



GENERAL POLICE ORDER CLEVELAND DIVISION OF POLICE



EFFECTIVE DATE: MARCH 1, 2002	REVISED DATE:	NO. PAGES: 1 of 5	NUMBER: 6.2.13
SUBJECT: STOLEN/UNAUTHORIZED USE MOTOR VEHICLE RECOVERY INVESTIGATIONS			
ASSOCIATED MANUAL: AUTO THEFT, CCS, RECORD FILE		RELATED ORDERS: 8.2.01	
CHIEF OF POLICE: <i>Edward F. Lohn, Chief</i>			

PURPOSE: To set guidelines to investigate recovered stolen, suspected stolen or unauthorized use motor vehicles and to complete the Record Management System (RMS) report.

POLICY: If a stolen, suspected stolen or unauthorized use motor vehicle is recovered, officers of the Cleveland Division of Police shall personally view vehicles for evidence of damage or missing parts. This includes tampered with or damaged vehicle identification number (VIN) plates, and any evidence that may indicate the report made is fraudulent.

PROCEDURES:

- I. Recovery of motor vehicles:
 - A. Officers shall computer check vehicles suspected of being stolen or used without authorization via the Communication Control Section (CCS). If a vehicle is stolen or the subject of an unauthorized use entry, the CCS dispatcher shall retrieve the pertinent data for the requesting officer. This data shall include the original RMS report number, if a local incident and if the vehicle is to be held for processing.
 - B. Officers recovering a stolen vehicle shall physically view and record the VIN. CCS shall not provide the VIN, they shall only verify the VIN as transmitted by the officers who recover the vehicle. If the VIN is obscured and the vehicle is locked, the officer shall have the tow truck driver unlock the vehicle so the obstruction may be moved and the VIN viewed.

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Officers shall cause vehicles with missing, partially missing or damaged VIN plates to be towed to Lot #2 for processing of the confidential VIN (CVIN). The recovering officers, regardless of the license plate(s) on the vehicle, shall make no report. The Auto Theft Unit detective processing the vehicle for the CVIN shall make the recovery report and owner notification.

- C. The recovering officer(s) shall determine if any special parts are missing when recovering a stolen vehicle. (Special parts are the VIN plate, engine, transmission, front fenders, hatchback, hood, doors, bumpers, quarter panels, deck lid, tail gate). The officer shall note whether these parts are original or replacement. If any of these parts are missing, "special parts missing" shall be included in the compound report title. Enter each missing part as stolen in the "PROPERTY" section of the RMS report and, if the parts were original, the VIN is entered as the serial number.

The Report Intake/Review Unit shall review "special parts missing" reports and determine if the missing parts had VINs as required by the Federal Theft Prevention Standard. If a missing part is required to have a VIN, and there is no VIN listed in the RMS report, the Report Intake/Review personnel shall advise the reporting officer of that fact. **The officer shall enter the correct VIN in the stolen property section of a supplement report to the original RMS report.**

- D. When a vehicle is recovered with only one Ohio license plate, the recovery officer shall confiscate the plate at the scene and document that on the tow sheet and the RMS recovery report. The license plate shall be tagged and entered into the District/Unit property book and forwarded to the Property Unit for proper disposal. When the owner is notified of the recovery they shall be advised to report to an Ohio State License Bureau to obtain replacement plates.
- E. Vehicle recovery reports shall be faxed into the Report Intake/Review Unit as soon as possible. The Report Intake/Review Unit shall review the compound report titles and enter the reports into the RMS system, removing the appropriate crime computer (LEADS, NCIC, etc.) entries without delay.

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- F. If the vehicle can be safely operated and does not require processing, it may be turned over to the owner on scene. If the vehicle is processed on scene, it may be released when processing is complete. Officers shall warn owners who choose to recover their vehicles at the scene that they are subject to being stopped, because their vehicle will remain listed as stolen in the computer until the recovery report is entered into the RMS system.

II. Vehicle recovery RMS reports:

- A. An RMS recovery report for a vehicle stolen or taken without authorization **from within the City of Cleveland (local)** shall consist of a supplemental RMS report and **shall use the RMS report number from the original theft report**. The compound report title shall be placed in the title field or at the top of the first page. Compound recovery report titles consist of:
1. Grand Theft/Motor Vehicle/Recovery/(Valuable Cargo, Special Parts Missing, Arrest, Juvenile Complaint, if any are applicable).
 2. Unauthorized Use of a Vehicle/Recovery/(Valuable Cargo or Special Parts Missing, Arrest, Juvenile Complaint, if any are applicable).
 3. An auto originally stolen from a Cleveland location and recovered prior to a GTMV report being made, requires a GTMV/Combination/Recovery report. The “location of occurrence” is the location the vehicle was stolen from and the recovery location shall also be noted in the report.
- B. An RMS report for recoveries **with arrests** for vehicles stolen or used without authorization **from a jurisdiction outside of Cleveland** shall be titled “Receiving Stolen Property” in the OFFENSE/INCIDENT section. The compound report title shall be Receiving Stolen Property /Foreign Theft /Recovery/Arrest.

An RMS report for recoveries **without arrests** for vehicles stolen or used without authorization **from a jurisdiction outside of Cleveland** shall be titled as “Property Found” in the OFFENSE/INCIDENT section. The compound report title shall be Property Found/Foreign Theft/Recovery.

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- C. The RMS report for recovery of a **suspected stolen vehicle with or without arrest** is titled as “Property Found” in the OFFENSE/INCIDENT section. The compound report title shall be Property Found/Suspected Stolen Motor Vehicle/Recovery.

Officers who recover suspected stolen vehicles shall detail in the RMS narrative the reasons for suspecting the vehicle is stolen, and the steps taken to identify and contact the listed owner.

If a vehicle has been towed as a suspected stolen and a report has been made, and later the vehicle is reported stolen, the officer or Data Conversion Operator (DCO) who receives the new information shall change the OFFENSE/INCIDENT section from Property Found report to the new title (e.g. GTMV, Robbery, Unauthorized Use of a Vehicle).

- D. Officers shall ensure that the applicable information in the “VEHICLE” section of the RMS report, and the applicable information on the “VEHICLE/TOW SUPPLEMENT” is completed. Damaged or stolen property shall be entered in the “PROPERTY” section of the RMS report, with applicable information completed. Include the following information in the narrative section of the report:

1. Location of recovery.
2. Special parts intact or missing: (if missing list in stolen property section).
3. Personal property in vehicle: (list) NOTE: Remove valuable properties found in the vehicle and enter it into the District Property Book unless the vehicle is to be processed. In cases of processing, property shall remain in the vehicle and be removed by Crime Scene & Record personnel after processing is completed.
4. Computer check: (results/terminal number).
5. Was the Foreign Police Agency notified, (name of person notified).
6. Information surrounding arrests and/or suspects.

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7. Manner of Theft.

III. Special circumstances:

- A. Unfounded complaints: If the officer(s) who makes the recovery report determine that no crime has occurred (vehicle impounded, repossessed, etc.), they shall confer with a supervisor and change the OFFENSE/INCIDENT to “Unfounded Complaint”. They shall also indicate this in the title or at the top of the first page. The officer completing the report shall indicate the reason for changing the title in the narrative section.

- B. Fraudulent reports: An officer who determines that a report may be fraudulent to cover up other crimes (MVA, Robbery, etc.) shall indicate that in the narrative section. The investigating officer(s) shall consult with the City Prosecutor’s office for possible charges.