

Peoria Police Department Policy and Procedure Manual

Policy 4.35 Pawn Shops, Second Hand Dealers and Swap Meets



**“Our Community...
Our Commitment”**

I. POLICY

It is the policy of the Peoria Police Department to recover stolen property and prosecute offenders through the enforcement of state statutes (Title 44) and city ordinances (11-220) regulating pawnshops, second hand dealers and swap meets.

II. PURPOSE

To establish a formalized procedure on the regulation and investigation of criminal activity stemming from pawn shops, second hand dealers and swap meets.

A. Pawn Ticket Entry: A Property Crimes Unit (PCU) detective, senior office assistant, or designee will be responsible for ensuring the review and entry of pawn tickets received from pawnshops and second hand dealers, according to the following procedure:

1. When pawn tickets are received from pawnshops in accordance with state statute, they will be separated by date.

2. The items will be entered into the Maricopa County Pawnshop System for tracking and ACJIS inquiry.

3. The tickets will be filed by date and separated by entered and not entered items. A count of items entered and not entered will be kept for a monthly recap. The PCU Detective, senior office assistant, or designee assigned to pawn will submit a written report to the PCU Sergeant by the 10th of each month for the previous month as to the total number of pawn tickets received and entered by each pawnshop and second hand dealer. The pawn tickets received by the Peoria Police Department will be retained for two years from the date of the ticket. All pawn tickets over two years old will be purged from the pawn ticket files.

B. Recovered Stolen Property

1. Stolen Property Originating From The City Of Peoria

a. When stolen property is located in pawnshops or second hand dealers, the NCIC hit on the property will be checked against the pawn ticket for accuracy. If stolen property out of Peoria is located in our jurisdiction, the pawnshop detective will place a police hold on it. The pawnshop detective will enter the hold into the pawnshop hold book located in the Criminal Investigations Bureau.

b. The detective originating the report shall place a hold on the item. The pawnshop hold book will be maintained by the Senior Office Assistant or PCU detective assigned to the pawn shop detail.

c. A supplemental report will be written detailing all the pertinent facts of the case. A pawn hold is a formal notification to the pawn shop or second hand dealer that property within their business has been identified as

being stolen or possibly stolen. This requires the pawnshop to hold the stolen property in the pawnshop until a detective can take custody of it. A detective can place a hold on the item via the telephone. The detective will obtain the name of the pawnshop or second hand dealer employee that they advised to hold the item. The detective shall then respond to take custody of the item.

d. When the property is seized, the hold will be removed from the pawn hold book and the article will be removed from NCIC. Before seizing the property the detective will verify all possible descriptions (make, brands, colors, styles, serial number, caliber, model numbers, markings, and owner applied numbers). If the property is seized the detective will complete the two part pawn seizure form. The original will be placed in the report and the pawnshop detective will keep the carbon copy. When impounding the property the pawnshop will be listed as an additional victim in the synopsis.

e. All incidents of recovered stolen property from a pawnshop or second hand dealer shall be handled by CIB. The pawnshop detective will have the primary responsibility for placing police holds on property and seizing property from pawnshops and second hand dealers. If the police department is notified of stolen property in a pawn shop or second hand dealer after normal CIB hours, then the on-duty supervisor shall immediately notify the PCU Sergeant or in his absence the PCU Sergeant. The sergeant will contact the pawnshop detective or in his absence the on-call detective, to handle disposition of the case.

2. Stolen Property from Other Jurisdictions. (In State)

a. The detective or Senior Office Assistant will fax a copy of the pawn ticket with the stolen article hit to the appropriate agency. In the comments section of the fax they shall advise the agency if a hold has been placed on the item.

b. If the agency is outside of Maricopa County, the detective shall advise in the comment section that we will, at their request, either place a hold on the item or impound the item for them. If an item is impounded at the agency's request, the detective or Senior Office Assistant will author a report titled Recovered Stolen Property.

3. Stolen Property from Jurisdictions Out Of State.

a. The detective will place a hold on the property and enter it into the pawnshop hold book. The detective will notify the jurisdiction involved by letter, telephone or Teletype and advise them of all the pertinent facts surrounding the recovery. An IR titled Recovered Stolen Property shall be taken and a copy of the initial report from the originating jurisdiction shall be obtained. The pawnshop detective will investigate the person pawning the property until all viable leads have been exhausted.

b. The Police Services Officer assigned to Property will be responsible for shipping the item(s) to the responsible agency.

4. Disposition Of Property: Property can be released to the owner only with the approval of the assigned detective. If the pawnshop or second hand dealer requests a property disposition hearing in the Peoria City Court, then the property cannot be released until the presiding judge rules on who shall receive the property. Property recovered from other jurisdictions can be released to the responsible agency or agency representative with the authorization of the assigned investigator. If the owner cannot be located, the property will be impounded until the property custodian can publish a public notice. Prior to shipment of the property the agency must confirm that it will accept the shipment COD. Any copies of Peoria Police reports will be mailed to the originating agency for its review and follow-up investigation.

C. Inspections and Violations

1. Violations of City Ordinances/ State Laws: The Property Crimes Unit will investigate all violations of state statute or city code involving pawnshops or second hand dealers. Upon the completion of the investigation, the detective will submit the case to the proper prosecutorial agency for review.

2. Inspection of Pawn Shops and Second Hand Dealers

a. The PCU detective assigned to the pawn detail will conduct a quarterly inspection of each pawnshop. The detective will also inspect second hand dealers and swap meets as frequently as possible. The results of the inspections will be recorded on an inspection form and appropriate action will be taken on any violations found. The detective will sign the inspection form and provide the business a copy of the inspection form after the business representative has signed it, acknowledging receipt. If the responsible party refuses to sign the inspection form, the detective will write REFUSED in the area provided for the responsible party to sign and give them a copy.

b. The pawn detective will keep a file on each pawnshop, second hand dealer and swap meet. The inspection form will be placed in the corresponding business file. Any significant contact with these businesses will be noted on the inspection form with the time and date. The original will be placed in the shop's file.

**Peoria Police Department
Policy 4.35 Pawn Shops, Second Hand Dealers
and Swap Meets**

Original Issue Date: 01/01/03

Last Revision Date: 10/01/05

Next Review Date: 07/01/06

Office of Primary Responsibility: CIB

Editor: R. Smith

Reviewed By: L. Ratcliff



APPROVED: _____

**David C. Leonardo
Chief of Police**