Office of the City Auditor

Report to the City Council
City of San José

AUDIT OF THE SAN JOSÉ POLICE DEPARTMENT'S AUTO THEFT UNIT

The San José Police Department Can Improve Its Communication of Auto Theft Trends and Protocols

The San José Police Department May Be Able to Free Up Sworn Personnel In the Auto Theft Unit For Other Duties

The Current Auto Theft Reporting Process Requires Duplicative Data Entry That Could Be Streamlined With a New System

The San José Police Department Should Explore the Feasibility of Taking Some Auto Theft Reports By Phone

The San José Police Department Corrected Data On Cleared Cases, and Should Address Other Data Management Challenges
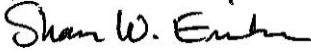
Report 09-04
May 2009

May 13, 2009

Honorable Mayor and Members
  of the City Council
200 East Santa Clara Street
San Jose, CA 95113

Transmitted herewith is the report *Audit of the San José Police Department's Auto Theft Unit.* This report is in accordance with City Charter Section 805. An Executive Summary is presented on the blue pages in the front of this report. The City Administration's response is shown on the yellow pages before Appendix A.

This report will be presented at the May 21, 2009 meeting of the *Public Safety, Finance & Strategic Support Committee*. If you need any additional information, please let me know. The City Auditor's staff members who participated in the preparation of this report are Steven Hendrickson, Ruth Garcia Merino and Diana Chavez.

Respectfully submitted,

Sharon W. Erickson
City Auditor

finaltr
SE:bh

cc: Robert Davis   Christine Shippey   Steven DiNoto
     Debra Figone   George Graham   Daniel Katz
     Michael Hahn   Laurence Ryan   Cameron Smith
     Carl Mitchell   Deanna Santana   Rick Doyle
     Andrew Galea   Tamara Becker   Manuel Martinez
     Alex Gurza   Robert Reinhardt   Thomas Sims

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Executive Summary

In accordance with the City Auditor's 2008-09 Audit Workplan, we have completed an audit of the San José Police Department's Auto Theft Unit. We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. We limited our work to those areas specified in the Audit Objective, Scope, and Methodology section of this report.

The Office of the City Auditor thanks the management and staff of the San José Police Department and the Office of the City Attorney who provided their time, information, insight, and cooperation during the audit process.

Finding I   The San José Police Department Can Improve Its Communication of Auto Theft Trends and Protocols

The San José Police Department's (Department) Auto Theft Unit is primarily responsible for work related to auto thefts. The Auto Theft Unit communicates auto theft information by updating a daily spreadsheet that is available for download by patrol officers, and by occasionally preparing a bulletin distributed at patrol briefings. In our opinion, more widespread use of mapping would help build a picture of auto theft trends. Therefore, we recommend that the Auto Theft Unit periodically brief patrol on auto theft trends and use maps to convey trend information. During our audit, various Department personnel indicated their concerns that juveniles, including repeat offenders, represented a high number of auto theft suspects in San José. Santa Clara County data shows that 24 to 30 percent of juveniles arrested for auto theft were repeat offenders. We recommend that the Department periodically brief its command and patrol staff regarding juvenile auto theft trends and protocols.

RECOMMENDATIONS

We recommend that the Auto Theft Unit:

Recommendation #1   **Periodically brief patrol on auto theft trends and utilize real-time mapped information and communicate this information to the Regional Auto Theft Task Force. (Priority 3)**

We recommend that the Police Department:

Recommendation #2   **Periodically brief its command and patrol staff regarding juvenile auto theft trends and changes to juvenile protocols. (Priority 3)**

Finding II   The San José Police Department May Be Able to Free Up Sworn Personnel In the Auto Theft Unit For Other Duties

Up until recently, the Auto Theft Unit has operated primarily in a reactive mode – that is, processing and investigating auto thefts as they are reported. In 2006, in response to an increase in reported auto thefts in the City, the Department expressed its intention to have the Auto Theft Unit self-initiate auto theft investigations – that is, operate in a more proactive mode. Based on our analysis, the Unit has sufficient staff to shift sworn resources to proactive investigations, or to reallocate sworn resources to other high priority needs elsewhere in the Department. Furthermore, our analysis of the Auto Theft Unit showed that a significant amount of the Unit's workload is administrative and could be performed by a civilian. As a result, we estimate the equivalent of three sworn positions in the Auto Theft Unit could be shifted to proactive responsibilities in the Auto Theft Unit or reallocated elsewhere in the Department, and that a fourth sworn position could be civilianized.

RECOMMENDATIONS

We recommend that the Police Department:

Recommendation #3   **Shift the equivalent of three sworn positions in the Auto Theft Unit to proactive responsibilities, or reallocate those positions elsewhere in the San José Police Department. (Priority 3)**

If the Police Department uses positions in the Auto Theft Unit for proactive activities, we recommend that the Auto Theft Unit:

Recommendation #4   **Include information related to proactive activities in its Quarterly Program Management Reports to the Chief such as number of investigations, number of arrests resulting from those investigations, and highlights of proactive activities. (Priority 3)**

We also recommend that the Police Department:

Recommendation #5   **Explore the feasibility of using specially trained civilian staff for administrative assignments such as in-custody arrest documentation. (Priority 3)**

Finding III The Current Auto Theft Reporting Process Requires Duplicative Data Entry That Could Be Streamlined With a New System

The San José Police Department's (Department) auto theft reporting process requires the same information to be entered several times into various systems and databases resulting in a duplication of effort. The various systems and databases either do not interface or have limited interface functionality. The Department is currently in the process of evaluating an automated field reporting system and a records management system for purchase. The Department should ensure that new systems and databases can be integrated to operate efficiently and minimize duplicative auto theft data entry.

RECOMMENDATION

We recommend that the Police Department:

Recommendation #6   **To the extent possible, ensure that the proposed automated field reporting and records management system reduces duplication of auto theft data entry and automates quality control processes. (Priority 3)**

Finding IV The San José Police Department Should Explore the Feasibility of Taking Some Auto Theft Reports By Phone

The San José Police Department (Department) currently requires patrol officers to take auto theft reports in person. According to the Department, taking an auto theft report in person by an officer provides better information and discourages the filing of fraudulent auto theft reports. However, reporting parties wait 44 minutes on average, or as long as two to three hours during busy patrol times, for an officer to take an auto theft report. The San Diego, CA police department takes most of its auto theft reports by phone. The Phoenix, Arizona police

department also takes auto theft reports under certain circumstances. We recommend that the Department explore the feasibility of taking auto theft reports by phone when officers cannot respond to calls in a timely manner during busy patrol periods, or when callers cannot wait for an officer to take a report.

RECOMMENDATION

We recommend that the Police Department:

Recommendation #7   **Explore the feasibility of taking some auto theft reports by phone when officers cannot respond to calls in a timely manner because they are too busy, or when callers cannot wait for officers to respond. (Priority 3)**

Finding V   The San José Police Department Corrected Data On Cleared Cases, and Should Address Other Data Management Challenges

The San José Police Department (Department) documents crime statistical data for operational, management and state and federal reporting purposes. During our review, we found several data and procedural issues. Specifically:

- The inaccurate classification of several thousand cases as 'cleared' resulted in the overstatement of the number of vehicle theft clearances in internal, City Budget, and state and federal reporting. The Department began correctly classifying cases as soon as we identified the problem in August 2008.

- The actual open caseload of the Auto Theft Unit (Unit) was lower than shown in its Records Management System (RMS) because the Unit had not closed about 570 cases that were no longer being investigated.

- Over a three year period, 201 cases were classified as 'not worked because of lack of manpower' for lack of an appropriate classification in RMS.

- The Department identified a small number of auto theft reports that were not reviewed by the Auto Theft Unit.

- Improved documentation of Auto Theft Unit procedures is needed to ensure that correct and appropriate duties are performed, especially given that its staff is periodically rotated.

RECOMMENDATIONS

We recommend that the Auto Theft Unit:

Recommendation #8   **Develop written procedures regarding the proper classification of auto theft case clearances in the Records Management System. (Priority 3)**

We recommend that the Police Department:

Recommendation #9   **Develop written procedures for proper closing of cases in the Records Management System, including applicable quality control processes. (Priority 3)**

Recommendation #10   **Ensure that the proposed records management system includes a reporting capability such that aged cases are identified and closed in a timely manner. (Priority 3)**

We recommend that the Auto Theft Unit:

Recommendation #11   **Use the number of open cases from investigator spreadsheets as of the end of the quarter to report the number of open cases in the Quarterly Program Management Report to the Chief. (Priority 3)**

We recommend that the Police Department:

Recommendation #12   **Develop written procedures to ensure that it correctly classifies cases with limited solvability/conviction factors and cases that lack staffing for assignment. (Priority 3)**

Recommendation #13   **Consider adding a classification for cases that are not investigated due to limited solvability or conviction factors in the proposed records management system. (Priority 3)**

We recommend that the Operations Support Services Division:

Recommendation #14   **Develop and implement written procedures to ensure that the Records Management System reflects Auto Theft Unit review of entries for all auto theft reports. (Priority 3)**

We recommend that the Auto Theft Unit:

Recommendation #15   **Develop written comprehensive policies and procedures for investigations including procedures for maintaining Unit databases and handling fingerprint lab results, and procedures for assignment and classification entries in the Records Management System. (Priority 3)**

Introduction

In accordance with the City Auditor's 2008-09 Audit Workplan, we have completed an audit of the San José Police Department's Auto Theft Unit. We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. We limited our work to those areas specified in the Audit Objective, Scope, and Methodology section of this report.

The Office of the City Auditor thanks the management and staff of the San José Police Department and the Office of the City Attorney who provided their time, information, insight, and cooperation during the audit process.

Background

For six consecutive years beginning in 2001, the City of San José (City) was designated the "safest big city in the country"[1]. Rankings are based on prior year crime statistics. In 2007, San José fell from its safest big city designation to the third ranking; and in 2008, it fell to the fourth ranking. Part of the reason for the initial decline in the ranking was a significant increase in auto thefts. Specifically, in 2006 the auto theft rate increased by 28 percent from 584 to 747 auto thefts per 100,000 residents. However, in 2007, the number of reported auto thefts decreased by 12 percent from the prior year, and in 2008, auto thefts dropped even further to 528 per 100,000 residents, a 20 percent decrease – the lowest level in at least four years.

As part of our audit, we verified the accuracy and reliability of the number of auto thefts in San José as reported by the Police Department (Department).[2] Exhibit 1 summarizes the City's vehicle theft crime data for calendar years 2005 through 2008 reported to the State of California Department of Justice (CA – DOJ) and the Federal Bureau of Investigation (FBI), as part of the FBI's Uniform Crime Reporting (UCR) Program.

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[1] The "safest big city" ranking (now called "city crime rankings") is designated by CQ Press, formerly Morgan Quitno Press.

[2] We reviewed the Department's quality control process and performed limited testing regarding the number of auto thefts data. Based on our review, the accuracy of the number of auto thefts reported is sufficiently reliable.

Exhibit 1: Data Reported to California Department of Justice and the FBI

San José	2005	2006	2007	2008	Percent change 2005 to 2008
Motor Vehicle Thefts	5,507	7,139	6,413	5,229	-5%
City of San José Population	942,993	955,829	972,190	989,496	5%
Auto Thefts per 100,000 residents	*584*	*747*	*660*	*528*	*-10%*
Number of Vehicles Recovered in San José	3,582	4,892	4,395	3,425	-4%
Recovered in Other Jurisdictions	1,566	1,854	1,416	1,323	-16%
Total Recoveries	5,148	6,746	5,811	4,748	-8%
Recovery Rate	*93%*	*94%*	*91%*	*91%*	*-*
Value Stolen (in millions)	$29.6	$34.0	$31.9	$25.1	-15%
Value Recovered (in millions)	$26.3	$29.7	$28.0	$21.2	-19%

Source: SJPD Crime Analysis Unit and California Department of Justice. San José population data is based on California Department of Finance estimates.

As shown in Exhibit 1, San José has achieved recovery rates of 91% to 94% in the past four years.

Comparative Theft Rate Data

As shown in Exhibit 2, we compared the number of San José's auto thefts per 100,000 residents to auto theft rates of comparative jurisdictions. San José is fourth lowest when compared to the other jurisdictions. The four cities most recently ranked as "safest big cities" (Honolulu, Hawaii; New York, New York; El Paso, Texas; and San José) are also the cities shown with the four lowest auto theft rates.

Exhibit 2: 2007 San José and Comparative Jurisdictions Auto Thefts Per 100,000 Residents
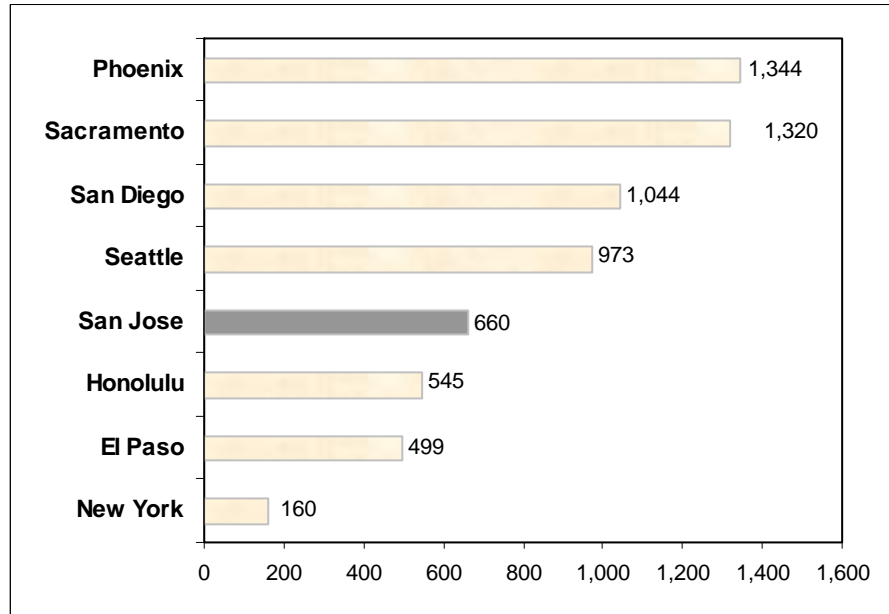
Source: City Auditor calculation of auto theft rate based on population and auto theft data. Comparable cities based on a list provided by the Department. The Auto theft data is based on Federal Bureau of Investigations Uniform Crime Reports 2007. San José's population is based on the California Department of Finance population estimates; the population data for the other jurisdictions is based on U.S. Census Bureau estimates for 2007.

Auto Theft Crimes

According to *Forensic Investigation of Stolen-Recovered and Other Crime Related Vehicles[3] (Forensic Investigation)*, auto thefts are categorized as property crimes, but can be a 'gateway' to other crimes such as kidnapping, narcotics and burglary. Motives for committing auto theft include profit, personal use, insurance fraud, resale and export of the stolen vehicle or vehicle parts, joyriding, or committing other crimes. Auto theft crime not only affects the quality of life of residents, but also adversely impacts businesses, insurance companies, and governments.

Forensic Investigation also notes that advances in the auto manufacturing industry have enhanced anti-theft and security features in many newer vehicle models by equipping them with immobilizers, vehicle identification numbers etching and alarm systems. However, criminals also make advances in auto theft tactics and easily adapt to changes in technology and security. Furthermore, auto manufacturers, insurance companies,

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[3] Eric Stauffer and Monica Bonfanti, *Forensic Investigation of Stolen-Recovered and Other Crime Related Vehicles* (2006).

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professional associations, and law enforcement agencies have demonstrated an interest in working together to combat auto theft through the creation of task forces and committees aimed at preventing and detecting auto thefts.

Organization

The San José Police Department Bureau of Investigations' Auto Theft Unit, which is a part of the Vehicular Crimes Unit, is responsible for investigating auto thefts and auto burglaries. During the period that we reviewed the Auto Theft Unit, it operated primarily in a reactive mode, which is, processing and investigating auto thefts as they are reported. The City participates in the Santa Clara County Regional Auto Theft Task Force to proactively investigate and deter auto thefts.

The objectives of the Auto Theft Unit include:

- Review, prioritize and investigate cases received by the Unit (subject to available resources and solvability factors).
- Ensure a reasonable clearance rate as it relates to the Unit's investigative resources.
- Conduct vehicle anti-theft campaign and vehicular safety awareness programs via the Vehicular Crimes website, media publicity, community meetings and community member contacts, as time and resources permit.
- Provide training to law enforcement sworn and civilian personnel to include new technology used for prevention/apprehension.
- Maintain the vehicle evidence warehouse.

Exhibit 3 shows the Auto Theft Unit organization chart as of December 2008. The Lieutenant in charge of the Vehicular Crimes Unit also oversees the Traffic Investigations Unit, which investigates fatal traffic accidents.

Exhibit 3: Auto Theft Unit Organization Chart
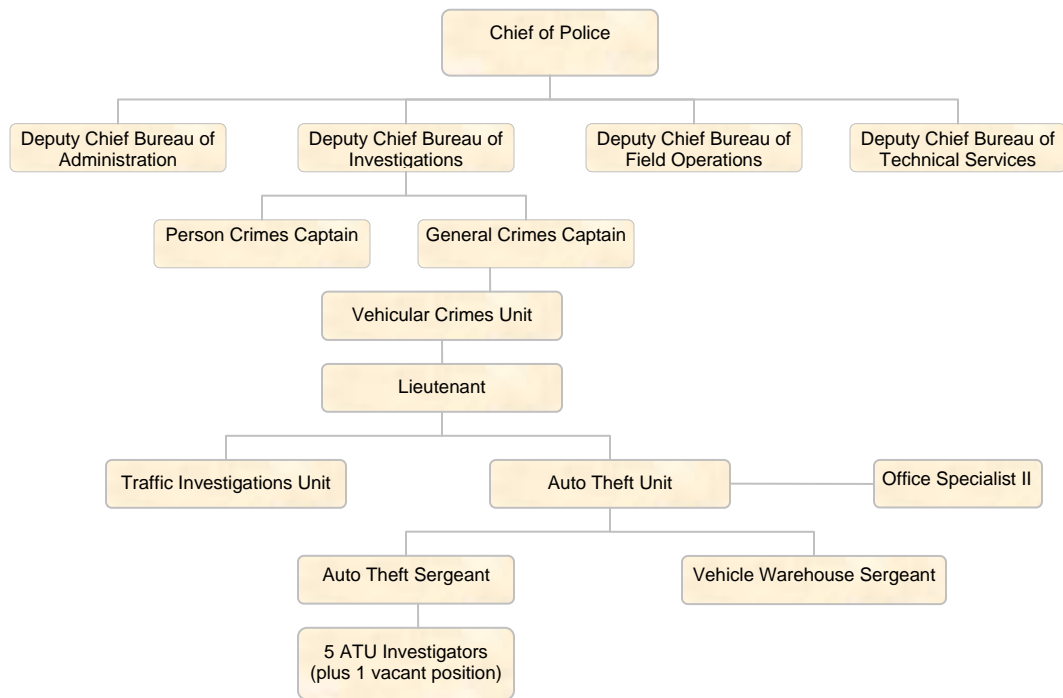
Source: City Auditor-prepared based on Department information as of December 31, 2008.

Regional Auto Theft Task Force

The Regional Auto Theft Task Force (RATTF) of Santa Clara County was created in 1994 through the collaborative efforts of the Santa Clara County Police Chiefs' Association and the Santa Clara County Board of Supervisors to address the problem of auto theft and related crimes in Santa Clara County. RATTF is a proactive undercover investigative unit currently comprised of members of the San José Police Department, Santa Clara County Sheriff's Office, Office of the District Attorney, California Highway Patrol, and five other jurisdictions in the county. Under California Vehicle Code Section 9250.14, participating counties receive a fee of $1 for every vehicle registered in that county. RATTF meets with interested groups such as representatives from insurance companies, auto dealers, and other law enforcement agencies to address current issues and trends. Exhibit 4 shows the Santa Clara County Regional Auto Theft Task Force organization chart as of February 2009.

Exhibit 4: Santa Clara County Regional Auto Theft Task Force (RATTF) Organization Chart
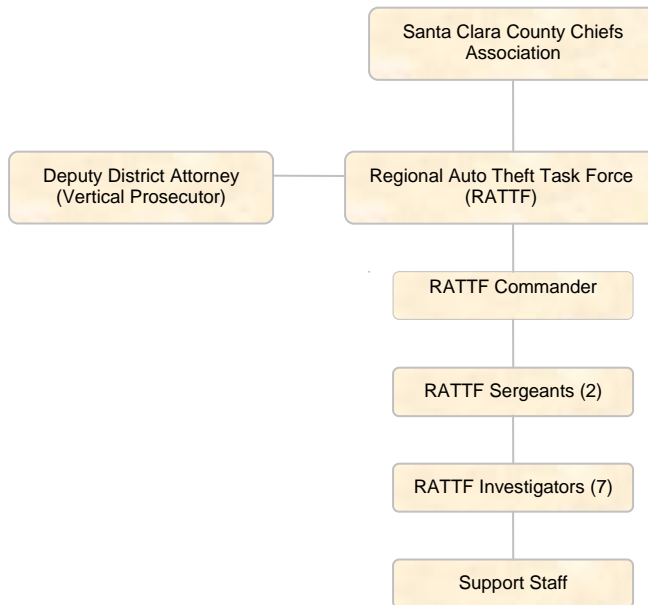
Source: City Auditor-prepared based on RATTF information.

Budget

The Police Department's Auto Theft Unit expenditures are included in the Vehicular Crimes Unit expenditures in the City's Financial Management System (FMS). Therefore, to determine expenditures for the Auto Theft Unit we estimated its expenditures based on its annual staffing. Staffing included the two Unit sergeants, one office specialist, one-half of the Vehicular Crimes lieutenant position and the four filled investigator positions during fiscal years 2005-06 through 2007-08. During this time period, the Unit had periodic vacancies for the sergeant and office specialist positions.

During the past three fiscal years, the State of California has reimbursed the City of San José for approximately 69 to 74 percent of Department staff salaries assigned to Regional Auto Theft Task Force (RATTF). The task force currently includes three San José Police Department sworn staff (one lieutenant, one sergeant and one officer). Exhibit 5 shows the salary expenditures and reimbursement amount for RATTF and the Auto Theft Unit for each fiscal year.

Exhibit 5: San José Auto Theft Unit and Regional Auto Theft Task Force (RATTF) Expenditures for Fiscal Years 2005-2006 Through 2007-2008

	FY 2005-06	FY 2006-07	FY 2007-08
Auto Theft Unit Expenditures (estimated)[4]	$1,033,036	$1,051,958	$1,132,936
San José RATTF Expenditures	$504,711	$514,224	$540,144
Less RATTF Reimbursement From State	-364,624	-380,684	-373,569[5]
NET COST	**$1,173,123**	**$1,185,498**	**$1,299,511**

Source: City's Financial Management System Reports.

Auto Theft Investigation Process

The auto theft investigation process typically begins when an auto is stolen and the reporting party calls the Department's Communications Division. A Communications Division dispatcher obtains a description of the car and the license plate number and dispatches a patrol officer. A patrol officer responds to the call and takes a report using the California Highway Patrol Vehicle Report 180 Vehicle Report (CHP 180) form. The CHP 180 information is provided to the Department's Operations Support Services Division (OSSD) Vehicle Records Unit. The Vehicle Records Unit sends the auto theft information to patrol officers via their Mobile Data Terminals. The Vehicle Records Unit enters the auto theft information into the Police Department's Record Management System (RMS) and the Statewide Stolen Vehicle System (SVS) which also interfaces with the National Crime Information Center system. The Vehicle Records Unit routes a copy of the report to the Auto Theft Unit for their review and potential case assignment. A copy is also provided to the Santa Clara County Regional Auto Theft Task Force.

The Auto Theft Unit operates Monday through Friday, 7:00 a.m. to 5:00 p.m. Daily, the Auto Theft Unit sergeant reviews and triages all auto theft and recovery reports for solvability factors such as evidence, leads, and witnesses. During the triage process, the sergeant considers investigators available for assignment. Auto thefts identified as having solvability factors are assigned to investigators and logged into the Unit's case log; all arrest cases are filed with the County of Santa Clara District Attorney. Exhibit 6 illustrates an overview of the auto theft case investigation processes.

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[4] The City Auditor estimated the Auto Theft Unit expenditures based on actual Vehicular Crimes Unit expenditures adjusted to Auto Theft Unit annual staffing levels.

[5] Fiscal year 2007-08 reimbursement information is estimated.

Exhibit 6: Overview of the Auto Theft Case Investigation Processes
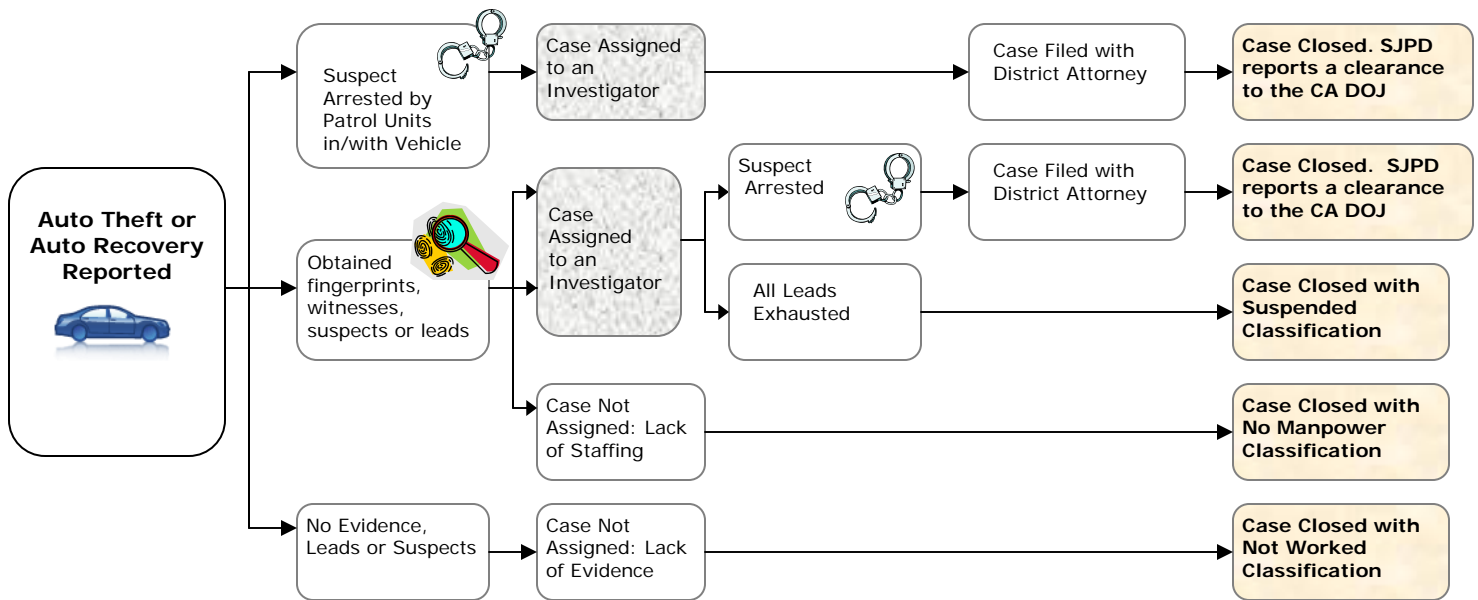
Source: City Auditor-prepared based on Department information. For additional information on the auto theft reporting and data-entry process, see Exhibit 12.

Upon the arrest of at least one person involved in an offense, a clearance is recorded in the RMS. Clearances are reported to the California Department of Justice on a monthly basis. As shown above, not all closed cases are solved. Cases can be reopened if solvability factors are later obtained. For example, a case may be closed initially, and then reopened when the auto is found and fingerprints are obtained.

Recovery of Stolen Vehicles

When a stolen vehicle is recovered, a patrol officer is dispatched. The patrol officer identifies what happened, potential suspects, and any witnesses or physical evidence such as fingerprints. The recovered vehicle information is documented on the CHP 180 form and delivered to the Vehicle Records Unit, which updates the SVS. When a stolen vehicle from San José is recovered in another jurisdiction, the OSSD sends the recovering jurisdiction a copy of original CHP 180 form and any other pertinent documents or information, upon request.

Vehicle Identification Checks

Another component of the Auto Theft Unit's workload is Vehicle Identification Number (VIN) checks. VIN checks are requested when the VIN is missing or damaged on vehicles that are recovered, abandoned, towed or cited. A Unit investigator examines the vehicle to determine the VIN using other means.

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License Plate Readers

License plate readers (LPR) are digital image devices used to read license plate numbers from vehicles. License plate numbers are scanned using an LPR and stored into a database and compared to another database to identify stolen vehicles. In 2008, the Department purchased four LPRs. They are placed on patrol cars throughout the City. According to the Auto Theft Unit, the use of the LPRs has proven to be effective for recovering stolen vehicles. The Auto Theft Unit provides training to patrol officers and other Bureau of Investigations Units' detectives on the use of the LPRs.

Auto Theft Management Reports, Crime Statistics, and Crime Data on the Web

The Department generates auto theft management report data and crime statistics. The quarterly *Bureau of Investigations Caseload Summary Report* shows workload data such as the number of cases assigned, closed and cleared during the quarter, for each of the Bureau of Investigations' units. It also includes the number of cases open as of the last day of the quarter. The Auto Theft Unit also prepares a *Quarterly Program Management Report to the Chief* and *Annual Program Plans*. These reports identify the program's objectives, concerns, current staffing levels and shows measurement data pertaining to the Auto Theft Unit.

Data Reported to the State for the FBI Uniform Crime Reports

Monthly, the Department reports crime statistics to the State of California's Department of Justice, which forwards the data to the Federal Bureau of Investigations (FBI) on a semi-annual basis to be included in its Uniform Crime Reports. Law enforcement agencies reporting crime data to be used in the FBI's Uniform Crime Reports are subject to Uniform Crime Reporting (UCR) guidelines.

Crime Data on the Web

The Department uses CADmine, a software application which can provide crime trend information in a statistical format. CADmine is a web-based application that uses San José Police Computer Aided Dispatch (CAD) data. Crime Analysis staff create maps with complex mapping software utilizing CADmine, RMS, and other data. CAD reports can be viewed based on area or date spans determined by the user. CADmine allows an internal user to run queries, reports, perform keyword searches, and set up alerts and warnings. For instance, a user can set up an alert to be notified every time a vehicle theft occurs in San José. According to the Department, most of its employees have been trained on CADmine. However, CADmine is not yet available in patrol vehicles because they do not have internet access given security and logistical concerns.

Two on-line applications are available to the public on the Department's website for crime statistics data: Public CADmine and CrimeReports.com. Both Public CADmine and Crime Reports.com can also be utilized by Department staff. Public CADmine is similar to the internal CADmine. The public CADmine delivers CAD-based calls-for-service summary reports to all members of the public. Users can find an address of interest and view agency-wide call type reports or area-specific call type reports and call profiles, as well as event detail listings for the last 90 days. CrimeReports.com is a public search tool that allows the public to see location-based crime activities and occurrences and receive email alerts based on a jurisdictions crime data. CrimeReports.com allows the Department to share and control timely and important local crime data with the public by uploading crime data from the Department's CAD to CrimeReports.com.

Audit Objective, Scope, and Methodology

The objective of our audit was to evaluate the efficiency and effectiveness of the San José Police Department's (Department) Auto Theft Investigations Program and the associated processes and procedures of the program. The scope of the audit was from calendar years 2005 through 2008, and January 2009.

To achieve our audit objective we performed the following:

1. To assess the communication of crime trends and protocols, we interviewed Department management and staff, including patrol officers; reviewed internal reports and maps; and observed the use crime mapping software.

2. To evaluate the Auto Theft Unit's workload and effectiveness of case management, we reviewed Bureau of Investigations Caseload Summary Reports and investigators' case logs. We performed a limited review of adult auto theft case files. We did not review juveniles' case files because of State regulations regarding the confidentiality of minors' files. Also, we reviewed the Consent Decree-Exempt Officers Equality Program, the Memorandum of Agreement for the City of San José and the San José Police Officers' Association; and walked through Department processes.

3. To assess the accuracy and reliability of computer generated auto theft data, we examined Records Management System reports, and compared computer generated data to a judgmental sample of source documents such as auto theft reports and files. We also performed a

walkthrough of the Department's systems and databases used for the auto theft process by interviewing staff and reviewing and flowcharting policies, procedures and controls.

4. To assess the timeliness and effectiveness of the auto theft reporting process, we reviewed response time data from the Communications Division, surveyed other jurisdictions on alternative reporting processes for auto thefts, and interviewed Department staff.

Furthermore, we interviewed staff from the Office of Employee Relations and the Department's Crime Analysis Unit, Operations Support Services Division, Bureau of Field Operations patrol officers, and the Communications Division. We reviewed Department management reports and memorandums. We surveyed six comparable jurisdictions regarding their auto theft programs: 1) Sacramento, CA; 2) San Diego, CA; 3) Seattle, Washington; 4) Phoenix, Arizona; 5) El Paso, Texas; and 6) Honolulu, Hawaii. We selected these cities based primarily on a list of comparable jurisdictions provided by the Department. We reviewed a consultant report: *Organizational Assessment Of The San Francisco Police Department: A Technical Report*[6]. We also performed a patrol ride-a-long. Finally, we interviewed staff from the California Department of Justice Criminal Justice Statistics Center, the Santa Clara County Regional Auto Theft Task Force, and the County of Santa Clara Probation Department Juvenile Services.

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[6] The Police Executive Research Forum, 2008.

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Finding I   The San José Police Department Can Improve Its Communication of Auto Theft Trends and Protocols

The San José Police Department's (Department) Auto Theft Unit is primarily responsible for work related to auto thefts. The Auto Theft Unit communicates auto theft information by updating a daily spreadsheet that is available for download by patrol officers, and by occasionally preparing a bulletin distributed at patrol briefings. In our opinion, more widespread use of mapping would help build a picture of auto theft trends. Therefore, we recommend that the Auto Theft Unit periodically brief patrol on auto theft trends and use maps to convey trend information. During our audit, various Department personnel indicated their concerns that juveniles, including repeat offenders, represented a high number of auto theft suspects in San José. Santa Clara County data shows that 24 to 30 percent of juveniles arrested for auto theft were repeat offenders. We recommend that the Department periodically brief its command and patrol staff regarding juvenile auto theft trends and protocols.

The Department Can Improve Its Communication of Auto Theft Trend Data to Patrol and the Regional Auto Theft Task Force

The Auto Theft Unit receives auto theft reports daily. Each day, the Auto Theft Unit sergeant updates an Excel spreadsheet referred to as the Hot Sheet. The Hot Sheet is a listing of auto theft reports and includes details such as the locations of auto thefts and corresponding recoveries, as well as the license plate number. The database is cumulative for the calendar year, and includes several years of data. The Hot Sheet is available for patrol officers to view at the police station or community centers, or to download for later viewing in their patrol cars. It is also available to the Regional Auto Theft Task Force (RATTF).

Data pertaining to the location of auto thefts and recoveries can also be accessed through the Department's CADmine application; however this application is not accessible in patrol cars. Although officers have computer and internet access at the police station and at community policing centers, some patrol officers, especially those in higher crime districts, indicated that they do not have time to access the computers.

According to fundamental law enforcement practices, specialized units should brief patrol officers of trends and activity. Although the Unit occasionally prepares a bulletin for patrol describing trends, it does not include mapped information. According to the Auto Theft Unit, the bulletin

is prepared when the Auto Theft Unit sergeant has time to prepare it, or when a significant trend is occurring, perhaps every few months. The bulletin is placed on a desk in the briefing room and is available for patrol officers to pick up during briefings. Other crime-related handouts are also on the desk and the officers may or may not pick up the auto theft trends bulletin. Significant events, including those related to auto theft, are communicated at briefings by the briefing patrol sergeants or the day/night detectives.

More Widespread Use of Mapping Would Help Build a Picture of Auto Theft Trends

One of the functions of the Department's Crime Analysis Unit is to map auto theft trends. The Crime Analysis Unit has an analyst assigned to each Division. Auto theft maps are generated at the semi-annual shift changes, which occur in March and September, and upon request. These maps are prepared with mapping software using the Department's RMS data, described in the Background section of this report, and are reportedly forwarded via e-mail to RATTF, the Auto Theft Commander, and patrol command staff. Below is a sample auto theft map prepared by the Crime Analysis Unit using the data from one of the Department's 16 districts,[7] District C. The auto icons represent the locations of auto thefts.

Exhibit 7: Map of District C Auto Theft Locations During August 1, 2008 Through October 26, 2008
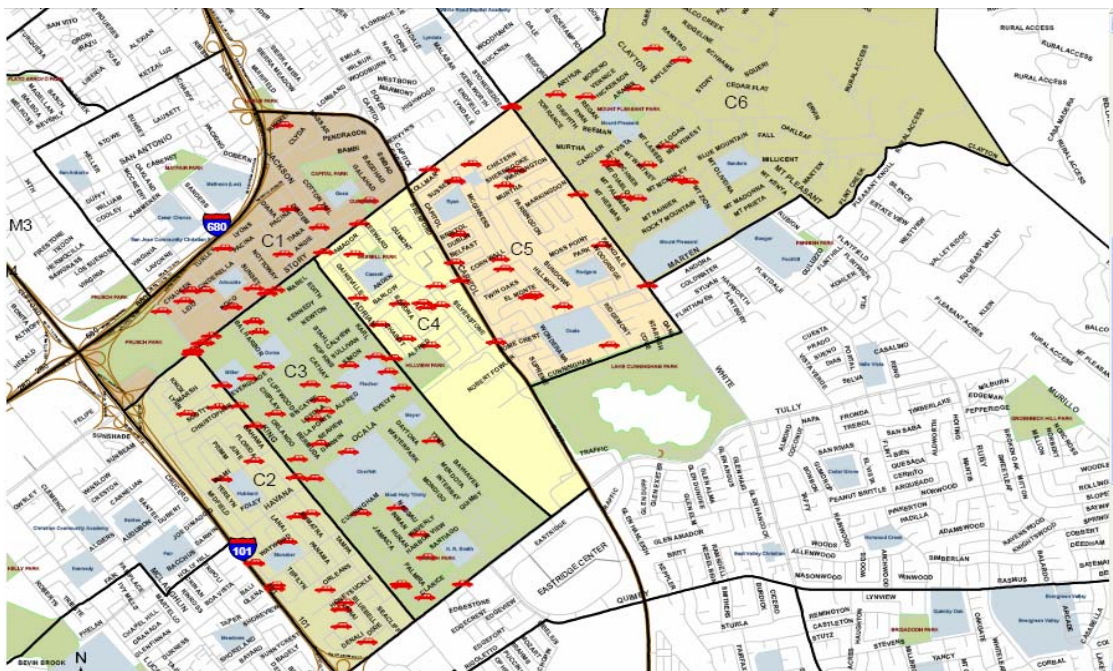
Source: SJPD Crime Analysis Unit.

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[7] In addition to the 16 districts, the Airport is its own geographical division.

According to the Department, although they have the technology to generate the maps, preparation is time consuming because the source data needs to be "cleaned up" for items such as duplicate entries. The RATTF Commander and patrol officers indicated that they find maps with current data, referred to as real-time maps, useful. However, given that Crime Analysis Unit has staffing constraints, real-time mapped trend data is not readily available.

One of the jurisdictions we surveyed, Sacramento, California prepares auto theft maps weekly. An intern prepares the maps every week using their records management system. She said that given that she uses their records management system, the process does not require any "clean up"[8]. According to the Sacramento crime analysis unit sergeant, his department needs to know where the thefts and recoveries are occurring, and maps are helpful for that purpose.

According to *Forensic Investigation of Stolen-Recovered and Other Crime Related Vehicles*, the use of maps helps with building up a picture of crime patterns in a local area. *"Armed with an understanding of the larger crime picture, crime prevention and detection resources can be more effectively applied to stop further car thefts, either by targeting organized groups of offenders or by tackling the problem in a vulnerable crime hot spot."* Furthermore, complex queries can tap into the analytical power of geographic information systems to determine the answers to many questions of crime and space. *"These are questions that are beyond a standard database's functionality. For example, it is possible to map not only the location of a car theft, but also the location where the stolen vehicle was recovered. From this it is possible to ask a barrage of potentially useful questions:*

- *How far does the average car travel from being stolen to being dumped?*

- *Are there areas where many cars are stolen?*

- *Are there areas where many stolen cars are dumped?*

- *Are the hotspots for vehicle theft near ATMs or banks?*

- *Are the hotspots near schools or bars and taverns?*

- *Are hotspots for cars that are stolen in the day different than night-time hotspots?*

- *What percentage of all the stolen cars in an area is stolen from within 500 feet of a subway station?*

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[8] According to the Department, although it also uses RMS data to prepare maps, Sacramento may have a more advanced system which does not require cleaning up the data.

- *Are there spatial relationships between where cars are abandoned and the modus operandi used to steal them?[9]"*

We recommend that the Auto Theft Unit:

Recommendation #1

Periodically brief patrol on auto theft trends and utilize real-time mapped information and communicate this information to the Regional Auto Theft Task Force. (Priority 3)

The Department Can Improve Its Communication Regarding Juvenile Auto Theft Trends and Protocols With Its Command and Patrol Staff

During our audit, various Department personnel indicated their concerns that juveniles, including repeat offenders, represented a high number of auto theft suspects. We reviewed California Department of Justice data regarding adult and juvenile arrests in San José. The Department reports crime statistics to the California Department of Justice, and adheres to FBI's Uniform Crime Reporting (UCR) guidelines. As shown in Exhibit 8, juveniles represented 35 percent of total adult and juvenile auto theft arrests for 2007.

Exhibit 8: Break-down of Adult and Juvenile Auto Theft Arrests Made By the San José Police Department In Calendar Years 2005, 2006 and 2007
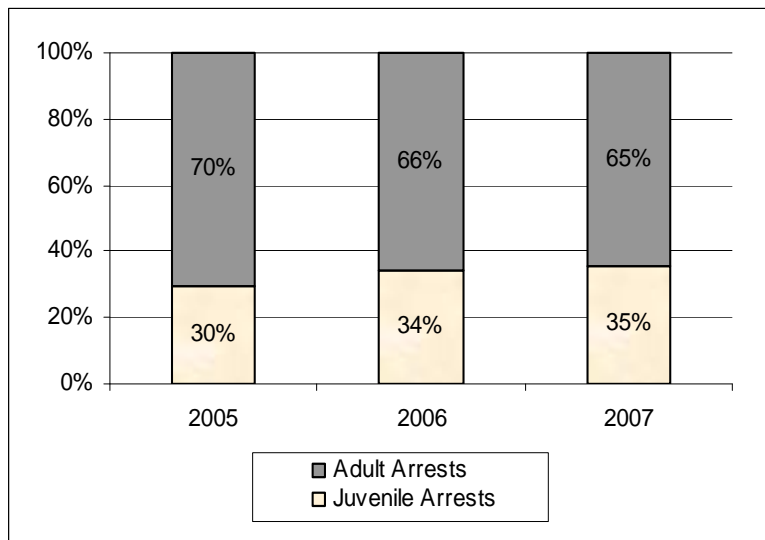
Source: City Auditor analysis based on 2005-2007 California Department of Justice data.

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[9] Eric Stauffer and Monica Bonfanti, *Forensic Investigation of Stolen-Recovered and Other Crime Related Vehicles* (2006).

16

County Data Shows that 24 to 30 percent of Juveniles Arrested For Auto Theft Were Repeat Offenders

At our request, the Santa Clara County's Probation Department provided information regarding juvenile auto theft arrests. The data supported the Department's concerns about repeat juvenile offenders. The Department does not have in-house access to this type of data regarding trends in juvenile auto theft because the Department can only access the County's criminal databases for specific suspect information, not for generating reports.

Exhibits 9 and 10 present information regarding repeat juvenile auto theft offenders. Exhibit 9 documents the number of repeat juvenile offenders and their corresponding arrests. For example, the 80 repeat offenders in 2006 shown below had 148 arrests among them. We noted that one juvenile was arrested six times for auto theft in 2006. The 76 repeat offenders in 2007 (who had a total of 146 arrests) included 24 juveniles who were arrested twice and two juveniles who were arrested four times for auto theft. The arrest details for the three years are shown in Appendix B.

As shown in Exhibit 9, from 2005 to 2007, the number of juveniles with multiple auto theft arrests increased from 47 to 76 juveniles.

Exhibit 9: Repeat Juvenile Auto Theft Offenders Arrested By the San José Police Department and Their Total Number of Arrests In Calendar Years 2005, 2006 and 2007
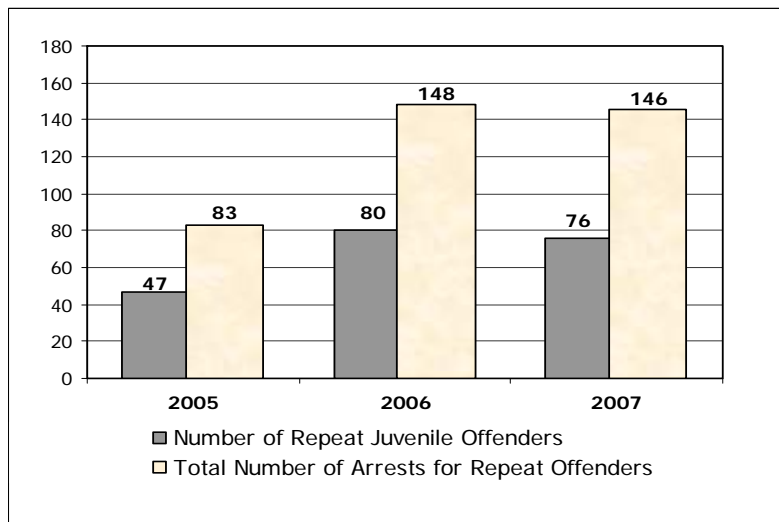
Source: City Auditor analysis based on Santa Clara County data.

As shown in Exhibit 10 below, 24 to 30 percent of juveniles arrested for auto theft were repeat offenders.

Exhibit 10: Juvenile Auto Theft Offenders Arrested By the San José Police Department Who Were Repeat Auto Theft Offenders
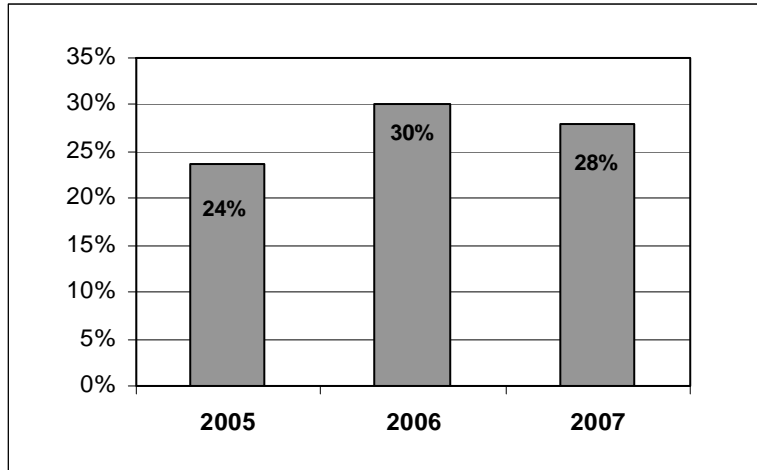
Source: City Auditor analysis based on Santa Clara County data.

Communication of Juvenile Protocols

In 2002, Santa Clara County established the Juvenile Detention Reform (JDR) Initiative. The goals of the program included using data to determine where there were opportunities to reduce the unnecessary and inappropriate detention of youth; to create and use alternatives to detention, and to reduce disproportionate minority confinement. In 2004, to help the JDR Initiative achieve its goals, the Santa Clara County Police Chief's Association adopted the *Juvenile Detention Reform Law Enforcement Policy for the Incarceration of Juveniles*, commonly known as "the Booking Protocol". The Booking Protocol, to which the Department adheres, allows for citing and releasing of juveniles for certain offenses, but not those that are serious or violent. The County established the Juvenile Justice Systems Collaborative when the JDR Initiative sunset in June 2008.

We contacted the Santa Clara County Probation Department Juvenile Services (Probation Department) regarding juvenile auto theft, which is usually a felony offense. According to a County Senior Management Analyst (Management Analyst), in response to the City of San José's increase in auto thefts, the Probation Department changed its protocol for juvenile auto theft suspects from all County jurisdictions brought to Juvenile Hall. The Management Analyst said that although the Booking Protocol allows for officers to cite and release juveniles, the Juvenile Hall processing protocol was changed for auto theft suspects. Specifically,

juveniles brought to Juvenile Hall for auto theft will be released under the Community Release/Electronic Monitoring Program or they will be detained. The Management Analyst also said that the Chief Probation Officer indicated this change at the February 2008 Mayor's Gang Prevention Task Force Meeting. According to the Department, they have not communicated this change to patrol staff pending adoption of a new protocol for all County jurisdictions to address not only juvenile auto thefts but all juvenile felony arrests.

We recommend that the Police Department:

Recommendation #2

Periodically brief its command and patrol staff regarding juvenile auto theft trends and changes to juvenile protocols. (Priority 3)

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Finding II   The San José Police Department May Be Able to Free Up Sworn Personnel In the Auto Theft Unit For Other Duties

Up until recently, the Auto Theft Unit has operated primarily in a reactive mode – that is, processing and investigating auto thefts as they are reported. In 2006, in response to an increase in reported auto thefts in the City, the Department expressed its intention to have the Auto Theft Unit self-initiate auto theft investigations – that is, operate in a more proactive mode. Based on our analysis, the Unit has sufficient staff to shift sworn resources to proactive investigations, or to reallocate sworn resources to other high priority needs elsewhere in the Department. Furthermore, our analysis of the Auto Theft Unit showed that a significant amount of the Unit's workload is administrative and could be performed by a civilian. As a result, we estimate the equivalent of three sworn positions in the Auto Theft Unit could be shifted to proactive responsibilities in the Auto Theft Unit or reallocated elsewhere in the Department, and that a fourth sworn position could be civilianized.

The Unit Appears to Have Sufficient Sworn Staff to Shift Resources to Proactive Investigations or to Reallocate Sworn Resources to Other High Priority Needs Elsewhere In the Department

The Department's 2006 report to the City Council, Proposed Five-Year Staffing Plan: 2007-2012 (2006 Staffing Plan), stated a caseload of 30 to 40 cases per auto theft investigator. As of November 12, 2008, each Auto Theft Unit investigator was carrying an average of ten investigative cases. The Unit maintains monthly manual caseload tracking sheets for its three primary functions – preparing documentation regarding in-custody arrests, conducting auto theft investigations, and processing vehicle identification checks. We reviewed the number of cases and estimated the time spent by investigators to work on cases. As shown in Exhibit 11 below, the Unit received an average of 899 case assignments annually, based on the past two fiscal years, requiring a total of about 4,710 hours per year in staff time.

Exhibit 11: Annual Number of Auto Theft Unit Cases Assigned By Type of Information Complied From Fiscal Years 2006-07 and 2007-08

Type of Case	Average Annual Number of Cases[10]	Average Hours Needed Per Type of Case[11]	Estimated Annual Number of Hours Required
In-Custody Arrests – Prepare Documentation	437	5	2,187
Vehicle Identification (VIN) Checks	194	2	388
Investigations[12]	267	8	2,135
Total Cases	899	n/a	4,710

Source: City Auditor-prepared based on Auto Theft Unit manual case tracking sheets for July, August and December 2007, February 2008, and April through June 2008.

Based on the Unit's staffing of four investigators during 2007-08 and a work schedule of four, ten-hour work days per week, we estimated that the Unit had a net 6,323 investigator hours available to work on cases[13] – or 1,613 hours more than required to work the caseload assignments annually. This appears to show that the Unit was more than sufficiently staffed for the period.

Prior to September 2008, the Auto Theft Unit had four of its six authorized investigator positions filled. The Department filled a fifth investigator position in the Unit in September 2008. The Unit noted that the additional investigator would allow them to reduce workloads among the current investigators and carry out proactive auto theft activities. According to the 2006 Staffing Plan, "*Personnel added to this Unit will serve two purposes: to assist in the current investigative case load and to initiate proactive investigations in an attempt to reverse the current escalation of auto thefts in the City*".

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[10] Based on the average monthly number of the in-custody arrest cases, VIN checks and investigations for a sample of months in 2007-08. The 899 total average annual cases is based on 975 and 822 cases for fiscal years 2006-07 and 2007-08, as tabulated from the Unit's monthly manual caseload tracking sheets (adjusted by type).

[11] We based our estimates on information in the Auto Theft Unit's Responsibilities and Duties document, a 1999 internal memorandum, and on interviews. Specifically, VIN checks usually take an hour per investigator, and require two investigators for safety reasons; the average time for in-custody arrest file case preparation is five hours; and the average time for auto theft investigations is eight hours, which considers using two investigators for field interviews for safety reasons. In January 2009, the Unit kept records of the number of hours spent on investigations, and the actual hours supported these estimates.

[12] Investigations are performed over a period of time.

[13] Total annual hours are equal to four investigators times 40 hours per week times 52 weeks equal to 8,320 hours. We subtracted 24 percent of the total hours available to account for vacation, sick, compensatory time, holiday and training for the net annual hours of 6,323.

Based on our review, we estimate that only three full-time investigator positions were needed to meet the Unit's annual reactive workload.[14] Freeing up three full-time Auto Theft Unit investigator positions could save the Unit about $350,000 annually, or the Department could shift the responsibilities from reactive to proactive.

The decision as to how much proactive work will be performed is a management and policy choice. As noted in the Background section of this report, the Regional Auto Theft Task Force (RATTF) provides regional proactive work in the County of Santa Clara. According to the RATTF commander, a significant amount of RATTF's work occurs in San José. To report on its effectiveness, RATTF issues a quarterly report that includes RATTF's performance information including the number of investigations, the number of arrests resulting from those investigations, and highlights of proactive activities. The quarterly reports allow for monitoring of the RATTF program, and provide an indication of the program's effectiveness and impact throughout the County. In our opinion, if the Auto Theft Unit resources are shifted to perform proactive work, these activities should be reported to the Chief.

We recommend that the Police Department:

Recommendation #3

Shift the equivalent of three sworn positions in the Auto Theft Unit to proactive responsibilities, or reallocate those positions elsewhere in the San José Police Department. (Priority 3)

If the Police Department uses positions in the Auto Theft Unit for proactive activities, we recommend that the Auto Theft Unit:

Recommendation #4

Include information related to proactive activities in its Quarterly Program Management Reports to the Chief such as number of investigations, number of arrests resulting from those investigations, and highlights of proactive activities. (Priority 3)

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[14] We estimated the three FTE's as follows: estimated annual hours needed to perform work equal to 4,710 (per Exhibit 13). One FTE works 2,080 hours in a year less 24% not available (see preceding footnote) equals 1,581 hours. Dividing 4,710 hours needed by the 1,581 hours per FTE is equal to three FTEs needed to perform the work.

Using Skilled Civilians In the Auto Theft Unit Could Free Up Permanent Sworn Resources

Three primary functions make up the bulk of the Auto Theft Unit investigators' workload:

1. Preparing documentation, such as vehicle ownership information and suspect criminal histories for in-custody arrest cases, to be filed with the District Attorney;

2. Performing auto theft investigations; and

3. Performing vehicle identification checks.

The work associated with arrest cases when suspects are already in custody is primarily administrative. Specifically, the investigators prepare report documentation and make photocopies to file an arrest case with the District Attorney the documentation to file an arrest case within 72 hours of the arrest for adults and 48 hours for juveniles. This process does not require physical contact with arrestees. Further, investigators usually re-interview auto theft witnesses by phone. Finally, the file is walked across the street from the Auto Theft Unit to the District Attorney's Office. To verify that the in-custody workload is primarily administrative, we reviewed a sample of 17 in-custody arrest cases and noted that 16 of the 17 cases involved only administrative duties by the Auto Theft Unit investigators.

Performing the other two functions (auto theft investigations and vehicle identification checks) potentially require investigators to work in the field. Both in-custody arrest and investigations cases require investigators to research criminal databases and prepare suspect lineups.

Potential Use of Civilian Staff

According to a consultant report prepared for the City and County of San Francisco, *Organizational Assessment Of The San Francisco Police Department: A Technical Report*[15] *(San Francisco Assessment),* civilian staff can perform some law enforcement administrative duties not requiring the training, expertise, or weapons skills of a sworn officer. According to the San José Police Department, in prior years, civilian analysts in the Bureau of Investigations units, such as the Homicide Unit, assisted investigators with administrative work. This work included the preparation of suspect descriptions and backgrounds; accessing criminal databases; and

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[15] The Police Executive Research Forum, 2008.

analyzing data for trends and patterns. Prior to 1999, the Auto Theft Unit used civilian staff to answer questions from residents calling the Unit, a duty now performed by the Unit's "Officer of the Day".

Three comparable agencies we surveyed indicated that they use investigative assistants or community service officers to assist auto theft investigators.[16] According to the San Francisco Assessment, San Francisco currently has a civilian police service aide position. Furthermore, San Francisco is considering the establishment of a new police investigative aide position within their investigations bureau, which would be used to perform the administrative and routine work of investigators. The purpose of the position would be to do the initial workup of the case and coordinate with the investigator throughout the investigation. In this manner, investigators could spend their time following leads and arresting offenders rather than performing administrative duties.

Using civilian staff in San José to perform administrative duties could free up sworn officers and generate cost savings. Based on the hours for in-custody arrests in Exhibit 11, we estimate that there is sufficient administrative work for one civilian staff.[17] We estimate that using one civilian instead of a sworn officer investigator can save about $43,000, or 37 percent of the cost of a sworn officer, annually.

We also recommend that the Police Department:

Recommendation #5

Explore the feasibility of using specially trained civilian staff for administrative assignments such as in-custody arrest documentation. (Priority 3)

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[16] Sacramento, California; Phoenix, Arizona; and El Paso, Texas.

[17] The in-custody arrests, consisting of primarily administrative workload, required an estimated 2,187 hours annually (See Exhibit 11). One civilian staff would work approximately 1,580 hours annually (40 hours x 52 weeks = 2,080 hours less 24% unavailable time = 1,580 hours). Therefore, there is sufficient administrative workload for at least one civilian staff.

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Finding III   The Current Auto Theft Reporting Process Requires Duplicative Data Entry That Could Be Streamlined With a New System

The San José Police Department's (Department) auto theft reporting process requires the same information to be entered several times into various systems and databases resulting in a duplication of effort. The various systems and databases either do not interface or have limited interface functionality. The Department is currently in the process of evaluating an automated field reporting system and a records management system for purchase. The Department should ensure that new systems and databases can be integrated to operate efficiently and minimize duplicative auto theft data entry.

The Auto Theft Reporting and Data Entry Process

During the audit, we interviewed staff from several Department units: the Operations Support Services Vehicle Records Unit, Communications Division, Auto Theft Unit, and the Bureau of Field Operations (patrol). We also reviewed policies and procedures to document the processes that ensure quality control over data entered into the Department's Records Management System and the California Stolen Vehicle systems. We found the reporting process requires the same information to be entered by staff in different units. We also noted that quality control checks are in place but are performed manually by staff and require additional time to perform to ensure data is entered accurately and completely. Some of the manual quality control checks are state and/or federally mandated.

As noted earlier in this report, the Department is in the process of evaluating a new automated field reporting and records management system (AFR/RMS). In our opinion, depending on the configuration of the proposed AFR/RMS, it could eliminate several points of duplication.

Exhibit 12 shows the auto theft reporting and data entry process. Some of the same data is entered by different units a minimum of five times and can be entered as many as seven times. The data is entered into the following:

- The Department's Computer Aided Dispatch (CAD) system;
- The Department's Netviewer system;
- The hard-copy California Highway Patrol (CHP) 180 Vehicle Report form;

- The State of California Stolen Vehicle System (SVS) which simultaneously enters the information into the National Crime Information Center (NCIC) system;

- The Department's Records Management System (RMS); and

- The Auto Theft Unit's hot sheet spreadsheet.

Furthermore, officers must either enter the information into their Mobile Data Terminals (MDT) in their patrol cars or call in the information to the Vehicle Records Unit so that the Vehicle Records Unit staff can enter the information into the SVS. The CAD interfaces with the RMS.

Exhibit 12: Auto Theft Reporting and Data Entry Process By Department Division or Unit
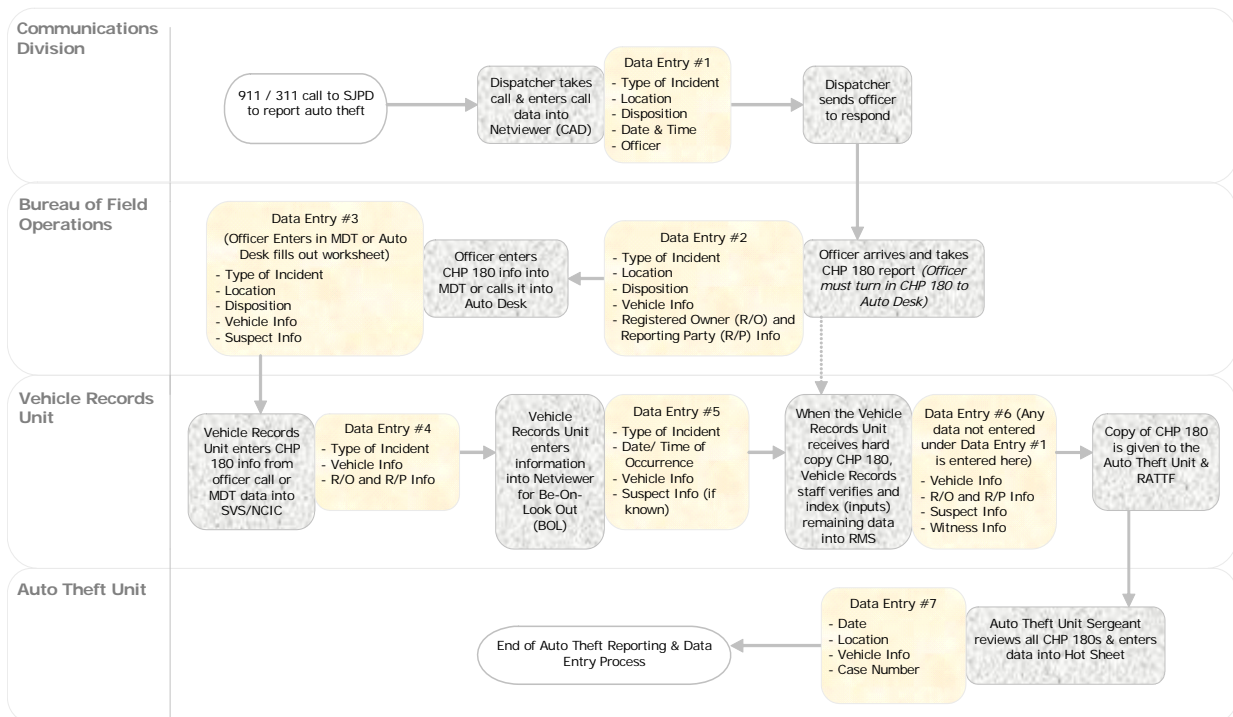
Source: City Auditor Analysis of processes based on interviews with Department staff and Vehicle Records Unit Policies and Procedures Manual. Note: Vehicle information includes year, color, make and model. Data entries #2 through #6 also include the vehicle identification number.

In addition to the data entries to the CAD, SVS, RMS and the CHP 180 form, the Auto Theft Unit enters the information from the CHP 180 to a stand-alone Excel spreadsheet called the Hot Sheet. According to the Auto Theft Unit, entering the data into the spreadsheet helps them to identify trends regarding auto thefts and recoveries.

The various system and other entries are required to ensure that auto theft information is available to dispatchers, patrol, investigators, management, and state and federal agencies. As noted above, the Department is currently in the process of evaluating a new AFR/RMS. It is important for the Department to thoroughly evaluate and assess their system and process needs to determine the requirements for the new system. Department systems and databases should be integrated to operate efficiently and minimize duplicative data entry by staff. In addition, data accuracy and completeness controls should be automated to the extent possible.

We recommend that the Police Department:

Recommendation #6

To the extent possible, ensure that the proposed automated field reporting and records management system reduces duplication of auto theft data entry and automates quality control processes. (Priority 3)

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Finding IV   The San José Police Department Should Explore the Feasibility of Taking Some Auto Theft Reports By Phone

The San José Police Department (Department) currently requires patrol officers to take auto theft reports in person. According to the Department, taking an auto theft report in person by an officer provides better information and discourages the filing of fraudulent auto theft reports. However, reporting parties wait 44 minutes on average, or as long as two to three hours during busy patrol times, for an officer to take an auto theft report. The San Diego, CA police department takes most of its auto theft reports by phone. The Phoenix, Arizona police department also takes auto theft reports under certain circumstances.   We recommend that the Department explore the feasibility of taking auto theft reports by phone when officers cannot respond to calls in a timely manner during busy patrol periods, or when callers cannot wait for an officer to take a report.

The Department Dispatches Officers to Take Auto Theft Reports

When the Department Communications Division's dispatchers receive a stolen vehicle call, they obtain a description of the car and license plate number, and dispatch an officer to take a report. After the officer responds to the call, the officer remits the report to the Vehicle Records Unit. Until the Vehicle Records Unit receives the information, the stolen vehicle information is generally not communicated to other Department patrol officers via their Mobile Data Terminals, or entered into the State of California Stolen Vehicle System and the National Crime Information Center system.

According to the Department's Communications Division data, callers waited 44 minutes on average to have an officer respond to a Priority 3 auto theft report call in calendar year 2007.[18] According to Department patrol officers we interviewed, reporting parties may wait as long as two to three hours during busy patrol periods to file an auto theft report. Further, according to the Communications Division Manager, there are other times when delays occur for an auto theft report to be taken. For example, some auto thefts occur at night, and are discovered in the morning by the reporting party who needs to go to work, but may have to wait an hour or more for an officer to respond. Sometimes, the reporting party will call

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[18] About 90 percent of the auto theft calls in 2007 were Priority 3 calls. The Priority 3 call definition provides that the suspect has most likely left the area, and is less urgent than a Priority 1 or 2 call.

back and tell the Communications Division dispatcher that that they cannot wait further. In those instances, the reporting party will need to call back to have a patrol officer respond later in the day.

Potential Use of Telephone Reporting For Auto Thefts

The City of San Diego, California, uses telephone reporting for most of its auto thefts. San Diego uses police officers who are restricted to non-patrol duties because of injuries (modified duty officers), to take calls over the phone and enter the information into computer systems. They do not sign the electronic reports, or require reporting party signatures. Eight of the nine geographical divisions in San Diego use telephone reporting. One division does not use telephone reporting because of fraudulent reporting concerns.

Under certain circumstances, such as when the victim is on vacation or at work, Phoenix, Arizona, also takes auto theft reports by phone, using modified duty officers and part-time retired police officers. Phoenix requires reporting parties to complete and notarize an affidavit when they use phone reporting.

The Department has expressed concerns about telephone reporting because the State of California provides for the use of the California Highway Patrol Vehicle Report Form 180 (CHP 180) hardcopy form; which includes for reporting party signatures on the form. However, as noted above, San Diego, a California jurisdiction, uses telephone reporting and does not require officer or reporting party signatures. In addition, according to the San José City Attorney's Office, the State of California laws or regulations do not require the use of the CHP 180.

The filing of a fraudulent auto report is a misdemeanor. The Department is concerned that allowing telephone reporting of auto thefts could increase the number of fraudulent auto theft reports. In our opinion, the benefits of using telephone reporting under limited situations would outweigh the potential risk of fraudulent reporting. Furthermore, the Department could require a signed affidavit from the reporting party at later time.

We recommend that the Police Department:

Recommendation #7

Explore the feasibility of taking some auto theft reports by phone when officers cannot respond to calls in a timely manner because they are too busy, or when callers cannot wait for officers to respond. (Priority 3)

Finding V   The San José Police Department Corrected Data On Cleared Cases, and Should Address Other Data Management Challenges

The San José Police Department (Department) documents crime statistical data for operational, management and state and federal reporting purposes. During our review, we found several data and procedural issues. Specifically:

- The inaccurate classification of several thousand cases as 'cleared' resulted in the overstatement of the number of vehicle theft clearances in internal, City Budget, and state and federal reporting. The Department began correctly classifying cases as soon as we identified the problem in August 2008.

- The actual open caseload of the Auto Theft Unit (Unit) was lower than shown in its Records Management System (RMS) because the Unit had not closed about 570 cases that were no longer being investigated.

- Over a three year period, 201 cases were classified as 'not worked because of lack of manpower' for lack of an appropriate classification in RMS.

- The Department identified a small number of auto theft reports that were not reviewed by the Auto Theft Unit.

- Improved documentation of Auto Theft Unit procedures is needed to ensure that correct and appropriate duties are performed, especially given that its staff is periodically rotated.

Inaccurate Classification of Several Thousand Cases Resulted In the Overstatement of Reported Vehicle Theft Clearances

In general, an offense is 'cleared' or solved for crime reporting purposes, when at least one person is arrested. In certain situations, offenses are cleared by exceptional means, such as when an auto theft suspect is arrested in another jurisdiction. From 2005 through 2007, Auto Theft Unit staff incorrectly classified an estimated 3,885 stolen vehicle out-of-jurisdiction recoveries (without an arrest) as 'exceptional clearances' in the Records

Management System, resulting in the overstatement of the total number of vehicle theft clearances.[19] This represented about 65 percent of the total 6,020 clearances reported during the three-year period. These clearances were mistakenly reported to the State of California Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI) for the FBI's Uniform Crime Reporting (UCR) for the years 2005 through 2007. Prior year errors cannot be corrected with the State and Federal reporting agencies. The clearance data is also reported in the Department's management reports and the City's Operating Budget. It should be noted that according to the CQ Press website, which designates the city crime rankings (previously referred to as the safest big city rankings), clearance information does not impact rankings.

As a result of this error, the Unit reported clearance rates of 41 percent in 2005, 35 percent in 2006, and 20 percent in 2007, compared to the statewide average of 9.5 percent in 2006. Therefore, it appeared that the City of San José was more effective than other agencies in clearing auto thefts.

Exhibit 13 shows ten-year auto theft clearance trend data. As shown in Exhibit 13, reported clearance rates increased significantly in 2005 remaining high through 2007. The clearances are divided by the total number of auto thefts to determine the clearance rate.

Exhibit 13: San José 10-Year Vehicle Theft Clearance Rate Including Misclassified Years 2005 Through 2007
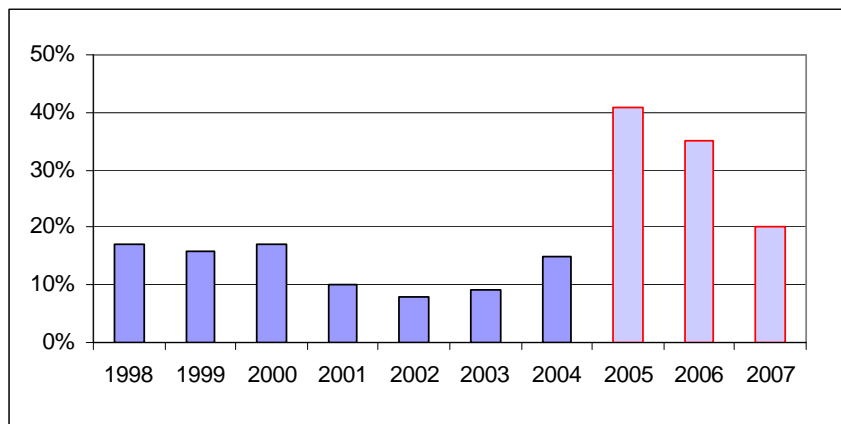
Source: California DOJ Criminal Justice Statistics Center.

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[19] We estimate 1,414 cases were misclassified during 2005, another 1,699 cases were misclassified during 2006, and 772 cases were misclassified during 2007. These estimates are based on cases classified as an exceptional clearance without an arrest using an RMS system query. Each case would need to be individually reviewed to obtain the actual number of misclassified cases. Given that the Department has since corrected the problem, and State and Federal reporting guidelines do not allow jurisdictions to correct report prior year errors, neither the City Auditor's Office nor the Department believes it is good use of staff time to review the individual cases.

We discussed the clearance issue with the Unit. According to the Unit, there should have been fewer exceptional clearances. The Unit determined that the overstatement began to occur about the time of a periodic staffing shift rotation. In our opinion, a lack of written procedures on how to properly classify exceptional clearances contributed to this problem.

The Department began correctly classifying out-of-jurisdiction recoveries as soon as we identified the problem in August 2008 and has sent corrections to the DOJ for all 2008 monthly reports.[20] As a result, the Department calculated its 2008 clearance rate as 9.3 percent, compared to 41 percent in 2005. With these changes, the clearance rate is in line with the statewide clearance rates for vehicle thefts compiled by the California Department of Justice UCR data.[21]

We recommend that the Auto Theft Unit:

Recommendation #8

Develop written procedures regarding the proper classification of auto theft case clearances in the Records Management System. (Priority 3)

The Auto Theft Unit's Actual Caseload Was Lower Than Shown In Its Records Management System Because Up To 570 Old Cases Were Not Closed

The Department generates a quarterly Bureau of Investigations (BOI) Caseload Summary Report that shows the number of cases open as of the last day of the quarter. The data is generated from the Department's RMS. A system query of the RMS showed 621 open cases as of November 18, 2008. However, the Auto Theft Unit's internal records showed that it was only following 51 open cases. As a result of not closing cases that it is no longer investigating, the Auto Theft Unit's open caseload was overstated by as many as 570 cases in the RMS. Exhibit 14 lists the number of open cases according to the RMS system query, by the year that the cases were reported.

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[20] According to the California Department of Justice Criminal Justice Statistic Center (CJSC), errors can only be corrected for the calendar year during which the errors are identified. The CJSC does not make corrections to prior years' data and does not require the reporting law enforcement agency to correct the errors. However, according to the CJSC, if data is significantly misstated for a closed period, the CJSC strongly urges agencies to notify them of the error(s) so that data on file can be footnoted.

[21] California Department of Justice (DOJ) 2006 UCR Data – Vehicle Thefts – statewide 242,692 motor vehicle thefts and 22,998 clearances for a clearance rate of 9.5 percent. In comparison, Long Beach showed a clearance rate of 9.1 percent, Sacramento a clearance rate of 10.5 percent, and San Diego a clearance rate of 1.5 percent in 2006. Note that California DOJ UCR data and FBI UCR data are reported by calendar year.

Exhibit 14: RMS System Query of Auto Theft Unit Open Cases By Year Incident Reported as of November 18, 2008

Year	Number of Open Cases
1999	2
2000	2
2001	4
2002	36
2003	32
2004	17
2005	33
2006	40
2007	225
2008	230
Total	**621**

Source: City Auditor stratification based on
SJPD Records Management System auto
theft open cases query.

As shown in Exhibit 14, the RMS shows that open cases date as far back as 1999. However, according to the Unit, most of these cases should be closed. As described in the Background section of this report, auto theft cases are closed at different times depending on the status of a case. If an arrest is made, the case is filed with the District Attorney, usually within the 72 hour deadline (48 hours for juvenile suspects). Cases that do not have solvability factors are closed immediately. According to the Unit, most cases with solvability factors that are investigated, but are not solved, are usually closed within 90 days of assignment, if all leads are exhausted.

Each Auto Theft Unit investigator keeps a list of their individual open cases on an Excel spreadsheet. As of November 12, 2008, the Auto Theft Unit Excel spreadsheets showed a total caseload of 51 investigative cases. According the Lieutenant in charge of the Auto Theft Unit (Unit Commander) the list of 51 investigative cases is accurate. Therefore, we estimate that as many as 570 cases of the 621 open cases in RMS need to be reviewed and appropriately closed.[22]

The Department needs accurate workload data for use in staff planning and decisions. The Department's internal BOI Caseload Summary Report includes the overstated number of open cases from RMS. According to the Department, there is not sufficient benefit to spend staff time revising the

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[22] We reviewed the status of several of the 621 open Auto Theft Unit cases in RMS. These cases indicated several different potential reasons for the cases not being closed. For example, one case appeared to be misclassified as an auto theft case in RMS. Another case was a 2005 auto theft that was reopened for a vehicle identification check. A third case from 2004 was a vehicle vandalism case cross-referenced to a car-jacking case that would not have been assigned to the auto theft unit. Another case was a possession of stolen property case which was cross-referenced to an auto theft case.

report or closing the old auto theft cases, since each case would need to be individually reviewed and the number of cases is already available from the individual investigators' spreadsheets. Given that the Department's RMS does not have accurate information on the number of open Auto Theft Unit cases, we recommend that the Department use the number of open cases from the investigator spreadsheets in its Quarterly Program Management Reports to the Chief.

The Department also indicated that the previous RMS system had quality control checks to ensure that aged cases were closed in a timely manner. The Department is in the process of evaluating a new RMS for purchase, and they plan to ensure that the proposed RMS system has the quality control check.

We recommend that the Police Department:

Recommendation #9

Develop written procedures for proper closing of cases in the Records Management System, including applicable quality control processes. (Priority 3)

Recommendation #10

Ensure that the proposed records management system includes a reporting capability such that aged cases are identified and closed in a timely manner. (Priority 3)

We recommend that the Auto Theft Unit:

Recommendation #11

Use the number of open cases from investigator spreadsheets as of the end of the quarter to report the number of open cases in the Quarterly Program Management Report to the Chief. (Priority 3)

About 200 Cases Were Classified as 'Not Assigned Because of Lack of Manpower', For Lack of an Appropriate Classification In RMS

The Unit classifies cases that have solvability factors, but do not have staff available to work on them, as 'not assigned to an investigator because of lack of manpower' in the RMS. The Unit classifies cases without solvability factors as 'not assigned' in the RMS. However, the RMS does

not have a classification for cases that are not assigned because of limited solvability or conviction factors, or for other reasons. In fiscal years 2005-06, 2006-07 and 2007-08, the Auto Theft Unit classified 99, 60, and 42 cases, respectively, as not assigned due to lack of manpower. Based on an interview with a Unit Sergeant, and a review of a sample of cases that were classified as not assigned because of lack of manpower, we concluded that these cases were not assigned for other reasons, including limited conviction and solvability factors.

As described in the background section of this report, a Unit sergeant triages cases daily and determines case assignments. According to the Unit sergeant who determines case assignments, examples of cases that were classified as 'not investigated because of lack of manpower' included 1) certain cases where the reporting party believes that the suspect is a relative, or 2) the reporting party believes that the suspect is out of the area. The Unit classified these cases as 'not assigned because of lack of manpower' because there is not a separate classification for cases that are not assigned because of limited conviction, solvability, or other factors. During our audit, we saw instances where the District Attorney rejected in-custody arrest cases that involved a relative, a friend, the sale of a car (determined to be a civil case), and a rental car.

Based on our review of lack of manpower cases, we found that investigators had a number of reasons for not working the cases, but staffing constraints were not among them. We reviewed 15 cases that were classified as 'not assigned because of lack of manpower', during April, May, and June 2008. Of the 15 cases we reviewed: five were cases that involved suspects who were friends or a relative; one case involved the sale of a car; two cases were for rental cars that were not returned; and five were cases that would involve a lot of work with a low likelihood of solving the case. The remaining two cases were classified as 'not assigned because of lack of manpower' in the RMS because of a clerical error.

The 'lack of manpower' cases were reported in several internal management reports and in the City's Operating Budget report. The City's 2008-09 Operating Budget, which combines the Auto Theft Unit cases with those of other BOI units for the purpose of workload highlights, indicated that *"While the number of cases received, investigated, and resolved are up, the number of cases not assigned due to lack of resources is also up as static levels of investigative staffing continue to be outnumbered the growth in cases received."*

According to the Department, the RMS lacks a proper classification for these types of cases. Furthermore, the Department noted that it might be possible to include a more appropriate classification in the proposed RMS system. In our opinion, the lack of an appropriate data classification unintentionally reinforced the impression that the Auto Theft Unit was understaffed, potentially affecting staffing decisions and planning.

We recommend that the Police Department:

Recommendation #12

Develop written procedures to ensure that it correctly classifies cases with limited solvability/conviction factors and cases that lack staffing for assignment. (Priority 3)

Recommendation #13

Consider adding a classification for cases that are not investigated due to limited solvability or conviction factors in the proposed records management system. (Priority 3)

The Department Identified a Small Number of Auto Theft Reports That Were Not Reviewed By the Auto Theft Unit

The Operations Support Services Division (OSSD) routes all auto theft reports to the Auto Theft Unit. During the course of our audit, the Department identified a small number of the auto theft reports that were not reviewed by the Auto Theft Unit for potential assignment or entered in the Case Management Module of the RMS. Specifically, the internal review found that the OSSD Vehicle Records Unit had not routed 83 auto theft reports that occurred from January through September 2008, to the Auto Theft Unit. We recommend that the OSSD ensure the Auto Theft Unit receives all auto theft reports.

The 83 cases are not a significant number of the auto theft reports received, because the Department receives thousands of reports each year. However, some of the cases could have solvability factors and could therefore be assigned to the Unit's investigators to solve. In addition, although all the auto theft cases were reported to the California DOJ, the review of the cases could affect reporting to the California DOJ on entries such as unfounded auto thefts. For example, the Department's internal review indicated that of the 83 cases not reviewed, 8 were potential clearances and 16 were potential unfounded auto thefts. Furthermore, the 83 cases were not included in the BOI Caseload Summary Report. We were not able to determine why the

OSSD did not route the auto theft reports to the Auto Theft Unit. However, according to the Department, the OSSD Vehicle Records Unit handles other types of vehicle related police reports and can be very busy at times.

The Department determined that it needs a quality control procedure to ensure that the Unit reviews all auto theft reports. The OSSD can determine if the Auto Theft Unit reviewed all auto theft reports by periodically using a quality control check in the RMS. Therefore, we recommend that the OSSD develop and implement procedures to ensure that it has evidence of Auto Theft Unit review of entries in RMS for all auto theft reports.

We recommend that the Operations Support Services Division:

Recommendation #14

Develop and implement written procedures to ensure that the Records Management System reflects Auto Theft Unit review of entries for all auto theft reports. (Priority 3)

The Auto Theft Unit Should Improve the Documentation of Its Procedures

The Duty Manual is the Department's procedures manual. The Auto Theft Unit also has a "Responsibilities and Duties" document that it considers the Unit's procedures manual. However, the Unit's Responsibilities and Duties document does not describe basic investigative processes. The Unit needs written comprehensive policies and procedures to ensure that correct and appropriate duties are performed, especially given that the Unit's staff is rotated on a three-year basis. Accordingly, the Auto Theft Unit needs to improve the documentation and communication of policies and procedures.

Our review found that although the Auto Theft Unit provides its investigators with 40 hours of classroom auto theft investigations training upon assignment, it does not provide them with basic written investigative procedures. Specifically, the Auto Theft Unit's procedures manual does not include procedures for reviewing external criminal databases, classifying cases in the RMS or maintaining investigator caseload databases. Also, the Unit's procedures do not indicate the process for documenting returned lab results. For example, during the audit, we reviewed an auto theft report that did not have follow-up or disposition information regarding a fingerprint lab result. Because lab results are sometimes delayed, (such as one we reviewed which was returned after eight months) procedures for handling them are important.

In our opinion, as new staff is assigned to the Unit, their review of policies and written procedures are important elements to ensure correct and appropriate duties are performed during investigations and that accurate information is documented and reported.

We recommend that the Auto Theft Unit:

Recommendation #15

Develop written comprehensive policies and procedures for investigations including procedures for maintaining Unit databases and handling fingerprint lab results, and procedures for assignment and classification entries in the Records Management System. (Priority 3)

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CITY OF
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CAPITAL OF SILICON VALLEY
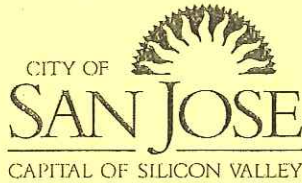
Memorandum

TO: Public Safety, Finance and Strategic
Support Committee

FROM: Robert L. Davis

SUBJECT: SJPD RESPONSE TO AUDIT
OF THE SJPD AUTO THEFT UNIT

DATE: May 7, 2009

Approved *Deanna Santana*   Date 5/12/09

BACKGROUND

The final draft report on the *Audit of the Auto Theft Unit* was submitted to the San Jose Police
Department (Department) on March 16, 2009 by the Office of the City Auditor (AO). The AO
has dedicated considerable time working in conjunction with staff from various units within the
Department, as well as with members from other City and County agencies, in an effort to
develop recommendations related to the operations of the Department's Auto Theft Unit (ATU).
With a wide array of variables related to day-to-day ATU operations, the task of understanding
the many complex issues with an eye toward identifying opportunities for efficiency gains has
proven to be an extremely challenging one.

The AO's Report includes five findings, which help to provide a framework to evaluate the audit
recommendations:

1. Improved communication of auto theft trend and protocol information
2. Consideration of whether it is feasible to reallocate sworn personnel from the Auto Theft
   Unit
3. Redundant data entry that affects auto theft reporting
4. Consideration of whether it is feasible to take auto theft reports by phone
5. Auto Theft Unit data input and procedural changes

Taken together, the above-listed findings by the AO reflect a focus on interrelated conditions that
stem from underlying technical and personnel limitations, as well as outmoded manual
processes.

The audit process has been instructive for Department staff in the area of auto theft data
reporting. We are fortunate that the Audit confirmed that the auto theft rate in San Jose is low,
with a very high recovery rate. This is a very desirable position for the City of San Jose and
any recommendations noted would only strengthen the great work of the San Jose Police
Department.

SJPD RESPONSES TO AUDIT RECOMMENDATIONS

Finding I. The San Jose Police Department Can Improve Its Communication of Auto Theft Trends and Protocols

> **Recommendation #1:** Periodically brief patrol on auto theft trends and utilize real-time mapped information and communicate this information to the Regional Auto Theft Task Force. (Priority 3)

> **Recommendation #2:** Periodically brief its command and patrol staff regarding juvenile auto theft trends and changes to juvenile protocols. (Priority 3)

SJPD Response:

The Department generally agrees with these recommendations. When auto theft trends and trends regarding juveniles are identified, ATU staff will coordinate the sharing of information with the Patrol Division and RATTF staff, including changes to juvenile protocols.

One of the responsibilities of the ATU sergeant is to review and analyze each case the unit receives on a daily basis. When a sergeant recognizes unique trends or patterns, it is his/her responsibility to ensure this information is passed on to patrol personnel.

Additionally, the Commander of the ATU prepares a quarterly program management report (PMR) for the Chief of Police. Information included in the report includes the current quarter activity and comparisons to the previous year's quarter. This provides the ATU Commander with a comprehensive overview of the number of auto thefts occurring. Trends are analyzed on a district by district basis to determine where vehicles have been stolen. Any significant trends or patterns identified from this analysis are passed on to patrol personnel.

The Bureau of Field Operations (BFO) Captains and Deputy Chief receive daily criminal information reports compiled by the BFO administrative staff that contain in part, early warning trends and historical information related to auto thefts in each of their respective divisions and districts. This daily information serves as a pointer for officers to receive information about auto theft activity in patrol divisions, and depending on the degree of follow up, the division commanders may identify the juvenile trends as well.

Additionally, in 2004, Chief Davis introduced a process by which Department resources are directed by selected crime data and accountability affixed to specific individuals/units to address crime and service problems. This process, Investing in Management of Police, Accountability, the Community and Technology (IMPACT), includes working with command staff through monthly or bi-monthly meetings with the Chief of Police to discuss emerging crime trends and strategic solutions. This process allows any significant increases or decreases in auto theft activity to be discussed, if applicable.

Finding II. The San Jose Police Department May Be Able to Free Up Sworn Personnel in the Auto Theft Unit for Other Duties.

Recommendation #3: Shift the equivalent of three sworn positions in the Auto Theft Unit to proactive responsibilities, or reallocate those positions elsewhere in the San Jose Police Department. (Priority 3)

SJPD Response:

The Department recommends deferral of taking a position on this recommendation until the City Auditor completes work on the department-wide civilianization study. Based on the Unit's current staffing level, there are only six authorized sworn positions (one vacant) serving a City of almost one-million people in a geographic area that exceeds 177 square miles, not including the ongoing County annexation. In calendar year 2008, there were more than 5,200 reported auto thefts. Achieving an all filled staffing level would allow the Department to engage in proactive responsibilities, but the ATU has experienced vacancies over the past years.

Additionally, Exhibit 2 in the AO's report shows a comparison of auto thefts occurring in CY 2007 to seven other cities. The Department would like to point out that the exhibit does not show the ATU staffing comparisons nor populations served. Based on this comparison, the AO's recommendation to have only two full-time auto theft investigators to serve a city of over one-million people is inconsistent with the staffing of the other cities mentioned in the AO's report.

Agency	Population	Sergeants	Officers	2007 Auto Thefts/100,000 Residents
New York	8,310,212	20	80	160
Phoenix	1,567,453	4	17	1,344
San Diego	1,353,993	2	12	1,044
Honolulu	905,034	1	7	545
San Jose	1,006,892	2	5	660
El Paso	624,365	3	26	499
Seattle	582,174	2	12	973
Sacramento	467,343	1	4	1,320

As stated in the Department's Five-Year Staffing Plan, the strategic goal is to augment existing staff so that a more proactive approach towards auto theft investigations can be conducted, independently and in conjunction with RATTF.

The AO recently began a civilianization audit of the Police Department. Any final approval or disapproval of recommendations pertaining to civilianization opportunities should be postponed until the civilianization audit is completed, to ensure overall Department efficiencies are identified and realized. The Department would like to acknowledge and appreciates the AO's ranking of this recommendation at the lowest level – Priority 3.

> **Recommendation #4:** Include information related to proactive activities in its Program Management Reports to the Chief such as number of investigations, number of arrests resulting from those investigations, and highlights of proactive activities. (Priority 3)

SJPD Response:

The Department agrees with this recommendation. Significant proactive activity is now being documented in the Auto Theft Unit's Program Management Report to the Chief.

> **Recommendation #5:** Explore the feasibility of using specially trained civilian staff for administrative assignments such as in-custody arrest documentation. (Priority 3)

SJPD Response:

The Department agrees with this recommendation. Additional civilian staff would be useful in relieving Auto Theft officers of some of the daily clerical administrative tasks, which would free up more investigative time for investigators and would provide crime analysis support to the ATU.

However, replacing a sworn officer with a "specially trained" civilian position would compromise investigative efficiencies. There are specific tasks related to in-custody case preparations and filings that must be conducted by sworn personnel. A sworn officer must sign the affidavit/complaint at the court and conduct follow-up interviews related to in-custody reports. These duties must be conducted by sworn personnel.

Additionally, the AO recently began a civilianization audit of the Police Department. Any final approval or disapproval of recommendations pertaining to civilianization opportunities should be postponed until the civilianization audit is completed, to ensure overall Department efficiencies are identified and realized.

Finding III. The Current Auto Theft Reporting Process Requires Duplicative Data Entry That Could be Streamlined with a New System

> **Recommendation #6:** To the extent possible, ensure that the proposed automated field reporting and records management system reduces duplication of auto theft data entry and automates quality control processes. (Priority 3)

SJPD Response:

The Department generally agrees with this finding and recommendation. According to the RMS project manager, the ability to streamline data, improve workflows and reduce redundancy depends primarily on two factors: 1) the capability of the vendors and 2) the capability of the City to fund technical solutions and technical support personnel.

Finding IV. The San Jose Police Department Should Explore the Feasibility to Taking Some Auto Theft Reports by Phone

Recommendation #7: Explore the feasibility of taking some auto theft reports by phone when officers cannot respond to calls in a timely manner because they are too busy, or when callers cannot wait for officers to respond. (Priority 3)

SJPD Response:

The Department disagrees with this recommendation based on lessons learned from other law enforcement agencies. Auto theft reports taken over the phone can result in an increase in falsely reported stolen vehicles and increases in insurance and fraud cases. Department personnel cannot verify the identity of the person over the phone who is reporting the stolen vehicle. There is also an officer/citizen safety issue; if a car has been falsely reported as a stolen vehicle and an officer in the field observes that car, appropriate law enforcement action would be taken. Stolen vehicle stops are considered "high-risk" and are conducted with fundamental tactical principles. Such principles include making use of available cover and concealment, attempting to control any escape routes the suspect(s) may use, and attempting to order suspects to leave their positions of cover and concealment while officers maintain a position of advantage and safety. An innocent citizen stopped by police as the result of a false stolen vehicle report might not respond to or understand the actions and demands made by the police. During these situations officers will have their weapons drawn. The consequences of such an encounter would not be favorable for the police or the citizen.

The Department contacted the two agencies mentioned in the AO report. The Phoenix Police Department indicated they have stopped taking stolen auto theft reports over the phone after experiencing a significant increase in fraudulent reports. In fact, they have made more stringent reporting requirements after their experience. Phoenix now requires face-to-face auto theft reporting as well as requiring the reporting party to sign a notarized affidavit.

A recent press release from NBC San Diego supports the stated problems related to taking a stolen vehicle report over the phone. In a March 20, 2009, article it states in part, *"As the economy suffers, more San Diegans are filing fake auto theft claims. And police are doing something new to catch them. "We're seeing a large amount of auto theft, in which we think it may be insurance fraud," Say Detective Bobby Rollings, of the San Diego Police Department's Southern Division." "South Bay detectives now treat these cases in a new way: auto theft reports are no longer just taken over the phone, as in most places. A field detective now takes the reports in person, conducts an investigation and requires the person making the claim to sign a report. Since the department instituted the policy about a year ago, there's been a 34% decrease in people filing reports in Southern Division, which Rollins directly attributes to the new policy."* The article further states that *"Rollins works closely with state investigators, the*

National Insurance Crime Bureau, the District Attorney's Office and the Probation and Parole Department to catch people faking auto theft.[1] (See Attachment)

A San Diego Police Department Auto Theft sergeant indicated they originally launched the phone report program citywide due to staffing shortages, but after a rise in fraudulent reports, certain areas in San Diego reverted back to the face-to-face reporting, as stated in the above article. The sergeant indicated that during the months of January – March, 2009, in the border division where phone reports were no longer being taken, there was a 34% reduction in reported auto thefts.

During a phone interview with Dave Roccaforte, an agent with the National Insurance Crime Bureau (NICB), he indicated the NICB advises police agencies not to take auto theft reports over the phone due to the increased risk of insurance fraud.

Finding V. The San Jose Police Department Corrected Data On Cleared Cases, and Should Address other Data Management Challenges

> **Recommendation #8:** Develop written procedures regarding proper closure of auto theft case entries into the Records Management System. (Priority 3)

> **Recommendation #9:** Develop written procedures for proper closing of cases in the Records Management System, including applicable quality control processes. (Priority 3)

SJPD Response:

The Department agrees with these recommendations. The Auto Theft Unit Guidelines have been updated to include the definitions of the RMS codes and how the codes should be used to close a case. The ATU commander has also provided training to ATU personnel and will continue to provide training to new personnel coming in to the ATU at shift change. ATU sergeants will review closed cases for quality control.

> **Recommendation #10:** Ensure that the proposed records management system includes a reporting capability such that aged cases are identified and closed in a timely manner. (Priority 3)

SJPD Response:

The Department agrees with this finding.

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[1] Fake Auto Theft Claims Up/NBC San Diego, www.nbcsandiego.com/traffic_autos/autos/Fake-Auto-Theft-Claims-Up.html, 4/30/2009

Recommendation #11: Use the number of open cases from investigator spreadsheets as of the end of the quarter to report the number of open cases in the Quarterly Program Management Report to the Chief. (Priority 3)

SJPD Response:

The Department disagrees with this finding. Open caseloads are more appropriately monitored and tracked at the unit level by the Auto Theft Unit commander. On a daily basis, as new cases come in, the ATU commander will review each detective's open case workload to determine new investigative assignments.

Recommendation #12: Develop written procedures to ensure that it correctly classifies cases with limited solvability/conviction factors and cases that lack staffing for assignment. (Priority 3)

SJPD Response:

The Department agrees with this recommendation. The Auto Theft Unit Guidelines have been updated to include the definitions of the RMS codes and how the codes should be used to reflect case assignment decisions.

Recommendation #13: Consider adding a classification for cases that are not investigated due to limited solvability or conviction factors in the proposed records management system. (Priority 3)

SJPD Response:

The Department disagrees with this recommendation, which is based on the AO's review of 15 cases classified as "not assigned due to lack of manpower." The two main RMS codes used to indicate the reasons for a case not being assigned are:

- Not Assigned/Non-Workable (NW)
  This code is used only when the reported auto theft has absolutely no solvability factors. This designation is determined after review of the reported incident by the Unit Commander or reviewing sergeant.

- Not Assigned/Lack of Manpower (NM)
  This code is used when the reported auto theft has solvability factors but due to lack of staffing resources the case is not assigned. This is determined after review of the reported incident by the Unit Commander or reviewing sergeant.

These codes and definitions have been used by the Department for more than 30 years and have served the Bureau of Investigations well in tracking case assignments.

ATU investigators and Research and Development Unit staff reviewed the same 15 cases reviewed by AO staff. It is the opinion of the Police Department staff that these cases were correctly coded and the existing codes are sufficient in nature to capture the variety of circumstances to classify a case. Additionally, with the anticipated new RMS, it may be an option that the Police Department can explore, as noted in the City Auditor's recommendation.

Recommendation #14: Develop and implement written procedures to ensure that the Records Management system reflects Auto Theft Unit review entries all auto theft reports.

SJPD Response:

The Department agrees with this recommendation. During the audit process the Department proactively put a procedure in place to ensure cases not received from OSSD (Records Unit) are identified and brought to the attention of ATU investigators. Currently this function is being done by CAU personnel to ensure quality control. The CAU will eventually shift responsibility to the OSSD Auto Desk. Since the implementation of this process, the ATU has realized a significant decrease in the number of reports not received.

Recommendation #15: Develop written comprehensive policies and procedures for investigations including procedures for maintaining Unit databases and handling fingerprint lab results, and procedures for assignment and classification entries in the Records Management System. (Priority 3)

SJPD Response:

The Department agrees with this recommendation. The Auto Theft Unit Guidelines have been updated to include the definitions of the RMS codes and how the codes should be used to close a case.

CONCLUSION

At the *Audit of Auto Theft Investigation - Entrance Conference* on July 17, 2008, the AO expressed an interest in researching and assessing the accuracy of auto theft-related data and reports. As a result, a significant amount of staff time from the AO and the Department was focused jointly on data issues and business practices that affect the precision of reports submitted by the Department to various end users including the Department's Chief of Police, the City Administration, the State Department of Justice (DOJ), Federal Bureau of Investigation (FBI) and the community. As noted earlier, we are fortunate that the Audit confirmed that the auto theft rate in San Jose is low, with a very high recovery rate. This is a very desirable position for the City of San Jose and any recommendations noted would only strengthen the great work of the San Jose Police Department.

The Department wishes to thank the AO for verifying the accuracy and reliability of the number of auto thefts in San Jose as reported by the Police Department. The Department appreciates the efforts of the Auditor's Office in conducting the Auto Theft Unit Audit and for providing the resulting Audit Recommendations.

ROBERT L. DAVIS
Chief of Police

Fake Auto Theft Claims Up

By CATHERINE GARCIA

Updated 8:58 PM PDT, Fri, Mar 20, 2009

Related Topics: Bobby Rollins | Crime | Grand Larceny

People simply can't afford their cars anymore, and are looking for a way to walk away from their payments, police said.

As the economy suffers, more San Diegans are filing fake auto theft claims. And police are doing something new to catch them.

Fake Auto Theft Claims Up

Watch Video

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"We're seeing a large amount of auto theft, in which we think it may insurance fraud," says Detective Bobby Rollins, of the San Diego Police Department's Southern Division.

Detective Rollins says people simply can't afford their cars anymore, and are looking for a way to walk away from their payments. He says some people try to ditch their cars in Mexico, others have hidden cars in storage facilities, and some simply leave their cars parked somewhere with the keys in the ignition hoping it gets stolen.

"Have they recently tried to renegotiate the terms and conditions of their lease? Have they recently been laid off? These are red flags that we look at to see if someone is trying to commit insurance fraud," Rollins says.

So South Bay detectives now treat these cases in a new way: auto theft reports are no longer just taken over the phone, as in most places. A field detective now takes the reports in person, conducts an investigation and requires the person making the claim to sign a report.

Since the department instituted the police about a year ago, there's been a 34% decrease in people filing reports in Southern Division, which Rollins directly attributes to the new policy.

"We're getting a lot of tips from the public, from neighbors, saying they can't afford that vehicle and all of a sudden it's gone and it's wrong," says Detective Rollins.

Rollins works closely with state investigators, the National Insurance Crime Bureau, the District Attorney's Office and the Probation and Parole department to catch people faking auto theft.

Related Stories

- In Case You Missed It This Week ...
- Dairy Farmer's Calf Kidnapped, Eaten

Find this article at:
http://www.nbcsandiego.com/traffic_autos/autos/Fake-Auto-Theft-Claims-Up.html

☐ Check the box to include the list of links referenced in the article.

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APPENDIX A

DEFINITIONS OF PRIORITY 1, 2, AND 3
AUDIT RECOMMENDATIONS

The City of San Jose's City Policy Manual (6.1.2) defines the classification scheme applicable to audit recommendations and the appropriate corrective actions as follows:

Priority Class[1]	Description	Implementation Category	Implementation Action[3]
1	Fraud or serious violations are being committed, significant fiscal or equivalent non-fiscal losses are occurring.[2]	Priority	Immediate
2	A potential for incurring significant fiscal or equivalent fiscal or equivalent non-fiscal losses exists.[2]	Priority	Within 60 days
3	Operation or administrative process will be improved.	General	60 days to one year

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[1] The City Auditor is responsible for assigning audit recommendation priority class numbers. A recommendation which clearly fits the description for more than one priority class shall be assigned the higher number.

[2] For an audit recommendation to be considered related to a significant fiscal loss, it will usually be necessary for an actual loss of $50,000 or more to be involved or for a potential loss (including unrealized revenue increases) of $100,000 to be involved. Equivalent non-fiscal losses would include, but not be limited to, omission or commission of acts by or on behalf of the City which would be likely to expose the City to adverse criticism in the eyes of its citizens.

[3] The implementation time frame indicated for each priority class is intended as a guideline for establishing implementation target dates. While prioritizing recommendations is the responsibility of the City Auditor, determining implementation dates is the responsibility of the City Administration.

APPENDIX B

AUTO THEFT ARRESTS

Exhibit B-1: California Department of Justice Adult and Juvenile Auto Theft Arrests Reported By the City of San Jose

Auto Theft Arrests	Calendar Year		
	2005	**2006**	**2007**
Total Adults	491	462	385
Total Juveniles	206	240	210
Total	697	702	595
Percentage of Juvenile to Total Arrests	30%	34%	35%

Source: City Auditor analysis based on 2005-2007 California Department of Justice data. It should be noted that statistics reported in Exhibit B-1 may not reconcile to the statistics reported in Exhibit B-2 because the Uniform Crime Reporting guidelines require jurisdictions to categorize arrests by the most serious crime when more than one crime is committed by a suspect. For example, if a suspect commits an auto theft and a robbery, the arrest will be classified as a robbery and not included in the table above. Also, the County may include other data, such as arrests based on warrants for auto theft, which the SJPD does not include.

Exhibit B-2 below presents information regarding one-time and repeat juvenile auto theft offenders.

Exhibit B-2: Number of Times Juveniles Were Arrested for Auto Theft By the San Jose Police Department By Calendar Year

Number of Times Juveniles Were Arrested for Auto Theft During the Year	Calendar Year		
	2005	**2006**	**2007**
Once with 1 or more arrests in prior years	22	30	33
Twice	21	36	24
3 times	2	12	14
4 times	0	1	2
5 times	0	0	3
6 times	1	1	0
7 times	1	0	0
Sub-total – repeat offenders	**47**	**80**	**76**
Percent of total	**24%**	**30%**	**28%**
Once with no prior arrests	151	185	195
Total Number of Juveniles Arrested for Auto Theft	**198**	**265**	**271**

Source: City Auditor prepared based on Santa Clara County data.

Note: The total number of arrests in 2005, 2006, and 2007 were 234, 333 and 341, respectively, taking into account the multiple arrests as shown above. Also, some of the juveniles arrested more than once in a year had additional auto theft arrests during the prior 36 months. It should be noted that the statistics reported in Exhibit B-2 may not reconcile to the statistics reported in Exhibit B-1 (see note on Exhibit B-1).