

Report

Memphis Gang Strategy Proposal

Prepared for:

Memphis Shelby Crime Commission

Attention:

Commissioner Bill Gibbons

President

Memphis Shelby Crime Commission

600 Jefferson Avenue

Memphis, TN 38105

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1. INTRODUCTION

Gang violence in Memphis has become an epidemic. It is a public health crisis of the first order, taking hundreds of young lives, shattering families, and holding entire neighborhoods hostage to fear. There were 209 murders recorded in the city in 2016, the most in a generation. The Memphis homicide rate was 32 per 100,000 a higher rate than that of Chicago, which saw 28 per 100,000. While the soaring murder rate has commanded headlines, gang activity drives a host of other crimes, from robberies to drug sales to human trafficking. 81% of the homicides in Memphis in 2016 were gun-related, and non-fatal shootings typically occur at three to four times the rate of homicides. That the number of non-fatal shootings in Memphis last year was not readily available to K2 personnel points to one of the shortcomings in the present approach.

Memphis has had an entrenched gang problem since at least the 1980s, when the Gangster Disciples and Vice Lords moved down from Chicago. Other chapters from established national groups—Bloods, Crips, MS-13—followed suit. While traditional gangs with hierarchical structures, clearly-defined memberships, and engagement in profit-making crimes remain in operation, recent years have seen the emergence of many looser groups, known as hybrids, that form ad-hoc and shifting alliances as problems and opportunities present themselves. Violence is often spontaneous, or inspired by social media posts. Individuals may be part of more than one hybrid gang, and they might shift from one gang to another. The generational change from the traditional gangs to the fluid nature of the hybrids has drawn comparisons to the development of ISIS from Al Qaeda.

The urgency of the problem demands that it be given the highest priority. Though the commitment of resources we recommend is substantial, there are proven tactics in addressing gang activity, including community partnerships, social media monitoring, and intelligence-driven enforcement. With a cohesive strategy, implemented with rigor and care, a reduction in violence will follow.

2. DEFINING THE PROBLEM

No one knows exactly how many gang members there are in Memphis or anywhere else in the country. Nationally, gang membership is difficult to estimate, due to inconsistent reporting methods across jurisdictions. In 2015, the FBI counted 1.4 million gang members in the US; the National Gang Center estimate for 2012 was 850,000. A recent study by researchers at Sam Houston University argued that juvenile gang membership alone was over a million, a stable number with a vast amount of instability built into it: 400,000 juveniles cycled in and out of that population every year.

In classifying gang activity, the distinction is often made between “gang-related” and “gang-motivated” crimes. In the former, either the offender or the victim is a known gang member, but the crime itself is the result of a dispute, a robbery, or other matters. Gang members aren’t just dangerous; they are in constant danger themselves. Acts of violence are often part of the initiation process, and any perception of threats or disrespect often prompt a violent response. “Gang-motivated” crimes are those caused by a collective agenda for one group to harm another, rather than an individual propensity to do harm. Most incidents of retaliatory violence should be viewed as such. It should be noted that these terms can only be applied to cases in which the motivations are known, and the clearance rate for aggravated assaults in 2013 was 30%, and for robberies, 20%. As such, the crimes that are currently classified as gang-motivated or gang-related represent a fraction of those being committed.

According to MPD homicide data, of the 228 total homicides in 2016, 72 of the victims were gang members (31.5%), as were 38 suspects (16.6%), with a total of 22 incidents (9.6%) classified as gang-motivated. While most victims were in their teens and twenties, thirteen were over thirty, and six were over forty. The oldest gang member to be killed was 56. The lower numbers for suspects and incident classifications can be explained in part because 69 of the killings are unsolved. Moreover, MPD doesn’t allow for “secondary classifications,” i.e., a robbery homicide that is the result of a gang initiation, which homicide investigators believe to be the case in at least one instance.

While last year's body count was extraordinary, the full impact of gang violence in Memphis is underestimated. Things are even worse than they seem.

3. THE CURRENT RESPONSE

The primary responsibility for gang investigations and enforcement is the Multi-Agency Gang Unit (MGU). When K2 interviewed investigators and supervisors of the MGU in November, twelve investigators from the Memphis Police Department and nine from the Shelby County Sheriff's Department were assigned. Since the spring of 2016, nine uniformed MPD officers also served on a ninety-day rotation as part of the Gang Response Team (GRT). The GRT conducts enforcement activity, and they can be deployed to a high school, for example, when there is a report of an impending fight; previously, investigators were taken off their cases to respond. A prosecutor from Shelby County was detailed to the unit, and FBI and ATF agents were in frequent contact. In terms of interagency cooperation and vertical prosecution models, the unit exemplifies current understandings of best practices. Information technology support is also effective, in that the RTCC delivers daily reports of gang database matches with all other police information systems, from arrests to traffic tickets to 911 calls. Though a fair amount of uncorroborated data comes through—"name hits" without dates of birth, for example—investigators are better off with having too much to read than too little.

Known gang members in Memphis are listed in the Targeted Active Gang (TAG) database, which contains the names of over 12,000 verified gang members and 194 gangs. The criteria for eligibility are those set by NCIC guidelines, requiring evidence that satisfies a weighted ten-point scale. Typically, this evidence comes from a variety of sources, including social media, officer observations, confidential informants, and admissions, of which those provided by corrections personnel are invaluable—a Crip who denies being a Crip to a cop will be more candid when faced with being housed in a cell block run by Bloods. The TAG system also includes 571 "security threats," who are individuals with a probable gang association, but have not met the threshold of evidence required by the ten-point scale. As such, TAG-identified individuals meet the strict standard required for prosecution enhancements for gang cases, but the system is inadequate in providing a full picture of gang activity from an intelligence perspective.

The accomplishments of MGU are impressive, as is its dedication. Its commanding officer, Major Darren Goods, is driven, experienced, and engaged, and the results of his leadership are tangible. One investigator, who had deep community ties from his years on patrol, assisted in the arrests of 21 violent felons in a two-week period, including six for murder. Another conducted an extremely labor-intensive, multiple-wiretap investigation of a gang leader who ordered the murder of another gang member. As the case was technically “closed,” with the shooter under arrest, it would not have gotten the effort from Homicide that MGU was able to provide.

This investigation represents exactly what criminologist Anthony Braga and others discussed in the Kennedy School of Government’s *New Perspectives in Policing*, which begins with this premise:

There is now a growing consensus that the police can control crime when they are focused on identifiable risks, such as crime hot spots, repeat victims and very active offenders, and when they use a range of tactics to address these ongoing problems...In the United States, these police innovations have been largely implemented by uniformed patrol officers rather than criminal investigators.

The report recommends that traditional investigations of specific past crimes—an inherently reactive undertaking—should be augmented by adaptive and intelligence-driven efforts to address the broader environments and enterprises from which major crimes are likely to arise. Simply put, the Homicide Bureau is solely concerned with past crimes; the Gang Unit is responsible for both past and future ones.

While a close working relationship between Homicide and MGU is necessary, at present, both are headed by Major Goods. Operationally, the two units fall under two separate administrative divisions. With Homicide, Major Goods reports to superior officers in Personal Crimes and Investigative Services; with MGU, he falls under both the Organized Crime Unit and Special Operations. While the arrangement might work in the short term with Major Goods in charge, a more coherent command structure must be considered for the future.

MGU personnel were asked about how cases were selected and prioritized. The response was that some were “noise-driven,” or inspired by public attention to a particular incident, or “opportunity-driven,” which is to say that a source of information presented a useful point of entry into the operations of a specific criminal enterprise. To choose workable cases is a rational approach, but the investment of scarce resources should be driven by a broader strategy. Asked if the Gang Injunction Zones were having an effect, the response was that coordination with patrol-based enforcement efforts was lacking. (In a TRAC meeting the next day, the Gang Injunction Zones were not mentioned by precinct commanders. Neither were non-fatal shootings or gang activity in general.)

The MGU faces several challenges, some of which are attributable to the staffing shortages endemic to the MPD. It rents inadequate space from the Shelby County Sheriff’s Department, and lacks technical equipment of its own, including the means to store and analyze the vast amount of social media content that gang investigations require. Wiretap equipment for the aforementioned homicide investigation was borrowed. Current regulations only permit drug forfeiture funds to be spent on narcotics-related investigations; there is no budget for informants or gun buys, which are crucial to gang investigations. As it stands, the MGU can pay an informant to buy a vial of crack, but not a murder weapon. Many MGU members have not received the training required for them to testify as certified experts in social media evaluation for gang cases in court.

The nine members of the GRT rotate as a group, so that the learning curve is both collective and abrupt. The loss of new expertise is likely not offset by more widely dispersed awareness of gang issues in precincts when the assigned officers return to them. An immediate fix to the problem would be to assign GRT personnel in staggered shifts, although the redeployment of nine uniformed officers cannot be expected to have a meaningful effect.

Nor can the twelve MPD investigators permanently assigned to MGU. They represent 0.6% of the sworn officers of the department, and they face at least 12,000 gang members in 194 gangs.

4. RECOMMENDATIONS

Given the productive potential of MGU to address and prevent violent crime in Memphis, enhancement of its capabilities should be a paramount focus of the department. Our recommendations, which go well beyond the Gang Unit, are as follows:

1. Designate a new Chief Crime Strategist, reporting to Director Rallings, to implement and oversee the new gang initiative. The Chief Crime Strategist will set implementation goals and be held responsible for their achievement.
2. The new Chief Crime Strategist should take the lead role in TRAC meetings in order to provide a greater focus on violent crime. Additional TRAC meetings should be scheduled at Headquarters to focus solely on monitoring the effectiveness of the new gang initiative as it progresses.
3. Increase the size of the Gang Unit to bring the MPD staffing from 21 to 72, equally divided between investigators and uniformed GRTs. The four new GRTs should be assigned permanently, instead of on ninety-day rotations. The expanded investigative component should also include a Major Case Team.
4. Focus on dismantling the most violent gangs through detailed analysis of gang intelligence and social media. TAG membership lists should be incorporated into detailed and dynamic maps of gang territory and gang- related criminal activity, with dedicated analysts using the most advanced technology.
5. Work with State and Federal prosecutors to develop effective conspiracy cases against the most notorious gangs. With the expected increase in cases, the unit will require additional dedicated prosecutors.
6. Work with the Memphis Shelby Crime Commission and the private sector to provide support for the enlarged Gang Unit, including the acquisition of adequate space, equipment, and funds for confidential informants.

7. Provide necessary training for new Gang Unit members prior to their assignment to assure the safety and appropriateness of their tactics and operations, as well as social media training for all personnel.
8. Ensure that Precinct and MGU personnel provide continuous enforcement coverage in Gang Injunction Zones. The use of GPS bracelets, currently employed with high-risk domestic violence and sex crime offenders, should be explored.
9. Develop new accountability metrics for monitoring violent crime at TRAC meetings. More complete data is needed for non-fatal shootings in general and for gang violence in particular.
10. Through enhanced management oversight at weekly TRAC meetings, gang crime suppression and prevention activities should be closely coordinated among the nine Patrol Precincts and with Investigative Services and Special Operations. Particular focus should be placed on the Gang Injunction Zones.
11. Enhance gang violence prevention through the planned Group Violence Intervention Initiative and the re-invigoration of the GREAT program, a school-based program on gang-related issues. Focused deterrence in the “CeaseFire” model must be carefully tailored to the specific conditions of Memphis, which include a diffuse dispersal of gang activity across a wide geographical area.
12. Leverage community support through gang awareness forums for parents and the establishment of clergy and community coalitions against gang violence. The leaders of these coalitions should be trained in law enforcement methods and limitations, consulted regularly, and briefed on local conditions in real time.

4.1. A NOTE ON IMPLEMENTATION

Assigning sufficient personnel to the new gang initiative in an understaffed department will not be painless. Though the rate of attrition seems to have slowed, there will be no

immediate surge in the number of police academy graduates, and the redirection of resources from non-emergency calls for service such as burglar alarms will not expand manpower capability in any dramatic or timely manner. However, the magnitude of the problem demands bold action.

For the GRTs, preference should be given to officers who have demonstrated ability in previous rotations on the teams. The selection process should be as rigorous as possible, within the limits of present work rules, and a recruitment campaign should be undertaken. At present, the nine precincts each have task forces to address local conditions, and these might provide a suitable pool of candidates to draw upon. Though their loss will be felt, their enforcement targets will coincide with precinct hotspots. As far as investigators are concerned, the restructuring of other department units should be considered. For example, there are 36 MPD officers with the Special Traffic Investigative Services, as many as in Homicide and Gang combined. The Tennessee Highway Patrol can be requested to assist in their core responsibilities of DWI enforcement and the investigation of traffic fatalities.

K2 will work collaboratively with the MPD to identify opportunities for staff redeployment necessary for the gang initiative.