



## ***ERIE COUNTY LEGISLATURE***

92 Franklin Street - 4th Floor  
Buffalo, New York 14202

**TO:** Members of the Erie County Legislature

**FROM:** Karen M. McCarthy, Clerk

**DATE:** March 19, 2015

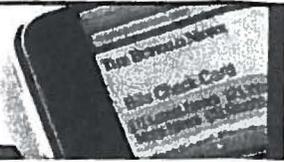
**SUBJECT** Documents Received Regarding LL Intro. 1-2 (2015) A LL Regulating Pawnbrokers,  
Secondhand Dealers, Jewelry, Precious Metals and Coin Exchange Dealers

The attached letters were received on March 19, 2015 regarding LL Intro. 1-2 (2015) a LL Regulating Pawnbrokers, Secondhand Dealers, Jewelry, Precious Metals and Coin Exchange Dealers.

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Wednesday, January 27, 2010

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# New regulations proposed for town pawn shops

By Barbara O'Brien  
News Staff Reporter

January 27, 2010, 12:03 am / 5 comments

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Your grandmother's diamond ring could be stolen from your house this morning, sold to a legitimate business this afternoon and melted by this evening, destroying any possibility of recovering it.

"When you're talking about a family heirloom, that's a devastating thing to happen," said James Anastasi, the owner of Hertel Jewelers.

Police have known that for years. That's why Buffalo has a law designed to prevent it from happening, why Hamburg is considering a similar law, and why some police want a law throughout Erie County that regulates pawnshops, jewelers and other secondhand dealers.

"It would have to be a no-brainer," said Senior Detective Alan Rozansky of the Erie County Sheriff's Office. "Every police department and family that has been burglarized would benefit."

Buffalo's law requires pawnshops and those that deal in secondhand goods to obtain a photo identification of the seller, report daily to police on the items received the previous day and to hold the goods for 21 days before selling them.

But those regulations and a proposal in the Town of Hamburg to require the thumbprint of sellers are too restrictive for businesses, some say.

"You can't be fingerprinting people," said Betty Newell, president of the Hamburg Chamber of Commerce. "There are so many mandates. They're trying to ask them to do all these other pieces. Some of these businesses don't have enough staff to do all this work they're asking them."

Jason Brown opened Fast Cash, where he buys and sells secondhand goods, on Lake Street in the Village of Hamburg three months ago. The village has no law, but Brown said he cooperates with village, town and other police agencies. He said fingerprinting customers is fine with him, but since he just started the business, he does not have the money to hold items 15 or 20 days.

"I need the quick turnaround," said Brown, who sells many items on the Internet.

Some businesses routinely fingerprint customers who come in to sell jewelry. Anastasi, who bought Behringer's Jewelers in December, said he plans to continue the practice as soon as he gets his license in Buffalo allowing him to buy jewelry. His main business is jewelry repair and custom design, but he has an ink pad on the counter, ready to go.

Anastasi, who has been in the field for 23 years, said waiting 21 days before selling an item sometimes is difficult,

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but it has been a way of life for years for Buffalo businesses.

"It does make things a little tough because you do tie up money. It also makes it very safe," he said. "I think the playing field should be level for everybody."

Buffalo police get good cooperation from business owners, Chief of Detectives Dennis J. Richards said.

"At the end of the day, there are certain legitimate businesses who abide by the law, and unfortunately there are those who try to skirt the law. That's why we do check on a regular basis," he said.

Police said many burglaries are committed by drug addicts looking for goods to sell to get money for their next fix. And if they steal it in one town, chances are they'll take it to another town to sell it at a pawnshop or other secondhand store.

That leaves detectives checking on jewelers and shops throughout the county. Sometimes they get cooperation from owners, but sometimes they don't.

"I should be able to go into any pawnshop and ask for a business ledger and see what was brought in," Town of Tonawanda Detective Tim Connolly said. "Right now there's nothing. They may not keep records."

Connolly has looked into ordinances in other communities, and Hamburg is revising a proposed law after businesses objected to a 15-day waiting period.

Erie County Legislator Lynn Marinelli is pushing to have a single law cover Erie County. She said the vast majority of businesses are legitimate, legal businesses, but a county law would give law enforcement another tool to combat crime.

"It's a good consumer protection piece that has shown its value for the length of time it's been place in Buffalo," she said.

She said she has asked the Legislature counsel to look at drafting a law with Undersheriff Brian Doyle, who also is a deputy town attorney in Hamburg and helped craft the town's proposed law.

Brown, at Fast Cash in Hamburg, has a list of stolen goods from several police departments, including one in Cattaraugus County. He said he does not want to buy anything that has been stolen.

"I'd rather recover something for somebody than make 20 bucks selling it," he said.

"We just want it not to be brought in one day and gone the next," said Rozansky of the Sheriff's Office.

Businesses that don't check for identification or provide a list to police are making it easy for criminals, police say.

"They're kind of enticing the heroin and crack addicts to come in," Rozansky said.

Tonawanda's Connolly believes there is a direct correlation between the ease with which people can unload stolen property and the number of burglaries that occur.

"People aren't going to steal things if they can't sell them," he said.

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Tuesday, March 17, 2015

To: Erie County Legislature  
From: Wendy Whiteside  
3894 Baker Rd  
Orchard Park, NY 14127  
Re: Pawn Shop Law

In May of 2013 at 10:30 am my house was broken into. This random crime has changed my sense of security and my faith in people forever. The thieves smashed in the back door, went directly to my bedroom, the most private of domains, stealing all of my jewelry, along with an autographed football off the mantel. I was out of my house for only one hour that morning but I thank God that I wasn't home, as I probably wouldn't be writing this letter today.

When I arrived home I noticed that the back gate was open and the door ajar. Still in denial, I did not think that this was a robbery, not in my town. Soon it began to dawn on me that I was in my town, this was a robbery, and that the back door was kicked in. I dialed 911 and notified the police waiting outside for them to arrive. As we walked thought my home I began to feel extremely distraught. This was my home, my safe place and now this no longer was that true. A selfish self centered person had destroyed my world.

Little did I know then that the current misery of my loss was only the tip of the anger and frustration I would experience over this invasion. As they they walked me though the house looking for damage and lost articles I soon realized that all of my jewelry was gone. The officers then asked me to compile a list of lost items so they could begin the search for my stolen articles and the culprit that took them. With each item remembered I became more and more sad, realizing that what was taken was not only an accumulation of my life but lost memories for my family as well. You see my parents had just died and I was entrusted with their items which were to be shared with my siblings. Now they were gone, there was nothing left to share. My fathers college ring which was to go to my oldest brother...gone, my mom's baby ring going to my older sister...gone, my great aunt's engagement ring, which was given to me by my father's sister before her death and was going to be my wedding ring...gone, a 14k gold watch which my parents gave me for high school graduation...again gone. From now on all my heirlooms and family treasures were just a memory. I was sure I would never again purchase anything that anyone would want to steal again.

At first I was angry and wanted revenge but as time went on all I really wanted was my "stuff" back. I wanted to return to my old world, where these things don't happen in Orchard Park and once, locked in my home, I was securely wrapped in domestic bliss. However, I soon realized my old world had become replaced with greed and selfishness seeping in from a world I had only seen on TV.

Once the list was complete I gave the original to the police and with copies, set out to neighboring jewelers in an attempt to locate where my possessions had gone. After going to the first four dealers it became apparent that there were only two jewelers in the area who were deceitful enough to accept obviously stolen merchandize. The names mentioned by every jeweler I went to were Airport Jewelers and Ross Jewelers. Still, in my naive and innocent mind I believed if the robbery happened on a Wednesday and this was Thursday, surely I would be able to track down my items and regain my possessions. I was even willing to pay to get them back. The first of those two jewelers I went to that day was Airport Jewelers. I spoke directly with the owner, showing him my list and asked if he had seen any of those items. He put on such a show, he felt so sorry for my loss. Yeah sure, what he knew was that the previous day he had accepted 18 thousand dollars worth of my life and paid the thief \$2600.00 dollars. At that

moment while I am still hopeful and innocent, he was secure in the fact that all my prized possessions were gone for good and he had made a 15,000 dollars profit on my loss. Furthermore, because of his location he was secure in the fact that he couldn't be touched in any way for his part in the crime. You see by that time he had already popped out the gem stones ,shipped them to New York, and melted down my memories for a profit. Yet ladies and gentleman, this man calls himself a church going christian, attending church every Sunday and contributing dirty money to that church.

When the truth came out I wanted to hurt him. My first thought was to rent a billboard along side the thruway and denounce his "good christian" ethics. I soon realized that all I would be doing is notifying every thief in the area that this is the scoundrel you can take things to if you don't already know. Instead, what I have done is inform everyone I met of his shady practices and wish that it is enough.

When the thieves were apprehended I was asked to testify in court which I immediately agreed to. Having confided to the officers that I wanted to expose "the chicken man" they kept him in another room away from me as they needed his testimony, perhaps in hindsight a good thing. The thieves were found guilty and sentenced to jail time which is fair; but, in my mind, the true criminal was the dishonest jeweler who put his own profit and loss over the right thing to do. Yet he walks free and can continue to abuse our system for his own ill gotten gains. Free to do what he has done to me and thousands of others over time, protected by the lack of a law and the obvious location of his business.

The Kiosk and the Showroom are in Cheektowaga just outside the city, where a 30 day hold and notify law is in place. Do you honestly, sitting here today, believe that it is a coincidence his shop sits outside the city limits? I sure hope not. Ladies and gentlemen the honest and hardworking citizen of this county need that protection too. I urge you all to consider making this a reality. With the passing of this law maybe I too can get some satisfaction that I was part of "the right thing to do" and I can feel some security.

Since the break in I have gotten three ring and bracelet tattoos, knowing that no one can ever take that from me, and rearranged and repainted ever room in my house. I was told by a counselor that this was my way of taking back my house and my security. We have also purchased an alarm system and had cameras mounted on all hidden accesses to our home. Even with all that, I know I can still be invaded and I am not safe. My innocence is gone. So in closing, I say to you legislators, please enact this law and take back your house.

Sincerely,

A handwritten signature in black ink, appearing to read "Wendy Whiteside". The signature is written in a cursive, flowing style with a large initial "W" and a decorative flourish at the end.

Wendy Whiteside