



## *INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE*

# RESOLUTION

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Adopted at the 114<sup>th</sup> Annual Conference  
New Orleans, Louisiana  
October 16, 2007

### **SUPPORT OF “THE ORGANIZED RETAIL CRIME ACT OF 2007” TO COMBAT ORGANIZED PROPERTY CRIME INVOLVING THEFT AND INTERSTATE FENCING OF STOLEN PROPERTY**

**WHEREAS**, organized crime involving the obtaining by fraud and theft of retail merchandise is a nationwide problem of an increasing scale and is expected to cost American companies and consumers at least \$30 billion in calendar year 2006; and

**WHEREAS**, the black market redistribution and storage of stolen and fraudulently obtained consumer products such as baby formula, over-the-counter drugs, and other products by persons engaged in such organized crime is a health and safety hazard to American consumers; and

**WHEREAS**, the unregulated black market sales of such fraudulently obtained and stolen merchandise results in an estimated \$1.6 billion loss in tax revenues to State and local governments; and

**WHEREAS**, the illegal proceeds from the expanding theft and resale of stolen retail goods is reasonably believed to benefit persons and organizations engaged in other forms of organized crime such as drug trafficking, gang activity, and terrorism; and

**WHEREAS**, State and local law enforcement has historically regulated the trafficking in stolen property through regulations that required pawnshops and other second-hand good resellers to identify the sellers of such goods and to provide specific information concerning the goods to permit the tracing of stolen goods, and

**WHEREAS**, the exponential growth in sales volume for on-line marketplaces has resulted in the widespread and increasing use by organized retail crime rings of the internet to conduct anonymous sales of stolen and fraudulently obtained goods; and

**WHEREAS**, resellers of stolen property are increasingly able to escape the reach of property tracing and seller identification requirements imposed by State and local governments by moving their operations on to the internet and thereby conduct their operations in an increasingly interstate and international stolen goods market; and

**WHEREAS**, the dramatic growth in organized retail and other forms of property crime can not be reasonably curtailed without the federal government restricting the growing and unfettered internet market for stolen property by removing the cloak of anonymity for such sales and permitting victims of property crime to more readily identify their stolen property on internet auction sites;

**WHEREAS**, “the Organized Retail Crime Act of 2007” encourages internet auction site operators to assist in curbing the growth of stolen property fencing on their internet sites by adopting and implementing common sense due diligence procedures used by state and local governments to control such property fencing through pawnshops such as removing the anonymity of high volume sellers of property and posting serial numbers and other means to trace the disposition of stolen property;

**WHEREAS**, “the Organized Retail Crime Act of 2007” makes it easier for law enforcement to identify stolen property and to prosecute interstate and international fencing operations and internet auction sites that profit from the sale of stolen property while offering reasonable protection from prosecution to responsible internet auction sites that may unknowingly permit such sales but have taken good faith efforts to prevent such conduct by implementing the specified reasonable precautions to reduce stolen property sales;

**BE IT RESOLVED THAT** the International Association of Chiefs of Police urges the Congress to enact “The Organized Retail Crime Act of 2007” to combat organized property crime involving theft and interstate fencing of stolen property.