



**DIANNE JACOB**  
SUPERVISOR, SECOND DISTRICT  
SAN DIEGO COUNTY BOARD OF SUPERVISORS

**AGENDA ITEM**

**DATE:** October 24, 2006

**TO:** Board of Supervisors

**SUBJECT:** **REDUCING METAL THEFT IN SAN DIEGO COUNTY (District: All)**

**SUMMARY:**

**Overview:**

This past summer the County of San Diego witnessed a drastic increase in thefts of a wide range of metal and metal products, most notably the bronze vases used at cemetery gravesites. These stolen metals are then sold to local recyclers. State laws are in place that require recyclers and junk dealers to keep a written record of goods they purchase and the identities of the sellers.

The recent high incidence of such theft indicates that some recyclers in San Diego County may be unaware of the current laws in place – otherwise the thieves would be less inclined to steal the vases and sell them to recyclers. It is possible that recyclers are not recording what they receive and that the laws are not being consistently enforced. Therefore, the County must do everything it can to ensure the selling of stolen goods is not rewarded.

Today's action will direct the Chief Administrative Officer to draft a letter from the Board of Supervisors, and signed by the Chairman, to all the Mayors in San Diego County encouraging them to remind the recyclers in their respective jurisdictions of the state requirements. It will also direct County Counsel to investigate whether any additional County ordinances could be helpful in the investigation of these crimes and in the recovery of stolen property.

**Recommendation(s):**

**SUPERVISOR JACOB**

1. Direct the Chief Administrative Officer to draft a letter for signature by the Chairman to all the Mayors within San Diego County encouraging them to remind the recyclers in their jurisdiction of the state law requirements for recording purchases and identities.
2. Direct County Counsel to research, in coordination with the District Attorney and the Sheriff, any additional ordinances that would be helpful in facilitating the investigation of such crimes and also aid in the property recovery process.

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**Fiscal Impact:**

There is no fiscal impact related to this proposal

**Business Impact Statement:**

N/A

**Advisory Board Statement:**

N/A

**BACKGROUND:**

This past summer the County of San Diego witnessed a drastic increase in thefts pertaining to a wide range of metals, specifically metal used in vases at cemetery gravesites. In July, Singing Hills Memorial Park was vandalized three times and had over 160 vases stolen from their cemetery. In addition, numerous metals such as pipes, wiring, and even manhole covers have become a hot commodity as the prices of metal have soared this year. This year alone, over 70 brass valves have been reported stolen from the City of San Diego compared to only one that was stolen in 2005. These stolen metals are then sold to local recyclers.

State laws are in place that require recyclers or junk dealers to keep a written record of the items sold and to properly identify the seller. Business and Professions Code §§ 21600-21609 regulates the junk metal and recycling business. Sections 21605 and 21606 require junk dealers and recyclers to keep records of sales and purchases, including, but not limited to, such information as (1) a description of the materials purchased or sold, (2) place and date of the transaction, (3) name and valid driver's license or identification card number of the person selling the material, (4) the license plate of the vehicle in which the material was brought to the dealer, and (5) name and address of the person to whom materials were sold. Failure by the dealer to keep such records is a misdemeanor. It is also a misdemeanor for the person selling the material to the dealer to knowingly give false information regarding their identity or the ownership of the items to be sold.

Due to the recent high incidence of metal theft, it is very likely that some recyclers in San Diego County may be unaware of the laws described above. It is possible that some recyclers are not recording what they receive and the laws are not being consistently enforced. Local law enforcement agencies have expressed concerns with the recyclers not exercising discretion when a suspicious transaction is proposed, such as when somebody is trying to sell multiple vases. If something looks suspicious, the recyclers need to reconsider if they will accept the material. It is difficult to trace back the stolen material unless someone is caught in the act, and therefore, most of the responsibility lies in the hands of the recyclers.

Other Counties have added additional ordinances allowing for a recovery period of the material. This is done by requiring recyclers to hold the goods for a period of 72 hours before they can ship it from their stores allowing law enforcement more time to track the stolen goods.

Today's action will direct the Chief Administrative Officer to draft a letter to be signed by the Chairman of the San Diego County Board of Supervisors, to all the Mayors in San Diego County

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encouraging them to remind recyclers in their respective jurisdictions of the state requirements. It will also direct County Counsel to investigate any additional ordinances that could be helpful in the investigation of these crimes and in the recovery of stolen property.

The County must do everything it can to reduce the incidence of these crimes and ensure that the selling of stolen goods is no longer rewarded. I urge your support.

Respectfully submitted,

DIANNE JACOB  
Supervisor, Second District

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**AGENDA ITEM INFORMATION SHEET**

**CONCURRENCE(S)**

<b>COUNTY COUNSEL REVIEW</b>	<input checked="" type="checkbox"/> Yes	
Written Disclosure per County Charter Section 1000.1 Required	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>GROUP/AGENCY FINANCE DIRECTOR</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A
<b>CHIEF FINANCIAL OFFICER</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A
Requires Four Votes	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>GROUP/AGENCY INFORMATION TECHNOLOGY DIRECTOR</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A
<b>COUNTY TECHNOLOGY OFFICE</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> N/A
<b>DEPARTMENT OF HUMAN RESOURCES</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> N/A

**Other Concurrence(s):**

**ORIGINATING DEPARTMENT:** Board of Supervisors, District Two

**CONTACT PERSON(S):**

Tale Halse

Name

(619) 531-5522

Phone

Fax

Mail Station

E-mail

Name

Phone

Fax

Mail Station

E-mail

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