

CHAPTER 4
ORGANIZED RETAIL CRIME TASK FORCE PARTICIPATION
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CHAPTER 4

ORGANIZED RETAIL CRIME TASK FORCE PARTICIPATION

1. BACKGROUND.

a. Assembly Bill 331. Assembly Bill (AB) 331 (Jones-Sawyer), Organized Theft, was signed into law on July 21, 2021. The purpose of this legislation is to provide funding for resources directed to the investigation and prosecution of organized retail theft crimes.

(1) The CHP, in coordination with the Department of Justice, is required to convene a regional property crimes task force to identify geographic areas experiencing increased levels of property crimes and assist local law enforcement with resources including, but not limited to, personnel and equipment.

b. To efficiently accomplish the mission of AB 331, the Department implemented the following:

(1) An Organized Retail Crime Task Force (ORCTF) investigative team assigned to Golden Gate, Southern, and Border Division. Each ORCTF investigative team should consist of one lieutenant and, at a minimum, one sergeant, three investigators, and one Office Technician.

(2) The use of associate investigators to assist with investigations in Divisions not actively participating in ORCTF operations.

(a) Associate investigators should be selected from existing investigative resources, such as the Investigative Services Unit (ISU) personnel, Division detectives, task force officers, or Area personnel with the appropriate training and experience.

(3) These teams shall remain operational while legislative authority exists.

2. OFFICE OF PRIMARY INTEREST RESPONSIBILITY.

a. As the Office of Primary Interest (OPI), Enforcement and Planning Division, Criminal Investigations Section (CIS), is responsible for the statewide administration and coordination of the ORCTF program. Responsibilities for CIS include, but are not limited to:

- (1) Developing and administering the ORCTF budget.
- (2) Coordinating and processing out-service training (OST) requests.
- (3) Procuring requested equipment and processing the corresponding CHP 266, Credit Memo - Equipment, for issuance to Divisions.
- (4) Receiving monthly ORCTF reports from participating Divisions and compiling collected statistics into a single, comprehensive report.
- (5) Coordinating and monitoring the retail crime tip link featured on the Department's Internet Web site, www.chp.ca.gov, under the "Notify CHP" tab, "Organized Retail Theft Program." Information collected will be processed and assigned to the appropriate ORCTF team for investigation.
- (6) Monitoring departmental ORCTF e-mail accounts to facilitate communication between ORCTF teams, allied agencies, and victims of organized retail crime.
- (7) Assisting ORCTF teams with media inquiries, talking points, and press releases.
- (8) Coordinating and facilitating monthly ORCTF conference calls or virtual meetings. Completing meeting minutes and routing them through the appropriate Assistant Commissioner for review.

3. DIVISION RESPONSIBILITY.

a. Field Divisions. Commanders of participating Divisions shall develop Standard Operating Procedures for their ORCTF efforts and are encouraged to provide additional resources, if available, to any of the following operations:

- (1) Local Agency Assistance/Liaison. Assembly Bill 331 requires the ORCTF to provide local law enforcement in each identified region with logistical support and other law enforcement resources, including, but not limited to, personnel and equipment. Support should also be given to local law enforcement agencies through the sharing of criminal intelligence information and assistance to aid investigative efforts.
- (2) Private Industry and Law Enforcement Training-Awareness. Extensive effort should be directed toward effective collaboration and increased training and awareness among law enforcement, prosecuting authorities, and the private sector.

b. Each task force should assign a lieutenant to coordinate ORCTF activities and oversee organized retail theft investigations at the Division level. Responsibilities for the ORCTF team coordinator include, but are not limited to:

- (1) Networking with allied agencies and district attorneys' offices to raise awareness of the task force mission and focus.
- (2) Coordinating resources between the ORCTF and local agencies.
- (3) Networking with private industry retailers and retail associations to raise awareness of the task force mission and focus.
- (4) Coordinating participation and/or speaking opportunities at private industry retail events, conferences, and training seminars.
- (5) Preparing a monthly ORCTF activity report for CIS.
- (6) Composing press releases on ORCTF activities in conjunction with CIS.
- (7) Reviewing submitted timekeeping documentation to ensure costs associated with regular and overtime hours expended by personnel performing ORCTF duties, are accurately tracked.

c. Each task force shall have a sergeant position to supervise daily investigative operations and assigned task force personnel. Responsibilities include, but are not limited to:

- (1) Supervising investigative personnel.
- (2) Reviewing assigned cases and corresponding reports.
- (3) Monitoring the ORCTF e-mail accounts for case-related information and internal task force e-mail.
- (4) Conducting criminal investigations as needed.

d. Each Division shall have at least three investigators assigned to investigate incidents of organized retail crime. Responsibilities include, but are not limited to:

- (1) Conducting criminal investigations.
- (2) Conducting business inspections relative to organized retail crime.
- (3) Providing investigative assistance to allied agencies and acting as a liaison with retailers and loss prevention.

e. Each task force should have one Office Technician position to perform clerical duties and to provide clerical assistance to ORCTF personnel. Responsibilities include, but are not limited to:

(1) Ensuring all timekeeping documents are collected and submitted in a timely manner.

(2) Collecting, processing, and preparing data and statistical information, related to ORCTF investigations, for inclusion in weekly, monthly, quarterly, and annual reports.

(3) Obtaining case numbers, processing cases for submission to district attorneys' offices, and managing filing systems for records related to the ORCTF investigations.

(4) Maintaining and updating ORCTF rosters as well as allied agency and retail industry points of contact.

4. CHP 415, DAILY FIELD RECORD, REPORTING.

a. Beat Code 848. Beat code 848 is designated for ORCTF activity.

(1) When reporting ORCTF activity, personnel shall use beat code 848 on all CHP 415, Daily Field Record, entries in the Activity Tracking System (ATS).

b. Special Project Code 199.

(1) Special project code 199 is designated for ORCTF overtime activity.

(a) When reporting ORCTF overtime activity, personnel shall use special project code 199 on all CHP 415 entries within ATS.

(b) All ORCTF overtime activity must be documented on a supplemental CHP 415 and include approval by the ORCTF supervisor.

5. REPORTING PROCEDURES–INVESTIGATOR.

a. All investigators assigned to an ORCTF shall submit a monthly activity report to the ORCTF sergeant. This report shall be completed using the CHP 136, Vehicle Theft Personnel Activity/Commercial Vehicle Theft Personnel Activity, and following the guidelines set forth in Highway Patrol Manual (HPM) 81.1, Vehicle Theft Control Manual, Chapter 3, Vehicle Theft Reporting Procedures.

6. REPORTING PROCEDURES–SERGEANT.

- a. Individual Monthly Activity. All sergeants assigned to an ORCTF shall submit a monthly activity report. This report shall be completed using the CHP 112, Management Summary. Sergeants serving as lead investigators in ORCTF-related investigations shall track case-related statistical information in the Sergeant's Comments field of the CHP 112.

7. ORGANIZED RETAIL CRIME TASK FORCE MONTHLY INVESTIGATION SUMMARY. Each ORCTF team shall submit, to CIS, by e-mail, a monthly report of activity completed by CHP ORCTF personnel. This report is due by the 10th of the month following the end of the reporting period. The report shall include the following data:

- a. Number of Investigations. Indicate the number of ORCTF-related investigations that were initiated, closed, or remained ongoing during the reporting period and year-to-date.

NOTE: Only investigations in which the ORCTF is the lead investigative entity shall be recorded here. All other investigative efforts should be recorded as investigative assists.

- b. Number of Investigative Assists. Indicate the number of ORCTF-related investigative assists provided during the reporting period and year-to-date.

- c. Arrests. Indicate the number of actual ORCTF arrests made during the reporting period and year-to-date.

NOTE: Only arrests made by ORCTF personnel in which the Department is the lead investigative entity shall be recorded here. Arrests occurring during operations when ORCTF personnel are assisting should be recorded under the Number of Investigative Assists category.

- d. Complaints Filed. Indicate the number of ORCTF-related complaints filed for the reporting period and year-to-date.

- e. Arrest Warrants. Indicate the number of ORCTF-related arrest warrants prepared for the reporting period and year-to-date.

- f. Search Warrants. Indicate the number of ORCTF-related search warrants prepared during the reporting period and year-to-date.

g. Assets Recovered. Indicate the quantity of assets recovered, per case, for the reporting period and year-to-date.

h. Value of Assets Recovered. Indicate the retail value, at the time of theft, of recovered assets, per case, for the reporting period and year-to-date.

NOTE: Only actual assets recovered through an ORCTF-led investigation shall be recorded here. All other asset recoveries (e.g., assets recovered while assisting an allied agency) should be identified in the case summary.

i. Case Summaries. Case summaries shall include a brief synopsis of all significant organized retail theft cases investigated during the reporting period, including allied agency assists. Any assets recovered while assisting another agency should be documented here, along with a brief description and value at the time of theft. A case number shall be listed at the beginning of each summary in the format designated by General Order (GO) 100.38, Assignment of Case Numbers.

j. Media Involvement and Press Releases. Each ORCTF investigation receiving media coverage, or that results in the creation of a press release, should be identified and cross-referenced in the case summary. A copy of all press releases shall be sent to the corresponding ORCTF e-mail account at the time of release.

k. Allied Agency Involvement. Identify allied agencies involved in ORCTF operations whether full-time, part-time, or participating on a case-by-case basis. Each identified allied agency should include a brief description of the level of involvement, the number of dedicated personnel, and any unique resources dedicated to the ORCTF (e.g., facility use, equipment, prosecutorial resources). Agencies participating on a full-time basis shall be acknowledged as having a Memorandum of Understanding in place.

8. CASE ACCEPTANCE. Cases reported to the Department by the public, the private sector, and/or retailers, should first be offered to the allied agency having primary jurisdiction where the crime occurred. When the responsible allied agency declines to investigate or requests CHP assistance, cases shall be accepted on an equitable basis taking into consideration available information, the likelihood of case success, and ORCTF resources.

b. Cases investigated by CHP personnel should generate from the following:

(1) Allied agency request or referral.

(2) A CHP Area or Division ISU request or referral.

(3) Victim(s) of organized retail crime.

(a) Cases reported to the Department by the public, the private sector, and/or retailers should first be referred to the allied agency having primary jurisdiction where the crime occurred to initiate a crime report. This measure will ensure the jurisdiction's Uniformed Crime Report (UCR) data is collected and accurately reported.

(b) Incidents spanning multiple jurisdictions should be carefully evaluated to ensure appropriate notifications are made for UCR purposes.

(4) Information supplied by the public via the departmental tip link or through other reporting means.

9. INVESTIGATION DECONFLICTION. Investigators must remain mindful that retail crime cases may have jurisdictional overlap with allied agencies. To improve collaboration and minimize risk, investigators shall ensure deconfliction is conducted as an initial investigative step. Information on deconfliction resources can be found in GO 81.6, Investigative Informational Database Systems.

10. CONFIDENTIAL FUNDS. The use of confidential funds by the ORCTF personnel shall comply with HPM 81.1, Chapter 7, Informant Management and Confidential Funds.

11. TRAINING REQUEST. Organized Retail Crime Task Force personnel requesting to attend OST shall prepare a CHP 50, Request for Out-Service Training, for training not requiring a contract. Upon receiving approval from the appropriate ORCTF team coordinator, the CHP 50 shall be forwarded to CIS for OPI approval and processing. Upon issuance of a check by the Fiscal Management Section for course tuition, CIS will forward the check to the requesting ORCTF team coordinator.

NOTE: The Criminal Investigations Section initiates contracts for training with various vendors to provide OST for departmental personnel. All course enrollments and enrollment changes shall be accomplished through the respective Division OST coordinator for OPI approval by CIS. A CHP 50 is not required for training provided through a contract.

12. REQUEST FOR, AND ORDERING OF, EQUIPMENT. The ORCTF supervisors and/or coordinators shall prepare a memorandum and route it through the Office of Assistant Commissioner, Field, for review and approval, when they identify equipment to be purchased for use by program personnel. This request should identify the

equipment desired, a possible vendor to be used, and a justification describing the need for the specified equipment.