

12.420 REPORTING VEHICLE THEFTS AND RELATED OFFENSES

Reference:

Procedure 12.270, Impounding, Moving, and Release of Vehicles
 Procedure 12.400, Incident and Miscellaneous Reporting
 National Motor Vehicle Titling Information System (NMVTIS)
 Ohio Revised Code 2913.02 – Theft
 Ohio Revised Code 2913.03 – Unauthorized Use of a Motor Vehicle

Definition:

For report processing and computer entry purposes only, a vehicle is any motor driven conveyance designed to carry its operator. In addition to ordinary motor vehicles, this definition includes most motorized construction and farm equipment (backhoes, harvesters, etc.) and the following:

Aircraft	Campers with wheels
All-terrain vehicles	Cranes (motorized and self-propelled)
Automobiles	Golf carts (motorized)
Bulldozers	House vehicles with wheels
Buses	Minibikes/Mopeds (bearing serial numbers)
Trailers	Motor scooters (w/o pedals for human power)
Trucks	Motorized boats (bearing serial numbers)
Snowmobiles	Riding lawn mowers (bearing serial numbers)
Motorcycles	

Report any motor driven conveyance not listed, or that does not have a serial number, on a Case Report (301).

Purpose:

To ensure proper reporting and processing of all vehicle theft/attempt theft, license plate(s) theft/attempt theft, misplaced vehicle, and lost license plate(s) reports.

Policy:

Officers will provide the community with courteous police service and prompt investigation. Officers will thoroughly complete all reports, documenting all facts and actions that occur during an incident. Officers will submit all reports prior to the completion of their shift and submit serious offense reports immediately.

Information:

The National Motor Vehicle Titling Information System (NMVTIS) links state systems together to prevent titling of stolen motor vehicles and disclose any brands associated with a particular motor vehicle. When a customer applies for an Ohio vehicle title, the vehicle identification number (VIN) is automatically checked against active National Crime Information Center (NCIC) theft files. If the VIN sends back an active theft hit, the title office will not be able to issue a title to the customer.

The county title office will contact the Ohio Bureau of Motor Vehicles Title Section who will query the VIN through LEADS. The results will be given to the county title clerk who will inform the customer there is a "NMVTIS ADMINISTRATIVE HOLD" on the records. The customer will have to take the documents to their local law enforcement agency for follow-up.

When stolen motor vehicles, property, and firearms are entered into the Regional Crime Information Center (RCIC) and National Crime Information Center (NCIC) databases, an Originating Agency Number (OCA) number is assigned. This number is different from the teletype number. When reporting stolen motor vehicles, property and firearms officers must provide CIN1 with the Records Management System (RMS) case number, which will be used as the OCA number. When an officer receives a RCIC/NCIC hit from a query, the OCA number is provided as part of the information returned. The OCA number is useful to the officer in locating the original report in RMS so the recovery information can be recorded.

Procedure:

- A. Initial Investigation of Vehicle or License Plate Theft
1. Prior to completing the, Motor Vehicle Incident Report (303) in the Case Files Module of RMS, confirm if a theft offense occurred and the time and place of occurrence.
 - a. For an unconfirmed theft contact the Emergency Communications Section (ECS) who will broadcast the "unconfirmed" vehicle or license plate theft if:
 - 1) The officer believes the theft just occurred, or the suspect or vehicle might still be in the vicinity and:
 - 2) The officer has the necessary preliminary information (license plate number, type of vehicle, etc.).
 2. Provide the Channel 15 operator with the license plate information, type of vehicle, and VIN.
 - a. Teletype will check the repossessed car file and tow sheet and inform the reporting officer of pertinent information. Cancel the broadcast immediately if it is not a stolen vehicle.
 3. After confirming a vehicle/license plate theft offense occurred, determine ownership by requesting to see the vehicle title or registration. If the complainant is unable to produce one of the documents, the officer will:
 - a. Initiate a search of the LEADS Vehicle/License Plate Registration File by Query Registration (QR).
 - b. Contact the appropriate local deputy registrar for recent vehicle registrations. New registrations may not be in the LEADS Vehicle Registration File.

- c. Request CIN1 send a message to the Ohio Bureau of Motor Vehicles (BMV) in Columbus, Ohio, for a manual search. Do this if the reporting person gives a license plate number, but cannot verify ownership.
 - d. Have the owner contact their insurance company for VIN and license plate information. Verify information by checking the LEADS files.
 4. When ownership is confirmed, notify CIN1 who will make the computer entry and have ECS broadcast.
 5. If ownership of the stolen vehicle/license plate cannot be confirmed, complete a 303, for Ohio Revised Code (ORC) 2913.02, Theft of a Motor Vehicle, and mark the report as "incomplete."
 - a. ECS will teletype and broadcast the information for 72 hours. Do not enter the theft information into computer files.
 - b. Instruct the complainant to exhaust all efforts to locate a document (title, registration, VIN, or license plate information) to prove ownership and contact the police immediately when the documents are found.
 - c. The district investigative unit responsible for the report will contact the complainant and conduct a follow-up investigation to determine the status of the report.
 - d. At the end of the 72-hour period, CIN1 will cancel the teletype unless the investigating officer requests to upgrade the broadcast and teletype message to a "Stolen Vehicle/License Plate."
- B. Reporting Vehicle Theft / Attempt Theft
 1. Complete a 303 for ORC 2913.02, Theft of Motor Vehicle.
 - a. In the Narrative tab of the 303, list any damage to the vehicle or missing vehicle parts, in detail.
 - b. Complete the Property/Vehicle tab (301PS) for all property contained in, but not part of, the vehicle (wallet, laptop, documents etc.). Select "information only" for the loss code.
 - 1) The spare tire, jack, lug wrench, etc., are considered parts of the vehicle and do not need to be listed.
 - c. Submit the information and RMS case number to Teletype to receive a teletype number.
 - d. District Quality Assurance (DQA) will determine the vehicle value and enter it on the 303.
 2. Report attempts to commit a violation of any ORC statute that requires a 303, as the ORC section number of offense that was attempted. Do not list ORC 2923.02, Attempt to Commit an Offense, on the 303.

- a. In the Offenses tab, select Attempted or Completed in the drop down box, except in cases of Aggravated Robbery and Robbery.
 3. Complete a 303 for vehicles stolen as part of robbery, burglary or breaking and entering type offenses:
 - a. The 303 completed in these instances will list all offenses occurring during the incident.
 4. If a report is completed for another district, send a blotter notification to the district of occurrence. Include the offense time, date, location, and RMS case number.
 5. Refer to Procedure 12.400, Incident and Miscellaneous Reporting, for guidelines on how to make corrections or additions to the 303.
- C. Reporting Vehicle Recoveries
1. Query recovered vehicles through the Regional Crime Information Center (RCIC) to obtain the stolen vehicle information.
 2. Identify the agency that originally reported the vehicle as stolen.
 - a. For local recoveries:
 - 1) Locate the original 303 and add a supplement report to the original RMS case folder. Do not make a new report. In the Narrative tab:
 - a) Indicate if the front or back plate is still missing at the time of recovery.
 - b) List any vehicle damage or missing vehicle parts at the time of recovery. DQA will determine the value of the articles or damage.
 - 2) If property contained in the vehicle at the time of theft is listed on the 301PS, but is not inside the vehicle at the time of recovery, change the loss code to "stolen."
 - b. For out-of-town recoveries:
 - 1) Complete the Tows/OT Recovery Module (Tow Mod) in RMS for **all** out-of-town recoveries, whether vehicles are towed from the scene or released to the owner/originating agency. A 303 is not required.
 - 2) Request CIN1 issue a "Hit Request Confirmation" with the originating agency prior to requesting a Signal 38.
 - a) All initial contact with the originating agencies (ORI) must go through the CIN1 operator. Bypassing the CIN1 operator and contacting the ORI directly causes confusion in entered vehicle status.

3. Indicate whether the owner was notified on the 303 and/or Tow Mod.
4. Call Teletype for a recovery teletype number.
5. All stolen vehicle recoveries not released to the owner at the recovery scene will be towed to the Impound Unit.
 - a. Complete a Form 369A, Towing Receipt, and give the wrecker operator both copies.

D. Completing Owner Notifications

1. When recovering a vehicle or license plate stolen in Cincinnati, it is the responsibility of the recovering officer to notify the owner in one of the following ways:
 - a. By telephone.
 - b. By personal visit, when the owner lives or works in the recovering district.
 - 1) If the owner lives or works in another district, request the district of residence or employment make the notification.
2. If the owner does not live in Cincinnati, advise CIN1 who will send a teletype message to the proper police agency requesting them to notify the owner. CIN1 will request notification confirmation via a return teletype message, from the agency.
 - a. CIN1 will make any required initial notifications to other police agencies. Do not bypass CIN1 and make initial contact with the ORI themselves. This causes confusion in entered vehicle status.
3. Indicate on the 303 and/or Tow Mod if the recovered vehicle was released to the owner at the scene or towed to the Impound Unit.
 - a. The auto theft investigator will notify the owner within 48 hours.
 - b. The investigative unit supervisor will ensure the teletype board and blotter are reviewed on a daily basis to verify all notifications are complete.

E. Releasing Recovered Vehicles

1. If possible, release the vehicle to the owner at the scene if it is not needed for other reasons and can be done within a reasonable time.
 - a. Advise the owner if the vehicle is not drivable. This allows the owner to obtain the services of a private wrecker.
 - 1) Provide the above information to CIN1 for inclusion in out-of-town police agency notifies, if applicable.
2. If the owner is unable to be contacted, or refuses to claim the vehicle at the scene, the vehicle will be towed, through a Signal 38 request, to the Impound Unit for storage and recovery by the owner.

- a. Investigations concerning recoveries will be done at the Impound Unit within 24 hours of the recovery.
 3. The recovering district is responsible for safeguarding the vehicle and all property inside until it is released to the owner or towed.
- F. Investigations of National Motor Vehicle Titling Information System Hits
1. The investigating officer will query the vehicle to determine the status.
 - a. If the query indicates the vehicle is stolen, do not allow the owner to leave with the vehicle.
 - 1) Request CIN1 send a "Hit Request Confirmation" to the originating agency.
 - 2) Attempt to contact an auto theft investigator to verify the status of the vehicle.
 - a) If no auto theft investigator is available, the officer will conduct a preliminary investigation and tow the vehicle to the Impound Unit for follow up.
 - b. If the vehicle is an out-of-town theft, treat it as any other out-of-town vehicle theft recovery.
 - c. If the query indicates there is no active theft entry, obtain the owner's name and contact information and allow the owner to leave with the vehicle.
 - 1) Send a blotter notification to the auto theft investigator to contact the vehicle owner. The auto theft investigator will follow up with the BMV to determine the status of the vehicle or to assist in clearing the record from the BMV files.
- G. Reporting Unauthorized Use of a Motor Vehicle, Ohio Revised Code 2913.03
1. ECS will not broadcast or enter unauthorized use of motor vehicle reports into the computer system unless there is a warrant number or authorization from a supervisor.
 2. When sufficient information exists on a suspect but the complainant will not prosecute:
 - a. Complete a 303 and note on the 311G, Investigative Notes, the victim will not prosecute.
 - 1) Do not submit the information to Teletype.
 3. When there is probable cause an offense has occurred, sufficient information exists on a suspect, and the complainant will prosecute:
 - a. Complete a 303.
 - b. Respond to the clerk's office and sign/file appropriate criminal charges.

- c. Enter the warrant information on the 303 and submit the information to Teletype for immediate entry.
 - d. If the offense occurred in a district other than the reporting district, the officer will complete a 303, sign charges, if applicable, and send a blotter notification to the district of occurrence.
4. When there is probable cause an offense has occurred, sufficient information does not exist on a suspect but the complainant will prosecute, the following guidelines will apply:
- a. Complete a 303
 - 1) In the Narrative tab, clearly state the complainant will prosecute.
 - 2) Do not submit the information to Teletype if there is no warrant or supervisor's approval.
 - a) The reporting officer may obtain a supervisor's approval to submit the information to Teletype. Teletype will not issue a teletype number without a supervisor's approval.
 - b. The investigator will attempt to obtain sufficient information for a warrant.
 - 1) If sufficient information develops to sign charges, refer to Section A.3 and file appropriate criminal charges.
 - 2) If the complainant will not prosecute, the investigator will close the case "Victim Refused to Cooperate".
 - a) Do not submit the information to Teletype.
 - b) If a warrant is signed, submit the information and warrant number to Teletype.
 - 3) If insufficient information exists to sign a warrant, the district investigative supervisor will determine whether or not to make a computer entry.
5. When sufficient information does not exist on a suspect and the complainant will not prosecute, the following guidelines will apply:
- a. Complete a 303 and note on the 311G, the victim will not prosecute.
 - b. Do not telephone the report into Teletype.
6. When a rental agency reports an unreturned rental vehicle:
- a. Ensure rental agency has exhausted every effort to have vehicle returned.
 - b. Complete a 303, for ORC 2913.03.
 - c. Respond to Clerk's Office and file appropriate criminal charges on the lessee.

- d. Submit the information and warrant number to Teletype.
7. When a lessee gives permission to an unauthorized person to use a rental vehicle and the person refuses to return the vehicle:
 - a. Ensure the rental agency has not already reported the unreturned vehicle.
 - b. Complete a 303, for ORC 2913.03, and list the:
 - 1) Rental agency as the victim.
 - 2) Complainant as the reporting person.
 - 3) "Unauthorized person" as the suspect.
 - c. If sufficient suspect information exists, respond to the Clerk's Office and file appropriate criminal charges
 - d. Submit the information and warrant number to Teletype.
- H. Misplaced Vehicles
1. Complete a 317, General Conditions Report and send a blotter notification to the affected district. Describe the circumstances surrounding the misplaced vehicle.
 - a. Notify ECS who will broadcast the information for 72 hours.
 - b. The district investigative supervisor is responsible for assigning the follow-up investigation to determine the status of the misplaced vehicle.
 2. When locating a misplaced vehicle within 72 hours, the recovering officer will complete a 317 and notify CIN1 to cancel the teletype.
- I. License Plates
1. Reporting License Plate Theft / Attempt Theft
 - a. Complete a 303 for theft/attempted theft of license plates using ORC 2913.02.
 - 1) If only one license plate is missing and evidence of theft is present, complete a 303. Note whether the theft was of the front or rear license plate.
 - 2) Report stolen or attempt stolen expired license plate(s) on a 303.
 - 3) Submit all stolen valid or expired license plate(s) to Teletype for entry into the computer files.
 - b. Report theft / attempt theft of license plate validation stickers on a 301, using ORC 2913.02.
 - 1) The value is the original cost of the sticker.

- 2) Include the sticker color and serial number in the description for computer entry into the Property File.
 - 3) Query all suspected stolen stickers as "Property."
 - c. Submit all stolen valid or expired license plate(s) to Teletype for entry into the computer files.
2. Reporting Recovery of Stolen License Plate(s)
- a. Upon recovery of a stolen license plate, locate the original 303, and add a supplement report to the original RMS case folder. Submit the information to Teletype.
 - 1) If one license plate is still missing, the recovery is partial. Explain in the Narrative tab of the 303, which plate (front or rear) is still missing.
 - a) Complete a 317, when recovering license plates stolen out-of-town. Submit the information to Teletype. Include the teletype and OCA number on the 317.
 - 2) When submitting license plate recovery information to Teletype, include the name of the person/officer who notified the owner and the time and date of the notification.
 - 3) When unable to make owner notification, indicate this in the Narrative tab of the 303. List the date and time notification was requested, the police agency or district, and the name of the officer contacted.
 - a) All initial contacts with the ORI go through CIN1. Bypassing ECS and contacting the ORI directly causes confusion in entered license plate status.
 - b. If a vehicle has a recovered stolen license plate and will be impounded for an investigation, the plate will remain with the vehicle, and be removed and processed by the investigating officer.
 - c. On a vehicle with recovered stolen licensed plates that will be impounded, but is not reported stolen, refer to Procedure 12.270, Impounding, Moving and Release of Vehicles, for instructions on impounding the vehicle.
 - 1) Remove the stolen license plates from the vehicle.

NOTE: Wrecker drivers are required to have tools to remove the license plates from a vehicle.
 - 2) Complete a Form 330, Property Receipt, and send the form and license plates to the Court Property Unit.
 - a) Note in the Narrative tab of the 303 the license plate(s) were sent to Court Property Unit.

- b) Advise the owner the license plate(s) can be retrieved at the Court Property Unit.
 - d. Upon recovery of a stolen validation sticker, complete a 303 and submit the information to Teletype for removal from computer files.
- 3. Reporting Lost License Plate(s)
 - a. Conduct a preliminary investigation to determine if the license plate(s) is lost or stolen.
 - 1) Absence of both license plates would be a strong indication of theft, unless other circumstances are present.
 - 2) If the license plate(s) is lost within the City of Cincinnati, initiate a QR to verify ownership.
 - 3) Contact the Court Property Unit to determine if someone turned in the license plate(s). Contact the district of occurrence if known.
 - b. Complete a 317 and include the following:
 - 1) Name, address, and telephone number of the owner.
 - 2) Name of complainant, if other than the owner.
 - 3) License plate(s) number, state of issue, and the validation sticker number for a lost rear license plate, if any.
 - 4) Date and place of occurrence, if known.
 - 5) Indicate if loss was of one, or both license plates (indicate front or back).
 - 6) Submit the information to Teletype and add the teletype number to the 317.
 - c. Advise the complainant to:
 - 1) Immediately notify the police, if the license plate(s) are found, for removal from the computer file.
 - 2) Contact the BMV as soon as possible.
- 4. Reporting Found License Plate(s)
 - a. Complete a 317 for found license plate(s).
 - b. Attempt to notify the owner by telephone. Instruct owners to pick up the license plate(s) at the district before 0700 hours the next workday.
 - 1) If the owner cannot pick up the plate(s) within that period, instruct the owner to retrieve the license plate(s) from the Court Property Unit.
 - c. Include the owner's name and address, name of the person notified and time of notification on the 317.

- d. If the officer cannot determine the name of the owner after exhausting all investigative means, forward the plate(s) to the Court Property Unit. Attach a printed copy of the Form 317 explaining the methods used to determine owner identification.

J. Closure of Vehicle/License Plate(s) Theft Offenses

1. Close cases as a “partial recovery” unless recovery includes the vehicle, both license plates (if two are issued), all parts of the vehicle, and all property listed on the 303.