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Corresponding Author	Family Name	<b>Sutton</b>
	Particle	
	Given Name	<b>Mike</b>
	Suffix	
	Division/Department	School of Social Sciences
	Organization/University	Nottingham Trent University
	Street	Burton Street
	Postcode	NG1 4BU
	City	Nottingham
	Country	UK
	Phone	+44-115-8485561
	Email	michael.sutton@ntu.ac.uk

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## 2 **Fencing/Receiving Stolen Goods**

3 Mike Sutton  
4 School of Social Sciences, Nottingham Trent  
5 University, Nottingham, UK

### 6 **Overview**

7 The Industrial Revolution, beginning in Britain  
8 and gathering momentum in the eighteenth  
9 Century, enabled widespread ownership of  
10 desirable, mass produced, identical goods. This  
11 changed the characteristics of general theft  
12 whereby it switched from being motivated  
13 predominantly by a desire to take often unique  
14 property for personal consumption to stealing to  
15 sell standardized goods once more destined for  
16 the personal enjoyment of others.

17 While weight and portability of items is  
18 considered by thieves (Felson and Clarke 1998),  
19 this most usually happens, at least where prolific  
20 thieves are concerned, only if they believe  
21 the goods will be saleable once removed  
22 (Sutton 1995); at which time, considerations  
23 regarding weight and portability, and even  
24 danger of removal, will be balanced against  
25 prices. Therefore, the issue of demand and supply  
26 by theft is important because the most valid  
27 predictor of items that most thieves will choose  
28 to steal is whether or not they believe they can be  
29 sold easily for a good price. For example, the  
30 recent meteoric rise in scrap metal theft is fuelled  
31 by a global metals shortage caused by the high

demand for raw materials that are essential for the 32  
expanding industry, cities, and infrastructure of 33  
China. High prices motivate thieves to remove 34  
heavy lead flashings from the roofs of high 35  
buildings or risk electrocution stealing heavy 36  
and difficult to remove live copper cable. Glob- 37  
ally, scrap metal copper prices have doubled 38  
since 2004, followed worldwide by a significant 39  
number of electrocution fatalities at substations, 40  
railways, oil wells, overhead power lines, 41  
industrial buildings, and other places by thieves 42  
attempting to steal live copper cable. 43

Understanding more about the various 44  
markets for stolen goods presents a challenge 45  
for criminology and the criminal justice system 46  
that is relatively overlooked by the conventional 47  
tight-focus upon only the thief and the act of 48  
theft. Yet, arguably, mankind cannot adequately 49  
understand the prevalence and incidence of theft 50  
of different goods without understanding how 51  
different types of stolen goods markets operate 52  
to influence demand and supply, who deals in 53  
them and why. Worldwide, societies that actively 54  
detect and punish thieves, seek to target harden 55  
property, or otherwise increase its capable guard- 56  
ianship all virtually ignore the large number of 57  
citizens who purchase stolen goods at bargain 58  
process, notwithstanding that all those who buy 59  
motivate thieves to supply by theft. 60

61 **Background to the Problem**

62 Thieves are seldom found living in, or otherwise  
63 owning, an Aladdin's cave of stolen goods.  
64 A safe assertion, therefore, is that most prolific  
65 thieves seek to raise money by selling whatever  
66 they steal. And the type of goods most frequently  
67 stolen is determined by the level of demand for  
68 them. Prolific thieves are generally very good at  
69 gauging this because most sell stolen goods  
70 within 30 min of their theft (Sutton 2010).

71 Most burglars and other thieves steal because  
72 they want money, and Clarke (1999) explains that  
73 offenders have a hierarchy of goods that they  
74 prefer to take. Top of their list is cash, followed  
75 by items that can be sold easily for relatively  
76 high prices – such as jewelry and desirable  
77 high-technology equipment. Stolen goods  
78 markets and knowledge of what can be sold in  
79 them motivate many thieves. This explains why  
80 societies have experienced different crime waves  
81 comprising targeted theft of very specific items  
82 and commodities.

83 The prolific and successful thief must  
84 complete one or else two objectives while  
85 evading detection and apprehension. The first  
86 objective is to steal cash or else saleable  
87 commodities. If something other than cash is  
88 stolen, the second objective is to either sell or  
89 else trade the goods stolen. Where goods are  
90 stolen, typically, police, prosecutors, and  
91 criminologists view this behavior as comprising  
92 the two distinct crimes and actions of stealing and  
93 then of selling stolen goods. From the thieves'  
94 perspective, however, these one or two objectives  
95 need to be completed in order to achieve their  
96 main aim, which is usually to acquire whatever it  
97 is they initially needed or wanted to buy before  
98 embarking on the crime.

99 Criminologists and crime scientists focusing  
100 upon the act of theft typically seek to understand  
101 the causes of, and find solutions to, the first  
102 objective. But the wider aims and objectives of  
103 theft from the perspective of the thief  
104 include selling, fencing, and receiving stolen  
105 goods (the second objective). In effect, the  
106 offender is following a crime script that begins  
107 before and continues after the act of theft. Seeing

this wider picture can help to increase depth of  
108 understanding of acquisitive offending and  
109 possibly reveal innovative and promising  
110 avenues for seeking to tackle it. 111

*Dealers in stolen goods have most probably  
112 existed for as long there have been laws against  
113 theft and a demand for stolen goods. The fence is  
114 a middleman between the thief and the consumer  
115 of stolen goods. 116*

Through the act of buying stolen goods as  
117 a trusted criminal middleman, the fence  
118 allows the thief to avoid the risk of being  
119 caught in the act of trying to sell their loot directly  
120 to untrusted strangers. Hence, the origin of the  
121 word fence is widely believed to stem from  
122 the shortening of “defense” during the  
123 seventeenth century as a common  
124 understanding of the dealer in stolen goods  
125 being the thieves' defense from detection. 126

The role of historical and contemporary fences  
127 as protectors of the secret of thieves' identities is  
128 perhaps most plainly highlighted by what is  
129 known about theft in the time of slavery. For  
130 example, Williams' (1963) translation of a letter  
131 written by the Archdeacon of Hispaniola to the  
132 Council of the Indies in 1542 reveals that trusted  
133 fences served as a safe and ready market, thereby  
134 protecting numerous slaves from being linked  
135 directly to their crimes through selling goods  
136 they stole in slower and more risky ways. 137  
138 Money from the fence was then paid by the  
139 thief to his “master” in order to buy off his  
140 otherwise callously enforced labor. Likewise,  
141 slaves who were fences bought their own way  
142 out of the same exploitation through trading in  
143 stolen goods:

The Negroes are already doing business and trading  
144 among themselves to an extent involving great  
145 value and cunning, and as a result, big and notable  
146 robberies are committed on all the farms in the  
147 country. . . Some steal to pay for the day's work  
148 which they have agreed to give their masters. . .  
149 Night and day they rob and steal anything in the  
150 country, including gold to be melted. These thefts  
151 are concealed with the assistance of two or three  
152 hundred Negroes called “fences”, who go about the  
153 city seeking to make profits as I have said. . .and to  
154 pay the daily wage in exchange for each day or  
155 month or year, that they are at large and travel  
156 about the island. They take away stolen goods for  
157

158 sale and carry and conceal all that they are accus- 202  
159 tomed to conceal. . . 203

160 As well as providing protection for thieves, 204  
161 fences are conveniently sited to provide informa- 205  
162 tion to assist their arrest and prosecution. 206  
163 Although it has long been suspected that dis- 207  
164 ingenuous police officers might allow fences to 208  
165 continue trading in exchange for intelligence 209  
166 about the thieves who supply them, there is no 210  
167 published evidence that this actually happens. 211  
168 Perhaps the only published evidence of such 212  
169 things happening in the past can be found the 213  
170 case of Jonathan Wild. In the eighteenth century, 214  
171 Wild, the most notorious fence in history, 215  
172 presented himself as a public hero, arresting so 216  
173 many thieves that he earned the title Thief-Taker 217  
174 General. Yet all the while, Wild secretly led 218  
175 a gang of thieves, regularly received stolen 219  
176 goods, manipulated victims to offer a reward for 220  
177 their return, and then pretended to track down the 221  
178 goods he already illegally possessed to claim 222  
179 the reward. Unsurprisingly, the question of the 223  
180 degree of guilty mind of the receiver 224  
181 has, for centuries, occupied legal scholars 225  
182 (e.g., Colquhoun 1796; Hall 1952), but astonish- 226  
183 ingly few contemporary criminologists are 227  
184 concerned with criminal career ethnographies 228  
185 of successful fences (Steffensmeier 1986) or 229  
186 understanding the wider dynamics of the trade 230  
187 (Sutton 1998). 231

### 188 **Stolen Goods Market Types: Guilty** 189 **Minds and Offending Dynamics**

190 The London magistrate Patrick Colquhoun 232  
191 (1796) was concerned with the guilty knowledge 233  
192 of people buying stolen goods at bargain prices. 234  
193 His threefold typology consists of: 235

- 194 1. Criminal receivers (professional fences who 236  
195 deliberately encourage theft) 237
- 196 2. Careless receivers (have a reckless disregard 238  
197 for the origin of the goods) 239
- 198 3. Innocent purchasers (believe good were 240  
199 legitimately purchased by the seller) 241

200 A new typology was created 156 years later by 242  
201 the jurisprudentialist Jerome Hall (1952), who set 243

202 out to emphasize the role of the professional 203  
204 fence in marketing stolen goods with another 205  
206 threefold typology: 207

- 208 1. The professional receiver (fence who deals in 209  
209 stolen goods) 210
- 211 2. The occasional receiver (buys for resale but 212  
212 does so only infrequency) 213
- 213 3. The lay receiver (buyer and consumer of 214  
214 stolen goods) 215

215 Even professional fences operate at different 216  
216 levels, as can be seen in the following three-tier 217  
217 fencing level typology first outlined by Lewis 218  
218 (2006): 219

- 220 • *Level-1 fence*: The thief sells to a level-1 fence 221  
221 (often a storeowner such as a pawnbroker or 222  
222 jeweler), who then sells the goods in his store 223  
223 or else sells them to another fence. 224
- 225 • *Level-2 (wholesale) fence*: This fence buys 226  
226 from a level-1 fence and then often cleans up 227  
227 and/or repackages the goods to make it look 228  
228 as though they came legitimately from 229  
229 the manufacturer. These are very clandestine 230  
230 operations that are perhaps most likely to be 231  
231 found by police officers working back from an 232  
232 investigation of a level-3 fence operation. 233  
233 Those who operate stolen car rings also fall 234  
234 within this subtype. 235
- 236 • *Level-3 fence*: A level-3 fence takes 237  
237 repackaged goods from a level-2 wholesale 238  
238 fence and diverts them to retailers. At times, 239  
239 major retailers find themselves innocently 240  
240 purchasing the very goods that were stolen 241  
241 from them. Level-3 fences have been known 242  
242 to sell perfume, cosmetics, razor blades, and 243  
243 shoplifted designer goods in this way. 244

245 Being human constructs, all typologies tell 246  
246 us as much about those who create them as they 247  
247 do about their subject matter. Hall's typology, for 248  
248 example, was purposely designed to emphasize 249  
249 the role of the professional fence in the marketing 250  
250 of stolen goods, because he sought to bring 251  
251 about a change in US law that would see 252  
252 professional fences treated with greater severity. 253  
253 Lewis's three-tier fence model is concerned 254  
254 only with describing the hierarchy and marketing 255  
255 dynamics of fences dealing in goods stolen in 256  
256 organized retail theft. 257

249 Seeking to classify the various ways that the  
 250 most commonly stolen goods are sold, Sutton’s  
 251 original (1998) fivefold typology of handling  
 252 dynamics, updated to six to incorporate later  
 253 knowledge of eSelling (Sutton 2010), describes  
 254 how thieves sell, dealers deal, and the public buys  
 255 stolen goods. No one of Sutton’s six market types  
 256 is known to be more serious or important than any  
 257 other in terms of the role it plays in promoting  
 258 theft by motivating thieves, fences, and the  
 259 buying public. Moreover, research suggests that  
 260 thieves and dealers regularly use more than one  
 261 type (Sutton 1998):

- 262 1. *Commercial Fence Supplies*. Stolen goods  
 263 are sold by thieves to commercial fences  
 264 operating out of shops such as jewelers,  
 265 pawnbrokers, and secondhand dealers.
- 266 2. *Commercial Sales*. Commercial fences  
 267 usually pose as legitimate business owners  
 268 while secretly selling stolen goods for  
 269 a profit, either directly to the (innocent)  
 270 consumer or more rarely to another distributor  
 271 who thinks the goods can be sold again for  
 272 additional profit.
- 273 3. *Commercially Facilitated Sales* (modified  
 274 here from eSelling). This market type involves  
 275 either the thief or a residential or commercial  
 276 fence knowingly selling stolen goods  
 277 through classified advertisements in  
 278 traditional newspapers and magazines,  
 279 through traditional auctions, or online through  
 280 classified sales websites such as Craig’s List or  
 281 Preloved.co.uk. They may also sell stolen  
 282 goods on Internet auction sites such as eBay.
- 283 4. *Residential Fence Supplies*. Stolen goods  
 284 (particularly electrical goods) are sold by  
 285 thieves to fences, usually at the fence’s  
 286 home. The fence may be drug dealer and  
 287 may be a prolific dealer in stolen goods or  
 288 may deal only occasionally.
- 289 5. *Network Sales*. Stolen goods are passed on,  
 290 and each participant adds a little to the price  
 291 until a consumer is found. This may involve  
 292 a residential fence or commercial fence selling  
 293 to other fences. Alternatively, the buyer may  
 294 be the final consumer or may sell the goods on  
 295 again through friendship networks.

6. *Hawking*. Thieves, or their friends, sell stolen  
 296 goods directly to consumers on the street or in  
 297 places such as bars and pubs or door to door in  
 298 residential areas (e.g., shoplifters selling  
 299 cigarettes, toiletries, clothes, or food).  
 300

Thieves tend to be flexible and may trade in  
 301 several different markets depending upon where  
 302 they are, the time of day, what they have for sale,  
 303 and how quickly they need to sell it.  
 304

Thieves do not simply respond to requests to  
 305 steal certain types of goods to order, because  
 306 many *steal to offer* goods to total strangers,  
 307 which can lead to the thief directly motivating  
 308 members of the public to become regular  
 309 customers in *Hawking* markets and tempting  
 310 previously straight business owners to become  
 311 fences by way of *commercial fence supplies*  
 312 (Sutton 1998). Experienced commercial fences,  
 313 in turn, use their respectable business *fronts* to  
 314 recruit inexperienced thieves who come in to  
 315 offer them stolen goods. Commercial  
 316 fences sometimes mix stolen goods in with their  
 317 legitimate stock. Somewhat perversely this helps  
 318 to sell legitimate stock, because some people  
 319 think they are getting a real bargain if the shop  
 320 has something of a reputation for selling  
 321 high-quality goods suspiciously cheaply as  
 322 opposed to cheaply made legitimate  
 323 merchandise.  
 324

Research suggests that stealing to order is not  
 325 as common as *stealing to offer* (Sutton 2010).  
 326 And thieves’ knowledge of the “standing  
 327 demand” for particular types of stolen goods  
 328 influences the types of goods that are stolen,  
 329 which can lead to crime waves when thieves  
 330 target particularly hot products. Past crime  
 331 waves of this kind have included theft of lead,  
 332 copper, aluminum, bronze, silver, gold, color  
 333 television sets, hi-fi equipment, video-cassette  
 334 recorders (VCRs), motor vehicle radio-cassette  
 335 players, computer memory chips, mountain  
 336 bikes, laptop computers, digital versatile disks  
 337 (DVDs), games consoles, mobile phones, and  
 338 in-car satellite navigation devices.  
 339

340 **The Basic Principles of Fencing**

341 According to the US Senate’s comprehensive  
342 review of fencing operations, the overwhelming  
343 majority of fences in the North America operate  
344 legitimate businesses (Sutton 2010). To operate  
345 successfully and avoid detection, the criminal  
346 dealings of the fence must be much less  
347 visible than the offenses and offenders that  
348 initially supply stolen goods. To achieve this,  
349 the fence must coach thieves to avoid detection,  
350 conceal his own trading behind a legitimate front,  
351 remain willfully ignorant of the provenance of  
352 goods bought from other fences, avoid storing  
353 goods to avoid detection but know how to safely  
354 store them if necessary, be wary of working with  
355 police informants, and limit the number of people  
356 who know what he is up to. He must never admit  
357 to knowingly trading in stolen goods if  
358 questioned by detectives, and he must have  
359 money for a good lawyer in case of arrest  
360 (Steffensmeier and Ulmer 2005).

361 Thieves and dealers in the UK and USA at  
362 least operate a “two- and three-way split”  
363 whereby experienced thieves selling to fences  
364 ask for between half the wholesale price and  
365 a third of the fences’ selling price. This tends to  
366 vary though depending upon whether or not items  
367 are in high demand as fast-moving consumer  
368 goods or high end luxuries. Thieves selling stolen  
369 cigarettes, for example, are generally paid  
370 between 30 % and 40 % of the retail price.  
371 Shoplifters selling stolen clothes, meat, and  
372 bottles of alcohol such as vodka, whisky, and  
373 brandy directly to consumers tend to receive  
374 half the retail price. Other stolen but used items,  
375 like electrical goods stolen from house burglaries,  
376 are usually sold by the thief for a third of the  
377 retail value. If a fence sells directly to someone  
378 who knows the goods are stolen, then they sell  
379 for half the retail price. If the fence is  
380 a businessperson selling stolen goods to innocent  
381 customers through a shop, then the goods are  
382 usually sold for two-thirds of the retail value.  
383 Gold jewelry is different, however, in that it is  
384 sold by thieves to jewelry shops for the going rate  
385 for scrap gold. Presumably that same rule applies  
386 for scrap metals of all kinds. Where other stolen

goods are concerned, this two- and three-way  
split on prices appears to be cast in stone, not  
least because several writers have documented  
these pricing practices existing for well over  
100 years (Quennell 1958; Steffensmeier 1986,  
Sutton 1998). Perhaps this is because it is simple  
to understand and operate by those motivated to  
make quick but regular profits in illicit markets.

**The Seller’s Dilemma**

Devising and testing creative ways to increase the  
difficulties and dilemmas faced by those dealing  
in stolen goods might be a useful approach in  
designing theft prevention and control strategies.  
The stolen goods seller’s dilemma, whether she is  
the thief or a dealer (the fence), is that to increase  
her profit, she has to increase her risks of getting  
caught. The seller can choose to sell only to  
people that she knows, which reduces her risks  
of being ripped off or detected but restricts her  
sales and buying opportunities. The thief can sell  
to strangers, which allows her access to more  
potential customers, but also increases her  
chances of being arrested or robbed. This  
dilemma applies to both the thief and the dealer,  
but the business-owning commercial fence must  
also simultaneously nurture the confidence of  
thieves with whom they deal while projecting  
a legitimate trading image.

These conflicting demands of access and security  
determine to a large extent the structure of  
local stolen goods markets. The small size of  
most fencing operations, uniformity in pricing,  
and limited profit making from theft should come  
as no surprise since competitive options are limited  
by virtue of there being only so many ways of  
doing things efficiently and effectively in any  
kind of illicit market. This is because advertising,  
marketing, warehousing, transportation, and  
expansion options are necessarily avoided, or  
else extremely limited, in order to avoid detection  
and regulation (see Reuter 1985).

## 428 **Prevalence**

429 Few estimates of the amount of trading in stolen  
430 goods markets exist, but an exercise conducted  
431 by the British Government to inform the UK  
432 National Accounts (1997) claimed that in 1995,  
433 thieves selling stolen goods within Britain  
434 cleared between £900 million and £1,680 million  
435 (net) and that fences cleared between £450  
436 million and £875 million (net) through selling  
437 stolen property.

438 The 1994 British Crime Survey (Sutton 1998)  
439 found that over the previous 5-year period, 11 %  
440 of the population of England and Wales admitted  
441 buying stolen goods, which they knew or  
442 believed to be stolen; 70 % thought that at least  
443 some of their neighbors had stolen goods in their  
444 homes; and 21 % thought a lot of them had the  
445 same. Looking back at just the previous year,  
446 rather than the last five, the British Offending,  
447 Crime and Justice Survey (Sutton et al. 2008)  
448 found that 7 % of adults in England and  
449 Wales admitted buying stolen goods while  
450 2.7 % admitted selling them. Furthermore, almost  
451 half of males aged 16–24 had been offered or else  
452 bought stolen goods. Comparing males with  
453 females, this research suggests that it is possible  
454 that more than twice as many males buy. In the  
455 poorest neighborhoods, 40 % of males bought  
456 stolen goods compared to 17 % of females.  
457 Even in the most affluent neighborhoods, 7 % of  
458 people bought stolen goods. Incredible as they  
459 are, these figures could be an underestimate if  
460 some respondents were reluctant to admit buying  
461 stolen goods and others forgot that they did so.

462 The importance of the stolen goods market  
463 problem is further highlighted by Graham and  
464 Bowling (1995) who found that handling stolen  
465 goods was the most prevalent crime admitted  
466 by their respondents, with 49 % of offenders  
467 admitting to having done it in the past year.

## 468 **Responses to Stolen Goods Markets**

469 A consistent theme in the social sciences and  
470 the multidisciplinary areas of criminology  
471 and criminal justice is the unintended, sometimes

472 ironic, consequences of purposive action. This  
473 theme, which is central to Merton's (1949)  
474 self-fulfilling prophecy, is reflected in the ratio-  
475 nale behind the market reduction approach to  
476 theft (Sutton 1998). Specifically, those who buy  
477 stolen goods unintentionally support a market  
478 supplied by theft for their own future  
479 victimization.

480 Since the existence of "safe" and ready  
481 stolen goods markets is a difficult to disentangle,  
482 downstream consequence of theft, as well as one  
483 causal factor behind the motivation for theft,  
484 knowing more about stolen goods markets, in  
485 order to seek to reduce them and make it  
486 more risky to deal in them with situational  
487 crime reduction approaches, might provide  
488 one potentially promising avenue. The market  
489 reduction approach (MRA) (Sutton 1998; Sutton  
490 et al. 2001) is designed to do this. Although it is  
491 recommended as promising practice on official  
492 websites supported by government agencies in  
493 the UK, USA, Australia, and New Zealand, the  
494 MRA remains as yet unproven (Hale et al. 2004)  
495 avenue for reducing acquisitive crimes.

496 A comprehensive review of promising  
497 policing and multi-agency partnership responses  
498 to stolen goods markets, including those known  
499 to have limited effectiveness, was commissioned  
500 by the US Department of Justice (Sutton 2010).  
501 The review examines various crackdowns on  
502 stolen goods markets that have been tried out in  
503 the UK and USA with various degrees of success.  
504 One important conclusion reached is that even  
505 the most apparently successful schemes prove  
506 difficult to maintain over time with the traditional  
507 focus on the theft act taking priority in the  
508 allocation of scarce resources (Walsh 1976).  
509 Moreover, limited research in this area reveals  
510 that what works and does not work in tackling  
511 stolen goods markets is complex and at times  
512 counterintuitive. Research findings – however  
513 limited – are particularly valuable, therefore, in  
514 helping police services avoid repeating past  
515 mistakes. Clandestine police storefront  
516 antifencing sting operations, for example, can  
517 have the unintended effect of generating  
518 theft in the surrounding area to meet the  
519 demand they have unintentionally created

520 (Langworthy and Lebeau 1992). Furthermore,  
521 despite being a favorite crime reduction activity  
522 in many police services, property marking has  
523 never been proven to reduce theft largely because  
524 thieves steal both “invisibly” and clearly marked  
525 property and fences and citizens will buy it  
526 (Sutton 2010). Therefore, the oftentimes bold  
527 assertions made by commercial companies for  
528 the success of their expensive property-marking  
529 products have never been confirmed by indepen-  
530 dent academic research (Knutsson 1984; Sutton  
531 1998; Harris et al. 2003; Hale et al. 2004).

532 **Explaining the Relative Importance of**  
533 **Stolen Goods Markets: Why the Market,**  
534 **Not Opportunity, Makes the Thief**

535 Property thieves, particularly prolific ones, are  
536 generally perceived to be “bent” offenders  
537 whose predation upon “straight society” can be  
538 explained by their relative poverty, subculture,  
539 wider cultural influences, poor socialization,  
540 substance addiction, or individual pathology  
541 acting alone as significant causes or else together  
542 as a combination of forces that interacts with  
543 so-called opportunities for theft. Here, current  
544 criminological understanding of the crime act  
545 has been shaped by the current criminological  
546 notion of “opportunity” that is classically defined  
547 in Crime Opportunity Theory as what happens  
548 when a relatively more capable and sufficiently  
549 motivated “likely” offender succeeds against  
550 a target or victim – thereby proving that  
551 they were capable offenders against relatively  
552 incapable or absent guardianship. However, this  
553 crime as “opportunity” explanation does not at  
554 the time of writing provide discoverable and  
555 measurable quantifiable values that would enable  
556 criminologists to predict and test individual or  
557 general victim or target vulnerability relative to  
558 actual or potential capable offender motivation or  
559 guardianship abilities (Clarke 1984). This  
560 same limitation applies in the area of repeat  
561 victimization and within various types of high  
562 crime environment or in crime hot spots. It is  
563 a truism therefore that capable and suitably  
564 motivated offender components of current

notions of “crime opportunity” cannot be  
565 discovered and objectively measured in  
566 nature or society before a successful crime  
567 happens – only afterward. This limitation means  
568 that “crime opportunity,” as the “almost always,  
569 elements of a criminal act” described in the  
570 Routine Activity Theory (RAT) crime triangle  
571 by Felson and Boba (2010, pp. 28–40), and in  
572 the description of crime as opportunity that is  
573 classically outlined by Mayhew et al. (1976), is  
574 the essential data of a successfully completed  
575 crime in commission. In other words, it is always  
576 knowable – but only ever after the event – that the  
577 crime happened because the offender could  
578 successfully commit it or else failed because he  
579 could not. 580

Logically, therefore, “crime opportunity”  
581 cannot be a cause of crime because Crime  
582 Opportunity Theory merely describes whether  
583 or not offenders were in fact more capable  
584 than the crime target’s guardianship. It follows,  
585 therefore, that until a crime is successfully  
586 completed or fails in the attempt, the current  
587 notion of “crime opportunity” cannot be known  
588 by offenders to exist in advance of the crime  
589 being completed or failing. This is because no  
590 potential thief could know for sure that they  
591 would be more capable than any guardian or  
592 that guardianship would remain absent. After  
593 all, if that was possible, there would be no reason  
594 for so many failed criminal attempts. 595

The RAT “crime opportunity” incorporates  
596 the commonsense premise that before stealing,  
597 most offenders rationally weigh up what they  
598 perceive to be risks versus rewards. However,  
599 this explanation of perceptions in the so-called  
600 crime opportunity event does not include human  
601 guardian perceptions of their own relative  
602 capabilities. Offender and guardian perceptions  
603 aside, if the current notion of crime opportunity,  
604 which combines RAT with the known successful  
605 criminal outcome described in the classic crime  
606 triangle, could somehow exist in advance of the  
607 crime actually being accomplished, then it would  
608 logically follow that every successfully  
609 completed crime and every offense of attempt  
610 would be the cause of itself, which is clearly  
611 impossible according to the scientific laws that  
612



613 govern the universe above the subatomic  
614 level. Therefore, the widely cited claim that  
615 “opportunity makes the thief” (Felson and Clarke  
616 1998) is undoubtedly logically flawed (see also  
617 Sutton 2012).

618 Consequently, this notion of opportunity is  
619 neither a rational framework nor model for theory  
620 building. Nor is it a stand-alone theory of crime  
621 causation (e.g., see Felson and Clarke 1998, p. 9;  
622 Tilley and Laycock 2002; Felson and Boba 2010,  
623 p. 47) nor any kind of *measure* of differential  
624 vulnerability (see Clarke 1984), because it does  
625 not quantify levels of vulnerability. What is  
626 more, this notion of “crime opportunity” does  
627 not even fit common understandings of opportu-  
628 nity because it does not describe any kind of  
629 realistic pre-crime situation formed by  
630 a juncture of circumstances favorable to crime.  
631 Logically, therefore, there is no opportunity in  
632 Crime Opportunity Theory.

633 The current classic RAT and situational  
634 crime prevention notion of “crime opportunity”  
635 (perhaps *ratortunity* is a better word for it) is an  
636 elegantly precise, perhaps perfect, post hoc  
637 description of any successfully completed  
638 criminal act, which makes it a veracious, and  
639 therefore important, description of what has  
640 happened. But descriptions, no matter how  
641 elegantly described, cannot explain the reasons  
642 for the data. It follows, therefore, that precise  
643 descriptions of the components present at every  
644 crime act cannot explain the cause of the crime.  
645 This is true for all descriptions and the data  
646 they describe (Shermer 1991). Just as a fossil  
647 embedded in the geological fossil record, no  
648 matter how precisely and elegantly  
649 described, cannot explain itself without  
650 a separate theory – such as Darwin’s theory of  
651 evolution.

652 Criminology requires a crime theory to  
653 explain why, in all successfully completed  
654 crimes, offenders are sufficiently motivated to  
655 prevail against protective measures. Simply  
656 saying, for example, that successful offenders  
657 were sufficiently motivated to overcome levels  
658 of guardianship, perhaps even ones that had  
659 deterred them in the past, because they  
660 rationally reevaluated the risks and rewards

(Felson and Clarke 1998) does not explain at 661  
what point and why the rewards and risks 662  
switched to make a once adequately protected 663  
target become sufficiently vulnerable. In order 664  
to do that, criminologists need to look for more 665  
promising explanations that are separate from the 666  
data and descriptions of criminal acts they seek to 667  
explain. One potentially promising avenue here is 668  
to focus upon precisely how variations in demand 669  
for particular stolen goods differentially 670  
influence the motivation of thieves and their 671  
perceptions of risks versus rewards. This is why 672  
the strangely neglected area of stolen goods 673  
markets deserves more attention. 674

In the case of theft, changes in technologies, 675  
cultures, consumption patterns, and the economy 676  
of a nation state can sometimes act as a spur for 677  
new crime motivating markets, leading to 678  
increased levels of theft of particular types of 679  
property and changes in ways and methods of 680  
offending (e.g., Mann and Sutton 1998). Future 681  
research in this area will most certainly build 682  
upon existing knowledge and seek to understand 683  
more about the role that stolen goods markets 684  
play in motivating people to begin and continue 685  
stealing. One thing waiting to be discovered is 686  
information about exactly how and why an 687  
increase in demand for particular things can 688  
change them from “warm” to “hot products” 689  
(Clarke 1999) and hence increase both licit and 690  
illicit prices (Sutton 1995). If future research 691  
could find and then attach a quantifiable value to 692  
the “sufficient motivation switching point” for 693  
offending (if indeed there is such a thing) as 694  
a sufficient condition for theft, then criminolo- 695  
gists would be in a better position to predict 696  
acquisitive crime waves. Perhaps one day crimi- 697  
nologists will be able to accurately predict the 698  
likelihood of the next otherwise unexpected 699  
crime wave before it becomes a crime harvest. 700  
Forewarned with such knowledge, it would be 701  
possible to take preventative action, rather than 702  
merely explaining why the crime wave happened 703  
and seeking to prevent individual repeat occur- 704  
rences. Understanding more about the role of 705  
stolen goods markets in theft, therefore, offers 706  
further promising incremental advances and 707  
perhaps, potentially, a monumental breakthrough 708

709 in criminological knowledge, crime reduction  
710 policy making, and policing.

### 711 **Conclusions and the Way Forward**

712 Little is known about the factors that influence  
713 demand for stolen goods, what impact ready  
714 markets have on potential and persistent property  
715 thieves, and what might be the most promising  
716 ways to tackle effectively the crime of knowingly  
717 buying stolen goods. One thing is certain though:  
718 if more goods are stolen from people on the street  
719 or from their houses and cars, then they are  
720 normally purchased by other people to enjoy on  
721 the street or in their own houses and cars.

722 Surprisingly little research has been  
723 conducted into who buys stolen goods and why.  
724 Accordingly, compared with other areas of  
725 criminology, such as ethnographic and  
726 subcultural analysis of various different types of  
727 theft and thieves, the subject of stolen goods  
728 markets is a weirdly neglected area. Despite the  
729 fact that fences and consumers create much of the  
730 demand for stolen goods that is met through  
731 supply by theft, policing and crime reduction  
732 initiatives remain for the most part heavily  
733 focused upon thieves alone. Given the pervasive  
734 nature of stolen goods markets and the fact that  
735 the stolen goods trade is, when compared  
736 with acts of theft, afforded far less resources and  
737 attention, a most telling question is whether it is  
738 evenhanded or particularly efficient criminal  
739 justice policy or policing practice to focus so  
740 much attention on property thieves, rather than  
741 those who buy from them.

742 Knowing what research reveals about adults  
743 who motivate young thieves to steal by fencing or  
744 otherwise criminally receiving stolen goods and  
745 considering the number of thieves occupying  
746 prison systems throughout the world reveals  
747 a telling question, namely, *why do so few*  
748 *receivers of stolen goods share prison time with*  
749 *their regularly incarcerated suppliers?*  
750 The answer lies partly in the fact that gathering  
751 sufficient evidence to prosecute fences is difficult  
752 because they conceal stolen goods trading behind  
753 legitimate business fronts. Professional fences

754 are expert at this and can remain undetected for  
755 years. In addition, members of the general public  
756 who buy directly from thieves for their own  
757 consumption do not do so as prolifically as indi-  
758 vidual thieves tend to steal. Consequently, their  
759 risk of detection is lower. Furthermore, public  
760 tolerance toward those who deal out of their  
761 cars and houses, often using networks of contacts  
762 in the community, is high because these dealers  
763 are seen by their customers as providing a kind of  
764 community service by way of essential or  
765 expensive luxury items at bargain prices.

766 If fences and the general public who buy  
767 stolen goods are responsible for creating markets  
768 for everyone's potential victimization, then  
769 finding effective ways to reduce such markets  
770 appears to be a logical and compelling way to  
771 reduce theft. Detecting those engaged in handling  
772 stolen goods and applying legal sanctions against  
773 them ensures that thieves and handlers have less  
774 chance of profiting from the misery of victims of  
775 burglary and other thefts, which is arguably an  
776 important criminal justice end in its own right and  
777 perhaps one that criminologists should not lose  
778 sight of in pursuit of measurable theft reduction.  
779 That said, it is not possible to predict accurately  
780 how different populations might respond in  
781 the event they were significantly deprived of  
782 stolen bargains.

783 Since theft remains a problem to be solved,  
784 criminologists will continue to make progress  
785 in the area. The logical impossibility of  
786 "crime opportunity" being a cause of crime  
787 brings us to a nexus where the next fundamental  
788 breakthrough in understanding the causes of theft  
789 may possibly be a new hypothesis proposing an  
790 explanation for how "demand" for hot  
791 products interacts with human actors to cause  
792 a "switching point" in offender motivation with  
793 the effect that what was previously capable  
794 guardianship of valuable products becomes  
795 inadequate when their trading value increases to  
796 a certain level, which is exactly what happened  
797 when electricity first ceased to be a capable  
798 guardian of live copper cable when global copper  
799 prices rose significantly in 2004 and thereafter.  
800 If such a hypothesis is formulated, criminologists  
801 and economists will do their best to disprove it

802 through a process of prediction and observable  
 803 outcome. If disconfirming evidence is not forth-  
 804 coming, then the issue of fencing and receiving  
 805 stolen goods may no longer remain so strangely  
 806 ignored because it might enable criminologists to  
 807 better forecast crime waves. The theft reduction  
 808 potential of adopting such a market reduction  
 809 approach is huge.

810 **Related Entries**

- 811 ▶ [A Brief History of Criminological Theories](#)
- 812 [About the Causes of Crime](#)
- 813 ▶ [Causes of Offending: How Can They Be](#)
- 814 [Established](#)
- 815 ▶ [Crime Event](#)
- 816 ▶ [Cultural Criminology](#)
- 817 ▶ [Innovation and Crime Prevention](#)
- 818 ▶ [Larceny/Theft](#)
- 819 ▶ [Modus Operandi](#)
- 820 ▶ [Rational Choice Theory and Deterrence in](#)
- 821 [Economics](#)
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- 826 ▶ [Situational Crime Prevention](#)
- 827 ▶ [Theft at Construction Sites](#)
- 828 ▶ [Theories of Situational Crime Prevention](#)
- 829 ▶ [Wildlife Trafficking, Speciesism and Crimes](#)
- 830 [Against Animal Life](#)

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