

**FBI**

U.S. Department of Justice  
National Institute of Justice

120501-  
120505

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this ~~copyrighted~~ material has been granted by

FBI Law Enforcement

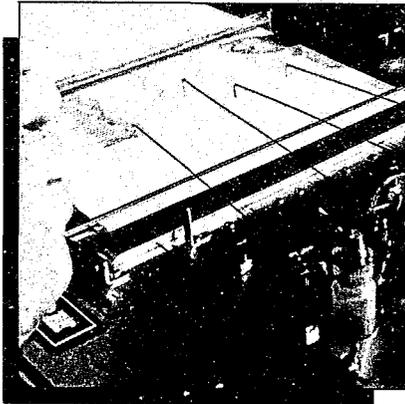
to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the ~~copyright~~ owner.

120501-  
120505



### Features



Page 6

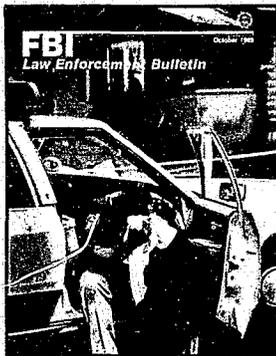


Page 27

- [1] **Police Peer Counseling: Officers Helping Officers** 120501  
By Robin Klein
- [6] **Evaluating Investigative Polygraph Results**  
By Ronald M. Furgerson 120502
- [12] **Asian Organized Crime**  
By Linda L. Keene 120503
- [20] **A New Investigative Approach to Youth Gangs** 120504  
By Edward Burns and Thomas J. Deakin
- [27] **Traffic Stops: Police Powers Under the Fourth Amendment**  
By John Gales Sauls 120505

### Departments

- 4 Police Practices
- 26 Book Review
- 18 The Bulletin Reports
- 32 Wanted by the FBI
- 24 Focus



The Cover: An Orlando, FL, police officer weeps after telling a mother that her child has died in a house fire. Photo courtesy of Bobby Coker/The Orlando Sentinel.

United States Department of Justice  
Federal Bureau of Investigation  
Washington, DC 20535

William S. Sessions, Director

The Attorney General has determined that the publication of this periodical is necessary in the transaction of the public business required by law of the Department of Justice. Use of funds for printing this periodical has been approved by the Director of the Office of Management and Budget.

Published by the Office of Public Affairs,  
Milt Ahlerich, Assistant Director

Editor—Stephen D. Gladis  
Managing Editor—Kathryn E. Sulewski  
Art Director—John E. Ott  
Assistant Editor—Alice S. Cole  
Production Manager—Andrew DiRosa

The FBI Law Enforcement Bulletin (ISSN-0014-5688) is published monthly by the Federal Bureau of Investigation, 10th and Pennsylvania Ave., N.W., Washington, DC 20535. Second-Class postage paid at Washington, DC. Postmaster: Send address changes to Federal Bureau of Investigation, FBI Law Enforcement Bulletin, Washington, DC 20535.

# A New Investigative Approach to Youth Gangs

By

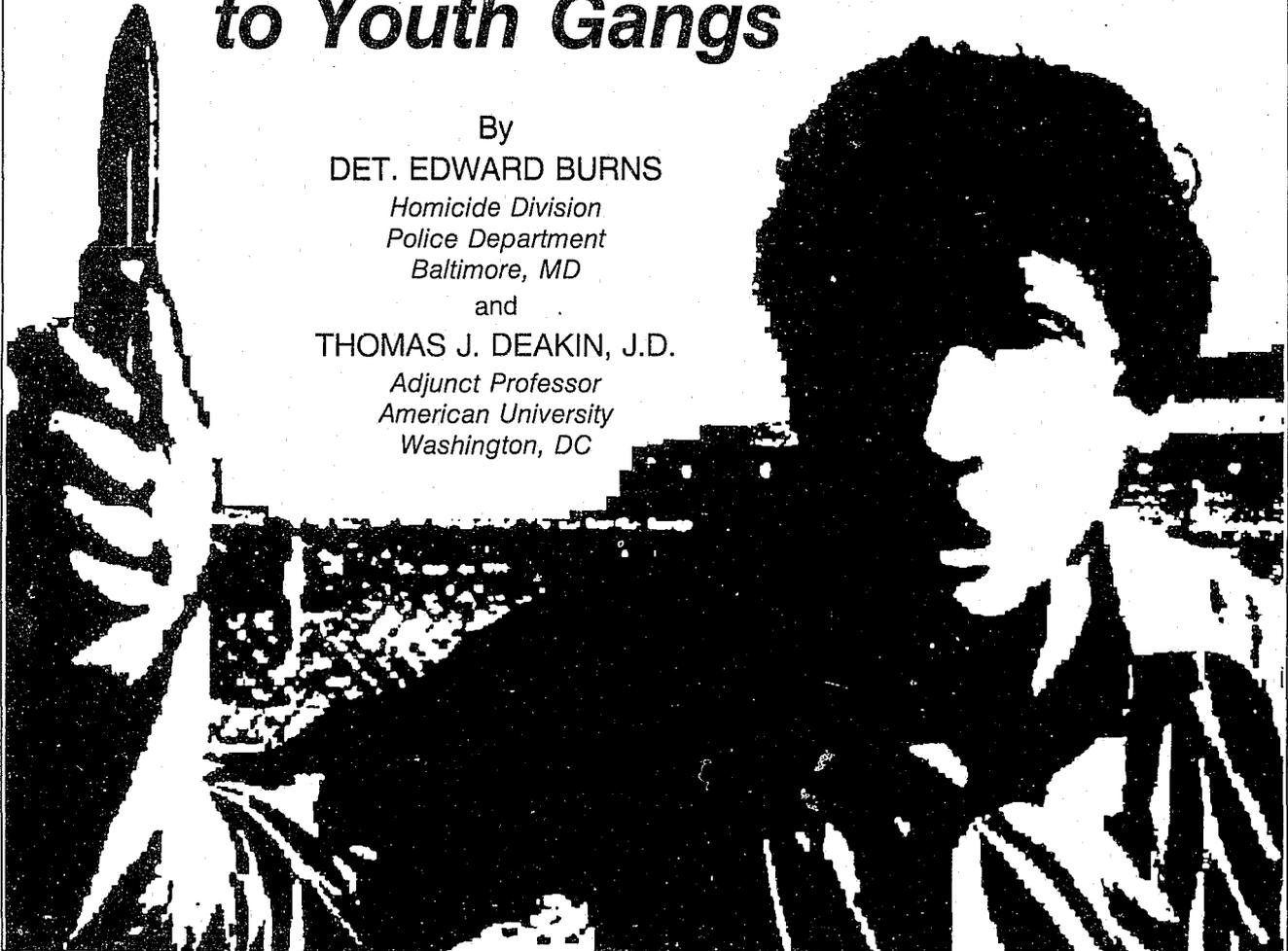
DET. EDWARD BURNS

*Homicide Division  
Police Department  
Baltimore, MD*

and

THOMAS J. DEAKIN, J.D.

*Adjunct Professor  
American University  
Washington, DC*



**Y**outh gangs reign supreme in many inner-city neighborhoods. They generate an atmosphere of terror to maintain their dominance, and at times, their impact is so devastating that the youth of the neighborhood, their main targets, view atrocious assaults to petty offenses as the "normal" response.

Traditionally, local law enforcement has investigated

gangs in the context of a drug organization, using standard techniques consistent with drug cases. However, the Baltimore, MD, Police Department realized that youth gangs are distinct in their structure, objective, and methods of operations from the typical drug organization and must be dealt with accordingly. This article demonstrates that the evolution of gangs—coupled with the dramatic

increase of the drug problem—has made many standard investigative approaches ineffective.

## Gang Structure

To understand why many standard policing methods are unsuccessful, it is essential to understand the organizational structure of gangs and the methods they use to control their territories. Baltimore's gangs are organiza-

tions of tightly bonded youths controlled by a single personality who uses the group as the primary vehicle to gain and maintain a position of power. Surfacing in his late teens or early twenties, the group leader is manipulative, has a talent for leadership and organization, and is motivated by an egotistical desire to control others.

Those recruited by the leader to join the group are selected for their muscles, not their brains. Under the direction of the gang leader, the hardcore gang members secure stash houses and recruit expendable associates, such as runners, lookouts, and other personnel needed for a successful operation.

In contrast, the drug organization is a small, loose confederation of individuals, usually in their late twenties or older. While leaders of drug organizations are similar to those of youth gangs, their main objective differs. The drug leader wants to cash in on the lucrative drug market solely to accumulate wealth and expand his operation. The gang leader, on the other hand, seeks to control territory and generate terror. In both groups, however, drug distribution and support of the drug world dominate their activities.

### Use of Violence

For the youth gang leader, profits generated by drug dealings are used primarily to increase the gang's size and expand its influence. As the gang grows, the leader maintains dominance over other members through rewards and violence, with the emphasis on violence. As a result of the leader's thirst for power, the gang is driven to generate terror. The

systematic use of violence creates a reign of terror that stifles opposition and increases the gang's influence. Whereas a drug organization usually uses violence as a defense mechanism, a reaction to a perceived crisis, gang members commit violent acts to lay claim to a neighborhood and make citizens fearful of them. Potential witnesses against the gang are dealt with in violent ways. In turn, potential witnesses or actual victims are reluctant to cooperate with the police, fearing retribution from the gang.

### Ineffectiveness of Conventional Methods

The Baltimore Police Department last used conventional methods for investigating youth gangs in 1982. One of the reasons was the influx of cocaine into the city in the early 1980's. Primarily, the barriers confining hard drugs in the inner city crashed. Drug dealers began plying their trade to a new group of addicts—the mid-

dle class. This epidemic necessitated a redesigned response by law enforcement.

Another reason for the failure of traditional methods lies in a gang's resistance to encroachment. Little or no information can be developed to adequately assess a gang's size and the scope of its influence. Also, gang members are unremitting in their efforts to thwart an investigation. They tamper with evidence, intimidate witnesses, and even accept prohibitive sentences rather than provide information on other members. Because of the organizational structure, only the leader knows of every involvement of the gang. In addition, large quantities of money or drugs are not allowed to accumulate, denying the investigator the fruits recognized in a successful investigation.

### Prosecuting Gang Members

While prosecuting crimes of violence individually is a deterrent, several factors argue against



*Detective Burns*



*Mr. Deakin*

successfully prosecuting a gang member. First, the homicide investigator's workload is so arduous that it is difficult to devote adequate time to a drug homicide. Homicide units in many cities operate under MASH-like conditions, patching cases together

understanding the gang, its leader, and the fact that his ambition requires violence to carry out his will. The investigative goal must be to develop conspiracy cases from evidence obtained through turning the gang's violence inward toward vulnerable gang members.

in many ways is the most productive approach. It places gang members in a vulnerable position without expending a great deal of investigative energy. This method creates added tension for the gang member by threatening perjury, or contempt for noncompliance, juxtaposed with a chance to escape a losing proposition, a promise of immunity—an ideal situation for the interviewer.

“

***The success of this investigative process lies in understanding how the individual member is bonded to the gang.***

”

before the onslaught of new murders diverts attention to the latest crisis.

Second, gang-related cases are often investigated in a vacuum. The detective does not see the crime as part of a pattern, but as a single act, and as a single act, the crime appears illogical. Further, information cannot be obtained from gang members, and time constraints and lack of funds curtail the use of informants needed to target members of the group.

Even if detectives overcome these obstacles, the likelihood of conviction still remains slight. Between arrest and trial, the gang members, through the use of the discovery process in the law, move to dismantle the case. Witnesses and their families are often bribed, intimidated, or physically threatened. If those methods fail, gang members appear in court during the trial, and by their very presence, attempt to intimidate the jury.

### **A New Investigative Approach**

A successful approach to counteract gang activities lies in

Senseless violence repels many, even the most ardent gang member. This approach takes advantage of the tension violence creates within the gang and uses this tension against the gang's leadership.

Initially, this type of investigation requires identifying the gang's membership and its acts of violence and victims, learning the gang's folklore, and developing informants. The investigation then targets gang members outside the gang's nucleus. The targets are placed in real or imagined jeopardy in order to bring them into highly stylized interview situations, designed to change the member's allegiance from the gang to the investigative team.

### **Methods Used**

Creating the desired vulnerable posture in a gang member can be accomplished in three ways: 1) Controlled arrest situations, 2) interviews of randomly arrested gang members, or 3) use of the grand jury. While all three methods produce the desired effects, the use of the grand jury

When the gang member is confronted in a pre-grand jury interview, the interviewer concentrates on two areas. The first step is to determine if the gang member's sentiments are set against the gang's use of violence, which is usually the desire of the leader. This violence draws attention to the gang, thus endangering its very existence. By suggesting the gang leader has broken a covenant with the gang, the interviewer causes the member to question continuing loyalty.

The second area to exploit is self-interest. Leniency can be considered in exchange for cooperating against the gang's leadership. This offers the gang member a way of escaping full exposure for crimes which are not realistically prosecutable due to lack of evidence. Since this member is not the target of the investigation, and there has been no attempt to gather evidence against the member, there is nothing lost in a grant of immunity. The primary focus is to induce cooperation.

While stressing the gang member's self-interest and opposition to violence, the interviewer introduces other ideas—knowledge of the gang, inevitability of prosecution, scope of the investigation, etc.—all designed to convince the gang member to change

allegiance. Attention should be drawn to the specialized nature of the investigative team and its prior successful track record. Details of the investigator's methods are shared. The gang member is advised that those not targeted are being interviewed and that others are cooperating with the investigation. It should be pointed out that there is no neutral ground—either the member cooperates, falls afoul of the grand jury, or becomes a target of the investigation.

In the overt grand jury phase of the investigation, active street-level informants in the gang's territory are harnessed to pinpoint witnesses, identify nicknames, and report feedback concerning the gang member's interview. This type of informant is invaluable, and because of the nature of information sought, is easily developed and maintained with a minimum expenditure of funds.

In one particular homicide investigation involving a drug gang of over 50 members, the State's attorney authorized the use of a special grand jury to investigate. Approximately 40 gang members and civilian witnesses appeared before the panel. Within 5 months, 4 cases were prepared for trial, with 15 gang members prepared to testify. Three of the cases were prosecuted and convictions were secured against the nucleus of the gang. The fourth case was not prosecuted in light of the multiple life sentences given to the same gang members by the presiding judge.

This investigative process was modified and used on a larger scale in another gang investigation, with equally impressive results. Three gang members con-

trolled a vast drug distribution network, which employed four full-time gunmen and used eight other contract gunmen. The scope of this investigation was broader in that it employed the RICO statute, using murder, drug trafficking, and money laundering as the predicated crimes for the grand jury. The results were similar, with several members turning against the gang's nucleus.

### Success of the Strategy

The success of this investigative process lies in understanding how the individual member is bonded to the gang. In a world where gangs flourish, joining a gang is accepted as a way of achieving status and money, as opposed to the alternatives of an

“  
***The unit should have the specific mission of attacking gangs that use any type of violence.***  
”

education, job, or sports. Youths with minimal or no criminal tendencies are drawn to the gang and fall under the tutelage of the gang's leadership. However, most members do not comprehend the scope of the gang's lawlessness and are not prepared for the type of crime imposed on them. The degree of adaptation, or corruption, depends on the individual's proclivity to crime. Criminal acts occur before the new member is able to make an intelligent choice, thus the member is committed to the gang despite reservations.

From evidence gathered in investigations, it appears that only a few succumb to the violent mentality of the core group. The majority appear to be trapped between their essentially good upbringing and fear of the gang's violence. It is within this group that the dichotomy creates tension and confusion, which this investigative process exploits. This process proposes a resolution to the conflict by offering a gang member a safe alternative to the gang.

### Organizational Response

If the significance of the gang problem is understood within the bureaucracy, it argues for the creation of a unit to deal specifically with gangs. If such a unit is established, certain components are essential.

The unit should have the specific mission of attacking gangs that use any type of violence. It should be small and self-contained and operate closely with the Homicide Unit, for that is where patterns of violence will be evident. However, the two units should not be combined because of the Homicide Unit's constantly shifting demands, created by the reactive nature of the crime.

The unit must be wed to a prosecution team, so that its most effective tool, the grand jury, can be fully used. This is critical to the process because the thrust of the investigation to convert potentially alienated gang members and guaranteed specific arrangements are only within the purview of the prosecutor.

Because considerable investigative time is spent on a gang's street activities, the unit should