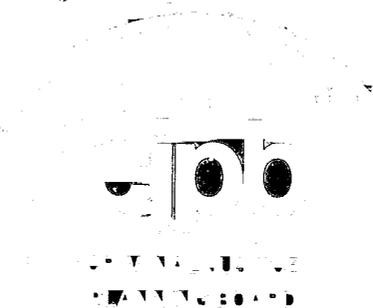
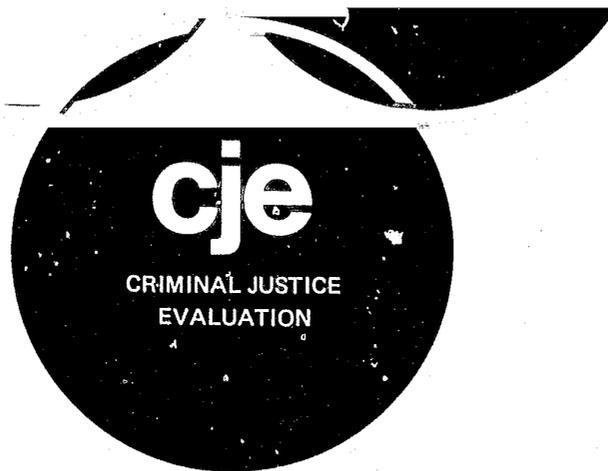


San Diego Region



589/3



**SHERIFF'S
DEPARTMENT
CRIMES AGAINST
PROPERTY CONTROL
(ANTI-FENCING)**

FINAL EVALUATION

LEAA AWARD NUMBER
A2650-1-W-76

March, 1979

By

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NCJRS

MAY 29 1979

ACQUISITIONS

Preface

The Evaluation Unit of the Comprehensive Planning Organization was authorized by the Regional Criminal Justice Planning Board to evaluate the Crimes Against Property Control (anti-fencing) Project of the San Diego Sheriff's Office. This project was funded by the Law Enforcement Assistance Administration (LEAA) for two years with \$ 277,778 allocated.

The primary goal of the project was to identify, arrest, and prosecute persons dealing in stolen property (fences). The purpose of this report is to assess the project effectiveness and impact on the stated objectives.

The content of this report is comprised of an executive summary focusing on the evaluation issues raised by the Criminal Justice Planning Board. Issues are presented along with conclusions and recommendations subsequent to the termination of federal funds. Included in the summary are reciprocal remarks by the Sheriff's Office in response to the evaluation. Following the summary is an analysis of each issue.

Methodological techniques entailed interviews and content analysis of criminal statistics. Data was gathered from the records division of the San Diego Sheriff's Office, other law enforcement agencies, and the County District Attorney's Office. The assistance and cooperation of the staff in these agencies is greatly appreciated.

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EXECUTIVE SUMMARY

Executive Summary

PROJECT GOAL: The project expected to increase the number of individuals arrested for dealing in stolen property and increase the amount of stolen property recovered (within the Sheriff's Department jurisdiction) with the result being identification of suspected fences.

GENERAL CONCLUSIONS:

The fencing unit helped to increase the number of Sheriff's Department arrests for receiving stolen property (496.1 P.C.) by 9% during a 2 year period, but had no impact on improving the rate of property recovered in the Sheriff's jurisdiction.¹

The project contributed to arrests and property recovery throughout the county which was recorded by other law enforcement agencies. Law enforcement personnel in the County indicated that the undercover techniques used by the fencing unit contributed to successful investigations in their areas.

In particular, the unit participated in two storefront operations which resulted in 46 arrests and the recovery of \$220,000 worth of stolen property.

The fencing unit was not successful in identifying a large number of major receivers (fences). The experience of the project as well as additional research by the evaluation unit indicates that there are many other people involved in illicit receiving of stolen property besides the major receiver. These persons include occasional receivers and/or the "man on the street" who is willing to purchase a stolen item for a reduced price. This finding suggests that the continued expenditure of funds and manpower to focus on the major receiver is inappropriate and unproductive.

1. Technically the Sheriff's jurisdiction is inclusive of the entire county. However, municipalities which finance their own police agency are responsible for recording their own crime statistics resulting from criminal activity occurring in their incorporated jurisdiction.

Recommendations

1. BASED ON ANALYSIS OF PROJECT RESULTS AND OBJECTIVE ACHIEVEMENT DURING ITS TWO YEAR OPERATIONAL PERIOD, CONTINUATION OF THE PROJECT IN ITS PRESENT ORGANIZATIONAL STRUCTURE IS NOT RECOMMENDED.
2. THE KNOWLEDGE AND EXPERTISE GAINED BY PROJECT STAFF CAN BE DEPLOYED THROUGHOUT THE SHERIFF'S DEPARTMENT BY ASSIGNING PROJECT STAFF TO WORK UNDER THE DIRECTION OF AREA DETECTIVE SERGEANTS. BY USING THE PROACTIVE UNDERCOVER TECHNIQUES USED BY FORMER PROJECT STAFF, THE DEPARTMENT'S INVESTIGATIVE CAPABILITIES WILL BE AUGMENTED. THE USE OF THIS STRATEGY SHOULD HELP FILL THE EXISTING GAP BETWEEN ROUTINE, VISIBLE PATROL AND TRADITIONAL REACTIVE CRIMINAL INVESTIGATIONS.
3. IF THE SHERIFF'S DEPARTMENT STAFF OR OTHER POLICE AGENCY PERSONNEL IN SAN DIEGO COUNTY CONDUCT AN UNDERCOVER STOREFRONT OPERATION, THE FORMER MEMBERS OF THE SHERIFF'S FENCING STAFF SHOULD PROVIDE ASSISTANCE IN THE INITIAL PLANNING AND IN THE ACTUAL IMPLEMENTATION, IF FEASIBLE.

ISSUE I: HOW EFFECTIVE WAS PROJECT STAFF IN ACHIEVING THEIR OBJECTIVES? (Chapter 2, page 15)

PROJECT OBJECTIVES: To increase department wide:

1. The number of adult arrests for receiving stolen property (over baseline period) with the fencing unit responsible for over 50% of the increase.
2. The number of adult arrests for burglary (over baseline period) with the fencing unit responsible for over 50% of the increase.
3. The percentage of 496.1 P. C. (receiving) complaints filed over arrest/complaint ratio of base period.
4. The dollar recovery percentage of stolen property from 12% to 14%.

CONCLUSION

The only objective achieved was an increase in the number of arrests for receiving stolen property. Expected effort toward objective achievement did not account for project activity that took place in other agency jurisdictions within the County.

GENERAL FINDINGS

1. The number of receiving arrests increased by 9% (over baseline period) in the Sheriff's Department. The fence unit was responsible for over one-half of this increase.

2. Departmentwide burglary arrests increased by .8% in 1978 over the baseline period in 1976. However, in 1978, the Fence Unit made no arrests for burglary.

3. The arrest to complaint ratio declined during the time period reviewed. Prior to the fencing unit, 67 out of every 100 receiving arrests by Sheriff's deputies resulted in complaints being filed. During the time period the fencing unit has been operational the department wide figures actually decreased. Sixty-one (61) complaints were filed for every 100 persons arrested.

4. The percentage of recovered stolen property declined from 12.5% to 9.9% in the Sheriff's Dept. from 1976 to 1978. In those 2 years, the fencing unit recovered 15% of the total amount recovered. In addition, the unit recovered \$464,224 worth of property through storefront programs as well as property reported stolen in other jurisdictions that is not recorded in the Sheriff's Office statistics.

ISSUE II. HOW EFFECTIVE WERE THE DIFFERENT INVESTIGATIVE TECHNIQUES EMPLOYED BY THE FENCING PROJECT?
(Chapter 2, page 22)

CONCLUSION

The undercover storefront operation is the most cost effective technique for apprehending thieves.

This effort also results in substantial recovery of stolen property which can be identified and returned to owners/victims.

GENERAL FINDINGS

1. The fencing unit participated in two storefront operations in which 46 persons were arrested with 46 complaints being issued for receiving stolen property. (Final conviction rates were not available at the time of this report as 70% of the cases were still pending final court action.)

2. The storefront operations yielded \$220,000 worth of stolen property recovered. Eighty-six percent (86%) of the property was identified and returned to the owners. An analysis of the storefront conducted by the fence unit indicated a benefit/cost ratio of 1.4; (for every dollar expended, there was a return of \$1.40).

3. Other undercover techniques such as surveillance, the buying of stolen property from a thief, and the selling of alleged stolen property to a suspect do not result in dispositions that are different from arrests made by traditional procedures.

ISSUE III. WHAT ARE THE RESULTS OF A COMPARISON OF DISPOSITIONS OF RECEIVING ARRESTS AMONG THE SHERIFF'S FENCING UNIT, OTHER SHERIFF'S OFFICE DEPUTIES, AND THE SAN DIEGO POLICE DEPARTMENT'S FENCING UNIT? (Chapter 2, page 29)

CONCLUSION

Based on available data,² the Sheriff's Fence Unit had fewer total complaints result in guilty dispositions and less severe sentences (defendants who were sentenced to state prison or jail) when compared to complaints issued for arrests made by other Sheriff's deputies or the Police Department's Fencing Unit.

GENERAL FINDINGS

1. Seventy-two percent (72%) of the Sheriff's Fence Unit receiving stolen property complaints resulted in guilty dispositions compared to 78% of complaints issued by other deputies and 81% of the police department's fence unit.
2. Sentences resulting from the Sheriff's Fence Unit cases indicated that 58% of the defendants received probation and 4% received prison terms. Other Sheriff's deputies' cases showed 52% of the defendants received probation and 18% had sentences to prison. Review of the police department fence unit cases indicated 26% of the defendants received probation and 25% were sentenced to prison.

² The data reviewed do not include dispositions of storefront offenders for either the Sheriff's Department or the police department. Additional Sheriff's Fence Unit cases pending final court action could not be included.

SUMMARY

From 1974 to 1976, property crimes within the Sheriff's jurisdiction increased by 58%. During the same period, the dollar amount of stolen property increased by 173%. Property recovery rates averaged 13% (excluding auto theft) in those years. (Project Proposal, 1977)

In an attempt to curb the rising rates, the Sheriff's Office applied for \$277,778 in federal funds from the Law Enforcement Assistance Administration (LEAA) for a two-year period from March 1977 to March of 1979. The grant award was approved by the Regional Criminal Justice Planning Board and included personnel salaries for four deputies and one sergeant, informant/'buy' money, four detective sedans fully equipped, photographic and tape recording equipment, clerical support, and office supplies.

Project objectives focused on increasing arrests for burglary and receiving stolen property as well as increasing the dollar value of stolen property recovered. The project also expected a significant change in the percentage of complaints issued for receiving (496.1 P.C.). It was anticipated that these arrest activities would identify major receivers (fences) and thus reduce outlets for stolen property.

The approach of this special unit differs from the traditional strategy employed toward property crime investigation. The conventional manner involves a reactive stance after the theft is committed. By the time the suspects are apprehended, most or all of the property has been disposed of through an outlet or receiver of stolen property. The purpose of the fencing unit is to identify the receiver (fence) of the stolen property as a means of recovering the property before it is exchanged for profit.

To carry out their objectives, the fencing unit staff maintained an undercover stance, relied on informants for investigative leads, and used specific anti-fencing strategies to apprehend receivers. Initially, the staffing pattern involved two, two-man teams responsible for the North and East County areas.

During the first year of operation, the project experienced difficulties relating to manpower which limited their activity. One deputy was wounded, one resigned from the Sheriff's Department, and another deputy was transferred to the Narcotics Task Force. In addition, the overtime policies of the County required deputies to take off compensatory hours accrued while working overtime. These combined circumstances reduced the operating strength of the unit and had a negative influence on the continuity of investigations.

In the second year, project staff recognized that the dispersal of four men throughout the county reduced their capacity to impact their objectives. This recognition, as well as knowledge of increased burglary activity in the South Bay area, provided the rationale for establishing an undercover storefront operation in this area. The buy program or storefront is not considered an anti-fencing strategy, nevertheless it is an effective way to arrest burglars and return substantial amounts of stolen property to owners/victims. The storefront organized by the Fencing Unit resulted in the arrest of 37 persons and the recovery of \$170,000 worth of property. The total costs of the storefront were offset by the property recovery and the opportunity benefits, i. e., complaints issued for all of the offenders and victim satisfaction with the return of their property.

The storefront experience gained by the project staff would be valuable to other local law enforcement personnel who may conduct storefront programs in the future. A successful storefront requires extensive preparation in terms of site location and methods developed to encourage thieves to bring property to the site. Assistance in these decisions could result in additional successful operations in other parts of the County.

The fencing project did not achieve its objectives with the exception of increasing the number of arrests (by 9%) for receiving stolen property. The expectation that the complaint/arrest ratio would increase did not occur (except for the storefront arrests) and those arrests made by the unit did not result in a higher rate of guilty convictions or different sentencing outcomes from those arrests made by other deputies. The unit did not increase the property recovery rate in the Sheriff's Department. Thirty-nine percent (39%) of the property recovered by the unit was reported stolen in other agency jurisdictions and therefore not accounted for in the project objectives which related to Sheriff's Department statistics.

Project efforts resulted in relatively few arrests of major receivers. Review of the unit's total arrests, discussions with county-wide law enforcement personnel and interviews with persons with a history of burglary activity indicate that there are many other people involved in illicit receiving of stolen property besides the major receiver.

Indications are that stolen property can be exchanged for cash or drugs with relative ease. The receiver need not be a major fence but simply an individual with ties to persons willing to purchase a stolen item at a reduced price. The potential for impacting the property crime rate by concentrating on the receiver is remote based on these considerations. This finding suggests a shift from the receiver to the burglar/thief in terms of law enforcement resources and strategies.

AGENCY RECIPROCAL
REMARKS

SAN DIEGO COUNTY SHERIFF'S DEPARTMENT

POST OFFICE BOX 2091
SAN DIEGO, CALIFORNIA 92112
TELEPHONE 236-3025



JOHN F. DUFFY, Sheriff

March 15, 1979

Mr. Scott H. Green
Senior Criminal Justice Evaluator
Comprehensive Planning Organization
1200 Third Avenue, Suite 524
San Diego, CA 92101

Dear Mr. Green:

I have reviewed the final evaluation report on the Crimes Against Property Control (Anti-Fencing) Grant prepared by the Criminal Justice Evaluation Unit of the Comprehensive Planning Organization, and my comments follow.

General Conclusions and Recommendations

I feel this has been a thorough and fair evaluation, and I am in agreement with the General Conclusions and Recommendations.

It is my intention that the expertise gained by the project staff will be utilized throughout the Department, by the assignment or availability of these personnel as resources. I am certain that other agencies, through liaisons developed by the project staff, are aware that they may call upon this Department for assistance with planning and implementation of any future anti-fencing or store front operations.

Issue I

I agree fully with the conclusions concerning the effectiveness of the project staff in achieving their objectives. I would like to make these comments on Objectives No. 2 and No. 4.

2. In my opinion, it was unrealistic to expect to increase burglary arrests because, by the nature of the arrest strategies and the anti-fencing objective, the majority of arrests in this project would be for receiving stolen property. Further, although most

Mr. Green
Page 2
March 15, 1979

charges arising from the store front operations were for receiving stolen property, most of those arrested were selling property they had stolen.

4. As stated in the report, recovered property that has been stolen outside the Sheriff's jurisdiction does not affect Sheriff's Department recovery statistics. However, the fact that four deputies and one sergeant were responsible for 15% of the Sheriff's Department's recoveries, and for \$464,224 in recovered property which impacts upon statistics of other agencies, must be considered a valid indicator of the effectiveness of the project.

Issue II

I agree with the conclusions and findings of the evaluation of the investigative techniques employed by the project.

Issue III

I am also in agreement with the conclusions and findings concerning comparison of arrest dispositions. There are many variables, however, that can affect the dispositions in similar cases. The diverse demeanor, philosophies, and backgrounds of individual judges, prosecutors, defense attorneys, and defendants all account for differences in dispositions, along with the arresting officer's case presentation.

Summary

I would concur that this project had minimal effect upon the stated objectives. However, as the report states, it appears that several of the objectives were not realistic.

In evaluating the effectiveness of the project, I would point out that the Sheriff's Fence Unit, over a two-year period, directly accounted for 95 arrests and the recovery of \$441,939 of stolen property, with an additional 41 arrest warrants and \$225,000 in property recovered through joint store front operations.

Very truly yours,


John F. Duffy, Sheriff

JNW/kjs

DISCUSSION OF ISSUES

Discussion of Issues

ISSUE 1 - HOW EFFECTIVE WAS THE PROJECT STAFF IN ACHIEVING THEIR OBJECTIVES?

PROJECT OBJECTIVES:

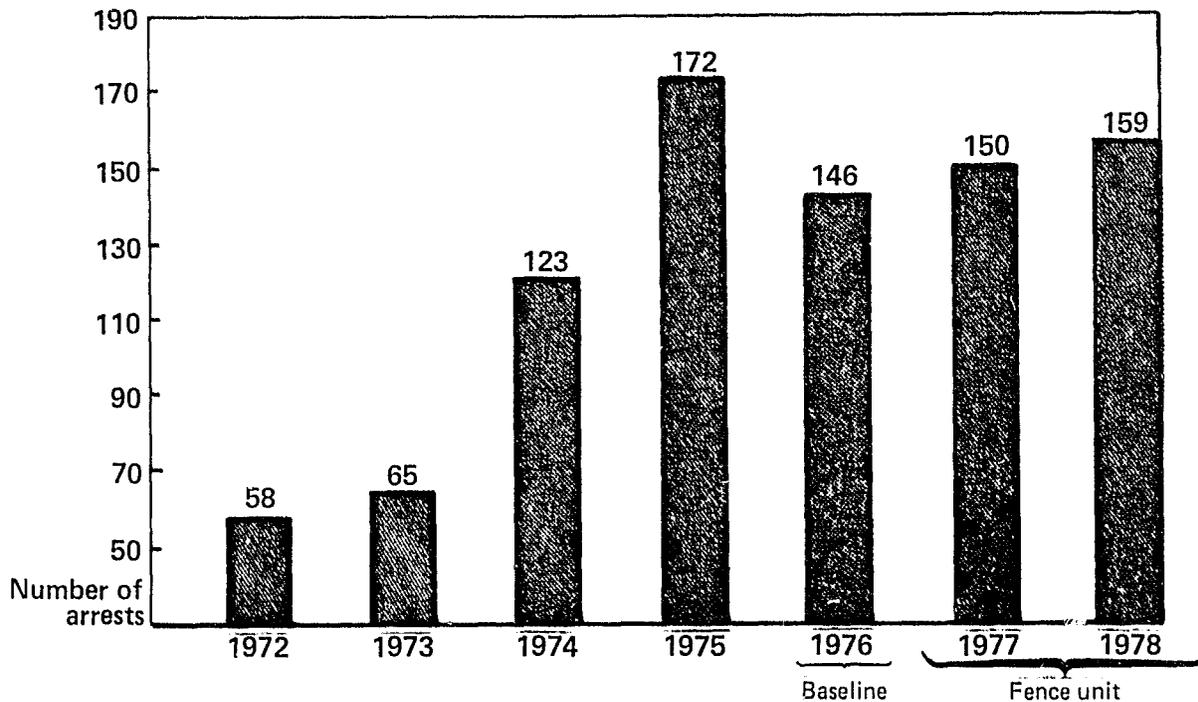
1. Increase the number of adult arrests for receiving stolen property (over baseline period) with the fencing unit responsible for over 50% of the increase.
2. Increase the number of adult arrests for burglary (over baseline period) with the fencing unit responsible for over 50% of the increase.
3. Increase percentage of 496.1 P. C. (receiving) complaints filed over complaint/arrest ratio of base period.
4. Increase dollar recovery percentage of stolen property from 12% to 14%.

GENERAL FINDING: The fencing project staff achieved only one of their objectives which was an increase in the number of arrests for receiving stolen property (496.1 P. C.) The scope of the objectives related to changes in arrest and property figures of the Sheriff's Office. Project efforts which took place outside the Sheriff's jurisdiction are reflected in those agencies' statistics and could not contribute toward the project's original objectives.

Objective 1 - Increase the number of adult arrests for receiving stolen property (over baseline) with the fence unit responsible for over 50% of the increase.

The figure below indicates the trend in receiving arrests for the Sheriff's Department over the past six years.

FIGURE 1
 ADULT ARRESTS FOR RECEIVING STOLEN PROPERTY
 (496.1 P.C.), SAN DIEGO SHERIFF'S OFFICE 1972 - 1978



It should be noted that these arrests reflect situations where the crime of 496.1 P.C. was considered the priority crime or the most serious charge for which the suspects were arrested.

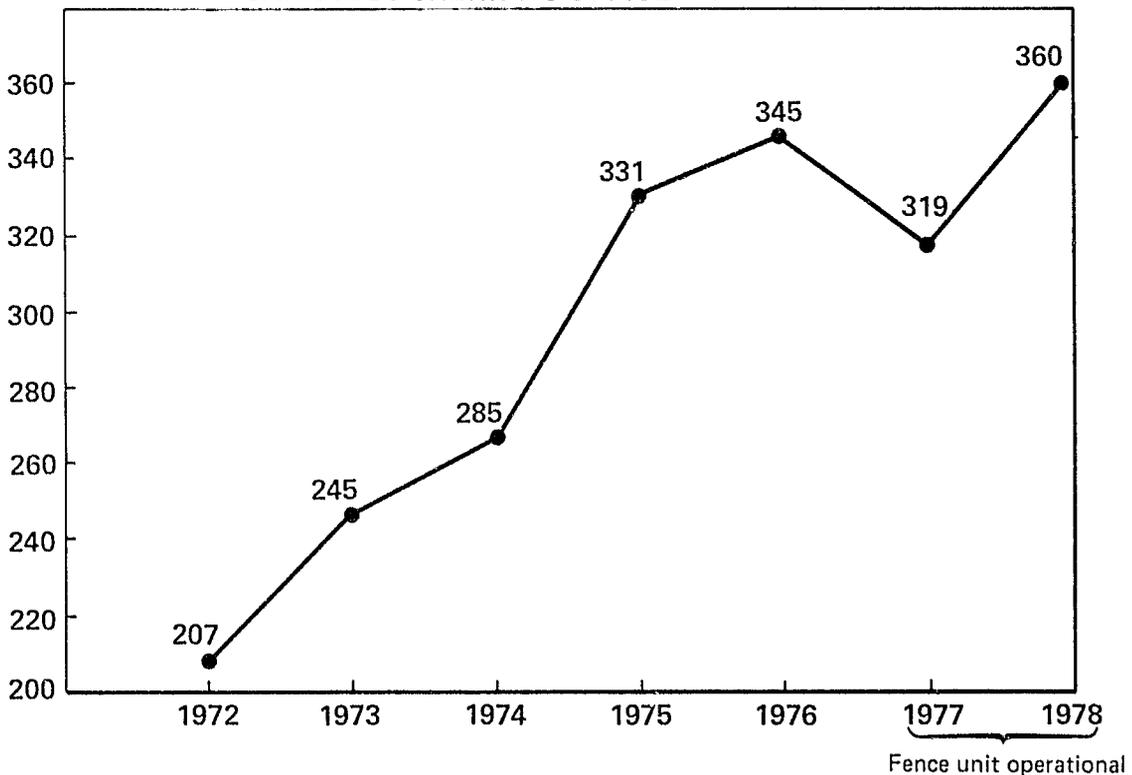
The fencing unit's contribution to the Sheriff's Office arrests for receiving stolen property increased those figures by 9% over the baseline period. Without the arrests made by the unit (67), the figures for 1977 and 1978 would have shown no increase. Discussions with deputies in the substations indicated that the arrests would not have been made without the unit due to the techniques used to effect the arrests (see page 23). The demands on patrol units for calls for service and the varied responsibilities of area detectives preclude their making a large number of these kinds of arrests. Discussions with area detectives also revealed that the fence unit staff has contributed to the total number of receiving arrests over and beyond those for which the unit claimed credit. In these instances, the unit offered information and/or assistance which led to the arrests actually made by other deputies.

During its two-year operational period, the fence unit participated in two undercover storefront programs which resulted in 46 persons arrested for receiving stolen property (see page 24). Since the storefronts were located in other agency jurisdictions (Carlsbad and National City), these arrests were not recorded by the Sheriff's Office. These arrests are included as examples of additional activity by the unit although they cannot be reflected in the first objective which accounts only for Sheriff's Office statistics.

Objective 2 - Increase the number of adult arrests for burglary (commercial and residential) over base period with the fencing unit being responsible for over 50% of the increase.

The figure below illustrates the number of adult arrests over a seven-year period. With the exception of 1977, the trend indicates a steady increase.

FIGURE 2
NUMBER OF ADULT ARRESTS FOR BURGLARY
SAN DIEGO SHERIFF'S OFFICE 1972 - 1978



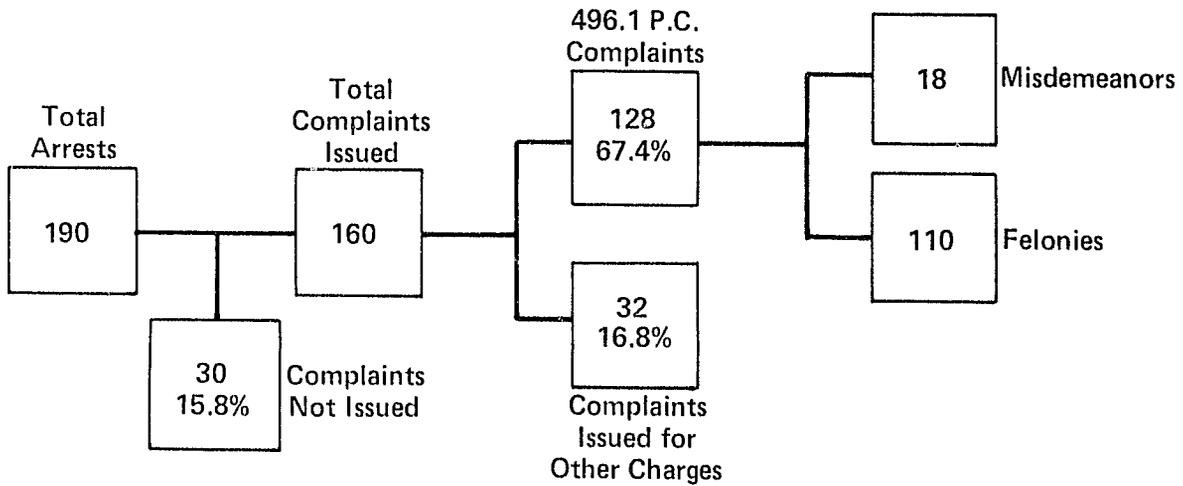
The fencing unit did not contribute to arrests for burglary. In 1977, the unit staff made 13 arrests and in 1978 fencing personnel made no arrests for burglary. This may have been due to the fact that the primary focus of the project was on the receiver, and in the second year, project efforts were expended on the storefront operation.

Objective 3 - Increase percentage of 496.1 P. C. complaints filed over complaint/arrest ratio of base period.

The basis for this objective is the assumption that a specialized unit which focuses on one specific crime has additional time to devote to investigations and the law enforcement techniques used will lead to better evidence for prosecution. To determine changes in the complaint/arrest ratio, two time periods were chosen; Time 1 (baseline period) reflects a nine month period prior to the fencing project becoming operational. The comparison period (Time 2) is comprised of a nine month period during which the fencing unit was active. The figures on the following page represent the results of receiving arrests (496.1 P. C.) in Time 1 and Time 2.

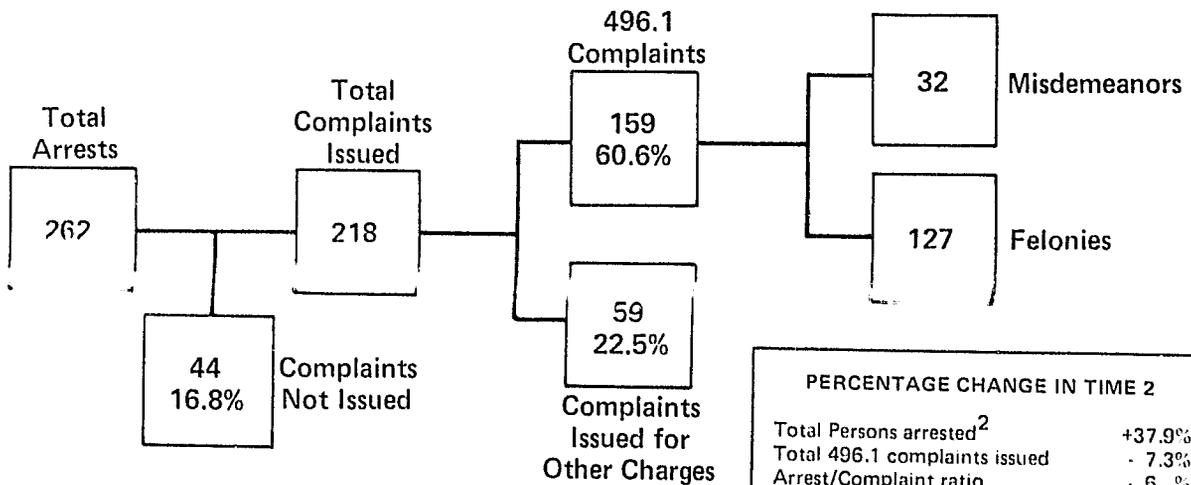
RESULTS OF ARRESTS FOR RECEIVING STOLEN PROPERTY
(496.1 P.C.) SHERIFF'S DEPARTMENT

FIGURE 3
TIME 1 - JULY 1976 - MARCH 1977
(Prior to fence unit implementation)



Ratio: Complaint/Arrest 67:100

FIGURE 4
TIME 2 - JULY 1977 - MARCH 1978
(Fence unit operational)



Ratio: Complaint/Arrest 61:100

*All percentages are derived from total number of arrests.

PERCENTAGE CHANGE IN TIME 2	
Total Persons arrested ²	+37.9%
Total 496.1 complaints issued	- 7.3%
Arrest/Complaint ratio	- 6 %
Felony complaints issued	- 9.4%
Misdemeanor complaints issued	+ 2.7%
Complaints issued for other charges	+ 5.7%
Complaints rejected	+ 1 %

²It should be noted that the arrest data represent all persons arrested by Sheriff's Office deputies whose charges on arrest reports included 496.1 P.C. (receiving stolen property) whether or not it was considered a priority charge by the arresting officer. These figures differ considerably from the yearly arrest data presented on page 16 because the yearly figures reflect only arrests in which 496.1 P.C. was deemed the priority crime.

Significant features of the figures and table include:

- The percentage of total 496.1 P. C. complaints issued in Time 2 decreased, contrary to expectations of the project staff.
- The ratio of complaints to arrests actually decreased in Time 2. In Time 1, there were 67 complaints filed for every 100 arrests. In Time 2, there were 61 complaints filed for every 100 arrests.
- The percentage of felony complaints issued for 496.1 P. C. declined (9.4%) in Time 2 whereas complaints issued for misdemeanors increased by 3%.

In sum, the fencing project did not achieve its objective to increase the percentage of 496.1 P. C. complaints filed, although the number of persons arrested did increase by 38%.

Objective 4 - Increase dollar recovery rate of stolen property from 12% to 14%.

A primary purpose of the fencing project was to identify and apprehend 'fences' or those persons who consistently deal in stolen property. It was expected that focus on such suspects would yield a large volume of recovered property.

The figures below display the dollar amount of property stolen and the proportion recovered in four years.

FIGURE 5
DOLLAR VALUE OF PROPERTY STOLEN AND RECOVERED (excluding auto theft)
SAN DIEGO SHERIFFS OFFICE 1975 - 1978



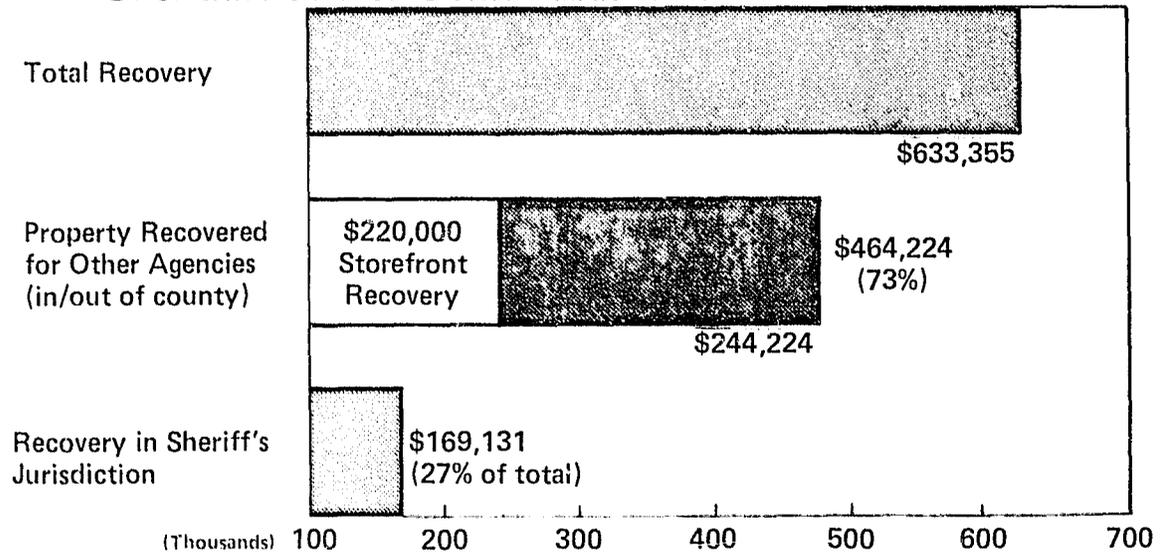
Contrary to expectations set forth in the project proposal, the fencing unit did not increase the percentage of property recovered in the Sheriff's jurisdiction.

However, the fencing unit did recover a substantial amount of property that was reported stolen in other jurisdictions. Uniform Crime Reports, (UCR) prepared by the Federal Bureau of Investigation, requires that recovered property statistics be reflected in the jurisdiction in which the property was stolen, regardless of where the property was recovered.

The figure below displays a breakdown of property recovered by the fencing project staff during a 21-month period.

FIGURE 6

DOLLAR VALUE OF PROPERTY RECOVERED
BY SHERIFF'S FENCING UNIT— MARCH 1977 — DECEMBER 1978



*Storefront recovery included property stolen throughout the county as well as out-of-county.

Although the fencing project did not achieve its objective to increase the Sheriff's Office recovery statistics, the unit staff was responsible for 15% of the property recovered in 1977 and 1978, (\$514,555 + 623,445 ÷ \$169,131) as reflected in the Sheriff's jurisdiction.

This objective may have been unrealistic in light of the fact that stolen property travels throughout the county and the UCR guidelines influence the recording of recovery statistics.

ISSUE II HOW EFFECTIVE ARE THE DIFFERENT INVESTIGATION TECHNIQUES EMPLOYED BY THE FENCING PROJECT?

SUMMARY: The use of the undercover storefront operation is the most effective technique for apprehending thieves for whom complaints are issued. This effort also leads to relatively large amounts of property recovered and returned to owners/victims.

DISCUSSION

When specialized fencing units are developed, it is assumed that specific law enforcement techniques will be used to identify and apprehend receivers of stolen property. These techniques usually require undercover activity and necessitate the use of more time, manpower and surveillance equipment than is normally employed by patrol officers or detectives. The effectiveness of the techniques is measured by the disposition of those individuals arrested.

Before describing the techniques applied and their relative effectiveness, a brief explanation of the issues involved in arrests and issuance of complaints for 496.1 P. C. is in order.

In accordance with California penal code section 496.1 and guidelines established locally by the San Diego County District Attorney's office, the following conditions must be met before a complaint is issued:

1. The arrest must be a legal arrest.
2. Any search and seizure must be legal.
3. The property seized is in fact stolen and a crime report has been filed.
4. The suspect was in possession of the stolen property.
5. The suspect knew the property was stolen.

These conditions illustrate that an officer must be cognizant of many facts in order to request that a complaint be issued. Proving that the property was in fact stolen may require extensive investigation if the property is not serialized and/or is not reported stolen. It should be recognized that receiving arrests are made by patrol officers and detectives. The primary differences between their arrests and those made by a fencing unit are the circumstances which led to the arrest, and the amount of property recovered. Patrol deputies and detectives usually make receiving arrests as part of their investigative routines, i. e., while on field patrol and during follow-up of burglary investigations.

In contrast, the arrests effected by the fencing unit usually rely on undercover techniques and require additional resources with the expectation that more complaints will be issued, more persons convicted, and larger sums of property recovered.

Before reviewing the results of the employed techniques, a brief description of each is given below.

ANTI-FENCING STRATEGIES

1. Use of informants

Development and maintenance of informants is an a priori consideration essential to the use and success of all anti-fencing techniques. While informants are used for many varied purposes in law enforcement investigations, they provide the basic foundation for anti-fencing efforts. Since this approach is proactive rather than reactive (responding to a crime after it is committed), informants are relied on extensively to provide investigative leads. In addition, informants may be asked to perform specific tasks such as buying/selling property in an undercover capacity. Developing informants and directing their activities requires experienced officers who must maintain a balance between obtaining the necessary evidence for prosecution and placing the informants in jeopardy.

2. Surveillance/warrant

This technique consists of conducting a surveillance or stake-out at locations known to be receiving stolen property. The purposes are to document the possible illicit activity taking place, to discover the thieves/receivers involved, and finally to obtain warrants to arrest suspects and seize property. One inherent problem with this technique is that long hours of surveillance may be futile in terms of expected outcomes. In addition, the officers must be cognizant of the ever-changing 'search and seizure' laws to avoid rejection of complaints and 'not guilty' dispositions.

3. Sell-bust

In this situation, an undercover officer or informant assumes the role of the thief and sells property to suspected receivers. For prosecution purposes, the District Attorneys office requests that at least three transactions occur before the arrest. This technique relies heavily on informants to provide the receiver or fence. The officers use 'bait' property from the agency's property section and must be certain to inform the suspect that the property is stolen. All transactions are recorded and require additional backup officers for surveillance and the effecting of the arrest.

4. Buy-bust

When officers receive information that a thief/receiver is in possession of stolen property, they use this technique to purchase the property and effect an arrest upon completion of the transaction. If the officers have knowledge that the suspect engages in this activity consistently, they may buy property several times before arresting the individual. One drawback of this technique is the potential for the purchased property to be unidentifiable. Without reliable information, this possibility can hinder the issuance of a complaint and/or subsequent prosecution.

5. Undercover storefront or buy program

This strategy is actually a long-term extension of the buy-bust. An undercover officer poses as a fence in a building that appears to be a legitimate business. Informants spread the word that a new outlet exists for stolen property. While buy programs are associated with anti-fencing efforts, the emphasis is on apprehending thieves and recovering property rather than on the fence. Since storefronts usually operate several months, necessary resources are substantial compared to the other techniques.

It should be noted that, with the exception of the storefront, these techniques can be used separately or in combination. For example, following three purchases to a suspect, a fencing staff may obtain a search warrant if it is felt that additional stolen property may exist in the person's residence or place of business. Although these techniques are used most often, they are not the only options available to anti-fencing investigators. The technique used is primarily dependent on the suspected nature of the crime and the individual involved. Review of pawnslips may reveal a known burglar selling items to a pawnshop. In situations where a second-hand dealer is suspected of buying stolen property, officers may inquire as to the legitimacy of his business license or whether it has expired. The result may be to have the license revoked. The charges may not be receiving stolen property but the objective is accomplished: to close one outlet to thieves.

The following table presents the major techniques discussed along with their resource requirements. Receiving arrests made by the fencing unit denoting the specific technique, the outcomes of the District Attorney's office, and judicial proceedings are also included.

TABLE 1

**FENCING UNIT ARREST TO DISPOSITION RESULTS
TECHNIQUES USED AND RESOURCE REQUIREMENTS**

Strategies No. Arrests	RESOURCE REQUIREMENTS			DISTRICT ATTORNEY SERVICE		DISPOSITION			
	Manpower	Equipment	Other	496.1 P.C. Complaint Issued	496.1 P.C. No Complaint Issued	19 Guilty			Not Guilty
						Probation	Probation/ Jail	Prison	11
Surveillance/ search warrant 19	4-8 officers	Surveillance vehicle, Photographic equipment	Limited funds	15	4	5	2	0	8
Buy/bust 6	4-6 officers including property	Undercover vehicle, Photographic and recording equipment	Buy money Informant funds	5	1	1	2	1	1
Sell/bust 14	5-7 officers	Undercover vehicle Photo and recording equip.	Bait property Informant funds	10	4	5	3	0	2
Storefront * 37	8-12 officers Several informants	Surveillance vehicle Video-tape equipment Photographic equipment	Field office Buy money Informant fund	37	0	Pending			
TOTAL				67	9	11	7	1	11

*Refers only to National City Storefront

The table indicates that the storefront operation utilized the most resources and resulted in more complaints issued. Although the storefront disposition data is still pending, prior studies of storefront programs conducted by this evaluation staff indicated that storefront offenders are more likely to receive guilty dispositions and sentences to prison than defendants arrested by other techniques. An additional benefit derived from the storefront is the amount of property recovered.

The fencing unit participated in two storefront programs. One was located in Carlsbad and remained open for 40 days with a recovery figure of \$50,000 and 9 suspects arrested. The second storefront was in National City. It was operational for 90 days and netted \$170,000 in recovered property and the arrests of 37 suspects.

COST BENEFIT ANALYSIS

Although the buy program appears to be an effective way to recover property and have complaints issued on burglars, the total cost of the program must be compared to the benefits received to determine overall effectiveness.

The following table presents the total costs of the storefront and the manifest benefits received.

TABLE 2

COST/BENEFIT COMPARISON FOR UNDERCOVER
STOREFRONT OPERATION (NATIONAL CITY)

COSTS		BENEFITS	
I. Personnel (Salary & Benefits) ¹	\$108,039	I. Value of Property Recovered	\$170,000
A. Fence unit staff (5) \$128 per day x 90 days	@\$57,600	II. Opportunity Benefits	
B. Additional Sheriff Deputy (1) \$128 per day x 18 days	\$2,304	A. Thirty-seven (37) Arrests	
C. Investigator, District Attorney's Office (1) \$109 per day x 90 days	\$9,810	B. Thirty-seven (37) Complaints Issued	
D. National City Officer (1) \$75 per day x 9 days	\$ 675	C. Victim Satisfaction	
E. San Diego City Police Officers (2) \$110 per day x 90 days	@\$19,800		
F. City County Law Enforce- ment officers (150) (arrest and processing of offenders) \$119 per day x 1 day	@\$17,850		
TOTAL PERSONNEL EXPENSE	\$108,039		
II. Buy Money	\$9,763		
III. Additional Expenses	\$3,894		
A. Building Rent	\$1,500.00		
B. Utilities	\$ 660.00		
C. Building Material & Supplies	\$ 478.00		
D. Video Tapes	\$ 269.00		
E. Informant Fees	\$ 612.00		
F. Officers' Undercover Expenses	\$ 375.00		
TOTAL STOREFRONT COSTS	\$121,696	TOTAL BENEFITS	\$170,000
	BENEFIT/COST RATIO	1.4	

¹These figures were provided from the 1978-79 County budget and appropriate personnel in National City.

The cost benefit ratio is a positive 1.4 and indicates that the benefits from the storefront operation exceed the costs. Additional opportunity benefits which inhibit the placing of dollar values should be included when assessing the benefits. Victims' satisfaction in having their property returned, and the fact that they do not need to file claims with insurance companies are difficult advantages to assess in dollars. Also, the fact that 37 burglars were arrested and charged may hinder future criminal activity of these defendants.

Their interest in criminal activity is noted by the fact that 57% of the storefront offenders have been convicted of prior crimes and served time either in prison or the local jail. The storefront offenders sold an average of \$4,146 worth of stolen property through the storefront. Previous storefront operations have shown a high percentage of offenders convicted and sentenced to jail or state prison. Disposition and sentencing data was not yet available for this report, but it can be assumed that the results would be similar to other storefronts. Incarceration of these defendants can be considered as an additional benefit to the community.

For additional information on storefront projects please refer to the Evaluation of the San Diego Police Department's Fencing Project and a recent report entitled, The Criminal Fence. Reports were prepared by CPO Criminal Justice Evaluation Unit and are available upon request.

ISSUE III - WHAT ARE THE RESULTS OF A COMPARISON OF DISPOSITIONS FOR RECEIVING ARRESTS (496.1 P. C.) AMONG THE SHERIFF'S FENCING UNIT, OTHER SHERIFF'S DEPUTIES, AND THE SAN DIEGO POLICE DEPARTMENT'S FENCING UNIT?

SUMMARY The Sheriff's Fence Unit had fewer total complaints result in guilty dispositions and fewer defendants who received sentences to state prison or jail when compared to complaints issued by other Sheriff's deputies and the Police Department's Fencing Unit.

DISCUSSION: It is assumed that officers working in an undercover capacity develop knowledge and expertise relative to property crimes. This experience coupled with innovative investigative techniques presumably leads to the collection of sounder prosecutorial evidence, and subsequently, more guilty pleas and/or more convictions for receiving stolen property.

To assess this assumption, complaints for receiving requested by the Fencing Unit, other Sheriff's deputies, and the San Diego Police Department's Fencing unit were compared. The complaints were tracked to final disposition and sentencing and presented in the following tables.

TABLE 3

DISPOSITIONS OF COMPLAINTS ISSUED FOR 496.1 P.C., BY IDENTITY OF ARRESTING OFFICER¹

	Sheriff Fence Unit (Oct. 1977-Mar. 1978)	Other Sheriff Deputies (Oct 1977-Mar. 1978)	San Diego City Fence Unit (Jan-June, 1974, 1975, 1976)
Total issued	39*	112	212
I. Guilty	28 (72%)	87 (78%)	171 (81%)
A. 496.1	24	44	136
B. Other Charge	4	43	35
II. Not Guilty	11 (23%)	25 (22%)	41 (19%)

*Does not include complaints issued for storefront defendants or additional receiving cases pending court action. The fence unit made a total of 67 receiving arrests.

¹ Time periods differ between the Sheriff's Dept. and the Police Dept. because the police data reflect those periods when the police dept. had a federal anti-fencing grant.

TABLE 4

SENTENCES OF 496.1 P.C. CONVICTION, BY IDENTITY OF ARRESTING OFFICER

	Sheriff Fence Unit	Other Sheriff Deputies	San Diego City Fence Unit
Total	24	44	127
Probation	14 (58%)	23 (52%)	33 (26%)
Probation/Jail	9 (38%)	13 (30%)	62 (49%)
Prison	1 (4%)	8 (18%)	32 (25%)

SIGNIFICANT FEATURES OF TABLES

- The Sheriff's Fencing Unit did not have a higher percentage of total receiving complaints which resulted in guilty dispositions.
- The unit did have 23% more guilty dispositions for the specific charge of 496.1 P.C. than the Sheriff deputies. This finding would be expected from a specialized unit which focuses its efforts on one crime.
- The sentencing data indicates that those defendants charged with receiving by the Sheriff's Fence Unit did not receive more severe sentences than those charged by other officers.
- It should be noted that the number of Fence Unit complaints reviewed is relatively small due to a larger number of cases still pending. This recognition as well as the fact that a myriad of factors influence variability in sentencing patterns urge caution when interpreting the results. Nevertheless, as mentioned on page 20, the dispositions of receiving complaints in the Sheriff's Department before and after the unit's efforts indicated no positive differences due to the unit activity.
- The city Police Department's fence unit reflects a higher percentage of guilty convictions as well as a greater percentage of defendants receiving sentences to state prison. The urban setting in which the unit operated may have accounted for more arrests of major receivers who subsequently received harsher penalties. Discussions with prosecutors of the District Attorney's office indicate that the requirements necessary to prosecute a receiving case have not changed in several years.

APPENDIX

SAN DIEGO SHERIFF'S OFFICE

CRIMES AGAINST PROPERTY CONTROL

The purpose of this interview is twofold: (1) to obtain information concerning contact you may have had with the Sheriff's Fencing Unit and (2) to get your opinions on the most effective strategies to reduce fencing activities.

1. In the past two years, have you had contact with officers of the Sheriff's Fencing Unit?

_____ Yes _____ No

2. If yes, how often?

3. What kind of contact was most frequent?

_____ Requesting information from Unit.
_____ Requesting assistance from Unit.
_____ Joint investigations
_____ Giving information to Unit
_____ Other

4. Have any arrests been made in your area as a result of the Sheriff's Fencing Unit?

_____ Yes _____ No

5. Has property been recovered from your area as a result?

_____ Yes _____ No

6. Do you feel that fencing activity is a problem in your jurisdiction?

_____ Yes _____ No

12. Given the fact that criminals do not honor jurisdictional boundaries, is there a way to address the fencing problem on a regional basis? How?

13. (Sheriff's jurisdiction only) What procedures take place when stolen property is recovered?

END