



NEW ORLEANS POLICE DEPARTMENT OPERATIONS MANUAL

CHAPTER: 42.2.10

TITLE: AUTO THEFT INVESTIGATIONS

EFFECTIVE: 01/07/2018

REVISED: (Conversion Replaces P/PR611)

PURPOSE

The purpose of this Chapter is to establish guidelines for the investigation of auto thefts and recoveries.

AUTO THEFT AFFIDAVIT

1. Anyone alleging a motor vehicle was stolen shall sign an affidavit affirming the vehicle was stolen. Filing a false stolen vehicle report and signing an affidavit affirming a vehicle was stolen is a felony (La. R.S. 14:67.26 B (1)).
2. If the affidavit is not taken in person by a law enforcement officer, the individual alleging an auto theft shall download a copy of the affidavit at NOPD.org or at a district station. The affidavit shall be signed, notarized and delivered or mailed to the NOPD Record Room within seven days of receipt (La. R.S. 14:67 26B(2)).

REPORTING STOLEN VEHICLES

3. Officers investigating a complaint of an auto theft and/or lost or stolen license plate are responsible for:
 - (a) Completing electronic police report (EPR).
 - (b) Presenting the Auto Theft Affidavit (Form #208) and item number (Form 26) to the complainant for his/her review and signature before a notary or authorized supervisor.
 - (c) Contacting NOPD – NCIC Unit for the computer entry and access number for inclusion in the narrative.
4. The complainant shall attest to the theft by sworn affidavit (Auto Theft Affidavit - Form #208) before an ex-officio notary/police supervisor and two persons as witnesses. Witnesses shall include at least one officer and a second person of 18 years of age or older. Once the complainant has signed the Auto Theft Affidavit, this form shall be made part of the report.
5. If the complainant refuses to sign but indicates a desire for further review, the affidavit will be left with the complainant to sign, notarize, and return to the agency in seven days. The auto theft report shall indicate the complainant did not sign the affidavit and was advised of the proper procedure for completing the affidavit.

6. If the complainant refuses to sign the affidavit, the officer shall write refused across the affidavit, conduct the investigation and submit an Electronic Policy Report (EPR) report for follow up review.

REPORTING STOLEN VEHICLE - OUTSIDE ORLEANS PARISH

7. A complaint outside of Orleans Parish reporting an auto theft occurring in New Orleans shall be investigated by an officer in the district of occurrence. The officer shall advise the complainant of the item number and the location(s) where affidavit forms may be obtained. If the complainant is unable to obtain an affidavit form in a timely manner, the investigating officer's supervisor shall instruct the investigating officer to mail the affidavit to a complainant through the NOPD Mail Room or have the complainant obtain the affidavit via the internet (nopd.org).

RECOVERIES IN ORLEANS PARISH

8. Reports of vehicles stolen from another jurisdiction and recovered in Orleans Parish shall be written by an on-scene investigating officer as a signal (21R, out of parish recovery) on a green incident report form or EPR. Actions relating to these recoveries include the following:
 - (a) Include any missing parts or damage in the report.
 - (b) Make all effort to notify the owner of the location of the recovered vehicle.
 - (c) Remain on the scene until the arrival of the owner and/or towing and remain on scene until the towing company collects the vehicle.
 - (d) Contact a member of NOPD – NCIC Unit giving all recovery information.
 - (e) Secure recovery access number from NOPD – NCIC Unit.
 - (f) Contact a member of the NOPD - NCIC Unit and provide all recovery information.
 - (g) The officer shall make every attempt to contact the owner of the vehicle to inform him/her of the vehicle's location and or storage information.
 - (h) Remain on the scene until the arrival of the owner and/or the vehicle is secured by the towing company.
 - (i) If the recovering officer cannot contact the owner, a member of the NOPD - NCIC Unit will make additional attempts to contact the owner of a recovered vehicle.
 - (j) If unsuccessful, a member of the NOPD - NCIC Unit will then start the process of notifying the owner by certified mail.
 - (k) If the owner cannot be contacted or he/she cannot arrange towing within sixty minutes, the officer shall:
 - i. Contact the Towing Allocation Operator (TAO).
 - ii. Inform the TAO of the vehicle's location and condition.
 - iii. Remain on the scene until the arrival of the owner and/or towing company until the vehicle is secured by the towing company.
 - (l) Write a supplemental report/EPR if there is an arrest and/or the vehicle was involved in additional crimes.
9. When the owner cannot be contacted by the investigating officer, a member of the NOPD - NCIC Unit is responsible for contacting the victim and/or reporting agency (if stolen out of parish). After 24 hours a member of the NOPD - NCIC Unit shall send a recovery letter to the victim's last known address via certified mail.

AUTO THEFT ARRESTS

10. The investigating officer shall request his/her platoon supervisor to come to the scene of any auto theft investigation involving an arrest and/or if the preliminary investigation indicates the complainant is giving inaccurate or fraudulent information.

11. Information/disposition changes to a filed NCIC entry shall be corrected by contacting the NOPD NCIC Unit. The NOPD - NCIC Unit is responsible for all NCIC entry changes once notified that changes are to be made.

AUTO THEFT COMPLAINTS – OTHER

12. Auto theft complaints involving other offenses, wanted subjects and/or rental/lease vehicles require an on-scene investigation. The investigating officer shall use the more serious signal and follow the guidelines as appropriate to the incident.

THEFT AND RECOVERY

13. Auto theft complaints involving both the theft and recovery of a stolen vehicle shall be documented in EPR and affidavit with the NCIC access number.

AFFIDAVIT OF PHYSICAL INSPECTION FOR VEHICLE IDENTITY VERIFICATION (DPSSP FORM 3515)

14. The affidavit of physical inspection for vehicle identity verification form (Department of Public Safety State Police Form 3515) verifies vehicles previously wrecked or stripped have been restored to a condition which would make them safe to operate on state and local roadways. It also verifies that all parts used in the reconstruction of the vehicle which bears VIN numbers have been checked and have not been reported stolen. This regulation limits the powers given by the state to only certain commissioned employees of the police department.
15. Only commissioned members of the New Orleans Police Department who have successfully completed the physical inspection training shall have the authority to complete DPSSP Form 3515. Officers receiving requests to complete DPSSP Form 3515 that they are not certified to perform shall refer the individual(s) to a member of his/her unit that is certified or the Auto Theft Unit, 715 South Broad Street, Police HQ Third Floor.

AUTO THEFT TASK FORCE UNIT RESPONSIBILITIES

16. The Department of Public Safety certified inspecting officer shall complete the DPSSP Form 3515 in its entirety in accordance with La. R.S. 32:706.2 and distribute the form:
 - (a) White Copy to the Office of Motor Vehicles.
 - (b) Pink Copy retained by the NOPD Auto Theft Unit.
 - (c) Yellow Copy to the requesting person named in the form.
17. The inspecting officer must have an inspection certification number issued by the State Police before he/she is allowed to complete DPSSP 3515 form. The officer will sign and date the form. New Orleans Police will be entered in the section for department name.
18. Original DPSSP form 3515 is in triplicate and sequential numbered book of fifty affidavits. The pink copy shall remain in the book, and upon completion, the old books shall be archived by the auto theft unit. The state shall not accept Xerox copies of the form or forms that have been modified. If the officer completing the form makes a mistake, the form shall have **VOIDED** written across and the white and yellow copies destroyed.
19. No NOPD report need be written for an inspection unless unusual circumstances or a supervisor indicate otherwise.