

The Organized Retail Crime Research Series

The Fencers: The Lynchpin of Organized Retail Crime Enterprise

November 2023 Research



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Executive Summary

Criminal fencers—individuals who knowingly buy stolen merchandise to resell for profit—are often the lynchpin of an Organized Retail Crime (ORC) enterprise's strength and longevity. The lifespan of an ORC enterprise is dependent upon a fencer's ability to recruit boosters—individuals who shoplift items—direct stealing operations, and turn stolen goods into a profit. Fencing operations and booster recruitment have magnified the ORC issue in recent years, with ORC contributing to more than \$68 billion lost from stolen goods.¹

We provide this overview on fencers—particularly before the holiday season—to inform consumers and retailers of how to identify potential interactions with fencers online and protect themselves from the growing issue of ORC.

Background of Organized Retail Crime

Organized Retail Crime is the large-scale theft of retail merchandise with the intent to resell the items for financial gain. It harms major and minor retailers through product theft, as well as unwitting consumer victims who are usually unaware of the purchase's origin. ORC is separate from typical shoplifting committed by individuals stealing goods for personal use. To acquire products, an ORC enterprise typically steals large quantities of merchandise from stores or cargo locations to resell online, at independent locations, or through other retailers.² Fencers then sell products for approximately 50% to 80% of market value, judging from multiple ORC-associated cases that sold various product types.³⁴⁵ Because of the preferred online sale of stolen goods, ORC enterprises regularly ship products across state lines or even operate internationally.

According to the National Retail Federation, retailer loss rose from \$94 billion in 2021 to \$112 billion in 2022 and was primarily driven by theft.⁶ Within the last six months, major retailers have cited ORC as significantly affecting company performance, increasing concerns about employee safety, and influencing company considerations for store closures. ⁷⁸ ORC theft causes ripple effects that ultimately harm consumers in communities who rely on access to stores in those locations, as retailers often must raise prices to counteract retail theft losses.⁹¹⁰¹¹



Recommendations

Consumers

We provide the following recommendations for consumers considering buying merchandise through online marketplaces, forums, social media platforms, and other locations where interactions with a fencer is common. We note that the below points do not individually indicate that the account user is a fencer. Instead, the aggregation of multiple points increases the likelihood of illegitimate or illicit activity by the seller.

- If the price seems too good to be true, it probably is. Significantly reduced prices are often associated with stolen goods—or are associated with potential fraud where the purchaser does not receive any items.
- Look out for terms such as "new with tags," "lot," "new in box," etc., particularly when an individual seller appears to have a significant inventory of such items.
- Beware of online marketplace sellers with high sale numbers in short time periods, particularly those selling "new" goods.
- Use caution when interacting with sellers offering "store brands" or merchandise not typically available on marketplaces, particularly by accounts that have minimal or no purchase history. This behavior may indicate a nontypical marketplace user who strictly uses the platform for resale purposes.
- Take heed of product images that contain visible store tags or security devices. While these are likely to have been removed during the cleaning process, their inclusion in images could indicate theft.
- Conduct due diligence on sellers, even when using marketplace sites associated with well-known retailers.
- Exercise caution when purchasing goods online—particularly when physically meeting. Meeting with unknown individuals presents its own set of physical safety risks.

If the price seems too good to be true, it probably is.



Retailers

We provide the following recommendations for merchants who are victimized by ORC. These actions will allow retailers, law enforcement, and Managed Intelligence partners (Nisos) to use the intelligence gathered to identify, disrupt, and dismantle ORC enterprises. In addition, the intelligence can help retailers develop prevention measures to deter ORC.

- Document and monitor for stolen inventory—particularly electronics or larger equipment as fencers generally turn these products for resale in a short period of time.
 - Monitor local online marketplaces, particularly within the first 24-48 hours of the larceny event for resale of the documented stolen inventory.¹²
- Maintain lists or pictures of repeat shoplifting offenders as previously arrested boosters hit the same stores multiple times.

Identify, disrupt, and dismantle ORC enterprises



What is "Fencing?"

Criminal fencers are individuals who knowingly buy stolen merchandise to resell for profit. The success and endurance of ORC relies on the fencer's ability to sell stolen merchandise to consumers who are either unwitting or apathetic to the product's origin and acquisition. A review of court cases showed fencers are often the top individuals in smaller or less complex enterprises, while larger enterprises may involve senior individuals who help divert and "clean" stolen goods before resale.

Fence - noun

Thieves' slang for someone meaning to buy or sell goods with criminal intent. First used in England in the 1800s, the word may be derived from the word "defence," as they helped boosters and other thieves avoid being caught while giving them a ready place to sell their stolen wares.

Individuals who acted as fencers in ORC enterprises represent a wide range of demographics. In our review of ORC-associated criminal cases, fencers consisted of both male and female individuals who were generally in their thirties or forties. Race, countries of origin, regional location, profession, and other traits were widely represented.

Many fencers in ORC enterprises consist of teams of family members, including combinations of spouses, siblings, adult children, and parents.^{13 14 15 16 17 18} The use of familial relationships centralizes trust and eases overall coordination. It also simplifies the use of family residences or businesses for storing and shipping stolen goods.



Graphic 1: Examples of how stolen merchandise typically flows through small ORC enterprise fencers.



Acquiring Goods

Fencers recruit boosters to acquire goods through theft or fraud from retailers and direct them on the specific products to acquire. Fencers generally maintain an active role in managing people and receiving merchandise.

Boosters

In many ORC enterprises, boosters who shoplift merchandise sell it to fencers for a percentage of its market value. In some instances, fencers paid a percentage averaging around 30% of a product's retail value to the booster or a set price of \$1 to \$2 per box for certain items, such as pharmaceuticals and cosmetics. ^{19 20 21 22 23} In cases where a fencer manages a large booster base, they may employ individuals to serve as a crew boss for booster groups.²⁴

Positions of Power

Fencers actively target vulnerable individuals and those susceptible to manipulation to facilitate criminal activities and steal merchandise. Many fencers seek out individuals struggling with substance abuse to steal products, offering money or drugs in exchange for merchandise.^{25 26 27 28 29 30 31} Fencers also attract financially desperate individuals by providing the equipment needed to conduct robberies—including disguises, tools, and firearms—and facilitating travel.³² Fencers have also manipulated vulnerable individuals to participate in criminal activity using positions of authority, such as their role as pastor, halfway house director, or by targeting vulnerable undocumented immigrants.³³

Forms of Interaction

Fencers normally make payments to boosters for stolen products through online payment methods, ORC-controlled bank accounts, or cash.^{35 36 37} Fencers regularly communicate with boosters through electronic platforms and in person. These communications most often include informing boosters of the current items of interest to steal from retailers and sometimes the price fencers would pay boosters for those items.^{38 39 40} Fencers receive merchandise from boosters through multiple means that can include: meeting at a specified residence or business location; meeting at prearranged public locations, such as parking lots; or having merchandise mailed to them.^{41 42 43 44}



Targets

Fencers direct boosters to target specific merchandise to support the ORC enterprise's ability to turn a profit.

Store Locations

To fulfill fencers' orders, boosters target all major and minor retailers; we did not identify any specific retailer or store type that was out of scope for ORC.⁴⁵ In many cases, boosters would victimize stores and deliver goods to a fencer multiple times a day.^{46 47 48 49}

Some ORC enterprises stole merchandise by smashing store windows and grabbing products after hours.⁵⁰ However, many operated brazenly in broad daylight—including by gaining access to a store's master key to open glass cases, emptying medications into trash bags, and filling shopping carts before walking out of the store—emboldened by store policies of disengagement for employee safety.^{51 52}

Types of products

Boosters steal all types of products, including over-the-counter medications, beauty and hygiene products, baby formula, clothing, laptops, fitness trackers, security cameras, microchips, powertools, pet products, vacuum cleaners, and more—generally selected and directed by fencers.^{53 54 55 56 57} Preferred products are generally small in size, high in value, and difficult to track because of a lack of serial numbers. However, ORC enterprises also target machinery, generators, new-in-box tools and equipment, and other large items.^{58 59 60 61 62}



Storing Goods

Following the acquisition of stolen goods, fencers must adequately store and prepare the products for sale at physical locations or through online platforms. Fencers regularly use their homes or businesses to store and prepare products and sometimes utilize rented storage units or warehouses for holding and preparing stolen merchandise.

Locations

Fencers utilize the following location types and properties to support their sale of stolen goods.

Businesses

Fencers regularly use personally owned businesses, or those owned by friends or relatives to store stolen merchandise. These businesses are often created to serve as a front to store and facilitate the transportation of stolen property, as well as route the associated finances.^{63 64} Fencers commonly use cover businesses and storage locations associated with pawn shops, wholesale supply stores, and warehouses, where assorted products are common.^{65 66 67 68 69 70} The use of pawn shops also allows for fencers to recruit potential boosters that have demonstrated a pattern of selling stolen goods to their shop or benefit from a less formal booster relationship through customers bringing in stolen goods.^{71 72}

Home Addresses

Many fencers store and first receive products from boosters at their residences before being shipped to additional storage locations.^{76 77} Fencers will regularly use their residences to keep over-the-counter medicines and other short-term storage items, while products that require additional preparation may be shipped further to other locations, including warehouses and storage lockers.⁷⁸

Cleaning

In many ORC enterprises, fencers are involved in "cleaning" products—whether at a residence, business location, or associated warehouse—before reselling. The cleaning process includes removing retail stickers and security labels from stolen goods. ^{79 80} This can also involve repackaging or prepping merchandise for bulk shipments when applicable.^{81 82} Some ORC enterprises—particularly larger groups—have individuals dedicated to product cleaning who receive these products at alternate locations.



Selling Goods

Fencers regularly use online marketplaces to quickly sell stolen items. Fencers also sell stolen products at physical locations, such as pawn shops or markets. While we identified sellers on deep and dark web marketplaces that are likely associated with ORC enterprises—such as selling fraudulently obtained gift cards or conducting return fraud schemes as a service— fencers most likely prefer popular surface web marketplaces and e-commerce sites to better reach customers, quickly make a profit, and offload contraband.

Online Marketplaces

Fencers commonly sell stolen merchandise on legitimate e-commerce websites, particularly eBay and Amazon—in addition to well-known retailers that have marketplace components.^{83 84 85 86 87} Some fencers become so prolific that they are able to acquire and sell thousands of items in a short period of time—such as a West Virginia-based individual who sold over 7,000 stolen items on eBay in an approximately three-year period.^{88 89} Fencers also attract customers through social media-associated marketplaces or official retailer e-commerce platforms associated with popular retailers.^{90 91 92}

Fencers regularly direct boosters to target merchandise in high demand or that make high profits on eBay and other online marketplaces. These products are then commonly listed alongside the following terms and often priced well below retail value to attract quick sales:^{93 94}

■ new	new with tags	■ sealed
new in box	■ NIT	brand new
■ NIB	 factory sealed 	■ lot



Physical Locations

While fencers most commonly use e-commerce and online marketplaces, stolen merchandise is also sold at physical locations. They may also elect to sell contraband directly to wholesale retailers.

Selling Locations

In addition to being effective storage locations, fencers also sell stolen merchandise at businesses owned by ORC members, particularly those where assorted goods are common—including pawn shops, independent retailers, wholesale stores, flea markets, and events like farmer's markets.^{95 96 97 98}

Shipping Goods

Fencers regularly ship stolen merchandise under alias names for both the sender and recipient. Through these methods, fencers are able to safely use the United States Postal Service (USPS) and other shipping companies to move products locally and across state lines or internationally.^{99 100 101 102 103}

Up the Chain

In some more sophisticated organizations, fencers leverage layers of fencers or diverters to move higher volumes of product. Through this coordination, products can more easily be repackaged and prepared for large shipments, often intermixing stolen goods with legitimate products. These can then be sold to recipients in international black markets or legitimate retailers ceasing the opportunity for a good deal, likely unaware of the goods' overall pathway. ^{104 105}

Diverters

Fencers who elect to sell products through additional fencing layers, particularly in larger ORC enterprises, may work with or under "diverters," generally selling products in bulk. Diverters repackage stolen goods in counterfeit packaging and sell the products online or to retail chains. ¹⁰⁶ Diverters are generally business operations that own warehouses and appear as legitimate businesses operating as a wholesaler or distributor.^{107 108} While diverters could be the top leader in some ORC enterprises, other individuals who orchestrate the movement of stolen goods and the overall operations exist, generally in larger groups.





Graphic 2: Movement of products through fencing layers for sale by diverters.



Appendix: Fencing Responsibilities Table

The following table demonstrates the roles and responsibilities of fencers in small and large ORC enterprises.

Fencer Responsibility	Small ORC Enterprise	Large ORC Enterprise
Lead enterprise	Often top individual in organization	Subordinate to other directors or fencers who help organize the cleaning and shipping of merchandise
Recruit and direct boosters	Generally preys on financially desperate individuals and directs them to target specific items	Similar to small ORC enterprises, but may involve "crew bosses" who focus more on recruitment and gathering/delivering their merchandise
Purchase merchandise from boosters	Receives goods at specified locations or established meetups	Similar to small ORC enterprises, but may also employ "crew bosses" to manage subsets of boosters
Store merchandise	Keeps merchandise in personal residence, business, or rented unit	Similar to small ORC enterprises, but also with additional locations and resources—likely minimizing a need for using personal locations
Clean merchandise	Often involved in or responsible for product cleaning	May employ individuals specifically responsible for cleaning
Market merchandise	Sells merchandise from physical location or advertises online	May include sales through multiple fencing-tiers to aggregate goods for bulk sale through diverter or other wholesale means
Ship merchandise	Prepares and ships products—generally to individual consumers—often using USPS or other delivery services	Ships to individual customers or through fencing layers for ultimate sale by diverter



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