

Justice system cracks down on Sacramento metal thieves

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For all the attention his crime is getting, Jeffrey John Wadleigh probably should have had "Public Enemy No. 1" stamped on the back of his orange jail jumpsuit.

Gray, scruffy-bearded and forlorn, Wadleigh sat at a defense table Tuesday in Sacramento Superior Court charged with a variant of the hot new crime trend for 2012: metal theft.

On Jan. 9, Sacramento County sheriff's deputies caught Wadleigh at 1:30 in the morning with \$2,000 worth of copper wiring that belonged to Teichert Construction. Scheduled for a preliminary hearing, Wadleigh, 48, a self-admitted methamphetamine addict, instead pleaded no contest and was sentenced to two years behind bars.

If metal thieves such as Wadleigh used to slide in and out of the system with little or no attention, they have since become a top priority in the Sacramento area. They can only long for the days of plea deals that resulted in little consequence. Metal thefts these days are almost sure to produce relatively lengthy periods of incarceration.

"In light of the damage they're doing and the problems they're causing, they need to be punished, and the word needs to get out that if you get caught, you're going to get punished," said Assistant Chief Deputy District Attorney Steve Grippi.

Judge James E. McFetridge sent the hapless Wadleigh off to confinement Tuesday with remarks which underscored the seriousness that criminal justice professionals in the past year have assigned to thievery of metal, especially copper.

"I'm probably wasting our time lecturing you, but this is a real scourge in our community right now," McFetridge told Wadleigh.

Grippi said his office and other law enforcement agencies have begun to meet toward the goal of putting together something of a metal-theft task force. For its part, the DA's office has ratcheted up its demands for prison terms for metal thieves. Under the terms of California's prison realignment law enacted last year, the offenders are more likely to wind up in county jail, but for longer terms, according to Grippi.

"It needs to be done," he said.

Nobody in the DA's office has statistics yet on how metal theft prosecutions are playing out in the courts. But lawyers in the Public Defender's Office who work felony intake at the "home courts" in the downtown jail say they're seeing them come in at a rate of about 10 a week – and with outcomes that have caught their attention.

Norm Dawson, a defender in the home courts, where most felony cases get resolved before trial, said the misdemeanor plea deal for metal theft is a thing of the past.

"What they've been doing is filing them all as felonies, and if it doesn't qualify as a felony, they're filing them as conspiracies, in an effort to make it a felony," Dawson said.

The defense lawyer questioned the tactic.

"There's no dispute that copper theft causes a great deal of damage," Dawson said. "But one of the questions is: Is the damage as severe as the amount of time that the people are receiving once the felony is filed?"

The big construction company that Wadleigh targeted welcomed the outcome.

"Copper and aluminum theft is both costly and dangerous," Teichert Vice President Steve Mitchell said in a statement. "Teichert applauds the tireless efforts of law enforcement and the District Attorney's Office to ensure that thieves are brought to justice."

Wadleigh last month apparently broke into a building at a Teichert gravel pit on Jackson Highway at Bradshaw Road. The copper he stole wasn't exactly cheap, but the real damage came in his destruction of a \$10,000 transformer.

Unfortunately for Wadleigh, the Teichert people had somehow embedded a computer chip into the metal. It beeped Wadleigh's location when he made his getaway. Sheriff's deputies pulled him over by the time he made it to Kiefer Boulevard.

According to both the prosecution and the defense, Wadleigh represents the profile of the typical copper thief. His record showed seven felony and two misdemeanor convictions and five short-stay prison terms dating to 1992. Before Tuesday, he went to prison for methamphetamine three times and receiving stolen property twice.

In his 2010 methamphetamine possession case, Wadleigh wrote a letter to the court describing himself as "a long-time drug user ... in and out of prison for drug-related reasons."

"Mostly I hung around with the wrong people and loser girls," Wadleigh wrote. His addiction, he said, "lands me in some idiotic situations."

A union welder and fabricator, Wadleigh asked if he could be placed in a drug treatment program in lieu of prison. "I want to be sober and get back to work," he wrote.

Assistant Public Defender John Roth, who represented Wadleigh, said his client entered his no-contest plea Tuesday in the hope once again he might be placed in Proposition 36 drug treatment.

"Society would have benefited if he got a drug program," Roth said. "But that's not politically popular right now."

Under the terms of Proposition 36, offenders can go into treatment only if their conviction is for a drug crime, even if the thefts they commit are drug-related.

Either way, Grippi said his office will be insisting on county-jail incarceration for convicted metal thieves, and actual prison time if they have "strikes" in their background.

"It might sound harsh, but they can get treatment in jail," Grippi said.

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