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Operation Bullpen

Overview

During the 1990s, the FBI identified a major problem threatening the entire sports and celebrity memorabilia market. In the mid-1990s, the Chicago Division of the FBI initiated a sports memorabilia fraud investigation targeting a group of individuals who forged, fraudulently authenticated, and distributed Chicago athletes' autographed memorabilia (including Michael Jordan). The case resulted in the conviction of fourteen individuals in five states involved with forging and distributing forged memorabilia. Information developed by the Chicago FBI's "Foul Ball" investigation suggested that the problem might be national in scope.

While it is impossible to definitively estimate the percentage of forged memorabilia, most industry experts concede that over half of the most sought-after athletes' and celebrities' autographed memorabilia is forged. Industry experts estimate that the autographed memorabilia market in the United States is approximately \$1 billion per year. Cooperating subjects and memorabilia experts estimate forged memorabilia comprises over \$100 million of the market each year.

In 1997, the FBI in San Diego utilized information from Operation Foul Ball and other sources to institute an undercover operation designed to infiltrate the nationwide memorabilia fraud network. Together with the U. S. Attorney's Office and the Internal Revenue Service, an undercover scenario was devised in which an Undercover Agent would pose as a distributor of American memorabilia in Asia. This scenario enabled the FBI to purchase evidence without causing the sale of forged items to the public. It also made the criminals more likely to openly discuss the counterfeit nature of the memorabilia, because it was 'going overseas' beyond the reach of U. S. law enforcement agencies. To support this "cover story", the FBI established the Nihon Trading Company in Oceanside, California. The goal of this undercover operation was to infiltrate the forged memorabilia market and obtain recorded statements from those individuals who were identified as forgers, authenticators, and distributors of fraudulent memorabilia.

The key evidence in this investigation were recorded statements which provided evidence of the individuals' involvement in forging, fraudulently authenticating, and/or distributing the materials. In Operation Bullpen, referred to as Phase I, the San Diego Division of the FBI conducted well over 1,000 consensually recorded audio and video tapes. During the consensually recorded conversations, numerous co-conspirators made incriminating statements which illuminated the nature and common practices involved with sports memorabilia fraud. For example, one of the conspirators liked to joke to the Undercover Agent how Mickey Mantle still has one arm out of the grave signing autographs. Other conspirators were noting how Wilt Chamberlin was still available for signing weeks after his death.

On April 11, 2000, Operation Bullpen Phase I culminated with the charging of 26 individuals, who were all convicted. During the last five years, Phase II expanded the investigation from predominantly Southern California to a nationwide investigation. During this phase, a multitude of undercover scenarios were instituted to focus on celebrity forgeries in addition to sports forgeries. In this phase, over 2000 consensual recordings were made. Conspirators bragged how their forgeries were better than those of other forgers that they knew. One conspirator claimed if he went to trial, he would testify he actually becomes Babe Ruth. He then joked he could also say he becomes Jackie Robinson and then said he would turn Black (he was Caucasian) for the jury. A total of 18 searches were conducted in 12 states, resulting in 36 additional convictions. All searches were executed after September 11, 2001.

Additionally, although 13 forgery rings (compared to 5 in Phase I) were dismantled, this was investigated with approximately one fifth of the manpower. The tremendous increase in the efficiency of the investigation was attained from the assistance received from the industry and the use of cooperating subjects/witnesses from Phase I. Two counterfeiting card rings were also dismantled. The card portion of the industry is relatively unencumbered by fraud; these two rings are considered anomalies.

As a result of the attention brought about by Operation Bullpen, advances have been made within the sports industry to combat forged signatures and the fraudulent sales of items as 'game used'. Major League Baseball (MLB) unveiled their own memorabilia authentication program in conjunction with the culmination of Phase I. Their program is similar to what companies such as Upper Deck, Mounted Memories, Steiner Sports, TriStar, and several others have in place. Essentially, each piece of memorabilia is witnessed by a person who places a uniquely numbered hologram on each item which is tracked in a database. These methods have never been pierced by the forgers.

The adoption of witness authenticated programs by other sports leagues would surely help to counteract fraud. In the non-sports marketplace, these programs are almost non-existent. Phase II concentrated on the celebrity marketplace since it is significantly more inundated with forgeries than the sports world. Essentially, celebrity actors and actresses do not conduct paid signings like athletes do. Obtaining a signed picture or poster of a prominent Hollywood celebrity is through chance meetings.

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Phase II was also an investigation in 'cyber space'. The industry, as a whole, has moved in this direction where individual collectors can now easily sell pieces. The forgers unfortunately led the way, realizing the anonymity that the Internet provided for dealing their forgeries. Phase II convicted the largest seller in the world of signed celebrity photos: Truly Unique Collectibles, who mostly sold through their website. Phase II also convicted numerous Internet auction site sellers, who generated millions of dollars in sales.

The subjects convicted in this investigation had all used the story line that their celebrity signed pictures and posters were obtained by 'runners'. Runners are people who happen to catch a celebrity at an event and obtain a signed picture there. Most of the convicted subjects obtained one or two signatures in this manner and then simply forged many more, claiming they were from the meeting. All of the convicted subjects noted that it was impossible to make a living as a runner. The amount of time needed to get the couple of signatures a person needs, does not generate an adequate income. The overwhelming number of celebrity signed photographs and posters being sold throughout the world are sold under this pretense; this investigation would suggest they are almost all forged.

Although Operation Bullpen has highlighted the fraud problem within this industry, additional education of the public will help eliminate the crime. The industry can be the key for counteracting this fraud with programs such as MLB's. Almost all of the companies performing witnessed/hologramed signings are for athletes. Hopefully, these entities will participate in and demand these authentication programs. Educating the public might also create increased pressure from the consumers for the development and expansion of authentication programs.

Phase III of Operation Bullpen marks the sharing of this forged sports equipment and memorabilia with the San Diego community. From the inception of this investigation, it was a goal to provide local children's charities and crime victim agencies with these materials so that they would ultimately be put to good, honest use.

Accomplishments & Statistics

- 63 charges and convictions
- Seizures exceeding \$4.9 million including 5 homes, cash, bank/investment accounts, jewelry, a Ferrari, a boat, and a Harley Davidson motorcycle.
- 18 forgery rings dismantled.
- Over \$300,000.00 in restitution paid to over 1,000 victims and continuing.
- \$15,253,000 in economic loss prevented in the seizure of tens of thousands of pieces of forged memorabilia through 75 search warrants and over 100 undercover evidence purchases.

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