

## Gang- and Drug-Related Homicide: Baltimore's Successful Enforcement Strategy

by Detective Edward Burns, retired

This bulletin examines the phenomenon of violent inner-city gangs and introduces an investigative approach to combating these gangs in Baltimore, Maryland. Gangs have a devastating effect: they instill fear among citizens and create an atmosphere of violence so pervasive that the nation's youth now view serious, often fatal assaults as normal responses to perceived or actual slights.



In many cities, gangs are easily identified by flaunted colors and are maintained by a continuity of the organization. In Baltimore, however, gangs and their members are not easily detected. Traditionally, local law enforcement has treated gangs like drug organizations, applying standard investigative techniques that apply to drug crimes. This report shows that the evolution of gangs—coupled with a dramatic increase in the trafficking of hard drugs (i.e., cocaine)—has rendered traditional investigative approaches ineffective.

### Gang Characteristics and Growth

A gang differs from a drug distribution organization in structure, objective, and methods (specifically in its use of violence). An urban drug organization is a small, loose confederation of individuals who are usually in their late 20s. This type of group unites to cash in on the lucrative drug market, and its main goal is to accumulate wealth. The drug of preference is cocaine, and distribution is above the street level. For a drug organization, violence is a defense mechanism—a reaction in the face of a crisis or a byproduct of the trade. With the widespread use of cocaine and its derivatives, the number of drug trafficking organizations rose dramatically in the 1980s.

In contrast, a youth gang is an organization of tightly bonded youth who are joined together and controlled by a criminal leader. A gang is often conceived and nurtured by an individual who uses it as a vehicle to raise himself or herself to a position of power among his or her peers. In Baltimore, the gang's energy is directed toward distributing narcotics or providing support services for the drug trade, which may include murder for hire.

In specific inner-city territories, Baltimore gangs control drug distribution from street-level consumption to bulk wholesale. Gangs dominate the heroin market and distribute cocaine as a side venture. Gangs maintain and expand their control through systematic violence—establishing a reign of terror that stifles opposition and increases a gang's influence.

Unlike a stereotypical street drug dealer, who plies the trade in the local neighborhood and treats this occupation as a live-and-let-live proposition, a gang leader seeks to dominate territory and expand the gang's geographic control. A violence-prone gang easily intimidates the neighborhood drug dealer, assimilating or tolerating the dealer's presence but on an unequal, tenuous footing.

After the base of operation is secured, a gang focuses on optimizing the territory for the sale of street-grade heroin and cocaine. Under the leader's direction, the hardcore gang members—soldiers<sup>1</sup> whose loyalty to the leader is expected to be absolute—secure drug stash houses and paraphernalia for the operation and recruit the expendable dealers, runners, touts, and lookouts. As the gang's profits grow, more expendable, lower-level members are recruited, and the gang's size and influence expand.

The gang leader maintains dominance over the membership by a mixture of rewards and violence, with an emphasis on the latter. The leader is the focal point of the gang's activities, the final arbiter of disputes, the source of spending money and bail, and the receiver and dispenser of information. He or she manipulates gang members by testing loyalties, determining status, and keeping members off guard and subservient to his or her will—perfecting a totalitarian form of control.

While the gang secures the lines of distribution, the leader controls the flow of drug revenues and maps out supply lines. The gang leader is in contact with established local leaders of other gangs and with former gang leaders who now work in the criminal underworld and no longer require the services of the gang. These more experienced gangsters coach the younger criminal in matters such as hiring lawyers, hiding money, creating communication networks, and researching police investigative procedures and ways to avoid them.<sup>2</sup>

A product of the leader's desire for power, the gang is driven to generate terror. The fledgling gang announces its presence by committing violent acts to establish its claim to a neighborhood and, after gaining control, by continuous fighting to maintain and expand control. Rivals, recalcitrant dealers, potential witnesses, and other enemies are identified and dealt with in a variety of ways, which often culminate in murder. These acts are publicly acknowledged by the gang. Credit is taken, and the crime is added to the reputation of the gang and symbolized through the leader's name.

Gangs use the art of name recognition to maintain control. Using violence to accomplish his or her goals, the leader sees that his or her name becomes inextricably associated with terror. When the leader's name is mentioned, opposition is expected to crumble. Witnesses and victims often use the phrase "he don't play" to explain their reluctance to cooperate with an investigation. At some point in a gang's evolution, a leader's name seeps beyond the criminal realm and into the public consciousness. As parents learn the names of gang leaders from their children, the names spread throughout the city and strike fear. Fear works in favor of the leader and his or her agents because families, fearing retribution, encourage potential witnesses not to get involved in any investigation of the gang.

## **Traditional Gang Enforcement Fails**

### **King Gang Investigation**

The King/Ricks/Meredith (King) gang's potential danger and threat were investigated by the Baltimore City Police Department's (BPD's) Drug Enforcement Unit. Surfacing in 1982, the King

gang initially seized control of Hoffman and Holbrook streets. For 2 years the gang grew, bringing a significant section of east Baltimore under its control. When the gang was successfully prosecuted, 47 members were convicted, 5 murders were credited directly to the gang, and \$1.8 million in assets were identified, targeted, and seized.

The King investigation used the traditional BPD narcotics investigative approach. Members of the Criminal Investigation Division Drug Enforcement Unit and agents from the U.S. Drug Enforcement Administration used informants, cooperating witnesses, and police officers in undercover assignments to penetrate the gang at its most vulnerable point: the lines of distribution. The investigators infiltrated the gang and purchased heroin from key members, including King, the leader. A further mark of success was the police department's aggressive postarrest pursuit of the gang's financial assets.

Members of the Baltimore underworld noted the investigation's success. In the King case, law enforcement had reached the upper limits of its ability to investigate drug gangs. In the past, narcotics investigations had toppled many gang leaders (Liddy Jones, Melvin Williams, and others), but never had so many members of an organization been disposed of at once or so much of a gang's wealth been seized.<sup>3</sup>

## **New Investigative Methods Needed**

The King probe was one of the last investigations conducted against Baltimore gangs by conventional methods. The reasons for implementing new investigative methods were twofold. First, Baltimore had an influx of cocaine in the mid-1980s, which soon became pandemic. It was as if the barrier that had confined heroin to the inner city had somehow fallen overnight. Suddenly, drug dealers were everywhere. Many experienced traffickers, schooled in the sale of heroin, were now plying their trade among a new group of users: the middle class. Law enforcement had to respond, and the burden was placed on the BPD's Drug Enforcement Division. Second, the gang became more resistant to encroachment, effectively blocking traditional enforcement methods. Law enforcement could get little information regarding the size and scope of a gang's influence, which made it difficult to justify an investigation.<sup>4</sup>

Gang members are relentless in their efforts to thwart investigations—tampering with evidence, intimidating witnesses, and accepting long sentences rather than providing information about other members. A gang is structured so that only the leader knows every precise movement of all the gang members, which makes the job of law enforcement difficult and discourages pretenders to the throne. A gang's methods of operation are designed to resist a knockout blow. Gangs do not allow large quantities of money and/or drugs to accumulate, denying an investigator the fruits of a successful narcotics investigation. For these reasons, drug enforcement officers usually focus on other significant areas, where they can make an impact on the drug war.

## **Prosecuting Gang Members**

Another approach to combating gangs is to prosecute members for firearm and assault offenses. This strategy enables prosecutors to confront shooters and other members who have knowledge of homicides that carry potentially long sentences. Prosecutors may be able to trade years off a member's sentence in exchange for the cooperation they need to build cases against the gang leaders who direct the homicides.

Several factors make successful prosecution unlikely for a violent crime committed by a gang member. First, a homicide investigator's workload is so demanding that it is difficult to devote adequate time to a protracted drug homicide investigation. For several years, the BPD's homicide unit operated under MASH-like conditions, patching cases together before a new wave of murders diverted the officers' attention to another crisis.

Second, gang-related cases are often investigated in a vacuum. Not knowing that he or she is up against a gang, the detective sees the crime as a single act and not as part of a pattern. In that context, the crime appears illogical. Unfamiliar with the personalities of the gang members, a detective finds it extremely difficult to obtain information. In addition, time constraints and lack of funds limit the use of informants to target gang members.

If a detective manages to overcome those obstacles and build a prosecutable case, the likelihood of conviction remains slight. After the defendant is arrested, the detective moves on to another assignment. Between arrest and trial, the gang member as defendant—with discovery papers in hand—moves to dismantle the case. Behind the investigator's back, witnesses and their families are bribed, intimidated, or murdered. If those measures fail, gang members who are not on trial may appear in court to intimidate jury members. A not guilty verdict is a significant coup for the gang, suggesting its superiority over the criminal justice system.

## Effective Gang Enforcement

The proposed approach to combating gangs is based on the idea that the gang is an instrument of the leader's will—a will that often requires violence to satisfy personal ambitions. An investigative goal is to develop conspiracy cases from evidence obtained by turning the gang's violence inward upon vulnerable gang members. This is done by pitting the sensible against the indiscriminately violent and by turning the many troops against the one corrupt gang leader.

This method works because many gang members are against senseless violence. This approach takes advantage of the tension that violence creates within the gang and uses it against the gang's leaders, who advocate for and approve of violence.

## Investigative Phases

The initial or *covert* phase of the investigation involves identifying the gang's members, detecting its victims and violent acts, learning its reputation, and developing an informant to observe and record the gang's characteristics and activities over time. When the covert phase is complete, the investigation moves to the *overt* phase—targeting members who are outside the leadership nucleus.

During the overt phase, the targeted gang members are placed in legal jeopardy in a highly structured interview situation designed to change their allegiance from the gang to the investigative team. Police use one of three methods to place gang members in this vulnerable position:

1. Controlled arrests.
2. Interviews of randomly arrested gang members.
3. Grand juries as investigative tools.

**Controlled arrests.** The first method places the target in a highly vulnerable legal position and is used when it can be done without diverting too much attention from the primary investigation. An example of an ideal controlled arrest is the arrest of a gang member for a firearm violation when the member has had at least three prior felony convictions. Such an arrest exposes the target to a minimum federal penalty of 15 years without parole. An arrest for possession of a controlled, dangerous substance when the subject is already on parole also isolates a gang member and creates uncertainty within the gang.

**Interviews of randomly arrested gang members.** The second method, interviewing randomly arrested gang members, depends a great deal on chance. For large, well-established gangs, the likelihood is high that at any time some members may be incarcerated.<sup>5</sup> Because gang members know that jail time is a reality, they may feel vulnerable to prosecution if witnesses and/or evidence exist that could link them to a crime. If the subject can be convinced that his or her actions fall within the scope of a conspiracy charge, uncertainty is generated and the subject often becomes a good candidate for switching allegiances and cooperating with the government.

**Grand juries as investigative tools.** The third method, using the grand jury, is the most productive approach. Police can place a gang member in a vulnerable position without expending a great deal of time or investigative energy. The threat of a perjury or contempt sanction, juxtaposed with a promise of immunity and a chance to escape a losing proposition (i.e., long jail time), makes the gang member feel uncertain and insecure—an ideal situation for the interviewer. After a gang member is placed in this vulnerable position, he or she is confronted in a pre-grand-jury interview by an investigator and prosecutor who work as a team.

## Interview Themes

The interviewer introduces the two major themes.

**Gang violence and the gang leader.** The first theme is a litany of the gang's violence, the responsibility for which is placed squarely on the leader. The gang leader is labeled a terrorist, and the violence is presented as both reprehensible to the subject and ostentatious, as the violence draws attention to and thereby endangers the very existence of the gang. The interviewer suggests that the leader has broken the covenant with the gang and is no longer worthy of the interview subject's loyalty.

**Self-interest.** The second theme of the interview is self-interest. Leniency for the subject's crimes can be considered in exchange for cooperation against the violence-prone nucleus of the gang. This offers the subject a way to escape full exposure for certain crimes (which may not be prosecutable due to lack of sufficient evidence). Because a peripheral or an alienated gang member is not the target of the investigation, and since no attempt has been made to gather evidence against the subject, nothing is lost by seeking a grant of immunity. As the investigation expands and evidence is gathered, a peripheral member could become a target of prosecution, and then the member's cooperation and/or immunity may be considered only in light of this new reality. However, the goal of the investigative process is to foster cooperation.

**Other themes.** While stressing the major themes, the interviewer also introduces subthemes. These include the police officers' knowledge of the gang, the inevitability of prosecution, and the scope of the investigation. These themes are designed to convince the subject to shift allegiances. The interviewer alludes to the subject's role in the gang, identifies nicknames, and shows knowledge of the gang's reputed deeds. Attention is also drawn to the special nature of the investigative team and

its successful track record. Details of the investigator's methods are shared. The subject is advised that there are cooperators (i.e., legions of informants) and that even gang members who are not targeted will be interviewed. The interviewer emphasizes that there is no neutral ground—either the subject cooperates, falls afoul of the grand jury through contempt, or becomes a target of the investigation.

In the overt grand jury phase of the investigation, street-level informants who are active in the gang's territory are gathered to pinpoint witnesses, identify nicknames, and report feedback concerning another subject's interview. For example, in the Stanfield cases below, one detective developed a street-level informant who listened to gang members rehash grand jury testimony (e.g., He would relate another's conversation, "I told them that but they didn't ask me this.") The informant passed that information to the detective, the subject was reinterviewed, and additional information was gained the second time around. This type of informant is invaluable to the investigative approach and, because of the type of information sought, is easily developed and maintained.

## **Stanfield and Boardley Investigations**

### **Stanfield Investigation**

The investigative process—incorporating controlled arrests, random interviews, and grand jury investigations—was developed during the 1986 Timmirror Stanfield homicide investigation. Stanfield, a classic gang leader, was 25 years old when he was indicted. He headed a drug gang of more than 50 members that controlled South Baltimore's Westport area and West Baltimore's Murphy Homes housing project. The gang was extremely violent and had grown so bold that it denied postal workers access to Westport on their daily rounds.

The gang was responsible for several murders, and the investigation focused on four of the murders that occurred at the 725 George Street highrise. Former Maryland State Attorney Kurt Schmoke authorized Assistant State Attorney Howard Gersh to use a special grand jury to investigate the gang. Approximately 40 gang members and other neighborhood witnesses testified before the panel. Within 5 months, the four cases were prepared for trial, with 15 gang members ready to testify against Stanfield. Three of the cases were presented for prosecution, and convictions were secured against the nucleus of the gang.

### **Boardley Investigation**

With certain modifications and on a larger scale, the investigative process developed in the Stanfield case was used in the Boardley investigation with equally impressive results. Warren Boardley, Nadir Abdullah, and Christopher Burrows controlled a vast drug distribution network centered in the Lexington Terrace/Poe Homes housing project and spreading throughout the West Baltimore and Cherry Hill areas of the city. The gang employed four full-time gunmen and used eight others, all hired by contract.

The scope of this investigation was broader than the Stanfield investigation in that it sought to employ the federal Racketeer Influenced Corrupt Organizations Act statute, which used murder, narcotics trafficking, and money laundering as the predicated crimes. The results were similarly impressive. Several members turned against the gang nucleus, even though the core group was not incarcerated while the grand jury was sitting.

The investigative process employed in the Boardley investigation works because of the way in which each gang member is bonded to the gang. In areas where gangs flourish, gang membership to achieve status and money is an accepted norm, like pursuing an education, a job, or sports. Consequently, youth with minimal or no criminal tendencies are drawn to gangs and fall under the tutelage of gang leaders. Most members do not comprehend the scope of the gang's lawlessness and are not prepared for the types of crime assigned to them. The degree of adaptation or corruption depends on the individual's proclivity for crime. The assignment to commit a criminal act occurs before the subject is able to make an intelligent choice. Therefore, the subject becomes committed to the gang despite strong reservations that may linger.

The Stanfield investigation was developed and prosecuted by the state. The Boardley investigation was a joint effort by state and federal authorities. Both investigations were successful, and both approaches have their merits. A joint investigation takes advantage of the strengths of each. A major weakness, highlighted in the Boardley investigation, is the lack of clearly established lines of responsibility among the federal and local participants.

## Investigations' Conclusions

From the evidence gathered in the Stanfield and Boardley investigations, it appears that only a few members adopted the violent mentality of the core group. The majority of gang members appear to be trapped between their essentially good upbringing and their fear of the gang's violence. Those members who are uncertain and confused are the ones who the investigators target. The process proposes to resolve a subject's conflicts by offering a safe alternative to the gang—cooperation with government officials.

The investigative strategy achieves its primary goals. This process disempowers the leader, disrupts the integrity of the gang, and generates new evidence that leads to successful prosecutions of the gang's nucleus. The investigative process has a significant impact on both those who cooperate and those who are prosecuted. Based on 1988 data, the Murphy Homes area—formerly known as the Murder Homes—has not experienced new gang or gang-related murders. Drug dealing still exists in the neighborhood, but not with the degree of organization or violence imposed by the former gang.

## Creating a Police Gang Unit

The complexity of gang problems—territorial concerns, informant reliability, general neighborhood safety, and drugs that are sold in or near school zones—calls for a special police unit. However, for a police gang unit to be successful, several factors need to be explored before its creation so that the unit sustains support for its unique mission over time. The police gang unit should:

- Be small and self-contained—having its own office space, vehicles, informant funds, overtime—and its mission should be to attack gangs that use violence, whether that violence is murder or aggravated assault.
- Operate in close conjunction with the homicide unit, where patterns of violence are best detected. However, the gang unit should not be part of the homicide unit because the constantly shifting demands created by the reactive nature of the homicide unit would draw on the limited resources of the gang unit and reduce its effectiveness.

In BPD, a suggestion was made to incorporate the gang unit in the Inspectional Services Division, which had a command structure that could absorb a new unit without significant

change in the overall departmental organization. Also, the Inspectional Services Division was able to access information from the criminal investigation units without arousing jealousy—a plus for a unit that must investigate matters that cross conventional lines.

- Partner with a prosecution team so that the most effective tool—the grand jury—can be fully employed. The thrust of the investigation is to convert alienated gang members, and only the prosecutor can guarantee specific legal arrangements that affect whether crimes will be prosecuted.
- Have a liaison with designated district units, because a considerable amount of investigative time is directed toward gangs' street activities. After targets are ascertained and information is developed, the district unit should be informed to take advantage of the chance occurrences that involve district officers. In addition, district officers should have the opportunity to learn the value of developing and recording information.

BPD generated large numbers of arrests to maintain statistical indicators of its impact. Unfortunately, this caused street-level information to dry up because the frequent interruptions made offenders wary. Thus, the department was without data that had been routinely obtained from offenders and informants and that was necessary to assess gang problems and initiate solutions.<sup>6</sup>

## Strategy Reviews Needed

The need for reviews of law enforcement strategies can be seen in crime statistics. In 1988, Baltimore experienced 234 homicides, of which 112 (48 percent) were drug related. In addition, BPD's Planning and Research Division recorded 1,155 aggravated assaults with handguns on the city streets. The drug-related percentage of these shootings is not recorded, but if the percentage is approximately that of the murders, 554 individuals were victims of a drug-related incident.

Using Baltimore's murder rate as a barometer of violence, two other factors need to be considered. First, Baltimore has one of the most sophisticated shock trauma medical systems in the nation. From June 1987 to July 1988, Baltimore trauma centers handled 328 city shootings, with a mortality rate of 16.5 percent. Two hundred seventy-four victims were saved by the trauma teams' outstanding medical skills—a factor definitely contributing to a lower homicide rate.<sup>7</sup>

Second, Baltimore has been spared the ravages of crack cocaine, the influx of out-of-state gangs, and the violent struggles of rival gangs securing distribution lines for their crack. During the past 30 years, the law enforcement profession has assumed responsibility for the drug problem but has had little or no effect on it. Law enforcement is not designed to change society but instead to cope with its symptoms—to keep them under control.

This bulletin maintains that the gang violence under review in Baltimore is a symptom of the powerful influence of gang leaders. These gang leaders, though small in number, are largely responsible for the fear that touches Baltimore's citizens. Head gangsters are vulnerable, however, because the violence they command is repulsive to others, and law enforcement can direct that revulsion toward combating gangsters' ambitions. This bulletin reports a technique used to target gang leaders by using their own violence against them and by publicizing that those who seek to build drug empires with violence will be the subject of special attention from law enforcement agencies. If violence is viewed as a losing proposition, then gangs may be repudiated in favor of other, less violent ways of reaping profits from the drug trade. Perhaps law enforcement cannot

completely eradicate the illegal drug trade, but it can reduce the violence that often accompanies it.

## Notes

1. The term *soldier* is commonly used to identify journeymen members of Baltimore's gangs.
2. Threads of information hint that gang leaders are united in a loose confederation, but its membership, structure, and goals are shrouded in secrecy. The possibility that such a confederation exists is alarming because its structure resembles that of organized crime, a problem which has not yet taken hold in Baltimore.
3. Baltimore gang leaders reacted by addressing the two weaknesses that were revealed in the King/Ricks/Meredith investigation. Access to leaders became more limited to the gang's small, tight nucleus, and assets were hidden more frequently.
4. Timmirror Stanfield and Warren Boardley were both originally misidentified as street dealers because law enforcement investigations revealed little about the size and scope of their gangs.
5. In the Boardley investigation, 10 incarcerated members were interviewed.
6. In 1987, 11,873 subjects were arrested for narcotics violations. Of that number, 7,661 were charged with possession of dangerous controlled substances—addicts with personal-use quantities of drugs. This group possesses a significant amount of criminal information, but it appears to be largely untapped, suggesting that the arrests may have been a statistical pursuit.
7. Data was supplied by Ameen I. Ramzy, M.D., F.A.C.S., Deputy Director of the Maryland Institute for Emergency Medical Services Systems.

## About the Author

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