

February 19<sup>th</sup>, 2014

**RE: House Bill 4011**

Senate Committee on General Government, Consumer and Small Business Protection

Please allow this letter to serve as the Eugene Police Department's opposition to the introduced House Bill 4011. In the 2012 session, Representative Nathanson introduced House Bill 4108 (Precious Metal Secondhand Dealing) designed to regulate pawnshops and secondhand dealers, requiring them to photograph, or provide a specific identifying description, of an item that contains precious metals when it is acquired by the pawnshop or secondhand dealer. When the bill was in its final stages, a revision was written exempting pawnbrokers from the requirement to photograph the item containing precious metal.

Fortunately for Lane County and its residents HB 4108 allowed cities or counties to adopt or retain existing laws that were equally or more restrictive. The city of Eugene and neighboring jurisdictions have local ordinances that are *more* restrictive than HB 4108 and include a photograph requirement of all purchase transactions of precious metal items. The photographic requirement alone has directly resulted in the recovery of thousands of dollars in stolen property and led to the prosecutions of criminals who would have gone undetected, had the photographic requirement not been in place.

By amending ORS 646A.066 and 646A.067, House Bill 4011 would derail our crime prevention and detection efforts in Eugene by not allowing our community to pass laws requiring pawnbrokers to provide photographs of pawned items containing precious metal. I object to this language for several reasons: most important, these requirements would have a detrimental effect on our ability to protect our community members from crime and bind our hands even further in our efforts to prosecute criminals who victimize our residents. Under our existing ordinance identification and prosecution of an individual who has sold stolen items containing precious metal is vastly improved, even in cases where the stolen property was scrapped or resold by the pawnbroker or secondhand dealer. How? The photograph of the stolen item is almost always sufficient for a victim to positively identify it as their stolen property. We have Detectives in our Department who can provide a multitude of examples where this scenario has played out.

Second, an exemption for pawnbrokers creates a double standard and an uneven playing field for the secondhand dealer businesses. This would effectively be a 'green light' for criminals to- pawn items exclusively in an effort to avoid detection. You can see how this would confound our efforts to protect our community from crime at a time when budgets for public safety are already stretched razor-thin.

Finally, the creation of a loophole prohibiting local and county jurisdictions from requiring photographs of pawned item reduces the effectiveness of law enforcement. Eugene has been using the photographic requirement on *buy* transactions with great success. In contrast, when reviewing one detective's investigations of criminals who

pawn stolen items of precious metal, no cases were developed when the pawnshop provided a written description alone.

The passage of this bill will negatively impact our recovery of stolen precious metal items, as well as the identification and prosecution of individuals selling stolen precious metal items. I strongly urge you to **OPPOSE HB 4011**.

Respectfully,

Pete Kerns  
Chief of Police

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