

CHAPTER 3
VEHICLE THEFT TASK FORCE PARTICIPATION
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CHAPTER 3

VEHICLE THEFT TASK FORCE PARTICIPATION

1. PURPOSE. This chapter is designed to establish departmental policy and procedure for involvement in vehicle theft task forces. These task forces may be departmental, regional, or funded from appropriations pursuant to California Vehicle Code (CVC) Section 9250.14 (Annex A).

2. POLICY. The Department should actively seek the development and participation in vehicle theft task forces throughout the state. Counties should be encouraged to fund vehicle theft task forces through the provisions of CVC Section 9250.14.

a. Division commanders shall pursue roles for departmental participation in vehicle theft task forces as managers, supervisors, and investigators. Departmental personnel shall participate in vehicle theft task forces, regardless of the county's ability to reimburse the Department. The following factors should be considered in determining the extent of departmental involvement in vehicle theft task forces:

(1) Availability of personnel and resources.

(2) Severity of the vehicle theft problem within the county.

b. Involvement in these task forces requires prior approval from Assistant Commissioner, Field. Additionally, departmental involvement in multiagency task forces requires the following:

(1) The requesting field command shall prepare a Letter of Intent

(Annex B) and a CHP 78, Agreement Request (all required forms can be located on the CHP Intranet site). The correspondence and CHP 78 will be submitted directly to the Office of Primary Interest, Field Support Section (FSS), for review. Field Support Section will forward the documents through the appropriate channels for approval.

(2) Once approval is granted, the documents will be forwarded to Business Services Section, Contract Services Unit, and an agreement will be prepared. A copy of the cover letter requesting signature from the allied agency(s) will be forwarded to the requestor.

(3) Upon receipt of all signatures and approvals, a copy of the signed agreement will be provided to the requestor. Once the agreement is signed, a special project code for reporting personnel activity will be provided.

(4) Division commanders should advise FSS if they become aware of any county planning to implement a vehicle theft task force.

3. OVERVIEW. Vehicle theft has become the most costly of all property crimes and an American epidemic. It impacts over four million Americans each year, costing billions of dollars. California leads the nation in vehicle theft-related crimes. Vehicle theft task forces are an effective means for law enforcement to combat this growing crime. To address mounting public concern, the California Legislature passed a law that resulted in the creation of CVC Section 9250.14.

4. RESPONSIBILITY. As the Statewide Vehicle Theft Investigation and Apprehension Coordinator, the Department provides guidance, coordination, training, and assistance to allied agencies in their efforts to combat vehicle theft. The Department is currently involved in multijurisdictional task forces and provides comprehensive vehicle theft investigation training for law enforcement personnel statewide. It is the responsibility of the Department to maintain a leadership role and continue to implement the provisions of CVC Section 9250.14.

a. As designated in CVC Section 9250.14(f), each county that adopts a resolution under subdivision (a) shall submit, on or before the 13th day following the end of each quarter, a quarterly expenditure and activity report to the designated Statewide Vehicle Theft Investigation and Apprehension Coordinator in the Department of the California Highway Patrol (CHP). To maintain program accountability and uniformity, each participating county shall utilize the CHP 183, CVC 9250.14 Quarterly Expenditure Report, and the CHP 185, CVC 9250.14 Quarterly Activity Report.

5. IMPLEMENTATION. Due to the expertise required for involvement in these task forces, the most effective procedure for departmental participation is to assign experienced vehicle theft personnel to the task forces to ensure the continued success and quality of the program. The Department will actively pursue reimbursement from those counties which can sufficiently fund the CHP's involvement in these task forces. This reimbursement may vary throughout the state dependent upon funding available to the county. Division commanders shall advise Enforcement and Planning Division and FSS of necessary budgeting requirements to provide or backfill positions assigned to multiagency task forces.

6. REPORTING PROCEDURES. All personnel assigned to a vehicle theft task force shall submit a monthly activity report. This report shall be completed using the CHP 136, Vehicle Theft Personnel Activity/Commercial Vehicle Theft Personnel Activity, using the guidelines set forth in Highway Patrol Manual 81.1, Vehicle Theft Control Manual, Chapter 3, Vehicle Theft Reporting Procedures.

7. ORGANIZATION OF VEHICLE THEFT TASK FORCES FUNDED BY PROVISIONS OF THE VEHICLE CODE.

a. Executive Committee. An Executive Committee should be formed to act as the Board of Directors of the county task force. The affairs of the task force will be directed by the Executive Committee. The Executive Committee should be comprised of members of the county sheriff's department, the chiefs of the member police departments, the district attorney, and the appropriate CHP commander (e.g., local Area commander, Division Special Services commander, or Investigative Services Unit coordinator). It is advisable for the Executive Committee to meet once a quarter to review task force operations and to provide direction, guidance, and input. Quorum voting of the committee should be by majority vote and only by committee members.

b. Investigative Operations Committee. If an Investigative Operations Committee (IOC) is utilized, their function is to assist the task force coordinator in obtaining resources including: funds, personnel, equipment, vehicles, and other items required to support the mission of the task force.

(1) The IOC will assist the task force coordinator in the development of administrative procedures, investigative objectives and strategies, as well as assisting with the preparation of reports for presentation to the Executive Committee.

(2) The IOC should consist of the task force coordinator, the captains from the county sheriff's department and police departments, a representative of the district attorney's office, and the CHP. These positions will be chosen and appointed by the chairperson of the Executive Committee.

c. Task Force Coordinator. The task force coordinator's position should be at the level of a CHP captain or lieutenant. The coordinator will oversee management responsibilities of the task force and will be directly accountable to the Executive Committee for task force operations. Interpersonal relations are an important factor in the selection of the task force coordinator and supervisor. The coordinator will also be responsible for the preparation of written reports of investigative and administrative operations which are submitted to the Executive Committee.

d. Supervision. Supervision of the task force should be provided by the sergeant(s) as a working member of the team. Selection of the supervisor(s) should be based upon their level of expertise, past work performance, and availability. Selection of the supervisor(s) should be the responsibility of the task force coordinator, with the concurrence of the Executive Committee.

e. Prosecution Staff. The county district attorney's office should assign a prosecutor and an investigator to work with task force members.

(1) The prosecutor should be available to provide legal review, file (or assist in filing) cases warranting a criminal complaint, and review search warrants to ensure uniformity and compliance with current law. The task force cases should be vertically prosecuted.

(2) The district attorney's investigator should act as a liaison with the task force members in the investigation and filing of criminal cases and the preparation of cases for trial. Salaries and benefits for the position(s) should be reimbursed by the task force fund to the district attorney's office.

f. Investigators. The task force shall be staffed by qualified investigators recommended for assignment by the participating law enforcement agencies. Assignment to the task force should be for a minimum of three years. Due to the critical nature of the position, personnel recommended to the task force should be subject to selection interviews by the task force coordinator and supervisor(s). Consideration for placement on the task force should be based on past job performance, investigative experience, and assistance to allied agencies in their efforts to combat vehicle theft.

ANNEX A

CALIFORNIA VEHICLE CODE SECTION 9250.14

VEHICLE CODE - VEH

ARTICLE 2. Registration Fees [9250 - 9271]

(Article 2 enacted by Stats. 1959, Ch. 3.)

9250.14.

(a) (1) In addition to any other fees specified in this code and the Revenue and Taxation Code, upon the adoption of a resolution by any county board of supervisors, a fee of one dollar (\$1) shall be paid at the time of registration or renewal of registration of every vehicle, except vehicles described in subdivision (a) of Section 5014.1, registered to an address within that county except those expressly exempted from payment of registration fees. The fees, after deduction of the administrative costs incurred by the department in carrying out this section, shall be paid quarterly to the Controller.

(2) (A) If a county has adopted a resolution to impose a one-dollar (\$1) fee pursuant to paragraph (1), the county may increase the fee specified in paragraph (1) to two dollars (\$2) in the same manner as the imposition of the initial fee pursuant to paragraph (1). The two dollars (\$2) shall be paid at the time of registration or renewal of registration of a vehicle, and quarterly to the Controller, as provided in paragraph (1).

(B) If a county has not adopted a resolution to impose a one-dollar (\$1) fee pursuant to paragraph (1), the county may instead adopt a fee of two dollars (\$2) in the manner prescribed in paragraph (1).

(C) A resolution to impose a fee of two dollars (\$2) pursuant to subparagraph (A) or (B) shall be submitted to the department at least six months prior to the operative date of the fee increase.

(3) In addition to the service fee imposed pursuant to paragraph (1), and upon the implementation of the permanent trailer identification plate program, and as part of the Commercial Vehicle Registration Act of 2001 (Chapter 861 of the Statutes of 2000), all commercial motor vehicles subject to Section 9400.1 registered to an owner with an address in the county that established a service authority under this section, shall pay an additional service fee of two dollars (\$2).

(4) (A) If a county imposes a service fee of two dollars (\$2) by adopting a resolution pursuant to subparagraph (A) or (B) of paragraph (2), the fee specified in paragraph (3) shall be increased to four dollars (\$4). The four dollars (\$4) shall be paid at the time of registration or renewal of registration of a vehicle, and quarterly to the Controller as provided in paragraph (1).

(B) A resolution to increase the additional service fee from two dollars (\$2) to four dollars (\$4) pursuant to subparagraph (A) or (B) of paragraph (2) shall be submitted to the department at least six months prior to the operative date of the fee increase.

(b) Notwithstanding Section 13340 of the Government Code, the moneys paid to the Controller are continuously appropriated, without regard to fiscal years, for the administrative costs of the Controller, and for disbursement by the Controller to each county that has adopted a resolution

ANNEX A

CALIFORNIA VEHICLE CODE SECTION 9250.14 (*continued*)

pursuant to subdivision (a), based upon the number of vehicles registered, or whose registration is renewed, to an address within that county.

(c) Except as otherwise provided in this subdivision, moneys allocated to a county pursuant to subdivision (b) shall be expended exclusively to fund programs that enhance the capacity of local police and prosecutors to deter, investigate, and prosecute vehicle theft crimes. In any county with a population of 250,000 or less, the moneys shall be expended exclusively for those vehicle theft crime programs and for the prosecution of crimes involving driving while under the influence of alcohol or drugs, or both, in violation of Section 23152 or 23153, or vehicular manslaughter in violation of Section 191.5 of the Penal Code or subdivision (c) of Section 192 of the Penal Code, or any combination of those crimes.

(d) The moneys collected pursuant to this section shall not be expended to offset a reduction in any other source of funds, nor for any purpose not authorized under this section.

(e) Any funds received by a county prior to January 1, 2000, pursuant to this section, that are not expended to deter, investigate, or prosecute crimes pursuant to subdivision (c) shall be returned to the Controller, for deposit in the Motor Vehicle Account in the State Transportation Fund. Those funds received by a county shall be expended in accordance with this section.

(f) Each county that adopts a resolution under subdivision (a) shall submit, on or before the 13th day following the end of each quarter, a quarterly expenditure and activity report to the designated statewide Vehicle Theft Investigation and Apprehension Coordinator in the Department of the California Highway Patrol.

(g) A county that imposes a fee under subdivision (a) shall issue a fiscal yearend report to the Controller on or before August 31 of each year. The report shall include a detailed accounting of the funds received and expended in the immediately preceding fiscal year, including, at a minimum, all of the following:

(1) The amount of funds received and expended by the county under subdivision (b) for the immediately preceding fiscal year.

(2) The total expenditures by the county under subdivision (c) for the immediately preceding fiscal year.

(3) Details of expenditures made by the county under subdivision (c), including salaries and expenses, purchase of equipment and supplies, and any other expenditures made listed by type with an explanatory comment.

(4) A summary of vehicle theft abatement activities and other vehicle theft programs funded by the fees collected pursuant to this section.

(5) The total number of stolen vehicles recovered and the value of those vehicles during the immediately preceding fiscal year.

(6) The total number of vehicles stolen during the immediately preceding fiscal year as compared to the fiscal year prior to the immediately preceding fiscal year.

(7) Any additional, unexpended fee revenues received under subdivision (b) for the county for the immediately preceding fiscal year.

ANNEX A

CALIFORNIA VEHICLE CODE SECTION 9250.14 (*continued*)

(h) Each county that fails to submit the report required pursuant to subdivision (g) by November 30 of each year shall have the fee suspended by the Controller for one year, commencing on July 1 following the Controller's determination that a county has failed to submit the report.

(i) (1) On or before January 1, 2013, and on or before January 1 of each year, the Controller shall provide to the Department of the California Highway Patrol copies of the yearend reports submitted by the counties under subdivision (g) and, in consultation with the Department of the California Highway Patrol, shall review the fiscal yearend reports submitted by each county pursuant to subdivision (g) to determine if fee revenues are being utilized in a manner consistent with this section. If the Controller determines that the use of the fee revenues is not consistent with this section, the Controller shall consult with the participating counties' designated regional coordinators. If the Controller determines that use of the fee revenues is still not consistent with this section, the authority to collect the fee by that county shall be suspended for one year.

(2) If the Controller determines that a county has not submitted a fiscal yearend report as required in subdivision (g), the authorization to collect the service fee shall be suspended for one year pursuant to subdivision (h).

(3) If the Controller determines that a fee shall be suspended for a county, the Controller shall inform the Department of Motor Vehicles on or before February 1 of each year that the authority to collect a fee for that county is suspended.

(j) On or before January 1 of each year, the Controller shall prepare and post on the Controller's Internet Web site a revenue and expenditure summary for each participating county that includes all of the following:

(1) The total revenues received by each county.

(2) The total expenditures by each county.

(3) The unexpended revenues for each county.

(k) For the purposes of this section, a county-designated regional coordinator is that agency designated by the participating county's board of supervisors as the agency in control of its countywide vehicle theft apprehension program.

(Amended by Stats. 2018, Ch. 198, Sec. 19. (AB 3246) Effective January 1, 2019.)

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ANNEX B

LETTER OF INTENT FORMAT

LETTER OF INTENT

COUNTY

DATE

1. OVERVIEW
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3. TASK FORCE ORGANIZATION
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 - b. Task Force Coordinator
 - c. Supervision
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ANNEX B

LETTER OF INTENT FORMAT *(continued)*

- e. Indirect Costs
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