessions of impounded vehicles with a hold
 - a. If the vehicle has a hold placed against it, but is not under a police department impound (e.g., Department of Transportation), the reposessor shall be referred to the impounding agency for information processing.
 - b. Vehicle repossession procedures differ for 30-Day Hold vehicles. Refer to the current 30-Day Hold Procedures outlined in the Department Traffic Coordinator Notice dated May 13, 2002.
3. Repossessions of impounded vehicles without a hold
 - a. Office of Operations (Order #6)
 - b. April 6, 2005 California Repossession Laws, Rules and Regulations booklet Ca. Depart. Of Consumer Affairs

IV. **UNLAWFUL TOWING OPERATIONS**

30 Min

A. Types of Bandit Towing Operations

1. Traffic Accident solicitors ("*Ambulance Chasers*")
 - a. Monitor Fire/Police calls from offsite locations such as body shops, residences, etc.
 - b. Dispatch drivers to accident scenes via cell phones
 - c. Upon arrival, tow operator solicits victims of the accidents
 - d. Some tow operators are knowledgeable of traffic laws
 - 1) They might interview victims before the Police arrive
 - 2) Determine who might be at fault (Party #1)
 - 3) Solicit Party #2
 - e. Victim's vehicle is towed to a body shop they work with
 - f. Violation: 22513(b) VC, Misd. Solicit towing at scene of a traffic collision
 - g. Tow driver gets payment for towing the vehicle to the shop
 - h. Payments from: Shop owner, Attorneys, Chiropractors, or other Doctors
 - i. Average amount made per tow: Approx. \$1000.00 to \$4000.00
 - j. Fraud and Staged Accidents cost insurance companies
 - 1) 30 Billion Dollars annually
 - 2) The insurance companies pass the cost onto the customers - us
2. Private Property Impounds (*Predators at parking lots*)
 - a. Assembly Bill 2210 focuses on 22658 VC.
 - 1) New laws in effect making several subsections misdemeanors
 - 2) Aggressive City Attorney filings
 - b. 22658 CVC
 - 1) Signage/ Required Language

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- a) Only one sign required at entrance of property
 - 2) (g) No possession/ lien of vehicle until in transit on a public roadway
 - 3) (h) Tow company may ask for 1/2 the amount of the towing fee
 - 4) (l) OPG rates \$110.50/\$34.00 or CHP \$120.00-\$150.00/\$30.00/\$40.00
 - 5) (k) Shall accept valid bank card for payment
 - 6) (l) Shall have a fresh ink towing authorization
 - 7) (m) Shall notify law enforcement agency of impound
 - 8) (g) CVC- Possession of any vehicle under this section shall be deemed to arise when a vehicle is removed from private property and is in transit on a public roadway.
 - 9) (h) CVC (Civil in nature)
 - 10) (h) A towing company may impose a charge of not more than one-half of the regular towing charge for the towing of a vehicle at the request of the owner of private property or that owner's agent pursuant to this section if the owner of the vehicle or the owner's agent returns to the vehicle before it is removed from the private property
 - c. The regular towing charge may only be imposed after the vehicle has been removed from the property and is in transit.
- B. Possible Crimes
- 1. 524 PC
 - a. Attempts, by means of any threat
 - b. To extort money or other property from another
 - 2. 10852 CVC
 - a. No person shall either individually or in association with one or more other persons
 - b. Willfully injure or tamper with any vehicle
 - 1) or the contents thereof
 - 2) or break or remove any part of a vehicle
 - c. Without the consent of the owner.
 - 3. 10851(a)CVC
 - a. Any person who drives or takes a vehicle not his or her own
 - b. Without the consent of the owner
 - c. With intent to permanently or temporarily deprive the owner,
 - d. With or without intent to steal the vehicle, or any person who is a party, an accessory, or an accomplice in the unauthorized taking or stealing of a vehicle.
 - 4. 103.204(b) LAMC (most cities have similar code)
 - a. No person shall operate a towing business
 - b. Without a permit from the Board of Police Commission (Business)
 - 5. 103.204.1(a)(1) LAMC (most cities have similar code)
 - a. No person shall operate a tow unit
 - b. Without a permit from the Board of Police Commission (Tow Unit Operator)

V. NATIONAL INSURANCE CRIME BUREAU

150 Min

- A. NICB Purpose/Overview
- 1. Not-for-profit organization
 - a. Support from nearly 1,100 property and casualty insurance companies
 - b. Self-insured organizations
 - 2. Partners with insurers and law enforcement agencies to facilitate

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- a. Identification
 - b. Detection and;
 - c. Prosecution of insurance criminals
- B. Functions
- 1. Investigative
 - 2. Catalyst to law enforcement
 - 3. Identification
 - 4. Training
- C. Investigations
- 1. NICB investigative services are managed by the Field Operations Department
 - 2. Focus on multi-claim, multi-carrier investigations of major criminal activity
 - a. With members
 - b. With law enforcement agencies (worldwide)
 - c. The NICB is the country's only private organization that takes a multi-carrier approach to fraud and theft investigations
 - 3. The Field Operations Department
 - a. Ten offices nationwide
 - b. Staffed with approximately 160 experienced fraud and theft investigators
 - c. Through an electronic claim referral process
 - 1) NICB Special Agents work with representatives from member company claims
 - 2) Special investigation unit groups
 - 3) Law enforcement agency professionals
 - 4) To investigate suspicious insurance claims and support civil and criminal prosecution
 - d. NICB investigators are also active participants in, and leaders of, multiple insurance crime task forces nationwide. Our investigative priorities are:
 - 1) Medical Fraud
 - 2) Commercial Fraud
 - 3) Vehicle Fraud
- D. Investigative Resource
- 1. Computerized data
 - 2. "Isoclaimsearch"
 - a. Comprehensive all-claims database and system
 - b. Claims processing and fraud detection
 - c. Serving
 - 1) Property/casualty insurers
 - 2) Self-insured organizations
 - 3) TPAs
 - 4) State workers compensation insurance funds
 - 3. Publications
 - 4. Confidential information
 - 5. Liaison with vehicle manufactures
 - 6. Domestic
 - 7. Foreign
- E. Methods of Operation and Instrumentalities of vehicle insurance crimes
- F. Prevention strategies

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VI. AUTO THEFT BY FRAUD

60 Min

A. Scope

1. Thefts of vehicles are no longer accomplished with a vise grips, a slide hammer or by hot-wiring an ignition
2. It is becoming more common today that the stealing of vehicles are accomplished through financial tools
 - a. The ease of obtaining another person's identity
 - b. Collusion of vehicle dealerships salespersons and other employees
3. The burden has fallen on law enforcement to recover the ill-gotten goods for the victim lending institutions

B. Auto Insurance Fraud

1. Claim process
 - a. Open claim
 - 1) Contact carrier
 - 2) Facts of the claim
 - b. Claims Representative assigned
 - 1) Estimates and receipts
 - 2) Claim documents
 - a) Affidavit of theft
 - b) Proof of loss
 - 3) Claim paid – usually minor in nature
 - 4) Further investigation
 - a) Witness interviews
 - b) Police reports
 - c) Recorded statements
 - 5) CA Dept. of Ins Special Investigations Unit referral
 - a) Witness interviews
 - b) Recorded statements
 - c) Examination under oath
2. Basic Auto Fraud Schemes
 - a. Owner give up
 - 1) Staged theft
 - 2) Staged arson
 - b. Padded claims
 - 1) Exaggerated value
 - 2) Additional items added not actual loss
 - c. Staged collision
 - 1) Faked damage
 - 2) Insurance after the fact
3. Penal Code Elements
 - a. PC 550 (a)(1) Felony
 - 1) Knowingly present or cause to be presented
 - 2) Any false or fraudulent claim
 - 3) For payment of loss of injury under contract of insurance.
 - b. PC550 (a)(2)
 - 1) Knowingly present multiple insurance claims

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- 2) For the same loss or injury
- 3) Including presentation of multiple claims to more than one insurer
- 4) With intent to defraud
- c. PC550 (a)(3)
 - 1) Knowingly cause or participate in
 - 2) Vehicular collision or any vehicle accident
 - 3) For purpose of presenting a false or fraudulent claim
- d. PC 550 (a)(4)
 - 1) Knowingly present a false or fraudulent claim
 - 2) For the payment of a loss for theft, destruction, damage, or conversion
 - 3) Of a motor vehicle, motor vehicle parts or contents of a motor vehicle
- e. 5).PC 550 (a)(5) (felony)
 - 1) Knowingly prepare, make or subscribe
 - 2) Any writing
 - 3) With intent to present or use it or allow to be presented
 - 4) In support of any false or fraudulent claim
- f. PC 550 (b)(1) (wobbler)
 - 1) Unlawful to do, assist or conspire
 - 2) Present or cause to be presented
 - 3) Any written or oral statement as part of, in support of, or opposition to
 - 4) A claim for benefit or other benefit pursuant to an insurance policy
 - 5) Knowing the statement contains any false or misleading information
 - 6) Concerning any material fact
- g. PC 550 (b)(2) (wobbler)
 - 1) Prepare or make any written or oral statement
 - 2) That is intended to be presented to an insurer or claimant
 - 3) In connection with, in support of, or opposition to
 - 4) Any claim or payment or other benefit pursuant to an insurance policy
 - 5) knowing the statement contains any false or
 - 6) misleading information concerning any material fact
- h. PC 550 (b)(3) (wobbler)
 - 1) Conceal or knowingly fail to disclose the occurrence of an event
 - 2) That affects any persons initial or continued right or entitlement to an insurance benefit or amount of benefit
- i. PC 548 (a) (felony)
 - 1) Every person who willfully
 - 2) Injures, destroys, secretes, abandons, or disposes of
 - 3) Any property which at the time is insured against loss by damage or theft, embezzlement, or any casualty (not fire)
 - 4) With intent to defraud the insurer
- C. Theft by Fraud
 - 1. Methods of Operation
 - a. Identity Theft
 - 1) How information is obtained
 - a) Theft of wallets/purses, etc.
 - b) Mail theft

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- c) Internet
- d) Dumpster diving
 - (1) Accidental – throwing away id information
 - (2) Business practice – do not shred
 - (3) Intentional – person on the inside
- e) Skimming cards
 - (1) Laws
 - (a) 530.5c(2)PC - Profiles (held on card)
 - (b) 484i(b)PC - Modify account info on access card's magnetic stripe
 - (c) 484i(c)PC - Possess credit card counterfeiting equipment
 - (d) 484f(a)PC – Make, alter, embosses, utter, or attempts to use counterfeit access card
 - (e) 502(a)PC – Possess skimmer with intent
 - (f) 502.6(b)PC – Possess re-encoder with intent
 - (2) Types
 - (a) Wedge
 - (b) Altered pin pads
 - (c) ATM machine/gag pump/door locks/ devices
 - (d) RFID
 - (e) Reader/writer encoder (Skimmed data is encoded on another card and used)
 - (f) Shimming
 - (3) How to detect
 - (a) Utilize portable reader
 - (b) Can use reputable retailer if in a pinch/ and they are willing
- f) Access to human resource files in workplace (dentist, doctor, real estate)
- g) Information given out by relatives, household workers, employees
- h) Change of address
 - (1) Mail delivered old address
 - (2) Suspect notifies creditors of change of address to his home or mail drop
- i) Application fraud
- j) Account takeover
- k) Telemarketing
- l) Sensitive information left unsecured / seen by others
- m) Employees using computers to access credit history
- n) Utilizing government agencies
 - (1) Driver's license (including take over)
 - (2) County records
- o) News papers
- p) Warranty cards
- q) Befriending
- r) Shoulder surfing
- s) Valet
- t) Fake ATM
- u) Census
- v) Phone books

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- w) Insurance
- x) Death records
- y) Other criminal
- z) Contests
- aa) 800 return calls
- bb) War-driving or War- chalking
- cc) Viruses (Key stroke Trojans)
- dd) Phishing or Pharming
- ee) Key catch
- ff) Airport baggage
- gg) Crime reports
- hh) Voting registration
- ii) Door to door salesmen
- 2) How stolen information is used to steal cars
 - a) Rent (steal) car under false name (and credit)
 - b) Obtain credit (Use suspect's own address or mail drop)
 - c) Take over bank accounts
 - (1) For personal use (not stealing)
 - (2) Build up/take over credit to accomplish otherwise lawful purchases
 - (3) Build up credit to accomplish bigger theft
 - d) Takeover credit card accounts
 - e) Loan fraud
 - f) Counterfeit/manufacture false identification, checks, credit cards, etc.
 - (1) Use of scanners, computers, printers, laminators
 - (2) Use of industry standards/secrets by former employee
 - g) Rental/lease fraud
 - h) Checks
 - (1) Forged/counterfeit documents
 - (2) Checks scan of account numbers
 - (3) Debit verse credit
 - (4) Electronic recordation
- 3) Auto theft by fraud suspect types
 - a) Organized Rings
 - (1) Mafia
 - (2) Drug cells
 - (3) Street gangs
 - (4) Terror cells
 - b) Opportunists
 - c) Drug user
 - d) Thieves
 - (1) Career criminals
 - (2) Parolees
 - e) Naïve suspect/victim who becomes a "mule" for a larger ring
 - f) Infiltrator/internal compromise by current or former employee
 - (1) Industry/business
 - (2) Government

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- (3) Law enforcement
- g) Computer/data base hackers
- h) Care givers
- i) Illegal aliens
- j) Bad merchants
- k) Real estate agents
- l) Certified Nursing Assistants
- m) Agricultural foreman/coyotes
- n) Urban nomad (gypsy)
- o) Former employees/co-workers
- p) Pick pockets
- q) Valet
- r) Pimps
- 4) Low-tech and High tech operations
 - a) High-Tech (Any use of computer and electronic data)
 - (1) Organized crime/Terror Cells
 - (a) Spanish train bombing
 - i. Terror event that shaped Spanish politics
 - ii. Funded by European skimming operations
 - iii. Investigators may stumble on very high level suspects
 - iv. Crimes with power behind them
 - (2) Networking
 - (3) High-tech insiders (bank employees, etc.)
 - (4) Knowledge of monetary thresholds for prosecution
 - (5) False business fronts -Bust-Outs
 - (a) Fake company/retailer gets credit (via fraud credit apps) and begins receiving merchandise (including cars) at bust out warehouse. Items are immediately shipped out for sale at other location. Eventually creditors close in and warehouse is vacated with no suspects left.
 - (b) Fake company may also collect stolen credit card numbers and run them all in one day
 - (6) Counterfeit (credit cards, documents)
 - b) Low-Tech
 - (1) Local mail theft
 - (2) Use of found information (pre-approved apps)
 - (3) Adding names to existing accounts
 - (4) Opening account under victim's name by friends, family, care giver
 - (5) False police reports/affidavits
 - (6) Forgery
 - (a) Checks disappearing
 - (b) Drafts created
 - (c) Signatures scanned
 - i. Distorted images for hand writing analysis
 - (7) Social engineering
 - (a) Cold calling
 - (b) Phishing

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- (8) Intimidation/force (employee for information)
- c) False Identification charges
 - (1) 148.9 – False information to P.O.
 - (2) 118 PC – Perjury
 - (3) 472 PC – Counterfeit seal
 - (4) 473.5 PC – Manufacture of government document
- 5) What are vehicle-theft-by-fraud methods besides identity theft?
 - a) Destination of vehicles
 - b) Vehicle dealerships
 - c) Lease fraud
 - d) Retitle without lien holder
- 2. Investigative Strategies
 - a. Successful perjury prosecution
 - b. Destination of vehicles
 - c. Vehicle dealerships
 - d. Applicable Penal Code Sections
 - e. Successful prosecution/Case preparation

VII. CARGO THEFT

180 Min

- A. Definition of hijack and cargo thefts.
 - 1. Cargo Theft: Any theft of a commercial vehicle where the object of the attack is cargo
 - 2. Kidnap/Robbery: Any taking of a commercial vehicle by force or fear, moving the driver against his/her will.
- B. Types of crimes involved with cargo theft
 - 1. Grand theft auto
 - 2. Receiving stolen property
 - 3. Kidnap
 - 4. Grand theft
- C. Initial investigation
 - 1. Hijack/Cargo thefts.
 - a. The proper notification procedures.
 - b. Responsibilities of detectives
 - 2. Crime classification
 - a. Tracker and trailer
 - b. Tracker and double trailer or triples
 - c. Trailer only
 - d. Trailer(s) with cargo
 - e. Tracker only
 - f. Stolen cargo
 - g. Stolen cargo in stolen container
 - h. Stolen cargo container empty (w/chassis)
 - i. Auto burglary (burglary from vehicle)
 - j. Theft from vehicle
 - 3. Secure crime scene
 - 4. Notify victim(s)
 - 5. Interview driver

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6. Interview trucking company dispatcher/owner
 7. Check area for additional clues/witness
 8. Notify CSI photos and prints
 9. Notify Cargo Theft detectives
- D. Cargo Investigation
1. Where was the load picked up?
 2. When was the load scheduled for delivery?
 3. What was the load?
 - a. Bills of lading
 4. How long has the driver worked for the company?
 5. Does the driver have a criminal history/has this happened before?
 6. Is there a tracking device?
 - a. Teletrac
 - b. Lojack
 - c. Qualcom
 7. Does the driver have the vehicle information?
 8. Suspect methods of operations
- E. Types of Truck/Trailers
1. Chassis/Container
 2. Refrigerated Trailer
 3. Conventional Truck/Tractor
 4. Cab-over Truck/Tractor
 5. Bobtail Truck
 6. Officer safety

Day 3

VIII. SUSPECT METHOD OF OPERATIONS

210 Min

- A. Organized theft groups
1. Russian organized crime
 - a. Use of violence, torture, and intimidation are common methods utilized
 - b. Kidnapping for Ransom Schemes net high-dollar amounts
 - c. Murders occur frequently, but bodies are seldom found
 - d. Russian auto theft rings
 2. Cali Cartel
 3. Italian organized crime
 4. La Cosa Nostra (LCN)
 - a. Italian for "Our Thing"
 - b. Involved in legitimate businesses (e.g. pizza parlors)
 - c. Involved in illegitimate businesses (e.g. loan sharking)
 5. Japanese Yakuza
 - a. Japanese – The Yakuza
 - b. In Southern California Yakuza members work under the cover of legitimate businesses
 - c. Criminal activity is largely sophisticated and transnational
 - d. Japanese syndicates involved in auto theft
 6. Chinese Triad

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7. Outlaw motorcycle gangs
 - a. Hell's Angels
 - 1) Patches
 - 2) Tattoos
 - 3) Club house
 - 4) Special insignias
 - 5) Prospects
 - 6) Hang around's
 - b. Mongols
 - 1) Patches
 - 2) Tattoos
 - 3) Club house
 - 4) Special insignias
 - 5) Prospects
 - 6) Hang around's
 - c. Vagos
 - 1) Patches
 - 2) Tattoos
 - 3) Club house
 - 4) Special insignias
 - 5) Prospects
 - 6) Hang around's
 - d. Black Outlaw Motorcycle Gangs
 - 1) Wheel's of Soul
 - a) History
 - b) Identification of
 - c) Members
 - d) Locations
 - e) Criminal activity
 - 2) Outcasts
 - a) History
 - b) Identification of
 - c) Members
 - d) Locations
 - e) Criminal activity
 - 3) Sin City Deciples
 - a) History
 - b) Identification of
 - c) Members
 - d) Locations
 - e) Criminal activity
 - 4) Association with Bloods & Crips
 - a) Black OMG's recruit from Blood / Crip gang members
 - b) Blood / Crip gang members soldiers for black OMG's
 - e. Outlaw Motorcycle Gang Structure
 - 1) International structure

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- 2) Local structure
 - a) President
 - b) Vice president
 - c) Secretary
 - d) Sergeant at arms
 - e) Road captains / road crew
 - f) Road formations
- f. Outlaw Motorcycle Rivalries (Wars)
 - 1) Hell's Angels v. Mongols & Vagos
 - 2) History of war
 - 3) Major battles worldwide
 - 4) Major battles in California
 - 5) Effect of war on public and law enforcement
 - a) Lay off members who are armed
 - b) Often the "Sergeant at Arms" keeps guns in a clean car nearby
 - c) May walk into the middle of conflict (including robbery/burglary from rival gang)
- g. Methods of stealing motorcycles
 - 1) Salvage
 - a) Most member motorcycles are pieced together from stolen bikes
 - b) Very rare to have a completely clean bike
 - 2) Title
 - 3) Fraud
 - 4) Extortion
 - 5) Van scoop
- B. TRAP (Taskforce Regional Auto Theft Prevention)
 - 1. Job title
 - a. Taskforce Regional Auto Theft Prevention
 - b. In 1992, the Los Angeles County Board of Supervisors through the California Vehicle Code imposed an additional fee on motor vehicles registered in the County to establish a vehicle theft curtailment program
 - c. In 1993, under the direction of the Countywide Criminal Justice Coordination Committee with the Sheriff as the regional coordinator, the Taskforce for Regional Auto Theft Prevention (TRAP) was established.
 - 2. Duties and responsibilities
 - a. TRAP specializes in the activities in the investigation, apprehension, and prosecution of
 - b. Organized auto theft investigation "chop shops".
 - c. International car theft rings that ship stolen vehicles to other countries.
 - d. Fraudulent vehicle applications
 - e. Education to the public and the law enforcement community in regards to auto theft prevention.
 - 3. Skills and abilities
 - a. Clear and concise written and spoken communication.
 - b. Knowledge of auto theft related crimes and the method in which suspect uses.
 - c. Experience firsthand auto related crimes
 - 4. Personnel Attributes
 - a. Willing to travel and occasionally work unsocial hours.

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- b. Team worker demonstration a commitment to the team.
- C. General trends and methods
 - 1. Shaved key
 - 2. Slim Jim
 - 3. Window pull
 - 4. Porcelain (sparkplug) chips
 - 5. Electronic bypass method (seen on Long Beach video)
 - 6. Illegal mechanic's liens
 - 7. Title washing (repo chasing ghosts)
 - 8. Counterfeit titles (sell stolen cars, seaming lawful to buyer)
 - 9. E-fencing
 - 10. Cars for sale in same neighborhood – all same phone number, likely your theft ring
 - 11. Counterfeit keys
 - a. Obtain VIN on vehicle desired
 - b. Gets a key cut to that VIN
 - c. Bad guy locksmith has to send out to licensed key manufacture (who reports that a key is cut to NICB)
 - d. Use OBD device or programmer to fake key fob?
 - 12. GM vehicle thefts (SUV/Trucks)
 - a. Mostly taken for parts - Many recovered
 - b. Older models don't not have chipped keys
 - c. Driver's door lock is easy to pry open and unlock without activating the alarm
 - d. Ignition can be drilled and turned with screwdriver
 - e. On Star system can be disconnected and disabled
 - f. GM owners tend to "trick out" cars with aftermarket products
 - 13. Vehicle locators/trackers
 - a. GPS jammers (bought online from China) blocks tracking of vehicle
 - b. May just park and let "cool"
 - 14. Motorcycles "shoebox" van – no view inside and may be rigged with tie-downs/anchor points
 - 15. Part thefts
 - a. Batteries
 - b. Tailgates
 - c. Third row seats
 - 16. Rental car thefts/fraud
- D. Investigative strategies
 - 1. Surveillance
 - 2. Trackers
 - 3. LPR tow trucks
 - 4. NICB can tell you if a key was cut

**IX. COMMERCIAL EQUIPMENT INVESTIGATION
LUNCH (1130-1230)**

60 Min

- A. Scope of the problem
 - 1. Recovery rate is less than 30%
 - 2. Often placed into SVS incorrectly

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- B. Identifying information
 - 1. PIN Plate
 - 2. Stamped serial number
 - a. Could be in various spots
 - b. Kubota and Caterpillar stamps near plate (sometimes)
 - 3. Transmission plate
 - 4. Other components
 - 5. Custom (owner applied numbers – OAN)
 - a. Weld names, initials, etc.,
 - b. Can be on vehicle and/or attachment
- C. Types of equipment (Commonly stolen)
 - 1. Bobcat
 - 2. New “S” series
 - 3. Ford
 - a. 545
 - b. 555
 - c. 755
 - 4. John Deer
 - a. 210
 - b. 310
 - c. 410
 - d. 710
 - 5. Case
 - a. 570
 - b. 580
 - c. 590
 - 6. Kubota (tractor)
 - 7. Ingersol Rand (generators)
 - a. Serial number on tongue (SVS)
 - b. Serial number on plate (APS)
 - c. Must record both as the trailer portion may be separated (seen on flatbed, etc.)
- D. Investigative strategies
 - 1. 10751 (a)VC Applied to construction equipment
 - 2. Things to look for:
 - a. High theft items
 - 1) Loaders
 - 2) Backhoes
 - 3) Forklifts
 - 4) Generators
 - b. Plates affixed differently than the manufacture (no rivets)
 - c. Common indicators
 - 1) Owner applied stickers removed
 - 2) Make and model stickers removed
 - 3) Equipment appears abandoned
 - 4) PIN plates/stickers are missing
 - 5) Decals removed

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- 6) Equipment transported at odd hours
 - 7) Equipment lacks proper tie-downs or overweight signs
 - 8) Marking on equipment does not match the transport vehicle
 - 9) Equipment has been sold well below value
3. Avoid tunnel vision - Look at small stuff too (hand tools – may have CDL number etched on them)
 4. Database searches/entries
 - a. Running SE license plate
 - 1) Run with the “S” in the “type” field and the remainder in the license field
 - 2) Example: SE123456
 - a) LICENSE: E123456
 - b) DMV: S
 - b. Smaller equipment run using APS (automated property system)
 - c. Owner applied numbers
 - 1) Entered in both SVS and APS
 - 2) If owner applied number or name and it is unknown to you
 - a) Call other construction companies (they know each other)
 - b) Call area detectives that may know
- E. Investigative resources
1. Routine checks on open construction sites during off hours
 2. Crime Prevention Program
 3. (562) 860-9006
 4. (800) 432-7257 ext. 823 (Hotline)
 5. Other construction companies
- F. Reporting procedures
1. Make sure to provide great detail to help identify items
 2. Make sure to have a CHP for each item requiring a 180
 3. May have items without numbers (or owner applied only)
 4. Number of reports per occurrence - How many 180 forms are needed based on separate items taken
 5. Other than 180 (investigative or crime report narratives)

X. VESSEL THEFT INVESTIGATIONS

30 Min

- A. Scope
1. John F Kennedy “Little John” case study
 - a. Long Beach Insane Crips Gang
 - b. Murdered Newport Beach couple
 - c. Handcuffed to each other and thrown overboard
 - d. To steal their yacht (Posed as a rapper)
 2. Statistical information
 - a. Currently 700,000 boats titled in California
 - b. Use figures/storage
 - 1) 5% use
 - 2) 95% non-use
 - c. 18 states currently have ownership certificates on boats
 - d. Of boats stolen

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- 1) 93% are 26' or less
- 2) 82% are 20' or less
- e. Outboard motors, 1989 – June 1996
 - 1) Stolen: 2250
 - 2) Recovered: 27
 - 3) Recovered rate: 1%
- f. Personal watercraft
 - 1) 42% of thefts
 - 2) 7-10 feet range
- B. Definitions
 - 1. Vessel
 - a. Capable of being used as a means of transportation
 - b. Exceptions
 - 1) Sea planes
 - 2) Fixed course
 - 3) Disney-land
 - 2. Owner - Having title
 - 3. Legal owner - Person holding title (30) days or more
 - 4. Registered owner - Person registered by DMV as owner
 - 5. Hull Identification Number (H. I. N.)
 - 6. Manufacture Identification Code (M. I. C.)
- C. Identifying information
 - 1. CA registration number (CF) (stickers affixed to hull - visible)
 - 2. Sail numbers
 - 3. Trailers
 - a. License plates
 - b. Make/model
 - c. Type of boat it fits
 - d. OAN
 - e. Connected to boat using online resources (boatman/todd & assc.)
 - 4. VIN
 - 5. HIN (Hull ID Number)
 - a. 12 characters
 - b. No check digit
 - c. Number configuration
 - 1) Characters 1-3 are: Manufactures ID Code (MIC)
 - 2) Characters 4-8 are: Production or Serial number
 - 3) Character 9 is: Month of production
 - 4) Character 10 is: Year of production
 - 5) Characters 11-12 are: Model year
 - d. Required by USCG after November 1st 1972
 - e. Required Secondary/hidden HIN required after 1984
 - f. Three HIN formats:
 - 1) Straight Year
 - 2) Model Year
 - 3) New/Current Format

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- g. Contains
 - 1) Manufacturer Identification Code
 - 2) Production or Serial Number
 - 3) Month of Production
 - 4) Year of Production
 - 5) Model Year
 - h. Display of HIN
 - 1) Starboard outboard side of transom within 2 in. of top of transom, gunwale, or hull/deck joint
 - 2) W/C without a transom - starboard outboard side of hull
 - a) within one foot of stern
 - b) within 2 in. of top of the hull side, gunwale, or hull/deck joint - whichever is lowest
 - 3) Catamarans and pontoon boats - to the aft crossbeam within one foot of starboard hull attachment
 - 4) HIN must be permanently affixed (carved, burned, stamped, embossed, molded, bonded)
 - 5) Attached so alteration, removal, or replacement would be obvious
 - 6) Characters can be no less than one-fourth an inch high
 - 7) Secondary/hidden HIN must be affixed in an unexposed location on the interior of the watercraft
 - 6. Engine
 - a. Inboard
 - b. Outboard (easily removed)
 - 7. Components
 - 8. Electronics
 - a. Radios
 - b. Depth finders
 - 9. Owner applied
 - 10. Unique add-ons
 - 11. Custom parts/components
- D. Numbering (9850 VC)
- “Every undocumented vessel using the waters, or on the waters of this state shall be currently numbered”
- 1. Display of Numbers (9353.2 VC)
 - a. Printed or attached to each side forward half
 - b. Must be clearly visible
 - c. Maintained in legible condition
 - 2. Certificate of numbers
 - a. Pocket-sized
 - b. Original or facsimile
 - c. Available for inspection
 - 3. Vessels not required to be numbered (9873 VC)
- E. Current registration sticker (9853.4 VC)
- 1. Three inches following number on starboard side (right) and three inches preceding number on port side (left)

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2. Must be in line with numbers
3. Tab colors alternate
4. Dark/light every other year
- F. Federal/Out-of-State registration (9854 VC)
 1. 30 days/past 90
 2. Undocumented vessel
- G. Assignment and marking of Hull Identification Numbers (9871 VC)
 1. Original registration where no HIN exists or destroyed
 2. Undocumented vessel
 3. Prior to 1972
 4. Assigned by DMV
 5. Permanently marked on hull
 6. Accessible for inspection
- H. Defacing, destroying and/or altering HIN (9872 VC)
 1. Impound section
 2. Counterpart to 10751 VC
 3. Autos and parts
- I. Investigation
 1. Hull Identification Number (HIN) and secondary - As of 1986
 2. Manufacture capacity plate - AKA Coast Guard Plate
 3. Registration number - Powder/Ghost shadow
 4. Gas Tanks - Date of manufacture
 5. Motor and drive
 6. Other equipment
 - a. Electronic equipment
 - 1) Radios
 - 2) Radar
 - 3) Depth finder
 - b. Flotation
 - c. Life jackets
 - d. Boat cover
 - e. Sail, mast, canvas
- J. New items effective January 1, 1988
 1. AB 1404
 - a. 9845 VC
 - b. Same as 2805 VC, except for boats
 2. AB 1529
 - a. 9872 VC (Altered Hull Number)
 - b. Same as 10751 VC (Altered VIN)
 - c. Notice within five days.
 - d. Hearing within 60 days of seizure

XI. Investigative Resources

180 Min

- A. Importance
 1. Impossible to solve / prosecute criminal cases without investigative resources
 2. Creates investigative leads

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3. Eliminates unnecessary follow-ups
4. Allows time management
5. Short cut to the answer you need
- B. Developed resources
 1. Start your own list of investigative contacts
 2. Attend training on available local, state and federal computer systems
 3. Develop your business-industry-private sector and/or other types of resources outside of law enforcement
 4. Join professional associations
 5. Email tree with other investigators
- C. Accessing Resources
 1. How will you file resources?
 2. Hard file (paper)
 3. Computer - PDA?
 4. Update frequently
 5. Do you back-up (hot sync)?
 6. Availability & ease of use
- D. Importance of vehicle identification knowledge?
 1. Almost all suspect's we encounter are using a vehicle
 2. Most of their vehicles are suspicious in nature (lack registration, put-together with stolen parts, VIN switched, fraud application, etc...)
 3. Additional criminal charges can be filed
- E. Important Resources
 1. LAPD Resources
 - a. TISI – Personal service citations by name, license and vehicle description
 - b. DBKM – first nine lines of booking
 - c. CC08/09/10 – name, address and license number inquiry
 - d. Pacmis – recovered vehicle information
 - e. TAPS – City Clerk tax permit by name and/or address
 2. County Resources
 - a. CCHRS – County Criminal Record
 - b. ETRS – Personal service citations by name and CDL#, includes future court dates
 - c. PIMS – District Attorney's case info system
 - d. TCIS – trial court info
 - e. Voter Registration – must be on their list
 - f. DBKM - Booking 9 Lines
 3. State Resources
 - a. (CLETS) ANI / DLF – drivers license and registered owner information
 - b. CII – state criminal history
 - c. DOJ – stat run (916) 227-3686
 - d. DMV – various data bases, including file pass runs (916) 657-6259 Fax: (916) 657-7877 (Use your requestor code)
 - e. Parole – address, etc...
 - f. BATIC-Registered owner information on Mexican license plates (800) 503-2877 (must know state in Mexico)
 4. Federal Resources

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- a. RQR / RQH – FBI criminal history outside of California
 - b. TECS – INS entry into U.S.
 - c. U.S. Postal Inspectors
 - d. NICB (800) 447-6282 X4700
 - e. Numerous data bases from vehicle / property claims by name, SS#, address and VIN available by telephone, NECS and internet (ORI needed, ex: CA01942--)
 - f. NICB - Online
- F. Other Resources
1. TIMS: L.A. DOT – L.A. City parking tickets includes: address of cite, date, time and vehicle color (available thru BAD CATS)
 2. Utilities (DWP, Gas Co, SCE, etc..)
 3. Insurance company, rental car agencies, financial institutions and credit card companies
 4. Printed Material
 5. Trade Magazines
 6. Professional Associations
 7. Gov't publications
 8. Conferences, Seminars & Trade Shows handouts
 9. Websites for Investigators
 - a. www.wsati.org (Western States Auto Theft Investigators Association)
 - b. www.iaati.org (International Association of Auto Theft Investigators)
 - c. zabasearch.com (names-addresses by property ownership)
 - d. www.pajis.lasd.org (LASD – arrestee Info)
 - e. atxp.choicepoint.com
 - a) Choicepoint - name, address, phone #'s
 - b) <https://www.cpclear.com>
 - f. smogcheck.ca.gov (Bureau of Automotive Repair)
 - g. Caterpillar Equipment (www.catused.cat.com)
 - h. NER- Stolen Const Equip (www.nerusa.com)
 - i. fonefinder.net (Gives city, state and telephone company from area code and prefix)
 - j. paintscratch.com (Color of Vehicles)
 - k. worldlicenseplates.com
 - l. www.iam.org
 - 1) Gives detailed info on foreign vehicles, use the VIN books button.
 - 2) Association of International Manufacturers
 - m. ssnvalidator.com (Social Security # Validation)
 - n. Map of property www.assessormap.cp.la.ca.us/mapping/viewer.asp
 - o. California Dept of Consumer Affairs www.dca.ca.gov go to Bureau of automotive repair and smog check, then query test history for a vehicle by plate or VIN.
 - p. NHTSA – vehicles safety problems & issues nhtsa.dot.gov
 - q. ilinvestigate.net – various free public records data bases
 - r. crimepreventionprogram.com (construction equipment)

Day 4

XII. MOTORCYCLE THEFTS

120 Min

A. History

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1. Theft problems
2. Statistics
3. High theft motorcycles
4. Theft suspects
- B. Identifying Motorcycles (Department of Motor Vehicles and motorcycles)
 1. Vehicle Identification Number (VIN)
 - a. 1981
 - b. Pre-1981
 - c. Reading VINs – Each section/numbers
 2. California (CA) numbers (Blue tags)
 3. CA - DRF is Department Registry File
 - a. Created so that law enforcement could look up the file by using the numbers on the bike
 - b. Numbers were assigned by the state prior to the early 70's before the advent of the Blue Tag
 - c. These numbers were often assigned when building a special construction motorcycle
 - d. DRF number were never supposed to be stamped in the engine, only the frame
 - e. The first two digits after the DRF are the year the number was assigned
 4. Motorcycle Number Systems – (Both registered by engine and VIN number)
 - a. Harley-Davidson
 - b. Case numbers
 - c. Transmission and fork numbers
 - d. Honda
 - e. Kawasaki
 - f. Suzuki
 - g. Yamaha
 5. Identifiable parts (Stamped)
 - a. Frame
 - b. Engine
 - c. Transmission
 - d. Lower casing
 - e. Fork number (not a derivative of the VIN)
- C. Methods of Theft
 1. Tools
 - a. Shaved keys
 - b. Slide hammer
 - c. Shoe box (panel van – no or covered windows)
 2. Methods of theft
 - a. Hot wired
 - 1) Pigtails (possession is misdemeanor)
 - 2) Bypasses the ignition
 - 3) Plug in ignition - Often at the bottom of assembly just above the radiator
 - 4) Honda – can just crimp wires (no pigtail needed)
 - a) Cut the wires
 - b) Strip them and connect them
 - b. Test drive - Suspect will leave collateral like a stolen motorcycle
 - c. Shoe box – carry away

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- d. Fraud
 - 1) Fraud applications
 - 2) ID theft
 - 3) Title washing
 - 4) Counterfeit titles
- 3. Newspaper advertisement
 - a. No identification of person selling
 - b. Will not meet at his residence
 - c. Will not allow to be driven
 - d. No title
 - e. Sell all of the unidentifiable parts
 - 1) Plastics
 - 2) Components
 - 3) Use internet – show pictures
 - 4) When you see a complete part set for sale – red flag
 - 5) To hide better - Sometimes thieves may advertise whole bike for sale with parts, but when buyers call they say that the bike is sold and they only have the parts left
 - 6) May discard motors/frames or sell for very little money to other bad guys
- 4. Special construction motorcycles
 - a. Must have a VIN
 - b. Must have CHP inspection
 - c. Numbers must match
- D. Methods of altering numbers
 - 1. Grinding and re-stamping
 - 2. Grind, sandblast and re-stamp
 - 3. Weld re-stamp
 - 4. Over stamp
 - 5. Alter 1 digit
 - 6. Switch from heads and re-casing
 - 7. Frames are alloy, look for quality of weld
 - 8. Parts switched
 - 9. Salvage frame and engine case
- E. Mopeds and scooters
 - 1. All have engine and frame number
 - 2. Number locations
 - a. Not straight forward
 - b. Varies
- F. Off road
 - 1. Run number with “F” code
 - 2. Varied frame number locations
- G. Altered numbers (Need not be an expert to recognize an altered number)
 - 1. Major recognition points
 - 2. Grind marks
 - 3. Number boss surface
 - 4. Comparison of numbers
 - 5. Other motorcycles in yard

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6. Signs of tampering
- H. Investigative steps
 1. Interview the possessor
 2. Seize the frame
 - a. Per 10751(a)
 - b. Place hold
 3. Acid test to lift the VIN
 4. Determine VIN
 5. Stolen Vehicle System information

XIII. DEPARTMENT OF MOTOR VEHICLES

150 Min

- A. Jurisdiction and Responsibilities of DMV
 1. Responsible for:
 - a. Counterfeits
 - b. Altered or false applications
 - c. Driver licenses
 - d. Identification or title documents
 - e. Protection of database
 2. The investigation unit has jurisdiction with:
 - a. Automobile dealerships
 - b. Dismantlers
 - c. VIN verifiers and manufactures
 3. General Resources
 - a. Registration Records
 - b. Vehicle Registration sticker/ tab number verification
 - c. Driver Records
 - d. Law Enforcement Requests for Stops
 - e. Address Searches
 - f. Social Security Number
 - g. ANI Searches
 - h. Soundex Photos and DL44'S
 - i. Law Searches
- B. California driver licenses
 1. Built-in security features transparent retro reflective film
 2. 26 current formats
 3. New California driver licenses
 - a. Made of plastic
 - b. The alpha and numeric information on the front of the card is also on the magnetic stripe
 - c. This information is held in digitized form in a vendor's computer database for retrieval
 - d. Magnetic stripe card
 - 1) Transparent hologram
 - 2) Covers the face of each card with three-dimensional multi-colored images
 - e. California State seal
 - f. The magnetic stripe may be read with DMV telecommunications system
 - 1) Public line

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- 2) Court line
 - 3) Law enforcement line
- C. California Vehicle Ownership Document
1. Many series; each series has different safety features
 2. Note the color of pink
 3. Currently 60 colors
 4. Basket weave background
 5. Clear state seal
 6. 2 ¼" diameter
 7. All words spelled correctly
 8. Press numbers located at the lower right-hand corner
 9. The Press number is a part of the original printing process and not stamped
 10. Horizontal state seals on the backside
 11. Safety paper
 - a. Reacts to bleach
 - b. Bleach must be fresh to work test on valid sample
 - c. When applied to safety paper, the stop or void will appear
 - d. No safety paper 1979 – 1981, prefixes TX/TTX (What is this prefix to? Where would it be located?)
- D. New Title
1. Title first issued September 1, 1989
 2. The colors green, yellow, and pink are blended to allow detection of color copies
 3. The engraved border is lithograph
 - 1) Point Out: This is harder to reproduce
 4. Under the State of California there is a high-resolution border incorporating a microprint line that under magnification reads "California Department of Motor Vehicles"
 5. The safety paper will react to 20 chemicals such as bleach
 - a. The reaction that you will see is the word "STOP"
 - b. Everything else is the same as a pink title
 - c. Horizontal state seals, sequential numbers on the right hand corner, etc.
 - d. On the backside of the title you will notice the "certifying under penalty of perjury" statements regarding transfer of ownership and mileage statements by dealers
- E. Requesting Information
1. A new alternative method has been established that will allow LE searches to be submitted via email.
 2. The e-mail must be submitted through a law enforcement e-mail account and not a public e-mail account.
 3. If e-mailing the requests is not a viable method for you than your agency can continue to submit a request via fax.
 4. You must include the following information with the requests (both fax and email):
 - a. Name of requestor
 - b. Address of LE Agency
 - c. Fax number of requestor
 - d. LE Agency e-mail
 - e. Requestor code of the LE Agency
 - f. Information requested

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5. Requests for either history of driver license records and/or vehicle registration records will continue to be handled by the Law Enforcement Unit.
6. Contact Information
 - a. EMAIL ADDRESS: radlegrp@dmv.ca.gov
 - b. FAX REQUESTS TO: (916) 657-7877
 - c. Law Enforcement Liaison Line:
 - 1) Monday thru Friday 7 AM to 1 AM
 - 2) Drivers License (916) 657-7590
 - 3) Registration (916) 657-7827
 - 4) After Hours / Weekend (Emergencies Only) (916) 227-3244
7. Other valuable contact numbers:
 - a. Lien Sale Unit (916) 657-7617
 - b. Involuntary Transfer Unit (916) 657-7704

XIV. LAW AND FILING

210 Min

- A. Auto Theft charging sections
 1. 487 (h)(a)
 2. 10851
 3. 10852
 4. 10801 VC-Chop Shop owner/operator
 5. 10802 VC - Chop Shop activities
 6. 10803(a) VC - Buyer
 7. 10803(b) VC - Seller
 8. 10750 VC - Altering Vehicle Identification Number (VIN)
 9. 10751 VC - Manufacturer's Serial/ID No.
 10. 10752 VC - Fraudulent Acquisition or Disposition of VIN
 11. 496 PC - Receiving Stolen Property (RSP) Search and seizure
 12. Traffic violations
 - a. Temporary seizures
 - b. Vehicle stops and searches
 - 1) Vehicle stop is a detention
 - 2) Requires reasonable suspicion or probable cause
 - 3) Can be based on any reliable source
 - a) Identified citizens report (Adams v. Williams 1972)
 - b) Anonymous predictor (Alabama v. White 1990)
 - c. Pretext stops
 - 1) The Supreme Court has ruled that it's OK to use a mover or equipment violation as a "pretext" to justify a temporary stop, even if you want to check out possible crimes in the process.
 - a) Whren v. US (1996) 517 US 806, 813;
 - b) Arkansas v. Sullivan (2001) 532 US 769.
 - 2) Even violations that occur after red lights and siren are activated, but before the suspect yields, can be used to justify the stop, so they should also be included in reports.
 - a) US v. Santamaria-Hernandez (9th Cir. 1992) 968 F.2d 980, 983
 13. Containing subjects in vehicles

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- a. For safety and control, you can order the driver and passengers to remain in the vehicle during your initial investigation
 - b. *People v. Castellon* (2000) 76 Cal.App.4th 1369, 1376
 - c. Drivers and passengers are all detained - Time is within scope of investigation (*Brendlin v. California* 2007)
14. Ordering subjects out of a vehicle
- a. You also have the option of ordering the driver and all passengers out of the vehicle, without giving any reasons for doing so
 - 1) You would not normally take this step in a traffic enforcement stop, where you do not suspect criminal activity or any danger
 - 2) Once ordered out, passengers have the same constitutional rights requiring at least reasonable suspicion to detain – otherwise you may not seize them.
 - b. Any contraband or evidence then seen in plain view may be seized (*Maryland v. Wilson* (1997) 519 US 408, 415)
 - c. Passengers may be temporarily detained within the scope of the traffic stop (*Brendlin v. California* (2007) 127 S.Ct. 2400, 2407)
 - d. If there is reasonable suspicion that a passenger may be armed and dangerous, he can be frisked for weapons. *Arizona v. Johnson* (2009) 129 S.Ct. 781.
15. Searching a vehicle for driver's license (not in possession after ordered out)
- a. If the driver gets out without his or her license, registration or proof of insurance, you can enter the vehicle to search for these items, in places where they are normally kept
 - 1) Glove box
 - 2) Console
 - 3) Map pouch
 - 4) Visor
 - 5) Steering column
 - 6) Under the front seat
 - b. Any contraband or evidence in plain view may be seized
 - 1) *In re Arturo D. and People v. Hinger* (2002) 27 Cal.4th 60, 79-81
 - 2) If you discover contraband or evidence of criminal violations, additional grounds for searching may be triggered.
16. VIN Inspection
- a. A traffic stop includes the right to check the VIN, without any reason or suspicion
 - b. Plain view seizures may be made (*New York v. Class* (1986) 475 US 106, 114)
17. Vehicle searches incident to arrest
- a. Valid if driver or any passenger is arrest able
 - b. Search includes all areas and compartments inside vehicle
 - c. Excludes trunk
 - d. *New York v. Belton* 1981
18. Searching of suspected stolen vehicles
19. Auto theft as homicide
20. Officer safety
- a. Require reasonable suspicion (Terry)
 - 1) Vehicle knife in plain view - *Michigan v. Long* (1983) 463 US 1032, 1049-50

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- 2) Ex-felon with 12025 priors and violent history - People v. Bush (2001) 88 Cal. App.4th 1048 – was good reason to look through the windows or open doors before entering to search
- b. Pat downs - evidence that is “immediately apparent from your plain feel” (Terry)
- c. Elements to articulate (based in case decisions)
 - 1) Violent crime suspected - Thurman
 - 2) Remoteness of the area – Michigan v. Long
 - 3) Obscure area – Casteneda
 - 4) High crime area – Souza (make sure to explain specifically why THIS area is high crime)
 - 5) Late hour – Rico
 - 6) Number of suspects – Samples
 - 7) Number of back-up officers – Rico
 - 8) Size of suspects – In re Michael S.
 - 9) Threatening demeanor – Szabo
 - 10) Suspicious clothing – Hines
 - 11) Suspicious bulges in clothing – PA v. Mimms
 - 12) Abrupt movement – Rosales
 - 13) Trying to hide something – King
 - 14) Evasive conduct – Stone
 - 15) Citizen report of weapons – Adams v. Williams
 - 16) Prior contacts/trouble – Williams
 - 17) Weapons/ammo/holster – Foranyic
 - 18) Warnings in official bulletins – Hensley
 - 19) Hand-to-hand drug sale – Limon
 - 20) Duty to transport riders – Tobin
 - 21) Obvious lie (ID in sock) - Barnes
21. Impound and inventory
 - a. Black letter state law (Vehicle Code)
 - b. State statutes cannot reduce the protection of the Fourth Amendment
 - 1) Just because CVC says you can inventory, does not mean it is a reasonable search
 - 2) Miranda v. City of Cornelius, Or (9th Cir. 2005) 429 F. 3d 858, 864 and People v. Williams (2006) 145 Cal.App. 4th 756, 762
 - 3) Using the “Standardized inventory policy” – Florida v. Wells (1990) 495 US 1, 5.
 - 4) Scope , dependent on policy – Colorado v. Bertine (1987)
22. Statutory inspections
 - a. Because auto dealers, repair shops and dismantlers are "closely-regulated businesses," they are subject to administrative inspection under a statutory scheme that is constitutionally reasonable
 - 1) New York v. Burger (1987) 482 US 691, 703
 - 2) Such inspections are permissible, even if conducted by law enforcement officers who also seek evidence of criminal wrongdoing. Burger, at 716-717.
 - b. CVC § 2805 satisfies constitutional requirements. Terry York Imports, Inc. v. DMV (1987) 197 Cal.App.3d 307, 314.

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- c. Officers looking for stolen vehicles and parts may do so in premises that are open to the public, during normal business hours, without regard to the warrant requirement or the limitations of VC § 2805, under the "plain view" doctrine
 - 1) Marshall v. Barlow's, Inc. (1978) 436 US 307, 315;
 - 2) People v. Doty (1985) 165 Cal.App.3d 1060, 1066-68.
 - d. It is not necessary that premises subject to inspection under VC § 2805 be "open to the public." "Rather, under section 2805, the owner's expectation of privacy is defined by whether auto-related commercial activity—as opposed to personal activity—is being conducted on the premises."
 - 1) People v. Potter (2005) 128 Cal.App.4th 611, 622
 - 2) Applying 2805 to warrantless entry and inspection of off-site "overflow" automotive work location not intended for customers
 - e. Knowledge is sufficient evidence for conviction
 - f. Chop Shops
 - 1) 250VC Chop Shop definition
 - 2) 10801 VC Chop Shop owner/operator
23. Home entry
- a. Three-part test (answers all questions) – possibly revised to be a four-part test
 - 1) Warrant
 - 2) Consent
 - 3) Exigent
 - 4) Now parole/probation searches can be added, although originally and technically there is no search or at least an expectation of privacy. They were formally considered "in custody" and/or waived their right against unreasonable searches.
 - b. Minor offenses
 - 1) May not enter to make minor arrest for minor offense
 - 2) Apply the test – no warrant, no exigency, no consent
 - 3) Welsh v. Wisconsin (1984) 466 US 740 – For DUI
 - c. (Entry) report writing
 - 1) The lawfulness of your entry will likely be the key to the admissibility of evidence and civil liability
 - 2) Extremely important to document all theories of justification and facts supporting them
 - 3) General writing tips
 - a) Use plain English – no jargon
 - b) Define and explain technical terms
 - c) Use active voice "he did." Not "it was done by him"
 - d) First person
 - e) Chronological order
 - f) Quote adverse witnesses, may paraphrase friendly witnesses
 - g) Elements of crime
 - h) Note defenses claimed or denied
 - i) Lawful/constitutional issues
 - (1) Consent
 - (2) Voluntariness
 - (3) Admissions

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- (4) Reasonable suspicion (stop, pat)
- (5) PC to arrest
- (6) Justification for search (remember the 3-part test)

- B. Search warrants
 - 1. Defined
 - a. Affidavit defined
 - 1) Statement under penalty of perjury before a magistrate
 - 2) Sets forth probable cause
 - b. 4th Amendment of United States Constitution
 - c. United States Supreme Court decisions reference to search warrants
 - d. Advantages to search warrants
 - e. Alternatives to search warrants
 - 2. Describing places, vehicles and persons to be searched
 - a. Special hiding places/destruction of property
 - b. Accuracy/civil liability
 - c. Privileges
 - d. Doctors
 - e. Crime scene
 - f. Good faith exceptions
 - 3. Describing the property to be seized
 - a. Controlled substances
 - b. Bookmaking
 - c. Telephone calls
 - d. Stolen property
 - e. Bank records/credit cards
 - f. Phone records
 - g. Pen registers
 - 4. Statement of probable cause (affidavit)
 - a. Affiant information
 - b. Credibility and reliability
 - c. Aguilar two prong test
 - d. Gates totality of circumstances
 - e. Factual basis
 - f. Hearsay
 - g. Corroboration
 - h. Staleness
 - 5. Nighttime searches
 - a. Justification for night service
 - 1) Suspect or property is only there at night
 - 2) Enhances officer safety by concealing approach
 - b. Endorsements
 - 6. Protecting informant identity
 - a. Evidence code sections 1040 and 1042
 - b. If identifying the informant would lead to their death or great bodily injury
 - 7. Mechanics of preparation
 - a. Names of all affiants

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- b. Statutory grounds for issuance
 - c. Description of places/persons to be searched
 - d. Description of property to be seized
 - e. Indication by magistrate if night service is authorized
 - f. Magistrate signature
 - g. Date issued
 - h. Avoid Boiler plate phraseology
8. Telephonic search warrants
- a. Contact the District Attorney (DA) command post
 - b. The DA investigator will go over affidavit and ask questions about it
 - c. DA investigator contacts the on-duty DA
 - d. Police investigator explains the Probable Cause (PC) to the on-duty DA
 - e. On-duty DA tells DA investigator to set up a three way call with the on call judge with the police investigator, the judge and the DA investigator
 - f. Police investigator tells the probable cause (PC) to the judge and read the warrant face sheet to him/her
 - g. Sign the warrant, judge authorizes the investigator to sign the warrant for him/her
 - h. Write "Duplicate Original" on upper right hand corner
9. Service of search warrants
- a. Destruction of property
 - b. Civil liability
 - c. Officer safety
 - d. Planning
10. Court Proceedings
- a. Quashing
 - b. Standing
11. Good faith error exceptions
- C. Interrogations
1. Need for statements
- a. Regardless of physical evidence
 - b. Witness impeachment
 - c. Bruton v. US (1968) 391 US 123, 139 (White, ds.) – "The defendant's own confession is probably the most probative and damaging evidence that can be admitted against."
 - d. Colorado v Connelly (1986) 479 US 157, 182 (Brennan, ds.) – "Triers of fact accord confessions such heavy weight in their determinations that the introduction of a confession makes the other aspects of a trial in court superfluous... No other class of evidence is so profoundly prejudicial."
 - e. Arizona v. Fulminante (1991) 499 US 279, 296 - "A confession is like no other evidence. The admissions of a defendant come from the actor himself, the most knowledgeable and unimpeachable source of information about his past conduct. Certainly, confessions have profound impact on the jury."
2. Four constitutional hurdles of interrogations
- a. Fourth Amendment
 - 1) Fruit of unreasonable search or seizure
 - a) Based on 4th amendment violations
 - b) Illegal detention

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- c) Illegal search (of person, place, thing)
- d) Illegal arrest (de facto or otherwise – such as transporting w/o PC or exceptions)
- 2) Wong Sun v. US (1963) 371 US 471, 485-488
- b. Fifth Amendment
 - 1) Self-incrimination
 - 2) Miranda v. AZ (Vignera, Westover, CA v. Stewart)
 - a) “Incommunicado interrogation of individuals in a police dominated atmosphere, resulting in self-incriminating statements without full warnings of constitutional rights.”
 - b) Two-part compulsion (this is how the court will determine if Miranda was needed)
 - (1) Custody (police dominated, custody like restraints) AND
 - (2) Interrogation (questions likely to elicit an incriminating response)
 - (3) Rises to level of compulsion – requires remedy
 - c) To ensure that bad guys like these cases (grouped under “Miranda” decision) did not go free because of self-incrimination (the two-part trigger) the Court offered the now familiar four element guideline (“safeguard”)
 - d) Those four elements (“guidelines”) have become de facto 5th Amendment
 - 3) Implied consent
 - a) Ambiguities resolved in the suspect’s favor
 - b) Duty to clarify
 - c) No prohibition on clarifying ambiguous responses
 - d) Cases
 - (1) US v. Labrada-Bustamante et. al (9th Cir. Nov. 10, 2005) 428 F.3rd 1252 – claiming lack of familiarity with US system does not trigger Miranda (always the two-part test) – no expressed consent given
 - (2) In re Joe R. (1980) 27 Cal.3d 496, 516 – “That’s all I have to say” not invocation
 - (3) People v. Bestelmeyer (1985) 166 Cal.App.3d. 520, 528 – “I just thinkin, maybe I shouldn’t say anything without a lawyer and then I thinkin ahh.”
 - 4) Expressed consent
 - a) “If the individual indicates in any manner, at any time prior to, or during, questioning that he wishes to remain silent, the interrogation must cease”
 - b) Once a suspect invokes his right to the assistance of an attorney, all questioning must cease, at least until his attorney is present (Minnick v. Mississippi)
 - c) Suspect reinitiates - okay
 - d) The two-step interrogation
 - (1) US v. Williams (9th Cir. Jan. 30, 2006) 435 F.3rd 1148
 - (2) Custodial interrogation, followed by a second custodial interrogations with warnings and waiver
 - e) Suspect states “Off the record” – People v. Braeseke may be invocation
 - 5) 5th Amendment fruit of poisonous tree (Decisions will vary, 9th Cir has ruled unusually on this)
 - a) Technically, Miranda is not a constitutional protection, therefore the standard of “fruit of the poisonous tree” doctrine does not apply.
 - b) Oregon v. Elstad (1985) 470 US 298, 304-08 [84 L.Ed.2d 222, 228-32]

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- c) Michigan v. tucker (1974) – identity of witness discovered through a technical violation of Miranda (not subject to suppression)
 - d) US v. Gonzalez-Sandoval (9th Cir. 1990), US v. Sangineto-Miranda (6th Cir 1988) - “We find that the reasoning of Elstad and Tucker applies to physical evidence obtained as a result of Mirand violations” absent evidence of coercion or due process violation
- c. Sixth Amendment
- 1) Massiah v. US – Inadmissible if it was deliberately elicited by government agents after the defendant’s constitutional right to counsel had attached and been asserted
 - 2) A statement is inadmissible under the sixth amendment when it is obtained by violating the suspect’s constitutional right to counsel.
 - (1) Not to be confused with the court-created Miranda right to counsel that applies only when a person is interrogated in custody (to balance compulsion)
 - (2) The constitutional 6th amendment right to counsel applies in or out of custody – but only to a case for which the suspect has been indicted or arraigned. (Kirby v. Ill)
 - (3) After judicial proceedings have begun, the accused has a right to counsel to assist him in dealing with the judge, prosecutor and the police on the court case
 - (4) Once triggered, you may not deliberately elicit incriminating statements from suspect on that case, without lawyer. (Massiah v. US) inadmissible to prove guilt
 - (5) Does not apply to volunteered or overheard statements. (Maine v. Moulton)
 - 3) Other cases okay... but watch Miranda 5th amend violations
 - 4) If suspect initiates discussions, take Massiah waiver (Miranda okay) and proceed. (People v. Stephens)
- d. Fourteenth Amendment
- 1) An involuntary confession that was coerced by official pressures is inadmissible under the Fifth Amendment (federal officers) or the due process clause of the Fourteenth Amendment (state officers) – Bram v. US (1897) 168 US 532; Brown v. Mississippi (1936) 297 US 278
 - 2) Basically - a confession is inadmissible under the 14th when the court rules that coercive police techniques caused the suspect to make an involuntary statement
 - a) The Due Process clause requires that officers “Obey the law while enforcing the law” and avoid interrogation tactics that might result in an unreliable confession. (Brown v. Mississippi)
 - b) Likely “involuntary” when officers use:
 - (1) Force, expressed or implied
 - (2) Threats
 - (a) Threat to arrest relative (people v. Matlock)
 - (b) Threat to possible death penalty or any penalty (People v. Esqueda)
 - (3) Promises of leniency
 - (a) Promise of psychiatric help for confession (People v. Hogan)
 - (b) Threat of booking, coupled with promise to cite and release for cooperation (in re Clyde K.)

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- (4) Assurance that statements are “off the record” and can’t be used in court (Garrity v. New Jersey)
- c) Okay to trick with false evidence or witnesses or point out that he will “feel better” if he tells the truth

D. Filing tips

1. Be organized
 - a. Anticipate questions that filing DA may have – be ready with answer
 - b. Complex cases using notebooks
 - c. Complex cases using tabs
 - d. Organized in chronological, sensible order that is easy to understand (a non-fiction story telling)
2. Case preparation
 - a. Reports
 - 1) Ensure the California Highway Patrol Form 180 is complete and the appropriate notices sent
 - 2) Diagrams and photographs of the crime scene will be very helpful months later in court
 - 3) Double check arrest reports, property reports, statement forms, Probable Cause Declarations (PCDs), etc.
 - b. Tow Yard
 - 1) Unidentified vehicles and components need to be checked as soon as possible
 - 2) Notify BAD/CATS if the divisional VIN person is unable to identify. Remember patrol officers often write “Hold for BAD” on the California Highway Patrol Form 180 but BAD is not notified until the investigator call
 - 3) Other resources include National Insurance Crime Bureau (NICB), Taskforce for Regional Auto Theft Prevention (TRAP) and Community Effort to Combat Auto Theft Section (CECATS)
 - 4) While the investigator is at the location, check for additional evidence
 - 5) Release vehicles as soon as the investigation is complete
 - c. Personal Things
 - 1) If personal property is at the location check to see if it can be identified. Personal property can lead to additional victims and may make identification of vehicles or components easier
 - 2) Sometimes returning personal property to a victim is the only thing that they ever get back from their stolen vehicle. Citizens appreciate the extra effort on the investigator’s part
 - d. Department of Motor Vehicles (DMV)
 - 1) The investigator should DO THIS AS SOON AS POSSIBLE while waiting on DMV
 - a) Request all stolen reports and recoveries associated with the case.
 - b) Often other agencies will require a fax request. It takes longer than you think to gather legible copies of all associated reports
 - 2) DMV Driver’s License photos (DL44) generally take 3 to 5 days if you request them returned via Airborne Express. Requester Code 62883 Certified Vehicle Histories take two weeks to return
 - e. Victims
 - 1) Contact all victims to verify reports and to enable you to Prop 115 victims

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- 2) Schedule to meet victims at the tow yard
- 3) Get personal points of identification before victims see the car
- 4) Contact a real person at victim/companies e.g. rental companies, insurance companies
- 5) Get good phone numbers and addresses
- f. Insurance Companies
 - 1) Subrogated titles
 - 2) NICB can provide the name of the agent and the policy number
 - 3) Insurance Company can provide additional victim information
 - 4) You must send a request letter to get a claim file
- g. Statements
 - 1) Keep original written statements in your case package
 - 2) Make copies of Bills of Sale, Book original
 - 3) Tape record whenever possible
 - 4) Scientific Investigation Division (SID) can store original audio and video tapes
 - 5) Allow time for copies and transcriptions
- h. Scientific Investigation Division (SID) Crime Lab
 - 1) Be there when prints or photos are taken
 - 2) 2 to 5 days for photos
 - 3) 5 to 7 days for audio tape copies
 - 4) 7 days for video tapes
 - 5) Use the SID vault to store original tapes
 - 6) Fingerprint backlog for property crimes can be 3 to 4 weeks
3. Preparing to File
 - 1) Be prepared to educate the DA
 - 2) Provide a well written summary report
 - 3) List victims and losses
 - 4) List charges and enhancements
 - 5) List testimony expected
 - 6) Avoid the "Brick" on complex cases
 - 7) Use tabs if needed
 - 8) List evidence seized
 - 9) List witness names and numbers and
 - 10) List the restitution sources
4. Theft and recovery
 - a. Prosecution venues
 - 1) Theft occurred in County "A"
 - 2) Recovery occurred in County "B"
 - 3) Prosecution is "OK" in either county
5. Filing Policies
 - 1) Vary for office to office
 - 2) Get to know your DDA's.
 - 3) Ask about rejects- find out the reason why
 - 4) Find what they need and get it prior to filing
- E. Courtroom testimony
 1. Prepare

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- a. Read and reread the reports
 - b. View all photographs to refresh recollection – could include google to view residence without driving there
 - c. Drive by locations to remind you of the area
 - d. Review all evidence
 - e. Meet with attorney
 - f. If testifying expert, write down expertise in thoughtful progression (bring with you on stand)
2. Testifying (the below seem obvious, but are frequently done incorrectly)
- a. Dress appropriately
 - b. Be business-like but be human too
 - c. Speak clearly, confidently
 - d. Always wait! Until the question is finished – then pause to ensure question comprehension and to formulate a truthful answer and to allow for objections
 - e. Do not over answer
 - f. Say you don't understand when you don't or are not sure
 - g. Say you don't know if you don't know
 - h. Say you don't remember if you once knew but don't remember
 - i. If you don't know exactly but can give an estimate say "approximately" but do not guess – it is okay not to know
 - j. If using diagrams, slides, etc.
 - 1) Do not block the view
 - 2) Mark locations alphabetically
 - k. DO NOT agree to "slightly modified" versions of your earlier testimony
 - l. Do not allow words to put in your mouth if something is incorrect – correct it.
 - m. When asked a yes or no question that – if answered "yes or no" would mislead the court, say it ("to answer that yes or no would mislead the court")
 - n. Always tell the truth. Resist the urge to direct anything from the stand, just tell the truth and let the court take in the evidence under the attorneys and judge

Day 5

XV. CHOP SHOP INVESTIGATIONS

120 Min

- A. Chop Shop
 1. What is a "Chop Shop?"
 2. 250 Vehicle Code (VC) - Chop Shop definition
 3. Establishing Chop Shop ownership
 4. 10801 VC-Chop Shop owner/operator
 5. Applicable Vehicle Code Sections
 - a. 10802 VC - Chop Shop activities
 - b. 10803(a) VC - Buyer
 - c. 10803(b) VC - Seller
 - d. 10750 VC - Altering Vehicle Identification Number (VIN)
 - e. 10751 VC - Manufacturer's Serial/ID No.
 - f. 10752 VC - Fraudulent Acquisition or Disposition of VIN
 - g. 496 PC - Receiving Stolen Property (RSP)

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- B. Conducting a Chop Shop Investigation
 - 1. Notifications - Phone: (213) 485-2507
 - a. Burglary-Auto Theft Division (BAD)
 - b. Commercial Auto Theft Section (CATS)
 - 2. Patrol officer responsibilities
 - a. Contact Area Auto Theft detectives for advice, when available
 - b. Contact Burglary-Auto Theft Division / Commercial Auto Theft Section (BAD/CATS) for assistance
 - c. Notify Scientific Investigation Division (SID) Photo and Latent Prints Sections
 - d. Separate suspects
 - e. Interview suspects separately and attempt to obtain statements
 - f. Secure consent search or obtain a search warrant
 - g. Investigating officer is to COORDINATE search location
 - h. Examine each vehicle
 - 1) Straight stolen
 - 2) Vehicle Identification Number (VIN) switched stolen vehicle
 - a) Verify all VIN numbers
 - b) Verify license plates
 - 3) Examine vehicles for stolen parts (engine, transmissions, etc.)
 - 4) Attempt to identify all serialized parts
 - i. Contact the National Insurance Crime Bureau (NICB) to cross reference (800) 635-3709
 - j. Contact victim and obtain description of personal property in stolen vehicle
 - k. Impound identifiable and/or suspected stolen parts
 - l. Non-serialized parts
 - 1) (1) report / (1) Division of Records Number (DR#)
 - 2) (14) doors
 - m. Book all specialty tools used to facilitate the Grand Theft Auto (GTA) / VIN switch operation
 - n. Document who and where evidence was recovered
 - o. Search location for:
 - 1) Stolen property
 - 2) Documents to establish suspect's dominion and control of the premises (utility bills, letters, etc.)
 - 3) Documents containing vehicle information which may lead to other stolen vehicles and/or chop locations
 - p. Identify and interview witnesses, including neighbors
 - 3. Examination and collection of evidence – Search For:
 - a. Stolen Vehicles
 - b. Component Parts
 - c. Personal Property
 - d. Tools of the Trade
 - e. Investigative Leads
 - f. Dominion and Control
 - 4. Interrogation and statements
 - a. Lock suspect into a story

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- 1) Determine ownership
- 2) Determine when and who brought the vehicle/part
- 3) Condition of vehicle/parts
- b. Cover all vehicles/parts
5. Reports
 - a. Engines/Transmissions
 - b. License Plates
 - c. VIN Plates
 - d. Sheet-metal parts
 - e. Non-serialized Parts
6. Search Authority
 - a. Search Warrant
 - b. Parole/Probation search
 - c. Consent

XVI. PLAIN CLOTHES OPERATIONS/SURVEILLANCE

120 Min

- A. Alternatives or support to surveillance operations
 1. Pole camera
 2. Tracker
 3. Cell phone ping/tracking
 4. Informant information
 5. Cam in a box (parked car)
 6. Open business (shift to remove need for warrant)
 7. Trackers
 - a. Known stolen (no warrant need)
 - b. Tactics involved
 8. Postal delivery person
 9. Air support
 - a. Fixed wing
 - b. Helicopter
 - c. Need experienced observers
 - d. Airport – air traffic issues
 - e. Is ONLY a support, not a panacea
- B. Surveillance techniques
 1. Become a civilian
 - a. Regional blending
 - 1) Specifically matching the area (e.g. ethnicity of neighborhood)
 - 2) Officer safety
 - a) Rival gang color/clothing
 - b) Any gang color/clothing
 - c) If not totally familiar with neighborhood, contact local gang investigators
 - d) Generally avoid sports attire and numbers
 - e) Even the same ethnicity can be dangerous
 - (1) Don't know him
 - (2) Could stand out almost as much as out of place race
 - (3) Beware of mixing races in cars (ghettos are not typically racially mixed)

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2. Blend into the scenery
 - a. Vehicle selection
 - 1) Look at headlights
 - a) Need to be typical
 - b) Some cars have unique “face” or headlight configuration
 - 2) Typical to the neighborhood
 - 3) Scout if unknown – see what fits
 - b. “Box” or “eye” typically van or similar - Allows for empty front seats
 3. Comfort for primary eye
 - a. Air conditioning (self-contained cooling devices)
 - b. Bathroom
 - c. Food/water
 4. Conduct
 - a. Attitude
 - 1) Carry yourself with confidence that you belong there
 - 2) If you look like you’re up to something suspicious, they will see it
 - b. Expect confrontation
 - 1) Matter of time
 - a) Robbed
 - b) Questioned as to your gang/neighborhood origin “where you from?”
 - c) Discovered via counter surveillance
 - 2) Stopped by police
 - a) Prior notification
 - b) Have plan
 - c) Be smart – think of if it were you
 5. Techniques
 - a. Radio traffic
 - 1) Fresh, stale red light
 - 2) Plain talk
 - 3) Minimize traffic
 - b. Don’t stare or stand like a soldier
 - c. Keep your equipment concealed
 - d. If you’re ‘Point’, you’re the eyes of the operation
 - e. Don’t ID yourself unless absolutely necessary
 - f. Document your Target’s actions
- C. CASE PREPARATION
1. Identify your Target(s).
 2. Name, alias, aka, maiden name, monikers
 3. Residence address / business address
 4. Significant others, family, friends and associates
 5. Identifiable marks and features
 6. Associates
 7. Friends
 8. Associates
 9. Former/Current crimes partners
 10. Relatives

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11. Significant others
 12. Gang intelligence (who the 'area' belongs to).
 13. Vehicles
 14. Vehicles accessible to your target
 15. Friends
 16. Associates
 17. Former/current crimes partners
 18. Relatives
 19. Significant others
 20. Hangouts
 21. Friends
 22. Associates
 23. Current/Former Crimes Partners
 24. Relatives
 25. Significant others
 26. Gang intelligence (who the 'area' belongs to)
 27. Locations of Interest
- D. RESOURCES
1. Coplink
 2. Auto Track
 3. ANI (cal op/ID)
 4. DMV
 5. TIMS (parking tickets)
 6. DCTS
 7. Criminal History
 8. 5.10s
 9. Setting parameters
 10. What type of investigation is it?
 11. Crimes against persons
 12. Property crimes
 13. Weapons used, owned, implied
 14. Associates armed?
 15. How will this alter your investigation? Or does it?
- E. SURVEILLANCE BRIEFING
1. Understanding the objectives of the surveillance will help officers prepare their equipment and mentally prepare themselves to operate in an undercover capacity
 2. It will determine whether the operation will be conducted in an undercover or plainclothes mode
 3. Resources are needed
 4. Team Briefing
 5. Have a game plan
 6. Brief the team
 7. Discuss and evaluate team input
 8. Follow the plan, but remain flexible to change
 9. Initiate the plan
 10. "Brief back" officers restate their responsibilities

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11. Logging the observations
 12. Document your observations
 13. Maintain a chronological surveillance log
 14. Both of which can later assist in preparing follow up reports
 15. Recognize what is important and what is not
 16. Keep the team and investigators informed of the surveillance progress
- F. CATEGORIZE THE SURVEILLANCE
1. Primary Contact Team cannot lose the target
 2. Non Primary Team can give the target space, but remain alert to Contact Team broadcasts and intelligence reports
 3. Space gives the Non Primary Team flexibility to respond to the movements of the target, remain undetected and decreases the chances of losing contact with the target
- G. EQUIPMENT
1. Vehicle
 2. Fueled
 3. Radio
 4. Programmed to surveillance frequencies and support elements
 5. Extra batteries
 6. Aircraft
 7. Fixed wing or rotor? Determine if the surveillance will take you to restricted airspace
 8. Cameras
 9. What types of lens will be required
 10. Extra batteries
 11. Extra film or memory cards
 12. Clothing
 13. Extra change of clothing
 14. Electronic
 15. Tracking devices GPS, On Star, Lo Jack and Cell phone pinging
 16. Safety Equipment readily available, but concealed
 17. Duty Weapon, Ammo, Handcuffs, OC, Badge, ID
 18. Ballistic helmet
 19. Raid jacket
 20. Any other equipment necessary for protection and affect an arrest of the target if necessary
 21. Miscellaneous
 - a. Pen and Paper
 - b. Water and snacks
 - c. Flashlight
- H. DO'S AND DON'TS OF SURVEILLANCE
1. Vehicle Surveillance
 - a. Follow the Rules of the Road
 - b. Importance of safe driving
 - c. Follow the rules and maintain your surveillance
 - d. Aggressive driving might be spotted by counter surveillance
 - e. Counter the targets actions while maintaining the Rules of the Road
 - f. Having sufficient number of units eliminates the need to drive aggressively and allows the team to maintain a box around the target

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- g. Watch for target using cell phones to spot surveillance
 - h. Vehicle Surveillance
 - i. Are you parked with motor running
 - j. What's in your vehicle for others to see
 - k. Are you bunched up
 - l. Do you and your car blend in the area
 - m. Are you driving "blacked out"
 - n. Are you using cover or in plain sight
2. On Foot
- a. Residential
 - b. Know the neighborhood and blend in
 - c. Use reverse eye if possible
 - d. Positioning
 - e. Sometimes hard to execute since the community knows who belongs in the area
 - f. Watch for the target using cell phones for counter surveillance to spot tails.
 - g. Business
 - h. Utilize cover to blend in
 - i. Use reverse eye if possible
 - j. Positioning
 - k. Double up in vehicles to enable rapidly placing team members on foot to follow target
 - l. Box the target as the target moves
 - m. Dress to the area, wearing clothing which hides police equipment
 - n. Use cell phones and other means of communication
- I. COMMUNICATION
- 1. Terminology – verbal and hand signals
 - 2. Clear Concise Broadcasts
 - 3. Paint the picture
 - 4. Keep it brief
 - 5. Share info regarding persons and vehicles the target is in contact with
 - 6. Frequency
 - 7. Plan ahead which frequencies will be used for the surveillance and that team members and support elements have common frequencies to communicate to each other
- J. COUNTER SURVEILLANCE
- 1. Target aggressive driving attempting to provoke a response by members of the surveillance team
 - 2. Pulling to the curb suddenly
 - 3. Lane changes
 - 4. Dead end streets
 - 5. Know the area
 - 6. Value of co-pilot studying map
 - 7. Neighborhoods with limited means of entering and exiting
 - 8. Counter Surveillance: Foot
 - 9. Changing side of street
 - 10. Entering Businesses
 - 11. Sudden stops or direction changes
 - 12. If you can see the target, the target can see you

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13. Cover vs. Concealment
14. Give them some space
15. Don't panic if they look at you
16. Don't be too quick to change your direction
17. Allow someone else to assume Point if necessary
18. Evasive Tactics
19. U Turns
20. Right and Left Turns
21. Dead Ends
22. Wrong Way Streets
23. Sudden Stops or Turns
24. Moving slower than traffic
25. Electronics
26. Cell Phones (calls, texts, camera)
27. Video surveillance
28. Private
29. Security
30. Internet access
31. TRAPSTER.com
32. Who else may be watching?

K. DEBRIEFING

1. Essential after each operation
2. Debrief each operation
3. Detail and discuss the operation
4. What did the plan outline and what actually occurred
5. Discussed successes and deficiencies
6. Do not be vindictive or abusive
7. Learn and improve from errors
8. Utilize this as a team building experience
9. Identify potential training issues
10. Follow up to provide recommended training

XVII. SCENARIO ASSESSMENT/ WRITTEN EXAMINATION

240 Min

A. Scenarios

1. Students must successfully pass the graded scenarios
2. Instructors will act as role players during the graded Scenarios
3. Instructors will use the Scenario Rubric to grade the Students

B. Written Examination

1. Students must successfully pass the graded written examination
2. Instructors will grade the written examination prior to course completion

C. Closing

1. Provide additional reference materials for students
2. Distribute Certificates