

## **Views From the Field: The Early Days of Military Gang Investigating**

by

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### **Introduction**

There were roughly one million gang members in the United States at the end of 2008 (NGIC, 2009). The 2009 U.S. Army Criminal Investigations Command (CID) Gang Activity Threat Assessment documented a twofold increase in felonies since the 2006 report. The percentage of gang crimes involving military persons was only .41% of the total number of felony investigations (CID, 2009). Over 10% of gang members in civilian communities have military training (Smith, 2010). The most common gang-related crimes involved drug trafficking, with 33% of the reported felonies that year (CID). Gang-related aggravated assaults, housebreaking and larceny cases, attempted homicides, and sexual assault investigations were also reported (CID).

Military-trained gang members (MTGMs) engage in military-type gang activity, and display indications that the gang members had military training either directly or indirectly. Indicators of military training include the use of military tactics, weapons, or equipment to conduct gang activity, and the use of distinctive military skills, particularly if gang members trained in weapons, tactics, and planning pass the instruction on to other gang members (NGIC, 2009). Military tactics include the techniques and strategies taught in a variety of military occupational specialties, ranging from tactical assault to organizational leadership strategies.

### **Early Indications**

I first became aware of gang members in the military community when I was at Fort Campbell, KY in the early 1990s. I was a CID special agent and had been stationed at Fort Campbell since 1984. There were a couple of agents at the CID office and a few investigators in the Military Police investigations (MPI) office that tended to work together to solve crimes. We started seeing indicators that groups of

people were committing crimes; burglaries, break-ins to cars and thefts in the early 1990s, around 1991-1992. We found that there were young people purporting to be gang members and they were mostly juveniles -- family members of soldiers. By the mid 1990s, we started seeing more soldiers who were claiming gang membership, committing crimes both on- and off-post. We coordinated with the local police and found that they were seeing some of the same indicators.

We found out that a lot of the military-affiliated high school students, both on-post and off-post were acting like gang members. We experienced some parking lot break-ins to automobiles and we had some burglaries and then other crimes that appeared to have been committed by groups of people, meaning the actions of the criminals were different enough to indicate they were committed by different people while being similar enough to indicate the perpetrators had planned the crimes together. We also realized the more we got out and talked to people and shared the indicators we were looking for the more members of the community saw indicators of gang activity long before we did.

Some of the indicators that there was gang activity included the similarity of the crimes we were investigating. As we started talking to residents, we learned that there was a group of young men in the area who were saying that they were in a gang. Our initial response was that they were wannabes. But the more we looked at their claims, the more we realized that this was a group of people that called themselves by a certain name, had similarities in manner and attire, and they had formed a group for the purpose of committing crime. With that analysis we realized they could be more of a gang than we had initially given them credit for.

### **Learning along the way**

In the mid 1990s, we started identifying soldiers with simultaneous gang and military involvement. They were either initiated into the gang at Campbell or had gang involvement prior to entering the military. We coordinated with a couple of local cops and began gathering and sharing intelligence on this new threat. Initially we worked with the local police on gangs like we did drug investigations and just made sure there was a military nexus to what we were investigating.

The hard part about determining the military connection in a community adjacent to a military base was that there were some people who left the military that were in the gang. We had to determine if the gang members we identified were present or former military, because we had no jurisdiction over former military. If we had intelligence or information on them we could assist the local police, but if they were not in the military we had no business tracking them.

We were never out shaking the bushes looking for work; we were just responding to a problem that we saw in a way that seemed natural for us. This was all just a grassroots effort, this wasn't the special agent in charge saying *I think we have a gang problem you guys better go find out what's going on, here's all the resources*

*you ever thought about needing.* When working in the grassroots mode you actually spend your personal time, the time you would've gone home earlier, doing this additional stuff. I don't mean you work covertly I mean that you realize you have given your employer the amount and level of work that they paid for, now you can have a little bit of this time to explore something work-related that you are interested in. It's kind of entrepreneurial in that way; you're not going to spend a lot of your own time chasing down rabbit holes that aren't likely to have rabbits in them. If you didn't see a rabbit go into that rabbit hole it's usually just best to fill it in rather to see if it's coming back.

### **What we expected**

Some of the supervisors (both ours and those of the soldiers we identified) responded with a 'prove-it' or a 'oh they're wannabes' or 'oh that's nice' response. We realized that what it all boiled down to was that no one likes investigating conspiracies. They just want criminal information and evidence for their cases in a simple and uncomplicated way. They don't want anything that takes a long time to investigate or prosecute. We realized we were seeing the shift into denial mode, especially when we started putting the word *gang* in some of our initial reports. The terminology we used was a 'gang of youths' and we were corrected immediately. We were told not to use the word *gang* in the initial report.

Gang and extremist-group activity rose to the limelight in the U.S. Army on December 7, 1995, when soldiers from Fort Bragg were charged with two racially motivated murders in Fayetteville, North Carolina. Three white soldiers from the Army's 82nd Airborne Division at Ft. Bragg, N.C., got into a car and drove around Fayetteville in search of black people to kill. They happened on a couple out on a stroll. Two of them got out of the car and confronted the couple. Holding a 9mm pistol, one forced both to kneel and then fired several shots into their heads. The next morning the principal shooter was arrested. When police searched his room, they turned up swastika flags, white supremacist pamphlets and bomb-making equipment.

When I used to tell people that the homicide of a black couple by soldiers stationed at Fort Bragg, NC was the catalyst for what we used to be able to conduct gang investigations, I got a look of shock. Here's why that happened. In the aftermath of the murders, Secretary of the Army Togo West formed a task force to investigate extremist-group activity in the Army's ranks. The task force visited 28 major Army installations in the United States, Germany, and Korea during January and February 1996. After conducting over 7,000 interviews and 17,080 written surveys, the task force concluded that there was minimal evidence of extremist-group activity in the Army . . . They did note there was more of a "security concern" with street gangs. Specifically, they said "gang-related activities appear to be more pervasive than extremist activities as defined in Army Regulation 600-20" (U.S. Department of

Defense [DoD], 1996, para. 16).

Based on that information, Secretary of the Army West enforced guidance that was already in existence that active participation in an extremist group was contrary to the good order and discipline of the military and would not be tolerated. Secretary West had a press conference and reporters asked him questions trying to narrow down or define the term *extremists*. He said he would not further define the term, that that task was up to the unit commanders. He explained that the term extremists meant people who, for a variety of reasons, act in such a way that is contrary to the good order and discipline of the military. He gave the commanders a lot of leeway, a lot of discretion.

Army Regulation (AR) 600-20 came out and it was directed that military personnel have to reject participation in extremist organizations and activities, in other words those that advocate racial, gender, or ethnic hatred or intolerance. They were prohibited from active participation in public demonstrations, meetings fundraising, recruiting, leadership roles, or distributing literature for groups that espouse extremist views. The regulation prohibited involvement in any organization - extremist or otherwise, that adversely affected the good order and discipline of the military, observing that involvement in such organizations affects the ability of the unit to work together regardless of background. Membership in the organizations alone was not forbidden. Active participation was what was prohibited – not to the extent of murder or shouting loudly at a rally. It took things such as passing out literature, recruiting others, going to meetings in uniform and a whole host of other things. It was clear, though, that membership even without participation could be noted by superiors for promotion consideration. The regulation gave Commanders power. The thought was that commanders could prohibit people from being active in these organizations. The leaders wanted to make sure they didn't allow distributing of extremist literature. They also wanted to make sure there was a training component.

And as we went forward, about 1997, an agent who I worked on the drug team with when I first got to Campbell in 1984 came back to be the Special Agent-in-Charge. He had spent time in Germany working drugs and he had spent some time in Oklahoma City working on the bombing there at the Murrah building. And he saw what we'd been seeing and he said, 'sounds like we have a gang problem!' He brought in a guy who had some military police public affairs experience and we started putting together the first semblance of a gang team. We started with a briefing, just kind of getting information on the gang indicators and creating awareness in the community.

What we learned was that we needed to address the gang problem with a variety of approaches. What we needed to do was to first be able to educate our community even as we were being educated. Second, we needed to investigate what *was* out there and those two go hand in hand obviously but you have to draw a line

where you're like *How much am I going to educate them? How much is too much?* We eventually began looking for the indicators of gang membership, not so much the gang activity going on but the indicators of gang membership like tattoos that were being worn by soldiers and the graffiti that was being sprayed in and around the base and then paraphernalia like pictures of soldiers throwing hand signs and those were the three main things we were looking at. And at first we kind of didn't know where we were going with it so we just collected all the information and periodically evaluated it.

We spent a lot of time training military leadership on gang indicators. We gave presentations to groups with just a handful of people, groups with a dozen people, groups of a thousand people in a theater, and we were giving gang indicators and information with questions and answers. Inevitably, within days or weeks of the presentation we'd get a call from someone who attended saying *Hey I went to your presentation and you know that tattoo you were telling us about, or you know that symbol you were telling us about? I saw a soldier with that on his car, on his locker, on his arm, . . .* That's where we got a lot of our information -- from the soldiers who attended our training.

At the time one of the best indicators of gang involvement was the tattoos. Looking back, that was a good indicator but what we saw as a result of such emphasis was a decrease in tattooing, or at least a decrease in admitting the gang connection of a certain tattoo. The problem is that simply hiding or removing a controversial tattoo does not adequately change the individual's views. I am not suggesting that they keep the tattoos but at least when you see a tattoo or symbol you know who the gang member or extremist is. Now we are cloaking their views with no real plan to monitor or track them. I think the message this is sending is. OK you SPC Gangmember and you PFC Extremist you are being counseled to get your controversial tattoo removed. We, the Army, do not support those beliefs BUT we will keep you if you get your controversial ink removed, regardless of what you think. How about a follow on plan after the counseling and tattoo removal?

We included a lot of the current information in our briefings and we'd see some graffiti and translate it and included that in our briefings. So, we were educating 1000s of Fort Campbell's leadership and even some of our soldiers at what we called the Gang Awareness Briefings and we gave 100s of those briefings. We targeted the training primarily at military leadership but included some soldiers if the unit leadership wanted an expanded briefing. We had groups of all sizes -- everything from a half dozen officers in an office to entire battalions in a theater.

I don't think we ever had a time where we trained all of Fort Campbell's finest but I know that we were really close. We were doing this while we continued to investigate what was going on and while working with the local police and doing what was necessary to run an actual gang investigation team and network with gang cops all over the state, region, and nation. The mobility of folks in the military

required us to establish and maintain connections across the country, and that allowed us to learn a lot about trends in the gang underworld in a relatively short time period.

### **What happened?**

From 1997 to 1999 I was paid by the military to say the same things about the military that I talk about now and my successor from 1999 to 2001 was paid to do the same stuff. Our mission was to get out into the communities in America and tell them about the dangers of military trained gang members and that there were gang members in the military. We were talking to police officers all over the place. I went to Fort Bragg and I went to Fort Hood, I sent folks to New Mexico, I sent folks to California...we had folks all over the place and we went and talked about what we were finding.

We got the first conviction for distribution of extremist literature in the Department of Defense and had a lot of proactive work in the 3 years the team operated. Since its inception in June of 1997, the Gang-Extremist Team was involved in or responsible for 13 felony Reports Of Investigation. We provided Federal, State & Military briefings to thousands of people. We organized and presented the first Military Gang/Extremist Training in February, 1998. We assisted local Law Enforcement agencies with implementation of Gang programs and a focus on Hate Crimes investigation. We had 3 certified Federal Law Enforcement Training Center Hate/Bias Crime Instructor. We were recognized by the FBI, the Army, the Navy and the Air Force (and others) as experts on gangs in the military. Then, on September 11, 2001, when the terrorists reminded our country that we weren't as secure as we thought we were, the gang problem in the military pretty much evaporated and it didn't arise again, on paper, for about four years.

It didn't go away, it's not like a bunch of gang member leaders went around and said, "Hey, dude, that terrorist activity was pretty nasty. They got terrorists in DC and New York, the probably got 'em out in California. Let's go ahead and take a break and just not do any gang-banging while the cops go chase terrorists." That conversation never happened! But to hear most people talk they stopped having a gang problem for at least a little while, the military stopped having one until they had to acknowledge it when two deaths occurred in 2005 in Alaska and in Germany that were clearly gang-related. A couple of years later, the History Channel did a special on gang activity in the military, and I realized that we had been investigating it for a while.

About three years ago I was at a conference in Mizzoula, Montana with the Northwest Gang Investigators Association and I told some of their Directors that was the last time I was going to be talking about *gangs in the military* and would start talking about *military trained gang members* in the civilian community. I realized that we had a lot of people that were trained to go to war that had already gotten out or were just now getting out and that was going to be the next big thing that needs to be paid attention to. With the wars in Iraq and Afghanistan in recent memory, we won't be able to pretend that gang members with military training are going away because they will have brought their training and gangbanging back to our communities and local police officers will need to be able to deal with it. I travel the country talking to gang investigators and other police officers and I ask how many of them are trained in SWAT training? How many know how to enter a building with a rifle between you and whatever you're looking at and know how to tell people to get

down on the ground and make sure the area's safe and all that? Somewhere between a quarter and a half of the room will raise their hands.

And then I will ask how many of them are trained in reverse SWAT training? In other words, how many are trained to be the recipient of those same commands? My position is that if you don't know how to be on the receiving end of a rifle you don't know what it's like to be the victim of a home invasion, which is what it's called when gang members do the activity we trained the military to do when we trained them to raid a building in Iraq or Afghanistan. We're teaching them how to do a home invasion if they are a gang member and neither our police officers nor our citizens are trained how to respond to that.

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### About the Author

Carter F. Smith, J. D., Ph.D. has been involved in military and federal law enforcement for over twenty-two years, and was the team chief for the Army's first gang and hate crime investigations team. He has provided training on gangs to the Florida, Georgia, Northwest, Oklahoma, and Tennessee Gang Investigators Associations, the Regional Organized Crime Information Center, the National Gang Crime Research Center, the Academy of Criminal Justice Sciences (ACJS), the National Crime Prevention Council, the Southern Criminal Justice Association (SCJA), the Department of Justice, and the U.S. Army. He was a founding (Executive) board member of the Tennessee Gang Investigators Association and is a member of the Speaker's Bureau for the National Alliance of Gang Investigator Associations. He is a member of the CID Special Agents' Association, the ACJS, SCJA, and the Fraternal Order of Police (FOP), a recipient of the CID Command Enlisted Special Agent of the Year award, and a recipient of the Frederic Milton Thrasher Award of the National Gang Crime Research Center.