

53753
Crime Problems



Art Theft Investigations

By DONALD L. MASON

In Europe, art thefts have become so common that sick jokes about the problem have come into vogue. More than 44,000 art thefts have been reported in Italy alone since World War II, and half of these were committed during the last 6 or 7 years. "If you want to see Italy's art—hurry!" is a typical one-liner currently in circulation. This problem has induced not only Italy but also

Sweden, and Switzerland to train and assign specialists exclusively for the purpose of conducting art crime investigations.

The United States is burdened with a significant art theft problem, too. Exact figures are evasive because police agencies in America are not required to break down thefts by

Stolen and still missing is "Concord Coach", an 1898 oil painting by Enoch Wood Perry.

category, but the problem was significant enough to cause the Federal Bureau of Investigation to establish the Nation's first art theft specialists some 15 years ago. The New York City Police Department followed suit when it developed its own art squad about 7 years ago, and the Philadelphia, Pa., Police Department likewise has be-

January / 15



Donald L. Mason
*Fine Arts Consultant and Consultant to
 The International Guide to Missing
 Treasure*
 New York, N.Y.
 Former Special Agent, Federal Bureau
 of Investigation

come interested in this investigative specialty. But unfortunately, few other major city police departments are training personnel specifically to fight this unique type of property crime.

The apparent lack of foresight is especially disturbing when considering the fact that the sum of \$1 billion is often mentioned as the value of all stolen art. An entirely accurate accounting of this billion-dollar figure would be impossible, but surely the art theft problem deserves closer scrutiny by the law enforcement community.

One recurring and particularly frustrating problem confronting the investigator today is not recovering stolen art objects at the time of an arrest, but being unable to determine the identity of the victim of the theft. For example, the New York City Police Department recently held an exhibition of recovered jewelry in the hope of identifying the owners of the stolen jewels. In spite of the fact that the press gave the exhibition excellent coverage, only a few people were able to recover any of their stolen possessions. The identical problem characteristically arises with regards to recovered art, and it has been further compounded by the fact that until recently there has been no central index to which the investigator could refer either for leads or to enter his art theft reports. To help fill this void, a new publication and service, the International Guide to Missing Treasures (IGMT), has been developed in New York City.

The IGMT is a compilation of descriptive data and photographs of stolen art gathered from all over the world. All information is alphabetized and categorized to include paintings, drawings, prints, sculpture, antiques, antiquities, ethnological art, tapestries, rare books, and manuscripts.

The IGMT publishes three supplements, issued quarterly, which are followed by an annual volume in the fourth quarter. When a subscriber experiences a loss by theft, a special news bulletin will be issued promptly to subscribers, law enforcement agencies, and members of the art community. Although anyone can report stolen

works of art to the IGMT, only those objects that have been reported missing to a police agency will be published. (LEAA funds are available for those police agencies wishing to subscribe to the IGMT.)

Very little has been written about the unusual circumstances generally associated with art theft recoveries. Yet the investigator, upon recovering stolen art, often is faced with unique and multiple responsibilities. And how should the investigator treat recovered art? To be a bit facetious, he treats it carefully; he may very well be protecting a national treasure.

In the event a painting is recovered, the investigator should initial it for evidentiary purposes. A small gum label affixed to the reverse side of the canvas or stretcher usually will suffice. A felt-tip pen may also be used to initial the stretcher or the small wood frame beneath the main frame to which the canvas is attached.

Photographs should be taken of the recovered art immediately. Black and white film is adequate for identifi-

cation purposes, but colored film may also be used. The photographs should be made a part of the investigative report, with copies being forwarded to the prosecuting attorney. The importance of the photograph is that it will later serve as an indication of the exact condition of the work at the time of recovery and will counter any subsequent claims to the contrary. Paintings should be photographed on both the front and reverse side of the canvas, and sculptures should be photographed from several angles, including the bottom of the base.

Law enforcement agencies rarely plan their facilities to accommodate recovered art works, which require carefully controlled temperature and humidity for optimum preservation. For this reason, it is recommended that the prosecutor immediately be advised of the unusual and fragile nature of the recovered property. Prosecutors generally welcome this type of information and will often agree to storing the art in a bonded warehouse. It is recommended that a professional packer be re-

tained if the art is to be stored or shipped. Some prosecutors may prefer to release the art work to the institution or person from whom it was stolen on the condition that it will not be shown or sold before the case has been resolved in court.

Careless handling of an object of art can result in the loss of that creation to mankind forever. The author recalls one case in which a painting was in such horrendous condition at the time of recovery that most of the paint crumbled and fell from the canvas. Thieves had secreted the painting, covered with burlap and leaves, in a forest for several weeks and foul weather had destroyed it. Upon examination, a museum conservator sadly related that the canvas could not be restored.

Since the required chemicals could damage the canvas and depreciate the painting, fingerprint examinations of a painting should not be attempted. The frame, however, can

be removed and examined for fingerprints. Though an ornately carved frame seldom lends itself to a meaningful fingerprint examination, the reverse side of the frame is flat and may be considered a logical site for dusting.

There is another examination the investigator should not overlook. When a thief steals a painting, he often will use a sharp instrument, such as a razor, to cut the canvas away from the frame. The investigator should retain and preserve as evidence the strips of canvas left in the frame. The author recalls once recovering a stolen painting and noting that a bottom strip of the canvas was missing. Further investigation disclosed that the police department who had originally investigated the theft had kept the empty frame in which remained a strip of canvas from the bottom of the painting. An examination of the recovered painting and the strip of canvas determined they fit like two pieces of a jigsaw puzzle, thus providing concrete evidence that the recovered painting was identical indeed to the one reported stolen.



The four paintings shown here and on page 18 were previously stolen and have since been recovered:

Peter Paul Rubens, "Judgment of Cambyses"

Rembrandt Van Rijn, "Un Rabbin"

Gerard ter Borch, portrait of Johanna Quadacher Bannier

Serra Brothers, altar painting entitled "Gozos de la Virgen"



The investigator, in preparing his report, should consider including the following information relevant to recovered art works: Name of artist; medium, such as oil on canvas, oil on wood panel, etc.; size (give the vertical measurement first); and any date or signature and its location on the art object. Also note the presence and location of any museum or exhibit tabs, stock numbers, or any other written information appearing on the reverse side of the canvas.

The investigator may find the following suggestions helpful in answering inquiries from the citizen who would like to know what to do in the event of an art theft:

1. Report the theft to the local police.

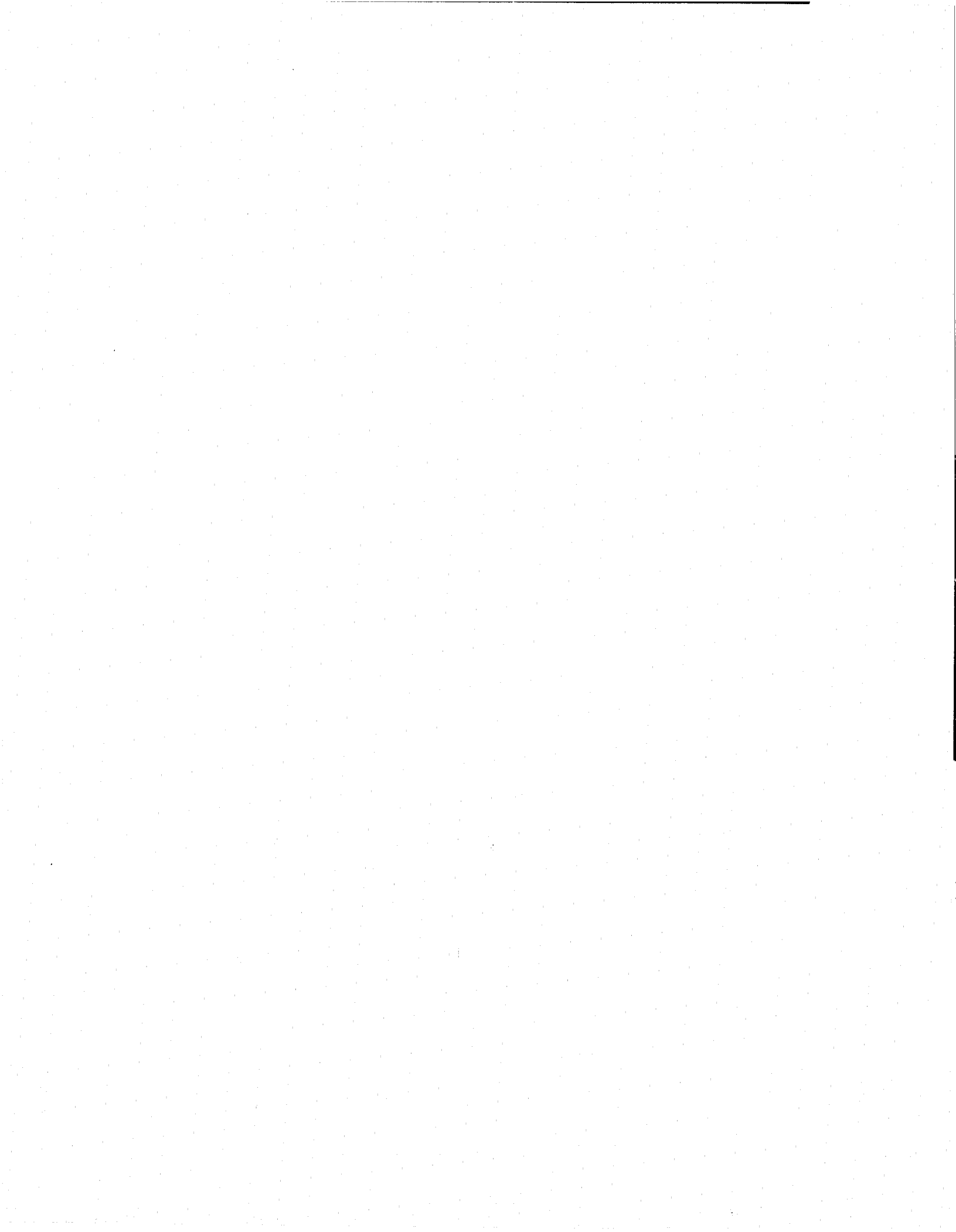
2. Do not disturb the scene of the crime. Try to keep it as you found it until the police arrive.
3. Consider publicizing the theft through local news media, and
4. Report the theft to your insurance company and insist that photographs and a description of the missing treasures be forwarded to pertinent dealers, museums, and auction houses.

Also consider forwarding the same material to the following organizations, who have experienced personnel working in the art recovery field: Federal Bureau of Investigation, Art Squad, 201 E. 69th Street, New York, N.Y. 10021, 212-535-7700, extension 249; Federal Bureau of Investigation Headquarters, Supervisor, Interstate Transportation

of Stolen Property Desk, J. Edgar Hoover Building, Washington, D.C. 20535, 202-324-3000; Interpol, Department of Justice, Washington, D.C. 20530, 202-739-2867 (upon request from a law enforcement agency, will forward art theft circulars abroad); Commanding Officer, Property Recovery Squad, New York City Police Department, No. 1 Police Plaza, New York, N.Y. 10038, 212-374-3823; Art Dealers Association of America, 573 Madison Avenue, New York, N.Y. 10022, 212-644-7150 (will periodically mail art theft circulars on certain types of art); and The International Guide to Missing Treasures, 219 E. 69th Street, New York, N.Y. 10021, 212-753-2048 (now accepting photographs and descriptions of stolen art to be published in book form).

FBI





END