

INVESTIGATING GANG CRIMES

LAW ENFORCEMENT OFFICIALS ON EXAMINING
GANG CRIME TRENDS AND DEVELOPING
EFFECTIVE ENFORCEMENT STRATEGIES



ASPATORE

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I N S I D E T H E M I N D S

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CONTENTS

Lewis Wayne Spencer Jr. <i>Sergeant</i> , Newport News Police Department, Newport News, Virginia <i>BEYOND ARRESTS: STRATEGIES FOR DISMANTLING GANG ORGANIZATIONS</i>	7
Greg Edwards <i>Detective</i> , Genoa Police Department, Genoa, Illinois <i>NOT EVERYONE CAN BE A GANG CRIME INVESTIGATOR</i>	19
Vincent Goggins <i>Sergeant</i> , Richland County Sheriff's Department, Columbia, South Carolina <i>FOCUSING ON GANG-RELATED CRIMES</i>	31
Joey Hoadley <i>Sergeant</i> , Caldwell Police Department, Caldwell, Idaho <i>COLLABORATION IS THE KEY TO GANG UNIT EFFECTIVENESS</i>	49
Stephen D. Suho Jr. <i>Lieutenant</i> , Yuma Police Department, Yuma, Arizona <i>CONDUCTING A SUCCESSFUL GANG CRIME INVESTIGATION</i>	59
Brian Medeiros <i>Captain of Police</i> , Oakland Police Department, Oakland, California <i>THE UNIQUE CHALLENGES OF WORKING ON GANG CRIME CASES</i>	77
Appendices	89

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Beyond Arrests: Strategies for Dismantling Gang Organizations

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Sergeant

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Newport News, Virginia



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Introduction

This chapter will focus on the following subjects/topics: an overview of gang investigations, emerging trends, economic impact, law changes, an example of an investigation, and investigative strategies and tactics. All things discussed are options for addressing the gang culture in your particular city, county, or town.

The topics discussed have greatly improved our way of addressing gangs and their members. We went from having no prosecutions to assisting or taking part in forty-five gang-related investigations with prosecutions in just over an eighteen-month period.

An Overview of Gang Crime Investigations

Gang-related crimes typically include assaults, drug-related robberies, drug-related shootings, and homicides. In general, if there is a crime in the code, gangs are committing the crime.

Gang crime investigations are complex because we have to consider the overall gang structure, not just an individual crime. For example, a patrol officer responds to a domestic disturbance and finds that someone has been murdered, he calls in homicide, and that unit investigates. Gang issues are more involved and require us to look at the entire picture, especially if we are trying to dismantle the criminal organization. If we can tie a crime to a group, we can apply gang recruitment and participation charges to them. In Virginia, we can use enhanced state laws to keep them locked up longer. For example, if a high school student commits assault, it is a misdemeanor, but if we are able to prove a gang connection, it is an enhanced penalty and the individual is facing three to four years instead of a slap on the wrist.

Graffiti crimes, or “gang signs,” are related to territorial claims by gangs. When a gang member sprays a tag on a surface, he is claiming territory for his gang. However, unless there is someone out there actively bragging about his graffiti work, the crime is very difficult to prove.

Emerging Trends in Gang-Related Crime

An interesting emerging trend is hybrid gangs. These neighborhood groups are just starting to switch over to true gang structure and ideology, and emulate the Bloods or Crips. Young people buy into this culture because they are exposed to it through rap artists, the media, games, and a variety of other media. Music videos, in particular, frequently include innuendo that is reflective of gang culture.

Violent crime increases when the gang has a “beef” with a rival group. There is an uptick in shootings and then subsequent shootings for revenge. There is often witness intimidation to keep people quiet, which increases the complexity of prosecution. Because we are on the East Coast, there is a preponderance of Blood-related groups, many of whom are pledging their allegiance to the primary group in New York.

Economic Impact on Gang Activity and Enforcement

A tough economic environment results in more break-ins, burglaries, property crimes, and breaking and entering. Criminals are targeting electronics, handguns, and cash, and the perpetrators are high school-aged or younger. By bringing the stolen goods back to their gang, they rise in stature and rank in the group.

Personnel issues continue to be a challenge. Newport News has a population of 190,000 people, and our department is divided into three precincts: south, central, and north. In an area that is twenty-six square miles, we were utilizing a supervisor and three to four detectives for all of the gang activity in that area. And while we are planning to add three more staff members, we are really “robbing Peter to pay Paul.” We are relocating people to different units, and some are coming to my unit because of the big push by the chief and mayor to have gang-related crimes investigated. The mayor is trying to implement a new program called Prevention Intervention Enforcement and Reentry, which takes the onus for gang-related problems off the shoulders of the police and puts it on other groups throughout the community. We are developing a program now to help these individuals instead of just saying, “You are a gang member, and that is too bad.”

Changes to the Laws

When the laws first came out, they were convoluted. If we tried to enforce the law, we found there was no way to enforce it because it was assembled and passed hastily. Today, gang laws are easier to enforce, but we are still working with the Virginia Gang Investigators Association and the attorney general's office to get new and improved gang laws passed each year. Our last effort was having burglary added as a predicate act. It was not passed because of the price tag associated with it. If we had succeeded, it would have cost Virginia \$5 million to add the crime under the Gang Participation Charges. The cost is associated with the fees involved to incarcerate someone on a particular crime.

The Broward Case

In a recent state case, a Blood leader who was locked up for an extended period wrote down his plan for when he was released. When he got out of prison, he implemented that plan to the fullest of his ability, taking over a neighborhood apartment complex, recruiting, and—after his house was burglarized—ordering a hit on three people responsible for that crime. The Gang Unit took the case and brought it from nothing to a twenty-count indictment against gang leader Randy Broward. He was sentenced to life plus 230 years. His brother Andy Broward was also found guilty and received ten years plus another thirty for violating parole. From the time we learned of the group until the time it was dismantled was a couple of months. That was one of the largest gang cases in Virginia, and the assistance of the attorney general's office enabled us to prosecute the crime.

Changes in Gang Crime Enforcement

When I started fifteen years ago, we dealt with neighborhood guys hanging out. We knew everyone, which is not much different from today, but years ago, they did not call themselves Bloods or Crips. We knew that "Joe" was a main drug dealer, and we targeted him as a drug dealer. Today, he may be more than that because he can introduce the fear factor and reputation. What used to be neighborhood kids hanging out has now become Bloods and Crips and red and blue.

When rappers started identifying with one gang or another, gang culture became popular. In 1989, when the movie *Colors* came out, the world changed. The movie dove right into the main gang issues in California. *Boyz n the Hood* and *American Gangster*, which featured Denzel Washington as a heroin kingpin in New York City, both helped cement gang culture in mainstream media. My parents and grandparents might say there were gangs and crimes when they were my age, but the difference today is social media. Myspace, Facebook, Twitter, and YouTube have spread information and ideas faster than ever before. Add to it the aptitude for technology that children have today, and you have a recipe for technology-enabled intimidation. A kid gets jumped and the video is posted on YouTube by the time his peers are home from school. This makes it more important to target and dismantle groups instead of individuals.

Investigative Strategies and Tactics

We have a crime analyst assigned to us to ensure we understand trends and focus our limited resources on the “hot spot” areas. My team is well versed on the key players in those areas, and we are able to do surveillance on them. The first task is to determine, when we can, if the investigation will take place on a state or federal level. It can change. We have had numerous cases that, when we began to put the pieces together, became federal investigations. We hand it over to the Safe Streets Task Force so the group can finish the investigations and get federal indictments. Effective enforcement relies on understanding trends, and we rely on patrol officers to relay information to us so we have a handle on key areas and targeted individuals. Having boots on the ground makes a material difference. Talking to people, using street-level professionals, and creating gang liaison positions in the precinct have been effective tactics. Instead of three to five gang detectives trying to handle the flood of information, the gang liaison officer serves as the collection point for the patrol officers’ information. We have been using this approach for about eighteen months, and it is extremely effective.

Multi-Jurisdiction Grand Juries

The multi-jurisdiction grand jury has the same bite as a federal grand jury. An individual is compelled to testify, and if he does not, a circuit court

judge can hold him in contempt until he is ready. In more serious crimes, when people are going to be more reluctant to cooperate and testify, we bring the case to this type of grand jury to help us solve the case.

Composing the Investigative Team

The ideal investigative team starts with the lower-level patrol officer and goes up to the major crimes division. While you would think that all you need is an interest in investigating gang crime, it takes more than that. I do not expect a patrol officer to go out and start investigating gang-related crimes, because they are tied to the radio, are in and out of the office, and are working call to call. However, if the police officer shoots us an email or sends a message to the gang liaison officer, we find out that the crime may be committed by a gang member and that he may lead us to other people he hangs out with all of the time. The officer's information enables us to speak to the victim and the parents and try to get them on board to testify. Currently, we have had a tremendous amount of success with getting people to cooperate with us. For a long time, nobody wanted to come to court or help the police. Lately, victims and witnesses come to court, which is exactly what you need. We can investigate the crimes all day long, but until we have someone who will step up and go to court to testify, those investigations are wasted. We need those people to stand up for their rights and their communities. It is difficult to pinpoint why this is occurring, but it may be that people are getting sick and tired of being terrorized day in and day out.

Interaction with Outside Agencies

We have invested time in improving relationships with juvenile and adult probation and parole. We do home visits with those agencies, work closely with law enforcement task forces at all levels, and meet monthly to share what is going on in our communities. We have a great relationship with other local police departments and jails. A tremendous amount of information is conveyed in jail, and now that there is a flow of information, it improves our ability to solve crimes. It is this team approach that is most effective for solving gang crimes.

You have to have a great working relationship with your district attorney's office. In Newport News, we did not have a great working relationship and we did not bring any cases to them. They were experienced attorneys, but they were inexperienced with gang-related cases. You need to break the wall down and communicate with them. It may be difficult at first and challenging to get your point across, but when you have established that relationship, the number of gang cases you are able to bring to the prosecutor will increase rapidly. For example, in a matter of a year, we went from zero cases to eight Bloods-related cases. Today, the Commonwealth attorneys' office calls us to ask if an individual is in a gang, and then determines whether the gang status is relevant for their hearing for sentencing.

For example, we may have documentation stipulating that the individual should not be hanging out with any other gang members or wearing gang colors. If the individual is committing those acts, we have cause to assert violation of probation. The bottom line is that if you do not develop a good working relationship with your attorney's office, you may move backwards from being able to dismantle gangs to making individual arrests. The positive relationships will not occur organically. It requires giving gang awareness training to all of the attorneys. This generates interest among attorneys and wins you their interest and active support. In our department, this has resulted in us having three or four attorneys who will sink their teeth into a gang case and be ready to go. This has been an integral part of our success recently.

On the defense side, we have had a couple of situations during which a defense attorney reached out to us—especially in cases that were locked solid for us. The attorney ended up turning over the suspect and making them an informant or cooperator. There have been occasions when we have been straight with the defense attorneys and told them we had their client dead to rights. This may lead to sitting down with us and having some productive discussions about how to resolve the situation. It is not common, but it does happen.

The Right Attitude Yields Success

Check your ego at the door when you are collaborating with other agencies. You cannot pretend to have all the same answers as the police department,