



AUTO THEFT DETAIL

Procedures Manual

PROCEDURES MANUAL

Vehicle Crimes -AUTO THEFT DETAIL BUREAU OF INVESTIGATIONS

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Unit Commander

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San José Police Department – Vehicular Crimes Unit
201 West Mission Street, San Jose, CA 95110
www.sjpd.org | 408-277- 4341



AUTO THEFT DETAIL

Procedures Manual

TABLE OF CONTENTS

SECTION I

AUTO THEFT GENERAL PROCEDURES

- RESPONSIBILITIES:
 - SERGEANT RESPONSIBILITIES
- WORK SCHEDULE
- OVERTIME
- ON-CALL PROCEDURES
- “OFFICER OF THE DAY” (OD) PROCEDURES
- EVIDENCE
- EQUIPMENT
- VEHICLES
- CELLULAR PHONES
- SPECIAL EQUIPMENT
- FIELD EQUIPMENT
- COLLATERAL ASSIGNMENTS
- DRESS STANDARDS
- MEDIA RELATIONS
- SEARCHES/PREPLANNED OPERATIONS

TABLE OF CONTENTS

San José Police Department – Vehicular Crimes Unit
201 West Mission Street, San Jose, CA 95110
www.sjpd.org | 408-277- 4341



AUTO THEFT DETAIL

Procedures Manual

SECTION II

AUTO THEFT GENERAL PROCEDURES

- SUPERVISORY REVIEW OF UNIT CASES
- CASE DISPOSITION AFTER SUPERVISORY REVIEW
- CASE MANAGEMENT (IN-CUSTODY CASES)
- INVESTIGATION GUIDELINES (NON IN-CUSTODY CASES)
- PROPERTY
- UNIT MEETINGS
- AREA MEETINGS
- EQUIPMENT ISSUED

SECTION III

- 10751 RELATED ISSUES
- NICB
- 2805 INSPECTIONS
- MISC. RELATED ISSUES



AUTO THEFT DETAIL

Procedures Manual

SECTION I

RESPONSIBILITIES:

UNIT COMMANDER:

UNIT SERGEANT:

The Sergeant assigned to the Auto Theft Detail is a direct link between management and non-management personnel. The ATU Sergeant supervise and evaluate assigned personnel and is responsible for the efficient and effective accomplishment of functions and tasks assigned to them. The Sergeant's duties include: the development and management of the annual budget; handling all administrative and personnel actions; accounting for unit vehicles and property; responding to the directives of higher authority; providing liaison with other government agencies and department subdivisions; the evaluation of program performance and the publication of periodic reports related to program activities; and the completion of bureau administrative projects as required by higher authority.

DUTIES:

- Sergeants will be responsible for the supervising, training, and directing of subordinates.
- Sergeants will assist in the investigations of cases when applicable.
- Sergeant will prepare annual performance appraisals on assigned personnel.
- Sergeants will be expected to perform assigned collateral duties by the Unit Commander.
- Sergeants will review incoming cases and assign them to available investigators.
- Sergeants will oversee case management and assignments.
- Sergeants will monitor caseloads of investigators to insure investigative timeliness.
- Sergeants, when assigned to supervise a subordinate investigator, will review their completed case investigations to ensure accuracy and completeness of the case.
- Sergeants will ensure that the total number of investigative hours spent on each case is recorded by the investigator; both in their case file folder and on their individual



AUTO THEFT DETAIL

Procedures Manual

Bureau of Investigation

- excel spread sheets. The Sergeant will also keep a log on the units “G-Drive” which tracks the amount of time each investigator spends on each case.
- Sergeants will frequently monitor their investigators comp time and vacation balances to ensure compliance with the MOA and department policy.
 - Sergeants will assist with outside agency requests
 - Sergeant will liaison with the DA office, other BOI units, and BFO personnel.
 - Sergeant will review reports for trends/patterns.
 - Sergeant will ensure security and operability of the police evidence warehouse.
 - Sergeant will liaison with the Auto Desk
 - Sergeant will field calls from citizens and contact them regarding their cases when appropriate.
 - Prepares an annual program plan setting forth unit objectives and measurement data.
 - Establishes case control guidelines, including but not limited to interviews, interrogations, arrest and citations, duration of investigations, criteria for case clearance, report writing and property management.
 - Maintains liaison with Juvenile Probation, Child Protection Service, the Children's Shelter, lost children's organizations, Alum Rock Counseling Center, Emergency Treatment Center, Department of Justice Missing Persons and other Governmental and private organizations.
 - Supervise and evaluate performance of subordinate personnel.
 - Monitors unit performance and prepares periodic program activity reports, as required.
 - Maintains liaison with other BOI commanders, the District Attorney's Office, the California Youth Authority and the courts.
 - Keeps personnel informed of policy changes and other matters of interest related to unit operations.
 - Provides direction, guidance, training and motivation to personnel, as appropriate to accomplish goals.
 - Maintains inventories and safeguards all unit vehicles and equipment.
 - Enforces all provisions of law and policy relating to unit operations.
 - Prepares, submits and manages annual budget.
 - Responds to the directives of higher authority.
 - Completes staff reports or administrative projects assigned by higher authority.
 - Investigates allegations of law and policy violations, and submits findings with recommendations for discipline to higher authority when appropriate.



AUTO THEFT DETAIL

Procedures Manual

WORK SCHEDULE:

Investigators assigned to the Auto Theft Detail (ATD) work a ten and one half hour day. Business hours are to be observed; generally this means that investigators will work between the hours of 0600-1700 daily. Schedules may vary providing that the needs of the unit can be met. An investigator's unit seniority will be the deciding factor in the event of a conflict in the choice of workdays. If an investigator varies from their assigned schedule, the individual shall notify his /her supervisor or an alternate supervisor if their assigned supervisor is unavailable, as soon as practical.

Investigators are to report to the ATD at the beginning and at the end of each workday. If an investigator calls in sick, or needs to use emergency time off, the investigator's supervisor, or an alternate supervisor must be advised as soon as possible.

Investigators are expected to complete their 10-½ hour shift before leaving the office. Compensatory time off can be taken with prior approval from an ATD unit supervisor.

Officers responding to field situations or conducting follow-up work in the field will note on the unit's status board their estimated time of return. If the investigator is unable to return at the time they have previously indicated, they will notify the office and advise a supervisor of their new estimated time of return. If an investigator anticipates being gone longer than 2 hours, he/she should apprise their supervisor.

Time off requests shall be channeled through the member's immediate supervisor, and will be posted on the each unit's time off calendar located near their sergeant's workstation. This calendar also includes all planned vacations, training days, sick leave and military time off. If the member's immediate supervisor is not available an alternate supervisor shall be used.

OVERTIME:



AUTO THEFT DETAIL

Procedures Manual

A supervisor must approve all pre-planned overtime. In the event a member works overtime that wasn't pre-planned that investigator will inform his supervisor of the overtime worked as soon as practical after the overtime was worked. All members will abide by the current Memorandum of Agreement (MOA) and comply with all overtime reductions as specified in MOA, Section 13.6.5.

A unit member working overtime in a capacity outside of their duties associated with the VCU will obtain the 6-digit VIS code number that identifies that specific fund from which the funds will be derived and include the number on his/her applicable time sheet.

ON-CALL PROCEDURES:

The Auto Theft Detail does not have an official "On-Call Officer or Sergeant." However, the unit supplies a contact Sergeant to assist with in-field situations involving auto theft. The Unit Sergeant is on-call on a twenty four hour basis and available through Communications for auto theft related events.

"OFFICER OF THE DAY" (OD) PROCEDURES:

The VCU shall have at least one "Officer of the Day" (OD) for each regular workday, (Monday – Friday). The OD's workday shall commence no later than 0700 hours and shall not end earlier than 1700 hours. The OD will be responsible for the following items:

- Activating and de-activating their detail's voice mail system at the beginning and end of each workday.
- The OD from each specific unit will be responsible for answering any questions that may be brought up by in-field personnel.
- Assist clerical staff in answering telephone calls and inquiries that are directed by the public.
- The OD will be responsible for any cases that need to be brought to a supervisor's attention that may need immediate action or follow-up.
- The OD will assist the Office Specialist with any matters that cannot be handled through their means, or handle walk-in surrenders where a criminal citation is to be issued (such as a 20002 CVC).

If the OD is unable to work his/her scheduled day in the office, it is **their** responsibility to change their office day with another investigator. This includes days where the scheduled OD is on vacation or has taken emergency time off. If no one else is available to cover the OD position, a supervisor may require another investigator to cover for the scheduled OD. When this occurs,



AUTO THEFT DETAIL

Procedures Manual

the previously scheduled OD will then have to cover the office position for the other investigator during one of his/her scheduled OD day in the office.

EVIDENCE:

Evidence obtained during an investigation shall be booked into Central Supply as soon as practicable.

Evidence to be submitted to the crime lab shall be taken to the County Crime Lab as soon possible by the case investigator.

Under no circumstances will evidence remain in the Auto Theft Unit. This includes locking evidence inside a desk or placing it inside case folders. Weapons, clothing and currency will be immediately photographed, logged and booked into the SJPD property room as evidence. Copies of document evidence may be retained in the case file; however any original documents must be booked as evidence.

Evidence brought into the ATD for evaluation and/or photographing will remain under the direct control of the case investigator. At no time will evidence be left unsecured in the unit, in desks, or in a vehicle.

EQUIPMENT:

VEHICLES:

- If necessary vehicles will be shared by investigators.
- It is the investigator's responsibility to keep the interior and exterior of the vehicle clean and presentable.
- Investigators will maintain the vehicle in good condition and notify the garage personnel of any mechanical problems as soon as they are discovered.
- Due to investigators having to sometimes respond immediately to field situations, assigned vehicles are to be kept in a fueled condition at all times.
- Unit vehicles will not be taken home or be used for any "pay jobs" or after hours follow investigations without prior approval from a supervisor.

CELLULAR PHONES:

- Cellular phones that are owned by the city are not intended for personal use.



AUTO THEFT DETAIL

Procedures Manual

- Any computer or similar type of electronic equipment that is the property of the City of San Jose is to be used by investigators for work related official business only. All members are expected to comply with the Duty Manual and City Policy Manual pertaining to this issue.

SPECIAL EQUIPMENT:

- Hand pack radios are made available to all ATD members. They are intended for use by unit personnel only and will not be loaned out to another unit without a supervisor's approval.
- Supervisors are responsible for documenting the serial numbers for all hand packs assigned to their officers. They will keep a list of these serial numbers on the units "G-Drive".

FIELD EQUIPMENT:

It will be the responsibility of each full duty (non-exempt) unit member to maintain a complete uniform and equipment as required. Supervisors will ensure that members have the proper police equipment and that it is maintained in good working condition. Supervisors will inspect all work equipment periodically.

DRESS STANDARDS:

The ATD mission is different than other units within the BOI. Normally, officers assigned to this unit are allowed to wear casual clothing due to the nature of their assignment. The exception to this will be when they appear in court, i.e. for a trial. During those events, the member will dress in accordance with department policy regarding appropriate attire for court appearances.

MEDIA RELATIONS:

Investigators may contact and use the media as a tool to assist with their investigations with prior supervisory approval. Members will keep in mind that the PIO is most proficient in dealing with the media. In most cases they should refer media issues to the PIO.

Any time that the media initiates contact regarding a particular investigation, investigators must notify an ATD Supervisor as soon as possible. Investigators should also notify the Press Information Officer, advising them of the Media's inquiry.

The VCU Sergeant will review and approve all press releases prior to them being made public. In the absence of the Sergeant, a case officer will review and approve the press release.



AUTO THEFT DETAIL

Procedures Manual

The supervisor will also check with the SJPD Press Information Officer, a BOI Captain and Deputy Chief prior to the issuance of the release.

A copy of any press release shall be distributed to the following persons:

VCU/Homicide Unit Commander
BOI Captains & Deputy Chief
SJPD Press Relations Officer
Investigation Case Officer

SEARCHES/PREPLANNED OPERATIONS:

During an investigation, if a search warrant is to be served or a probation/parole search is to be conducted, the following procedures will occur:

- Prior to engaging in any search, the investigator(s) will obtain the approval of a supervisor.
- The Homicide Unit Commander will also be advised.
- If any pre-planned operation is to occur both the BOI Captain and Deputy Chief will be advised.
- The investigator is responsible for planning the operation

RAID PLAN (consideration should be given to the following):

- Designating the supervisor in charge
- Confirming the offender's probation or parole status by contacting the appropriate parole or probation officer. If the search pertains to the execution of an arrest warrant, the existence of the warrant will be confirmed with the Warrant Unit.
- The number of officers needed
- Complete a Raid Sheet
- Preparing special equipment, search warrant kit, radios, etc.
- Identifying special problems and hazards
- Ensure that the District Sergeant and Area Lieutenant has been notified
- Supervisors are responsible for determining if specialized units should be utilized, i.e. for building entries.
- In no event will a search of any type be conducted, until the lawfulness of the search as well as all safety measures have been reasonably identified, confirmed, and addressed.



AUTO THEFT DETAIL

Procedures Manual

OPERATIONAL DEBRIEFING:

The case investigator will conduct an operational debriefing to ensure all equipment has been recovered and determine who is needed to write reports

SECTION II

AUTO THEFT DETAIL (ATD) GUIDELINES

The following guidelines are prepared for the purpose of providing investigators and supervisors who are newly assigned to the Auto Theft Detail (ATD) some direction and guidance with regards to their duties and the functions of the unit. By their very nature, investigations can be individually complex and unique; therefore it is not feasible to provide a “step by step” procedure for each anticipated situation. However, a general overview of certain specific tasks that are general to most investigations can be created.

SUPERVISORY REVIEW OF CASES RECEIVED BY THE UNIT:

The Auto Theft sergeant is primarily responsible for reviewing cases received by the unit every morning. In his absence, an Auto Theft Investigator will review cases.

The sergeant will review each case received, prioritize them, and determine if there are enough solvability factors present to assign the case to an investigator.

Examples of solvability factors include but are not limited to:

- Whether or not the suspect is in custody
- Is the suspect's identify known
- High profile cases (media interest)
- Multi-jurisdictional serial cases
- Is the case unfounded or civil in nature?
- Cases with poor or sketchy information
- Possible suspect information (partial name or moniker)
- Possible or partial vehicle license plate number
- Did the victim see the perpetrator?
- Can the victim identify the perpetrator?
- Will the victim identify the perpetrator?
- Is the victim cooperative?



AUTO THEFT DETAIL

Procedures Manual

DISPOSITION OF CASE BY SERGEANT AFTER INITIAL REVIEW:

The supervisor will make one of the following determinations after reviewing the case:

- Assign the case to an investigator in Versadex
- Close the case K: The general guideline when the code K is to be used is when the case itself contains some or partial leads but there is a “lack of investigative resources”
- Close the case “N”. The guideline to be followed here is when there are “non-worker, no leads”
- Close the case “X”. This code is used when the case is transferred to another unit or agency.
- Close the case “E”: This code is used when there has been investigation conducted, but there are “no further leads”
- Close the case “U”. This code is used when the case is determined to be unfounded.

There are other options for closing cases, however, these seem to be the most frequently used and therefore used here as examples.

CASE MANAGEMENT (IN-CUSTODY CASES):

Upon receipt of an “In-Custody” case from the unit sergeant, the investigator will review the case and record the critical information pertaining to the case in his/her personal case log. The investigator will review the initial report for completeness and thoroughness. If necessary the investigator will conduct follow up (either in person or phone). This follow up may consist of taking additional statements from victims/witnesses, locating physical evidence, or showing photographic line-ups. The investigator will also interview the suspect after ensuring that legal counsel has not been appointed by the court.





AUTO THEFT DETAIL

Procedures Manual

Investigators will prepare the “In-Custody” report for filing at the Santa Clara County District Attorney’s Office (D.A.) by performing the following:

- A cover sheet must be completed and placed at the top of the investigative packet.
- If the vehicle was originally taken from another jurisdiction, contact that agency and have them fax you a copy of their original report.
- Ensure that there are 3 copies of the crime report upon receipt of the in custody case.
 1. One copy for the case file
 2. One copy for the D.A.’s office
 3. One copy for the court file
- Attach the defendant’s criminal history print out (local & statewide) to the report listed above.
- The investigator must ensure that the court file copy has been redacted (“blacked out”) to ensure that no personal victim or witness information is noted on the report.
- The investigator will then take the case to the D.A.’s office for review for the purpose of filing the appropriate charges. Each investigator is responsible for their investigations and needs to ensure that it has been reviewed by the D.A.’s office and filed with the court.

Normally investigations can be placed in the “In Custody Basket” at the D.A.’s office. However, special attention should be given if the involved case has to be filed that day. Once the investigation has been reviewed, it is the investigator’s responsibility to pick up the case from the D.A.’s office and file it at the Court Clerks office prior to 1000 hours on the “last day.”

It is critically important that the case be presented to the District Attorney’s Office for review and filed within the 48 hour time frame or the suspect will be released. This is solely the responsibility of the investigator assigned to the case.

If the District Attorney chooses not to file charges against the defendant, the investigator must immediately or as soon as practical complete all the necessary forms and contact the Department of Corrections and have the defendant released from custody.

[REDACTED]

[REDACTED]



AUTO THEFT DETAIL

Procedures Manual

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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Procedures Manual



AUTO THEFT DETAIL

Procedures Manual

[REDACTED]

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[REDACTED]

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AUTO THEFT DETAIL

Procedures Manual

Bureau of Investigation

PROPERTY:

When a case is adjudicated, the investigator will ensure that all property associated to that case is properly released. In some cases the property will be returned to a victim, ordered to be disposed of by the court or simply released by the investigator. In cases that a disposition was determined by a court proceeding generally there is a sixty day (60) period where a defendant can appeal his/her case. Property cannot be released until after that time period. If unsure whether or not property can be released contact the unit sergeant.

UNIT MEETINGS:

Unit meetings are an essential vehicle for the exchange of vital criminal intelligence and administrative information among Unit members. Unit meetings are held on an as needed basis. It is the supervisor's responsibility to ensure investigators attend. Unit members must be prepared to discuss current cases. If an investigator absolutely cannot attend a meeting, his/her supervisor must be apprised. Weekly schedules must be arranged to accommodate the weekly meeting.

AREA MEETINGS:

Area meetings are attended by Auto Theft Investigators from allied agencies, DA's, DA Investigators, Insurance Investigators, State Insurance Fraud Investigators and others. They are held once a month. Unit members are expected to attend these meetings and be prepared to share information on working cases. This exchange of intelligence is often crucial in solving crimes, especially "strings", where suspects may be committing thefts in multiple jurisdictions.

EQUIPMENT ISSUED:

All Auto Theft Investigators are issued the following equipment. They are responsible for its use and maintenance. Some items are consumables and are not expected to be returned at the end of investigators tenure. These items are designated with a ©.

- Keys to the office and warehouse
- Hand pack radio
- Stinger flashlight
- Raid vest

San José Police Department – Vehicular Crimes Unit
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AUTO THEFT DETAIL

Procedures Manual

- Safety helmet ©
- Safety glasses ©
- Gloves ©
- Keys to the office and warehouse

If the property that is assigned to an investigator is lost, stolen or damaged that investigator will as soon as practical advise their supervisor of the circumstances involved. If necessary, the incident will be documented (i.e. the property had a serial number on the appropriate form). The serial numbers of the radios assigned to the unit are retained in the units G-Drive. Supervisors are responsible for maintaining the accuracy of this list.

SECTION III

SUMMARY OF OFFICERS DUTIES:

- In-Custody Cases
- Non-Custody Cases (Workers or Assigned Cases)
- VIN Checks
- Vehicle Abatements at the Tow Yards
- Clearing Property
- Court
- Officer of the Day responsibilities
- RATTF High School Education and Enforcement Program
- RATTF Probation/Parole Searches (Adult & Juvenile)
- CVC 2805 Inspections
- Self Initiated On-View Activity
- Auto Theft Unit Collateral Duties

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Procedures Manual

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Page 19 of 21



AUTO THEFT DETAIL

Procedures Manual

Bureau of Investigation

- Review the case completely to ensure all necessary investigative steps that could have been taken were indeed completed.
- If necessary, return the case to the investigator for further follow up.
- Ensure all appropriate forms were thoroughly completed and are in the case file.
- Provide direction and guidance regarding the investigation if necessary.
- Ensure case is properly closed and a Versadex disposition code was utilized for the specific circumstances of that case. If necessary refer to the definitions of each disposition code which are provided. This step is not only essential but using the proper disposition code is critical because it is these codes which will be entered into the Versadex system.. These codes are utilized by other units within the department, Office of the Chief, Research & Development unit when making decisions pertaining to staffing and budget appropriations.

COMMUNICATIONS WITH THE BUREAU OF FIELD OPERATIONS & RATTF:

It will be the responsibility of the Auto Theft Unit (ATU) sergeant to periodically brief the Bureau of Field Operations (BFO) personnel with regards to auto theft trends, patterns and suspect information. In order to accomplish this, the following tasks will be taken.

- The board will be updated as frequently as possible depending on the staffing and resources available within the CAU.
- The ATU supervisor should also utilize “admin TV.” which is available by contacting the BFO Administrative Unit. This is a very good resource to pass on information to BFO personnel.
- The ATU sergeant will contact his counter part at the Regional Auto Theft Task Force on a weekly basis in order to discuss current investigations, patterns, trends or to coordinate working together on investigations of common interests.

CASES PERTAINING TO JUVENILE OFFENDERS:

The ATU supervisor is the best person to analyze cases since he/she is responsible for reviewing each case on a daily basis. If patterns or investigations reveal that juveniles are involved in significant or multiple cases, the supervisor is responsible for passing that information on to the following personnel:

- Investigators within the auto theft unit.
- RATTF personnel.

San José Police Department – Vehicular Crimes Unit
201 West Mission Street, San Jose, CA 95110
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AUTO THEFT DETAIL

Procedures Manual

- Bureau of Field Operations officers.
- Juvenile Probation.

PROGRAM MANAGEMENT REPORTS:

It is the responsibility of the unit sergeant to complete the quarterly and annual program reports to the Chief of Police. Those reports will contain any significant cases of note, including proactive activities that have occurred during the rating period.

MISCELLANEOUS RELATED ISSUES

- DMV related
- Auto Desk
- Lien Sales
- NICB
- 10751 Related Issues
- 2805 Inspections
- Repossession
- Rental Cars
- Dealership
- Owner consent
- Civil vs. Criminal
- Problem reports
- Auto repair shop related problems
- Sales of vehicles
- Loan of a vehicle to another person
- Police vehicle warehouse
- 10851 Awards Program

****Note:** The above listed items under the “miscellaneous” category are retained in hard copy form in the Auto Theft Procedures Manual Binder for easy access and reference.