

Memorandum



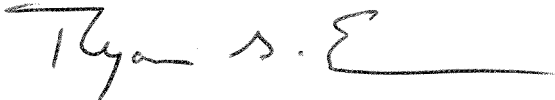
DATE: May 2, 2008

TO: Honorable Mayor and Members of the City Council

SUBJECT: Secondary Metal Recyclers and Metal Thefts

You will be briefed by the Dallas Police Department on Secondary Metal Recyclers and Metal Thefts during the May 7, 2008 City Council meeting. The briefing is attached for your review.

Please contact me if you have any questions.



Ryan S. Evans
First Assistant City Manager

cc: Mary K. Suhm, City Manager
Deborah Watkins, City Secretary
Tom Perkins, City Attorney
Craig Kinton, City Auditor
Ramon F. Miguez, P.E., Assistant City Manager
David O. Brown, Interim Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
A.C. Gonzales, Assistant City Manager
Dave K. Cook, Chief Financial Officer
Chandra Marshall-Henson, Assistant to the City Manager

Secondary Metal Recyclers and Metal Thefts

Dallas City Council Briefing

May 7, 2008



Metal Theft Problem

- Increased demand for metal has caused an alarming increase in metal thefts world wide
 - Driven by a dramatic rise in manufacturing and building in China and India
 - The U. S. traded more than \$2 billion in scrap metal to China in 2004 alone
- Metal thefts in Dallas were up 227% in 2007 from 2005
- The theft of metal often creates a catastrophic impact to the victim that is not in proportion to the value of the metal stolen

Responses to Problem

- DPD Established Metal Theft Squad in 1994
 - Enforcement activity (Class B and greater)
 - 229 cases filed in 2006
 - 216 cases filed in 2007
 - 101 cases filed YTD 2008
 - Recovered approximately \$330,000 in stolen property YTD 2008
 - Inspection of Secondary Recyclers
 - 5 citations issued for violation of City Code in 2007
 - 2 citations issued YTD 2008 for City Code violation

Responses to Problem

- City Ordinance Chapter 40B revised effective January 1, 2007
 - Note: Recyclers are required to acquire and maintain accurate identification of sellers for one year
 - Increased the number of specific metal items that require the seller to prove ownership or provide written proof that he/she is an agent of the owner
 - Ex. Copper or aluminum condensing/evaporator coils and aluminum or stainless steel forklift fuel canisters
 - Prohibited recyclers from purchasing from an intoxicated person

Responses to Problem

- Endorsed enhanced State Statute to the Occupations Code – Senate Bill 1154
 - Worked with Senator Royce West for passage
 - Implemented September 1, 2007
 - Contains language similar to the current Dallas City Code
 - Allows a city ordinance to be more strict than state law if the two do not conflict
 - Buying stolen metals a Class A Misdemeanor
 - Selling stolen metals a State Jail Felony
 - Mandates DPS to maintain a statewide database of regulated metal sales with access granted to local law enforcement agencies

Recommended Actions

- Further revision to City Ordinance
 - Require recyclers to pay sellers by a check mailed to the seller's address listed on identification (no cash transactions)
 - Increase tag and hold period from 72 hours to 5 days
 - Increase record keeping requirements to compel recyclers to maintain a transaction history that includes:
 - Clear thumbprint of seller
 - Digital photo of the seller
 - Photo of metals purchased
 - Copy of check
 - Copy of ID
 - Add catalytic converters to list of regulated metal property requiring proof of ownership
 - Ordinance revisions to be presented to Council at last action agenda meeting in June 2008

Recommended Actions

- Work with state legislators to seek further amendments to state law
 - Person or business buying regulated metal without proper credentials would become a State Jail Felony
 - Criminal mischief causing interruption of public communications, transportation or utilities would be enhanced from a Class A Misdemeanor to State Jail Felony
 - Other enhancements to have state statutes parallel Dallas City Code
 - Provide for civil liability against metal recyclers for damages to the true owner when the recycler knows or should have known the purchased items were stolen

Recommended Actions

- DPD will host a regional symposium regarding metal thefts
- DPD is scheduled to conduct regional training in conjunction with DPS during June
- Chief of Police will draft letter to regional Chiefs requesting they support efforts in their communities to draft secondary recyclers' ordinances similar to Dallas
- Request City of Dallas elected officials seek cooperation from other North Texas communities in drafting secondary recyclers' ordinances comparable to Dallas

Recommended Actions

- Encourage District Attorney's office to aggressively seek strong sentences for metal theft arrestees
- Seek prosecution of buyers for metal theft
- Enhance use of GPS tracking devices
- Increase awareness by business community of preventative measures

Other Cities Practices

- All Texas Cities are now covered by the revised Texas Occupation Code 1956 that is comparable to Dallas City Code 40B
- Ft. Worth has amended their City Code to mirror Dallas City Code 40B
- Mesquite has inquired about Dallas City Code as a result of correspondence received from Mayor Leppert

Example Metal Theft Offenders

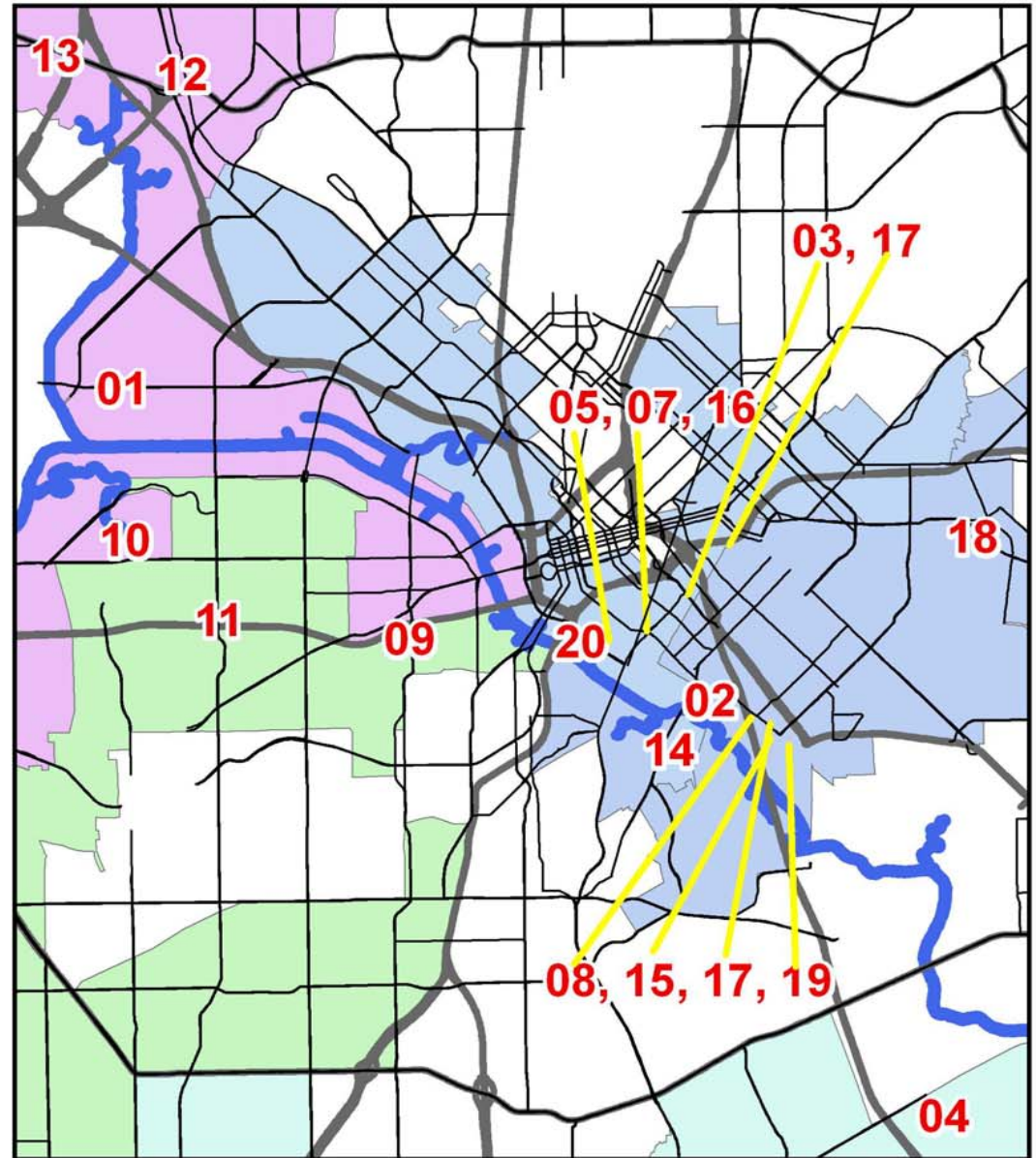
Offender	Date	Charge	Penalty	Sentence	Served
Justin Rinehart, 28 11 arrests	01-Apr-08	Theft	State Jail Felony	Awaiting Disposition	
	25-Jan-08	Burglary of Building	State Jail Felony	5 years probation	28 days
	31-May-06	Burglary of Building	State Jail Felony	7 months	2.5 months
Brandon Strange, 25 12 arrests	21-Mar-08	Burglary of Building	State Jail Felony	180 days	In custody
	16-Sep-07	Burglary of Building	State Jail Felony	365 days	4 months
	22-Aug-07	Burglary of Building	Reduced to Class A	75 days	24 days
Kenneth Thomas, 51 13 arrests			State Jail Felony (strike previous convictions)		
	08-Jan-08	Burglary of Building		180 days	90 days
	28-Mar-06	Burglary of Building	State Jail Felony	10 months	N/A
	29-Apr-05	Burglary of Building Felony Theft	State Jail Felony	180 Days	N/A
Charles Miller, 47 7 arrests	19-Mar-08	Burglary of Building	Reduced to Class A	21 days	7 days
Jimmy Thomas, 50 13 arrests	10-Oct-07	Theft	State Jail Felony	180 days	In TDC
	21-Aug-07	BMV	Class A	120 days	40 days
	17-Jan-07	Buglary Building	State Jail Felony (stike previous convictions)	81 days	26 days

Dallas Police Department Scrap Metal Yard Locations

- 01 - Ace Iron & Metal, 4603 Irving Blvd
- 02 - Action Metals, 3514 S. Lamar
- 03 - American Iron & Metal, 2215 S. Good Latime
- 04 - Atlas Iron & Metal, 9506 S. Central Expres
- 05 - Atlas Scrap Iron & Metal, 2209 S. Industri
- 06 - Best Metals, 4115 S. Lamar
- 07 - Claxton Copper & Brass, 2112 S. Lamar
- 08 - Gold Metal, 4305 S. Lamar
- 09 - J&R Recycling, 1700 Sylvan
- 10 - Jacobs Iron & Metal, 3330 Pluto
- 11 - Liberty Iron, 1729 N. Westmoreland
- 12 - Loung Metal, 10212 Denton Drive
- 13 - Northwest Scrap Metal, 2129 W. Northwest H
- 14 - Oak Cliff Metal, 523 Pontiac
- 15 - Okon , 4717 S. Lamar
- 16 - Okon Metals, 2001 S. Industrial
- 17 - R-N-E Recycle, 2813 Hickory
- 18 - Texas T, 5544 Military Parkway
- 19 - Trinity Recycling, 4801 S. Lamar
- 20 - Venture Metals, 1107 S. Industrial

Council Districts

2	6	8
3	7	



Questions

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and high levels of poverty.

Last week, a house in Hesperia burned down after firefighters found critical copper parts had been stolen from every hydrant on the block. Some 13,800 people lost power last year when thieves hit a Hesperia electrical substation.

Copper is preferred by criminals because it can fetch more than \$3 a pound at a recycling center. But other metals also have become fair game.

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The aluminum bleachers at the Kessler Park Little League field in Bloomington were stolen last summer. Bronze plaques were taken from the facade of the San Bernardino County Museum in Redlands. The pool at the Boys & Girls Club of San Bernardino was temporarily closed because all its metal fixtures had been stolen.

Catalytic converters on cars are increasingly targeted for their platinum.

"This has become a serious threat to public safety," said San Bernardino County Supervisor Josie Gonzalez.

"Part of it is because of the economic downturn, but it's also because in the last three years, copper has gone from 70 cents a pound to \$3.30 a pound.

"Now," she said, "vacant houses are a big target. We caught five copper wire thieves who were stealing so much that they were making a good living."

Thieves are taking the brass heads off irrigation systems along the roads.

"We replaced 12 sprinkler heads at Riverside Avenue yesterday and by noon today they were all gone," Kasinga said. After that, "we replaced them with plastic. I think that might be the way we go."

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California legislators have sponsored bills to crack down on metal theft, including efforts to require recyclers to closely monitor what they take in.

Billboards with messages like "Pull the Line, Do the Time" dot the 10 Freeway, warning copper thieves that they are being watched.

Caltrans officials said more surveillance cameras will be installed but noted that losses would inevitably be borne by taxpayers.


Place an Ad

In the Newspaper
Online

The price tag in the Inland Empire just for the last six months is estimated at almost \$300,000, Kasinga said.

"We really need to make this an issue, and it has to start with the recyclers," she said.

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"We really need to police them."

Anyone who sees metal theft occurring along the roadways is asked to call 911 or the CHP at (800) 835-5247.

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