

Statement by Chief Will Johnson

2nd Vice President of the International Association of Chiefs of Police

Grand Theft Cargo: Examining a Costly Threat to Consumers and the U.S. Supply Chain

U.S. Senate Committee on Commerce, Science, & Transportation
Surface Transportation, Freight, Pipelines, and Safety Subcommittee

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Good morning, Chairman Young, Ranking Member Peters, and members of the Subcommittee on Surface Transportation, Freight, Pipelines, and Safety. Thank you for the opportunity to speak with you today about a pressing issue for the policing profession and our communities – the growing threat of crime directed towards the U.S. Supply Chain. I appreciate you convening this hearing to raise awareness on this important topic, as we collectively work to implement solutions.

My name is Chief Will Johnson, Chief Special Agent for the BNSF Railway Police Department. BNSF Railway is one of the largest railroad companies in North America, operating in 28 U.S. states and three Canadian provinces. Prior to joining BNSF, I was the Chief of Police in Arlington, Texas, for eight years, and I have been a police officer for 31 years. I appear before you today in my capacity as the Second Vice President of the International Association of Chiefs of Police (IACP). The IACP is the world's largest association of law enforcement leaders, with more than 34,000 members in 178 countries. Today's testimony represents the concerns and challenges many state, county, local, tribal, and rail police executives are experiencing as they combat organized cargo theft in their jurisdictions.

Since the COVID-19 pandemic, we have seen a steady rise in organized cargo crime, with criminals becoming increasingly sophisticated, emboldened, and aggressive.

The facts are stark:

In the trucking industry:

- Strategic cargo theft, or theft by fraud or deception, has increased 1500% from 2022 to 2025 and accounts for 33% of all cargo theft reported to CargoNet
- Organized crime groups are exploiting gaps in the Federal Motor Carrier Safety Administration (FMCSA) regulations to commit strategic cargo theft, misdirected loads, and double-brokering scams, which impact freight owners and legitimate carriers.

In the rail industry:

- The Association of American Railroads estimates that over 65,000 thefts occurred in 2024, representing a roughly 40% increase over the prior year.
- Suspects are sabotaging rail safety equipment, such as rail traffic signal systems and emergency braking systems, to stop trains in motion to commit cargo theft. This endangers rail employees, puts communities at risk of potentially hazardous material rail derailments, disrupts passenger service, and disrupts vital supplies needed in communities all across America.

Regardless of the mode of transit:

- Cargo theft cases often cross multiple state lines, making jurisdictional coordination difficult. This fragmented approach results in reporting barriers for victims, causing significant crime data collection deficiencies.
- State-level police and prosecution efforts are challenged by a tremendous number of competing priorities for resources, such as addressing the fentanyl epidemic and violent crime in the community. This focus has either directly or indirectly impacted effective property crime enforcement efforts. Criminals have exploited this vulnerability. An example of this issue is the reported arrest and release of a cargo theft burglary suspect four times in one day. This level of recidivism, while cases are pending, is demoralizing to police officers working hard to protect the U.S. supply chain.
- The lack of coordinated federal cargo theft enforcement and prosecution priorities results in inconsistent response levels across agencies and areas of responsibility.
- Beyond the criminal justice system reporting barriers, victims may be reluctant to report crimes due to concerns for brand identity, company reputation, and complex insurance claims, making it difficult to track the full scope of the problem.
- When victims want to report a crime, not all victims are recognized by the law. The supply chain is a complicated system of beneficial cargo owners, brokers, shippers, and carriers. Each entity incurs harm from these criminal acts, but the law does not aggregate the total harm.
- Furthermore, when stolen property is recovered during arrests or the execution of search warrants, victim identification is challenging because not all victims are the product manufacturers.

There are also collateral consequences:

- Despite data collection challenges, there is a clear correlation between the escalation of cargo theft crime and inflationary pressure on the U.S. economy
- Police agencies have reported that stolen cargo is often combined with illicit proceeds from organized retail theft in black-market fencing operations and reinserted into the U.S. economy, further victimizing property owners and unsuspecting consumers.
- Police agencies and food shippers have also reported organized cargo thieves tampering with the chain of custody seals for U.S. food shipments, risking national food security and causing inflationary pressure on food prices.
- Although there are no known examples of criminals specifically targeting Department of Defense equipment in transit, the evolving risk is a possibility, given crime trends in other shipments
- Finally, there are frequent reports of armed suspects swarming cargo containers displaying firearms, engaging in violent “takeover” robberies, or shooting firearms

during the commission of these burglaries. In short, cargo theft is not a low-level property crime.

As police agencies focus enforcement efforts on this crime trend, we generally observe three distinct suspect profiles:

1. **Transnational Organized Crime Members** – These are highly sophisticated and well-structured criminal organizations that operate across national borders. They often have extensive networks and resources, allowing them to plan and execute large-scale thefts with precision. Their command-and-control operations are persistent, meaning they continuously engage in criminal activities, often diversifying their methods to avoid detection and, in many instances, have buyers ready to purchase the illicit goods even before the product is stolen. These groups may use advanced technology to track and steal high-value cargo and may use both physical and cyber methods to conduct their crimes, making them a significant threat to global supply chains.
2. **Loosely Organized Criminal Street Gangs** – Unlike transnational crime groups, these gangs are less structured and operate on a smaller scale, typically in urban areas. They typically consist of habitual burglars who engage in cargo theft as one of many criminal activities. Their operations are more opportunistic and may not have the same level of resources as organized crime groups, but their frequent and unpredictable actions cause substantial losses.
3. **Opportunists** – This category includes individuals who are not part of any organized group but take advantage of theft opportunities as they arise. Unhoused individuals may engage in cargo theft out of necessity, targeting easily accessible goods. Social media-driven flash mobs represent a newer phenomenon where groups of people, often organized online, converge to exploit a specific theft opportunity. These opportunists are typically unorganized and act alone or in small, ad-hoc groups, making their actions sporadic but still incredibly disruptive.

Each group poses unique challenges to law enforcement and security professionals in preventing and disrupting this transnational crime across the 140,000 track miles of the U.S. rail network and over four million highway miles in the U.S.

Despite these challenges, police officers continue to make significant arrests. Here are a few recent examples that further highlight this issue:

- Feb 7, 2025, three suspects in three box trucks were arrested after fleeing from a burglary outside of Barstow, CA. At the time of their arrest, they were in possession of 20 laptop computers, and another 300 computers were located on the ground near the original burglary location.

- Feb 7, 2025, two Mexican Nationals who are illegally in the United States are charged with stealing approximately 71 cases of construction tools from a freight train traveling through the Mojave Desert.¹
- Feb 11, 2025, eleven defendants, including nine aliens illegally in the United States, are charged with Possessing Over \$440,000 of designer shoes stolen from a train in Northern Arizona. These suspects are believed to be part of a criminal organization that consists primarily of Mexican citizens with connections to the Mexican State of Sinaloa, who specialize in stealing from trains and have used the technique of cutting air hoses to control where trains with valuable cargo come to a stop.²
- Feb 18, 2025, police air support advised that approximately eight suspects were burglarizing a stopped train on the Cajon Subdivision, which is outside of San Bernardino, CA. Police air support followed some of the suspects to a local gas station, where patrol units made contact. Four suspects were arrested – one adult and three juveniles. Stolen property, burglary tools, and two handguns were recovered during the arrest.

These are just a few recent examples highlighting the problem. They represent safety concerns, lost jobs, higher consumer prices, and deprive communities of vital tax revenue. They pose a direct threat to public safety and economic well-being. The nature of these crimes has evolved over the years, and a whole-of-government approach is required to address this challenge effectively. Because of the interstate commerce nexus, this solution must be federally led and involve elected officials, business owners, transportation, law enforcement, and prosecution officials.

The IACP does not believe we have all the answers to this complex problem, but we urge this subcommittee and the United States Congress to consider the following actions as a starting point for stakeholder engagement to find effective solutions:

1. Direct funding to dedicated federal prosecutors to tackle cargo theft cases
2. Modernize the FMCSA vetting processes to include stronger authentication methods, real-time carrier verification, and implement controls around the sale or transfer of DOT and MC numbers.
3. Increase criminal penalties for cargo theft cases and allow all victims' aggregated harm to be considered.
4. Encourage private-sector collaboration between corporate security teams, carrier monitoring services, load boards, insurers, and law enforcement through data-sharing initiatives to include cargo tracking and known offender tracking.
5. Allow the prosecution venue to be at the place of offense or the victim's U.S. corporate place of residence. This will improve prosecution and reporting efforts.
6. Provide law enforcement agencies with the resources and support to effectively investigate and combat these sophisticated criminal networks.
7. Support the establishment of a federal Supply Chain Crime Coordination Center and Supply Chain Fraud and Theft Task Force to address supply chain fraud and theft throughout the rail, motor

¹ United States Department of Justice, Central District of California Press Release 25-030

² United States Department of Justice, District of Arizona Press Release 2025-016_Cecena-Castro

carrier, and intermodal systems and detect, disrupt, and deter organized theft groups targeting all stages of the supply chain.

8. While the U.S. Customs and Border Protection (CBP) has implemented changes to the in-bond shipment process to improve tracking and reporting, when cargo is stolen there is a further need to ease the burden of importers/suppliers in filing petitions for relief by allowing CBP the authority to waive fines in cases where theft is proven. While this issue largely affects oceanic customers, a major source of complaints and frustration is when they are receiving regulatory fines after being the victim of a crime.

Again, the IACP stands ready to work with this committee and the United States Congress to develop and implement these solutions and to continue raising awareness of this issue.



International Association of Chiefs of Police

44 Canal Center Plaza, Suite 200
Alexandria, VA 22314

Direct: 703-836-6767
Main Line: 800-THE-IACP
Fax: 703-836-4543

www.theIACP.org