



SAN JOSE POLICE DEPARTMENT

TRAINING BULLETIN

TO: ALL DEPARTMENT PERSONNEL

FROM: Anthony Mata
Chief of Police

**SUBJECT: UNLAWFUL POSSESSION OF
CATALYTIC CONVERTERS –
SJMC 10.20.180**

DATE: March 20, 2024

Bulletin# 2024-003

On February 27, 2024, the San Jose City Council adopted the ordinance adding San Jose Municipal Code 10.20.180: Prohibition of Unlawful Possession of Catalytic Converters. This ordinance makes it unlawful to possess a catalytic converter without documentation or other proof to verify lawful possession of the catalytic converter.

Violation of this ordinance is a misdemeanor punishable by up to 6 months in jail and up to \$1,000 per violation. Each catalytic converter in possession without documentation counts as a violation.

Administrative citation fines also apply as follows:

- \$2,000 per illegally possessed catalytic converter for a first offense
- \$4,000 per illegally possessed converter for a second offense*
- \$6,000 per illegally possessed catalytic converter for a third and subsequent violations*

*Within a 36-month period from the date of the first violation.

Documentation that can be accepted as proof of lawful possession of the catalytic converter(s) includes, but is not limited to the following:

1. Bill of sale from the original owner with photographs.
2. Documentation from an auto-body shop proving that the owner relinquished the catalytic converter to the auto-body shop.
3. Verifiable electronic communication from the previous owner to the possessor relinquishing ownership of the catalytic converter.
4. Photographs of the vehicle from which the catalytic converter originated.
5. Vehicle registration associated with the catalytic converter containing an etched associated license plate number or vehicle identification number.

“Lawful possession” includes: (1) being the lawful owner of the catalytic converter; or (2) in possession of the catalytic converter with the lawful owner’s written consent. *It is not required to prove the catalytic converter was stolen to establish the possession is not a “lawful possession.”*

Investigation:

If a catalytic converter is discovered (in a vehicle or on a premises) during the course of an investigation, the officer should attempt to establish “possession” of the catalytic converter. The officer should ask the person in possession of the catalytic converter where it came from and what they are planning to do with it. The officer should then ask them for documentation showing proof of lawful possession based on their answers about how they came to possess the catalytic converter. Examples of documentation are listed above.

If no paperwork is offered, regardless of their answers to the questions, then the suspect should be cited for San Jose Municipal Code 10.20.180: Prohibition of Unlawful Possession of Catalytic Converters and a General Offense Report should be completed. If the suspect is being booked for other charges, then the municipal code should simply be noted on the booking sheet.

Reporting:

The General Offense report should contain the following:

- Synopsis of the event.
- Reason for the stop/detention.
- Search criteria
- Location of the catalytic converter
- Method for establishing suspect’s possession
- Suspect’s answers when questioned regarding lawful possession paperwork
- Disposition of the suspect
- Disposition of the evidence

Catalytic Converter Disposition:

The catalytic converter(s) should be seized, photographed, and booked into evidence. Officers should ensure the photographs document specific markings (part numbers, serial numbers, etc.) and saw marks where the catalytic converter was removed (if applicable).



Anthony Mata
Chief of Police

AM:PH:BM