



**Motor Vehicle Theft and  
Insurance Fraud Board**

# **2015 Statewide Plan of Operation**

*Detection, Prevention, Deterrence and Reduction  
of Motor Vehicle Theft and Related Crimes*

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## **Introduction**

Article 36-A of New York State Executive Law requires the New York State Motor Vehicle Theft and Insurance Fraud Prevention (MVTIFP) Board to “develop and recommend to the Commissioner a **Plan of Operation** which shall provide for a coordinated approach to curtailing motor vehicle theft and motor vehicle insurance fraud throughout the state. The plan shall provide an integrated means to detect, prevent, deter and reduce motor vehicle theft and motor vehicle insurance fraud by providing funds, upon the recommendation of the Board and approved by the Commissioner, to meet these objectives.”

The Board is committed to ensuring that the Plan of Operation reflects the interests and concerns of state and local law enforcement officials, as well as the views of the insurance industry, professional organizations and citizens. In developing the Plan, the Board has adopted a programmatic approach based upon input from the New York State MVTIFP Advisory Group, as well as proven effective methods of various Auto Theft Prevention Authorities (ATPAs) throughout the nation.

Due to the divergent nature of the criminal activity of motor vehicle theft and insurance fraud, the Board agreed to address motor vehicle theft and motor vehicle insurance fraud as separate, individual plans. This document reflects the Plan of Operation for Motor Vehicle Theft.

## **Eligible Programs**

Based on Article 36-A of the Executive Law, §846-m, activities eligible for funding include, but are not limited to, the following:

- Prosecution and adjudication services (county and municipal agencies only)
- Law enforcement services (county and municipal agencies only)
- Neighborhood or community based programs designed to reduce the incidence of motor vehicle theft and motor vehicle insurance fraud
- Educational programs designed to prevent the incidence of motor vehicle theft and fraudulent claims practices
- Programs designed to examine, evaluate and make recommendations relating to the effectiveness of motor vehicle theft prevention devices or methods.

Funds provided under this program shall be used to augment, and not supplant, the provider agency’s current funding, if any, for motor vehicle theft detection, prevention, or reduction activities.

## **Outline of Statewide Plan of Operation**

This Plan represents an effective strategy that can be adapted by local, county and state agencies to decrease the incidence of motor vehicle theft through integrated approaches that detect, deter and prevent motor vehicle theft. The Plan is presented in the following format:

## **Part I: Problem Identification of Motor Vehicle Theft**

The collection of accurate and timely crime data is essential in the identification of a motor vehicle theft problem, as it allows agencies to answer the “who,” “what,” “where” and “when” of motor vehicle theft and related crimes.

## **Part II: Analysis of Motor Vehicle Theft in New York State**

Through the analysis of timely and accurate data, an agency is able to determine the “why” with regard to the occurrence of motor vehicle theft and related crimes. Determining causes and trends is essential in the development of an effective crime reduction strategy that targets the identified problem. The Plan analyzes motor vehicle theft and related crimes from both a statewide and regional level.

## **Part III: Areas of Concentration in the Statewide Plan of Operation**

The Plan provides system components and strategies to detect, prevent, deter and reduce motor vehicle theft and related crimes. The areas of concentration in the plan are as follows:

- **Law Enforcement: Detection and Apprehension**
- **Prosecution: Adjudication and Conviction**
- **Public Awareness: Prevention and Education**

## **Part IV: Evaluation**

The Plan proposes standardized performance measures that are recommended for inclusion by law enforcement and prosecution agencies in the evaluation of their strategy to decrease motor vehicle theft and related crimes. These standardized measures are part of each agency contract.

## Part I: Problem Identification of Motor Vehicle Theft

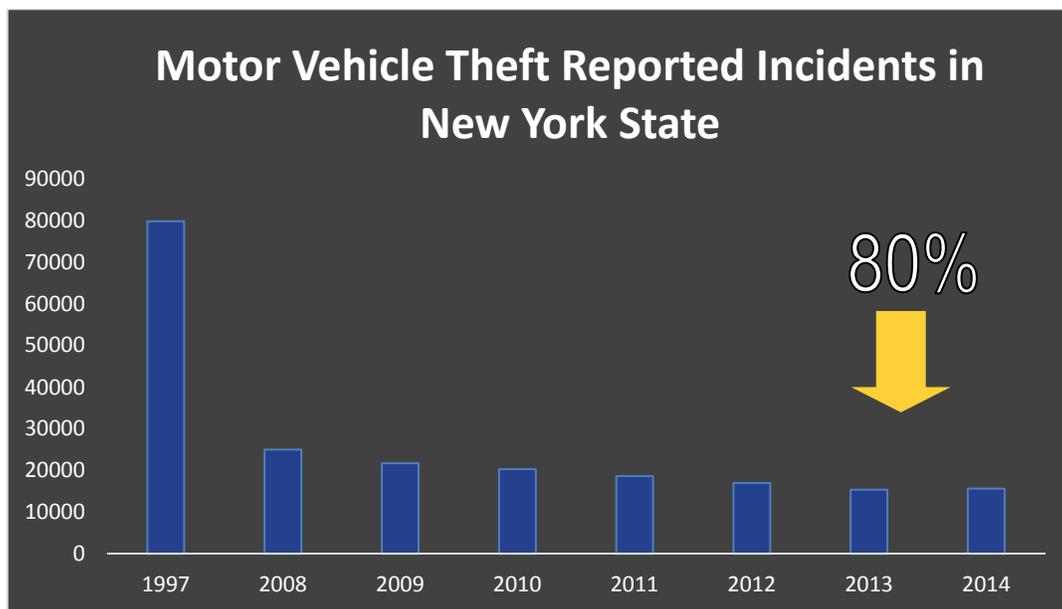
### Statewide Overview

Overall, great strides have been made in reducing motor vehicle theft in New York. From 1997 through 2014, reported thefts were down 80 percent.

In 2014, however, there were 15,680 motor vehicles stolen in New York State, representing an increase of approximately 1.8 percent as compared to 2013. While a preponderance of motor vehicle theft continues to occur in the New York City region, six non-New York City counties (Erie, Monroe, Nassau, Onondaga, Suffolk and Westchester) rank among the top 10 counties for reported motor vehicle thefts according to Uniform Crime Reports (UCR) from law enforcement agencies. Of those, Bronx, Erie, Kings, Monroe, New York, Queens and Suffolk showed increases in incidents of motor vehicle theft in 2014.

Perhaps reflecting the dramatic long-term decline in theft activity in New York State, when risk factors such as gender, driving record, coverage rate, vehicle type and year were normalized, insurance in the state costs an average of \$1,013 annually. Using the same risk factors, that compares to the national average of \$1,311.

New York ranks 42nd out of 50 U.S. states and Washington D.C. for automobile insurance costs. Annual costs ranged from a high of \$2,476 in Michigan to a low of \$805 in Maine.



## Part II: Analysis of Motor Vehicle Theft in New York State

### Statewide Analysis

Research in the field as well as input from the Motor Vehicle Theft and Insurance Fraud Prevention Board (Board) suggests that there are two basic motives behind motor vehicle thefts in New York:

#### **Unauthorized Use:**

- Joyriding: theft of the vehicle simply to ride around in it. These vehicles are usually recovered quickly and in the same community in which they were stolen.
- Transportation: theft of the vehicle for personal use. Unlike joyriding, this theft is committed for a specific reason, transportation. The stolen car is abandoned at the destination.
- Commission of Other Crimes: theft of the vehicle for transportation to and from a crime scene such as staged accidents or when a drug user “leases” their vehicle to their supplier or dealer in lieu of cash for drugs for a specific period of time. The vehicle is abandoned or passed off to another after the crime is committed.

Motor Vehicle Theft 2013 vs. 2014 Top Ten Counties			
County	2013	2014	% Change
Kings	2,606	2,655	.019
Queens	2,411	2,605	8.0
Bronx	1,449	1,474	.017
Erie	1,256	1,302	3.7
Suffolk	1,176	1,230	4.6
Monroe	886	974	10.0
Nassau	888	865	(2.6)
New York	742	770	3.7
Onondaga	542	500	(8.0)
Westchester	613	472	(23)

#### **Profit:**

- Professional or personal: thefts perpetrated for financial gain.

Most research and professional commentary indicate that the vast majority of thefts are for profit. There are three major reasons for motor vehicle theft for profit: stolen for resale or retag, stolen for parts and stolen for export. In many cases, the motor vehicle theft operations are part of larger organized crime syndicates that generate money from thefts as well as other illicit activities, e.g., drug sales or money laundering.

### Types of Motor Vehicle Theft

#### **Stolen for Resale/Re-tag:**

- *Fraudulent Paperwork:* An integral part of the motor vehicle theft problem continues to be the alteration, production, sale and possession of illegal documents such as titles, registrations and insurance cards. Out-of-state licenses, temporary tags, counterfeit temporary licenses, and in-transit registrations from other states with lax regulations are being sold on the street. New York City sees more of the out-of-state licenses than the rest of the state.
- *Counterfeit/Altered Title:* These methods involve the sale of stolen vehicles by means of fraudulent vehicle titles, often from out of state. The perpetrators rely on loose and inconsistent vehicle title laws in the United States. In some states, evidence of ownership may be accomplished by the registration certificate, and transfer is by bill of sale on cars

other than those sold as new. Stolen cars are registered in these states, frequently on mailed-in applications for registration documentation. In some states, no evidence of ownership is required on older model vehicles. In these operations, an application is completed reflecting the purchase of the vehicle from a fictitious person in another state. A registration certificate and license plates are obtained. The vehicle is then sold with this documentation of "ownership."

- *Title Washing:* Another scheme used in motor vehicle theft and insurance fraud is title washing, which involves the transferring of a vehicle title between different states to remove title brands and to change an odometer reading. For example, if thieves purchase a vehicle in New Jersey that was branded as a rebuilt salvage vehicle, they may transfer the title to a state that does not brand titles and obtain a clean title. In many cases, the perpetrators will continue to transfer the title to several states in order to disguise the history of the vehicle and confuse the ownership trail. The New York State Department of Motor Vehicles (DMV) has seen some instances where four or five titles have been obtained for vehicles in a three- or four-day period from different states that issue titles over the counter. The final clean title is used to sell the vehicle to an unsuspecting customer for more than the actual value.
- *Fraudulent Manufacturer's Certificate of Origin:* The manufacturer of a new vehicle includes a document when the vehicle is sent to its destination and ultimate sale called a Manufacturer's Certificate of Origin (MCO). It is frequently referred to as the vehicle's birth certificate. In many states, the MCO is the foundation for all subsequent registration and title documents. Fraudulent MCO's are used to misrepresent stolen vehicles as "new." This occurs more for the illegal export of vehicles than for registration purposes.

In the New York City area, DMV has observed fraudulent MCOs being offered in an attempt to register two- and four-wheel motorized scooters. These vehicles are by definition "motor vehicles," but they cannot be registered, titled and operated on state highways since they do not meet state motor vehicle safety and equipment standards. The sellers of these vehicles are supplying these fraudulent MCOs in an attempt to enhance the sale of these vehicles to consumers who are unfamiliar with the law and are under the belief that these vehicles can be registered for use on the road.

- *Identity Theft:* The illegal use of another person's identity through the use of identification documents and/or numbers to obtain the apparent legal ownership of a motor vehicle that is then re-tagged, re-sold, stripped for parts or exported. Identity theft may also be utilized for acquiring a vehicle for personal use.

Stolen identities are often used to steal a vehicle by leasing it on a Friday or Saturday when a credit check cannot be acquired until Monday. The perpetrator pays four to six months up front and then disappears with the vehicle.

- *Fraudulent Licenses/Insurance Cards/Inspection Stickers:* These are created to support the ownership of a stolen vehicle with a counterfeit title by a fictitious person. Counterfeit and fraudulently obtained licenses and other documents also are utilized in insurance fraud scams and a number of other crimes such as identity theft, credit card fraud and bank fraud. Technological advances and the development of more sophisticated computer systems and printers are often utilized by the perpetrators of these schemes. In other instances, middlemen provide the fake documents, often at a steep price, depending

on the type of document and the quality of the forgery. Some criminals may offer a “package” of false documents, guaranteeing that they will be sufficient for the buyer to use at the DMV to apply for a legitimate license or non-driver ID. In addition, fraudulent licenses, insurance cards and other documents are sometimes obtained through bribery or other corruption at the issuing agency or insurance broker. Unscrupulous brokers also may take money from clients for insurance or premiums but not remit the funds to the insurance company.

New York State has adopted the use of two-dimensional bar codes which are difficult to alter or counterfeit. As a result, most fraudulent licenses, insurance cards and/or inspection stickers found here are from other states that have not adopted these preventive measures.

“International Driver’s Licenses,” “International Driver Permits,” and similar identification cards have been produced and sold through web sites and/or businesses. While this activity may constitute a scheme to defraud, the document purchaser who is led to believe these documents will assist in the securing of legitimate licenses and/or other legal papers, generally has no legal recourse. This is because the documents themselves are seldom considered to be forgeries as they do not purport to be created or issued by a state or the federal government. The producers of these documents often clearly state in their advertisements, web sites or applications, or on the face of the documents themselves, that they are “not issued by the government.”

- *Altered Vehicle Identification Numbers:* This refers to the intentional alteration of a vehicle’s identification number (VIN) and the use of the fictitious VIN on counterfeit ownership or registration documents. The vehicle is then sold to an unsuspecting buyer.
- *Altered Manufacturer Stickers and Bar Codes:* The perpetrator will create counterfeit stickers that often have altered VINs with the wrong bar code or one that cannot be read. DMV has added a check digit system as another layer of protection.
- *Re-tags:* This practice involves the purchase of salvage vehicles from insurance companies or motor vehicle wreckers. The salvage is usually dismantled, but the VIN plate, license plates, title or bill of sale is retained. A vehicle of similar make and model is stolen and the identity of the salvage vehicle is transferred to it. The stolen vehicle is then sold under this identity.

### ***Stolen for Parts:***

- *Chop Shops:* These methods involve theft and the dismantling of vehicles for parts and accessories that are then sold for profit. Parts are purchased by body shops or repair garages for repairs to damaged vehicles. Due to increased enforcement, there are far fewer large warehouse operations such as those that were common in the 1970s and 1980s. The chop shops of today are often one- or two-bay operations in secluded industrial parks, local neighborhood garages, or surrounded by industry that make access and identification difficult for law enforcement. Recent investigations have revealed that some chop shop operations use such non-traditional dismantling areas as vacant lots or hidden fields. The financial motivation for stealing cars for parts is substantial, as the value of the individual parts of a car far exceeds the total value of the vehicle. Additionally, stolen car parts are sold at a discounted rate and yet the final customer, a car owner or a

reimbursing insurance company, pays the regular retail price. Some chop shop operations are highly organized and cars may be stolen to fill specific orders for parts from the shop's customers that are often "legitimate" body and repair shops. Vehicles also are stolen by "body shops" that strip parts of the vehicle. A claim is then filed and the vehicle is repaired by the "body shop" with the original parts.

- *Salvage/Dismantler Operations:* VTL §415-a (1) requires anyone in the business of acquiring motor vehicles to be dismantled for parts or resold as scrap to possess a dismantler's license issued by the DMV. Violation of this section is a Class E felony. The legislative history of this section indicates that it was intended to provide a method to allow police to trace stolen vehicles and their component parts. See *People v. Tinneny*, 99 Misc.2d 962 (Sup. Ct., Kings Co., 1979). However, case law has held that the storage of parts, coupled with the presence of customers, does not prove that the defendant was purchasing (obtaining) vehicles for the purpose of dismantling. See *People v. Agnello*, 122 A.D.2d 216 (2d Dept. 1986).

Many licensed dismantlers purchase stolen vehicles for heavy scrap or to supply salvage vehicles for re-tags. Some participate with organized crime in controlling the scrap industry.

Salvage dealers will purchase from auctions vehicles that are missing primarily unidentifiable parts such as leather interiors, headlight and grill assemblies. They then will repair these vehicles with stolen parts or sell them to individuals who will repair them with stolen parts, the origin of which can't be identified. If the vehicle is presented to DMV for a salvage inspection, dealers will use bogus receipts to confirm that these parts were purchased legitimately. If the vehicle is taken out of state, many states do not require salvage inspections and the vehicles will be titled and sold.

- *"Surgical" Removal of Stolen Parts:* This is a scheme involving the theft and precise removal of the interior component parts of the vehicle. The vehicle is then recovered by a governmental agency and reported to the respective insurance company. In some cases, the vehicle is declared a total financial loss and sent to an auction.

The thieves are able to track the targeted vehicle and buy it back at auction at a fraction of its value and then re-install the stolen parts. One major benefit to the thieves is that the parts that are removed are not identified with any traceable numbers.

- *Internet Sale:* There is a growing use of the Internet to sell vehicles to rebuilders as well as individuals. It is not uncommon for sellers to advertise vehicles for sale with "clean titles," which are salvage vehicles under state law. Major parts have to be replaced so these vehicles become recipients of stolen parts. Use of a "clean title" can then result in circumvention of salvage inspections that may be required for salvage vehicles. The challenge is that the sales are not regulated by any one jurisdiction and therefore, the states must have other ways to track vehicles if they are brought in for titling. Another concern with Internet sales are multiple sales of a single vehicle or the collection of the money for the vehicle with failure to deliver the vehicle and/or proper proofs of ownership.

In recent years, there has been an increase in the use of the Internet to scam buyers and to steal identities. Internet auction sites have been used to sell and auction stolen vehicles and/or parts as well as documents. While some Internet auction sites have policies barring the sale of such items, the sheer magnitude of items being sold at any given time prohibits

the identification and removal of all illegal items prior to sale.

- *Component Parts / Street Racing:* There are an increasing number of thefts of small motor vehicle components from vehicles. Theft of sound systems have long been a problem; theft of air bags, electronic control modules (vehicle mounted laptop-sized computers that control various functions), televisions, DVD players, and expensive leather interiors are becoming evident. Theft of GPS mapping devices has become a greater problem across the state, whether they are mounted on the front windshield or factory installed models mounted in the dashboard.

Another facet of stolen motor vehicles for parts relates to “street racing.” High performance engines and transmissions are in demand due to the extreme wear-and-tear incurred during these races. Parts including V-Tech engines, transmissions, headlights (Xenon gas) and rims from Japanese made vehicles have a particularly high resale value and provide an appealing profit margin for thieves.

### ***Stealing for Export:***

- *Export Operations:* Export operations may involve organized rings and small groups of individuals that send stolen vehicles abroad, often high-end luxury or heavy duty trucks and/or stolen vehicle parts.

While the United States has taken statutory action to reduce the export of stolen vehicles, many countries do not have laws prohibiting the sale of stolen vehicles imported from foreign countries. Whole and/or dismantled vehicles that are stolen in the United States may be hidden in containers or re-tagged and “rolled on” to freight ships headed overseas, predominantly to Central and South America, Eastern Europe, Russia, the Caribbean and the Far East.

Not all export operations involve hiding a vehicle for transport to other countries. One scheme involves the leasing or purchase of a vehicle with a minimum down payment and the balance financed. Once the schemer obtains the vehicle title, the lien holder is removed or a lien release letter is forged and a clean title obtained. The clear title is then presented to U. S. Customs for export and the vehicle leaves the country in plain view. When the lien holder does not receive payment for 90 days, it will begin repossession proceedings. However, the vehicle is long gone and repatriation is highly unlikely.

### ***Other Statewide Trends in 2014:***

Theft from vehicles has remained prevalent in the state. Primary targets are GPS devices, smart phones and laptops that can be easily sold on the street, the Internet or to a pawn shop. While “smash and grab” operations occur, most thieves gain access to these items because vehicle doors are left unlocked.

Other statewide trends include the following:

- *Organized Crime:* Both traditional and non-traditional organized crime operations and a large number of more loosely organized groups are involved in stealing and trafficking in stolen vehicles.

- *Stolen Parts:* Sometimes a vehicle is worth less than the sum of its individual parts. The vehicles stolen for parts are those that exist in the highest volume in the population: the top 10 vehicles sold are the top 10 vehicles stolen. Also in demand are after market performance parts (V-Tech engines, low profile tires and rims) due to a surge in illegal “street racing.” For example, Xenon head lights and catalytic converters, which contain valuable platinum, are removed. GPS mapping devices that are on the interior of the front windshield are highly vulnerable, and entry is gained by smashing the side window. High-end vehicles that have factory-installed expensive GPS devices in the dashboard also are being targeted.
- *Stolen Vehicles:* Sport utility vehicles, all-wheel drive vehicles and high-end import luxury cars are frequently stolen for export. Older vehicles of foreign make such as Honda, Nissan and Toyota, are seen as easy to steal because of their one-key system. Current steel prices also make it lucrative to steal older, larger vehicles and sell them to salvage processors. Unscrupulous tow operators spot those vehicles on the street, tow them and sell them for a profit.
- *Cloned Stolen Vehicles:* VIN numbers from similar vehicles are copied and public VIN plates, anti-theft labels and secondary numbers are counterfeited and placed on the stolen vehicle, commonly referred to as cloning. The vehicle is then transported to another jurisdiction. Since no two VIN numbers can be the same, one of the vehicles has to be a re-tag.
- *Joyriding/Unauthorized Use:* An increase in these crimes is occurring with the older model foreign vehicle brands noted above because they are easily accessed. There is an increase in unauthorized use, with vehicles returned to the neighborhoods from which they are stolen.
- *Motorcycles:* Many motorcycle models now cost \$20,000 or more, making them a valuable target for thieves who either sell stolen cycles whole or strip them in chop shop-like fashion for parts resale. The motorcycle parts market is especially lucrative in colder weather climates where a shorter riding season encourages a stolen parts trade. Motorcycle thieves often use every part for resale or reconstruction into another cycle. Motorcycle parts, including frames, can be more easily altered, reused and camouflaged than car or truck parts. This results in a lower recovery rate for stolen cycles than vehicles. Higher-end motorcycles also are highly sought-after luxury items in foreign countries, fostering a lucrative export market for stolen cycles.
- *Vans:* These vehicles are often stolen to transport other stolen items, such as motorcycles and items taken during burglaries.
- *All-Terrain Vehicles (ATVs), Snowmobiles and Trailers:* Throughout New York, these vehicles are being stolen either for personal use, gang activity or sold for profit.
- *Large Trucks and Heavy Farm or Construction Equipment:* Due to high value and limited enforcement expertise, these vehicles are often targeted. Flatbed tow trucks and heavy-duty tow vehicles stolen from other states are being brought to New York. Export of trucks and heavy equipment also is common.

- *Fraud Operations:* Vehicles are often stolen to perpetrate insurance fraud, staged accidents and owner give-ups.
- *Gangs:* Vehicles are accepted in lieu of cash payment for drugs and then sold to criminal chop shops or used car dealers.
- *Vehicles Designated as Salvage:* VIN numbers are taken and placed on vehicles stolen from another jurisdiction.
- *Owner Give-Up:* A vehicle owner gives up his or her vehicle for a time period in exchange for drugs or to file a false insurance claim. The vehicle may then be used for any of several illegal purposes and is seldom returned.

The owner eventually reports the vehicle stolen. If the vehicle is recovered with a driver, the driver claims permission was given. Depending upon the specific fact pattern, police charge third-degree unauthorized use of a motor vehicle (Class A misdemeanor) and/or Criminal Possession of Stolen Property (either a Class D or E Felony, depending upon value). The “victim” is reluctant to appear as a witness, and the driver is often found with drugs in his or her possession and is convicted on a drug charge. When possible, prosecutors attempt to secure an unauthorized use conviction, as a previous conviction can be used to upgrade the charge in a second offense.

### **Part III: Areas of Concentration in the Statewide Plan of Operation**

The Plan shall provide an integrated means to detect, prevent, deter and reduce motor vehicle theft and related crimes. The Plan identifies the following four areas of concentration essential for an effective statewide prevention strategy. Each of these areas contain elements that have been identified by experts in the field as effective strategies within the area of concentration.

#### **Law Enforcement/Detection/Apprehension**

In order to continue the impact on motor vehicle theft and related crimes by law enforcement, the following efforts should be incorporated:

##### **1. Coordinated Efforts and Enhanced Communications**

***Within each law enforcement agency:*** The impact of an individual law enforcement agency is greater when efforts of its distinct units, such as patrol and detectives, act collaboratively. In addition, two-way intelligence briefings should be used to effectively focus efforts.

***Within each county:*** The coordination among agencies through an informal or a formal task force approach can result in greater effectiveness in implementing methods of detection and apprehension. Experience across the state has shown that it is essential for the district attorney’s office to be a primary partner, especially from the beginning of more complex, undercover or long-term investigations. Inclusion of state agencies with missions relevant to the targeted crimes also is essential, as it provides additional manpower, intelligence and the prevention of overlapping or competing investigations. This includes the utilization of the Secure Automated Fast Event Tracking Network

(SAFETNet).

- **SAFETNet / UDECS:** This statewide de-confliction system enhances officer safety by preventing two or more agencies from simultaneously pursuing investigations against common targets. Targeted people and places of case investigations are entered into SAFETNet through the New York/New Jersey High Intensity Drug Trafficking Area Regional Intelligence Center (HIDTA) or the Upstate New York Regional Intelligence Center (UNYRIC).

**Within New York State:** Initiate meetings of law enforcement agencies from contiguous counties and special investigations units (SIUs) of insurance carriers.

**2. Effective Enforcement:** Problem identification and analysis enable law enforcement agencies to effectively target their enforcement initiatives. Based upon experience from current grant-funded programs in New York and other states, the following enforcement methods should be considered when a law enforcement agency is combating motor vehicle theft and related crimes:

- Sting operations that target the crimes identified through problem identification and analysis;
- Development of confidential informants through assistance of the district attorney's office;
- Development of expertise in personnel at patrol and detective/investigator levels through training and field experience. This is essential in problem identification and enforcement at the patrol level and when utilizing complex sting operations;
- Audit teams of state and local officers to inspect repair shops, scrap yards and dismantlers;
- Vehicle Identification Number tracking systems;
- Utilization of advanced technology for investigations, in terms of surveillance;
- Ongoing statistical analysis and creating and maintaining intelligence data banks;
- Use of effective charges to gain greater impact from arrests. For example, the motor vehicle stripping and unauthorized use statutes are predicate charges, meaning a previous conviction can be used to upgrade the charge in a second offense.

## **Prosecution/Adjudication/Conviction**

In order to continue the impact of effective prosecution on motor vehicle theft, the following efforts are to be incorporated:

**1. Coordinated Effort and Enhanced Communications:**

**Within each DA's office:**

- dedicate staff to motor vehicle insurance fraud and develop expertise;
- utilize vertical prosecution; and
- assist in the coordination of investigations within the county and work closely with law enforcement.

***Within each county:*** As is the case in law enforcement efforts, the coordination among agencies through an informal or a formal task force approach can result in greater effectiveness in implementing methods of detection, apprehension, and prosecution. Experience has shown that it is essential for the district attorney's office to be a primary partner, especially from the beginning of more complex, undercover or long-term investigations. Inclusion of state agencies with missions relevant to the targeted crimes also is essential, as it provides additional manpower, intelligence and the prevention of overlapping or competing investigations. This includes the utilization of the Secure Automated Fast Event Tracking Network (SAFETNet).

***Within New York State:*** Initiate meetings of law enforcement agencies from contiguous counties and SIUs of insurance carriers.

## **2. Making Appropriate Plea Offers and Sentence Recommendations to the Court**

In counties where district attorneys' offices have worked to enhance plea offers and seek stiff penalties for motor vehicle theft and related crimes, the efforts of police have been reinforced. It is important to stress the need for a strong judicial response on these matters, with an emphasis on communicating that these crimes are not "victimless" and that leniency only tends to perpetuate the ongoing problem of motor vehicle crime in our communities. The use of state RICO charges also has been effective in prosecuting organized crime rings.

## **Education/Training Programs**

In addition to educating the public, it is essential to educate law enforcement personnel and prosecutors. Experience in the field is an important factor, but the foundation for effective enforcement and prosecution is quality training. The development of all-encompassing training programs is important, and the input of seasoned investigators is essential. The length of training seminars can vary from one to four days, as well as simple roll call programs of checklists that can be easily used in the field. Emphasis should be placed on the development and delivery of training programs for the following target groups:

- Patrol and investigative level law enforcement personnel;
- Law enforcement agency command and executive level personnel;
- Law enforcement training directors of New York State;
- Prosecutors;
- Magistrates and judges;
- Insurance industry personnel (underwriting and SIU); and,
- Community groups and the general public.

## **Part IV: Evaluation**

The evaluation of programs and projects is important to ensure that their implementation is consistent with agreed upon plans, goals and objectives; that funds are being used as intended; to provide feedback for possible adjustments and/or technical assistance; and to facilitate future planning of individual programs and projects. The Plan recommends the inclusion of the following

standardized performance measures by law enforcement and prosecution in the evaluation of their strategy to decrease motor vehicle theft and related crimes:

Law enforcement:

- Number of investigations initiated
- Number of misdemeanor arrests and types of charges levied
- Number of felony arrests and types of charges levied
- Number of reported motor vehicle thefts
- Number of stolen motor vehicles recovered
- Value of recovered motor vehicles
- Value of recovered motor vehicle parts
- Number of "owner give-ups" identified
- Number of reported larcenies from motor vehicles
- Number of incidents where auto stripping was charged pertaining to motor vehicles
- Number of intra-agency motor vehicle theft/fraud meetings conducted and/or attended
- Number and type of training sessions conducted
- Number and type of training sessions attended
- A narrative summarizing current inter-agency collaborative efforts regarding motor vehicle theft

Prosecution:

- Number of investigations initiated
- Number of warrants issued
- Number of indictments
- Number of misdemeanor arrests prosecuted
- Number of felony arrests prosecuted
- Number of misdemeanor convictions
- Number of felony convictions
- Type(s) of sentencing
- Number of intra-agency motor vehicle theft meetings conducted and/or attended
- Number and type of training sessions conducted
- Number and type of training sessions attended
- A narrative summarizing current inter-agency collaborative efforts regarding motor vehicle theft

Education/Training Programs:

- Subject areas, instructors and seminar outlines
- Number and location of seminars held
- Number of attendees per seminar
- Number of agencies represented per seminar
- Number of webinar trainings produced
- Number of motor vehicle theft and/or motor vehicle insurance fraud articles published in the *Empire State Prosecutor* magazine

## **Appendix A**

New York State  
Motor Vehicle Theft & Insurance Fraud  
Prevention Board

*History of the Board and  
Statewide Plan of Operation*

*Statistics*

# History of the Board and Statewide Plan of Operation

## Introduction

During the late 1980s, New York State experienced a dramatic increase in motor vehicle theft and fraud-related crimes. From 1986 through 1990, the number of motor vehicles reported stolen increased by 65 percent. In response to that increase, New York State enacted Executive Law Article 36-A (L.1994, c.170), creating the *New York Motor Vehicle Theft and Insurance Fraud Prevention Demonstration Program* to help reduce the overall cost of motor vehicle insurance in the state.

Funding for the Program is provided for under State Finance Law §89-d, *Motor Vehicle Theft and Insurance Fraud Prevention Fund*. As of June 1, 2009, the fund consists of monies received from the \$10 dollar fee assessed on each insurance policy issued for a portion of passenger vehicles and all other motor vehicles registered in the state (Insurance Law §9110).

Executive Law Article 36-A also authorized the creation of a 12-member *Motor Vehicle Theft and Insurance Fraud Prevention Board* to make recommendations to the commissioner of the state Division of Criminal Justice Services regarding the administration of the Program. Members of the Board are selected by the Governor and the Legislature, and include representatives of law enforcement, consumers of motor vehicle insurance, insurance carriers and relevant state agencies. With the appointment of its members, the Board became operational in September 1997 and made initial Program awards later that year.

## Mission Statement

In accordance with Executive Law §846-1 and 846-m, the Motor Vehicle Theft and Insurance Fraud Prevention Board, as its stated mission and purpose, shall make recommendations to the commissioner of the Division of Criminal Justice Services (Commissioner) with respect to the exercise of his or her functions, powers and duties as set forth in Executive Law §846-1(3).

The Board shall also:

In accordance with the legislative intent of Article 36-A of the Executive Law, develop and recommend to the Commissioner a **plan of operation** which shall provide for a coordinated approach to curtailing motor vehicle theft and motor vehicle insurance fraud throughout the state. The Plan shall provide an integrated means to detect, prevent, deter and reduce motor vehicle theft and insurance fraud by providing funds, upon the recommendation of the Board and approval by the Commissioner, to meet these objectives.

## Motor Vehicle Theft in New York State: 2014

Rank	COUNTY	MV Theft	Rank	COUNTY	MV Theft
1	Kings	2,655	32	Cayuga	33
2	Queens	2,605	33	St. Lawrence	31
3	Bronx	1,474	34	Fulton	30
4	Erie	1,302	35	Ontario	29
5	Suffolk	1,230	36	Genesee	27
6	Monroe	974	37	Montgomery	24
7	Nassau	865	38	Clinton	22
8	New York	770		Cortland	22
9	Onondaga	500		Franklin	22
10	Westchester	472	41	Orleans	21
11	Niagara	253	42	Columbia	20
12	Albany	232	43	Washington	19
13	Richmond	220	44	Delaware	18
14	Rensselaer	199		Herkimer	18
15	Orange	189	46	Livingston	17
16	Oneida	172		Seneca	17
17	Schenectady	168	48	Greene	16
18	Broome	135		Madison	16
19	Chautauqua	100	50	Allegany	15
20	Rockland	82		Putnam	15
21	Dutchess	72	52	Essex	14
22	Saratoga	70		Otsego	14
23	Oswego	59		Warren	14
24	Cattaraugus	49	55	Tioga	13
25	Wayne	45	56	Schoharie	12
26	Chemung	44	57	Chenango	11
	Ulster	44	58	Lewis	10
28	Steuben	42		Wyoming	10
29	Sullivan	40	60	Yates	7
30	Jefferson	39	61	Schuyler	4
31	Tompkins	36	62	Hamilton	2