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POST-SCRIPT

MOTORCYCLE THEFT IN THE UNITED STATES: A BRIEF GUIDE FOR RIDERS

THAD A. TITZE[†]

The motorcycles, the technology and the security may have all changed . . . but the mindset of the thief has not. Bikes simply remain easy to steal, strip, clone or be exchanged as currency anywhere in the world, emphasizing both their popularity and vulnerability.¹

Dr. Ken German

I. INTRODUCTION

The United States is home to approximately 8.4 million on-road registered motorcycles.² In 2017, 44,268 motorcycles were reported stolen—a five percent decrease from 2016.³ Overall, reported motorcycle thefts have declined by about thirty percent over the last decade.⁴ Motorcycle theft is a seasonal crime. Thirty-two percent of reported thefts in 2017, for example, occurred in June, July, and August, compared with eighteen percent of reported thefts in December, January, and February.⁵ Distribution of motorcycle thefts by states generally aligns with population distribution across the United States.⁶ California accounted for seventeen percent of total reported thefts, followed by Florida (10%), Texas (8%), South Carolina (4%), North Carolina (4%), and New York (3%).⁷ South Dakota's sixty reported motorcycle thefts in 2017 represent less than one percent of total thefts across the country.⁸

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[†] J.D. Candidate 2020, University of South Dakota School of Law. 1. Ken German, *Where Have a Million Missing Motorcycles Gone?* THE TELEGRAPH (Oct. 16, 2017), <https://www.telegraph.co.uk/cars/features/have-million-missing-motorcycles-gone/> [hereinafter German].

2. Eric R. Teoh, *Motorcycles Registered in the United States, 2002-17*, Insurance Institute for Highway Safety, 2 (2017), <https://www.iihs.org/frontend/iihs/documents/masterfiledocs.ashx?id=2145>.

3. NAT'L INS. CRIME BUREAU, 2017 MOTORCYCLE THEFT AND RECOVERY REPORT 1 (April 27, 2018), <https://www.nicb.org/media/536/download>.

4. Brian Hatano, *Top 10 Motorcycle Theft Statistics for 2017*, MOTORCYCLIST (May 19, 2017), <https://www.motorcyclistonline.com/top-10-motorcycle-theft-statistics-for-2017>.

5. NAT'L INS. CRIME BUREAU, *supra* note 3, at 2. This trend in the seasonal distribution of reported thefts is consistent with data from the prior year. *Id.* at 3.

6. *Id.* at 4. More populous states showed great propensity for motorcycle thefts. *Id.*

7. *Id.*

8. *Id.* at 4.

For motorcycle owners, there is some consolation. Of the 44,268 reported thefts in 2017, forty-two percent were recovered between January 1, 2017, and February 28, 2018.⁹ South Dakota's recovery rate of forty-eight percent sits higher than the national recovery rate.¹⁰ Popular brands among motorcycle thieves include Honda, which accounted for twenty percent of total reported thefts in 2017, followed by Yamaha (16%), Suzuki (12%), Harley-Davidson (12%), and Kawasaki (12%).¹¹ Recovery rates by brand track closely with their respective rates of reported theft.¹²

II. WHY DO THEY DO IT?

Motorcycle theft expert Dr. Ken German notes, "two-wheel theft is easy and the bread and butter of crime gangs across the globe."¹³ Motorcycle theft has become a lucrative business that generates the supply to meet the demand for less expensive bikes and parts.¹⁴ After-market enhancements made by owners increase the value and attraction for thieves.¹⁵ According to Detective Joe Thrasher of the Orange County Auto Theft Taskforce, motorcycle theft occurs in two forms: theft for order and spontaneous theft.¹⁶ In many cases, the actual theft is not a solo endeavor. One party, for example, can secure a finder's fee for simply scouting prime motorcycles and locations.¹⁷

Criminal investigations into motorcycle theft rings reveal the prevalence and effects of coordinated criminal activity. In one recent case, New York City investigators recovered sixty-three motorcycles when they brought down one of the city's most active theft rings.¹⁸ Thirty-three individuals were charged for involvement in a conspiracy which, among other things, could snatch a motorcycle

9. *Id.* at 15.

10. *Id.* at 17.

11. *Id.* at 14.

12. *Id.* at 19.

13. Ken German, *Where Do All the Stolen Motorcycles Go?* THE TELEGRAPH (Feb. 10, 2012), <https://www.telegraph.co.uk/motoring/motorbikes/9072284/Where-do-all-the-stolen-motorcycles-go.html>.

14. See, e.g., Wendy Black, *Confessions of a Reformed Bike Thief*, CYCLE WORLD, Mar. 1996, at 50 [hereinafter Black] (describing a destitute single father who turned to motorcycle theft for the financial rewards). Shane, a Los Angeles motorcycle thief, claims he stole 500 motorcycles in three years beginning in 1990. *Id.* He made about \$800 for a whole motorcycle and about \$1,200 from a motorcycle stripped down to parts. *Id.* During one three-month period, he grossed more than \$30,000. *Id.* See also RideApart Staff, *Ask a Motorcycle Thief*, RIDEAPART (May 4, 2018), <https://www.rideapart.com/articles/255770/ask-a-motorcycle-thief/> [hereinafter *Ask a Motorcycle Thief*] (depicting motorcycle theft as a business with both risk and reward).

15. ESURANCE, *Motorcycle Theft: Facts, Stats, and Prevention*, <https://www.esurance.com/info/motorcycle/motorcycle-theft> (last visited Oct. 8, 2018).

16. Black, *supra* note 14, at 50.

17. *Id.*

18. Jim Dwyer, *Oops! The Mysterious Case of the Twice-Stolen Motorcycles*, N.Y. TIMES, Sept. 7, 2012, at A24 [hereinafter Dwyer].

in less than thirty seconds and eventually resell it in the Caribbean black market.¹⁹ The ring would use a van to quickly load, conceal, and depart with their two-wheeled cargo.²⁰ Similarly, a crack-down in Queens, New York, halted the work of another theft ring and recovered eleven motorcycles, most taken from garages at apartments and private homes.²¹ Seven suspects were indicted on grand larceny, conspiracy, and other charges.²² The initial effectiveness of this conspiracy lay partly with the group's strategy of observing local police activity and then creating a diversion in the form of traffic violations, while other members of the group stole bikes from previously scouted locations.²³

III. THE MOTORCYCLE THIEF'S HOW-TO-GUIDE

It starts with the old line: location, location, and location. Apartment complexes, with dimly-lit parking areas, are fertile grounds for savvy thieves.²⁴ Gated parking garages at high-rise apartment buildings are common targets.²⁵ Similarly attractive locations include military bases and college campuses.²⁶ One experienced thief described her procedure: "You drive up to the bike and observe[.] You're not legally doing anything wrong. You're not prowling, you're not vehicle tampering, there's no tools on you . . . if the bike has a lock, you analyze it . . . then, you come back."²⁷ Or, you move on to a more promising target.

Naturally, some motorcycles are more attractive than others. One veteran thief noted that he often pursues "supersports" because they are "commonly crashed and generally the easiest to find (left outside in nice apartment complexes). Next would be Harleys and for a brief moment in time the high dollar choppers."²⁸ Security measures taken by individual owners bear heavily on the motorcycle's vulnerability.²⁹

In order to be successful, the theft should be executed quickly. A seasoned thief can complete the task in less than a minute.³⁰ Lifting the bike and loading it

19. Associated Press, *Authorities Halt Speedy Motorcycle Thieves*, TIMES UNION (July 26, 2012), <https://www.timesunion.com/news/article/Authorities-halt-speedy-motorcycle-thieves-3739000.php>.

20. Dwyer, *supra* note 18.

21. Deon J. Hampton, *Seven Indicted in Motorcycle Theft Ring, DA Says*, NEWSDAY (Jan. 9, 2018), <https://www.newsday.com/long-island/crime/motorcycle-ring-nassau-1.16037630>.

22. *Id.*

23. *Id.*

24. *See, e.g.*, Black, *supra* note 14, at 50, 52 (providing descriptions from both a detective and a motorcycle thief of apartment complexes as prime targets for motorcycle theft).

25. *Ask a Motorcycle Thief, supra* note 14.

26. Black, *supra* note 14, at 50.

27. *Id.* (internal quotation omitted).

28. *Ask a Motorcycle Thief, supra* note 14.

29. *See infra* Part V (describing ways of increasing security and decreasing vulnerability).

30. Black, *supra* note 14, at 50.

into a van is a common method to do the deed.³¹ This requires simply that the motorcycle be untethered to the ground, as the thief is then not required to circumvent security measures preventing the bike from operating.³² The weight of the motorcycle typically demands the strength of more than one person. One accomplished thief, however, dismisses the use of a van and insists that driving away on the motorcycle itself is faster, less conspicuous, and overall, less risky: “Your career will be very short if you’re loading a 185mph rocket . . . that will outrun the police into the back of an 85mph van that will take you to the scene of your arrest.”³³

IV. WHAT HAPPENS TO STOLEN MOTORCYCLES?

Not all stolen motorcycles suffer the same fate. Some remain whole and are sold to unsuspecting and undiscerning buyers.³⁴ More rarely, bikes remain intact for years and are later uncovered by authorities who return the bike to its rightful owner.³⁵ Many stolen bikes enter the stream of black market commerce to be stripped and disassembled, creating a cache of individual parts for resale and assembly.³⁶ Purchasing stripped parts offers a “discount” not available from the manufacturer.³⁷ Parts from Japanese motorcycle brands are easily interchangeable which, combined with strong market-share, results in especially high demand.³⁸ Procuring stolen components and selling them to parties engaged in motorcycle assembly provides financial reward with reduced risk of criminal exposure.³⁹ Conversely, rebuilding and selling motorcycles constructed with stolen parts brings greater risk of criminal liability.⁴⁰

Motorcycle engines are a valuable component in other markets, including go-carts and outlaw racing.⁴¹ Dr. Ken German, a veteran law enforcement officer and international vehicle crime expert, suggests that technological advancements

31. *Ask a Motorcycle Thief*, *supra* note 14.

32. *Id.*

33. *Id.*

34. Targeted News Service, *2012 Motorcycle Theft and Recovery Report*, INSURANCENEWSNET (Nov. 25, 2013), https://insurancenewsnet.com/oarticle/2012-Motorcycle-Theft-and-Recovery-Report-a-428434#.XD3_yVxKhaR.

35. *Id.*

36. Allan Robinson, *Motorcycle Theft*, 69 POLICE J. 367, 367 (1996).

37. *See, e.g., id.* (“Exotic modern hyper-sport motorcycles are expensive fashion items, mostly made in Japan, with spare parts that are so frighteningly expensive at full list price that owners will buy parts stripped from stolen bikes so that they do not have to make ruinous purchases at full retail prices.”).

38. Motorcycle Maniac, *How to Secure Your Motorcycle and Prevent Theft*, CHAPPARAL MOTORSPORTS (March 25, 2015), <https://www.chapmoto.com/blog/2015/03/22/secure-motorcycle-prevent-theft/>.

39. Black, *supra* note 14, at 52.

40. *Id.*

41. Kristen Gerencher, *Top 10 Most Stolen Motorcycles*, MARKETWATCH (Aug. 6, 2002), <https://www.marketwatch.com/story/yamaha-honda-motorcycles-top-most-stolen-list>.

in developing countries have created a growing demand for small, economical engines to power other machines, like generators and well pumps.⁴²

Vehicle identification numbers (VINs) are commonly altered by motorcycle thieves.⁴³ A “new” VIN makes it easier to register the vehicle and obtain title.⁴⁴ This was a central practice of one interstate motorcycle theft ring based in Kentucky.⁴⁵ In that case, ten individuals were indicted on federal charges for theft, as well as money laundering and interstate shipment of stolen motorcycles.⁴⁶ As part of the conspiracy, defendants stole motorcycles at biker events in three states, including South Dakota, and illegally transferred the titles.⁴⁷ The parts of the motorcycle displaying a VIN were removed and replaced with aftermarket parts displaying new numbers.⁴⁸ The motorcycle was then registered in a new state as a “kit bike” or “assembled bike.”⁴⁹ One of the ringleaders pleaded guilty to the conspiracy, which involved eighty-six stolen motorcycles.⁵⁰ Most of the bikes were Harley-Davidsons.⁵¹ The bikes, sold to unsuspecting buyers, were sold for \$13,000 to \$15,000 each and resulted in \$1.7 million in losses to the owners and insurers.⁵² This economic impact highlights the effect of motorcycle theft throughout the community of registered owners who bear the cost through more expensive insurance policies and the purchase of anti-theft devices.⁵³

V. SECURE YOUR BIKE, DETER THE THIEF: THE OWNER’S HOW-TO-GUIDE

Any sensible owner will attest that “[t]he biggest deterrent [to motorcycle theft] is a secure motorcycle. Reason being there are a lot of insecure ones out there and they will go for the low hanging fruit every time.”⁵⁴ A secure motorcycle is more difficult, and more time-consuming, to steal.⁵⁵ As one law

42. Ken German, *Opinion: The Theft Moral Conundrum*, BENNETTS (June 30, 2017), <https://www.bennetts.co.uk/bikesocial/news-and-views/features/bikes/opinion-the-theft-moral-conundrum—ken-german>.

43. Black, *supra* note 14, at 52.

44. *Id.*

45. Kenneth Hart, *Trial Begins in Motorcycle Theft Ring Case*, THE DAILY INDEPENDENT (Feb. 26, 2013), https://www.dailyindependent.com/news/local_news/trial-begins-in-motorcycle-theft-ring-case/article_c72eca5b-a60f-593b-a97f-8ba6ada48221.html.

46. *Id.*

47. *Id.*

48. *Id.*

49. *Id.*

50. Josh Kegley & Bill Estep, *2 Sentenced in Kentucky Theft Ring That Stole ‘Hundreds’ of Motorcycles*, LEXINGTON HERALD LEADER (Mar. 20, 2013), <https://www.kentucky.com/news/local/crime/article44412555.html>.

51. *Id.*

52. *Id.*

53. Robinson, *supra* note 36, at 367.

54. *Ask a Motorcycle Thief*, *supra* note 14.

55. *Id.*

enforcement officer plainly stated, “[S]ecurity costs money. It’s not a 100% guarantee but it gives your bike a fighting chance.”⁵⁶ But it is only a chance. Another detective related one instance where a motorcycle was stolen despite multiple locks and a car parked against it requiring a thief to lift the motorcycle over the car.⁵⁷ “If thieves want the motorcycle, they can get it.”⁵⁸ Thieves will take steps to scout particular bikes in vulnerable locations, looking particularly for ways to reduce how long the operation will take while still getting the bike they want.⁵⁹

One former thief has recommended that the owner park in a busy area and protect the motorcycle with a disc alarm as well as a disc lock.⁶⁰ Disc locks create an additional obstacle for thieves looking to drive the motorcycle away from the scene.⁶¹ Securing a motorcycle to the ground deters the thief who plans to drive the motorcycle away or load it in a van.⁶² A high quality lock and chain combined with a sturdy ground anchor will securely tether the bike where the owner left it.⁶³ More expensive and high quality chain lock sets or braided cable locks are particularly difficult and time-consuming to break.⁶⁴ A tight chain without slack on the ground will reduce vulnerability to sledgehammer attacks.⁶⁵ Avoid securing a motorcycle by running a cable or chain through the wheel.⁶⁶ Instead, go through the frame.⁶⁷ If threading the chain through a wheel, choose the rear wheel as it takes more time to remove than the front.⁶⁸

Covering a motorcycle can deter thieves because they are less likely to steal what they cannot easily see.⁶⁹ They want to know what they are getting, as well as how much time and what equipment they need to complete their task.⁷⁰ Using a cover bearing the motorcycle’s brand, or any brand, however, may undo the cover’s deterrent value.⁷¹ An experienced thief noted additional safety measures that are surprisingly overlooked: lock the steering and do not keep items like the motorcycle’s key and title in a storage compartment.⁷²

56. *Id.*

57. Black, *supra* note 14, at 50.

58. *Id.*

59. *Id.*

60. *Id.*

61. *Ask a Motorcycle Thief, supra* note 14.

62. *Id.*

63. *Id.* The former thief noted, “A good lock is one which is hard to pick and very hard wearing. We don’t see many picking attacks at all, in fact, I don’t think I ever have[.]” *Id.*

64. *Id.*

65. *Id.*

66. *Id.*

67. *Id.*

68. *Id.*

69. *How to Secure Your Motorcycle and Prevent Theft, supra* note 38.

70. *Id.*

71. *Id.*

72. *Ask a Motorcycle Thief, supra* note 14.

VI. HOW TO AVOID THE MARKETPLACE OF STOLEN MOTORCYCLES

If a bike is offered for sale by a private seller, try to arrange a meeting with the owner and the motorcycle at the address where the motorcycle is registered.⁷³ In addition to the registration and title, ask the owner for other corroborating documentation, such as the service history.⁷⁴ If additional documentation is not provided, ask “why?”⁷⁵ Check to see if the VIN appears tampered with or altered by running your finger over the VIN stamp, which is usually located on the headstock.⁷⁶ A close visual inspection of the VIN stamp can also indicate whether any numbers are filed off or misaligned.⁷⁷ Ask questions about the bike that would show the owner’s authentic familiarity with how it rides and operates.⁷⁸ Check to make sure the ignition barrel is intact, fits properly, and does not have any suspicious marks around it.⁷⁹ Further, check the steering lock and the fuel cap lock for signs of damage.⁸⁰ Damage or lack of owner familiarity can indicate an attempt to pass off a stolen motorcycle.⁸¹ Follow your instincts; if a deal seems too good to be true, proceed with caution.

VII. CONCLUSION

Whether it is the mechanical configuration, nostalgic quality, aesthetic character, monetary value, or just the feeling of the wind in your face, motorcycles have a certain aura that attracts riders, owners, collectors, and enthusiasts. Motorcycles’ value and mobility, though, make them constantly vulnerable to theft at the hands of seasoned criminals. Security is the best deterrent, even if only to make one’s motorcycle just a little less desirable than the one parked next to it. Motorcycle thieves are attracted to an easy target. With sensible precautions, motorcycle owners are in the driver’s seat when it comes to securing their ride.

73. Simon Greenacre, *Five Clues a Bike is Stolen*, VISORDOWN (Jan. 12, 2017), <https://www.visordown.com/motorcycle-top-10s/five-clues-bike-stolen>.

74. *Id.*

75. *Id.*

76. *Id.*

77. *Id.*

78. *Id.*

79. *Id.*

80. *Id.*

81. *Id.*