

Colorado Chop Shop Legislation

SB 14 -176



- 14 States and the FEDERAL GOVERNMENT currently have CHOP SHOP STATUTES.
- In 2008, \$6.4 Billion was lost nationwide due to motor vehicle theft.¹ The average loss per stolen vehicle in 2008 was \$6,751.¹
- There were over 11,000 reported motor vehicle thefts in Colorado in 2012 (approx. \$74.2 Million).²
- On April 25th, 2014 the Senate 's 3rd reading of the bill passed by a 35-0 vote with amendments.
- Fiscal Impact for SB 14-176
 - *FY 14-15 = \$0
 - *FY15-16 = \$21,484
 - *Total FY 14-19 = \$211,437



The "Chop & Go" Investigation : A Case Study

the facts:

Between December, 2009 and August, 2010, at least **eight stolen vehicles** (90s era Hondas and Acuras) were recovered within approximately 4 blocks of the home of J. Gonzales'. Each car had been **stripped to a shell**.

When Gonzales' garage was searched in August, 2010, **assorted component parts** consistent with 90's era Hondas and Acuras were located and seized. In addition, a hood, license plate, doors, and a front bumper were located and traced to a ninth stolen vehicle that was never recovered.

No complete stolen vehicles were found during the search of Gonzales' garage.

Police located an engine that traced to one of the nine stolen vehicles installed in

Evidence and intelligence gathered during the investigation established that Gonzales and a friend had also been involved in stealing other vehicles and parting them out at the home of a third friend.

The investigation established that Gonzales and friends were **obtaining stolen cars for their engines and component parts**. Gonzales was also actively selling "used" Honda and Acura parts on Craigslist during that time period.

the prosecution:

- 9 counts of Aggravated Motor Vehicle Theft in the First Degree (F4).
- 1 count of Theft by Receiving by a person engaged in the business of "buying, selling, or otherwise disposing of stolen goods for a profit" (F3) (Repealed in 2013)

the problem:

1. **Gonzales was doing more than simply stealing cars.** His behavior was sophisticated and specialized.
2. Theft by Receiving by a person "engaged in the business of buying, selling, or otherwise disposing of stolen goods for a profit" **no longer exists** due to 2013 legislation.
3. **Loose-fitting statutes:** An Aggravated Motor Vehicle Theft in the First Degree charge requires the prosecution to link each individual stolen car back to Gonzales (through circumstantial evidence), prove each vehicle's value (through an estimate), and establish an aggravating factor. **A sophisticated criminal distances himself from stolen cars.**

Today, Gonzales' pattern of criminal behavior would be more difficult to efficiently and effectively prosecute than it was two years ago due to changes in the Theft statute and complexities associated with Aggravated Motor Vehicle Theft in the First Degree.

the proposed solution:

A comprehensive statutory scheme that specifically targets and criminalizes the sophisticated and specialized behavior involved in stealing and parting vehicles for profit.

Under the proposed Legislation, Gonzales could be charged with a Class Three Felony for Operating a Chop Shop. The recovered cars would be evidence of that crime, whether or not they could be individually charged under the Aggravated Motor Vehicle Theft statute.