



Automobile Burglary & Theft Prevention Authority

Board Meeting Austin, Texas

January 10, 2019



4000 Jackson Avenue
Austin, Texas 78731
www.txwatchyourcar.com



AUTOMOBILE BURGLARY AND THEFT PREVENTION AUTHORITY
January 10, 2019 9:00 AM
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**AGENDA
BOARD MEETING
AUTOMOBILE BURGLARY AND THEFT PREVENTION AUTHORITY
4000 JACKSON AVE., BUILDING 1, LONE STAR ROOM
AUSTIN, TEXAS 78731
THURSDAY, JANUARY 10, 2019
9:00 A.M.**

All agenda items are subject to possible discussion, questions, consideration, and action by the Board of the Automobile Burglary and Theft Prevention Authority (Board). Agenda item numbers are assigned for ease of reference only and do not necessarily reflect the order of their consideration by the Board. The Board reserves the right to discuss any items in executive session where authorized by the Open Meetings Act.

1. CALL TO ORDER

- A. Roll Call and Establishment of Quorum
- B. Introduce New Chairman and ABTPA Board Members
- C. Approval of Transcript as Minutes
 - Transcript from May 23, 2018
- D. Comments from Chairman and Board Members
 - 1. Recognition of Former ABTPA Board Members
 - 2. Commendations and Congratulations
 - 3. Recognition of Investigator Training Partners

BRIEFING AND ACTION ITEMS - Bryan Wilson (including Committee Chairs and designated staff)

- 2. Consider and Adopt ABTPA Board Committee Appointments**
- 3. Discuss and Consider FY2018 Post Award Grant Adjustments**
 - A. City of Houston
 - B. City of Corpus Christi
- 4. Discuss and Consider Insurance Refund Requests**
 - A. First Consideration - Elephant Insurance
 - B. Subsequent Consideration Post Comptroller Review - Integon National Insurance Company
- 5. Discuss Texas Department of Insurance Response to Collection Assistance Inquiries and Provide Input to Staff on Additional Action to Take**
- 6. Discuss Non-Filing and Non-Paying Insurers and Delegate to ABTPA Staff the Authority to Notify Texas Department of Insurance of Companies That Have Not Filed the Assessment Form and/or Did Not Pay the Assessment**
- 7. Discuss the Estimated Unexpended Balance Authority Balance**
- 8. Discuss and Consider Adoption of FY19 Budget**

9. **Discuss and Consider Budget and Issuance of a Request for Applications for Statewide Public Education and Awareness Grant**
10. **Discuss and Consider Budget and Modification of Texas A&M University-Public Policy Research Institute Contract**
 - A. Authorization for Modification of the Grant Management Tracking System
 - B. Officer Directed Research Regarding Bait Car Deployment and Offender Data Analysis
11. **Discuss and Consider Authorization, Budget and Delegation Authority for Response Strikeforce Plan, Process and Forms**
12. **Discuss and Consider FY20-21 Request for Applications Outline and other Proposed Changes for Future Grant Applications**
13. **86th Legislative Session Items**
 - A. Discuss and Consider Status and Changes to the Legislative Appropriation Exceptional Item Request
 - B. Discuss and Consider Pending Request and Possible Changes for Legislative Changes
 1. Sub-account of Texas Department of Motor Vehicles Fund
 2. Sunset Scope Change
 3. Clean-up of Recodification of Statute
 4. Agency Name

ABTPA DIRECTOR'S REPORTS - Bryan Wilson (including designated staff)

14. **Reports on ABTPA-related activities identified by the Director as noteworthy, which may include reports on:**
 - A. Budget
 1. FY18 Budget Status
 2. FY19 Budget Status
 3. Border and Port Security Expense Status and Legislative Budget Board Supplemental
 - B. Grant Activities and Analysis
 1. Grant Development
 - i. Meeting with Agencies Not Represented
 - ii. Border Security Development
 - iii. Prosecution Outreach
 - iv. Position Development
 2. Progress Report Analysis
 3. Expenditure Analysis
 - C. Grant Adjustments
 - D. Educational Programs and Marketing
 - E. Agency Operations
 1. Insurance Forms Update
 2. Sunset Advisory Commission Update
 - F. Personnel Updates

- G. Monitoring
 - 1. Comprehensive Annual Financial Review Report
 - 2. Grantee Monitoring Checklist

15. EXECUTIVE SESSION

The Board may enter into closed session under one or more of the following provisions of the Texas Open Meetings Act, Government Code, Chapter 551:

- A. **Section 551.071** - Consultation with and advice from legal counsel regarding:
 - pending or contemplated litigation, or a settlement offer;
 - a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Government Code, Chapter 551; or
 - any item on this agenda.

- B. **Section 551.074** - Personnel matters.
 - Discussion relating to the appointment, employment, evaluation, reassignment, duties, discipline, and dismissal of personnel.

- C. **Section 551.089** - Security devices or security audits:
 - the deployment, or specific occasions for implementation, of security personnel or devices; or
 - a security audit.

16. Action Items from Executive Session

17. Public Comment

18. Adjournment

The Board will allow an open comment period to receive public comment on any agenda item or other matter that is under the jurisdiction of the Board. No action will be taken on matters that are not part of the agenda for the meeting. For subjects that are not otherwise part of the agenda for the meeting, Board members may respond in accordance with Government Code, Section 551.042 and consider the feasibility of placing the matter on the agenda for a future meeting.

Agenda items may be presented by the named presenter or other staff.

Pursuant to Sections 30.06 and 30.07, Penal Code (trespass by license holder with a concealed or openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun or a handgun that is carried openly.

Any individual with a disability who plans to attend this meeting and requires auxiliary aids or services should notify the department as far in advance as possible, but no less than two days

in advance, so that appropriate arrangements can be made. Contact the Automobile Burglary and Theft Prevention Authority by telephone at (512) 465-1485.

I certify that I have reviewed this document and that it conforms to all applicable Texas Register filing requirements.

CERTIFYING OFFICIAL: David Richards, General Counsel, (512) 465-5665.



**Board Agenda Item
Section 1. Call to Order**

Part A. Roll Call

NOTES:

	Lt. Tommy Hansen, Board Chairman Law Enforcement Representative – Galveston County Sheriff’s Office
	Major Wynn Reynolds – Designee, Ex Officio Member Law Enforcement Representative – Texas Department of Public Safety
	Ms. Linda Kinney – Board Member Consumer Representative – Hays County
	Ms. Ashley Hunter – Board Member Insurance Representative – HM Risk Group
	Mr. Armin Mizani – Board Member Consumer Representative – Mizani Law Firm
	Deputy Chief Mike Rodriguez – Board Member Law Enforcement Representative – Laredo Police Department
	Mr. Shay Gause – Board Member Insurance Representative – USAA

Automobile Burglary and Theft Prevention Authority

January 10, 2019

Office of the Texas Governor | Greg Abbott

<https://gov.texas.gov/news/post/governor-abbott-appoints-two-and-names-chair-of-automobile-burglary-and-theft-prevention-authority>

Governor Abbott Appoints Two And Names Chair Of Automobile Burglary And Theft Prevention Authority

October 31, 2018 | Austin, Texas |

Governor Greg Abbott has appointed Miguel “Mike” Rodriguez and Phillip Shay Gause to the Automobile Burglary and Theft Prevention Authority for terms set to expire on February 1, 2023. Additionally, the Governor has named Tommy Hansen as chair. The authority assesses the scope of motor vehicle theft in Texas and supports a statewide law enforcement network through grants, auto theft reduction initiatives, education and public awareness.

Miguel “Mike” Rodriguez of Laredo is Deputy Chief of Police for the Laredo Police Department. He is a member of the International Association of Chiefs of Police. Rodriguez received a Bachelor of Arts in sociology from Texas A&M International University.

Phillip Shay Gause of San Antonio is Director of the Special Investigations Unit for United Services Automobile Association. He is a member of the Texas Association of Special Investigation Units and of the International Association of Special Investigation Units. Gause received a Bachelor of Science in business administration from The Citadel and a Master of Business Administration from the University of Phoenix.

Tommy Hansen of Hitchcock is a Deputy Sheriff and Lieutenant in the Criminal Investigation Division of the Galveston County Sheriff’s Office. He has been assigned to assist the FBI Safe Streets Task Force with a focus on cold case homicides and fugitives since 2013. Additionally, he served as the project director of the Galveston County Auto Crimes Task Force from 1993 until 2016, when he was appointed to the Automobile Burglary and Theft Prevention Authority. He has 45 years of law enforcement experience. He has also been a member and past president of the International Association of Vehicle Theft Investigators and the Texas Association of Vehicle Theft Investigators and is also involved with the North American Export Committee. He also serves as the coordinator of the Galveston County Citizen Sheriff’s Academy and helps raise money for the Children’s Advocacy Center of Galveston County and the Ronald McDonald House of Galveston through the Beat The Heat youth outreach program, Tropical Impression Racing. Hansen attended Galveston College and College of the Mainland and also graduated from the Galveston County Sheriff’s Academy.

November 2018 Edition of Auto Theft Today

<https://www.iaati.org/resources>

Congratulations to IAATI and SCRC Past President Tommy Hansen on being appointed to the Chair of the Texas Automobile Burglary and Theft Prevention Authority. He is set to serve in this passion until February of 2023 and bring his many years of experience to this important group.





Board Agenda Item
Section 1. Call to Order

Part C. Approval of Transcript as Minutes

NOTES:

ABTPA staff emailed the May 23, 2018 Board Meeting Transcript to all Board Members on December 13, 2018 for review.



Board Agenda Item
Section 1. Call to Order

- Part D. Comments from Chairman and Board Members**
1. Recognition of Former ABTPA Board Members

Automobile Burglary and Theft Prevention Authority

January 10, 2019

Recognition of former ABTPA board members

ABTPA wishes to give our appreciation to Chief Carlos Garcia and Ken Ross whose terms on our board ended October 30, 2018.

Chief Carlos Garcia served on the ABTPA Board for 16 years. Governor Rick Perry appointed Chief Carlos Garcia to the ABTPA Board in May 2002. In February 2008, the Governor named Chief Garcia as the Board Chairman, a position for which he served throughout the rest of his tenure. He was a law enforcement representative out of Brownsville. At the time of the appointment, Garcia was the chief of police for the City of Brownsville. He joined the Brownsville Police Department in August 1981, and served as chief of police until December of 2001. He then became Chief of Police and Security for the Port of Brownsville, a position he currently holds. Garcia also served four years in the U.S. Marine Corps. In 1993, he graduated from the FBI National Academy in Quantico, Va. Garcia received a degree in criminal justice from Pan-American University.

Ken Ross served on the ABTPA Board for 10 years. Governor Rick Perry appointed Ken Ross to the ABTPA Board in February 2008. He was an insurance representative out of Houston. He is a State Farm Insurance Agent who owns an agency in La Marque. He has been a member of the National Association of Insurance and Financial Advisors, 100 Black Men of American, Inc. and Sam Houston State University Century Club. Ken earned a bachelor's degree from Sam Houston State University.



THE STATE OF TEXAS

GOVERNOR



*To all to whom these presents shall come,
Greetings: Know ye that this official recognition is
presented to:*

Chief Carlos Luis Garcia

*in recognition of and appreciation for your years of
meritorious service to the
State of Texas as a board member of the*

**Texas Department of Motor Vehicles
Texas Auto Burglary &
Theft Prevention Authority**

2002-2018



*In testimony whereof, I have signed my
name and caused the Seal of the State of
Texas to be affixed at the City of Austin,
this the 20th day of November, 2018.*

Greg Abbott
Governor of Texas



Board Agenda Item
Section 1. Call to Order

- Part D.** Comments from Chairman and Board Members
2. Commendations and Congratulations

Automobile Burglary and Theft Prevention Authority

January 10, 2019

Congratulations

The ABTPA Board along with ABTPA staff celebrate and congratulate the following taskforce law enforcement officers on their retirement. We give thanks for dedication, hard work and the contributions made to their taskforces, the communities they protected and served and people of the State of Texas.

Dallas County North Texas Auto Theft Task Force

**Stephen Smith
1980-2018**

Detective Smith came to the Taskforce with an extensive background in specialized law enforcement operations, including Warrant Services, Intelligence, and Violent Crime/Fugitive Apprehension. His professionalism and specialized law enforcement skill set landed him in Insurance Fraud, prior to the ABTPA mission being revised. Detective Smith's impact on the Taskforce was noticed right away. He demonstrated great initiative through his self-generated case work and the building of networks with informants and collaborations with local and national law enforcement. This helped the AT operation to realize great productivity in the prosecution of criminal elements in auto theft, cargo, and semi-tractor theft. Detective Smith's recoveries and arrests were among the highest numbers of the Taskforce, averaging more than 250 recoveries; clearing over 270 cases; and 10 arrests. As a certified TCOLE instructor, he helped with firearms qualifications, proficiency courses, and shooting courses. He made very good use of modern technology such as the LPR and computer applications. He kept track of events and trending issues on auto theft/burglary enforcement and applied them to his daily tasks and responsibilities. Detective Smith readily shared his knowledge and helped the other junior TF members to become better producers. He will be greatly missed by the Taskforce and the Dallas County Sheriff's Department in general.

**Travis County
Sheriff's Combined Auto Theft Task Force**

**John W. Bailey
1997-2018**

John served Comal County and the Taskforce for over 20 years. During his tenure, John provided valuable expertise, leadership and was a mentor to young taskforce officers. John's work ethic and knowledge of vehicles especially when it comes to stolen vehicles and the activities of those who participate in these type of illegal activities is unsurpassed. He has instructed courses in the field of identification of stolen vehicles and has shared his knowledge and experience with many others. John has always been a resource for other officers to contact regarding possible stolen vehicles. The 20 plus years John Bailey served with the Sheriff's Combined Auto Theft Taskforce is a testament to his law enforcement career, knowledge, expertise and work ethic. He will be missed.

The ABTPA Board and staff congratulate the following task force staff on their promotions and wish them luck in their new positions.

Lt. James Lerma, Corpus Christi Automobile Theft Task Force, has been promoted to rank of Captain.

Lt. Thomas Hardin, Houston Auto Crimes Task Force, has been promoted to rank of Captain.



Board Agenda Item
Section 1. Call to Order

- Part D. Comments from Chairman and Board Members**
3. Recognition of Investigator Training Partners

Automobile Burglary and Theft Prevention Authority

January 10, 2019

Commendations

ABTPA Investigator Training Collaborators

Taskforce Personnel

- Dallas, Travis and San Antonio taskforces hosted the three Intermediate Investigator training. They provided classrooms, coordinated a place for the offsite sessions and assisted in the logistical efforts to host the classes.
- Commander Bryan Sudan, Tarrant Regional Auto Crimes Taskforce, worked as training coordinator and facilitator for the classes. He updated the lesson plan and worked to coordinate with instructors to ensure consistency within the classes. Commander Sudan also taught at each training.
- San Marcos Training
 - **Robert Curbelo**, Sheriff's Combined Auto Theft Taskforce Community Liaison, assisted the Auto Theft training by transporting the public awareness trailer to the offsite location (Copart) to allow participants to get out of the heat and provided ice-chests for drinks. Robert helped set up a base camp for participants to take breaks and refreshment. Robert Curbelo has done an outstanding job for Auto Theft and is constantly trying to find new and innovative ways to promote public awareness.
 - **Ryan MyCue**, Sheriff's Combined Auto Theft Taskforce, Guadalupe County. Detective MyCue assisted in instructing the Acid Restoration portion of the Auto Theft Class. Detective MyCue is well known throughout the area for his ability to utilize Acid Restoration techniques. His expertise and knowledge in this area benefited all of the students who attended the training. Detective MyCue is a person who can be counted on and often accepts other assignments willingly. Detective MyCue always participates in interdiction activities and is willing to help others.
 - **Brian Johns**, Sheriff's Combined Auto Theft Taskforce, Williamson County. Detective Johns assisted in instructing the Acid Restoration portion of the Auto Theft Class. Detective Johns is often called upon to assist other members of the taskforce. Detective Johns' knowledge and willingness to assist benefited the students who attended the Auto Theft training. Detective Johns is a dependable employee, who demonstrates his flexibility and willingness to help others on a continuous basis. Detective Johns is a team player throughout our areas of responsibilities.
 - **Mykel Andaloro**, Sheriff's Combined Auto Theft Taskforce, Comal County. Detective Andaloro assisted with the instruction of Trailers. Detective Andaloro has been working with Detective John Bailey and is very knowledgeable in the identification of stolen trailers, and vehicles. Detective Andaloro often assists the taskforce in operations and is a valued part of the taskforce operations. Detective Andaloro is helpful and offers his assistance to the taskforce, often participating in all aspects of taskforce operations.

- **Carl Olavesen**, Sheriff's Combined Auto Theft Taskforce, Travis County. Detective Olavesen assisted in the Auto Theft Class by not only instructing portions applying to cars and trucks but exceeded expectations by being a self-starter. Detective Olavesen volunteered to bring all the drinks, water etc. He also provided several canopy's that could be used for shade while at the Co Parts location. Detective Olavesen is a self-starter who is always willing to jump on and help others at any time. Detective Olavesen's background in narcotics has greatly enhanced his abilities as an Auto Theft Investigator.
- **Herman Adair**, Sheriff's Combined Auto Theft Taskforce, Hays County. Deputy Adair was instrumental in obtaining the Hay County Justice Center as a venue willing to sponsor the Auto Theft Class. Sheriff Gary Cutler was elated to see ABTPA have such an outstanding training opportunity at his agency. Deputy Adair was at class every morning to ensure the classrooms were clean, open and the equipment functioned properly. Deputy Adair also assisted Detective Olavesen with the ice chest, drinks, and snacks. Deputy Adair is well known across the taskforce area as that person who will drop what he is doing to come to the aid of a fellow Auto Theft Investigator. Deputy Adair has gained the respect and admiration of those who have worked with him.
- **Joe Ray Joines**, Sheriff's Combined Auto Theft Taskforce Wharton County, Sergeant Joines assisted in the practical exercise of identifying ATVs, Golf Carts and Motorcycles. Sergeant Joines knowledge base in identifying stolen vehicles is an outstanding asset to the taskforce and the students who attended the training. Sergeant Joines is always willing to assist with any type of operation the taskforce may conduct. Sergeant Joines is very respectful of all people he meets and does an outstanding job of representing the taskforce. His investigative abilities to work with neighboring agencies had produced several stories of success.
- **Ryan Williams**, Sheriff's Combined Auto Theft Taskforce, Travis County. Detective Williams assisted in the Auto Theft Class by providing instruction in ATVs, Golf carts and Motorcycles. Detective Williams abilities to identify stolen vehicles and trucks greatly enhanced the training. Detective Williams also assisted in setting up the facility at Co Parts. Detective Williamson volunteered to help with the set-up of the drinks, water etc. Detective Williams background in Narcotics has greatly enhanced his ability to learn the Auto Theft world. Detective Williams is a team player and is always willing to help other agents at any time.

Appreciation to Businesses and Groups that Supported ABTPA and the Taskforces

- **Copart San Antonio**

Copart San Antonio Auto Auction graciously provided the location for the practical exercises in the Intermediate Auto Theft Investigator Course that was taught in San Antonio. George Bailey is the manager of the auction and for the second year in a row has without a second thought opened his facility to ABTPA. The Yard Manager David Orozco did an outstanding job coordinating and bent over backwards to provide numerous vehicles, trailers and motorcycles so that detectives could inspect them. Without their assistance, the practical exercise could not have a success. Their “whatever you need” attitude made the exercise a complete success.

- **Copart New Braunfels**

Josh Speck, manager of Copart, is a strong supporter of Law Enforcement. Josh opened Copart to the taskforce for the sole purpose of utilizing the vehicles in the lot to facilitate the training. He was very willing to assist the practical exercises. Not only did Coparts allow the training to be conducted on the business property, Josh was generous enough to donate meals for all the participants. Josh Speck went above and beyond to help law enforcement gain the necessary experience needed and serves as a model for other businesses to follow. Josh is a very friendly and approachable person. Josh was happy to allow the training and invited us back anytime.

- **Ritchie Brothers Auctioneers Lake Worth**

Ritchie Brothers provided their location for the practical exercises for the Advanced Investigator Course that was held in Fort Worth.

- **NICB**

Agent Archie Harben (San Antonio & San Marcos)

Agent Harben was tasked again with coordinating the Practical Exercise for multiple trainings. Archie took on the task wholeheartedly and for the second year in a row did an excellent job in coordinating with Copart personnel in order to instruct detectives the process in the identification of vehicles, trailers and motorcycles. Agent Harben has been a productive asset to the taskforce by assisting in the procurement of items needed to conduct the training class. Agent Harben has been a productive asset to the taskforce by assisting in the procurement of items needed to conduct the training class. Agent Harben is very easy to work with and is always willing to assist the taskforce in all aspects of Auto Theft.

Agent Geoff Aycock, Travis County Sheriff's Combined Auto Theft Taskforce.

NICB Agent Aycock is an instrumental part of facilitating the training by providing assistance in procuring the items required to conduct the training at Copart. Agent Aycock’s knowledge of trailers and his willingness to help other learn the tools of the trade are unsurpassed. Agent Aycock is a team player and is very easy to work with. His knowledge of stolen component parts has enhanced the knowledge base of the taskforce.

- **Texas Department of Public Safety (DPS) Garland**, the agents in the lab received the direct delivery of reagents and chemicals from a supplier purchased by TxDMV and then mixed the acid that was needed for the VIN restoration class using some of their own supplies as well.



Board Agenda Item

Briefings and Action Items

Section 2. Consider and Adopt ABTPA Board Committee Appointments

Automobile Burglary and Theft Prevention Authority

January 10, 2019

Director Proposed Automobile Burglary and Theft Prevention Authority Board Committees, Board Charges, and Committee Member Appointments

Grants, Budget, and Reports Committee

- **Mike Rodriguez - Chair**
- **Wynn Reynolds**
- **Ashley Hunter**

ABTPA - Bryan Wilson

- Review and recommend to the ABTPA Board grant priorities, processes, and funding methods that meet the requirements of Texas Revised Civil Statutes Article 4413 (37).
- Review grant applications, staff scoring processes, recommend funding to the ABTPA Board, and hold meetings with grantees as needed for grantee presentations.
- Review and recommend to the ABTPA Board budget priorities and allocation schedules in communication with Texas Department of Motor Vehicles (TxDMV) that meet the objectives of the ABTPA and are consistent with the ABTPA/TxDMV Memorandum of Understanding (MOU). Monitor performance and propose recommended improvements to the ABTPA Board if ABTPA/TxDMV MOU changes are needed.
- Provide input to the ABTPA on statutory report requirements. Review information to ensure the quality of data sources and reports are consistent with the needs of the ABTPA Board. Recommend improvements to the ABTPA board.
- Consider other financial, data or report issues as needed.

Insurance Collections and Refund Committee

- **Armin Mizani - Chair**
- **Ashley Hunter**
- **Shay Gause**

ABTPA-Dan Price

- Review collection procedures of the ABTPA fee and recommend improvements to the ABTPA Board.
- Foster positive communication with the insurance industry and other stakeholders in the implementation of the ABTPA statutes.
- Provide guidance to the ABTPA director regarding refunds and ensure procedures are reasonable, transparent, and accountable.
- Consider other insurance issues as needed.

Education and Legislative Committee

- **Linda Kinney - Chair**
- **Shay Gause**
- **Mike Rodriguez**

ABTPA-Dominic Gonzales

- Recommend to the ABTPA board the communication strategy to inform the public on how to prevent motor vehicle theft and burglary.
- Review and recommend to the ABTPA Board legislative priorities and issues, including Legislative Appropriation Requests.
- Consider and recommend other communication issues as needed.



Board Agenda Item

Briefings and Action Items

**Section 3. Discuss and Consider FY2018 Post Award Grant
Adjustments**

Part A. City of Houston

Part B. City of Corpus Christi

Automobile Burglary and Theft Prevention Authority

January 10, 2019

Action Necessary by Board for ABTPA to authorize final payment to the City of Houston in response to the final 4th Quarter Expenditure Report.

The City of Houston is requesting payment from available FY18 grant funds that were not properly and timely requested during the grant period. The City claims that the overtime paid for grant activity were reasonable and allowable but thought that they had authorization to move funds up to 5% of the grant total. The Overtime Category is an exception from the 5% authorized in the Texas Administrative Code rule §57.9.

The City of Houston submitted a Budget Adjustment, to ABTPA on December 13, 2018. This was to request additional Overtime expenses of \$30,477.62, (incurred in Q4 - before August 31, 2018). This request was made outside of the grant period and only the ABTPA Board may authorize the Budget Adjustment.

Subsequently, The City of Houston submitted a final expenditure report on the December 21st, 2018. This expenditure report contained a total of \$31,600.93 of overtime expenses for Q4. This amount was partially offset by Houston's existing overtime budget and the \$1,000.00 existing overtime budget allowance (Texas Administrative Code 57.18 – Grant Adjustments). The amount of overtime currently excluded on this expenditure report is now \$28,991.95.

To resolve the unauthorized overtime expense the ABTPA Board may:

Approve the grant adjustment to the City of Houston Budget Overtime category of \$ \$30,477.62

This allows the ABTPA Director to authorize the final FY 2018 payment for the City of Houston as submitted on December 21st 2018 .

Automobile Burglary & Theft Prevention Authority

FY 2018 Quarterly Expenditure Report

Submitted by LeAnn P Hoang, 12/26/2018 10:25:57 AM

Grantee Name City of Houston
 Program Name Houston Auto Crimes Task Force / 26
 Grant Number 608-18-HPD0000
 Fiscal Year 2018
 Grant Award Amount \$809,496.00
 Quarter: June 1, 2018 - August 31, 2018

Expenditures by Category

Budget Category	Quarterly Expenditures			Year to Date		
	Total Cash Expenses: ABTPA & Match	Excluded Amount	In-Kind Expenditures	YTD Expenditures (less excluded)	Total Grant Budget	Grant Budget Remaining
Personnel	\$364,920.98	\$0.00	\$0.00	\$1,175,225.10	\$1,244,017.00	\$68,791.90
Fringe	\$194,448.07	\$0.00	\$0.00	\$617,645.70	\$599,787.00	(\$17,858.70)
Overtime	\$31,600.93	\$28,991.95	\$0.00	\$3,029.00	\$2,029.00	(\$1,000.00)
Professional and Contract Services	\$61,956.33	\$0.00	\$0.00	\$190,894.91	\$211,226.00	\$20,331.09
Travel	\$277.24	\$0.00	\$0.00	\$10,914.32	\$15,884.00	\$4,969.68
Equipment				\$0.00	\$0.00	\$0.00
Supplies and Direct Operating Expenses (DOE)	\$113,590.96	\$0.00	\$0.00	\$223,172.76	\$197,425.00	(\$25,747.76)
Totals	\$766,794.51	\$28,991.95	\$0.00	\$2,220,881.79	\$2,270,368.00	\$49,486.21

Equipment Detail

Asset Class	Description	Serial No. / VIN	Date	Cost	Use
No Equipment Detail Records Found					

Reimbursement Calculation

Year To Date Expenditures	\$2,220,881.79
less In lieu of DPS for prior quarters	\$90,337.97
less In lieu of NICB for prior quarters	\$0.00
less In lieu of DPS for quarter	\$30,147.00
less In lieu of NICB for quarter	\$0.00
less unbudgeted program income used	\$0.00
Reimbursable Expenditures	\$2,100,396.82
Reimbursement Rate	37.65551291992%
Reimbursement on YTD Expenditures	\$790,915.20
less Prior Quarter Payments	\$524,443.87
Reimbursement for this quarter	\$266,471.33

This is a Program Change Budget Change (Check each that applies)

Program Modification Explanation and Reason:

No text provided.

Budget Modification Explanation and Reason:

This grant adjustment is being made to move funds from Personnel \$30,477.62 to Classified Overtime \$30,477.62. The funds are being moved because the HACTF grant had personnel that were not paid by the grant during a period of time. The Lieutenant was out at the National FBI Academy and one Sergeant was on the relief mission to Puerto Rico. The reason the adjustment was not entered earlier was because we thought it fell under the 5.0% rule and was not aware of the ABTPA board authorization of a maximum of \$1,000. The overtime was used to address after-hours BMV and Auto Theft investigations to include the use of confidential informants interacting with UC officers and suspects. Reason for not having flexible or variable schedules is because suspects establish a relationship with UC officers and operations carry over past the end of regular shifts. Additionally, the overtime was used for surveillance of suspects and call-out. No additional civilian overtime was used other than what was originally written in the grant proposal.

Budget Category	Current Budget		
	Total Expenditures	ABTPA Expenditures	Match Expenditures
Personnel	\$1,244,017.00	\$622,015.00	\$622,002.00
Fringe	\$599,787.00	\$0.00	\$599,787.00
Overtime	\$2,029.00	\$2,029.00	\$0.00
Professional and Contract Services	\$211,226.00	\$29,983.00	\$181,243.00
Travel	\$15,884.00	\$15,884.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00
Supplies and Direct Operating Expenses (DOE)	\$197,425.00	\$139,585.00	\$57,840.00
Total	\$2,270,368.00	\$809,496.00	\$1,460,872.00

Proposed Changes: indicate amount to increase or decrease budget item.

Budget Category	Total Expenditure Change	ABTPA Expenditure Change	Match Expenditure Change
Personnel	(\$30,477.62)	-\$30,477.62	\$0.00
Fringe	\$0.00	\$0.00	\$0.00
Overtime	\$30,477.62	\$30,477.62	\$0.00
Professional and Contract Services	\$0.00	\$0.00	\$0.00
Travel	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00
Supplies and Direct Operating Expenses (DOE)	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$0.00	\$0.00

Budget Category	Proposed New Budget		
	New Total Expenditures	New ABTPA Expenditures	New Match Expenditures
Personnel	\$1,213,539.38	\$591,537.38	\$622,002.00
Fringe	\$599,787.00	\$0.00	\$599,787.00
Overtime	\$32,506.62	\$32,506.62	\$0.00
Professional and Contract Services	\$211,226.00	\$29,983.00	\$181,243.00
Travel	\$15,884.00	\$15,884.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00
Supplies and Direct Operating Expenses (DOE)	\$197,425.00	\$139,585.00	\$57,840.00
Total	\$2,270,368.00	\$809,496.00	\$1,460,872.00



Board Agenda Item

Briefings and Action Items

Section 4. Discuss and Consider Insurance Refund Requests

Part A. Elephant Insurance

Staff Recommendation

1) Elephant Insurance Company in conjunction with Redpoint County Mutual Insurance Company

The ABTPA received the original request for refund on July 23, 2018 in the amount of \$35,386. The request indicated;

A refund amount is due as our initial filing and payment included in the vehicle count and resultant fee, business Elephant Insurance Company assumes from Redpoint County Mutual Insurance Company.

Redpoint County Mutual Insurance Company includes these vehicles and submits the fee payment within their filings.

On July 27th ABTPA request payment verifications for both Elephant and Redpoint from the Texas State Comptroller's office. On August 30th the transcripts were received and indicated that although Elephant had paid the tax in question Redpoint had not. ABTPA requested proof of payment was made for Redpoint. This documentation was received from Elephant on October 1st. ABTPA noted that the payment was made after the request for refund had been submitted and after the transcript request had been processed. Payments by both Elephant and Redpoint were confirmed.

The ABTPA Staff recommends that the refund request be approved in the amount of \$35,386.



Elephant Insurance Company
9950 Mayland Drive, Suite 400
Henrico, VA 23233

July 17, 2018

Automobile Burglary and Theft Prevention Authority
c/o Texas Department of Motor Vehicles
4000 Jackson Avenue
Austin, TX 78731-6007

NAIC Company Code: 13688
TDI license number: 096511
Company Name: Elephant Insurance Company
Contact Person: Keziah Hunt-Earle
Contact Email: statutoryreporting@elephant.com
Phone Number: 804-823-4898

Dear Sir/Madam,

We are writing as explanation for the enclosed refund submission request for part of the payment made with the ABTPA Semi-Annual Assessment Report for the period January 1 2018 – June 30 2018. The initial payment of \$141,712 was made on 7/10/2018 and the refund requested is \$35,386.

A refund amount is due as our initial filing and payment included in the vehicle count and resultant fee, business Elephant Insurance Company assumes from Redpoint County Mutual Insurance Company. Redpoint County Mutual Insurance Company includes these vehicles and submits the fee payment within their filings.

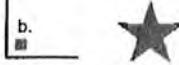
If you have any questions or concerns please feel free to contact me directly at 804-823-4898.

Sincerely,

A handwritten signature in black ink that reads "Alberto Schiavon".

Alberto Schiavon
Chief Executive Officer





Insurance Automobile Burglary and Theft Prevention Authority Semi-Annual Assessment Report - January thru June

(Licensed Companies and Miscellaneous Organizations)

A report must be filed even if no fee is due.

a. T Code ■ 76100

c. Taxpayer number
■ 1-68-06783961

d. Filing period
PERIOD ENDING 06-30-2018

e. ■ 182

f. Due date
08-01-2018

g. Taxpayer name and tax report mailing address

Elephant Insurance Company
9950 Mayland Drive, Suite 400
Henrico, VA 23233-1463

For information about Insurance Tax, call 1-800-252-1387. Details are also available online at www.comptroller.texas.gov.

h. IMPORTANT
Blacken this box if your mailing address has changed. Show changes beside the preprinted information. → 1.

i. j.

NOTE: Insurers may recoup this assessment from policyholders as authorized by 28 TAC, Section 5.205.

Who Must File

All licensed property and casualty insurance companies, including risk retention groups, interinsurance or reciprocal exchanges, mutual associations, Mexican Casualty Companies or Lloyd's plans that are licensed to write any form of motor vehicle insurance in this state as defined in Article 5.01(e), Insurance Code, during the first six months of the year are required to compute and pay the assessment.

For Specific Information for Questions Regarding the Assessment

All requests for information, other than form completion, should be referred to the Automobile Burglary and Theft Prevention Authority (ABTPA) at AskABTPA@txdmv.gov or call 512-465-1485.

(Instructions continued on back.)

Electronic reporting and payment options are available 24 hours a day, 7 days a week. Have this form available when you log on.

www.comptroller.texas.gov/taxes/file-pay/

CALCULATION

1. Total number of motor vehicle years for policies effective Jan. 1 - June 30	1. ■	70,856
2. Assessment rate	2. ■	2.00
3. TOTAL AMOUNT DUE AND PAYABLE (Multiply Item 1 by Item 2)	3. ■	141,712.00

*** DO NOT DETACH ***



Insurance Automobile Burglary and Theft Prevention Authority Semi-Annual Assessment Report - January thru June

4. TOTAL AMOUNT DUE AND PAYABLE (See Item 3.) 4. ■ 141,712.00

Taxpayer name **Elephant Insurance Company** k. l.

■ T Code ■ Taxpayer number ■ Period

76020 1-68-06783961

I declare the information in this document and all attachments is true and correct to the best of my knowledge and belief.

sign here Authorized agent

Preparer's name (Type or print.) **Carter Catlett**

Daytime phone (Area code & number) **804-955-1700** Date **7/9/18**

Make the amount in Item 4 payable to STATE COMPTROLLER Mail to COMPTROLLER OF PUBLIC ACCOUNTS P.O. Box 149356 Austin, TX 78714-9356

You have certain rights under Chapters 552 and 559, Government Code, to review, request and correct information we have on file about you. Contact us at the address or phone number listed on this form.

111 A

Confirmation: You Have Filed Successfully

Please do NOT send a paper return.

If you need to enroll or make changes to an existing TEXNET account click the following link:
[TEXNET](#)
Call 1-800-442-2453 for questions about TEXNET Payments.

[Print this page for your records.](#)

Reference Number: 19118026460
Date and Time of Filing: 07/10/2018 08:43:06 AM

Taxpayer ID: 16806783961
Taxpayer Name: ELEPHANT INSURANCE COMPANY
Taxpayer Address: 9950 MAYLAND DR STE 400 HENRICO, VA 23233 - 1463

Entered by: Carter Catlett
Email Address: carter.catlett@elephant.com
Telephone Number: (804) 955-1700 1101
IP Address: 68.142.181.206

Calculation	Return Summary	Entries	Assessment Rate	Assessment Due
Total number of motor vehicle years for policies effective January 1 - June 30, current year	70,856	X 2.0000		141,712.00
Summary				
Total Assessment Due				141,712.00

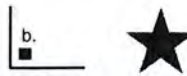
Total Assessment Due 141,712.00
Balance Due = 141,712.00
Pending Payments - 0.00
Total Amount Due and Payable = 141,712.00

Payment Summary

Amount to Pay: \$141,712.00
Total TEXNET Payment: \$141,712.00

TEXNET:
Identification #: 57290 Location #: 07619
Trace Number: 30975061
Settlement Date: 07/11/2018

AMENDED



Insurance Automobile Burglary and Theft Prevention Authority Semi-Annual Assessment Report - January thru June
(Licensed Companies and Miscellaneous Organizations)

A report must be filed even if no fee is due.

a. T Code ■ 76100

c. Taxpayer number
■ 1-68-0678396-1

d. Filing period
PERIOD ENDING 06-30-2018

e. ■ 182

f. Due date
08-01-2018

g. Taxpayer name and tax report mailing address

**Elephant Insurance Company
9950 Mayland Drive, Suite 400
Henrico, VA 23233-1463**

For information about Insurance Tax, call 1-800-252-1387. Details are also available online at www.comptroller.texas.gov.

h. IMPORTANT

Blacken this box if your mailing address has changed. Show changes beside the preprinted information. → 1.

i. j.

NOTE: Insurers may recoup this assessment from policyholders as authorized by 28 TAC, Section 5.205.

Who Must File

All licensed property and casualty insurance companies, including risk retention groups, interinsurance or reciprocal exchanges, mutual associations, Mexican Casualty Companies or Lloyd's plans that are licensed to write any form of motor vehicle insurance in this state as defined in Article 5.01(e), Insurance Code, during the first six months of the year are required to compute and pay the assessment.

For Specific Information for Questions Regarding the Assessment

All requests for information, other than form completion, should be referred to the Automobile Burglary and Theft Prevention Authority (ABTPA) at AskABTPA@txdmv.gov or call 512-465-1485.



Electronic reporting and payment options are available 24 hours a day, 7 days a week. Have this form available when you log on.

www.comptroller.texas.gov/taxes/file-pay/

(Instructions continued on back.)

CALCULATION

1. Total number of motor vehicle years for policies effective Jan. 1 - June 30	1. ■	53,163
2. Assessment rate	2. ■	2.00
3. TOTAL AMOUNT DUE AND PAYABLE (Multiply Item 1 by Item 2)	3. ■	106,326.00

***** DO NOT DETACH *****

Form 25-106 (Rev. 5-18/26)



Insurance Automobile Burglary and Theft Prevention Authority Semi-Annual Assessment Report - January thru June

4. TOTAL AMOUNT DUE AND PAYABLE (See Item 3.)

Taxpayer name
Elephant Insurance Company

k.

l.

■ T Code ■ Taxpayer number ■ Period

76020 1-68-0678396-

I declare the information in this document and all attachments is true and correct to the best of my knowledge and belief.

Authorized agent *Albert G. Elvarson*

Preparer's name (Type or print.)
Keziah Hunt-Earle

Daytime phone (Area code & number) **804-823-4898** Date **7/13/18**

Make the amount in Item 4 payable to STATE COMPTROLLER Mail to COMPTROLLER OF PUBLIC ACCOUNTS P.O. Box 149356 Austin, TX 78714-9356

You have certain rights under Chapters 552 and 559, Government Code, to review, request and correct information we have on file about you. Contact us at the address or phone number listed on this form.



PO Box 5005
Glen Allen, VA 23058
www.elephant.com

CERTIFIED MAIL



7015 1660 0000 1248 9491



U.S. POSTAGE >> PITNEY BOWES
ZIP 23233 \$ 007.41⁰
02 4W
0000353551 JUL 19 2018

AIBTPA
4000 Jackson Avenue
Austin, TX
78731
Attn: Marybeth Menoskey
OR Dan Price



Board Agenda Item

Briefings and Action Items

Section 4. Discuss and Consider Insurance Refund Requests

Part B. Integon National Insurance Company

Staff Recommendations

2) National General Auto, Home, and Health Insurance, for Integon National Insurance:

ABTPA Received the original request for refund on July of 2016. ABTPA requested Texas Comptroller transcripts in August 2016. ABTPA submitted clarifying questions back to Integon in August of 2016. Several more communications occurred over the next 9 months.

On June 19th, 2017 Integon submitted additional (requested) information, which was too late for ABTPA Staff to review and obtain necessary information in time for the July 2017 Board meeting. Inconsistencies were found in this new documentation provided by the insurer. At the November 14, 2017 board meeting ABTPA Staff recommended, and the Board requested the Texas State Comptroller audit the refund requested in the amount of \$82,320.

The Comptroller engaged Integon and repeatedly requested information to confirm the refund requested. On August 20th 2018 the Auditor concluded in an email to Integon; "Unfortunately, all of the information needed to verify the refund was not provided", restated Integon's calculation and stated, "So, the calculation Integon used to arrive at the assessment fee report is incorrect." (email attached)

On August 24, The Comptroller submitted a formal finding to ABTPA stating "the refund claim cannot be verified" and "the motor vehicle years and assessment fees cannot be determined" (letter attached).

The ABTPA Staff recommends that the refund request be denied.



GLENN HEGAR TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

Audit Headquarters Audit Office
1700 N. Congress, Suite 300
Austin, Texas 78701-3047
Phone: (512) 463-3900 Fax: (512) 475-0349

August 24, 2018

Bryan E. Wilson
ABTPA Director
4000 Jackson Ave.
Austin, TX 78731

Mr. Wilson,

I have concluded the refund verification for Integon National Insurance Company. The taxpayer failed to provide the necessary documentation to support the refund claim. In particular, the number of vehicles per policy and the actual policies for the nine policies requested to test their data were not provided.

The taxpayer provided the following records:

- Excel workbook containing the workpapers for the original and amended reports
- Report of Commercial Count, which contained only the total number of commercial policies by firm and state
- PPA Detail containing insured names, policy number, effective date, expiration date, and the premium amount
- Documents for eight policies including billing, privacy, underwriting and various other notices, declaration pages, and pictures of the vehicle, but no policies
- 2013 & 2014 Integon National Annual Statements

Based on the excel workbook provided, Integon's calculation of motor vehicle years is based on policy count and then divided by two. This calculation would only work if the policies issued were for six months and only carried one vehicle per policy. The data indicated some policies were issued for one year, and some of the declaration statements showed more than one vehicle per policy. Therefore, the calculation Integon used to arrive at the assessment fee on the reports is incorrect.

The Texas Automobile Burglary and Theft Prevention Authority assessment is reported based on motor vehicle years. Per the Comptroller's website:

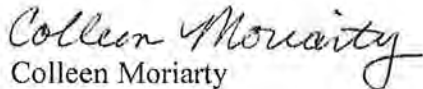
"Motor vehicle years" is defined as the total number of motor vehicles covered under an insurer's policies for the year or portion of the year at the time the policies are issued. The assessment is based upon the percentage of a year covered under the policy, times the number of vehicles covered by that policy, times the number of policies delivered, issued

ABTPA
August 24, 2018
Page 2

for delivery or renewed during each semiannual period covering the same number of vehicles and the same percent of a year covered under the policy.

In conclusion, it is my opinion that the refund claim cannot be verified based on the documentation provided. Without knowing the number of vehicles per policy, the motor vehicle years and assessment fees cannot be determined. If you have any questions, you can reach me via email at colleen.moriarty@cpa.texas.gov or phone at (512) 463-4710.

Sincerely,


Colleen Moriarty
Auditor

cc: Daniel Price, ABTPA Auditor

Price, Daniel

From: Colleen Moriarty <Colleen.Moriarty@cpa.texas.gov>
Sent: Thursday, August 23, 2018 1:18 PM
To: Smith, Raquel
Cc: Price, Daniel; Toruk, Suzanne
Subject: RE: Integon National Insurance Company Texas ABTPA Refund Request (verification for test policies)
Attachments: 25-107.pdf; Rule 57.51.htm; ABTPA 96-667.pdf

Hi Raquel,
To answer your questions:

1. The number of vehicles per policy and the actual policies were not provided.
2. The directions for calculating the motor vehicle years can be found on the Texas Automobile Burglary and Theft Prevention Authority Assessment Semi-Annual Payment Worksheet (see attached) and also on the Comptroller’s website (<https://comptroller.texas.gov/help/insurance/abtpa.php?category=programs>).
3. Based on the workbook provided, I agree you may have been computing the assessment incorrectly, but it cannot be assumed that you are over remitting with regard to payment. More than likely you are under remitting due the number of vehicles per policy being excluded in calculating the assessment.
 - a. I have attached a publication on how to request a refund for ABTPA. Refunds have already been requested for the periods covering 1/1/2014 – 12/31/2015 and the supporting documentation requested. A generous amount of time has been given to provide the documentation. Information needed to determine the assessment amount was missing, in particular the number of vehicles per policy. Without knowing the number of vehicles on each policy, the motor vehicles years and refund cannot be determined. I will relay my findings to the ABTPA, and the Authority’s Board of Directors will decide whether the refund will be granted or not. The Board’s decision is final.
 - b. The statute of limitations is 4 years (see attached Rule § 57.51).

Colleen Moriarty

Technical Support
Audit Division Headquarters
Phone: (512) 463-4710
Fax: (512) 305-9875

IMPORTANT NOTICE: This communication, and any attachments, may contain privileged or confidential information under the Texas Public Information Act or other applicable state and federal laws. If you have received this message in error, please notify the sender immediately and delete this email from your system.

From: Smith, Raquel <Raquel.Smith@NGIC.COM>
Sent: Wednesday, August 22, 2018 9:25 AM
To: Colleen Moriarty <Colleen.Moriarty@cpa.texas.gov>
Cc: Price, Daniel <Daniel.Price@txdmv.gov>; Toruk, Suzanne <Suzanne.Toruk@ngic.com>
Subject: RE: Integon National Insurance Company Texas ABTPA Refund Request (verification for test policies)

**CAUTION: This email originated from outside of the Texas Comptroller's email system.
DO NOT click links or open attachments unless you expect them from the sender and know the content is safe.**

Colleen

Just a few questions:

1. Please advise what information was not provided as requested
2. Just to confirm, you are stating below that we have been computing the assessment incorrectly.
 - a. Please advise correct instructions for the correct reporting. Please feel free to call me directly
3. Based on question #2, it seems we may have been computing the assessment incorrectly and therefore apparently over remitting with regard to payment
 - a. Since it is apparent that the reports may have the incorrect calculation method for the Motor vehicle years. Please advise what options are available to allow Integon to correct the reporting's and applicable refunds
 - b. What is the Statue of limitation period for amending the Texas ABTPA Assessment

Thanks Raquel

From: Colleen Moriarty [mailto:Colleen.Moriarty@cpa.texas.gov]
Sent: Monday, August 20, 2018 12:37 PM
To: Smith, Raquel
Cc: Price, Daniel
Subject: Integon National Insurance Company Texas ABTPA Refund Request

Hi Raquel,

Thank you for sending the additional documentation. Unfortunately, all of the information needed to verify the refund was not provided. The Texas Automobile Burglary and Theft Prevention Authority assessment is reported based on motor vehicle years. Per the Comptroller's website (<https://comptroller.texas.gov/help/insurance/abtpa.php?category=programs>):

"Motor vehicle years" is defined as the total number of motor vehicles covered under an insurer's policies for the year or portion of the year at the time the policies are issued. The assessment is based upon the percentage of a year covered under the policy, times the number of vehicles covered by that policy, times the number of policies delivered, issued for delivery or renewed during each semiannual period covering the same number of vehicles and the same percent of a year covered under the policy.

Without the number of vehicles per policy, the motor vehicle years cannot be determined. In addition, the actual policies were not provided for the nine requested test policies.

Based on the excel workbook provided, Integon's calculation is based on policy numbers and then divided by two. This calculation would only work if the policies issued were for six months and only carried one vehicle per policy. The data seems to indicate policies are issued for one year, and some of the declaration statements provided indicate more than one vehicle per policy. So, the calculation Integon used to arrive at the assessment fee report is incorrect.

Since the deadline to provide documentation has passed, I will make my recommendation to the Texas Automobile Burglary and Theft Prevention Authority based the information provided thus far. Their Board will determine whether the refund will be granted or not.

Thank you,

Colleen Moriarty

Technical Support
Audit Division Headquarters

Stephen F. Austin Building
1700 N. Congress, Rm 300
Austin, TX 78701
Phone: (512) 463-4710
Fax: (512) 475-0349
colleen.moriarty@cpa.texas.gov

IMPORTANT NOTICE: This communication, and any attachments, may contain privileged or confidential information under the Texas Public Information Act or other applicable state and federal laws. If you have received this message in error, please notify the sender immediately and delete this email from your system.

Note: Please be aware that unencrypted electronic mail is not secure. For this reason, please do not send any sensitive personal information such as your address, driver license, policy number, Social Security Number, or claims information by unencrypted electronic mail. The information contained in this message may be privileged and confidential and protected from disclosure. If the reader of this message is not the intended recipient, or an employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by replying to the message and deleting it from your computer. Thank you.

National General

Insurance

5630 University Pkwy PO Box 3199 Winston-Salem, NC 27102-3199

July 20, 2016

Texas Automobile Burglary & Theft Prevention Authority
4000 Jackson Avenue
Austin, TX 78731

RE: 2014 – Refund Claim
Integon National Insurance Company
13-4941245

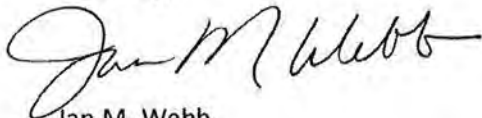
Dear Sir or Madam,

We discovered during the preparation of our 2015 assessment, that we had overpaid taxes related to 2014. The 2014 vehicle counts provided to the tax department inadvertently included 2013 counts rather than 2014 counts. During 2014, we ceased writing new business in this company so the vehicle counts were significantly lower. This was not discovered until we were performing an analysis of the 2015 assessment. Our total count as reported in 2014 was 30,727 vehicles and it should only have been 3,227 for a difference of 27,500 vehicles. This resulted in an overpayment of \$55,000. We respectfully request that the overpayment be refunded at your earliest convenience.

We have included the refund claim form, copy of the original filings, documentation of the payment, and amended filings submitted to the Texas Comptroller on 7/20/16.

If you have any questions, please feel free to contact me at 336-435-5328 or email at jan.webb@ngic.com.

Sincerely,



Jan M. Webb
Tax Manager

National General Insurance
5630 University Pkwy PO Box 3199 Winston-Salem, NC 27102-3199
336-435-2000



Texas Automobile Burglary & Theft Prevention Authority
Assessment Fees Refund Claim

Company Name: Intergen National Insurance Co. Date: 6-22-2016
Address: P.O. Box 3199 TDI License number
City & State: Winston-Salem, NC. Zip: 27102-3199
Company Contact Person: Jan Webb Contact Phone Number: 336-435-2000

Requesting refund for reporting period(s): 2014

Please circle: 1st Semi-Annual Payment 2nd Semi-Annual Payment

Amount of refund requested: \$ 55,000.00

In compliance with ABTPA rule, Title 43 Administrative Texas Code §57.51, the authority will utilize the information submitted below to assist in making determination and recommendation for refunding or non refundable assessment fees.

Please complete required data for determination of correct amount of refund from the Automobile Burglary & Theft Prevention Authority (ABTPA) Assessment fees. Once completed, please forward to the ABTPA.

Summary Information for Issued Policies table with columns: Policy Term, Number of Policies Written, Number of Actual Vehicles on Policies, Original Amount, Amended Amount, Refund Amount Requested. Includes handwritten totals for 61,454, 6,454, and 55,000.

Along with this form attach:

- 1) Written explanation for the submission request of funds being refunded.
2) A copy of the original filing(s).
3) Documentation of payment (s).
4) A signed copy of the amended return filed with the Texas Comptroller of Public Accounts.

I certify that this claim and all attachments are true and correct.

[Signature]
Company official's signature





5630 University Pkwy PO Box 3199 Winston-Salem, NC 27102-3199

July 20, 2016

Texas Automobile Burglary & Theft Prevention Authority
4000 Jackson Avenue
Austin, TX 78731

RE: 2015 – Refund Claim
Integon National Insurance Company
13-4941245

Dear Sir or Madam,

We discovered during the preparation of our 2015 assessment, that we had overpaid taxes related to the semi-annual assessment due 8/3/15. We used 2014 vehicle counts to estimate our first payment. The 2014 vehicle counts provided to the tax department inadvertently included 2013 counts rather than 2014 counts. During 2014, we ceased writing new business in this company so the vehicle counts were significantly lower. This was not discovered until we were performing an analysis of the 2015 assessment due 3/1/16. Our total count as reported in the Jan – June 2015 return was 15,695 vehicles and it should only have been 1,017 for a difference of 14,678 vehicles. We have overpaid \$29,356 for the first assessment. Our total count reported in the second assessment was 2,653 vehicles and it should have been 2,035 vehicles. We did not make a payment with this assessment as we showed the overpayment from the first filing on this return. Therefore, our total combined count should be 2035 vehicles for a payment of \$4,070. We have previously paid \$31,390 which results in an overpayment of \$27,320. We respectfully request that the overpayment be refunded at your earliest convenience.

We have included the refund claim form, copy of the original filings, documentation of the payment, and amended filings submitted to the Texas Comptroller on 7/20/16.

If you have any questions, please feel free to contact me at 336-435-5328 or email at jan.webb@ngic.com.

Sincerely,

A handwritten signature in black ink that reads "Jan M. Webb". The signature is fluid and cursive, with a long horizontal stroke at the end.

Jan M. Webb
Tax Manager

National General Insurance
5630 University Pkwy PO Box 3199 Winston-Salem, NC 27102-3199
336-435-2000



Texas Automobile Burglary & Theft Prevention Authority
Assessment Fees Refund Claim

Company Name: Integen National Insurance Co. Date: 6-27-2016
Address: P.O. Box 3199 TDI License number
City & State: Winston-Salem, NC Zip: 27102-3199
Company Contact Person: Jan Webb Contact Phone Number: 336-435-2000
Requesting refund for reporting period(s): 2015
Please circle: 1st Semi-Annual Payment 2nd Semi-Annual Payment
Amount of refund requested: \$ 27,320

In compliance with ABTPA rule, Title 43 Administrative Texas Code §57.51, the authority will utilize the information submitted below to assist in making determination and recommendation for refunding or non refundable assessment fees.

Please complete required data for determination of correct amount of refund from the Automobile Burglary & Theft Prevention Authority (ABTPA) Assessment fees. Once completed, please forward to the ABTPA.

Summary Information for Issued Policies table with columns: Policy Term, Number of Policies Written, Number of Actual Vehicles on Policies, Original Amount, Amended Amount, Refund Amount Requested. Includes handwritten totals: 31,390, 4,070, 27,320.

Along with this form attach:

- 1) Written explanation for the submission request of funds being refunded.
2) A copy of the original filing(s).
3) Documentation of payment (s).
4) A signed copy of the amended return filed with the Texas Comptroller of Public Accounts.

I certify that this claim and all attachments are true and correct.

[Signature]
Company official's signature





Board Agenda Item

Briefings and Action Items

Section 5. Discuss Texas Department of Insurance Response to Collection Assistance Inquiries and Provide Input to Staff on Additional Action to Take

November 2, 2018

Bryan E. Wilson
ABTPA Director
Texas Auto Burglary & Theft Prevention Authority
4000 Jackson Ave
Austin, TX 78731

Dear Mr. Wilson:

Motor Vehicle Insurance: In the context of the Texas Automobile Burglary and Theft Prevention Authority's ability to assess its statutory fee, you asked whether the Texas Department of Insurance considers the following types of policies to constitute "motor vehicle insurance":

1. mechanical breakdown policies;
2. garage liability policies;
3. nonresident policies;
4. policies providing only non-ownership or hired auto coverage;
5. umbrella policies with no associated vehicles; and
6. mobile homes in transit.

"Motor vehicle insurance" is not a term we commonly use, and we did not find a statute that authorizes TDI to determine when a "motor vehicle insurance" policy is subject to the ABTPA fee. However, I hope the following information will be useful to you in making your determination.

While "motor vehicle insurance" appears in Insurance Code Article 5.01, we now review policy forms for personal and commercial auto insurance primarily under Insurance Code Chapters 2301 and 1952; and those chapters do not refer to "motor vehicle insurance." To add to the terminology mix, Transportation Code Chapter 601 discusses establishing financial responsibility with a motor vehicle liability insurance policy.

In previous versions of ABTPA's rules, the ABTPA fee was only assessed on "primary liability" motor vehicle insurance—the sort that the Transportation Code requires—but that provision was eliminated in 1998. The remaining exceptions—those listed in 1-6, above—seem to be largely policies for which it would be difficult or impossible to calculate motor vehicle years. It seems that practical considerations may have led to those exceptions. You may wish to consult with the Comptroller to determine if it is possible to calculate motor vehicle years for any of them.

Based on our research, I have attached some regulatory history that includes information about the reasoning behind the exceptions and how they evolved, as well as the tax forms that provide instructions to insurers about calculating the fee.

Enforcement: Please officially refer to TDI the non-filers for 2016 and 2017. Along with the list of insurers, please send supporting documentation, such as

- your attempts to communicate with the insurers,
- any responses you received, and
- necessary documentation from the comptroller, if appropriate.

We will follow up with the insurers once we have that information.

Please let me know if you have any questions or need more information. I look forward to meeting with you on November 8.

Sincerely,

Marianne Baker
Director, Property & Casualty Lines Office

Enclosures:

- Rule History of 28 TAC § 5.205 (1992-1999)
- Rule History of 43 TAC § 57.48 (1998)
- Automobile Series Letter 666
- Comptroller Forms 25-106 & 25-107

From: [Wilson, Bryan](#)
To: marianne.baker@tdi.texas.gov
Cc: [Zz - Resource - AskABTPA](#); [Richards, David](#); [Menoskey, Mary](#); [Price, Daniel](#); [Miller, Matthew](#)
Subject: Request For Assistance Regarding ABTPA Fee Assessment
Date: Thursday, January 11, 2018 3:06:23 PM
Attachments: [Request to TDI for 2015 Non-filers Supporting documents.pdf](#)
[image001.png](#)

Ms. Marianne M. Baker
Director, Regulatory Policy Division, Property and Casualty Lines Office
Texas Department of Insurance
Via E-mail - marianne.baker@tdi.texas.gov

Dear Ms. Baker;

Please provide the Automobile Burglary and Theft Prevention Authority (ABTPA) with guidance and assistance regarding insurers licensed to sell automobile insurance that fail to respond to a lawful request for filing and/or payment of the \$2 assessment on all vehicles as required under Texas Revised Civil Statutes Article 4413 (37), §10. The list of insurers below are licensed to sell automobile insurance in Texas but will not respond to inquiries from the Comptroller of Public Accounts or the ABTPA to assess the amount of assessment owed.

Background:

The ABTPA through interagency agreement, works with the Comptroller of Public Accounts (CPA) to perform the process of collection of the ABTPA fee assessment. The Miscellaneous Tax Section uses the Comptroller's website, WebFile and other processes to support ABTPA in the collection efforts. Insurers file their reports and make payment directly to the CPA. The CPA reports the results annually to the ABTPA. ABTPA is responsible for the collection efforts under the statute and the interagency agreement.

Under the CPA publication, every Texas insurer that is licensed as a Property & Casualty Insurer must file a form 25-106 with the Comptroller of Public Accounts (CPA) annually. The ABTPA relies on reports from the CPA to let us know who has not filed the report. The CPA has informed ABTPA that their system does not have a way to differentiate between those insurers who write motor vehicle insurance and those who do not, so each P&C insurer is required to file this report.

Per Texas Revised Civil Statutes Article 4413 (37), §10 the ABTPA, by law, shall notify the State Board of Insurance of any insurer that fails to pay the assessment fee. When an insurer does not file a report, the ABTPA has no way of knowing if that insurer sold any motor vehicle insurance and owes the fee or if they did not sell any and just needs to file a zero report.

For 2015 there are six insurers who have not filed the assessment report and who are not shown as being in receivership according to the CPA. We have sent letters to the subject insurers at the latest address of record with the CPA, a letter to the latest address of record with the Texas Department of Insurance (if there was a discrepancy) and a letter to the Attorney for Service listed on the TDI website. To date there has been no response from the insurance companies themselves.

The ABTPA board met at a called and regularly scheduled meeting on November 14, 2017 to review the collection efforts of the ABTPA staff. The board decided to require the ABTPA director to seek assistance from TDI on how to proceed with licensed insurers that fail to respond to collection efforts.

In addition to the list of companies below, I am including by **attachment** to this request the following items for your review and consideration:

- **Exhibit 1** - the summary from the ABTPA Board book outlining the collection effort from non-filing insurers;
- **Exhibit 2** – The list provided by CPA of non-filers;
- **Exhibit 3** – An image of the computer generated letter that the CPA sends out to the insurers reminding them of the filing;

- **Exhibit 4** – Images of the letters that ABTPA sent out to the companies that failed to respond and copies of letters to their attorneys of record listed with TDI
- **Exhibit 5** – Copy of the one attorney response

Name & Taxpayer #	CPA Address	TDI address	Attorney for Service address	Date letters sent	Comments
AETNA INSURANCE COMPANY OF CONNECTICUT 10612862762	151 Farmington Ave. #RT21 Hartford, CT 06156-0002	Same as CPA	CT Corporation System, 1999 Bryan St., Ste 900, Dallas, TX 75201-3136	10/06/2016 5/10/2017	The 10/6/16 letter sent to insurer only. The 5/10/17 letter sent to insurer and Attorney for Service.
EL AGUILA COMPANIA DE SEGUROS S A DE CV 32059212103	Insurgentes Sur 1106 PISO 1 Mexico City, Mexico 03720	Same as CPA	Gloria Leal, 3600 C Las Colinas Dr., Austin, TX 78731-4830	10/06/2016 5/10/2017	The 10/6/16 letter sent to insurer only. The 5/10/17 letter sent to insurer and Attorney for Service. The letter sent to Gloria Leal was returned unclaimed.
INSURANCE COMPANY OF THE AMERICAS 15916802331	4140 E Baseline Rd., Ste. 201 Mesa, AZ 85206-4414	Same as CPA	CT Corporation System, 1999 Bryan St., Ste. 900, Dallas, TX 75201-3136	10/06/2016 5/12/2017	The 10/6/16 letter sent to insurer only. The 5/12/17 letter sent to insurer and Attorney for Service.
QBE REINSURANCE CORPORATION 12316419840	88 Pine St., FL 9 New York, NY 10005	Same as CPA	CT Corporation System, 1999 Bryan St., Ste. 900, Dallas, TX 75201-3136	10/06/2016 5/12/2017	The 10/6/16 letter sent to insurer only. The 5/12/17 letter sent to insurer and Attorney for Service.
QUALITAS COMPANIA DE SEGUROS S A DE C V 32014466828	PO Box 434355 San Ysidro, CA 92143-4355	Jose Maria Castorena 426, San Jose De Los Cedros Cuajimalpa, Mexico City Mexico 05200	Jose L Rivera, 6100 Bandera Rd., Ste. 777, San Antonio, TX 78238-1666	10/06/2016 5/09/2017	The 10/6/16 letter sent to insurer only. The 5/09/17 letter sent to insurer at TDI address of record and Attorney for Service.
SEGUROS INBURSA S A GRUPO FINANCIERO INBURSA 30118120580	Insurgentes Sur 3500 Mexico City, Mexico 14060	Same as CPA	CT Corporation System, 1021 Main St., Ste. 1150, Houston, TX 77002	10/06/2016 5/12/2017	The 10/6/16 letter sent to insurer only. The 5/12/17 letter sent to insurer and Attorney for Service. CT Corporation sent a response stating that Seguros is not one of their companies they represent.

Thank you for your consideration and assistance.

Best Regards.

BW

BRYAN E. WILSON
ABTPA Director

Automobile Burglary and Theft Prevention Authority

November 14, 2017

Non-Filing Insurers

ABTPA received multiple copies of lists of auto insurance companies who had not filed 2015 ABTPA reports from Comptroller of Public Accounts (CPA). After reviewing the lists and information with CPA staff and removing companies known in receivership, 95 letters were sent out to insurance companies on October 6, 2016.

The original population of 2015 non-filers was **108**

Of those:

Number who have now filed as off October 2017: 71

Amount reported & paid in 2015 filings as of 10/27/17: \$12,947.34

Insurers reported as in receivership: 27

Those who have voluntarily withdrawn from the market (closed): 4

Those who have not responded: (need disposition) 6

November 14, 2017

Exhibit 3 - Letter from Comptroller to non-filing insurers



TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

P.O.Box 13528 • Austin, TX 78711-3528

X-----X

X-----X
X-----X
X-----X
X-----X
X-----X

DATABASE

RE: Insurance Tax Report and Payment

COPY

Dear Taxpayer:

A review of our records shows that your X-----X report has not been filed. This is a reminder that this report and any taxes due under that report were due on X-----X.

State law requires that reports be filed even if no taxes are due.

Please file the delinquent report along with any taxes, penalty and interest due, if any, immediately to avoid further collection action by this office.

If you need another copy of the report, or if you need assistance in completing the report, please call (800) 252-1387 or (512) 463-4600.

Taxpayer number: X-----X



Date:

«TP_NAME»

«ADDRESS»

«CITY», «STATE» «ZIP»-«ZIP__4»

Taxpayer ID number: «TP_NUM»

RE: Request to File the Texas Automobile Burglary and Theft Prevention Authority (ABTPA)
Assessment Forms

Dear «TP_NAME»:

Please file the Texas ABTPA Assessment Forms and pay the assessment required under state law. A review of our records shows that you are licensed to sell motor vehicle insurance and have not filed the ABTPA Assessment, forms 25-106 or 25-107 with the Texas Comptroller of Public Accounts (CPA). Payment is required under Texas Revised Civil Statutes Article 4413 (37), §10.

State law requires that reports be filed, even if no amounts are actually due. Filing is required by any company licensed to write any form of motor vehicle insurance in Texas. Furthermore, state law requires the notification of the State Board of Insurance of any insurer that fails to pay the fees required by this section, and the board may for that reason revoke the insurer's certificate of authority (VTCS 4413(37)§10d).

To avoid further enforcement and/or collection activity, please immediately file any delinquent report(s) along with any assessments due.

If you have questions regarding the insurance tax or need assistance in completing the report, please call (800) 252-1387. The reporting form can be found and filed online at <http://www.cpa.state.tx.us/forms/>. Type in 25-106 or 25-107 under Forms Search. If you have questions regarding the assessment, please call (512) 465-1485 or email askabtpa@txdmv.gov.

Sincerely,

Bryan E. Wilson



Date:

Certified Mail

«TP_NAME»

«ADDRESS»

«CITY», «STATE» «ZIP» «ZIP__4»

Taxpayer ID number: «TP_NUM»

RE: Board action for failure to file the 2015 Texas Automobile Burglary and Theft Prevention Authority (ABTPA) Assessment Form

Dear «TP_NAME»:

To avoid further enforcement and/or collection activity, please immediately file the 2015 Texas ABTPA Assessment, form 25-106 and any other delinquent report(s) along with any assessments due within 30 days. As of April 26, 2017, the ABTPA records show that the 2015 Texas ABTPA Assessment, form 25-106 has not been filed with the Comptroller of Public Accounts as required by law (Texas Revised Civil Statutes Article 4413 (37), §10). A letter was mailed to the address of record maintained by the CPA on October 6, 2016.

The ABTPA board is required by statute to notify the Texas Board of Insurance of any insurer that fails to pay the fee and the board may for that reason revoke the insurer's certificate of authority. State law requires that reports be filed, even if no amounts are actually due. Filing is required by any company licensed to write any form of motor vehicle insurance in Texas.

If you have questions regarding the insurance tax or need assistance in completing the report, please call (800) 252-1387. The reporting form can be found and filed online at <http://www.cpa.state.tx.us/forms/>. Type in 25-106 under Forms Search. If you have questions regarding the assessment, please call (512) 465-1485 or email askabtpa@txdmv.gov.

Sincerely,

Bryan E. Wilson

Enclosure

cc: Attorney for Service

Automobile Burglary and Theft Prevention Authority

January 10, 2019

ABTPA Insurance Committee recommendations:

1) Discussion on Enforcement of Non-Payer/Non-Filers

ABTPA staff will notify the Texas Department of Insurance with the dates and details of contact with the non-payer/non-filers. I will specifically ask them to take action on the license status for these individuals and request that they report back any actions taken.

Demand letters for non-payers/non-filers will proceed for 2016-2017. Staff will continue to consider and bring back to the board those with significant conflicts between Maintenance Tax Form and the ABTPA fee assessment.

2) Discussion on TDI Response on Exemptions

ABTPA Director will develop responses based on the current statute and rules and review responses with general counsel prior to informing the insurers. Any questions or conflicts will be returned to the ABTPA board.

Automobile Burglary and Theft Prevention Authority
January 10, 2019

TP NUM	TP NAME	MOTOR VEHICLE TAXABLE PREMIUMS	Write MV Insurance (Y/N)	Comments
1-65-1231236-0	AMERIGUARD RISK RETENTION GROUP INC	134,712	Y	Stated they only cover non ownership/hired auto and that Ameriguard is no longer in business.
1-13-5617450-5	GENERALI-UNITED STATES BRANCH	328	Y	Stated they only cover rental vehicles
1-06-1597889-6	HOUSING ENTERPRISE INSURANCE COMPANY INC	6,517	Y	Stated they only cover hired and non-owner coverages
1-13-5556470-6	JEFFERSON INSURANCE COMPANY	2,922,985	Y	Stated they only cover rental vehicles
1-95-1077060-5	PACIFIC EMPLOYERS INSURANCE COMPANY	1,001	Y	Stated they only cover hired auto.
1-74-2289453-9	RELIABLE LLOYDS INSURANCE COMPANY	8,368	Y	State said they are a Mobile Home business.
1-36-6779513-5	SENTRY LLOYDS OF TEXAS	941,829	Y	Stated they only do umbrella policies not associated to vehicles.
3-20532-8054-4	SOUTHERN PIONEER PROPERTY & CASUALTY INSURANCE CO	4,802,457	Y	Stated they only cover garage liability policies.
1-75-1892128-7	SPARTAN INSURANCE COMPANY	3,385,529	Y	Stated they only cover nonowner policies.
1-76-0002592-2	TRAVELERS LLOYDS INS CO	27,117	Y	Stated they only cover nonowner policies and hired auto.
1-41-1232071-9	TRI-STATE INS CO OF MINNESOTA	24,875	Y	Stated they only cover nonowner policies, hired auto and garage liability.
1-92-0040526-4	WESTCHESTER FIRE INSURANCE COMPANY	5,455,675	Y	Stated they only cover hired auto.
1-56-1410015-2	AMERICAN BUILDERS INSURANCE COMPANY	62,756	Y	Non responsive
1-38-0855585-1	MOTORS INSURANCE CORPORATION	27,284,512	Y	Non responsive
1-90-0251409-9	NATIONAL BUILDERS INSURANCE COMPANY	35,788	Y	Non responsive
1-13-3440360-4	NORTH AMERICAN ELITE INSURANCE COMPANY	484	Y	Non responsive
1-38-2706529-6	NORTH POINTE INSURANCE COMPANY	150	Y	Non responsive
1-52-0403120-5	MARYLAND CASUALTY CO	324	Y	Inactive
1-74-2286759-2	TITAN INDEMNITY COMPANY	9,542	Y	Filed wrong with CPA.



Board Agenda Item

Briefings and Action Items

Section 6. Discuss Non-Filing and Non-Paying Insurers and Delegate to ABTPA Staff the Authority to Notify Texas Department of Insurance of Companies that Have Not Filed the Assessment Form and/or Did Not Pay the Assessment

Automobile Burglary and Theft Prevention Authority

January 10, 2019

Insurance Assessment form and Fee Collection policy

In May of 2016, the ABTPA Board authorized the ABTPA Director to;

- (a) Periodically obtain a list of insurance companies who have filed ABTPA fee returns and their payment status from the Texas Comptroller's office.
- (b) Obtain a report of insurance companies selling motor vehicle insurance, and the number of policies sold in the State of Texas, from the Texas Department of Insurance.
- (c) Make a determination of sufficiency of payments for insurance companies doing business in the State of Texas.
- (d) If a material deficiency exists, the Director will notify the insurance company of the deficiency, request payment, and inform the company that if the ABTPA determines that an insurer failed to pay or intentionally underpaid the fee required by Texas Civil Statutes, Article 4413(37), §10, the ABTPA shall notify the Department of Insurance with the request that the department revoke the insurer's certificate of authority.

The Memorandum of Understanding between the Texas Department of Motor Vehicles and the Texas Automobile Burglary and Theft Prevention Authority does not address the notification to Texas Department of Insurance (TDI).

Texas Civil Statutes, Article 4413(37), §10 provides that the Authority notify the State Board of Insurance (now TDI) but does not grant the Authority power request revocation of the insurers certificate of authority.

ABTPA Staff is requesting that the ABTPA Board adopt the following standard policy and procedure and delegate the authority to the ABTPA Director to notify the Texas Department of Insurance when insurers fail to pay assessment or fail to file required assessment forms:

Proposed ABTPA procedure on Insurance Assessment form and Fee Collection:

1. Per the Interagency contract with the Comptroller of Public Accounts (CPA), the CPA will issue letters of non-compliance to those property and casualty (P&C) insurers who have not filed the ABTPA assessment 30 days after the filling due date. The CPA also sends a billing notice to the P&C insurers that filed the fee assessment form but failed to pay the correct amount.
2. The CPA will then send ABTPA a list of the P&C insurers who received the above letter.
3. ABTPA will send a certified letter to the mailing address of record and to the Attorney for Service listed with the Texas Department of Insurance (TDI).
4. After 60 days, ABTPA will request CPA to resend the list of insurance companies who have not filed or paid properly.
5. ABTPA will send a final letter for compliance to the mailing address of record and Attorney for Service listed with TDI reaffirming that if no action is taken on their part then the ABTPA will notify the TDI of noncompliance.
6. After 45 days, ABTPA Director on behalf of the ABTPA will send notice to the State Board of Insurance (now TDI) of those insurance companies who have not filed and/or paid the assessment.



Board Agenda Item

Briefings and Action Items

Section 7. Discuss the Estimated Unexpended Balance Authority
Balance

Automobile Burglary and Theft Prevention Authority

January 10, 2019

Estimated ABTPA 2018 Unexpended Budget

As of 20 - December – 2018

Grants (funds previously committed but not expended)	\$325,276.76
Operations	<u>\$31,737.12</u>
Total Unexpended Budget Carry Forward	<u>\$357,013.88</u>



Board Agenda Item

Briefings and Action Items

Section 8. Discuss and Consider Adoption of FY19 Budget

Automobile Burglary and Theft Prevention Authority

January 10, 2019

ABTPA 2019 Total Budget Approval Request

As of 20 - December – 2018

<u>Expense Category</u>	<u>Budget</u>	<u>Obligations</u>	<u>Available</u>
Grants	\$12,273,019	\$11,774,190	\$498,829
Salaries & Personnel	\$362,206	\$362,206	\$0
Professional Fees & Svcs	\$87,360	\$46,471	\$40,889
Advertising & Promotion	\$50,500	\$175	\$50,325
Travel	\$16,100	\$3,628	\$12,472
Consumable Supplies	\$4,500	\$1,122	\$3,288
Other Operating	<u>\$42,166</u>	<u>\$17,905</u>	<u>\$24,261</u>
Total 2019	<u>\$12,835,851</u>	<u>\$11,964,400</u>	<u>\$871,451</u>
<u>2018 UB Carryforward</u>	<u>\$357,014</u>	<u>0</u>	<u>\$357,014</u>
<u>Total Available Budget</u>	<u>\$13,192,865</u>	<u>\$11,964,400</u>	<u>\$1,228,465</u>

Request for Board Approval to Expend Portion of UB Carryforward

Education & Public Awareness –Statewide	\$200,000.00
PPRI Reporting Enhancements	\$50,000.00
Rapid Response Taskforce	<u>\$50,000.00</u>
Total budget approval this request	<u>\$300,000.00</u>



Board Agenda Item

Briefings and Action Items

Section 9. Discuss and Consider Budget and Issuance of a Request for Applications for Statewide Public Education and Awareness Grant

Automobile Burglary and Theft Prevention Authority

January 10, 2019

Fiscal Year 2019-20

Public Education and Awareness Grant Request for Applications December 1, 2018

The Automobile Burglary and Theft Prevention Authority (ABTPA) authorized the issuance of the Fiscal Year 2019-2020 (FY19-20) Public Education and Awareness Request for Applications (RFA) at its regularly scheduled meeting held on <date>. ABTPA is authorized in statute to provide grants to local law enforcement and other organizations to inform automobile owners about methods to prevent automobile burglary or theft. Eligible applicants may propose program operations by submission of an application consistent with the information, requirements and conditions stated in this RFA. This RFA is posted in the Texas Register as required by law for at least thirty (30) days prior to the due date of Applications.

Number of Grant and Maximum Award Amount

It is anticipated that the ABTPA will issue one grant not to exceed \$200,000 in ABTPA funds.

Method of Application and Due Date

The grant Application must be submitted electronically to grantsABTPA@txdmv.gov on or before **5:00 PM, ???**. The Resolution executed by the respective governmental entity and other supporting documents must be submitted electronically to grantsABTPA@txdmv.gov on or before **5:00 PM, ???**.

Applicable Authority and Rules

Automobile Burglary and Theft Prevention Authority grant programs are governed by one or more of the following statutes, rules, standards and guidelines.

- [Texas Revised Civil Statutes Article 4413\(37\)](#)
- [Texas Administrative Code: Title 43; Part 3; Chapter 57](#)
- [Uniform Grant Management Standards \(UGMS\) as promulgated by the Texas Comptroller of Public Accounts](#)
- [The current Automobile Burglary and Theft Prevention Grant Administrative Guide and subsequent adopted grantee instruction manuals](#)
- This Request for Applications issued on ?????.

Eligible Applicants

Only applicants that meet all of the following requirements may apply:

- governmental or not-for profit association / organization;
- established to operate in Texas prior to the issuance of this RFA; and
- minimum five years demonstrated **statewide** media outreach and communication efforts in Texas related to the ABTPA's mission.

Grant Type

This is a reimbursement grant. Applicants that are awarded grants will expend funds and will be reimbursed at the agreed rate for all allowable, reasonable and necessary costs incurred on a monthly or quarterly basis.

Grant Term

The grant cycle is a one (1) year funding cycle to begin on January 1, 2019 and end December 31, 2019. The ABTPA may extend the grant period by one year and provide additional funds subject to availability of funds under the same grant application with adjustments allowed based on program need prior to making a new award in FY2019. No obligations or expenses may be incurred or made outside of the grant period.

Resolution Required

A Resolution (Order or Ordinance) by the applicant's governing body is required to make application for these funds. The resolution shall provide that the governing body or organization's board applies for the funds for the purpose provided in statute (*Texas Revised Civil Statutes Article 4413(37)*), to return the grant funds in the event of loss or misuse, and designate the grant officials that the governing body chooses as its agents to administer the grant if awarded.

For governmental agencies, only the governing body that submits an application needs to adopt and submit a Resolution. Participating jurisdictions or organizations in multi-agency grant applications shall agree to the grant through interagency agreements as provided under Texas Local Government Code Chapter 362 and Texas Government Code Chapter 791.

In the event a governing body has delegated the application authority to a city manager, chief of police, sheriff other official or agency Executive Director, then applicants must provide a copy of the delegation order along with the Resolution signed by the official. A sample Resolution is attached as Appendix A.

Non-profit Agencies must submit the Resolution signed by its Executive Director and provide authorization from its Board of Directors, a list of agency officers/directors, a copy of the agency's mission/purpose, by-laws, and information about its program accountability and internal control system. Authority rules require a bond to be posted in the event of the agency being awarded a grant. The amount of the bond will be set by the Authority if an award is offered.

Program Category

To be eligible for consideration for funding, a program must be designed to support at least one of the following ABTPA program categories:

Prevention, Anti-Theft Devices and Automobile Registration - provide support to law enforcement agencies, local prosecutors, judicial agencies, and neighborhood, community, business, and nonprofit organizations designed to reduce the incidence of economic automobile burglary and theft. This program category must provide methods to distribute equipment or technology and/or to test experimental equipment or technology designed for automobile theft and burglary deterrence. The application shall demonstrate how the financial support will assist automobile owners in preventing automobile burglary or theft and/or to establish a uniform program to prevent stolen motor vehicles from entering Mexico.

Educational Programs and Marketing – provide support to law enforcement agencies and other entities to assist automobile owners in preventing automobile burglary or theft. Develop and provide specialized training or education program(s) on automobile burglary and theft prevention, interdiction and prosecution to law enforcement, prosecutors, and other groups combatting motor vehicle theft and burglary. Provide education in automobile burglary and theft prevention to business groups and the public.

ABTPA Priority Funding

Applicants will use one or more of the following ABTPA priorities to describe in their application how they will accomplish the program categories above.

Public Education (Public Prevention) - Public education concentrates on techniques to modify an observable change of human behavior related to the viable threat, impact or exposure of vehicle crimes. Public education typically performs actions in an attempt to decrease or increase a particular type of behavior or reaction. The aim for public education is to modify behavior in communities which can be observed, tracked and otherwise evaluated for demonstrated results. Public education programs are typically intense; requiring detailed planning, statistics, analysis, facts, figures, professional evaluation instrumentation and personnel.

Public Awareness (Public Information) - Public awareness is a process of developing and communicating factual information for a selected group or general population in order to increase levels of understanding,

attentiveness, alertness or attention. These programs typically involve planning, messaging, relationship building, outreach, paid / earned-media, marketing, grassroots organizing, using technology and coordinated local engagement. These programs may require minimal effort as the focus is to provide information.

Officer Training Support – Support to provide investigative tools and necessary accessories for new law enforcement officers completing the Intermediate and Advanced Motor Vehicle Theft Investigator training (IMVIT and AMVIT). The support will include tools and materials necessary to meet the responsibility of identifying vehicles, special lenses, mirrors, lights, and safety items to protect officers conducting investigations and vehicle inspections

Law Enforcement Collaboration – Applications that place an emphasis on assisting ABTPA funded taskforces and other law enforcement agencies communicate a coordinated message on what people can do to prevent motor vehicle burglary and theft. Applications that increase collaboration and cooperation among multiple jurisdictions which includes coordinating media outreach, earned media and public service announcements.

Supporting Documents

Documents that provide evidence of: 1) past implemented programs; 2) statewide program implementation; 3) local and statewide support from other agencies and partners; 4) commitment from officials or agencies for the program described in the application may be submitted following the same instructions as the Resolution. If this application depends on multiple agencies to execute the program applicant may letters of support can be used to describe the planned agreements then the supporting interagency agreements are not required with the application, however. Agreements must be submitted prior to payments being authorized if an award is made.

Supplanting Prohibited

Grant funds provided by the ABTPA under this RFA shall not be used to supplant federal, state or local funds that otherwise would be available for the same purposes. Supplanting means the replacement of other funds with ABTPA grant funds.

Cash Match Requirement

ABTPA typically requires that all programs must provide at least a twenty (20%) percent cash match. Applicants may request an exception from this rule in the application process. Applicants that request an exception from the rule will still need to provide information on other types of match that they will provide or generate to operate the program.

Formulas to used calculate cash match:

1. Total ABTPA grant funds requested multiplied by percent of match required = Total Amount of Cash Match Required
2. Total Program Cost minus Total Cash Match Required = Total Authority Grant Request

In-Kind Match

Resources and funds from the applicant or third-parties that can be quantified should be reported in the proper category in the application. In-Kind contributions shall not be considered cash match.

Reporting and Attendance Requirements

Applicants that are awarded grants will be required to provide:

Quarterly Progress Reports - The ABTPA requires submission of quarterly progress reports to demonstrate progress toward meeting goals and activities provided in the grant application. Applicants must provide preferred progress and evaluation measures with the application. These include: 1) Monthly progress toward agreed performance measures and 2) Summary and Success section.

Quarterly Financial Reports – Reports of actual expenses are provided to request funds. All expenditures must be in accordance with state law, agencies policies and procedures and grant requirements. Grantees shall review all expenditures, ensure all applicable regulations are followed, and maintain documentation that is true and complete. All expenses must be supported by appropriate documentation.

Webinar Attendance: A representative from the applicant organization will attend a monthly training session via teleconference or webinar that includes information on ABTPA grant administration, information sharing on law enforcement issues and other ABTPA issues critical to operating an ABTPA funded program.

Funding Requirements and Conditions

- a) **State Funds Availability**– All awards by the ABTPA are subject to availability of state funds.
- b) **Right of Refusal**–The Authority reserves the right to reject any or all of the applications submitted.
- c) **Awards**– Publishing the RFA does not obligate the Authority to fund any programs.
- d) **Partial Funding**– The Authority may choose to offer funds for all or any portion of a program submitted in the Application.
- e) **Substitution**–The Authority may offer alternative funding sources, funding amounts, special conditions or alternative program elements in response to submitted Applications.
- f) **Competitive Application Process**–The Application process for the Authority’s Grant Program is competitive. Awards are based on a review of the grant Application and supporting documentation.
- g) **Review Criteria**–Authority staff and designated ABTPA Board member(s) will review each grant using subjective and objective tools and comparative analysis. The weight given to each section or combination of sections is at the sole discretion of the Authority.
- h) **Questions and Clarification**- During the review period, the applicant may be contacted by Authority staff to ask questions or seek clarification on information written in the application. Failure to promptly respond will not disqualify an applicant but information that arrives beyond the review period cannot be considered.
- i) **Final Selection**–The Authority may select and award programs that best meet the statutory purposes and that reflect its current priorities. No appeal may be made from the Authority’s decisions.
- j) **Changes in Application**- If an applicant proposes changes to be made after an award is made, the Authority will review the changes and make modifications or alter the grant including the amount as deemed appropriate by the Authority.
- k) **Delayed Start**- An applicant that is awarded a grant and that does not begin operations within 45 days of the beginning of the grant term is considered terminated.

Selection Process:

Only eligible applications will be reviewed. Grant award decisions made by the ABTPA are final and not subject to judicial review pursuant to statute. Grants will be awarded on or before ?????.

Applications that do not meet the stated requirements of this RFA and that are not eligible for review will be notified ten (10) working days after the due date.

Contact Person

Bryan E. Wilson, ABTPA Director,
Texas Automobile Burglary and Theft Prevention Authority,
4000 Jackson Avenue
Austin, Texas 78731
(512) 465-1485

GrantsABTPA@txdmv.gov

Issued in Austin, Texas on January 10, 2019

Appendix A
Automobile Burglary and Theft Prevention Authority Resolution

2019 **Blank City/ County /Agency Name** Resolution or Order or Ordinance
Automobile Burglary and Theft Prevention Authority Grant Program

WHEREAS, under the provisions of the Texas Revised Civil Statutes Article 4413(37) and Texas Administrative Code Title 43; Part 3; Chapter 57, entities are eligible to receive grants from the Automobile Burglary and Theft Prevention Authority to provide financial support to law enforcement agencies for economic automobile theft enforcement teams and to combat motor vehicle burglary in the jurisdiction; and

WHEREAS, this grant program will assist this jurisdiction to combat motor vehicle burglary and theft; and

WHEREAS, _____ (Entity Name) has agreed that in the event of loss or misuse of the grant funds, _____ (Entity Name) assures that the grant funds will be returned in full to the Automobile Burglary and Theft Prevention Authority.

NOW THEREFORE, BE IT RESOLVED and ordered that the [*County Judge/ Sheriff// City Manager/Police Chief// Executive Director, etc....*] of this [*county//city//agency*] is designated as the Authorized Official to apply for, accept, decline, modify, or cancel the grant application for the Automobile Burglary and Theft Prevention Authority Grant Program and all other necessary documents to accept said grant; and

BE IT FURTHER RESOLVED that _____ (*Position-Example- ABTPA Commander, Chief of Police, etc...*) is designated as the Program Director and _____ (*Position-Example- County Auditor, City CFO, etc...*) is designated as the Financial Officer for this grant. .

Adopted this _____ day of _____, 2017.

NAME
County Judge /Mayor/ Executive Director/City Manager



**AUTOMOBILE BURGLARY & THEFT PREVENTION AUTHORITY
Public Education and Awareness Grant Application**

4000 Jackson Avenue
Austin, Texas 78731
(800) Car Watch (227-9282) - 512-465-1485
Website: www.txwatchyourcar.com

Applicant Information			
Applicant Agency Name		Organization Type	
Agency Address		Contact Person Name (Program Director)	
Zip Code		Contact Person Phone 1	
Agency Phone		Contact Person Phone 2	
Agency e-mail		Contact Person e-mail	
Agency website		Authorized Official Name	
State Payee Identification Number		Financial Officer Name	
Other Agency Information			
Other Agencies Participating in this application			

Program Information	
Application Type:	New
Grant Period:	January 1, 2019 through December 31, 2019
Area of Project Activities:	State of Texas

Application Summary and Certification	
Please enter whole dollars only	Amount Requested / Provided
Total State (ABTPA) Grant Funds Requested	
Cash Match Provided	
PROGRAM TOTAL	
Total In-Kind Match Provided	

APPLICATION ELIGIBILITY SUMMARY

REQUIRED NARRATIVE:

- 1) government or not-for profit;
Government Agency
Not for Profit Agency
- 2) established prior to RFA;

and

- 3) 5 yrs. ABTPA statewide program related experience. Number of Years _____
Statewide Presence
ABTPA Related: Auto Theft, Auto Burglary Police /Sheriff/ LEO:
Supporting Documentation/ Letters of Support

**MEETS ELIGIBILITY – MOVE TO SCORE NEXT PAGES
DOES NOT MEET ELIGIBILITY - STOP**



AUTOMOBILE BURGLARY & THEFT PREVENTION AUTHORITY
Public Education and Awareness Grant Application

APPLICATION BUDGET SUMMARY

Budget Categories	Direct Cost of Program	In-Kind Match
Personnel (Direct Salaries)		
Fringe Benefits		
Overtime		
Professional and Contractual Services		
Travel		
Equipment		
Supplies and Direct Operating Exp.		
TOTAL		

MATCH SCORE	Up to 20 Points
Any cash or in-kind Match = 5 Points	
In-Kind match 0-20% = 10 points	
Cash match > 10% = 10 Points	
Total Points	

Sources of Match			
Provide Sources of Match.			
CASH MATCH AMOUNT			CASH MATCH PERCENT
Source	Amount		
TOTAL CASH MATCH			
IN-KIND MATCH			TOTAL
Source	Amount		
TOTAL IN-KIND MATCH			

Budget Detail

BUDGET DETAIL SCORE	Up To 20 Points
Appear to be Reasonable = 10 Points	
Appear to be Necessary = 10 Points	
Total Points	

Personnel

Fringe Benefits

Overtime



**AUTOMOBILE BURGLARY & THEFT PREVENTION AUTHORITY
Public Education and Awareness Grant Application**

PROGRAM NARRATIVE –Public Awareness Functions of Program

PUBLIC AWARENESS SCORE	Up To 15 Points
Total Points	

REQUIRED NARRATIVE: Briefly describe the Public Awareness functions that will be performed under the program.

PROGRAM NARRATIVE –Public Education Functions of Program

PUBLIC EDUCATION SCORE	Up To 15 Points
Total Points	

REQUIRED NARRATIVE: Briefly describe the Public Education functions that will be performed under the program.

PROGRAM NARRATIVE – Law Enforcement Training Support Functions

REQUIRED NARRATIVE: Briefly describe Law Enforcement Training Support functions that will be performed under the program.

LAW ENFORCEMENT TRAINING SUPPORT SCORE	Up To 10 Points
Total Points	

PROGRAM NARRATIVE – Community and Law Enforcement Collaboration Functions

REQUIRED NARRATIVE: Briefly describe the Community and Law Enforcement collaboration efforts that are planned under the program.

COMMUNITY AND LAW ENFORCEMENT COLLABORATION EDUCATION SCORE	Up To 10 Points
Total Points	

PROGRAM NARRATIVE – Activity Reporting and Performance Evaluation

REQUIRED NARRATIVE: Briefly describe the Activity Reporting and Performance Evaluation that will be used to report that the program is performing the work and is having an impact to combating motor vehicle burglary and theft.

ACTIVITY REPORTING AND PERFORMANCE EVALUATION SCORE	Up To 10 Points
Total Points	



Board Agenda Item

Briefings and Action Items

Section 10. Discuss and Consider Budget and Modification of Texas A&M University-Public Policy Research Institute Contract

Part A. Authorization for Modification of the Grant Management Tracking System

Part B. Officer Directed Research Regarding Bait Car Deployment and Offender Data Analysis

Automobile Burglary and Theft Prevention Authority

January 10, 2019

Modification of Texas A&M University-PPRI Budget and Contract

ABTPA Director recommends that the ABTPA Board authorize the ABTPA Director to amend the interagency agreement with Texas A&M University – Public Policy Research Institute (PPRI) to include an amount not to exceed \$50,000. The ABTPA Director shall develop a Statement of Work to clearly describe additional activities that PPRI and ABTPA agree and amend the current agreement to include the work of:

Grant Management Tracking System (GMTS) Enhancements – Estimated to be about \$15,000

Potential items to consider for enhancement or development:

- Add new features in the FY20-21 application process to better capture certain fields for future reports
- Add new features to existing reports
- Add new reports
- Improve year-close capabilities
- Improve transactional capability between inventory tracking, program income and expenditure reporting
- Add features for border security
- Create new features for expanded scope such as new motor vehicle crimes (86th legislative session)
- Develop new features for rapid response strikeforce

Perform Officer Directed Research - Estimated to be about \$35,000

The Public Policy Research Institute (PPRI) at Texas A&M University has a 35-year history of utilizing data for the betterment of society. PPRI would welcome the opportunity to partner with Auto Burglary & Theft Prevention Authority (ABTPA) to pursue data-driven analyses driven by the needs of, and in cooperation with, law enforcement personnel. To accomplish this PPRI proposes two options:

1. Use current existing survey data (option 1)
2. Collect data (option 2)

Option 1: Use existing data

The research team could utilize existing data sources to identify and visualize relationships among items (e.g., age and preferred theft method) and trends that exist over time (e.g., quarters and years), provide summary and descriptive statistics, and perform Geographic Information System (GIS) mapping of recorded incidents. The data may be used to identify relationships that exist but are not yet known. Potential data sources include the Auto Theft Offender Survey and progress reports. An additional effort will be to work with law enforcement personnel to identify questions to be added to the Auto Theft Offender Survey. The purpose of the effort is to help guide the efforts of LEOs in the prevention of auto theft and in the apprehension of offenders. Given this end goal, throughout the process we will work in close consultation with LEOs to ensure that the questions explored are of interest to them and will help them to better fulfill their duties.

Option 2: Collect new data

This option includes identifying two agencies whose bait car programs are particularly successful and two agencies whose programs are less successful. The research team will explore what methodologies each agency uses and design an experiment to determine if the methodologies employed by the different agencies are related to their success and, if so, to what extent these factors help explain variation in luring car thieves. We will work in close cooperation with LEOs from participating agencies to design experiments that are both practical and useful. Examples of potential strategies to be tested include:

1. Leave a bait car with the keys clearly visible in the driver's seat
2. Leave an unlocked bait car
3. Leave a bait car with windows down
4. Leave a bait car with engine running

At the conclusion of the experiments, the PPRI team will analyze the data to identify the strategies which yield the best results.

Following either option, PPRI will discuss the findings with LEOs to explore their usefulness and the best means for disseminating the findings to other officers. Results will then be disseminated in writing and orally at a conference of ABTA's choosing.



NIJ Journal Article: Using Officer-Driven Research to Meet Policing Challenges

Policing is also highly nuanced and varies by agency based on the demographics it serves, its internal culture, and criminogenic issues particular to the agency's location. A significant challenge in bringing research into the ranks of policing is addressing the anecdotal tradition of policing practices while still recognizing the significance of officer discretion.

In our new NIJ Journal article, NIJ LEADS Scholar Lt. Jason Potts discusses the disconnect between academic researchers and frontline officers, how law enforcement-based researchers like himself can help bridge that divide, and how to design research to inform policy.

Using Officer-Driven Research to Meet Policing Challenges

By Lt. Jason Potts

The challenges of implementing evidence-based policing are immense. Policing is a career in which relationship building and sound emotional intelligence are critical to success — but these elements are not necessarily scientifically based.

Policing is also highly nuanced and varies by agency based on the demographics it serves, its internal culture, and criminogenic issues particular to the agency's location.^[1] The United States has 18,000 police departments, and many of them have fewer than 10 officers as well as significant budgetary and resource limitations.^[2] Given the variety in size, culture, and demographics among agencies, many law enforcement practices are based on traditions, experiences, and instincts that are indoctrinated through police academy and field training programs — these traditions are not typically based on data or research. This indoctrination is problematic, not only for its lack of empirical evidence but also because training may occur in unorganized, chaotic environments, with little standardization across the United States. A significant challenge in bringing research into the ranks of policing is addressing the anecdotal tradition of policing practices while still recognizing the significance of officer discretion.

Also, a distinct disconnect often exists between the policing research of academic researchers and the experiences of frontline officers.^[3] This researcher-practitioner disconnect is worsened by the slow pace of university research and the academic writing style scholars use in journals — journals that are rarely accessible to the broader law enforcement community. Further, officers typically do not have the time or interest to sift through lengthy academic articles full of theory and regression analysis. They want to know how the data may make them more efficient and effective.

Research partners from academia are not always accepted by the broader law enforcement community, so their advocacy of research findings is not heeded in the same way that it might be if it came from an officer within a department. If research-minded law enforcement officers arrive at and disseminate the benefits of research, other officers will likely be more willing to apply these evidence-based policies and best practices and perhaps see the value of engaging in research themselves.

To help bridge this divide, NIJ and the frontline officers of the newly formed American Society of Evidence-Based Policing (ASEBP) are leading practitioner-driven efforts to support research from within the ranks of policing. Now in its fourth year, NIJ's Law Enforcement Advancing Data and Science (LEADS) Scholars program has supported 40 research-oriented officers. NIJ also recently launched the LEADS Agencies program to provide research support to entire agencies. Meanwhile, ASEBP, which held its second conference in May 2018, has 250 members and more than 3,000 followers on Twitter — proof that the evidence-based policing movement is ready to grow exponentially. The NIJ LEADS scholars and members of ASEBP are actively involved in research at their departments; they are looking to transform the law enforcement culture into one that accepts and uses evidence-based practices.

For example, I recently completed a randomized controlled trial — in partnership with BetaGov, a nonprofit organization based at New York University that emphasizes homegrown practitioner-led trials — to test the effectiveness of automatic license plate readers (LPRs).^[4] The results indicated that patrol cars equipped with automatic LPRs (the treatment group) had a 140-percent improvement in ability to detect stolen cars versus patrol cars in which the automatic LPR technology was turned off (the control group). Further analysis of the data revealed, however, that the LPR technology identified more lost or stolen plates than the controls — as many as eight times more. Many of these were duplicates that desensitized officers to legitimate hits. The data also showed that fixed LPRs were much more efficient in making arrests than mobile LPRs. Finally, the control data showed that 35 percent of all hits were misreads.

The power of this randomized controlled trial was the simplicity of its design to inform policy; other law enforcement agencies can replicate it for future comparison. In fact, as part of this work we conducted an officer survey, which had a 75-percent response rate. Of note was that only one out of 37 officers stated that he would *not* participate in a similar study in the future.

Fellow NIJ LEADS scholar and founding ASEBP member Sgt. Greg Stewart (Portland Police Department) recently completed another randomized controlled trial to ascertain what patrol dosage in a particular hotspot area is needed for crime prevention and police legitimacy efforts. The results indicated that treatment areas did not experience any difference in crime or calls for service when compared with controls.^[5]

Law enforcement officers want to be trusted while coming to sound decisions through their own discretion — they do not want to be second-guessed. Some officers seem to perceive emerging technologies like body-worn cameras as doing just that. Change in any profession is difficult, but discretion and the autonomy of policing continue to be important. By allowing for discretion, we empower and show trust in our officers. This is vital because much of what they do is constrained by time, and these time constraints are often uncertain and rapidly evolving. These dynamic demands require law enforcement to shift priorities, using discretion paired with informed, sound policy.^[6] Much of what law enforcement does is rooted in training, anecdotal experiences, and good instincts. However, research should play a large part in

responding to the day-to-day challenges of policing. The hope is that data and science, coupled with the craft of policing and leadership support for evidence-based policing, will empower officers with the evidence to be more effective.[\[7\]](#)

About the Author

Jason Potts is a lieutenant with the Vallejo (CA) Police Department, an NIJ LEADS scholar, an ASEBP board member, a Police Foundation Fellow, and a reserve special agent with the Coast Guard Investigative Service. He earned a master of advanced studies degree in criminology, law, and society from the University of California, Irvine.

NIJ Journal No. 280, posted October 2018

NCJ 252034

[Back to the top.](#)

Notes

[\[note 1\]](#) Cynthia Lum, “Evidence-Based Policing: Translating Police Research into Practice,” webinar on November 8, 2011; and Lawrence W. Sherman, “The Rise of Evidence-Based Policing: Targeting, Testing, and Tracking,” *Crime and Justice* 42 no. 1 (2013): 377-451.

[\[note 2\]](#) Christopher Stone and Jeremy Travis, “Toward a New Professionalism in Policing,” *Journal of the Institute of Justice & International Studies* 13 (2013): 11; and Duren Banks, Joshua Hendrix, Matthew Hickman, and Tracey Kyckelhahn, [National Sources of Law Enforcement Employment Data Program Report](#), Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics, April 2016, NCJ 249681.

[\[note 3\]](#) Jack R. Greene, “The Upside and Downside of the ‘Police Science’ Epistemic Community,” *Policing: A Journal of Policy and Practice* 8 no. 4 (2014): 379-392.

[\[note 4\]](#) BetaGov, “About BetaGov,” October 26, 2017; and Jason Potts, “Assessing the Effectiveness of Automatic License Plate Readers,” Research in Brief, *The Police Chief* (March 2018): 14-15.

[\[note 5\]](#) Kris Henning, Greg Stewart, Kimberly Kahn, Christian Peterson, Brian Renauer, Renee Mitchell, Yves Labissiere, and Sean Sothern, “Portland’s Neighborhood Involvement Locations Project,” final report, Portland, OR: Criminal Justice Policy & Research Institute, Portland State University, 2017.

[\[note 6\]](#) Jason Potts, “The Benefits, Challenges, and Lessons of Evidence-Based Policing,” *The Journal of California Law Enforcement* 51 no. 2 (2017): 4.

[\[note 7\]](#) Sherman, “The Rise of Evidence-Based Policing.”

Date Created: October 31, 2018



Board Agenda Item

Briefings and Action Items

Section 11. Discuss and Consider Authorization, Budget and Delegation Authority for Response Strikeforce Plan, Process and Forms

Rapid Response Strikeforce Process for Strikeforce Approval and Funding

The Auto Burglary Theft Prevention Authority (ABTPA) awards state grant funds to local law enforcement agencies to support specialized investigative units that are dedicated to combating motor vehicle crime. These units referred to as taskforces are staffed by investigators from sheriff and police agencies. The ABTPA funds local jurisdictions to hire staff (about 85% of annual funding), equipment, and operating expenses. These funded agencies and agencies participating in taskforces have immediate needs that are driven by criminal events outside of their control. ABTPA is adopting a **Strikeforce Funding Model** to meet these temporary and high demand needs.

The grant funds that are awarded via this Strikeforce Funding Model will be routed primarily to existing ABTPA grant recipients through the Texas Department of Motor Vehicles processes. Rapid Response Strikeforce (RRS) grants are intended to deliver a short-term infusion of resources to respond to the acute needs of communities that are not covered by existing grant programs.

There are three types of agencies that may qualify for the strikeforce funding under this model in order of priority:

- 1) Law enforcement agencies funded by ABTPA in the current year;
- 2) Law enforcement agencies that are in the coverage area of grant funded taskforces but do not have staff funded in the program; and
- 3) Law enforcement agencies that are outside of the current taskforces.

The amounts that are disbursed for this purpose will be small compared to existing ABTPA grant awards. Most will range from \$2,500 to \$15,000. The actual number of Rapid Response Strikeforce awards will be limited to one or two in the first year and expand each year thereafter based on program need and availability of funds.

To minimize jurisdictional issues regarding the operation of a Rapid Response Strikeforce, ABTPA intends to collaborate with the Department of Public Safety of the State of Texas (DPS) on most of the awards. ABTPA staff as TxDMV employees are subject to open records and do not enjoy criminal justice and law enforcement exceptions to open records law for ongoing investigations and operations. If ABTPA taskforces have a need to organize with DPS, a rapid response strikeforce for border security (bridge

or port operations), or to perform a complicated organized criminal network investigation, then they would organize the Operation Plan with DPS and submit a request for funding to ABTPA. ABTPA would maintain a general description of the funding request such as overtime hours, equipment needed, and travel. The general description may include proposed expectations of results such as number of arrests, of number of vehicles recovered. If funded, the original Operation Plan and the after action report remain with DPS and a funding page and summary are submitted to ABTPA for processing.

This initiative will help encourage all law enforcement agencies across the state to collaborate with each other and DPS to combat motor vehicle crime in new ways. The primary intent is to help current grant programs use state resources to assist law enforcement agencies not covered by grants. Agencies unable to fully participate in a taskforce will be able to respond to local episodic spikes in motor vehicle crime. The funds may be used to pay for overtime, equipment, or other costs needed to respond to the events. All expenses must follow reasonable and necessary requirements. Agencies that are awarded a RRS grant will document cash match requirements by tracking resources that they contribute to the operation and any additional local funds used in the implementation of the strikeforce.

The ABTPA current grant funded agencies may be provided resources or funding from ABTPA to increase their level of response. The plan is for this collaboration to elevate the level of skill and expertise for all agencies who participate. For instance, agencies may send investigators to help border and port jurisdictions to learn the unique issues surrounding illegal export of vehicles from Texas.

ABTPA proposes three levels of authorization and two tracks:

ABTPA Rapid Response Strikeforce Funding Table		
Funding Level	Track 1- Equipment or non-Law Enforcement (LE) confidential items to address situation (Ex., surveillance equipment for major public events or outbreaks of Burglarized Motor Vehicles)	Track 2- Coordinated LE Confidential response to address situations (may be covert, involve organized crime or need confidential agency deployment or equipment)
Basic - less than \$5,000	ABTPA Director Approval	DPS approval on LE Operation Plan and ABTPA Director Approval for Funds
\$5,000 to \$15,000	ABTPA Director Recommendation and Board Grants Committee Approval	DPS approval on LE Operation Plan and ABTPA Director Recommendation and Board Grants Committee Approval
>\$15,000	ABTPA Board Grants Committee Recommendation and ABTPA Board Authorization	DPS approval on LE Operation Plan and ABTPA Board Award
Final Report	<ul style="list-style-type: none"> • Invoice • Arrests • Vehicles Recovered • Cases Cleared • Other related metrics 	<ul style="list-style-type: none"> • Invoice • After action report approved by all participating agencies • Arrests • Vehicles Recovered • Cases Cleared • Other related metrics

Automobile Burglary and Theft Prevention Authority

January 10, 2019

Collaborative License Plate Reader Operation

Israel Pacheco is the National Insurance Crime Bureau (NICB) Special Agent in South Texas and is in regular contact with ABTPA Task Forces, as well as other law enforcement agencies. On October 29, 2018, Agent Pacheco relayed a request for assistance with License Plate Reader technology from agencies in the areas around Dimmit County, which is approximately 43 miles away from Eagle Pass and the US and Mexico Border. On November 15, 2018, Sheriff Marion M. Boyd from Dimmit County transmitted a request to ABTPA for resources and support based on numerous stolen vehicles, some of which are utilized in the commission of other federal and state crimes such as drug trafficking and human smuggling. ABTPA staff placed Agent Pacheco in contact with the grant-funded Auto Theft Task Force in Victoria, Texas because of a standing offer to collaborate on License Plate Reader (LPR) operations and encouraged any other grant recipients in the areas to consider ways they could participate in a potential response.

The grant funded investigators from the Victoria program will participate in a collaborative LPR Operation that will include federal agents, NICB, Dimmit County Sheriff's Deputies, among others. The Victoria Police Department has provided approval to use their vehicle equipped with an LPR reader for dates in early January. The operational plan was developed with input from state agencies in order to maximize the effectiveness of the equipment that is being deployed.

ABTPA staff has taken precautions to avoid the inadvertent release of sensitive operational details, but is monitoring the operation.



Office of the Sheriff
DIMMIT COUNTY

Marion M. Boyd, Jr.
Sheriff
November 15, 2018

P.O. Box 885
669 Industrial Blvd.
Carrizo Springs, TX 78834
(830) 876-3508

To whom it may concern:

The Dimmit County Sheriff's Office Deputies have encountered numerous of stolen vehicles in and around Dimmit County. These encounters often lead to endangerment to the public caused by reckless driving and/or utilized in the commission of other federal and state crimes, i.e. drug trafficking, human smuggling, etc. We respectfully request that the Auto Burglary and Theft Prevention Authority (ABTPA) assist any resources it esteems practical, necessary, and/or reasonable to combat stolen vehicle traffic on our area.

If you should have any additional questions or concerns please do not hesitate to get in contact with Chief Deputy Luciano Quintanilla via email at lquintanilla@dimmitcounty.org or via cell phone at (830)255-3252.

Thank you for your attention and thoroughness in this matter.

Respectfully,

Marion M. Boyd Jr.
Sheriff



ABTPA Board Members

Lt. Tommy Hansen
Chair
Law Enforcement Representative
Hitchcock, Texas

Ashley Hunter
Insurance Representative
Austin, Texas

Shay Gause
Insurance Representative
Helotes, Texas

Linda Kinney
Consumer Representative
Dripping Springs, Texas

Armin Mizani
Consumer Representative
Keller, Texas

Deputy Chief Mike Rodriguez
Law Enforcement Representative
Laredo, Texas

Ex Officio Member
Steven C. McCraw
Assistant Chief Wynn Reynolds—
Designee
Texas Department of Public Safety
Austin, Texas

Bryan E. Wilson
Director

December 21, 2018

The Honorable Marion M. Boyd
Sheriff Dimmit County Texas
PO Box 885
669 Industrial Blvd.
Carrizo Springs, TX 78834
Via E-mail: sheriffmboyd@gmail.com

RE: Response to Request for Assistance

Dear Sheriff Boyd

The Automobile Burglary and Theft Prevention Authority (ABTPA) Board will consider a new method to respond to law enforcement agency requests to combat stolen vehicles on January 10th, 2019 at the ABTPA Board Meeting. ABTPA staff received your letter requesting assistance for Dimmit County. You mentioned in the letter that sheriff deputies have encountered stolen vehicles tied to the commission of crimes such as drug trafficking and human smuggling in and around Dimmit County. Based on your letter, the regional National Insurance Crime Bureau (NICB) agent in your area and ABTPA staff began to coordinate efforts that included ABTPA grant funded task forces. The ABTPA taskforce in the Victoria Police Department has volunteered to collaborate with your local deputies, the NICB agent, and other partners in state and federal agencies to deploy their LPR equipment to identify and stop stolen vehicles that may be moving through your jurisdiction.

This collaborative operation is a temporary deployment of resources. On January 10, 2019, the ABTPA Board will be considering proposals from the ABTPA staff to establish a more formal process to allow ABTPA to be responsive to future requests for assistance such as yours. I encourage you to send a representative to the ABTPA Board meeting to participate. The meeting will begin at 9AM and take place at 4000 Jackson Ave, Austin, Texas (the TxDMV Headquarters).

Upon the completion of the Dimmit County/ Victoria PD/ NICB operation, consideration of the new program by the ABTPA Board and availability of state funds, ABTPA will communicate additional actions to respond to your request. Until then, I encourage you to keep in contact with ABTPA as we continue our work to combat motor vehicle crime in Texas. Thank you for your work toward this end.

Sincerely,

Bryan E. Wilson
Director

Copy: Chief Deputy Luciano Quintanilla: lquintanilla@dimmitcounty.org
Israel Pacheco: IPacheco@nicb.org
Dominic Gonzales: Dominic.gonzales@txdmv.gov

Automobile Burglary and Theft Prevention Authority

January 10, 2019

Collaborative Tailgate Operation

Reports of rashes of tailgate thefts have been submitted by ABTPA grant-funded Task including Harris County, Houston, and Mansfield. In January of 2018, the [Cleburne Times Review](#) newspaper ran a story related to the 11 stolen tailgates that were recovered by task force members. In December of 2018, officers in New Braunfels, Texas arrested two individuals and recovered five tailgates, all from Ford F250 Super Duty trucks.

While the National Insurance Crime Bureau (NICB) has reported that [insured tailgate thefts](#) have stabilized since 2014, NICB also stressed that the actual number of tailgate theft incidents reported to law enforcement agencies may be considerably higher since many thefts do not generate an insurance claim. According to NICB, Texas is among the top five states for *insured* tailgate thefts. For 2016 and 2017 combined, the top five cities for tailgate thefts included three major Texas cities: Houston (277); Dallas (242); San Antonio (196).

With new tailgates retailing around \$1,300, with even higher costs for some variants, NICB reports that the demand contributes to a thriving underground market for vehicle parts.

The Specialized Auto Theft Investigators in jurisdictions that have experienced tailgate theft sprees have expressed an interest in developing a coordinated response to combat crimes of this nature. They have also expressed an interest in coordinating to provide new technologies and methods to motorists who want to protect their property. One method may include the use of Quick Response (QR) code technology to make it easier to match tailgates with their original vehicle. Applying the QR code to parts may become a useful addition to the VIN etching events that are already conducted by many agencies.

The Director of ABTPA has also communicated with the NICB Director of Operations for our region to explore the use of newer technology known as microdots which is can be used to mark property in a way that is less detectable by criminals and might be more durable than some sticker applications.



Board Agenda Item

Briefings and Action Items

Section 12. Discuss and Consider FY20-21 Request for Applications Outline and other Proposed Changes for Future Grant Applications

Automobile Burglary and Theft Prevention Authority

January 10, 2019

ABTPA Director recommends that the ABTPA Board provide authorization to the ABTPA Director and/or the Grants Budget and Reporting Committee to modify and update the **final RFA and scoring system**. The system will be presented for consideration to the ABTPA Board at the next meeting.



Automobile Burglary and Theft Prevention Authority Fiscal Year 2020-2021 Request for Applications Outline

Notice of Request for Applications

The Automobile Burglary and Theft Prevention Authority (ABTPA) authorized the issuance of the Fiscal Years 2020 and 2021 (FY20-21) Request for Applications (RFA) at its regularly scheduled meeting held on XXXX.

Due Date

Applicable Authority and Rules

Eligible Applicants

Law enforcement agencies, local prosecutors, judicial agencies, neighborhood organizations, community organizations, business organizations, and nonprofit organizations for programs designed to reduce the incidence of economic automobile theft are eligible to apply for grants for automobile burglary and theft prevention assistance projects. Nonprofit and other organizations shall provide sufficient documentation with their grant application to inform ABTPA about the level of community support and the potential viability of the organization's existing activities in providing automobile burglary and theft prevention assistance.

Application Category

Continued Grant Category – Only available to agencies that have an FY17 grant. The application must be submitted for substantially the same program as the previous year, or FY2017. The requested funds, match funds, and in-kind match must be within 5% of the previous year.

Modified Grant Category – Only available to agencies that have an FY17 grant. Current grantees will only enter the portion where a change of greater than 5% is made between the continued grant application and the awarded (including modifications) FY2017 budget.

New Grant Category – Available to all law enforcement agencies and eligible organizations. These are annual competitive grants that require a minimum cash match of 20% for the program described in the application.

Grant Type

This is a total program budget reimbursement grant.

Grant Term

ONE YEAR

TWO YEAR

Method of Application

The grant Application is submitted electronically. Instructions on electronic submission will be available on or before April 3, 2017 at www.txwatchyourcar.com

Resolution Required

A Resolution (Order or Ordinance) by the applicant governing body is required to make application for these funds. The resolution shall provide that the governing body applies for the funds for the purpose provided in statute (*Texas Revised Civil Statutes Article 4413(37)*), to return the grant funds in the event of loss or misuse, and designate the officials that the governing body chooses as its agents to administer the grant if awarded.

Only the governing body that submits an application needs to adopt and submit a Resolution. Participating jurisdictions in multi-agency taskforces shall agree to the grant through interagency agreements as provided under Texas Local Government Code Chapter 362 and Texas Government Code Chapter 791.

In the event a governing body has delegated the application authority to a city manager, chief of police, sheriff or other official then applicants must provide a copy of the delegation order along with the Resolution signed by the official. A sample Resolution is attached as Appendix A.

Non-profit Agencies Performance bond set by the Authority if an award is offered.

Program Category

Law Enforcement, Detection, and Apprehension

Prosecution/Adjudication/Conviction

Prevention, Anti-Theft Devices and Automobile Registration

Reduction of the Sale of Stolen Vehicles or Parts

Educational Programs and Marketing

Priority Funding

The statute provides that the “*authority shall allocate grant funds primarily based on the number of motor vehicles stolen in, or the motor vehicle burglary or theft rate...(TRCS Art.4413(37)§6(k))*,” additionally, the following grant features will be given priority consideration in evaluating **modified and new** grant applications:

Cooperative Priority – Applications for grant programs that place an emphasis on filling in the law enforcement coverage gap (area and personnel). Applications that increase collaboration and cooperation between multiple jurisdictions will be prioritized. This will also include grant programs that expand existing multi-jurisdictional agreements to include additional jurisdictions.

Crime Analysts and Trend Analysis – Applications that introduce, increase, or expand the use of crime analysts or significant crime trend analysis. Crime analysts that will use data analysis and other methods to support the interdiction of criminals and to disrupt criminal economic enterprises. These positions will also monitor and track the confluence of motor vehicle crime with other major crimes such as organized crime, human trafficking, and drug distribution.

Programs to combat pattern, organized and economic crime – Applications that introduce, increase, or expand efforts to combat pattern, organized and economic crime. A crime pattern is a group of two or more crimes that possess similar characteristics such as lack of connection between victim and offenders. Organized crime includes efforts by criminals to conspire to commit burglary of a motor vehicle and motor vehicle theft. Grant applications that include specific initiatives to target pattern, organized and economic crime will receive prioritization.

Funding Co-location – Applications that demonstrate and provide for managed coordination and operations to improve collaboration and expand the use of resources to combat motor vehicle burglary and theft. It may include collaborative management of resources such as personnel, surveillance equipment, license plate readers, and bait vehicle deployment. Co-location includes establishing a shared physical space or effective communication methods between taskforces and jurisdictions as an effective way to increase collaboration, leverage resources, experience and specialized expertise. The guiding principle of the co-location priority is that resources (human and equipment) provided by the grant will be well managed, available across jurisdictions, and cohesive within the taskforce operations.

Prosecutorial elements – Applications that include Specialized Motor Vehicle Crime Prosecutors to focus specifically on motor vehicle burglary and theft and economic motor vehicle theft (including organized motor vehicle crime) may receive prioritization in considering grant awards. Specialized prosecutors will be available to assist in pursuing convictions related to motor vehicle burglary and theft, economic motor vehicle theft, organized crime related to motor

vehicle burglary and theft and motor vehicle crime. Funded prosecutors may develop subject matter resource material and deliver training for all prosecutors around the state.

Add Border and/or Port Security

Supporting Documents evidence of local support or commitment from other officials or agencies.

Supplanting Prohibited

Grant funds provided by the Authority under this RFA shall not be used to supplant federal, state or local funds that otherwise would be available for the same purposes. Supplanting means the replacement of other funds with ABTPA grant funds. It shall also include using existing resources already available to a program activity as cash match.

Cash Match Requirement

All programs must provide at least a twenty (20%) percent cash match. Multijurisdictional agencies must provide details for the method of cash match in Intergovernmental Agreements (*Texas Government Code, Chapter 791*). Interagency agreements shall be submitted prior to payments being authorized if an award is made.

Formulas to calculate cash match:

1. Total ABTPA grant funds requested multiplied by percent of match required = Total Amount of Cash Match Required
2. Total Project Cost minus Total Cash Match Required = Total Authority Grant Request

NICB and DPS in Lieu of Cash – Applicants may enter into formal agreements with the Texas Department of Public Safety (DPS) or the National Insurance Crime Bureau (NICB) to work on grant funded activities.

In-Kind Match

Reporting and Attendance Requirements

Quarterly Progress Reports

Quarterly Financial Reports

Webinar Attendance:

Funding Requirements and Conditions

- a) State Funds Availability
- b) Right of Refusal
- c) Awards
- d) Partial Funding
- e) Substitution
- f) Competitive Application Process
- g) Review Criteria
- h) Questions and Clarification
- i) Final Selection–The Authority may select and award programs that best meet the statutory purposes and that reflect its current priorities. No appeal may be made from the Authority’s decisions.
- j) Changes in Application
- k) Delayed Start

Selection Process:

Eligible applications will be reviewed. Grant award decisions by ABTPA are final and not subject to judicial review. Grants will be awarded on or before September 1, 2017.

Application Workshop

Participating Agencies and Coverage Agencies

- Grant Budget Form
- Budget Category
- Personnel
- Fringe
- Overtime
- Professional and Contract Services
- Travel
- Equipment
- Supplies and Direct Operating Expenses (DOE)
- Total

Consider Total Program Budget

	Total Expenditures	ABTPA Expenditures	Cash Match Expenditures	In-Kind Match
Personnel				
Fringe				
Overtime				
Professional and Contract Services				
Travel				
Equipment				
Supplies and Direct Operating Expenses (DOE)				
Total				

Three Years Data Required

- Larceny from a motor vehicle
- Larceny from a motor vehicle - Parts
- Theft of a motor vehicle
- Recoveries of Motor Vehicles
- Jurisdictions included in totals

Application Narrative

Grant Introduction (Executive Summary)

1.1 Briefly describe the organization and program operation. Provide a high level summary to the intent of the application and how it will affect the local community. (500 words or less)

Grant Problem Statement

- 2.1 Provide an assessment of the motor vehicle burglary (including theft of parts) problem in the coverage area of this application.
- 2.2 Provide an assessment of the motor vehicle theft problem in the coverage area of this application
- 2.3 Describe the geographical target area intended for this application. Include information about the taskforce governing and command structure. Include a description of the coverage area(s) and the nature of support and agreements supporting this application.
- 2.4 Will the program described in the application cover the community(ies) at large or will all or any part of this program be directed to serve a specific target population? If No or Both, please describe the problem supporting the need for a special target population.

Grant Goals and Activities

There are two parts to this section: 1) Functions of Proposed Program and Goals Strategies and Activities (GSA). In the following boxes, describe the functions of the proposed program and then complete a fillable form called GSA.

ABTPA programs must completely describe the functions they will perform in implementing the program. If Awarded, funds expended towards activities not described in this section will result in the reimbursement being denied.

Part 1

- 3.1 Functions of the Proposed Program Related to Burglary of a Motor Vehicle
- 3.2 Functions of the Proposed Program Related to Theft of a Motor Vehicle
- 3.3 Functions of the Proposed Program Related to Motor Vehicle Burglary and Theft Prevention

ABTPA Task Forces are required to collaborate across judicial boundaries and to develop regional strategies to implement funded activities. Describe how the applicant staff and jurisdiction will coordinate with other agencies and jurisdictions in the implementation of this program.

- 3.4 Collaboration Effort

ADD -3.5 Motor Vehicle Crime Expansion

Part II

Goals, Strategies, and Activities

Select Goals, Strategies, and Activity Targets for the proposed program.

Grant Evaluation

- 4.1 Describe the method and practice of evaluating the program activities. Including management and staff participation and systems (forms and software) used to ensure reliable and accurate data is collected and reported

Reducing or Modification to Goals Strategies and Activities (GSA)

Grant Application and Scoring

Application: Potential Enhancements:

- 1) Discuss advantages of change from total program reimbursement to total program budget.
- 2) Discuss creating criteria for determining funding between Continued, Modified, and New applications.

Scoring: Are changes needed?

Statutory Requirement:

Per Texas Revised Civil Statutes Article 4413(37), §6 (k) The authority shall allocate grant funds primarily based on the number of motor vehicles stolen in, or the motor vehicle burglary or theft rate across, the state rather than based on geographic distribution.

Current Process For GMTS:

Form (20 Points)

1. The proposed project has reasonable and allowable expenditures. (5 points)
2. Matching funds are clearly identified, available and supported in the budget narrative. (5 points)
3. For each category where funding is requested, an accurate and complete explanation is provided to document the amount requested. (10 points)

Need (40 Points)

4. 4. BMV* for county as published by DPS (10 points)

5. The BMV problem described in the application is supported by historical data that meets ABTPA requirements (10 points)
6. MVT for area as published by DPS (10 points)
7. The MVT problem described in the application is supported by historical data that meets ABTPA requirements (10 points)

Reasonable/Realistic/Timely (30 Points)

8. The proposed project describes the activities to be conducted. The activities are consistent with the statutory requirements for funding (TRCS 4413 (37) Sec. 8. Use of Appropriated Funds) by ABTPA, and the information described in the application are measurable and achievable. The proposal describes activities that address and mitigate the identified motor vehicle theft and/or burglary problems within the coverage area. (10 points)
9. The program has a reasonable public awareness plan that addresses motor vehicle theft and burglary crime prevention, education, and training. (10 points)
10. The program avoids overlapping and/or duplication of any existing programs in the proposed coverage area. (10 points)

Evaluation Design - Measurable/Effective (10 points)

11. The application describes systems in place to validate the information reported to ABTPA and evaluate the success of the program (10 points)

Extra Credit (15 points)

12. The grantee cash match is greater than the required 20% minimum. (10 points)
13. The subsequent results of all grantee suggested activities [not on the ABTPA provided list/other] are trend setting and measurable. (5 points)

Scoring Process

Each member of the **Evaluation Team** will score each grant application independently using the "Grant Scoring Evaluation Criteria." The grant applicant must achieve an *average score* of "GOOD" on the "Needs/Specific/Impactful" criteria section (questions 1-4) in order to remain in consideration for an ABTPA grant. The "average score" is derived by totaling all individual scores from the Evaluation Team members and dividing by the number of Team members to produce a score that corresponds to the predetermined "categories"/ranking table (Excellent/Good/Marginal/Poor).

In addition, the applicant cannot achieve two (2) "MARGINALS" or one (1) POOR on the remaining sections of the "Grant Scoring Evaluation Criteria." If the applicant achieves two (2) "MARGINALS" or 1 (one) "POOR" average rankings on the remaining eight (8) questions, the applicant will no longer be considered for an ABTPA grant by the Evaluation Team. At the close of the scoring process, the Evaluation Team will making recommendations based on the score results and the score sheet procedures to the ABTPA Board for grant awards and award amounts. The decision to fund and the specific award amounts is entirely at the discretion of the ABTPA Board.



Board Agenda Item

Briefings and Action Items

Section 13. 86th Legislative Session Items

Part A. Discuss and Consider Status and Changes to the Legislative Appropriation Exceptional Item Request

ABTPA Director Recommends that the Exceptional Item Request for Expanded Scope Indicated under the Sunset Advisory Commission Recommendation be reduced to \$5 million

Estimate of Funds Required to Implement Plan

The ABTPA has determined that to approximately maintain the current taskforce strength and to approximately maintain the current levels of incidents and losses from motor vehicle burglary and theft crime will require continued appropriations at the current biennium level of not less than \$12.8 million per year. The Legislative Budget Board (LBB) and the Office of Management and Budget in the Office of the Governor (OMB) instructed TxDMV to submit a FY20-21 Base Funding Appropriation for ABTPA of \$19.4 million per year. The \$19.4 million amount is sufficient to fully implement this Plan of Operation provided above. If the Legislature fully funds the requests outlined in this Plan of Operation, Texans will benefit from a significant decrease in the motor vehicle burglary and theft rate.

The Sunset Advisory Commission proposed an expansion to the scope of the use of ABTPA grant funds. The ABTPA submitted an additional exceptional item request of \$5 million per year to implement this expansion to other motor vehicle crimes. This FY20-21 Plan of Operation has explained the activities the funding will support, but the chart below provides a summary:

FY20-21 ABTPA Plan of Operation Request			
Appropriation	FY20	FY21	Contingent Amounts Per Year
Base Funding Appropriation Request	\$19,458,902	\$19,458,902	\$19,458,902
Proposed Expenses to Meet ABTPA Plan of Operation Activities			
Current Grant Programs and ABTPA Administration		\$12,940,000	\$12,940,000
New Motor Vehicle Crime Law Enforcement Investigators		\$2,247,500	\$2,247,500
New Criminal Intelligence Analysts		\$453,600	\$453,600
New Law Enforcement Technologists		\$604,800	\$604,800
New Specialized Motor Vehicle Crime Prosecutors		\$945,000	\$945,000
Vehicles, Equipment, Supplies, and basic operations		\$1,015,475	\$1,015,475
Communication, Crime Prevention, & Pilot Projects		\$1,252,527	\$1,252,527
		\$19,458,902	\$19,458,902
Exceptional Item Request - Sunset Related			
New/Expand Taskforces - Motor Vehicle Crime in Texas			
Additional Motor Vehicle Crime Law Enforcement Investigators	\$4,045,500		
Vehicles, Equipment, Supplies, and basic operations	\$1,011,375		
Total Law Enforcement Expansion for Sunset		\$5,056,875	\$5,056,875
Total ABTPA Appropriation Request FY20-21		\$24,515,777	\$24,515,777
Estimated Revenue Collected by ABTPA - Auto Theft Fee		\$49,083,184	\$49,500,000
Auto Theft Fee Balance Remaining to GR		\$24,567,407	\$24,984,223

Agency code: **608**

Agency name:
Department of Motor Vehicles

CODE	DESCRIPTION	Excp 2020	Excp 2021
	Item Name: Broaden ABTPA's Statutory Mandate Item Priority: 5 IT Component: No Anticipated Out-year Costs: Yes Involve Contracts > \$50,000: Yes Includes Funding for the Following Strategy or Strategies: 02-02-01 Motor Vehicle Burglary and Theft Prevention		

OBJECTS OF EXPENSE:

4000	GRANTS	6,551,280	6,551,280
TOTAL, OBJECT OF EXPENSE		\$6,551,280	\$6,551,280

METHOD OF FINANCING:

1	General Revenue Fund	6,551,280	6,551,280
TOTAL, METHOD OF FINANCING		\$6,551,280	\$6,551,280

DESCRIPTION / JUSTIFICATION:

ABTPA requests \$6.6 million per year to expand the presence and impact of the automobile theft enforcement teams (taskforces) recommended by the Sunset Advisory Commission. ABTPA will use grant funding to add up to 45 new law enforcement investigators, seven new motor vehicle crimes prosecutors, seven new criminal intelligence analysts and seven new motor vehicle crimes technologists. The Sunset Advisory Committee's Staff Report, Issue 2.6 recommended authorizing ABTPA grant recipients to use funds to combat a broader range of motor vehicle crimes, such as title fraud, beyond the current statutory requirement to investigate and prevent automobile burglary and theft. To effectively administer these added responsibilities, the ABTPA network would need to have greater geographic coverage and better skilled law enforcement professionals.

EXTERNAL/INTERNAL FACTORS:

Implementation of the Sunset Advisory Commission's recommendation will require statutory change. TxDMV will not be able to fully assess all of the resources and training needed to implement the broadening of scope until legislation is finally enacted.

PCLS TRACKING KEY:



Board Agenda Item

Briefings and Action Items

Section 13. 86th Legislative Session Items

Part B. Discuss and Consider Pending Request and Possible Changes for Legislative Changes

1. Sub-account of Texas Department of Motor Vehicles Fund
 2. Sunset Scope Change
 3. Clean-up of Recodification
 4. Agency Name

Automobile Burglary and Theft Prevention Authority

January 10, 2019

Sample Legislative Language to Create Sub-account of Texas Department of Motor Vehicles Fund

Section 10, Article 4413(37), Revised Statutes, is amended to add subsection (f) to read as follows:

(f) On September 1 of each fiscal year, the comptroller shall deposit to the credit of a subaccount in the Texas Department of Motor Vehicles fund an amount necessary to cover the total amount appropriated for that fiscal year to the Texas Department of Motor Vehicles for the purposes of this article. An additional amount necessary to cover the estimated cost of employee benefits of employees who are paid out of an appropriation for the purposes of this article shall be deposited to the credit of the subaccount in the Texas Department of Motor Vehicles fund on September 1 of each fiscal year.

Article 4413(37), Revised Statutes, is amended by adding Section 13 to read as follows:

Sec. 13. DEPOSIT AND APPROPRIATION OF REVENUE. All gifts and grants received by the authority shall be deposited to the credit of the subaccount described in Section 10(f) and may be appropriated only to the department for purposes of the authority under this article.

~~Transportation Section 1001.151 [(e). Money appropriated to the department for Automobile Burglary and Theft Prevention Authority purposes and other revenue collected or received by the Automobile Burglary and Theft Prevention Authority may not be deposited into the fund.]~~

Repealer: Section 1001.151(c), Transportation Code, is repealed.

Section 201.805(a), Transportation Code, is amended to read as follows:

(a) The department shall annually publish in appropriate media and on the department 's Internet website in a format that allows the information to be read into a commercially available electronic database a statistical comparison of department districts and the following information, calculated on a per capita basis considering the most recent census data and listed for each

county and for the state for each fiscal year:

- (1) the number of square miles;
 - (2) the number of vehicles registered;
 - (3) the population;
 - (4) daily vehicle miles;
 - (5) the number of centerline miles and lane miles;
 - (6) construction, maintenance, and contracted routine and preventive maintenance expenditures;
 - (7) combined construction, maintenance, and contracted routine and preventive maintenance expenditures;
 - (8) the number of district and division office construction and maintenance employees;
 - (9) information regarding grant programs, including:
 - (A) ~~Automobile Theft Prevention Authority grants;~~
 - ~~[(B)]~~ Routine Airport Maintenance Program grants;
 - ~~(B) [(C)]~~ Public Transportation Grant Program grants;
 - ~~(C) [(D)]~~ Medical Transportation Program grants;
- and

- (D) [~~(E)~~] aviation grants or aviation capital improvement grants;
- (10) approved State Infrastructure Bank loans;
- (11) Texas Traffic Safety Program grants and expenditures;
- (12) the dollar amount of any pass-through toll agreements;
- (13) the percentage of highway construction projects completed on time;
- (14) the percentage of highway construction projects that cost:
 - (A) more than the contract amount; and
 - (B) less than the contract amount; and
- (15) a description of real property acquired by the department through the exercise of eminent domain, including the acreage of the property and the location of the property.

Section 1(4), Article 4413(37), Revised Statutes, is amended to read as follows: (4) "Director" means the executive director of the Texas Department of Motor Vehicles [~~Transportation~~].

Automobile Burglary and Theft Prevention Authority

January 10, 2019

Sunset Bills for 86th Legislative Session

The Sunset Advisory Commission met on August 29, 2018 to go over Commission Decisions regarding the Texas Department of Motor Vehicles (TxDMV), as well as the Automobile Burglary and Theft Prevention Authority (ABTPA).

There were no changes or discussion to the ABTPA recommendation to expand ABTPA's scope to include other motor vehicle crimes such as title and odometer fraud. The final step will take place in January when the Sunset Advisory Commission will vote on the final report at the beginning the 86th Legislative Session.

TxDMV and ABTPA concur with the recommendation to change the statute to authorize ABTPA grant recipients to use funds to combat a broader range of motor vehicle crimes, such as title and odometer fraud. During the 85th Legislature, the ABTPA Board worked with Representative Lucio on HB3915 to add the "criminal violations of statutes listed in Section 1001.002(b), Transportation Code" but the bill did not pass.

The Texas Legislative Council is currently drafting TxDMV and ABTPA sunset related legislation. The bill created by the Legislative Council usually matches the results from the August Commission Decisions. Once the bill language is drafted and a sponsor is attached, the legislation follows the same path as any other legislation.



Board Agenda Item

ABTPA Director's Reports

Section 14. Report on ABPTA-related activities identified by the Director as noteworthy, which may include reports on:

Part A. Budget

Part B. Grant Activities and Analysis

Part C. Grant Adjustments

Part D. Educational Programs and Marketing

Part E. Agency Operations

Part F. Personnel Updates

Part G. Monitoring



Board Agenda Item

ABTPA Director's Reports

Section 14. Report on ABPTA-related activities identified by the Director as noteworthy, which may include reports on:

Part A. Budget

Automobile Burglary and Theft Prevention Authority

January 10, 2019

Budget Status

Automobile Burglary and Theft Prevention Authority AY 2019 as of 12/20/18					
ABTPA Category	Adjusted Budget	Expenditures	Projected Obligations and Encumbrances	Available Budget	% Available Budget
Advertising and Promotion	\$50,500	\$	\$175	\$50,325	99.7%
All Other Operating	\$42,166	\$10,245	\$7,660	\$24,261	57.5%
Consumable Supplies	\$4,500	\$812	\$400	\$3,288	73.1%
Grants	\$12,273,019	\$	\$11,774,190	\$498,829	4.1%
Professional Fees & Services	\$87,360	\$10,417	\$36,054	\$40,889	46.8%
Salaries and Personnel Costs	\$362,206	\$120,819	\$	\$241,387	66.6%
Travel	\$16,100	\$3,628	\$	\$12,472	77.5%
Grand Total	\$12,835,851	\$145,921	\$11,818,479	\$871,451	6.8%

Automobile Burglary and Theft Prevention Authority AY 2018 as of 12/20/18					
ABTPA Category	Adjusted Budget	Expenditures	Projected Obligations and Encumbrances	Available Budget	% Available Budget
Advertising and Promotion	\$26,064	\$22,023	\$ -	\$4,041	15.5%
All Other Operating	\$23,384	\$12,557	\$0	\$10,827	46.3%
Consumable Supplies	\$2,500	\$1,021	\$136	\$1,343	53.7%
Grants	\$12,339,546	\$10,235,651	\$2,103,895	\$	0.0%
Professional Fees & Services	\$59,545	\$53,028	\$2,891	\$3,625	6.1%
Salaries and Personnel Costs	\$360,739	\$357,246	\$ -	\$3,493	1.0%
Travel	\$25,100	\$17,136	\$ -	\$7,964	31.7%
Grand Total	\$12,836,878	\$10,698,662	\$2,106,923	\$31,293	0.2%

Automobile Burglary and Theft Prevention Authority

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Summary of ABTPA Border and Port Security Funding and Payments

Border vs. Port Designation

<u>Grantee</u>	<u>FY18 Final Total</u>	<u>Appropriated</u>	<u>Earmark</u>	<u>Border</u>	<u>Port</u>
City of El Paso	\$743,572.00		\$743,572.00	\$743,572.00	
City of Laredo	\$510,214.00		\$510,214.00	\$510,214.00	
City of Eagle Pass	\$151,222.00		\$151,222.00	\$151,222.00	
City of Beaumont	\$367,527.43		\$422,971.00		\$367,527.43
City of Pasadena	\$76,000.00		\$76,000.00		\$76,000.00
City of Corpus Chris	\$410,973.00		\$410,973.00		\$410,973.00
Harris County	\$1,017,922.00		\$1,017,922.00		\$1,017,922.00
City of Houston*	\$629,016.20		\$647,597.00		\$629,016.20
Galveston County	\$314,418.21		\$375,346.00		\$314,418.21
City of Brownsville	\$739,480.00		\$739,480.00	\$739,480.00	\$739,480.00
City of Victoria	\$154,719.00		\$154,719.00		\$154,719.00
Total	<u>\$5,115,063.84</u>	<u>\$2,800,000.00</u>	<u>\$5,250,016.00</u>	<u>\$2,144,488.00</u>	<u>\$3,710,055.84</u>

* Final Payment pending as of 1/3/2019



Board Agenda Item

ABTPA Director's Reports

Section 14. Report on ABPTA-related activities identified by the Director as noteworthy, which may include reports on:

Part B. Grant Activities and Analysis

1. Grant Development
 - i. Meeting with Agencies Not Represented
 - ii. Border Security Development
 - iii. Prosecution Outreach
 - iv. Position Development
2. Progress Report Analysis
3. Expenditure Analysis

Automobile Burglary and Theft Prevention Authority

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Meeting Agencies Not Represented

ABTPA FY20-21 Plan of Operation states that ABTPA will seek to fill in areas of the state not served by the ABTPA taskforces. It targets, “Areas around Abilene, Alice, Angleton, Bryan, College Station, Del Rio, Denton, Longview, Lufkin, Midland, Nacogdoches, Odessa, San Angelo, Sherman, Sweetwater, Texarkana, Waco and Wichita Falls do not have dedicated ABTPA funded specialized motor vehicle crime investigators.”

Sheriff Dennis Wilson, Limestone County has identified several county sheriffs to contact:

1. Jim Wells County Sheriff Daniel J. Bueno
300 N. Cameron Street
Alice, Texas 78332
361-668-0341
d.bueno@jimwellscounty-tx.gov
2. Angelina County Sheriff Greg Sanches
PO Box 114
Lufkin, Texas 75902-0114
936-639-8712
Gsanches@angelinacounty.net
3. Nacogdoches County Sheriff Jason Bridges
2306 Douglass Hwy.
Nacogdoches, Texas 75964
936-560-6446
jbridges@nac-sheriff.com
4. Gregg County Sheriff Maxey Cerliano
101 E. Methvin Ste. 559
Longview, Texas 75601
903-753-3560
Maxey.cerliano@co.gregg.tx.us
5. Harrison County Sheriff William T. McCool
PO Box 568
Marshall, Texas 75671-0568
903-935-7771
tomm@co.harrison.tx.us
6. Wichita County Sheriff David Duke
900 7th St. Rm 100
Wichita Falls, Texas 76301
940-766-8102
David.duke@co.wichita.tx.us

Sheriff Gary Painter, Midland County will host a regional Law Enforcement meeting about ABTPA early in 2019.

Automobile Burglary and Theft Prevention Authority

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Border Security Development

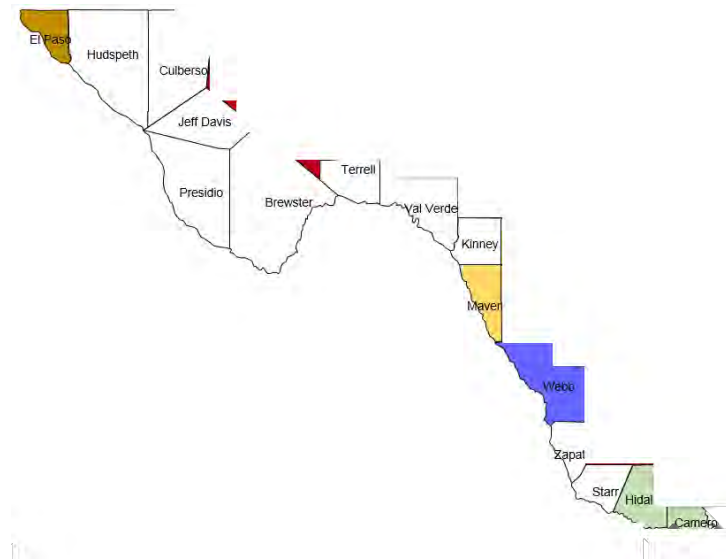
Excerpt from the FY20-21 Plan of Operation

Border and Port Security

The 85th Legislature earmarked \$5.6 million of appropriated funds to the ABTPA to provide enhanced border and port security for Texas. The requirement under the General Appropriations Act Article IX, Section 7.11 provided the ABTPA opportunities for improved reporting and added some reporting requirements for taskforces located in designated counties. Some jurisdictions routinely performed activities in the ports on along the Texas/Mexico Border. The earmark and designation is likely to continue and ABTPA taskforces will continue to expand their capabilities in apprehensions, indictments, recovered vehicles and drug seizures.

ABTPA may examine the possibility of having a taskforce to close the border areas with trained investigators in all of the contiguous counties along the border from Eagle Pass to El Paso.

Consider a DPS led taskforce made up of ABTPA funded local agents. Consider adding taskforce agents to contiguous taskforces already operating.



Automobile Burglary and Theft Prevention Authority

January 10, 2019

Prosecution Outreach

Excerpt from the FY20-21 Plan of Operation:

Specialized Motor Vehicle Crime Prosecutors

Provide funding for specialized motor vehicle crime prosecutors

Provide motor vehicle crime specific training to local prosecutors

The ABTPA requests funds to award grants to hire up to seven full-time local prosecutors dedicated to the prosecution of motor vehicle burglary and theft crimes. The RFA for grants would be issued to allow county or district attorneys to apply as part of an ABTPA taskforce application or separate from any taskforce. The ABTPA board may give priority to taskforce affiliated applications. The seven full-time prosecutors would focus on prosecuting motor vehicle burglary and theft crime. Funded prosecutors will consult with local law enforcement on methods to improve evidence collection, investigations, and case outcomes. Grant funded prosecutors may also train and consult with other prosecutors across the state. Multi-jurisdictional and transnational organized crime prosecution will be a priority. Grant conditions would provide that grant-funded prosecutor programs work to improve the ABTPA's statutory performance measures (i.e., arrests, recoveries, and cleared cases). ABTPA will develop additional performance measures, such as number of indictments or prosecutions.

ABTPA reached out to the Texas County and District Attorneys Association (TCDA) with the following questions:

- 1) **Should ABTPA work to fund prosecution units separately?**
- 2) **Will the additional fines and potential seizures be sufficient to generate revenue for counties to cover the 20% cash match required by ABTPA on all grants?**
- 3) **What specific motor vehicle related crimes do prosecutors need state support, coordination or assistance (in addition to current ABTPA authorized Motor Vehicle Burglary and Theft)?**
- 4) **Is a grant funded full or part-time position in the local prosecutor office the best model?**
- 5) **Can ABTPA funded prosecutors be used to help other prosecutor offices by training and technical support on complicated cases?**
- 6) **Is it reasonable to request that prosecutors funded by the state at 80% or more be required to meet two to four times per year to coordinate strategy of motor vehicle crime prosecutions?**
- 7) **Are there additional requirements or needs that should be considered for ABTPA's legislative mandate to combat border and port security motor vehicle burglary and theft?**

TCDA Prosecutors met in September. They did not provide written responses. They agreed generally that the idea should proceed and that jurisdictions that wanted to pursue the funds would do so. It was unlikely that there would be unanimity among the elected prosecutors.

Automobile Burglary and Theft Prevention Authority

January 10, 2019

TxDMV Current Role in Motor Vehicle Crimes

Current Resource at TxDMV

The 85th Legislature authorized the Texas Department of Motor Vehicles (TxDMV) to create the Compliance and Investigations Division (CID). The division was created to ensure compliance in tax assessor collectors' offices with state vehicle title and registration statutes and regulations, by conducting audits and providing education on best practices; and to investigate and seek prosecution of fraud, waste, and abuse related to titles and registrations. The division also provides direct assistance and technical support to prosecutors when requested by providing a full time state employed attorney at TxDMV. If ABTPA is funded to add grant prosecutors, this attorney may serve as coordinator and work with prosecutors to identify best practices, develop a forms and pleading bank, identify and communicate statewide priorities and strategies for and between TxDMV and local prosecutors.

Currently the CID Attorney serves three roles. First, he provides TxDMV general counsel advice on policy and procedures, and other internal issues that arise in the division. This includes providing advice on consideration of criminal cases to investigate, on the substance of investigations, and on collaboration and referral of matters to law enforcement, and/or to administrative enforcement partners. Second, the CID attorney is a liaison between TxDMV and prosecutors' offices, state and federal, to discuss and provide information regarding on-going or completed investigations, with the goal of persuading those districts to accept CID cases for prosecution. Third, the CID attorney offers services as a special prosecutor to districts to assist with any portion of the prosecution that is needed, including grand jury or trial.

If funded the ABTPA would rely on the experienced attorney to coordinate training and technical support for locally funded prosecutors.

The basis of ABTPA's request for additional funding from the legislature is that the law enforcement teams consistently reported the need for prosecutorial support. ABTPA taskforce members that served with prosecutors in previous years stated the prosecutors made the entire team more effective. Many states that have Automobile Theft Prevention Authorities have prosecution as a central focus to program operations (Colorado and New Mexico). One of the primary measures of effectiveness of a law enforcement task force is the ability to obtain convictions, which serve as punishment, but more importantly, serve as a necessary deterrent, both individually and societally. Prosecution resources are vital for obtaining convictions, and without them, the number of accepted cases will be significantly reduced, resulting in fewer cases being accepted for prosecution, and therefore, fewer convictions. The request for additional funding for local prosecution districts is especially justified, because many districts lack the resources to aggressively prosecute automobile related cases, since most of their resources are devoted to prosecution of violent crimes and narcotics crimes.

Automobile Burglary and Theft Prevention Authority

January 10, 2019

Position Development

Excerpt from the FY20-21 ABTPA Plan of Operation:

ABTPA Law Enforcement Technologists

The ABTPA requests funds to award grants for taskforces to hire up to seven full-time Law Enforcement Technologists (**LETs**). Taskforces would be able to develop new technologist positions and seek funding for new ideas and expansion of law enforcement in the digital age. The RFA for grants would require taskforces create positions that support taskforces with specialized automobile cybersecurity, forensic evidence collection, intelligence gathering, or exploration of new technologies to track and interrupt criminal enterprises. Positions for data analytics and predictive analytics (artificial intelligence) to detect and expose fraud in all types of motor vehicle crimes would be authorized. Some jurisdictions may develop positions to use the electronic interface of motor vehicles, infotainment systems and the Internet of Things (**IoT**) to identify manufacturer vulnerabilities and to inform taskforce investigators.

Taskforces would be permitted to develop a variety of position configurations as long as it meets the state's interest in reducing motor vehicle crime. The need for these positions became strongly evident in FY18 as taskforces identified a highly organized new pattern of crimes stealing new vehicles starting in Dallas and spreading quickly to other parts of the state. Very few of these stolen high-end vehicle have been recovered and the manufacturer's suggested fixes are reported to be years away. The LET positions would be able to discover and use technological advances to improve bait systems, tracking systems and surveillance systems to aid local law enforcement. The LETs will be required to meet specialized technological education and law enforcement standards before being provided access to confidential databases and information. The ABTPA will apply its established local cash match requirements for these programs and activities.

Develop and fund a new type of law enforcement investigator position that does not exist. A proactive development by ABTPA in the midst of rapidly changing technology. Automotive technology is rapidly changing. Examples include data collection features about owners, transmission data to and from the manufacturers, and autonomous and semi-autonomous features. The ABTPA will promote the ability of local law enforcement agencies to examine their local needs and capabilities and respond with new law enforcement positions to promote cutting edge technologies in response to new criminal enterprises.

Automobile Burglary and Theft Prevention Authority

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**Summary of Statewide FY 17-18 Statutory Requirements Reported by
Grant Recipients**

Activity	FY 2017	FY 2018	Percentage
Recovered Stolen Vehicle	10732	11038	2.9 %
Cleared Motor Vehicle Theft Cases	15951	14617	-8.4 %
Persons Arrested Motor Vehicle Theft	2931	3295	12.4 %
Activity	FY 2017	FY 2018	
Cleared Motor Vehicle Burglary Cases	5801	3425	-41 %
Arrested Burglary of a Motor Vehicle	1497	974	-35 %

Automobile Burglary and Theft Prevention Authority

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Expenditure Analysis

**Law Enforcement Officers
Greater than 80% on Grant**

	2019	2016
Austin	8	3
Beaumont	10	9
Brownsville	18	18
Burnet County	4	4
Corpus Christi	7	7
Dallas	10	10
Dallas County	8	9
Eagle Pass	4	4
El Paso	25	27
Galveston County	6	7
Harris County	28	28
Houston	14	14
Laredo	13	13
Lubbock County	5	5
Mansfield	5	5
Montgomery County	5	5
Paris	2	2
Pasadena	7	7
Potter County	7	7
San Antonio	25	26
Smith County	4	4
Tarrant County	9	10
Travis County	9	10
Victoria	2	2
Total	235	236

**Status of FY2019 ABTPA
Funded Vehicles**

BAIT	24.0
Admin	5.0
Undisclosed /other	8.0
Spare / Floater	12.0
Specialty	15.0
Sub- Total	<u>64.0</u>
LEO	<u>194.0</u>
Total	<u><u>258.0</u></u>



Board Agenda Item

ABTPA Director's Reports

Section 14. Report on ABPTA-related activities identified by the Director as noteworthy, which may include reports on:

Part C. Grant Adjustments

Automobile Burglary and Theft Prevention Authority

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FY 2018 Grant Adjustment Report

Grant Program	Adjustment Type	Description	Budget Adjustment Total	Approval Date	Denial Date
Travis County	Budget	Move Program Income to Travel and authorization request to send for 5 agents for out-of-state LE training	14,500.00	10/16/2017	
City of Beaumont	Program	Notification change in agency participation in the program for FY18	0.00	12/11/2017	
City of Mansfield	Program	Move Professional and Contract Services to Supplies/DOE (purchase mobile computers)	10,712.00		12/12/2017
Travis County	Budget	Request to use Program Income for purchase of Overtime, GPS Tracking Devices & Supplies/DOE	30,000	12/19/2017	
Galveston County	Program	Scope Adjustment	0.00	1/08/2018	
Burnet	Program	Program Manager retirement notification. No adjustment required.	0.00		1/9/2018
City of Pasadena	Program	Detective retirement notification. No adjustment required.	0.00		1/22/2018
Travis County	Program	Notification change in agency participation in the program for FY18	0.00	02/21/2018	
Harris County	Budget	Request authorization to send 2 agents for out-of-state LE training	3,790.00	2/22/2018	
City of Austin	Program	Request to utilize grant funds for ABTPA LE training for new Sgt. No adjustment required	0.00		2/22/2018
City of Mansfield	Program	Scope Adjustment	0.00	2/26/2018	
Lubbock County	Budget	Move program income to equipment (purchase a vehicle 2017 Dodge 1500 crew cab SSV)	27,159.00	2/27/2018	
San Antonio	Budget	Move program income to equipment (purchase LPR)	21,945.00	3/19/2018	
City of Austin	Program/Budget	Move salary funds to Travel and Supplies/DOE (to send new Sgt. for LE training)	2,000.00	3/21/2018	
Travis County	Program/Budget	Request authorization to send 5 agents for out-of-state LE training	7,000.00	3/23/2018	
Lubbock County	Budget	Move program income to equipment (purchase pickup with emergency equipment)	29,033.00	6/05/2018	
City of Austin	Budget	Move salary and program income funds to Supplies/DOE (purchase Auto Theft Liaison material)	17,995.00	6/18/2018	
City of El Paso	Budget	Move Personnel and Supplies/DOE funds to Overtime	7,481.00	6/18/2018	
Tarrant County	Budget	Move Professional and Contract Services & Supplies and /DOE to Equipment (purchase (9) Getac B300 laptops with desktop docking station/ power adapter	42,000.00	06/18/2018	
Travis County	Budget	Move Personnel Funds to Overtime and Professional & Contract Service/Travel/Equipment Funds to Supplies	16,010.00	06/18/2018	
Lubbock County	Budget	Move Personnel funds to Out of State Travel and Personnel/Fringe funds to Supplies/DOE	7,250.00	06/21/2018	
Harris County	Budget	Move Supplies/DOE funds to Equipment (purchase 27 iPhones and 6 iPads)	11,609.67	06/28/2018	

Dallas County	Budget	Move Program Income to Equipment (purchase 2 pickup trucks/tow package)	53,000.00	06/29/2018	
Smith County	Budget	Move Personnel/Travel/Supplies funds and Program Income to Equipment (purchase 4x4 crew cab truck)	24,284.00	6/29/2018	
City of Mansfield	Budget	Professional and Contract Services to Equipment (Vehicle Emergency lighting, 2-way radio system equipment & desk top computer and printer).	11,722.00	07/20/2018	
Harris County	Budget	Costs already approved and subject to the reimbursement rate authorized under the grant award statement.	11,609.67		7/27/2018
Tarrant County	Program	Scope Adjustment	0.00	08/01/2018	
City of Beaumont	Program	Scope Adjustment	0.00	08/01/2018	
Burnet County	Budget	Move Personnel/Supplies and DOE/Program Income funds to Travel	3,271.00	08/03/2018	
Dallas County	Budget	Move Supplies/DOE funds to Equipment (purchase 2 laptops and software)	4,950.00	08/14/2018	
Burnet County	Budget	Move Personnel/Fringe and Program Income funds to Equipment (purchase one (1) vehicle, 4 video cameras, 4 recorders)	25,908.00	08/17/2018	
City of Austin	Budget	Move Personnel funds to Overtime and Fringe to Supplies (purchase investigative supplies).	4,000.00	08/22/2018	
City of Corpus Christi	Budget	Move funds from Supplies/DOE to Equipment (purchase 3 surveillance cameras)	19,435.60	12/20/2018	
*City of Houston	Budget	Move funds from Personnel to Classified Overtime (pending)	30,477.62		

*(City of Houston pending)

NOTE: There were a total of 34 Grant Adjustments, 22 were Budget Changes, 10 were Program Change, 2 were Program/Budget Changes and 4 denied.

Automobile Burglary and Theft Prevention Authority

January 10, 2019

FY 2019 Grant Adjustment Report

Grant Program	Adjustment Type	Description	Budget Adjustment Total	Approval Date	Denial Date
Galveston County	Budget/Program	Notification change in agency participation in the program for FY19. Move Personnel funds and Fringe to Professional/Contract Service.	66,311.00	09/05/2018	
City of Mansfield	Budget	Move Program Income to Equipment and Supplies/DOE (purchase 4x4 crew cab pick-up truck)	29,845.00	09/24/2018	
Travis County	Budget	Move Program Income funds to travel, Supplies/DOE, Overtime and Professional/Contract Services	27,000.00	10/15/2018	
City of San Antonio	Budget	Move Fringe funds to Personnel, Overtime, Travel and Supplies	49,734.00	10/19/2018	
City of Houston	Budget	Move Travel funds and Supplies/DOE to Overtime	5,000.00	12/17/2018	
Montgomery County	Program	Added Angelina County as a coverage agency	0.00	1/4/2019	
Dallas County	Program	Move Program Income to Equipment (purchase truck)	26,471.00	12/21/2018	

Total: 7

Budget Change: 4

Program Change: 2

Budget/Program Change: 1



Board Agenda Item

ABTPA Director's Reports

Section 14. Report on ABPTA-related activities identified by the Director as noteworthy, which may include reports on:

Part D. Educational Programs and Marketing

Automobile Burglary and Theft Prevention Authority

January 10, 2019

Educational Programs and Marketing

Governor's Proclamation for Watch Your Car Month (August 2018)

Auto Theft Task Forces across the state report an increase in motor vehicle theft and burglary during the summer months. In order to help remind motorists to take extra precautions during the summer, the ABTPA staff worked with TxDMV's Government and Strategic Communications Division to obtain an official proclamation from the Governor of Texas. The proclamation stressed the estimated \$1 billion in losses to motorists and businesses due to motor vehicle crime and encouraged all Texans to take the necessary steps and precautions to reduce motor vehicle burglaries and thefts.

Grant Recipients used sample language provided by ABTPA Staff to obtain their own local proclamations.

National Night Out on TxDMV.gov (October 2018)



2018 was the 35th Anniversary of National Night Out. ABTPA received permission to use official logos and visual assets from National Association of Town Watch, which introduced the National Night Out program in 1984.

ABTPA Staff incorporated the official National Night Out logo into the TxDMV website and provided additional promotional material to stakeholders across the state

Holiday Alert on TxDMV.gov (November 2018)

Auto Theft Task Forces across the state report an increase in motor vehicle theft and burglary during the holiday season.

ABTPA staff released a holiday alert several days before Friday, November 23rd, which is also known as Black Friday.

The alert was picked up by media outlets around the stat



Distribution of Educational Material and Promotional Items

ABTPA produces and distributes Educational Material and Promotional Items to Grant Recipients as well as other Stakeholders. ABTPA Staff uses a system to track the amount of material that it ships out based on the requests that we receive throughout the year.

Category	Grant Recipients	Other Stakeholders	Total
Educational Material	10,700	9,685	20,385
Promotional Items	11,950	4,200	16,105
	22,605	13,885	36,490

In addition to the material that ABTPA produces and distributes, many of the grant programs produce their own material and distribute it locally. ABTPA staff tracks this activity through the progress reports on the Grant Management and Tracking System (GMTS).



THE STATE OF TEXAS

GOVERNOR



*To all to whom these presents shall come,
Greetings: Know ye that this official recognition is
presented to all observing:*

Watch Your Car Month

August 2018

Motorists and businesses in Texas have estimated nearly 1 billion in losses due to motor vehicle burglary and theft every year. According to Texas law enforcement authorities, motorists run the greatest risk of having their car stolen during the summer months.

Unlocked vehicles, forgotten keys, and exposed valuables contribute to a large percentage of these crimes. To combat these vehicle-related crimes the Texas Legislature created the Texas Automobile Burglary and Theft Prevention Authority.

At this time, I would like to encourage all Texans to take the necessary steps and precautions to reduce motor vehicle burglaries and thefts throughout our state.

First Lady Cecilia Abbott joins me in wishing you the best.



*In testimony whereof, I have signed my name
and caused the Seal of the State of Texas to be
affixed at the City of Austin, this the 24th day
of August, 2018.*

Greg Abbott
Governor of Texas

Automobile Burglary and Theft Prevention Authority

January 10, 2019

Summary of FY18 grantees progress report for Goal 3: Educate/Train Citizens and Qualified Personnel in Detection and Prevention of Motor Vehicle Theft, Burglary of Motor Vehicles and Theft of Vehicle Parts and Accessories

Strategy 1: Conduct Public Awareness Related Activities Used to Educate Citizens			
ID#	Activity	Target	Total
3.1.1	Conduct educational outreach events (include trade show, exhibits, booths at community events, vehicle displays, brochures, etc.)	463	726
3.1.2	Conduct educational presentations to citizens-total presentations	328	485
3.1.3	Conduct educational presentations to citizens-total participants	n/a	334,565
3.1.4	Conduct vehicle identification number (VIN) etchings	104	112
3.1.5	Purchase advertisements in local outlets	16	49
3.1.6	Conduct vehicle report card initiatives.	10,431	13,615
3.1.7	Utilize social media outlets (Twitter, Instagram, etc.)	714	6,992
3.1.8	Deploy outdoor public notification signage	1,698	2,592
3.1.9	Provide assistance and/or information to individual citizens (phone/e-mail/ other media)	n/a	26,955
Strategy 2: Conduct Law Enforcement Training Activities to Educate Officers on Recognition and Apprehension of Stolen Vehicles and Property			
3.2.1	Conduct law enforcement training (TCOLE)- total number of classes	213	186
3.2.2	Conduct law enforcement training (TCOLE)- total number of participants		3,968
3.2.3	Conduct vehicle crimes presentations to law enforcement agencies (non TCOLE)- total number of classes	541	170
3.2.4	Conduct vehicle crimes presentations to law enforcement agencies (non TCOLE)- total number of participants		3,153



Board Agenda Item

ABTPA Director's Reports

Section 14. Report on ABPTA-related activities identified by the Director as noteworthy, which may include reports on:

Part E. Agency Operations

1. Insurance Forms Update
2. Sunset Advisory Commission Update

Automobile Burglary and Theft Prevention Authority

January 10, 2019

Primary Changes to ABTPA Fee Refund Request Form

- 1) Added Comptrollers ID # (used to pull tax records).**
- 2) Clarification that if for duplicate payments proof of both payments must be provided.**
- 3) Changed filing of revised report from Comptroller to ABTPA who will forward form to Comptroller if approved by ABTPA Board.**

Company Name: _____ Date: _____

Address: _____ NAIC No.: _____

Comptroller's Taxpayer Number: _____ TDI No: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Company Contact Person: _____ Contact Phone Number: _____

Contact Email: _____

Refund Report Year: _____

Please Circle One: 1st Semi-Annual Payment 2nd Semi-Annual Payment

Refund Requested: \$ _____

As provided in Title 43 Texas Administrative Code, §57.51, the authority will consider all information provided to determine if a refund request is valid, and may require that additional information is provided before a final determination can be made.

Complete the information requested below and forward to the ABTPA along with supporting documentation and proof of overpayment.

Policy Term	Amended Motor Vehicle Years	Less: Motor Vehicle Years Originally Reported	Motor Vehicle Years Over reported	Assessment Rate per Motor Vehicle Year	Refund Amount Requested
1 Year	_____	_____	_____	\$2.00	_____
6 Months	_____	_____	_____	\$2.00	_____
30 Day	_____	_____	_____	\$2.00	_____
Totals	_____	_____	_____	_____	_____

Along with this form, you must include the following:

1. An explanation of the reason(s) for the refund. If a request is due to duplicate payments from multiple entities for the same policies then proof of the duplicate payments must be provided along with this request for refund.
2. A copy of the original report.
3. Documentation of original payment.
4. A signed copy of the amended return; do not file with Comptroller's office.

By submitting this application for refund, I certify that I have been designated by my corporation as the authorized official to apply for refunds of the ABTPA fee. The statements herein are true, complete, and accurate to the best of my knowledge. I am aware that under the Texas Penal Code § 37.10 any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties.

Authorized Signature and Title: _____ Date: _____

Automobile Burglary and Theft Prevention Authority

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Sunset Review

The Sunset Review Commission took up the TxDMV staff recommendations. There were no changes or discussion to the ABTPA recommendation to expand ABTPA's scope to include other motor vehicle crimes such as title and odometer fraud. The final step will take place in January when the Sunset Advisory Commission will vote on the final report at the beginning the 86th Legislative Session.

2.6 Authorize ABTPA grant recipients to use funds to combat a broader range of motor vehicle crimes, such as title and odometer fraud, beyond just automobile burglary and theft.

This recommendation would authorize ABTPA grant recipients to use grant funds not just for vehicle burglary and theft, but also for other motor vehicle fraud-related crimes. This recommendation would also require ABTPA, in conjunction with the department, to develop updated performance measures for grants used to address these additional motor vehicle crimes. To draft this statutory change, the Texas Legislative Council should make necessary changes to codify laws for ABTPA, and clarify its mission and name to reflect the broader purpose of deterring motor vehicle crimes, including fraud. In conjunction with this recommendation, the department should provide training to its grant-funded auto theft task forces and then consider offering the training to other law enforcement agencies. Providing training would allow the department to share internally developed fraud investigation expertise and better leverage its existing law enforcement relationships to make its efforts to address fraud more effective.

Automobile Burglary and Theft Prevention Authority

January 10, 2019

ABTPA Trainings

Motor Vehicle Burglary and Theft Investigator training

Background:

On September 1, 2017 the Automobile Burglary and Theft Prevention Authority (ABTPA) began administering the Motor Vehicle Burglary and Theft Investigator Training. The Texas Department of Public Safety (DPS) stopped providing similar training in February 2016. As a result, in FY 2017, the ABTPA Board and staff determined it was in the best interest of the state to assume responsibility for providing training. Texas Department of Motor Vehicles (TxDMV), the National Insurance Crime Bureau (NICB), DPS and the Texas Association of Vehicle Theft Investigators (TAVTI) worked together to review and update the intermediate classes.

Current State:

There have been six Motor Vehicle Burglary and Theft Investigator trainings held, three in FY17 and three in FY18. The training committee secured a base of Subject Matter Experts instructors for each of the courses offered. This allowed each class to be taught by the same instructors for continuity. The three trainings conducted for FY18 for 32 TCOLE approved hours were held in Dallas, San Marcos and San Antonio. There were 102 attendees who are now eligible to get access to NICB regulated databases allowing them to conduct 68-A inspections.

Future State:

To continue providing the Intermediate and Advanced Motor Vehicle Burglary and Theft Investigator training. One Intermediate class has already been held in Houston in November. An Advanced Motor Vehicle Burglary and Theft Investigator course lesson plan has been presented to the TxDMV TCOLE Training Committee and was approved on December 12, 2018. One Advanced course has been conducted in Fort Worth in September. Tarrant County Regional Auto Crimes Task Force provided the TCOLE approval for that course.

Summary of FY17/18 Investigator trainings:

FY	# of students	# with access to ISO database	# of agencies represented
17	98	61	39
18	102	57	37

In the November 14, 2017 board meeting, the board authorized ABTPA staff to use up to \$15,000 to support the training for instructor travel and supplies. For the three trainings conducted in FY18 the amount expended was:

Travel costs	\$7,165.45
Supplies	\$3,449.79
Total	\$10,615.24

Motor Vehicle Crime Analysts Training

ABTPA worked with NICB to establish a training in Texas for investigators and civilians in the ABTPA taskforces. The trainings are also available to TxDPS analysts. DPS is hosting the classes in their computer center training room in Austin. The training focuses on navigating the ISO ClaimSearch. Two classes have been held, one in October and one in December of 2018. The classes are taught by NICB analysts from their headquarters in Chicago. We are very grateful for NICB Director, Mr. Fred Lohmann for pulling these resources together to increase our skill and knowledge in fighting motor vehicle burglary and theft in Texas. A total of 22 students attended the training representing 11 different agencies. Other classes will be scheduled next year.



Board Agenda Item

ABTPA Director's Reports

Section 14. Report on ABPTA-related activities identified by the Director as noteworthy, which may include reports on:

Part G. Monitoring

1. Comprehensive Annual Financial Review Report
2. Grantee Monitoring Checklist

Automobile Burglary and Theft Prevention Authority

January 10, 2019

FY 2017 Comprehensive Annual Financial Report Review (CAFR) and Single Audit

All twenty-four grantees submitted their CAFRs and twenty-three submitted a Single Audit (A-133) and reviews were performed by ABTPA Grant Coordinators and completed on January 2, 2019.

The Automobile and Burglary and Theft Prevention program was listed on twelve (12) of the Single Audits submitted.

Findings: Auditors identified certain deficiencies in internal control, IT users account having administrative access to financial reporting that may not require access, City's submission of reimbursement (ABTPA funds) request prior to costs being incurred and paid results in noncompliance with grant requirements.

Management Response: Management accepted the findings and has developed action plans to implement the recommendations. ABTPA staff will review if the implementations were put in place during desk review and/or on site monitoring visit.

Automobile Burglary and Theft Prevention Authority

January 10, 2019

Grant Monitoring Checklist Outline

ABTPA's goal is to have an on-site monitoring visit of each grantee every two years. The purpose of on-site visits is to assess the progress of grantee programs in implementing grant activities and to review program and financial activities. The following outlines the areas that are covered under a monitoring review:

- I. **Grantee Information** section includes the address of the visit, the dates of visit and notification, # of participating/coverage agencies, date of CAFR review and if any significant findings were found in the review.
- II. **Administration** section includes reviewing the location and organization structure and their access to documentation.
- III. **Grantee Program Performance** section includes reviewing the grantees goal and activities. This review will deal with the management of the grant and cover casework, cases cleared, vehicles recovered, arrests and filings and progress report performance and the supporting documentation for each area. If there are subgrantees and/or NICB/DPS personnel working this is also included in this section.
- IV. **Financial Management** section includes reviewing the grantees expenditures to determine if they are reasonable and allowable and occurred consistently according to the timeline submitted by the grantee in the application and as expected with program activities.
- V. **Program Income** section includes reviewing any agreements with local prosecutors and how income is generated and managed.
- VI. **Category Details** section reviews the expenditures categories including; personnel, fringe and overtime, equipment, travel, supplies/direct operating expenses and confidential funds.
- VII. **Inventory** section reviews promotional material and equipment.
- VIII. **Exit Interview** section will include an overview of the findings and recommendations of the review.



NEVER UNLOCKED. NOTHING IN VIEW.

Auto Burglary & Theft Prevention Authority