



# Organizing a Public-Private Partnership to Defeat Organized Retail Crime

A CHALLENGE SEATTLE REPORT | OCTOBER 2024

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### Acknowledgments

As we embarked upon this project, we are grateful for the partnership of the Washington Retail Association. Throughout the project, we sought the input and deep expertise of retailers, law enforcement, prosecutors, policymakers, and other partners on the frontlines of addressing organized retail crime in Washington state. In particular, we want to thank the following for their input and guidance on the issue: Bellevue Police Department, Homeland Security Investigations, City of Issaquah Mayor, Kemper Development Company, King County Prosecuting Attorney’s Office, King County Sheriff’s Office, Lowe’s, Microsoft, Nordstrom, NW Grocery Association, Office of the Washington Attorney General, REI, Retail Industry Leaders Association, Seattle Police Department, Target, Tukwila Police Department, Westfield Southcenter, and Washington Organized Retail Crime Association.

# “Our Collective Goal is to be More Organized than the Criminals We Aim to Combat”

Like you, we are deeply concerned about the rise of organized retail crime (ORC) because of its significant economic impact and its direct threat to the safety of employees, customers, and our communities. ORC has long been a priority for the retail industry and is recognized as one of the top public safety concerns by law enforcement leaders in King County.

This is not a matter of petty theft or crimes driven by economic hardship. Organized retail crime involves substantive theft, fencing, and the illicit resale of goods, resulting in total losses amounting to billions of dollars annually in Washington State alone. These criminal operations frequently span city, county, state, and even international borders.

ORC is far more than an economic crime; it is often closely tied to other serious crimes including the trafficking of illegal guns, vehicle theft, and burglaries, and is many times linked to the ongoing fentanyl crisis. The threat it poses to public safety is real and wide-reaching.

In response to the growing scope of this problem, we have seen encouraging action from the Washington State Legislature, city and county leaders, business organizations, law enforcement agencies, and prosecutors. However, our work is far from complete.

Retailers understand the resource constraints faced by law enforcement and prosecutorial offices, and they stand ready to collaborate closely with public safety partners. Our collective goal is to be more organized than the criminals we aim to combat.

“Organizing a Public-Private Partnership to Defeat Organized Retail Crime” emphasizes the need for a comprehensive approach where all partners understand their roles and responsibilities. For meaningful progress, it requires a sustained and coordinated effort.

By working together—sharing strategies, knowledge, and resources—we can develop a robust defense against ORC. Success will require the commitment and action of policymakers, businesses, the criminal justice community, and the public. Our shared objective is clear: prevention, deterrence, and accountability to ensure the safety of our communities.

Sincerely,



**Governor Chris Gregoire**  
CEO of Challenge Seattle



**Renee Sunde**  
President/CEO of Washington Retail Association





# Introduction to Organized Retail Crime

**Organized retail crime poses a significant threat to our residents, our businesses and their employees, and our overall community safety. This issue requires a collaborative approach that integrates the efforts of retailers, law enforcement, and prosecutors to effectively reduce crime, share critical information, and ensure successful prosecution of offenders.**

## DEFINING ORGANIZED RETAIL CRIME

**O**rganized retail crime—unlike shoplifting by an individual—is defined as the theft of retail merchandise with the intent to resell the items for financial gain. In nearly all cases, more than \$750 is stolen with multiple accomplices. As highlighted by the Washington Office of the Attorney General, organized retail crime does not include petty theft or poverty-driven crimes.

Organized retail crime has been a top concern for the retail industry for decades, primarily due to its threat to the safety of store employees and customers. While the economic damage to retail businesses is significant, the immediate danger posed to those in our stores has made this issue a critical priority for retailers and law enforcement alike. These concerns have grown in recent years, as criminal groups have become more brazen and violent in their tactics and have utilized new channels to resell stolen goods—primarily the widespread availability of online marketplaces.

In Washington State, organized retail crime spans a broad spectrum, from individuals collaborating to resell stolen goods, to informal groups of a few people, to highly sophisticated, large-scale criminal enterprises.



## Introduction to Organized Retail Crime

### RISE OF ORGANIZED RETAIL CRIME IN WASHINGTON STATE

National crime data on ORC does not exist, and most law enforcement authorities do not specifically track ORC as a specific category of crime.

Washington state is vulnerable to organized retail crime and large-scale transnational threats due to its location, which includes major shipping ports, a significant trucking industry, and proximity to an international border. According to the Retail Industry Leaders Association (RILA), Washington state experienced over \$2.7 billion in retail theft in 2021, the second highest in the nation per capita.

In a recent survey of all of King County Police Chiefs, a majority of jurisdictions revealed that organized retail crime and burglaries are one of their top public safety concerns.



“Forbes: Washington is state most heavily impacted by retail theft”

11/21/23

Washington ranked most impacted state primarily due to:

48% more retail theft than expected per capita

Value of stolen goods (average: \$347 per resident vs. \$173 nationally)

Violent theft incidents are second-highest per capita

### Survey of King County Police Chiefs

#### What are law enforcement’s top public safety concerns in your jurisdiction?

**Theft/burglaries (auto): 63%**

**Retail theft, shoplifting, burglaries: 52%**

**Traffic safety: 48%**

**Residential burglaries/theft: 30%**

Other public safety concerns include: *public drug use (22%), gun violence (22%), violent crime (22%), drug trafficking/fentanyl (19%), domestic violence (4%), fraud (4%), gang violence (4%), transit safety (4%)*

### RECENT PROGRESS

In Washington state, there have been a series of efforts and initiatives to make progress on organized retail crime including:

- **New Organized Retail Crime Unit at Washington State Office of the Attorney General:** In 2023, the legislature funded a centralized Organized Retail Crime Unit to coordinate, investigate, and prosecute retail crime statewide. The 10-person unit includes investigators, prosecutors, and a data analyst.
- **New Statewide Pilot with Washington Organized Retail Crime Association (WAORCA):** With the advocacy of multiple organizations and companies, the state legislature added \$1 million for three pilots across the state to bring together retailers and law enforcement.
- **“The Vibrant Communities Initiative”—a New King County Pilot—by the National Retail Industry Leaders Association (RILA):** Launched in January 2024, the new innovative pilot brings together 22 large retailers, 10 law enforcement agencies, the King County Prosecuting Attorney’s Office, and the Seattle City Attorney’s Office. This initiative brings together new technology and a new program to increase collaboration across retailers, police departments, and prosecutors to address the highest impact offenders.

## Introduction to Organized Retail Crime

Organized retail crime is not only about dollars and cents for our retailers—it's about employees and our community:

### How Organized Retail Crime Threatens a Community



#### LARGE & SMALL RETAILERS

- Loss of revenue and profit.
- Significant product leakage.
- Increased costs for security measures, equipment, training, and staff.



#### EMPLOYEES

- Face greater violence and feel less safe.
- Declining morale.
- Lack of resources for employee support.



#### CONSUMERS

- Feel less safe and pay higher prices.
- Face store closures and declining quality of goods.
- Driven to less-well-regulated online shopping platforms.



#### LOCAL GOVERNMENT

- Increased criminal activity requires greater resources to police, report, investigate, and prosecute ORC.
- Loss of sales tax revenue puts greater pressure on public services.



#### RELATED CRIME

- Interconnected to other public safety issues including vehicle theft, gun violence, residential and commercial burglaries, and other violent crimes.
- Fueling fentanyl and meth crises.
- Tied to other larger scale operations such as narcotics trafficking, human trafficking, or money laundering.





## Introduction to Organized Retail Crime



### Understanding Criminal Laws in Washington State

**Combating retail theft has primarily been handled by state and local law enforcement under state criminal laws.**

Shoplifting or theft of property under \$750 is prosecuted as a misdemeanor, which is punishable by a maximum of 364 days in jail and a \$5,000 fine. In misdemeanor cases, there can be associated charges such as criminal trespassing.

**In Washington**, organized retail crime is primarily prosecuted as a felony and is defined by RCW 9A.56.350. Organized retail theft in the first degree is a Class B felony when the value of the property involved is \$5,000 or more. Organized retail theft in the second degree is a Class C felony when the value of property is between \$750 - \$5,000. The more typical case often involves an individual who commits a series of thefts—these cases can be filed separated or aggregated. Penalties are based on criminal law and defendants' previous history. In many felony cases, there can be

associated charges such as theft, theft with special circumstances, robbery, burglary, possession of stolen vehicles, theft with intent to resell, and trafficking in stolen property.

**At the federal level**, there is currently no federal law specifically targeting retail theft; however, the following criminal statutes may apply depending on the facts of the case::

- 8 U.S.C. §2314, interstate transportation of stolen goods.
- 18 U.S.C. §2315, sale or receipt of stolen goods previously transported in interstate commerce.
- 18 U.S.C. §1956, laundering of monetary instruments.
- 18 U.S.C. §1957, engaging in monetary transactions in property derived from specified unlawful activity.
- 18 U.S.C., §1341 or 1343, mail and wire fraud.

# Navigating Roles in Addressing Organized Retail Crime

Organized retail crime is inherently complex due to its multi-faceted nature. It involves numerous retailers, each with their own security measures and reporting protocols to law enforcement. Additionally, these crimes often cross multiple jurisdictions, requiring information sharing and collaboration across city, county, state, and federal law enforcement agencies. Every retailer, law enforcement agency, and prosecutor plays a key role for a successful prosecution and accountability.

Our business organizations—the Washington Retail Association, the Retail Industry Leaders Association, and the Washington Organized Retail Crime Association—are at the forefront of efforts to coordinate and align retailers in addressing these challenges.

Outlined below is an overview of the key roles, responsibilities, and stakeholders identified in the report, which are critical to combating organized retail crime.



The complexity of addressing ORC is further underscored by involvement of additional public and private partners who may play a role in specific cases—such as law enforcement partners like the Washington Fusion Center and Washington State Patrol and judges in the criminal justice system, who play a key role in ultimate accountability for an individual.

Online marketplaces also play a significant role in facilitating ORC by offering platforms for criminals to sell stolen goods, often to unsuspecting consumers. In 2024, the Washington Office of the Attorney General [issued a report](#) to provide the public, law enforcement, and businesses impacted by organized retail crime with additional information and insights into the efforts being made by online marketplaces to combat organized retail crime.



## Navigating Roles in Addressing Organized Retail Crime



### RETAILERS' ROLE

**R**etailers, store employees, loss prevention teams, and property managers are at the forefront of the fight against organized retail crime, playing a pivotal role in supporting law enforcement and prosecutors. Their efforts are primarily focused on prevention, protecting employees and customers, reporting incidents, and fostering ongoing collaboration with law enforcement and prosecutors.

A variety of best practices and resource guides are available on the newly launched "Organized Retail Crime Resource Hub," including the Washington Retail Association's *Guide to Navigating Public Safety and Retail Crime*. Retailers can adopt a range of measures to prepare for, prevent, and address incidents, including:

**Establishing Points of Contact with Law Enforcement Agencies:** Many local law enforcement agencies conduct quarterly meetings or trainings with retailers. Building strong relationships with these agencies is essential.

**Prevention and Security Enhancements:** Retailers can take a variety of proactive security measures to safeguard employees, customers, and property.

- **Issuing a Notice of Trespass:** Any authorized representative—whether a designated employee, business owner, property owner, or leaseholder—can revoke an individual's permission to enter private property by issuing a trespass warning. Defendants in theft cases are often served with such notices.
- **Visible Deterrents:** Investing in visible security measures, such as surveillance cameras, security guards, and anti-theft devices, can deter would-be thieves.
- **Process Improvements:** Strengthening inventory management and securing high-value items in storage can help reduce theft risk.

**Employee Training:** Retailers ensure employees receive comprehensive, ongoing training to address organized retail crime and related safety protocols.

- **Awareness Training:** Employees are trained to recognize suspicious behavior and the tactics employed by organized retail criminals, including how to safely respond to shoplifting incidents.
- **Safety Protocols:** Safety training equips employees with knowledge on how to handle theft incidents without jeopardizing their safety or that of customers.
- **Use of Technology:** Employees must also be proficient in using security technologies and tools that aid in theft prevention and documentation.

## Navigating Roles in Addressing Organized Retail Crime

### RETAILERS' ROLE *(cont'd)*

**Tracking Losses, Reporting Theft, and Supporting Law Enforcement:** Across retailers, there are various internal policies and protocols for immediately calling 911, filing a police report, and collecting data on losses. It's essential for retailers to report thefts to local law enforcement and collaborate with other retailers to share information about theft patterns and suspects. This collective effort can help assist other retailers and law enforcement in tracking patterns and building cases.

- **Immediate Response to Incidents:** All retailers prioritize customer and employee safety. For serious or violent incidents, employees are instructed to call 911 immediately. While some retailers may have policies allowing security or trained employees to directly intervene to stop potential theft, others do not immediately intervene but rather conduct an investigation before involving law enforcement.
- **Filing Reports and Collaboration:** Retailers may report thefts involving \$250-\$1,000 or more, depending on internal policies. Loss prevention teams or asset protection employees often conduct initial investigations, reviewing surveillance footage and compiling evidence before formally reporting to law enforcement. Continued collaboration with law enforcement and prosecutors is essential for successful prosecution.
- **Data Collection:** Systematic tracking of theft incidents helps retailers identify patterns, hotspots, and criminal methods. Internal reporting requirements for theft incidents often range from \$100-\$1,000.

Continued collaboration and information-sharing across other retailers, law enforcement agencies, and prosecutors is key for accountability.



### LAW ENFORCEMENT AND INVESTIGATORS' ROLE

Retailers have three key options for addressing organized retail crime during law enforcement investigations leading up to prosecution. Primarily, retailers collaborate with local police departments, which are typically responsible for leading ORC investigations. However, the Attorney General's Office can also directly investigate cases referred by retailers.

#### Local Law Enforcement

CONTACT: 911, online reporting, or various [non-emergency numbers](#) across King County

#### Investigators in the Washington State Office of the Attorney General

CONTACT: [ORCU@atg.wa.gov](mailto:ORCU@atg.wa.gov)

#### Homeland Security Investigations (HSI)

CONTACT: (206) 442-2200 or email [HSISeattleORC@hsi.dhs.gov](mailto:HSISeattleORC@hsi.dhs.gov)

## Navigating Roles in Addressing Organized Retail Crime

### LAW ENFORCEMENT AND INVESTIGATORS' ROLE *(cont'd)*

Local police departments have authority to investigate all misdemeanor and felony crimes for referral to prosecutors. Most cases of organized retail crime begin with reporting to local police departments. In King County, each of the 39 cities operates its own police department, while the King County Sheriff's Office oversees public safety in unincorporated areas. Additionally, many cities contract with the Sheriff's Office for law enforcement services. Investigating ORC is a priority for many King County jurisdictions, as these crimes are often linked to illegal drugs (especially fentanyl), vehicle theft, fraudulent license plates, illegal firearms, and violent crime. However, staffing challenges and rising violent crime rates have strained the capacity to investigate all theft reports, particularly misdemeanors.

To effectively target ORC activity, increased coordination and networking between law enforcement and private partners is paramount. With numerous police departments operating across King County, detectives across departments are constantly collaborating on cross-jurisdictional investigations. Some agencies participate in local or federal task forces that focus on related crimes, such as illegal guns, drugs, or human trafficking.

Retailers' reporting policies may vary, with some reporting theft in real time via 911 and others filing online reports. However, for organized retail crime and felony theft, typical law enforcement involvement includes:

- **An Initial Response:** Local law enforcement respond to the scene to gather information, secure evidence, and take statements from witnesses and store employees. As part of the best practices resource guide, there is a comprehensive list of evidence and information from retailers that is more likely to lead to a referral to a prosecutor. Detectives have highlighted that some of the most important information for an initial investigation is camera footage, a list of inventory stolen with serial numbers or specific identifiers if available, description of suspect, and vehicle plate numbers. In some cases, they may also conduct regular patrols in high-risk areas or emphasis patrols following an incident or series of incidents.
- **Investigation:** Local law enforcement, HSI, and the Attorney General's Office will often assign investigators, detectives, or specialized units to investigate the crime further. This can involve tracking stolen goods, identifying suspects, compiling evidence with a retailer, apprehending suspects, or working with other law enforcement agencies if the crime spans multiple jurisdictions. Prior to making a referral for prosecution, HSI Seattle relies on local law enforcement and private asset protection reporting to identify targets and establish connections to show that they are operating as a larger network.
- **Arrests and Prosecution:** Once suspects are identified, police will serve warrants, make arrests, and work with prosecutors to build a case. This can include presenting evidence in court and testifying during a trial.
- **Training and Outreach:** Many local police departments offer regular trainings, meetings, or workshops with retailers including education on ORC, prevention and security enhancements, emergency response protocols, and reporting procedures.

### Addressing High Value Theft Across Jurisdictions

When retailers or law enforcement identify individuals involved in multiple incidents or high-value thefts across jurisdictions or retailers, both the Washington State Attorney General's Office and HSI can provide critical resources.

In 2023, the Washington State Attorney General's Office established a specialized unit to combat ORC, with investigative capacity. The Attorney General's Office can accept direct referrals from retailers for ORC investigations, particularly for cases involving individuals who have stolen at least \$20,000 of goods or committed 15 or more separate crimes.

Homeland Security Investigations (HSI) ORC cases focus on top tier interstate or international criminal organizations, such as fencing operations where the loss/theft exceeds \$500,000. HSI Seattle regularly triages leads and referrals received from both state and local law enforcement and private sector partners to identify significant ORC targets and criminal networks operating across multiple states or countries.



## Navigating Roles in Addressing Organized Retail Crime

### LAW ENFORCEMENT AND INVESTIGATORS' ROLE *(cont'd)*

Focusing on top tier interstate or international criminal organizations, HSI Seattle utilizes law enforcement tools, including intelligence, surveillance, subpoenas, search warrants and undercover activity, to establish the criminal elements necessary to charge the individuals with federal violations, such as 18 USC § 2314 (interstate transportation of stolen property) or 18 USC § 1343 (wire fraud). HSI also aims to identify the methods that targets are using to sell the product (i.e., local sales, interstate or international trafficking, E-commerce sales, etc.) and identify the methods through which organized theft groups are laundering their ill-gotten gains.

Through these collaborative efforts, both the Attorney General's Office and HSI are vital in investigating ORC networks, holding criminals accountable, and safeguarding communities.



### PROSECUTORS' ROLE

Our local police departments and King County Sheriff's Office refer cases for prosecution across all levels of prosecutors, but the vast majority of organized retail theft cases from King County are prosecuted by the King County Prosecuting Attorney's Office.

#### City Attorneys

CONTACT: Various across King County

#### King County Prosecuting Attorney's Office

CONTACT: Economic Crimes Unit at (206) 477-3733

#### Washington State Office of the Attorney General

CONTACT: Email [ORCU@atg.wa.gov](mailto:ORCU@atg.wa.gov)

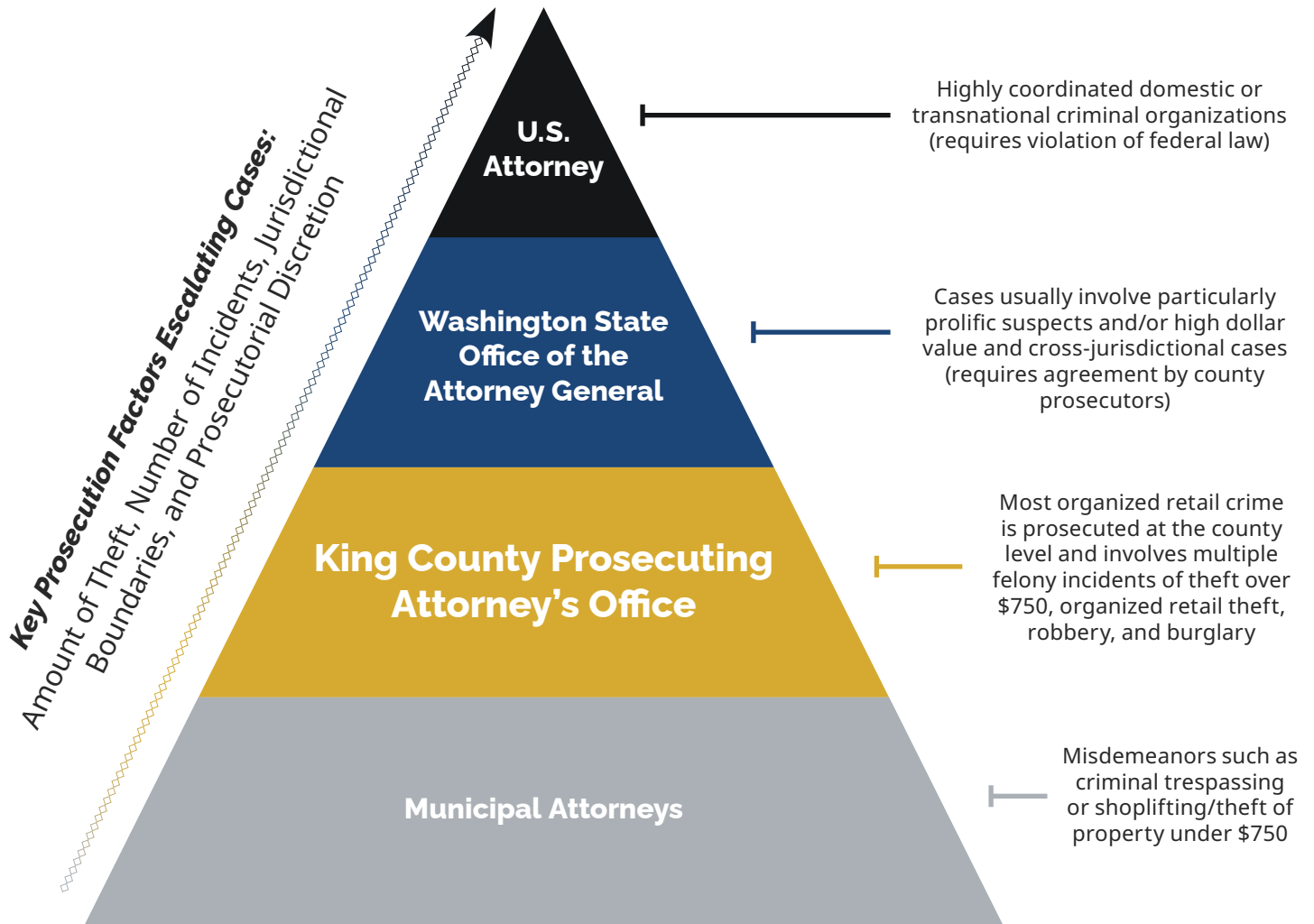
#### U.S. Attorney

CONTACT: (206) 553-4110

## Navigating Roles in Addressing Organized Retail Crime

### PROSECUTORS' ROLE *(cont'd)*

Prosecutors' offices have filing standards based on statute, staffing, and prioritization across public safety issues and each case is circumstance specific. Overall, cases escalate based on the key factors of the amount of theft, number of incidents, and cases that may cross county, state, or international borders. Each of these cases have unique facts and evidence, and decisions made by prosecutors rely on a variety of key factors beyond the case, including prosecutorial discretion, overall case load in an office, and staffing.



### Misdemeanor Cases

In Washington state, organized retail crime is a felony offense. However, some cases are prosecuted as theft—either felonies or misdemeanors—depending on the evidence or case details. Specifically, theft in the third degree involves stolen property or services valued at \$750 or less, which is classified as a gross misdemeanor, punishable by up to 364 days in jail and a fine of up to \$5,000. In King County, city attorneys play a crucial role in prosecuting misdemeanor crimes within their respective cities. City attorneys are responsible for prosecuting misdemeanor and gross misdemeanor offenses, such as theft, vandalism, and minor assaults. These crimes are less severe than felonies and typically result in shorter jail sentences and smaller fines. In many cases, city attorneys are focused primarily on repeat offenders who commit multiple offenses. Many city attorney offices also manage diversion programs aimed at rehabilitating offenders and reducing recidivism. These programs can include community service, counseling, and other restorative justice measures.

## Navigating Roles in Addressing Organized Retail Crime

### PROSECUTORS' ROLE *(cont'd)*

#### Felony Cases

The King County Prosecuting Attorney's Office (KCPAO) and the Washington State Office of the Attorney General focus on organized retail crime as defined by RCW 9A.56.350. Organized retail theft in the first degree is a Class B felony when the value of the property involved is \$5,000 or more. Organized retail theft in the second degree is a Class C felony when the value of property is between \$750 - \$5,000.

The King County Prosecuting Attorney's Office has a deputy prosecuting attorney (DPA) who is a subject matter expert on retail crimes and is responsible for screening most of the retail crime cases referred to KCPAO. The DPA prosecutes the full range of property and economic crimes that can be committed against retail establishments, including robbery, burglary, organized retail theft, theft, and trafficking in stolen property. The DPA vertically prosecutes the most serious and complex cases while also serving as a resource for the filing, early plea unit, and trial DPAs. The DPA also works on issues of policy, outreach, and coordination with law enforcement, other prosecuting entities, and other stakeholders.

The Attorney General's Organized Retail Crime unit has two assistant attorneys general who prosecute felony cases under state law through referrals from retailers, referral from law enforcement, and referral from county prosecutors. In addition, they convene quarterly meetings of retailers and law enforcement from across the state to discuss cross jurisdictional cases. In addition, the Office of the Attorney General created an open Task Force that has the participation of more than 300 representatives across retailers, business organizations, law enforcement, prosecutors, online marketplaces, cities and counties, and policymakers. The Task Force meets twice a year to educate members on ongoing initiatives across the state, including the work of the new ORC unit.

The U.S. Attorney's Office prosecutes federal felony cases with charges focusing on federal crimes relating to stolen goods, fraud, and/or money laundering.

#### Key Evidence Needed by Prosecutors

Each case requires varying levels of proof based on the facts of each case. Across all prosecutors, the following is evidence that a retailer or law enforcement can generally expect is needed for proof and filing charges:

- Certification of probable cause from law enforcement officer.
- Identification of the suspect and/or accomplice(s):
  - Arrest record/identification.
  - In-person witnessed.
  - Montage of photos ID by a person or photo verification.
  - Clear photo matching the Washington State Department of Licensing.
  - Fingerprints.
  - Other corroborating evidence.
- Receipts/proof of value lost and an explanation of the value.
- Signed report(s) from loss prevention or store employee.
  - Name and contact information of all witnesses to the incident.
- Photos of the incident(s).
- Surveillance videos of the incident(s).
- A copy of any trespass notice (if applicable).
- Other videos like law enforcement body worn or in-car videos of an arrest or interview related to incident(s).
- Any 911 calls/CAD associated with filing law enforcement report.
- Other crime specific items.

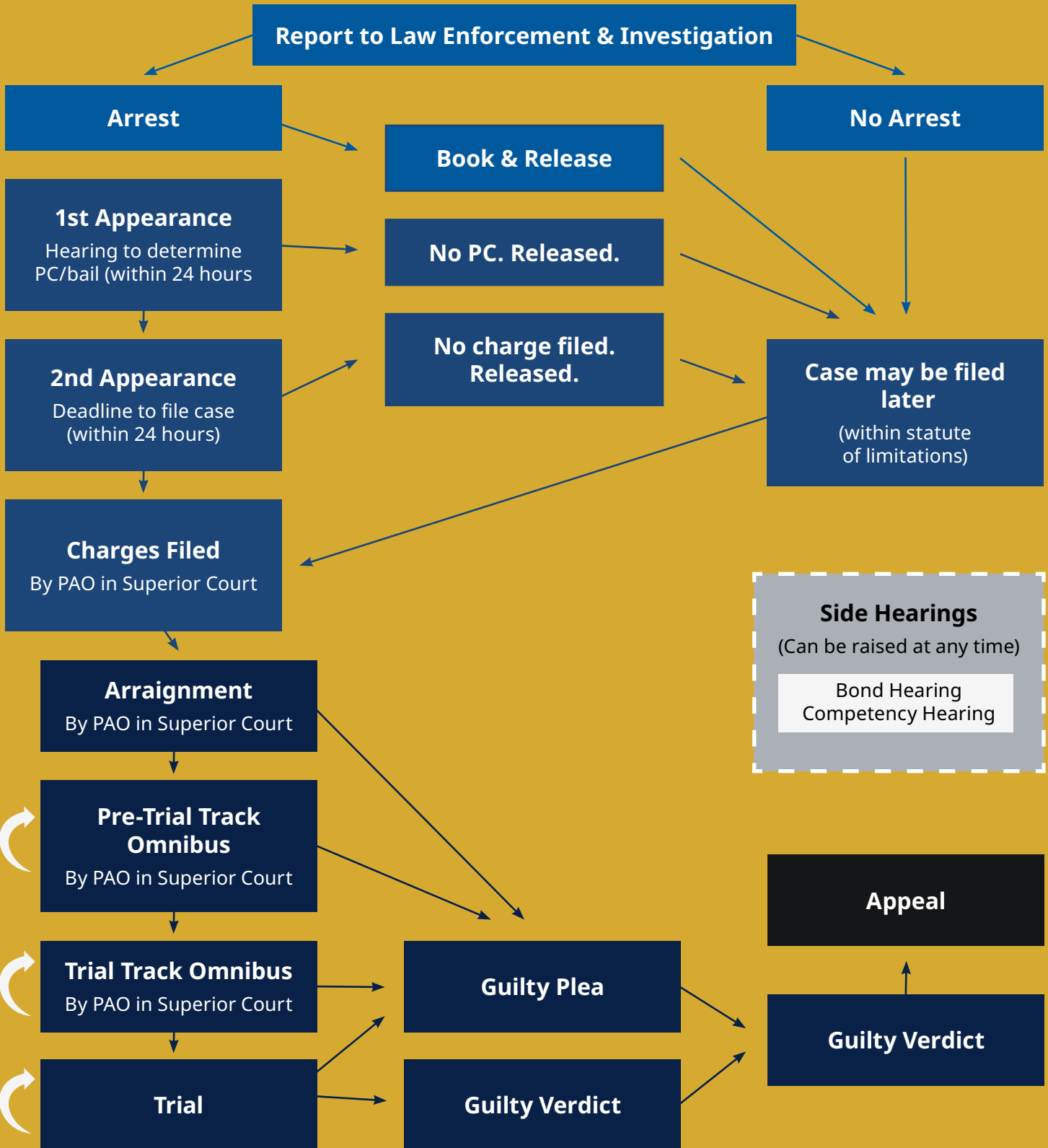
A variety of additional practices and resource guides are available on the newly launched "Organized Retail Crime Resource Hub."



# Navigating Roles in Addressing Organized Retail Crime



## Overview of the Felony Case Process in King County



# Navigating Roles in Addressing Organized Retail Crime

## ROLE OF KEY ORGANIZATIONS

**B**usiness organizations and other partners play a key role in addressing public safety and organized retail crime. While many local and national business organizations like chambers of commerce are engaged in prevention, support, and advocacy, there are three key organizations working extensively on organized retail crime in King County including:

### Washington Retail Association

The Washington Retail Association (WR) is the primary advocacy group for retailers across the state, from the largest national chains to the smallest independent businesses. WR has taken a multi-pronged approach to address ORC including coordination, advocacy, and providing resources to Washington’s businesses.

**Members:** Any sector of retailer represented across the state

**Website:** [washingtonretail.org](http://washingtonretail.org)



### Washington Organized Retail Crime Association

The Washington Organized Retail Crime Association (WAORCA) is a volunteer organization dedicated to fostering partnerships between law enforcement professionals and loss prevention professionals to provide training and combat ORC and other crimes impacting the business community. In King County, they host regular meetings to allow retailers to share information with law enforcement and prosecutors on ongoing investigations and trends. WAORCA also conducts trainings with retailers. WAORCA members have access to Auror—a software platform to allow the sharing of information across retailers and law enforcement.

**Members:** Retailers and law enforcement across the state

**Website:** [waorca.org](http://waorca.org)



### “Vibrant Communities Initiative” Led by the National Retail Industry Leaders Association

Launched in January 2024, the new innovative pilot brings together 22 large retailers, 10 law enforcement agencies, the King County Prosecuting Attorney’s Office, and the Seattle City Attorney’s Office. This initiative brings together new technology and a new program to increase collaboration across retailers, police departments, and prosecutors to address the highest impact offenders. Pilot members meet weekly to discuss high impact offenders and share information with law enforcement and prosecutors on ongoing investigations and trends. All pilot members have access to Auror—a software platform to allow the sharing of information across retailers and law enforcement.

**Members:** Pilot with a limited number of retailers and law enforcement in King County

**Website:** [rila.org/rila-ndaa-vibrant-communities-initiative](http://rila.org/rila-ndaa-vibrant-communities-initiative)



## Navigating Roles in Addressing Organized Retail Crime



### POLICYMAKERS' ROLE

**P**olicymakers at all levels of government play a crucial role in addressing organized retail crime as it relates to staffing, resource allocation, programmatic funding, ordinances and regulations, and overall legislation to address policy issues or penalties. One of the most significant challenges raised by law enforcement and prosecutors is the overall lack of dedicated resources, staffing, and funding to address organized retail crime and other public safety priorities. Adequate support in these areas is essential for the sustained effort required to mitigate the impact of ORC on communities and businesses.

#### Local Governments (City and County Councils, Mayors, and Executives)

Overall, local elected officials and governments do their part to raise awareness, allocate existing or new resources, and oversee policy or regulations to address organized retail crime.

- **Ordinances and Regulations:** Local governments can pass ordinances that support retailers and address associated policy challenges with ORC.
- **Supporting and Funding Local Law Enforcement:** Local elected officials and city councils can support community policing initiatives and dedicate resources towards law enforcement focused on preventing and responding to ORC.
- **Supporting and Funding Prosecutors:** Local elected officials and city councils can fund prosecutors or diversion programs.
- **Supporting Small Businesses to Address ORC:** Some local governments have adopted grant support to small businesses to address public safety issues.
- **Public Enhancements in Key Areas:** There may be public enhancements needed in key retail corridors to address lighting, sidewalks, or other infrastructure investments to improve overall safety and walkability.

#### Key Examples in King County

- In 2022, the City of Issaquah passed a series of ordinances to address reporting and the theft of shopping carts and revise their trespassing ordinance to better address overnight trespassing.
- In 2023, the Seattle Office of the City Auditor released a report evaluating seven steps for the City of Seattle to improve its approach to addressing ORC in Seattle.



## Navigating Roles in Addressing Organized Retail Crime

### POLICYMAKERS' ROLE *(cont'd)*

#### State Legislatures

State policymakers have authority to provide new and/or continuing resources, oversee state criminal law and associated penalties, and pass bills on policy issues that may impact organized retail crime.

- **Address Criminal Statutes:** State legislators can create or revise criminal statutes and penalties that specifically target ORC and associated crimes.
- **Oversee Policy Issues:** State legislators may address policy issues associated with organized retail crime, such as regulating online marketplaces.
- **Task Forces and Dedicated Funding:** States can approve dedicated funding for task forces, dedicated investigators, dedicated prosecutors, or programs to coordinate, investigate, and prosecute multi-jurisdictional retail crime.

#### Key Examples in Washington

- In 2023, the legislature funded a centralized Organized Retail Crime Unit to coordinate, investigate and prosecute multi-jurisdictional retail crime statewide. The 10-person unit will include investigators, prosecutors, and a data analyst. In 2024, the state legislature allocated \$1 million for a pilot program to address ORC demonstrating piloting and funding innovative solutions.



#### Congress

Federal policymakers have authority to provide new and/or continuing resources, oversee federal criminal statutes and associated penalties, and pass bills on policy issues that may impact organized retail crime.

- **Dedicated Funding and Interagency Collaboration:** Congress provides overall funding for key federal law enforcement agencies and prosecutors to address issues like ORC. Federal agencies can facilitate collaboration between state and local law enforcement, providing resources and intelligence to tackle ORC more effectively.
- **Address Federal Criminal Statutes:** Federal legislators can create or revise criminal statutes and penalties that specifically target ORC and associated crimes.
- **Oversee Policy Issues:** Congress may address policy issues associated with organized retail crime, such as regulating online marketplaces.

#### Key Examples in Congress

- Congress passed the Integrity, Notification, and Fairness in Online Retail Marketplaces for Consumers Act—or the INFORM Consumers Act—which went into effective in 2023. Under the new law, “online marketplaces” where “high-volume third-party sellers” offer new or unused consumer products must collect, verify, and disclose certain information about those sellers. The goal of the INFORM Consumers Act is to add more transparency to online transactions and to deter criminals from acquiring stolen, counterfeit, or unsafe items and selling them through those marketplaces.

# Recent Partnership Successes

In King County, there have been a series of cases that have been successful through partnership between retailers, law enforcement and prosecutors at every level. These cases highlight the key partnership between retailers, law enforcement, and prosecutors.



**“Burien storefront allegedly used to resell stolen goods on sites like Amazon and eBay”**

*Background on Case*

In July 2024, two individuals were indicted for possessing approximately 74,000 items of stolen merchandise valued at \$2.4 million at a storefront in Burien. Their online store included more than 150,000 transactions with sales over \$4.5 million. The case is being prosecuted by the US Attorney’s Office after being investigated by Homeland Security Investigations (HSI), with significant assistance from the Renton Police Department, Seattle Police Department, and the IRS, and aided by investigators from numerous retailers.



**“Bellevue police bust ‘major’ organized retail theft ring targeting Lululemon stores” and “Lululemon larceny: WA authorities bust major theft ring, ‘fence’ arrested”**

*Background on Case*

In April 2024, the King County Prosecuting Attorney’s Office charged a woman who stole \$537,000 worth of merchandise from Lululemon and at least five other retailers on a minimum of 42 different occasions. These thefts included stores from Bellingham to Bellevue and from Tukwila to Tacoma, as well as multiple stores throughout the Greater Portland metropolitan area. Lululemon loss prevention officers in Western Washington say that thefts dropped 80% in the first month after the suspect’s arrest. The case is being prosecuted by the King County Prosecuting Attorney’s Office after being investigated by Bellevue Police Department and five other law enforcement agencies, and aided by investigators from Lululemon.

Later, local law enforcement connected the case with another suspect who was trafficking this stolen property (e.g. fencing) and other stolen property. In addition to purchasing the stolen Lululemon property, he purchased thousands of dollars’ worth of fragrances and high-end sunglasses stolen from Nordstrom in Bellevue. The case is separately being prosecuted by the King County Prosecuting Attorney’s Office after being investigated by Bellevue Police Department, Seattle Police Department, and aided by investigators from numerous retailers.



**“WA man stole \$44K in products from Safeway stores in four counties, state AG alleges”**

*Background on Case*

In June 2024, the Washington State Office of the Attorney General charged an individual with stealing \$44,000 in health and beauty products to resell in Seattle’s International District. He stole products from 13 different stores in Pierce, Thurston, Kitsap, and King counties. The case is being prosecuted by the Office of the Attorney General after being investigated by several law enforcement agencies and aided by investigators from Safeway.



# Conclusion

Addressing organized retail crime requires a multifaceted approach that leverages the strengths and resources of both the public and the private sectors. The collaborative efforts between retailers, law enforcement, and policymakers in Washington State have already yielded significant progress, demonstrating the power of united action. However, the work is far from over.

Our retailers and key organizations are committed to continuing to align and coordinate their ongoing work. This allows the effective utilization of the limited resources of our law enforcement partners and prosecutors, who are key to accountability and deterrence. At every level of government, we must rely on the partnership of policymakers to support law enforcement and prosecutors and continue providing adequate resources.

Together, through a strong public-private partnership, we can make progress on our overall public safety challenges in King County while creating a safer environment for businesses, employees, and consumers alike. By continuing to collaborate, we can address the immediate threats posed by organized retail crime while also addressing other interconnected challenges such as vehicle theft, violent crime, and the fentanyl crisis. The commitment and collaboration of each stakeholder is essential to achieving our shared goals of a safer region.







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