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THE CIRCUMSTANCES OF CAR CRIME AND CURRENT CHANGES IN ITS PROFILE

Introduction

Currently, vehicle theft and illegal profits from such crimes are the domain of organised crime groups. These groups operate in a sneaky, systematic way, they know effective methods of stealing, as well as of obtaining and making profits from criminal acts, so they are able to conduct their business for a long time without being detected. They often combine vehicle thefts with other crimes, because they also commit criminal acts such as the use of violence, or even the distribution of drugs, money laundering or human trafficking. Organised vehicle theft criminal groups are able to operate beyond national borders, in an international space, which makes it necessary for law enforcement agencies to work together across borders to combat such structures. Vehicle theft is one of the most frequently committed crimes both in Poland and worldwide. The relatively low detectability of this type of crime in our country and the significant profit which can be generated by persons participating in organising such criminal acts make the risk connected with car crime appear in the country as lower than the benefits that can be obtained. Apart from stealing cars, this crime also includes smuggling of vehicles, smuggling and trading in vehicle parts, as well as falsification of documents or identification markings, extortion of compensation, often also corruption, or a ransom demand for stolen cars. Thus, car crime is currently one of the main challenges for law enforcement agencies and for society. In the past, car crime evolved differently. The problem of organised crime is believed to increase as society becomes more economically divided. Therefore, analyses of car crime need to refer to past data, the wealth of the society, as well as eco-

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conomic and social changes in order to assess the future challenge of vehicle theft and, above all, to combat it more effectively. The work is an overview, showing car crime in the light of literature and statistical data.

Origins of car crime

One of the first crimes of vehicle theft is believed to have been recorded in June 1896 in France, when a Peugeot vehicle disappeared from a garage in unclear circumstances. The vehicle belonged to the Baron de Zuylen de Nyevelt. At the beginning of the twentieth century, vehicles were a valuable asset, so car crime began to develop, especially as cars did not have advanced security features at that time. In the 1920s, the criminologist G. Henderson said that vehicle owners were careless because they left their cars on the streets “with the engines running, keys in the ignition or out in the open, and in doing so, they made thieves’ lives more fun”².

In the conditions of the functioning of the Polish People’s Republic, vehicle thefts were not a significant challenge for our domestic law enforcement agencies. They were more afraid of burglaries in cars, related to the willingness to take valuable items that were in them³. Ironically, one of the reasons why vehicle theft was not a major challenge was the isolation of our country from the world. The Polish state was in a bad economic condition, and this led to poor purchasing opportunities for members of society. At that time, uniform vehicles were bought in our country, which was also influenced by the exaggerated idea of equality. Cars were not the goods that thieves particularly cared about. As the society was in a bad economic condition, there was a shortage of luxury goods, including even cars that stood out, making it possible to dispose of them on the black market. On the other hand, almost every citizen had elementary financial security, which resulted from the social norms in force at the time. The majority of people had similar salaries and similar opportunities, which was conducive to the lack of economic inequality characteristic of the free market that prevails today. A system of social control prevailed, which hindered the expansion of car crime and even organised crime of any profile. However, the society was in stagnation, because the personal efforts of the members of the community to improve their lives were of almost no importance. The system of that time unified everyone, although it reduced organised crime, but it did not allow anyone to have greater achievements, including economic, than the community.

² Łachacz O, Łachacz R, *Przestępczość samochodowa*, [in:] Pływaczewski W, Chlebowicz P (Eds), *Nielegalne rynki. Geneza, skala zjawiska oraz możliwości przeciwdziałania*. Olsztyn: Uniwersytet Warmińsko-Mazurski, 2012, p. 182.

³ Laskowska K, *Obszary działalności zorganizowanych grup przestępczych w Polsce*, [in:] Pływaczewski E (Ed.), *Przestępczość zorganizowana*, Warsaw: Beck C H, 2011, p. 97.

Significant modifications in the conditions of functioning were determined by the political changes initiated in our country in the late 1980s. At that time, the so-called 'free market' began to appear, which was a radically different economic concept than that prevailing in the communist era. Although it was assumed that the basic elements of the bureaucratic system and functioning of the public sphere would be maintained, the economy would be based on private capital. In the sphere of trade related to vehicles, the changes initially consisted in the possibility of importing cars from abroad. The number of drivers and vehicles began to increase on Polish roads. Cars also began to differ in quality and brand. Under such conditions, and especially because of the far-reaching liberalisation of the economy, which at that time was a form of 'shock therapy' for the society, not only did the opportunities for personal development of individuals and their decision-making sphere increase, but the threat of crime, including car crime, also increased. The 1989–1999 decade was perceived as a blossoming of crime in Poland, including car crime⁴.

The Polish economy, open in the 1990s to external influences and increasingly free trade, began to develop. However, this phenomenon was accompanied by an increase in social deviation. The influence of globalisation gradually increased, which also affected our country, whose economic system and rules, and thus social norms, were permanently transformed. Democratisation was accompanied by opening up to globalisation. This created in Poland, as in many other democratic countries, a free market. Vehicle thefts became a common problem, and detection of such crimes was of a low level. In the conditions of significant economic stratification of the community, circumstances were formed in which the threat of car crime, motivated by economic factors, increased⁵. Car thieves and organised crime groups started committing criminal acts consisting in the theft of cars and their parts, as these crimes began to correlate with the possibility of illegally obtaining significant income, which led to financial gains. The inaccessibility of part of the goods to the majority of people, due to the significant prices of such goods, has created an economic and social system in which a tendency to commit criminal acts that could guarantee high profits has developed in society.

Current causes and conditions of car theft

Although the attitudes of car thieves are dominated by financial and property motives, there are different reasons for stealing vehicles. In addition to the standard car theft, there is, for example, a joyride. This is a form of hooligan act, which consists in the temporary taking of a vehicle

⁴ Laskowska K, *Obszary działalności zorganizowanych grup przestępczych...*, *op. cit.*, p. 97.

⁵ Laskowska K, *Determinanty współczesnej przestępczości w Polsce. Przegląd Policyjny*, No. 1(105)/2012, Wyższa Szkoła Policji, Szczytno 2012, p. 50.

in order to travel, but at the same time, in the fact that the perpetrator leaves the vehicle within a short period of time of its taking. This type of act usually manifests itself in the perpetrator leaving the vehicle within a relatively short distance of the point at which the initial act took place. The car often bears traces of damage. The perpetrator of a theft of a vehicle has a different motivation, which is to use it as a means of relocation. The perpetrator then tries to get the vehicle to its destination, and then, similar to when the car was taken, abandons it. A car thief may also try to use the vehicle to commit another criminal act. The car is then a means of relocation to the place of committing another crime, serves as a means of transport from the place of committing another crime, or is even used to commit a crime, e.g. by ramming obstacles (except that it was stolen).

However, the most common motives for vehicle theft include economic reasons⁶. Both the theft and smuggling of vehicles, and their illegal sale or sale of parts for profit by the perpetrators or their collaborators are the most serious factors in such crimes. It happens that particular models of vehicles are stolen and then smuggled specifically for the satisfaction of the buyer. In our geographical area, since its political transformation, the economically motivated car theft has been de facto dominant. This is largely the result of the liberalisation of trade, the possibility for criminals to cross borders more easily, as well as the emergence of new markets for the illegal purchase and sale of stolen vehicles. The feeling of impunity for criminals, the low detection rate of car theft by law enforcement agencies, and even the inability to meet the growing needs of consumers, who often have insufficient financial resources for the goods they expect in the era of advertising, saturation of the markets with goods, have thus, subject to persuasion and the negative impact of such an organised marketing market, also become problems that increase the risk of car theft. Car manufacturers, who strive to provide themselves with the most favourable competitive conditions, also adopt often questionable practices, which contribute to increasing customer demand for the goods offered by vehicle thieves. The high cost of retrofitting cars or acquiring original spare parts, as well as the costly services of authorised repairers and even overly complex in-vehicle electronic systems, have led to an increase in demand for goods and especially spare parts from illegal sources.

On the other hand, at least in the last decade, the popularisation of the principles of the free market and the increase in the potential to adapt to it have developed entrepreneurship and resourcefulness in the Polish society. In our country, in the 21st century, compared to the 1990s, the number of crimes involving car theft motivated by economic benefits has decreased. The normalisation of the principles of the liberal market, as well as the accession to the European Union in 2004 and the subsequent increase in Poland's importance in the international arena led to an increase in the wealth of a significant part of the Polish society. The market was also positively influenced by updated legal regulations, including

⁶ *Ibid.* p. 59.

those related to the harmonisation of norms to international standards, in order to combat crime. The effectiveness of security systems installed in vehicles has increased. As a result, car theft statistics are decreasing.

The factors responsible for the formation of car crime continue to be overwhelmingly influenced by financial motives, although the increase in the wealth of a large group of the population has slightly slowed the expansion of this type of crime. The excessive income and wealth diversification of society is still the main factor in vehicle theft. Another problem is the lack of authority of the system of governance, and even the conviction of the harmfulness of the circumstances in which political and systemic transformations were introduced, which has led to numerous crises and impoverishment of many Polish families for decades.

The importance of economic factors in creating a car crime threat is evidenced not only by events taking place in Poland, but also worldwide⁷, in particular the global financial crisis, the serious consequences of which were felt in Europe in 2008 and lasted for at least four years. It was shown then that economic conditions have a major impact on crime levels, including vehicle theft. It turned out that the worse the economic situation of most of the people, the more crimes involving, among others, theft of cars occur. Therefore, the improvement of living conditions correlates with a lower risk of crime, including car crime. This regularity is reflected in various countries around the world, not only in Poland. Therefore, international organisations try to influence the legal systems, and not only the law enforcement agencies, which are not able to change the financial conditions in which society functions. They aim to analyse the problem of crime to a large extent from the point of view of society's living conditions, as well as to draw conclusions from the correlation between economic factors and crime levels. They note that this problem and these correlations are global in scope.

Car crime in Poland

The image of Poland as a country where the threat of car crime is overwhelmingly high, which still persisted in the late 1990s, has changed in recent years. Currently, Poland is no longer perceived as a country with a significant number of car thefts compared to other countries.

A very high number of vehicle thefts in Poland occurred in 1999, when criminals stole 70,000 vehicles. Tourists were not willing to come to Poland because they would be robbed. They were especially afraid of losing their cars. The practice at that time was that foreign tourists coming to our country used alternative means of transportation. However, since the end of the 1990s, there had been a significant decrease in car theft in

⁷ Kołodziejcki P, *Kradzieże samochodów i instrumenty prawne współpracy międzynarodowej w tych sprawach. Prokuratura i Prawo*, No. 3/2012, Prokuratura Generalna, Warsaw, 2012, p. 40.

Poland. In 2010, 16,539 vehicle thefts were reported. The highest indicator of car theft - relating to the number of criminal acts in this area per 100,000 people, occurred in the area of operation of the Municipal Police Headquarters, and it was also very high in the Łódzkie Region⁸.

The year 2000 set the standard for car thieves in our country. Since then, at least, car criminals have been focused and still are, on obtaining maximum income. According to Interpol, the International Police Organisation, organised groups dealing with vehicle thefts have unified their activities, and have also included Central and Eastern Europe in their sphere of influence. In countries with high risk associated with terrorist threats, stolen cars started to be used to carry out terrorist attacks, which became a new form of threat. The methods of theft are being modernised, as car thieves, mostly concentrated around organised criminal groups, are improving their practices. The theft of cars in order to monetise their parts has become a frequently committed crime. Financial motives have completely dominated the behaviour of car criminals.

New security mechanisms have led car criminals to recruit IT specialists. A 'black market' has emerged in connection with orders for specific vehicle models, especially for cars of high value. Organised groups that deal only or mainly in thefts of vehicles of specific brands or cars produced in specific countries, have emerged. Such groups are able to commit crimes related to car theft thanks to their experience and, at the same time, thanks to their specialisation, because they decrypt the security features of particular models or vehicles from specific countries. They also have considerable knowledge of theft methods. They are able to cooperate with other organised crime groups and exchange knowledge and experience. The current profile and structure of such groups means that they deal with vehicle theft mainly from streets, roads, garages, petrol stations, car parks, parking spaces located next to shopping centres, allotment gardens, private properties, from plots of single-family houses, and even from forests. Car crime definitely dominates in large cities, because there is a large accumulation of people and vehicles in their area, and there are also vehicles of significant value⁹.

Car crime in Poland, as in Western countries, as well as in other countries where the problem of car theft is important, has begun to professionalise. Instead of a significant number of thefts of inexpensive cars, criminals have started to steal sophisticated models, often of very high value. They have begun to pay more attention to planning the theft and then legalising the cars or selling their parts. As the role of digital security features has increased, they have begun to use devices through which it has become possible to start cars electronically. They often operate under orders of fences as well as of private, independent theft payers. If a car

⁸ Raport o stanie bezpieczeństwa w Polsce w 2010 roku, Ministerstwo Spraw Wewnętrznych i Administracji. Warsaw, 2011, p. 60.

⁹ Potakowski D, Kradzieże pojazdów w Polsce i innych krajach europejskich. *Przegląd Policyjny*, No. 3/2008, Wyższa Szkoła Policji, Szczytno, 2008, p. 206.

is stolen for a fence, the group ignores the need to legalise the vehicle. If all of the actions of the group are dependent on its boss, this person decides not only about the circumstances of committing prohibited acts, but also about the legalisation of the cars, and other activities related to the management of stolen vehicles in connection with the desire to record profits. Stolen cars are therefore delivered either to an address designated by the fence or to a chop shop, where criminals change the identification numbers of the cars or disassemble them into parts as soon as possible.

The disposal of stolen vehicles often involves smuggling them across borders. Our country also smuggles cars stolen outside of Poland. For example, cars stolen in Western Europe are transported through Poland, then through Lithuania and Latvia to Russia. Securing the hiding place of a stolen car allows thieves to forge identification markings, e.g. by removing the markings, applying thin sheet metal and a new number, eliminating the number applied by the car manufacturer or by applying a fake number. A significant group of car criminals, especially organised crime groups, obtain legally valid data from post-accident car registration certificates. The data of post-accident vehicles are then used for cars coming from crime. Often, in order to legalise a car in this way and not to be detected, the criminals exchange the body or other structural pieces of the vehicle which bear the identification marks. In order to effectively legalise the vehicles, the car thieves also falsify documents. For example, they move from Germany to Italy, request a duplicate copy of the vehicle's documents, claiming that the documents have been lost or stolen, obtain such duplicates, and then reregister the car using these duplicates, while the original documents are sold to organised crime groups. They can use laser or thermal printers to forge the necessary data. They sell the cars after they have been registered to 'money mules' - people set up for this purpose - after which the cars are sold on to target customers. Among the customers are both people aware of the origin of the vehicle and those lured by the low costs of its purchase¹⁰.

Table 1

Vehicle thefts in Poland in 2015–2018

Year	2015	2016	2017	2018
Proceedings initiated	12,141	11,220	9,823	8,816
Proceedings completed	12,190	11,769	10,287	9,123
Detected crimes	12,036	11,448	10,047	8,745
Percentage of detection	21.9	18.3	21.9	23.8
Suspects	1,260	1,194	1,089	1,056

Source: Author's own study based on police data.

¹⁰ Kołodziejcki P, Kradzieże samochodów..., *op. cit.*, p. 46.

As Table 1 shows, in 2015–2018, the number of proceedings initiated in the area of vehicle theft decreased from 12,141 proceedings in 2015 to 8,816 in 2018. The number of completed proceedings also decreased—the number of such proceedings decreased from 12,190 in 2015 to 9,123 in 2018. The number of detected crimes of vehicle theft decreased from 12,036 in 2015 to 8,745 in 2018. The percentage of detection of this type of crime in 2015–2018 was highest in 2018—at that time it was 23.8%.

According to the statistics, a significant group of people committing car theft are relatively young (up to 35 years old), live in large urban centres (over half a million inhabitants) and have a low level of education, often only basic. Young people are lured into organised crime groups dealing with car theft because the bosses can have a greater influence on them and manipulate them more easily. The younger the age of the perpetrators, the less likely they are to be severely punished by the justice system, as exploited by the leaders of the criminal groups who use young offenders. Even people under the age of eighteen are taken advantage of for stealing¹¹.

The detection of car theft offences is low. Nevertheless, the methods of operation of law enforcement agencies which try to identify fences, eliminate chop shops, eliminate the extortion of compensation, and identify persons involved in creating devices that break or hack into car security devices are being improved. Polish law enforcement bodies participate both in deciphering Polish criminal groups and international groups dealing with vehicle theft. More and more often, they combat smuggling carried out not only by land, but also by sea and even by plane. The criminals take vehicles away on lorries, in lorry containers, and are also able to illegally pay customs officers and people working in the Border Guard to influence them, so the smuggling is not detected by law enforcement authorities. However, the services are more and more often verifying whether vehicles bear signs indicating the possibility of their drivers committing crimes. They recognise tampering with sections of the body, i.e. punctures, deformations of statutory plates and other symptoms which may suggest the removal of identification marks or opening the vehicle by force, which indicates that the vehicle may have come from a crime.

Eliminating car crime

Combatting car crime requires successive action at the transnational and national levels. Currently, Poland, as a country strongly established in relations with other countries, and developing economically thanks to international trade, has liberalised border crossing rules in the single

¹¹ Misiuk A, *Sprawcy kradzieży samochodów*, [in:] Pływaczewski W (Ed.), *Kradzieże samochodów. Raport*, Branta, Bydgoszcz 1996, p. 28. Cf.: Potakowski D, *Kradzieże samochodów w Polsce i na świecie. Przegląd Policjny*, No. 1/2003, Wyższa Szkoła Policji, Szczytno, 2003, p. 157.

internal market within the Schengen Area, and at the same time tightened controls at its external borders. In such circumstances, international car crime is a major challenge.

The profile of the activities of criminal groups increasingly depends on international structures. Organised crime groups dealing with vehicle theft often operate in an international space. This situation requires law enforcement agencies to cooperate in transnational structures capable of fighting such crime. Therefore, Polish law enforcement agencies cooperate both in terms of information, as well as in terms of policing and judicial procedures, and even in terms of training methods, with the law enforcement agencies of other countries, especially of the EU, but also with the law enforcement agencies of countries which are not in the European Union (e.g. Norway, Switzerland), but cooperate closely with the EU countries.

Interpol is of significant importance within the international cooperation of law enforcement agencies. This organisation plays an important role in combatting international car crime. Interpol organises thematic conferences and participates, for example, in the formation of international standards in the prevention of crimes of vehicle theft. The organisation has a unique database of stolen cars. In order to increase the detection of car crimes, it has started cooperating with vehicle manufacturers. It provides training to the police of different countries, sets out techniques for the implementation of investigations and prosecutions, and establishes appropriate methods to combat car crime, dedicated to the use of police structures in different countries¹².

The European Union is paying special attention to car crime. This is because the Schengen Area - an international agreement which is important for the European Union - assumes the free movement of people, goods, information and capital in this international space. Within the Schengen Area, there is an advanced information system that stores and updates data on wanted persons and stolen cars. Thanks to this, the activity of law enforcement agencies in terms of eliminating international car crime is becoming more effective. An important element of the system for preventing and combatting crime is Europol - the European Police Office - a police agency of the European Union based in The Hague. In the European space, cross-border observation and cross-border chase, undertaken by transnational investigation structures, play an important role in eliminating this type of crime.

The fight against car crime is also handled by national services. In Poland, this is primarily the task of the Police, while in the case of smuggling stolen cars, of the Border Guard. The implementation of the Central Registry of Vehicles and Drivers, which has improved the flow of information, has become a significant factor improving the fight against car crime in Poland. Departments and teams dealing with combatting car crime have begun to be separated within police structures. The police have started to initiate prevention programmes and have opened up to cooperation with

¹² *Electronic source: www.interpol.int, accessed: 17.11.2019.*

the security systems and law enforcement agencies of other countries. The cooperation covers individual events, but also takes the form of complementary cooperation, consisting of a continuous exchange of experience.

Despite a slight increase in the detection of car crime over the years, and a decrease in vehicle theft, car crime remains one of the main problems undermining security. Combatting car crime requires closer cooperation between the various security structures at the international level, and the establishment of specific groups to deal with this type of crime.

Summary

In the past political system, car crime almost did not exist. With the emergence of the free market, the number of available goods has increased, and members of society have turned to competition for funds for which goods, including the luxury goods present in a liberalised market, can be purchased. Among the manifestations of profound economic and social changes was an increase in car crime. Various models of cars have appeared on the Polish market, including vehicles of very high value. The economic development resulted in a greater participation of our country in international structures, which opened Poland to capitalism and globalisation. In the 1990s, in the changing Polish reality in the form of 'shock therapy', car crime reached its peak. Then the threat of it diminished, but still the detection rate remained low. Nowadays, despite the wealth of a large part of the society, organised criminal groups have emerged, dealing with the theft of cars, their legalisation and sale in parts, and even committing vehicle theft on behalf of fences or to order of a private customer. Car crime is therefore a major challenge. The ability to combat it effectively depends mainly on improving the methods of law enforcement agencies and their participation in international structures dealing with this type of crime.

References

Publications

- Kołodziejski P, Kradzieże samochodów i instrumenty prawne współpracy międzynarodowej w tych sprawach. *Prokuratura i Prawo*, No. 3/2012, Prokuratura Generalna, Warsaw, 2012.
- Laskowska K, Determinanty współczesnej przestępczości w Polsce. *Przeгляд Policijny*, No. 1(105)/2012, Wyższa Szkoła Policji, Szczytno, 2012.
- Laskowska K, Obszary działalności zorganizowanych grup przestępczych w Polsce, [in:] Pływaczewski E (Ed.), *Przestępczość zorganizowana*, Warsaw: Beck C H, 2011.

- Łachacz O, Łachacz R, Przepęczność samochodowa, [in:] Pływaczewski W, Chlebowicz P, Nielegalne rynki. Geneza, skala zjawiska oraz możliwości przeciwdziałania. Olsztyn: Uniwersytet Warmińsko-Mazurski, 2012.
- Misiuk A, Sprawcy kradzieży samochodów, [in:] Pływaczewski W (Ed.), Kradzieże samochodów. Raport, Branta, Bydgoszcz, 1996.
- Potakowski D, Kradzieże pojazdów w Polsce i innych krajach europejskich. *Przegląd Policyjny*, No. 3/2008, Wyższa Szkoła Policji, Szczytno, 2008.
- Potakowski D, Kradzieże samochodów w Polsce i na świecie. *Przegląd Policyjny*, No 1/2003, Wyższa Szkoła Policji, Szczytno, 2003.
- Raport o stanie bezpieczeństwa w Polsce w 2010 roku, Ministerstwo Spraw Wewnętrznych i Administracji. Warsaw, 2011.

Electronic sources

Electronic source: www.interpol.int, *accessed:* 17.11.2019

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Summary: The article presents the evolution of car crime. It discusses the causes and conditions of vehicle theft. It also presents an aspect of the professionalisation of criminals, which was influenced by the emergence of modern anti-theft systems. It has also resulted in the creation of groups, among which individuals are engaged in a specific task involving planning, taking the vehicle, and then its legalisation and sale. The paper also discusses the issues of counteracting car crime, including the importance of international cooperation of police services and cooperation of vehicle manufacturers, which helps to prevent such criminal acts.