



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Stolen Vehicle Reporting Guidelines

Eff. Date 06/15/2020

Purpose

The purpose of this SOP is to provide guidelines to officers related to the reporting of missing/overdue or stolen vehicles and recovery of stolen vehicles by outside agencies.

Procedure for Stolen Vehicles

In many situations vehicles are being reported as stolen that are, in fact, only missing or overdue. Circumstances may involve the loaning of a vehicle to a friend or relative, while others are “loaned out” or informal “rental type” agreements between the owner and another person for cash, drugs or a service, and the vehicle was not returned in a timely manner.

When officers locate an occupied and/or mobile stolen vehicle, the potential danger to law enforcement and the community is very high, particularly when the case involves suspects who are associated with drug activity. The likelihood that weapons will be present or a high-speed pursuit will result is significant.

WHEN INVESTIGATING THESE INCIDENTS, OFFICERS SHALL ENSURE THE FOLLOWING INFORMATION IS OBTAINED

- Positive identification of vehicle owner.
- Proof of vehicle ownership. (Positive identification of registered vehicle owner through DOT records will suffice.)
- Take vehicle owner statement related to incident.
- Verify/corroborate vehicle owner’s statement to the extent possible.
- Copy of rental agreement from rental agency

MISSING/OVERDUE STATUS

When the details of an investigation include any of the following criteria, a vehicle’s status should be titled as “Missing/Overdue:”

- Owner indicates drug-related or other illegal activity was involved and vehicle is missing/overdue less than 72 hours.
- Investigation reveals a strong inference that drug or other illegal activity was involved and vehicle is missing/overdue less than 72 hours.
- Owner indicates the vehicle was “loaned out” or informally “rented” to an individual, but is missing/overdue for less than ten days.
- No threats or weapons involved in incident.

The investigating officer should complete a report on the incident, and broadcast an attempt to locate for the vehicle. The vehicle should not be entered as stolen through DATA/NCIC.

STOLEN STATUS

When the initial investigation demonstrates any of the below listed criteria, a vehicle’s status should be titled as “Stolen.”

- Owner has no idea who took vehicle.
- An individual who is not a regular driver is suspected of taking vehicle without consent and **no** formal rental agreement existed.
- Owner indicates drug-related or other illegal activity was involved and **after** 72 hours the vehicle has not returned.

- Investigation reveals a strong inference that drug or other illegal activity was involved and **after** 72 hours the vehicle has not been returned.
- Owner indicates the vehicle **was** “loaned out” or informally “rented” to an individual and **after** ten days has not been returned.
- Use/threat of force or weapons involved in the incident.
- A rental vehicle, with a written lease or written rental agreement, is not returned upon expiration of the rental agreement.

RENTAL VEHICLES

Per state statute 943.20 (1)(e), a person who intentionally fails to return a vehicle after a written lease or rental agreement has expired is guilty of a Class E felony.

Procedure for Recovered Stolen Vehicles

The following guidelines were agreed upon by the Dane County Chiefs Association and will be applied to other jurisdictions, as well as our department. These guidelines should help make our response and those of other jurisdictions more consistent and efficient. Please contact your commanding officer if you have any questions.

Occupied Vehicles

If a law enforcement agency locates/observes an occupied vehicle that has been entered as stolen by another Dane County law enforcement agency, the locating agency should take appropriate action to recover the vehicle and apprehend the operators. The locating agency is responsible for the arrest and booking of any suspects located as well as searching the recovered vehicle and collecting any relevant physical evidence.

The locating agency should then contact the entering agency to advise them of the recovery and determine whether the entering agency wishes to interview the arrested persons or take any other investigative steps (i.e. process the vehicle, conduct additional follow up, etc.). If the entering agency determines there is no need for them to respond, the locating agency **may** process the vehicle on their own.

The locating agency should contact the entering agency and advise them of the recovery so that the vehicle can be removed from NCIC/CIB as stolen. The locating agency should obtain the vehicle owner's information from the entering agency and contact the owner to advise him/her of the vehicle's recovery. The locating agency should arrange for the owner to retrieve the vehicle, or arrange for the vehicle to be towed to a secure location. The entering agency is responsible for recording the recovered stolen vehicle as required by Wisconsin State Statute and the F.B.I.'s Uniformed Crime Reporting program.

Unoccupied Vehicles

Upon locating an unoccupied stolen vehicle, the locating agency should secure the vehicle, and contact the entering agency and advise them of the recovery so that the vehicle can be removed from NCIC/CIB as stolen. The locating agency should then determine whether the entering agency wishes to process the vehicle or conduct any other investigative follow up. If the entering agency determines there is no need for them to respond, the locating agency **may** process the vehicle on their own. The locating agency should obtain the vehicle owner's information from the entering agency and contact the owner to advise him/her of the vehicle's recovery. The locating agency should arrange for the owner to retrieve the vehicle, or arrange for the vehicle to be towed to a secure location. The entering agencies is responsible for recording the recovered stolen vehicle as required by Wisconsin State Statute and the F.B.I.'s Uniformed Crime Reporting program.

The locating agency's officer should route copies of any reports generated from the vehicle recovery to the entering agency.

Original SOP: 03/01/2014
(Revised: 01/19/2017, 02/20/2017, 06/15/2020)
(Reviewed Only: 12/26/2017, 01/31/2020, 01/31/2023)