

	POLICY & PROCEDURE	SERIES # <b>507</b>	PAGE 1 OF 2
	SUBJECT		EFFECTIVE DATE <b>01/20/11</b>
	<b>UNAUTHORIZED USE VEHICLE COMPLAINTS</b>		OVERSIGHT <b>Investigations</b>
	DISTRIBUTION <b>ALL MANUALS</b>	AMENDS/SUPERSEDES/CANCELS P&P #507 dated 10/15/01.	

I. PURPOSE:

To establish procedures related to Unauthorized Use vehicle complaints.

II. POLICY:

It shall be the police of the Hampton Police Division to establish guidelines so that Unauthorized Use complaints will be investigated and resolved according to current state law requirements. Current state law deems Unauthorized Use as “any person who shall take, drive or use any vehicle...not his own without the consent of the owner thereof and in the absence of the owner, and with the intent to temporarily deprive the owner thereof of his possession.”

III. PROCEDURE:

A. Upon receiving a complaint of unauthorized use Officers will conduct a thorough investigation to establish whether all elements of the offense are present. Many of these cases are domestic in nature. Therefore, the victim should be advised of the severity of the matter and legal process involved, so that they may decide if he/she truly wishes to prosecute.

B. Magistrates normally will not issue an Unauthorized Use warrant to the victim without a police investigation. Rather, he/she will refer complainants to HPD for reporting purposes and investigation. Officers are not to direct victims to obtain their own warrants. If probable cause (P.C.) exists then it is the officer’s obligation to pursue the felony charges.

1. Once probable cause is established and the victim is willing to prosecute, the officer will:

- a. Generate an IBR report
- b. Determine the value of the vehicle (felony or misdemeanor)
- c. Have the victim sign the Statement of Cooperation.
- d. Present P.C. to the on duty Magistrate and secure the warrant.

APPROVED:  
CHIEF OF POLICE



- e. Insure that the necessary information is submitted to the Information Center for a BOL and NCIC/VCIN entry.
  - f. Attempt to serve the warrant if the suspects' location is known.
  - g. Complete the Case File in the appropriate manner. (Case Closed by Arrest or Pending Arrest, Warrant on File).
- C. Completed Case Files will be processed in accordance with existing Division policy.
- D. Investigative Services Responsibility

Reports may be forwarded to Investigative Services for review and further follow-up if circumstances warrant such action.

