

Main means of committing of luxury vehicle ordered theft offences, committed by cross-national criminal groups

Cristian CUCOREANU¹

¹Chief Comissioner, Romanian Directorate of Police, cucoreanu_cristian@yahoo.com

Content description:	The realities of the Romanian society have imposed the intensification of the police work in the field of fight against criminality committed in organized form. Although unconceivable in Romania not long ago, the cross-national criminal networks, dealing with traffic of ordered robbed vehicles, have multiplied and diversified their business.
Keywords:	international traffic, robbed vehicles, network organization.
Article info:	Received: 06/02/2014 Approved: 26/02/2014 Pages/ words: 6/3296

For the minimal decrease of the risks, the gangs dealing with the vehicles originating from thefts, never act casually and are permanently searching for the most effective methods and means of action. They also prefer the area in which there are houses because they consider people with money and possessing luxury vehicles are living here. The theft usually happens during the night, after a careful training and surveillance.

The specialists divide the vehicles thieves in 3 classes. The most unimportant one is the one called Joyriders. They usually steal a vehicle just for short-term fun, then they abandon it. The second class is using the stolen vehicle for another fraud, it means they just “borrow” it, therefore they do not steal them to gain profit from the vehicle. The professional vehicle thieves who usually work in small teams and under order represent the third and the most numerous class.

The statistics show that most of the stolen vehicles go to the dismembering workshops, being subsequently valorized on the black market under the form of spare parts or are registered in traffic in a fraudulent manner for being traded inside the country or abroad.

On September 23rd, 2007, the victim M.I. claimed the theft of the vehicle mark BMW, color white, parked on Stefan Street, 2nd district, Bucharest to the workers of the Vehicle Theft Service. After the researches, the vehicle was identified on October 3rd, 2007 inside a center of vehicle dismemberment in Maracineni Locality, Buzau County and delivered under a minutes to the claimant. After the investigations, the vehicle was found to have been brought to the dismemberment center by V.S.I. After his hearing, it appeared that the latter bought the vehicle from I.F. against 2100 RON, being recognized on a picture. Under hearing, I.F. declared that the vehicle BMW, color white was left as pledge by P.M. who has borrowed him 600 Euro. I.F. declared that, by the time of entering under the custody of the vehicle, P.M. was accompanied by S.G., and after a while he made the decision to sell the vehicle to V.S.I., noticing that the borrowed amount was not returned by P.M.

By the end of the verifications, the offence of qualified theft was withheld for P.M. and S.G., provided by article 209, letter a, e and g from the Criminal Code.

The following means of operation can be found in the legal practice¹:

1. the performance of thefts under the owners' agreement who deliver the vehicle to the criminal networks on their own will and declare it stolen after a few days, when it has already left the country, in order to get the insurance. Of course the owners get amounts of money from the dealers as well, around 30% from the real value, which, together with the compensation granted by the insurance companies, is granting them the amount necessary for the procurement of a new vehicle. In Romania, the number of stolen-claimed vehicles is around 14 000 per year, and the prejudice created to the insurance companies is appreciated to around 1 million Euro, only by the fictitious statement of the thefts;

2. The use of certain gangs of young people preoccupied with the stealing of vehicles for amusement and fun, without following the appropriation of the asset. The specialized groups are taking advantage of such gangs' "hobby", assigning the risk on the latter, with minimal expenses;

3. The performance of "ordered" thefts, due to the beneficiary who is giving all the details to the dealers regarding the mark, age, color, type of the vehicle, establishing even the sale-purchase price. The risks related to the subsequent placement of the stolen asset is therefore removed. This is a method put into practice by the old and very well-organized networks acting on the request from the market. The very high dangerousness of this way of operation resides not only from the fact that the criminals of different "specializations" worked together, but also from the fact that the network is trying to corrupt, with large amounts of money, clerks who are responsible for the border control activities, homologation and matriculation of vehicles for the introduction of the vehicles into the country and their valorization;

4. The « laundry » through successive sales of the vehicle, to lose its trace, which is frequently used by the gangs consisting in Italians, Bulgarians and Romanians.

5. Through the "theft in the damage of the leasing companies, the vehicles are procured under leasing, and, after the payment of the first two-three rates from the total price, they are taken abroad and sold, especially in the former soviet countries, because the matriculation system in these countries is simpler. The procurement of vehicles under leasing can also be made from abroad, sometimes with false documentation, such operation is followed by their illegal alienation by the person who is using them and their indigenization in Romania, with faked documentation.

6. The incorporation of certain fictitious trade companies, the procurement of vehicles through them, beneficiating of VAT deductions, and, after the sale of the vehicles and their claiming as stolen, the representatives of such companies cannot be found anymore.

7. The rehabilitation of the "radiation" means the replacement of the seriously damaged vehicles and the rehabilitation in circulation of stolen vehicles with the documentation and the plates of the first ones.

8. Through the system of "circumvention of taxes" the vehicles are introduced in Romania under temporary acceptance and, subsequently, through the falsification of the customs documentation, they are matriculated without the payment of taxes dues to the state budget.

9. The thieves are renting vehicles from the car rent companies with false documentation, then they are taken abroad or changed through the identity point of view, being traded by other persons. Another way is the gaining of trust of such companies, by renting certain simple vehicles, which are returned on time, followed by the renting of luxury vehicles, without returning them, their indigenization and their trading in the country and abroad.

Currently, the authorities are dealing with new stealing methods of and from vehicles imported from the West. The luxury vehicles thieves have the highest education among their branch. They have learnt the secrets of stealing the luxury vehicles in the car workshops from Germany and Italy where they were hired as car washers or participated to similar thefts. After gaining the secrets

of the foreign vehicles, the thieves could only put the knowledge into practice in the country, sharing their rich experience to their indigenous colleagues, thus: pay great attention to where you are leaving your car!

The used stealing system is very diversified:

1. Some thieves prefer the theft direct from the street or parking places, through the breaking specific methods, well-know in Romania by the police authorities (glass breaking, forcing the lockers, forcing the contract-startup block, etc.).

2. The thieves are waiting for the time when the driver gets out of the car and is leaving the key in contact by carelessness. The leaving of the vehicle can be made by the driver by his own will to solve certain tasks, or by force under the threat of gun or by other well-settled methods (for example, the thieves are causing a flat tyre to the driver waiting at the street lights, subsequently observed by the driver or notified by the passengers of another vehicles, in complicity with the one who had caused the flat tyre. When the driver gets out from the car to see the issue, a passenger of the following vehicles gets out, leaving with the stolen vehicle; when the driver gets out from the car due to different reasons or stops at the streets light, an individual is stealing the woman's purse through the opened window and runs away both the man and the woman tend to leave the vehicle, running after the thief. In that moment, another man gets into the car and leaves on the spot, without forgetting to recover his partner; another way is that in which the thieves are obstructing the road with trash bins or other obstacles. When the driver gets out from the car to remove them, leaving the keys in the contact, a person is waiting nearby is gets into the car, leaving on the spot; the thieves are waiting for the time when the people unload or load different charges from the truck and, taking advantage from his / her carelessness, start the car using the keys left in the contact).

Many times, the owners are called two-three days later by the thieves, asking for money if they want to recover their stolen car or at least a part of the identity or car's identification documents.

3. Not only in the parking places of the hypermarkets in Bucharest, there are many individuals offering mobile phones for sale, different cheap deals, clothes, at "low cost" or they apparently walk among the parked vehicles without any target. In reality, they identify the possible victims. One of the newly-used methods is the application on the rear window of advertising leaflets or typed papers, invoices, gas bills, etc. to obstruct the visibility of the driver when the latter is trying to make backward maneuvers. It is to observe that the thieves are specially looking for vehicles having wind-screen wiper on the rear window, but this is not a rule, the same being used to those vehicles without one. If the vehicles is stopped on a public road, the victim suspects that the police applied a fine and hurries to see what's all about, especially that the vehicle lifting companies engaged by the Capital's Police are into a declared war with the drivers from Bucharest regarding the parking of vehicles in other places than the authorized ones. Due to such fear, the owners are taking their cars in less-circulated places, outside the vigilance of the authorities. But other danger is found there. When the driver is getting out from the car to remove the papers, an individual starts the car on the spot, leaving the engine started or the keys in contact. The method is applied to both men and women. In the best case, as a result of leaving the vehicle just for a few moments, the thieves satisfy with stealing the fanny packs, purses or other things left on sight.

4. A new operational method imported from the West consists in binding some cans or beer or refreshment cans with strings from the rear bar of the vehicles from the parking place or by the rear towing hook. The binding of empty cans is placed under the car and, when the driver starts the engine and leaves the place, the cans start an unpleasant noise. The owner gets out of the car with the engine started and the door open to see what's behind the car. Having the key in contact, the thief is leaving with the newly procured vehicles.

Such methods are used by the young ones who want to steal a car for a night in town, after which the vehicle is abandoned the very next day, but it is also available to the networks of professional thieves, stealing them for dismemberment or traffic.

The police draws attention to the drivers to get out of the car only after stopping the engine and get the key out of contact in such similar situations or to drive the vehicles for a few hundred meters after which, in open space, they can take off the object obstructing their visibility or the one attached to it.

5. The theft directly from the shops specialized in selling vehicles. To emphasize the dealers' inventive nature and the opening to new, we provide as example the outcome of some researches made on a Romanian-German dealer network, in which a member of the gang engaged as detective to a shop specialized in selling the luxury vehicles.

The vehicles exposed on sale had the keys on board. The employee took the cast of the key and made duplicate, and after the sale of the vehicle and its tracking, the vehicles was stolen and transported abroad, according to the presented methods and means.

Due to the collaboration between the German and Romanian police authorities, a number of 27 persons, subsequently apprehended for committing the theft, complicity to theft, importation-exportation without authorization has been identified, annihilating a strong network of stolen vehicle dealers.

The luxury vehicles are a heavy target, but not impossible to accomplish for the thieves who performed their apprenticeship abroad. Although in low number, they are equipped with sophisticated equipments with which they succeed to decode the board computers and deactivate the alarm systems of the performing vehicles. The last "procurement" as car breaking technology is a device called "universal key", sized as a match stick, very silent and extremely expensive, with which the thieves can start any type of car without a problem. It lasts only a few seconds and the mission accomplished.

Due to the fact that the car market is getting richer, the stealing methods have also become more diversified. While the owner presents the "business card" of the vehicle, the thief aims to the vehicle's keys. Under the reason to study them closely, this is replacing them with spare ones, but similar in shape with the originals. Subsequently, the thief waits for the moment when the owner is not around in order to get into the car. A similar method is taking place to the parties where at least one person is coming with a luxury vehicle. If there is a thief among the guests, the latter is spending the night following the aimed one until the time of stealing the owner's keys.

Another method consists in taking out the entire block with the screw. Equipped with instruments to make keys on the spot, the thieves operate the block, make the key on the spot, put the block in its place and wait for the proper time to steal it. If they have time, the thieves use modeling clay to procure a key. The vehicles stolen through this method are subsequently traded with false identity documents or to credit cards stolen from the owners.

Such methods were used in cases investigated by the policemen, especially those having as scope the vehicles such as Volkswagen. According to them, such vehicles are requested by the market from the Republic of Moldova. The reason is presented by the fact that such vehicles have large tanks, ideal for gas traffic.

The easiest to break cars are the mark Dacia (the "cauldrons"). The thieves are taking advantage by the wear of the locks and of the contact block, needing only a simple screwdriver to lift it. Dacia vehicles are used for night walks on the streets around the cities and then abandoned, they are usually stolen to be dismembered and valorized to the scrap iron collection centers or exchanged. In some cases, the thieves abandon the stolen vehicles which cannot be valorized, a chance for their recovery being the verification of the list of vehicles lifted by the City Hall from the public roads, supposed abandoned or without owner. For the identification of the owner, the municipal authorities are liable to inform the public on the technical characteristics of the vehicle and the place of its lifting, and its return is made under a delivery-reception minutes, within 10 days from the day of being claimed by the real owner of the car.

On May 9th, 2008, the victim B.F. notified the clerks of the Stolen Vehicle Service related to the stealing of the vehicle mark BMW 325, color cherry, parked on Basarabia Blvd., 2nd district,

Bucharest. The vehicle was found abandoned on May 11th, 2008 on an abandoned field in extension of Gherghitei Street, 2nd district, without its four wheels, being delivered to the owner under a minutes.

The police investigations established that B.G. was the author of the offence. Therefore, knowing that the vehicle mark BMW 318, color black, personal property, had the four wheels with alloy crowns belonging to the stolen vehicle, the police authorities summoned B.G. to the Stolen Vehicle Service on June 13th, 2008, in order to present his personal vehicle. Proceeding to the search of the vehicle brought by B.G., they noticed it had other wheels than the stolen ones.

Heard on November 17th, 2009, B.G. did not recognized the offence but, on November 20th, 2008, under temporary arrest, he returned to the initial statement and admitted the offence. According to the statement of the accused B.G., he was the only one who stole the vehicle from Basarabia Blvd., using a contact breaker, and after driving it in an area without traffic from Andronache neighborhood, he dismantled the wheels and mounted worn ones from his vehicle, and then he abandoned it. Subsequently, the wheels stolen from BMW 318 were mounted on another car of metal grey color, also belonging to the accused.

By the end of the investigations, B.G. was prosecuted for committing the offence of qualified theft, provided by article 209 from the Criminal Code, letters e and g.

The international nature of the stolen vehicle traffic imposes a close cooperation between the police authorities from the interested countries, fast and complex exchanges of information related to the authors, stolen vehicles and operation ways, in order to hold liable the responsible ones².

Bibliography

- Țical George, *Crima Organizată și terorismul*, Ed. Fundația „Dunărea de Jos, Galați, 2006; (Țical George, *Organized Crime and Terrorism*, „Dunărea de Jos” Foundation Publishing House, Galați, 2006);
- Conferința Ministerială Mondială asupra Criminalității Transnaționale, 21 - 23 noiembrie 1994, desfășurată la Napoli, sub egida Consiliului Economic și Social - sinteză M.I. (Worldwide Minister Conference on the Cross-national Criminality, November 21st – 23rd, 1994, held in Napoli, under the auspices of the Economical and Social Council – synthesis of the Ministry of the Interior);
- Petru Albu, *Crima organizată în perioada de tranziție – o amenințare majoră la adresa securității internaționale*, Ed. M.I.R.A., 2007 (Petru Albu, *Organized crime during the transition – a major threat to the international security*, M.I.R.A. Publishing House, 2007);
- Reuniunea Grupului de Experti de la Bruxelles, din 25.11.1998 – sinteză BCCOC - fond documentar (Reunion of the Group of Experts from Brussels, November 25th, 1998 – BCCOC synthesis – documentary fund);
- Miclea Damian, *Cunoașterea crimei organizate*, Ed. Pygmalion, Ploiești, 2001 (Miclea Damian, *Knowledge of the organized crime*, Pygmalion Publishing House, Ploiești, 2001);
- Adrian Iacob, Constantin Victor-Drăghici, *Crimă organizată*, Ed. Tritonic, București, 2006 (Adrian Iacob, Constantin Victor-Drăghici, *Organized crime*, Tritonic Publishing House, Bucharest, 2006);
- Ministerul Administrației și Internelor, Serviciul Informare-Documentare, *Crima organizată transnațională - fenomen de destabilizare a securității internaționale*, 2003 (Ministry of the Interior, Information-Documentation service, *Cross-national organized crime – de-establishment phenomenon of the international security*, 2003);
- Gh. Nistoreanu și C. Păun - *Criminologie*, Ed. Europa Nova, 1996 (Gh. Nistoreanu and C. Păun - *Criminology*, Europa Nova Publishing House, 1996);
- A. Paraschiv și colectivul - *Drept procesual penal*, Ed. Europa Nova, 2000 (A. Paraschiv and staff – *Criminal law*, Europa Nova Publishing House, 2000);

- I. Pitulescu, P. Albu - *Crima organizată*, I.G.P.1993 (I. Pitulescu, P. Albu – *Organized crime*, I.G.P., 1993);

Endnotes

¹ Ministry of the Interior, Information-Documentation service, Cross-national organized crime – de-establishment phenomenon of the international security, 2003

¹ Adrian Iacob, Constantin Victor-Drăghici, op. cit., p. 150

