

Scrap Metal Theft: 2017 Arkansas Law Enforcement Summit



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The Arkansas Attorney General (“AAG”) held a 2017 Law Enforcement Summit (“Summit”) on October 3rd.

The Summit was attended by over 500 Arkansas law enforcement personnel.

The Summit included a section addressing “scrap metal theft.”

The recovery, recycling, and processing of various scrap materials, including metals, has been an important activity in Arkansas and the nation for over 100 years. These activities conserve energy, natural resources and contribute to the protection of the environment.

The Institute of Scrap Recycling Industries (“ISRI”) estimates that scrap recycling contributed on a national basis \$116 billion and provided over 155,000 jobs. In addition, ISRI estimates that 30 to 40 percent of all scrap processed in the United States is exported. These exports are valued at \$16.5 billion.

The theft of scrap metals (particularly nonferrous) has posed a problem in both Arkansas and the nation. Over the last several sessions of Arkansas legislature, laws to deter scrap theft and enable and facilitate the arrest of offenders have been modernized and expanded. For example, the Arkansas scrap theft statutory provisions provide significant recordkeeping requirements for scrap yards and related provisions. See Ark. Code. Ann. § 17-44-102 et seq.

The Arkansas Attorney General created a division that focuses on scrap metal theft. Mr. Stephen Svetz, Special Agent for the AAG’s office, heads this division. The division was created and funded by the Arkansas General Assembly to specifically focus on scrap theft in the second to last Arkansas legislative session.

The scrap metal theft section of the Summit included three presentations.

Mr. Svetz’s presentation focused on the laws in Arkansas intended to deter scrap theft. He noted the constructive role that many scrap facilities have played in helping law enforcement.

I was asked, as General Counsel of the Arkansas Recyclers Association (“ARA”), to undertake a presentation. My presentation focused on the 28-year history that the Association has played in ensuring that the importance of the scrap industry from an Arkansas and a national standpoint is recognized. I also described the role of the ARA in helping draft the current scrap theft laws. In particular, I noted the ARA’s interest in ensuring enforcement identifies rogue operators through strict inspection and enforcement activities.

Finally, Ms. Peggy Fletcher, Senior Investigator of AT&T Asset Protection, provided an overview of that organization's attempt to deter scrap theft. Her presentation included the identification of frequently stolen items.

[A copy of the Summit agenda and the slides from Mr. Svetz's, Ms. Fletcher's and my presentations can be downloaded here.](#)