

THEFT OF VEHICLES

1. GENERAL

A. Relevant Legislation: Criminal Code

Motor vehicle theft

333.1 (1) Everyone who commits theft is, if the property stolen is a motor vehicle, guilty of an offence and liable

[...]

- [...]

Marginal note: Motor vehicle theft when violence used, threatened or attempted

(3) Everyone who commits theft in the commission of which violence against a person is used, threatened or attempted is, if the property stolen is a motor vehicle, guilty of an indictable offence and liable to imprisonment for a term not exceeding 14 years.

Marginal note: Motor vehicle theft for criminal organization

(4) Everyone who commits theft for the benefit of, at the direction of or in association with a criminal organization is, if the property stolen is a motor vehicle, guilty of an indictable offence and liable to imprisonment for a term not exceeding 14 years.

[...]

Possession of device for purpose of committing theft

333.2 (1) Everyone commits an offence who possesses an electronic device suitable for committing theft of a motor vehicle for the purpose of committing a motor vehicle theft offence.

Marginal note: Distribution of device linked to theft

(2) Everyone commits an offence who, without lawful excuse, makes, repairs, sells, offers for sale, imports into Canada, exports from Canada, distributes or makes available an electronic device suitable for committing theft of a motor vehicle, knowing that the device has been used or is intended to be used to commit a motor vehicle theft offence.

[...]

s. 354

- **Obliterated vehicle identification number**

(2) In proceedings in respect of an offence under subsection (1), evidence that a person has in their possession a motor vehicle the vehicle identification number of which has been wholly or

partially removed or obliterated or a part of a motor vehicle being a part bearing a vehicle identification number that has been wholly or partially removed or obliterated is, in the absence of any evidence to the contrary, proof that the motor vehicle or part, as the case may be, was obtained,

- **(a)** by the commission in Canada of an offence punishable by indictment; or
- **(b)** by an act or omission anywhere that, if it had occurred in Canada, would have constituted an offence punishable by indictment.

- **Marginal note: Definition of *vehicle identification number***

(3) For the purposes of subsection (2), ***vehicle identification number*** means any number or other mark placed on a motor vehicle for the purpose of distinguishing the motor vehicle from other similar motor vehicles.

B. Purpose

This policy sets out the process to be followed when investigating the theft of a motor vehicle and to ensure the proper maintenance of stolen vehicle information on the CPIC system.

2. POLICY

A. Reporting of a Stolen Vehicle- Responsibilities

IES Call Taker

1. Upon receipt of a complaint of a stolen motor-vehicle, the Report-Taker is responsible to:
 - a. Obtain all applicable information regarding the stolen motor-vehicle from the person reporting the theft.
 - b. Generate a call screen and an incident number. Enter the call as 1090 and ensure all reported details are entered unto the call screen.
 - c. Enter the stolen vehicle information into the HRP Briefing Report-Stolen Vehicles Section
 - d. Check the list of towed vehicles to verify the vehicle has not been towed or repossessed.
 - e. Check CPIC for “no hit” to see if the vehicle may have been located before being reported stolen
 - f. Conduct a vehicle query including a VIN and license plate CPIC check, vehicle query log, and confirm registration details.
 - g. Determine from the complainant if action may have been taken against the vehicle for overdue loan or lease payments or parked on private property.
 - h. Determine if the vehicle has a Vehicle Tracking System.
 - i. Disseminate via a general broadcast (10-3) to all duty members with a description of the vehicle.
 - j. If theft is in progress, generate an occurrence and upgrade to priority one.
 - k. Dispatch a unit to the complainant
 - l. Enter the vehicle on the CPIC system and RMS.

- m. Add a text under the original incident number to indicate the vehicle has been added to CPIC.
- n. When a report is received that a reported stolen vehicle appears to have left HRP jurisdiction, Dispatch shall transmit a CPIC message to other agencies indicating same.

Member

- 1. When a member is dispatched to a report of a stolen motor vehicle, they shall conduct a proper preliminary investigation including:
 - a. Take a statement from the complainant obtaining the following information:
 - i. Date and time frame of the theft
 - ii. Address where vehicle taken from
 - iii. complete vehicle information (owner, make, model, color, license plate, VIN and any other identifiers
 - iv. Whether the vehicle was secured and if the keys are accounted for
 - v. list of vehicle contents
 - vi. insurance details
 - vii. any vehicle liens
 - viii. if there is a tracking system
 - ix. possible suspects
 - x. status of fuel level
 - xi. details of all persons having legitimate access to the vehicle
 - xii. where the vehicle was last serviced
 - b. Canvass for video, evidence or witnesses
 - c. Complete a Stolen Vehicle Report
 - d. Ensure the vehicle is entered on the CPIC system
 - e. Request the vehicle be entered into the HRP Briefing Report
 - f. Add a text entry under the original incident number for all actions taken
 - g. If investigation leads to the belief that the vehicle has left HRP jurisdiction, communicate the same to Dispatch without delay
 - h. Notify the NCO GIS where one or more of the criteria stated below are present
 - i. If the stolen motor vehicle is believed to be linked to a serious matter under investigation, the member shall cross-reference those occurrences on Versadex; ensure the stolen vehicle is entered as a pointer vehicle on CPIC; indicate in the CPIC remarks field that the owner is not to be notified upon recovery if they are suspected of being involved, so as to not compromise ongoing or pending criminal investigations.

B. Report of Stolen Leased or Rental Vehicle

- 1. Due to the contractual nature of agreements entered into by both parties when renting or leasing a motor vehicle, theft complaints will not be taken by Halifax Regional Police until fourteen (14) days after the agreed return date in the case of a rental vehicle, and until ninety (90) days have elapsed since the last payment was made in cases of leased vehicles, OR the

vehicle is removed from the jurisdiction stipulated in the contract without receiving permission from the leasing agency.

2. A rented/leased vehicle may be considered stolen by the rental/leasing agency when the renter/lessee converts it to their own use or the use of another person outside the terms of the agreement. This includes selling the vehicle, or part of it, and shipping the vehicle out of the country.
3. Responsibility for the investigation of theft of a rental/leased vehicle and theft by conversion of a rental/leased vehicle resides with the policing agency in whose jurisdiction the original agreement was signed, unless otherwise determined.
4. Before proceeding with an investigation of a stolen rental/leased vehicle, the investigator shall ensure the complainant has made sufficient effort to recover the motor vehicle in question and that they are committed to proceed with the prosecution of the offender.

C. Stolen Motor Vehicle Investigations--Responsibilities

NCO GIS

1. The NCO of GIS shall:
 - a. Assign all routed stolen motor vehicle files for further investigation. Cases meeting the criteria for referral to GIS include:
 - i. Theft is heavy equipment
 - ii. Theft is from an auto dealership
 - iii. Value exceeds \$200K
 - iv. Suspected chop shop involvement
 - v. Linked to a serious crime under investigation
 - vi. Cargo thefts
 - vii. Thefts of tractor-trailer units
 - viii. Warm up thefts
 - ix. Freight-forwarders
 - x. Aircraft
 - xi. Boats, multi-vehicle thefts
 - xii. Residential break where MV is taken
 - xiii. Altered VIN

xiv. Vehicles stolen from Halifax and recovered outside NS

b. Provide support to the auto theft investigator in all investigations/projects

Auto Theft Investigator

1. The Auto Theft Investigator shall:
 - a. Conduct stolen motor vehicle investigations as required
 - b. Review of stolen motor vehicle files and provide investigative support when requested
 - c. Maintain regular contact with the GIS Criminal Intelligence Analyst to identify ongoing trends and patterns in relation to stolen motor vehicles.
 - d. Build and maintain pro-active relationships with local vehicle dealerships, insurance bureau investigators, Equite Association, Canada Border Services and the International Association of Auto Theft Investigators.
 - e. Attend regular meetings with investigators at COMSTAT, CISNS and related groups to provide updates and share intelligence in relation to stolen motor vehicle investigations and trends.
 - f. Conduct lectures relating to auto theft for in-service and recruit training
 - g. Inform patrol members of information regarding organized theft of vehicles including methods of operation, hot spots, time of day, suspects
 - h. Conduct checks of body shops, car lots, wrecking yards and towing companies
 - i. Assist CID in identifying vehicles from video surveillance or still images when the suspects are unknown, the make, model or approximate year of the vehicle is unknown, and the offence being investigated is a primary designated offence under s. 487.04 of the Criminal Code. All other requests will be considered on a case-by-case basis.
 - j. Conduct expert examination on motor vehicles to determine their true identity when the identity of a vehicle is unknown due to a VIN having been altered or the vehicle re-VINed, or the vehicle has been destroyed by fire and the identity of the vehicle is unknown. Or there are discrepancies in the vehicle status determined as a result of RMV checks such as color inconsistencies, vehicle year or odometer reading.
 - k. Once a vehicle is determined by an expert examination to have been vin-altered, the examiner or their delegate shall contact the owner or insurer of the vehicle to arrange for removal of any false VIN plates, decals or certificates that require the assistance of third parties to facilitate their removal.

Criminal Intelligence Analyst

1. The Criminal Intelligence Analyst shall:
 - a. Conduct a criminal analysis of all stolen vehicles on a weekly basis.
 - b. Report patterns and trends relating to stolen motor vehicles to the NCO GIS and the Auto Theft Investigators
 - c. Notify other services of auto theft problems that may impact their areas

D. Recovered Vehicles

1. It is the policy of Halifax Regional Police, in consultation with the Public Prosecution Service, that anyone apprehended in possession of a stolen vehicle will be prosecuted in the jurisdiction of apprehension. Refer to sections below for responsibilities when a stolen motor vehicle is recovered in HRP jurisdiction that was reported stolen in another jurisdiction.
2. Halifax Regional Police will complete the identification work when a stolen motor vehicle is recovered in its jurisdiction, regardless of whether the vehicle was stolen from HRP jurisdiction or not.

Member

1. When a stolen motor vehicle is recovered within HRP jurisdiction, the members involved in the recovery are responsible to:
 - a. Check the CPIC vehicle file
 - b. Clear the call NBK (to ensure a second incident number is not generated), refer to the original stolen vehicle report incident number and add a Supplementary Report. The report should include:
 - i. Particulars of the stolen motor vehicle
 - ii. Examine the vehicle for evidence of fresh damage or evidence of tampering and record the vehicle identification directly from the VIN plate
 - iii. Note the seat location, mileage, radio station, an inventory of contents and any other information that could assist the investigation
 - iv. Note if the vehicle appears to have been vandalized or stripped, if it appears to have been involved in a collision, if it was involved in a suspect apprehension pursuit, if keys were used to steal the vehicle
 - c. Notify the owner and note the date, time and means of notification
 - d. Arrange to have the vehicle towed to the secure compound. Whenever possible, an officer shall follow the tow truck to the secure compound.
 - e. Ensure the stolen vehicle is removed from the HRP Briefing Report upon recovery
 - f. Canvass the area for witnesses and/or video
 - g. Prepare the RQSS and include in the request for forensic examination a list of contents in the vehicle that does not belong to the owner; anything of significance the IDENT officer should examine any drink containers or cigarette butts that may be swabbed for DNA
 - h. The investigating officer is responsible for property found inside a recovered vehicle that does not belong to the registered owner.

Dispatch

1. Upon notification from a member that a vehicle has been recovered, the CPIC operator will remove it from CPIC and the VEHC screen immediately.
2. When advised by a member that owner contact cannot be made, the Dispatch operator removing the vehicle from CPIC and RMS is responsible for attempting to notify the registered owner of the recovery and adding a Supplemental Report under the original incident number noting same. If the Owner cannot be contacted, print a copy of the electronic notification and response and forward each to Central Records for inclusion in the Master file.

3. Print a copy of the CPIC removal and forward it to the CPIC Coordinator located in Central Records.
4. Add a Supplemental Report under the original incident number noting the removal of the vehicle from CPIC and RMS
5. Send an electronic notification to the assigned investigator advising them of the recovery. Print a copy of the notification and response and forward both to Central Records for inclusion in the Master file.

Recovered in HRM, reported out of jurisdiction

1. Whenever a vehicle is recovered within HRP jurisdiction that has not been reported stolen within HRP jurisdiction, the member involved in recovering the vehicle will generate a call as:
 - a. C118 and clear RTF when no suspects are located.
 - b. 1090 and clear RTF when a suspect(s) is located, and charges are laid
2. Notify Dispatch of the recovery and request they contact the reporting agency via CPIC as soon as practical and advise the agency of the recovery
3. If a suspect has been arrested, lay any appropriate charges
4. Prepare the RQSS to facilitate forensic examination
5. Place the vehicle on CPIC as ABANDONED
6. Add a supplemental text to the file including all particulars
7. Where the occupants of a stolen vehicle are arrested/detained, the member will ensure the names and particulars of all occupants are recorded in the CHGD screen and appropriate PERSON screens in the Supplementary/Follow-Up Report.

Identification Section

1. Upon completion of an examination of any stolen motor vehicle, the attending Identification member shall:
 - a. Add a FIS activity report to the file
 - b. Send the results of each examination to the investigating officer via electronic mail
 - c. Determine if the vehicle is going back to the owner or to the tow yard

CPIC Coordinator

1. Upon receipt of notice of the recovery of a stolen motor vehicle from within HRP jurisdiction, notify the Registry of Motor Vehicles by the end of that business day of the recovery and modify the VEHC screen to reflect the recovery.

QA Sergeant

1. When notified that a vehicle has been recovered but the owner cannot be contacted, the QA Sergeant is responsible for ensuring:
 - a. The owner is notified as soon as practical and document this in a supplemental text
 - b. The stolen motor vehicle is deleted from the HRP Briefing Report

3. DEFINITIONS

“Motor Vehicle” as defined in the Criminal Code, means a vehicle that is drawn, propelled or driven by any means other than muscular power, but does not include railway equipment

“Stolen Vehicle” for the purpose of this policy includes automobiles, trucks, motorcycles, trailers, and other vehicles such as farm and garden tractors, ampicars, all-terrain vehicles, go-carts, dune buggies, buses, construction equipment and motor homes.

“Leased Vehicle” means a vehicle leased under an agreement with a leasing agency for an extended period. Leasing agreements usually require the lessee to pay a monthly charge.

“Rental Vehicle” means a vehicle rented under a contract whose term usually runs from one day to six months. The rental contract is renewed every 31 days unless otherwise stated in the contract.

“Vehicle Identification Number” or VIN, as defined in the Criminal Code, means any number or mark placed on a motor vehicle for the purpose of distinguishing the motor vehicle from other similar motor vehicles.

“Re-VIN Motor Vehicle” means a motor vehicle which is suspected of having an altered, counterfeit, forged, duplicate, defaced or non-authentic VIN affixed to the vehicle.

“Vehicle Tracking System” means technology used to track the location of vehicles. Technology may include one or all the following: Radio Directional Finding, Global Positioning Satellite, Cellular Technologies

“Chop Shop” means premises involved in the dismantling and rebuilding of stolen vehicles and/or changing/altering of VINs on stolen vehicles.

“Warm-Up Theft” means the theft of a vehicle, typically in the winter months, which has been left running by the owner.



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By Order Of:



Don MacLean
Chief of Police