

CVEA Submission for SECU

Growing Problem of Car Thefts in Canada

Submitted: February 25th, 2024 Meeting Appearance: February 29th, 2024 Author: Damon Lyons (Executive Director for the CVEA)

Opening Verbal Statement - 5-Minute Hearing Introduction

Good Morning Mr. Chair, esteemed members of the committee, and my fellow invited guests.

The Canadian Vehicle Exporter's Association would like to thank you for the invitation to appear today on the critical topic of vehicle theft in Canada. I would like to start with a quote:

"Police have put the brakes on auto theft in the Greater Toronto Area and the effect is so dramatic that the Toronto Police chief and insurance investigators are taking notice."¹ This quote is one which every person in Canada hopes to see in the media in the very near future. However, this quote was in fact first given nearly 12 years ago in a 2012 article entitled 'How Auto Theft Became a Dying Criminal Art in Toronto'.

The implication from this article is of course that prior to 2012 Canada was dealing with a substantial auto theft problem. However, with certain efforts, we were seemingly able to turn that tide in the battle during that time period. This begs the question, what is Canada's history of vehicle theft, what policies and procedures led to such a dramatic reduction in the past, what has led to our recent surge in vehicle theft, and how can we apply our past successes to the problems of today.

Where are we today? Statistics Canada has stated that 2022 saw 105,673 motor vehicle thefts.² This equates to an approximate rate of 275 stolen vehicles per 100,000 of our total population. Where were

¹ ISB Global Services - How auto theft became a dying criminal art in Toronto, April 20, 2012: <u>https://www.isbglobalservices.com/trending/insurance-services-industry/how-auto-theft-became-a-dying-criminal-art-in-toronto/</u>

² Statistics Canada – Total Theft of Motor Vehicles 1998 – 2022:

https://www150.statcan.gc.ca/t1/tbl1/en/tv.action?pid=3510017701&pickMembers%5B0%5D=1.1&pickMembers



we in the past? If we go back 22 years, in 2001 there were 168,595 reported stolen vehicles, a rate of 544 per 100,000. Another more pertinent metric to gauge vehicle theft trends is to compare thefts against the actual number of vehicles registered on Canadian roads. When these values are calculated, 2001 saw a theft rate of 931 stolen vehicles per 100,000 registered vehicles. In 2022 this rate equated to approximately 404 thefts per 100,000. Using either metric, auto theft rates are over 50% lower today than they were 22 years ago.

Please don't get me wrong, this overview is in no way meant to discount the very real problem that exists today. On a daily basis we see media reports of auto theft recently transitioning from property crime to a crime of violence in the form of break-and-enters and armed car-jackings. Technology in the form of abundant residential cameras, allows us to instantly see with our own collective eyes, masked perpetrators standing on our doorsteps at 3:00 am or brandishing a firearm in the direction of an unsuspecting terrified victim. The monetary cost is of course staggeringly large with all estimates agreeing on a value well north of \$1 billion dollars of damage, which is ultimately borne by every driver in Canada.

This overview, rather, is to draw attention to our past successes in an attempt to understand the root causes of the issue so that we can develop well-thought-out solutions in today's current fight. In our longer submission to this Committee, the CVEA has compiled a number of historical landmark events as a reference on how success can be achieved. Chief among these is the recent surge in organized crime groups. A recent report by Criminal Intelligence Service Canada stated that in just one year, between 2022 and 2023, they assessed there was a 62% increase in the number of organized criminal groups operating in the stolen vehicle market.³ It cannot be a coincidence that this increase in organized crime coincides with the timing of the recent surge in vehicle theft.

This is leaving a stain on Canada's reputation as a trading partner. INTERPOL now describes Canada as a source nation for stolen vehicles. This should not sit well with any of us. Canada is a nation based on trade. Our reputation on the international stage is paramount to our collective success. In the automotive industry, for well over 40 years, Canada has been known around the world as the most trusted nation to do business with and source vehicles for the legitimate international market. When organized crime

<u>%5B1%5D=2.69&cubeTimeFrame.startYear=1998&cubeTimeFrame.endYear=2022&referencePeriods=19980101%2</u> <u>C20220101</u>

³ Appendix 1: Criminal Intelligence Service Canada – Strategic Intelligence Assessment: Vehicle Theft – 2023



threatens Canadian citizens and businesses, it is incumbent upon the government to root out organized crime so that Canada can regain its rightful place as a leader in trusted international trade.

Lastly, the CVEA would like to commend the government for committing \$28 million to the CBSA in their efforts to modernize their intelligence-gathering systems to root out illicit goods while ensuring that the flow of regular international trade is not unintentionally adversely affected.

Thank you for your time. The CVEA looks forward to today's discussions and the ongoing work that I'm sure we are all committed to.

END OPENING VERBAL STATEMENT



Abstract

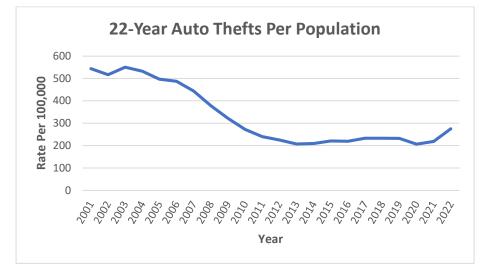
Canada's current auto theft problem is a complex multi-faceted issue. Vehicles are easy to steal. Low-level thieves stream through the revolving door that is the criminal justice system. Bad actors exploit federal regulations intended to allow for the regular flow of Canada's massive trade variety of goods. For decades, Canada has played the proverbial game of whack-a-mole with organized criminal groups who are ultimately responsible for the chaos felt by everyday Canadians. Their activity in the automotive theft realm has greatly increased in the past years, yet they continue to escape accountability for their illegal actions.

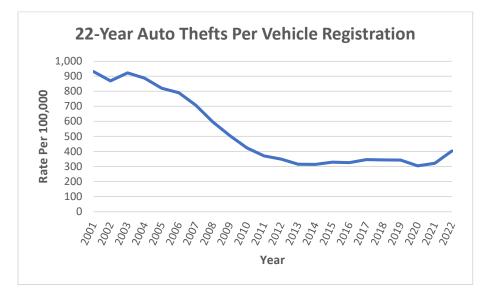
Though Canada is experiencing a recent increase in vehicle thefts, in historical terms these rates are still extremely low. In past decades, through a combination of targeted efforts, Canada was able to have a positive dramatic effect on auto thefts across the nation. With a combination of support for law enforcement, leveraging new technology, and updating exploited regulations, Canada is well poised to confront the issues facing us today and repeat our successes of the past in our efforts to reduce auto theft.

A 22-Year Overview of Auto-Theft in Canada

In the Canadian Vehicle Exporter's Association's (CVEA) Opening Verbal Statement, we described the current vehicle theft issue in relation to a broader continuum on a 22-year scale. The CVEA compiled the following charts using 22 years of raw data collected from various public sources. These charts are intended to provide context to the 2012 article previously mentioned referencing the massive decline in auto theft from the 2001 levels. In fact, when looking at the data, by 2013 efforts to tackle the issue were so successful that thefts had declined to 72,512 units, a per-vehicle registration rate of 315 per 100,000, an incredible 66% decline from 2001.







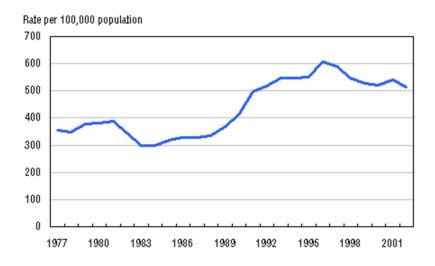
<u>Data Sources</u>

- Population Data: https://www.macrotrends.net/countries/CAN/canada/population
- Theft Data: <u>https://www.statista.com/statistics/524622/canada-number-of-motor-vehicle-thefts/</u> (original source adapted from Statistics Canada)
- Vehicle Registration Data <u>https://www150.statcan.gc.ca/t1/tbl1/en/tv.action?pid=2310006701&pickMembers%5B0%5D=1.1&cubeTimeFrame.s</u> <u>tartYear=2001&cubeTimeFrame.endYear=2019&referencePeriods=20010101%2C20190101</u> (using total road motor vehicle registrations, 2020 – 2022 registrations are estimated based on historical .99% increase per year over 20 years)



We can also look to longer historical records provided by a Statistics Canada report highlighting the 1977 to 2002 time period.⁴ From this, we can see auto thefts peaking in the mid-1990s at over 600 thefts per 100,000 population. We can also see the lows in the early 1980s coming in at 300 per 100,000 population. Comparatively, in 2022, the per-population rate stood at 275 per 100,000.

By any metric, auto theft rates today are still near historic lows even over a 46-year time frame. This does not mean that the current rising trend should be discounted. Rather, a more in-depth evaluation of historical events and policies implemented during those periods needs to be undertaken to understand how we can turn the auto theft trend line back down.



Recovery Rates

Theft rates alone do not paint the entire picture. Understanding historical recovery rates in conjunction with past policies allows us to gauge the effectiveness of any anti-auto theft strategies. Though CVEA has been unable to locate any long-term official recovery rate statistics, there are a variety of historical media pieces citing statistics that were available during select periods.

⁴ Statistics Canada - Exploring the involvement of organized crime in motor vehicle theft – 2004: <u>https://www150.statcan.gc.ca/n1/pub/85-563-x/85-563-x2004001-eng.htm</u>



According to a report by the Canadian Centre for Justice Statistics, in 2001 stolen vehicle recovery rates stood at 75%.⁵ By 2007, recovery rates had declined to 60%.⁶ In 2013, the Insurance Bureau of Canada stated "The bad news is that recovery rates continue to decline when compared to previous years."⁷ Fast forwarding to recent data, the Équité Association statistics from 2023 place national recovery levels at 57%.⁸ Though the current recovery rates are low, in a historical context the rates have seemingly been stable for at least 13 years. It should be noted that these stable recovery rates coincide with the historical record low-theft rates over the 2011 – 2020 time frame. From this, it must be concluded that other factors aside from recovery are contributing to the current surge of auto thefts.

Historical Events

In the early 2000's, when auto theft rates were more than double that of today, government and law enforcement were called to action to protect the interests of Canadians. A number of regulatory and law-enforcement initiatives enacted between 2001 and 2019 had the effect of reducing auto thefts by 66% over a 15-year period. Below is a brief overview of these events so they may be placed in the context of auto theft in 2024.

Law Enforcement Efforts

A number of dedicated collaborative Auto Theft Teams were established across various provincial and regional sectors. Among these would include the Ontario Provincial Police Provincial Auto Theft Team (OPP PATT) created in the early 2000s.⁹ This team integrated its efforts with a variety of regional police

⁵ Canadian Centre for Justice Statistics – Motor Vehicle Theft in Canada 2001 – 2023: https://www150.statcan.gc.ca/n1/pub/85-002-x/85-002-x2003001-eng.pdf

⁶ Statistics Canada Juristat Article – Motor Vehicle Theft in Canada 2007 – 2008:

https://www150.statcan.gc.ca/n1/en/pub/85-002-x/2008010/article/10744-eng.pdf?st=FE3RzDVz ⁷ Global News – A Look at Car Thefts in Canada – 2013: https://globalnews.ca/news/623000/a-look-at-car-thefts-in-

<u>canada/</u> ⁸ Équité Accessiption – Eirst Half of 2022 Auto Thaft Trand Papart – 2022; https://assate.wobsite

⁸ Équité Association – First Half of 2023 Auto Theft Trend Report – 2023: <u>https://assets.website-files.com/614f811f9a079b223c5d23ab/651bbce6b7a633cd6b7e6120_Equite%20Association%20-%20First%20Half%20of%202023%20Auto%20Theft%20Trend%20Report%20-%20EN.pdf</u>
⁹ https://globalnews.ca/news/9770709/auto-theft-canada-report/



forces as well as the insurance industry. By 2015 the OPP PATT had been disbanded. As referenced above, the disbandment of this team was due in large part to the successes achieved in combatting auto theft.¹⁰

In 2002, British Columbia created the Integrated Municipal Provincial Auto Crime Team (IMPACT).¹¹ This was a joint task force involving varying regional police forces working in coordination with the RCMP. The IMPACT team is still in operation today and continues to provide substantial disruptions in the auto theft market in British Columbia.

CMVSS 114 – Vehicle Theft Protection Standards

Though auto theft rates had been slowly declining since their mid-1990s peak, by 2003 the federal government had initiated consultations with various stakeholders on amending and updating the passenger motor vehicle theft standard known as CMVSS 114.¹² At that time, it was estimated that over 80% of vehicles were already being manufactured to the proposed standards. It would be another two years, when in 2005 the government passed legislation codifying the update of CMVSS 114 standard. The regulations allowed for a further 2-year time period for vehicle manufacturers to bring their vehicles into compliance. The effective date was September 1, 2007, thus the process of updating CMVSS took nearly 5 years to complete.

Reporting of Exported Goods Regulations 13

In 2005, under regulations related to the Customs Act, the 'Reporting of Exported Goods Regulations' were amended to require that the Vehicle Identification Number (VIN) of an exported vehicle was to be reported to the Canada Border Services Agency (CBSA). The purpose of this amendment was in part to allow the CBSA to identify stolen vehicles prior to their exportation.¹⁴

¹⁰ Ibid – ISB Global Services

¹¹ <u>https://bc-cb.rcmp-grc.gc.ca/ViewPage.action?siteNodeId=2087&languageId=1&contentId=76902</u>

¹² Canada Gazette Part II, Vol. 139, No. 5 – March 9, 2005: <u>https://gazette.gc.ca/rp-pr/p2/2005/2005-03-09/pdf/g2-13905.pdf</u>

¹³ Reporting of Exported Goods Regulations – 2005: <u>https://laws-lois.justice.gc.ca/eng/regulations/sor-2005-</u>23/FullText.html

¹⁴ Library of Parliament, 40th Parliament, 3rd Session – Legislative Summary of Bill S-9 – May 5, 2009: <u>https://lop.parl.ca/sites/PublicWebsite/default/en_CA/ResearchPublications/LegislativeSummaries/403S9E#a1</u>



Bill S-9 - Auto Theft and Trafficking in Property Obtained by Crime

Receiving Royal Assent in 2010, Bill S-9 was passed with the intention of creating harsh, auto theft-specific punishments for would-be vehicle thieves.¹⁵ Bill S-9 also conferred new powers upon the CBSA to prevent, by means of seizure, the exportation of stolen vehicles identified during the analysis of VINs reported under the 'Reporting of Exported Goods Regulations'.

CERS – Canadian Export Reporting System

In 2020, the CBSA launched the Canadian Export Reporting System Portal (CERS). The introduction of this online system ended the ability of exporters to report their exports with the prior B13A declaration form, a form that could still be completed with handwritten submissions. Handwritten information is of course inherently difficult to process or analyze in a timely and efficient manner. With the release of its 'Memorandum D20-1-1: Exporter Reporting', the CBSA further clarified the prescribed exporting procedure for all goods, including motorized conveyances.¹⁶

The Cullen Commission

A major effort to tackle organized crime and money laundering in British Columbia was undertaken from 2008 - 2021. In his dual seminal reports 'Dirty Money'¹⁷ and 'Dirty Money – Part 2'¹⁸, author Peter German pushed open the doors on the involvement of organized criminal groups using BC casinos, real estate, and luxury goods to launder massive amounts of illicit funds. These reports precipitated the immediate creation of a public commission of inquiry, colloquially known as the Cullen Commission.¹⁹ These combined efforts shone a harsh light and increased enforcement upon those involved in the British Columbia organized crime world.

¹⁵ Ibid – Library of Parliament

¹⁶ CBSA – Memorandum D20-1-1: Exporter Reporting – August 5, 2022: <u>https://www.cbsa-asfc.gc.ca/publications/dm-md/d20/d20-1-1-eng.html</u>

¹⁷ Dirty Money – 2018: <u>https://cullencommission.ca/files/Gaming_Final_Report.pdf</u>

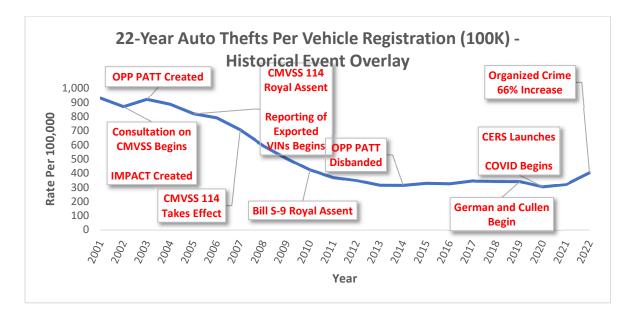
¹⁸ Dirty Money – Part 2 – 2019: <u>https://cullencommission.ca/files/Dirty_Money_Report_Part_2.pdf</u>

¹⁹ Commission of Inquiry into Money Laundering in British Colombia – 2019: <u>https://www.cullencommission.ca/</u>



SARS-CoV-2

2020 through 2021 saw the emergence of the COVID pandemic. The absolutely dire impacts upon all Canadians, both physically and financially, are well-documented. The financial fallout and negative economic realities and opportunities were, and continue to this day, to affect large swaths of the population.



The 22-Year Overview of Auto Theft Combined with Historical Events

The preceding graph overlays the previously discussed historical events important to auto theft in Canada over the actual values of stolen vehicles since 2001. A number of key details can be gleaned from this information.

- 1. The exportation process of vehicles from Canada has remained the same for nearly 14 years.
- 2. CMVSS 114 standards have remained the same for nearly 16 years.
- 3. Punishment for offenders who steal vehicles has remained the same for nearly 13 years.
- 4. Auto theft was declined, remaining low, and virtually unchanged for nearly 20 years.

What precipitated the upswing in stolen vehicles?

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Canada is a Safe Haven for Organized Crime

A recent report by Criminal Intelligence Service Canada stated that in just one year, between 2022 and 2023, they assessed there was a 62% increase in the number of organized criminal groups operating in the stolen vehicle market.²⁰ Given that the exportation process, vehicle manufacturer standards, vehicle recovery rates, and offender punishments have remained stable for well over a decade, the only new factor that can be added to the calculation is the involvement of organized crime at the exact moment of the recent vehicle theft surge; this is not mere coincidence. A majority of the articles cited for this piece emphasize this overarching theme. A highlight can be seen in a 2008 Statistics Canada report where "the Criminal Intelligence Service Canada (CISC) as well as Public Safety Canada suggest that the proportion of non-recovered vehicles can be used as an indication of the degree of organized crime involvement" and "in 2007, about 4 in 10 stolen vehicles were not recovered by police, suggesting that a substantial proportion of motor vehicle thefts are related to organized crime"²¹

The Vehicle Exportation Process

As previously stated, vehicle exports are governed by the Customs Act and related regulations. Since 2020, export declarations have been submitted via the online portal, CERS, which is administered by the CBSA. Under the 'Reporting of Exported Goods Regulations', exports, including vehicles, that leave the country by marine vessel must be reported to the CBSA not less than 48 hours before the goods are loaded on the vessel. Since 2005, the VIN must be included in the export declaration for all motor vehicles. Under the Act, the Exporter is ultimately responsible for data provided to CBSA.

Regardless of the type of good, all exporters complete their CERS declaration by entering a prescribed set of required data.²² Once this data set is entered, the CBSA provides a unique CERS Number to the exporter. This number must be provided to the shipping line before a container may be loaded onto a vessel

 ²⁰ Appendix 1: Criminal Intelligence Service Canada – Strategic Intelligence Assessment: Vehicle Theft – 2023
 ²¹ Statistics Canada – Motor Vehicle Theft in Canada, 2007 – 2008: <u>https://www150.statcan.gc.ca/n1/pub/85-002-x/2008010/article/10744-eng.htm#a5</u>

²² CBSA - Technical Guide for the Canadian Export Reporting System (CERS) Portal – Appendix A: Export Declaration Data Elements – 2022: <u>https://www.cbsa-asfc.gc.ca/prog/cers-scde/ch25/eccrdcers-deccescde-11-eng.html#appa</u>



departing from a Canadian port. The Act and regulations further require that if any of the data elements entered in an original submission change, an amendment must be filed in the CERS Portal.²³

The Ports

The Port of Montreal handles upwards of 1.7 million TEU (Twenty-Foot Equivalent Unit) containers per year.²⁴ This would be roughly equivalent to 4.5 TEU's for every minute of Port operation times.

Given these numbers, there is no technological or logistical method to open or scan every container. Attempting to do so would result in the complete shutdown of all inbound and outbound cargo; the adverse effects on the economy would be incalculable.

Recommendations

Actions to be taken should make the risk-reward calculation so steep as to dissuade organized criminal groups from stealing vehicles in the first place. If they are denied easy mechanisms to unload their illicit goods, they will be forced to find other activities to engage in. Certainly, some inference could be taken that the BC efforts to combat organized crime during 2019 and 2020, pushed these same groups into increasing their automotive theft activity.

Furthermore, it is critical to avoid the inherent pitfalls of taking action for the sake of taking action. The cascading effect of taking ineffective action would be counter-productive to both law enforcement whose resources are already strained, and the broader global trading community as a whole.

To that end, the CVEA would make the following recommendations to the Federal Government of Canada:

1. Creation of a National Task Force to Combat Organized / Transnational Organized Crime

Investigations into organized crime are complex, specialized, time-consuming, and expensive endeavors for law enforcement to undertake. In a recent press conference announcing a major auto theft bust,

 ²³ Technical guide for the Canadian Export Reporting System (CERS) portal — Create, amend and void rules for export documents – 2022: <u>https://www.cbsa-asfc.gc.ca/prog/cers-scde/ch25/eccrdcers-deccescde-05-eng.html</u>
 ²⁴ Port of Montreal – 2022 Annual Report: <u>https://www.port-montreal.com/en/annual-report-2022</u>



Toronto Police said of the hundreds arrested and charged most were low-level criminals. "It's very difficult to get to the head of the snake."²⁵

The arrest and incarceration of low-level actors in the broader organized crime networks will not be sufficient to reduce auto theft. The office of the Attorney General of Canada should make every effort to deploy its full resources to prosecute high-level members of organized crime using statutes already under the law, including the 'Criminal Code' and the 'Proceeds of Crime Money Laundering Terrorist Financing Act' (PCMLTFA). Until the incapacitation of the higher echelon of the organized crime groups is achieved, there will continue to be a revolving door in the availability of recruits into the lower street levels of these groups.

2. Incorporation of Technology to Assist CBSA Intelligence Targeting

The CERS export declaration is the mechanism used by CBSA agents in their intelligence-targeting efforts to determine those shipments deemed to be suspicious and warranting further inspection. The amount of data collected daily by the CERS portal is vast. It is understood that organized crime often misrepresents data on its CERS declarations. A concerted effort to incorporate and leverage recent advancements in artificial intelligence should be incorporated to fulfill automated checks of CERS submissions to enhance the detection process of these false declarations. This should include, but not be limited to:

- VIN verification via decoding
- Automated VIN duplication checks
- Automated checks of the national stolen vehicle database (CPIC)²⁶
- The creation and automated checks of a true national vehicle lien database
- Automated comparisons of integrated data sets deemed most relevant to targeting suspicious activity.

It is recommended that a large share of the recently announced \$28 million for CBSA be dedicated to adopting AI Technology to further assist the CBSA officials on the ground. Guidance can be found by following similar recent government investments in AI as a means of intelligence targeting. Specifically,

²⁵ Toronto Police 'Project Stallion' News Conference, Oct 25, 2023: <u>https://www.youtube.com/watch?v=czNBjXNpX6Q</u>

²⁶ Government of Canada – CPIC Vehicle Search - <u>https://www.cpic-cipc.ca/sve-rve-eng.htm</u>



the Financial Transactions and Reports Analysis Centre (FINTRAC), which also collects vast sums of raw data, has announced expenditures to leverage AI in its targeting efforts.²⁷

3. Enforce CERS Amendment Rules

It is understood that organized crime may be exploiting a loophole in the CERS declaration-amendment process. When exporting a stolen vehicle, organized crime will enter a legitimate VIN when completing their declaration to avoid detection by CBSA. They will then provide the VIN and generated CERS confirmation number to the shipping line in order to create the official shipping documents, known as the Bill of Lading. To avoid detection at the port of destination, the organized crime exporter will request the shipping line to change the VIN on the Bill of Lading to match the stolen vehicle physically located in the container. An exporter is not required by regulation to provide the shipping line with proof of a CERS amendment to reflect the requested change.

Canada already mandates that shipping lines may not ship goods unless the CERS number is provided by the exporter 48 hours prior to sailing. In consultation with industry, Canada should explore the feasibility of requiring shipping lines to only amend prescribed Bill of Lading data when the CERS declaration has been properly amended with CBSA. This will provide greater data to CBSA for its targeting intelligence, as well as create a greater risk to organized crime in the falsification of their data and documents.

Conclusion

Organized crime does not recognize municipal, provincial, nor international boundaries; as such, creating change is going to require solidarity in an all-of-government and all-of-industry approach.

Although Canada is currently in a disturbing uptick in rates of automotive theft across the country, in historic terms, these rates are still relatively low. Canada has previously experienced exceptional success in combatting past auto theft epidemics. It is of critical importance to understand these past successes in our efforts to create tailored and useful solutions in 2024 and beyond.

²⁷ CTV News - Canada's anti-money laundering body to leverage AI bets to crack down on bad actors- 2024: <u>https://www.ctvnews.ca/business/canada-s-anti-money-laundering-body-to-leverage-ai-bets-to-crack-down-on-bad-actors-1.6716632</u>



Organized crime has become adept at using technology to steal vehicles with ease. Canada must engage in this battle with the same force, by leveraging every technological means possible to disrupt organized crime's abuse of the legitimate trading systems that are in place to ensure the regular flow of goods into and out of our country.

We have tremendous individuals across every level of law enforcement in our country. History indicates that in past decades when we provided them with the required resources, they were able to successfully combat the efforts of organized crime with great success in reducing auto thefts. It is equally important to support all current efforts to not only apprehend the street-level criminals, but rather Canada must also make a concerted Federal effort to eliminate the 'heads of the snakes' so that the revolving door of vehicle thieves may finally be locked down.

About the Canadian Vehicle Exporter's Association

The CVEA is an Ontario based Not-for-Profit whose Mission Statement declares:

"CVEA promotes the open and fair trade of motor vehicles for export from Canada while advocating and collaborating with industry partners and government agencies for proper market controls to protect the interests of all Canadians."

Founded in 2019, the Canadian Vehicle Exporter's Association is comprised of individual Canadian companies involved in the export of passenger motor vehicles from Canada to various destinations around the world. The members of the CVEA are longstanding Canadian companies who maintain positive working relationships with various officials from the banking, government, and law enforcement sectors.