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(S.D.)-American Indian Gang Trio Face Racketeering Trial

By: Roxie Graham-Marski Posted at: 01/23/2013 09:34 AM

By AMY FORLITI

MINNEAPOLIS (AP) - Three members of a violent American Indian gang known for terrorizing people from the Twin Cities to reservations in greater Minnesota, Wisconsin and beyond went on trial Tuesday in what authorities call one of the largest gang cases to come out of Indian Country.

Wakinyon Wakan McArthur, 34, - an alleged leader of the Native Mob - and two alleged Native Mob "soldiers," Anthony Francis Cree, 26, and William Earl Morris, 25, are accused of being part of a criminal enterprise that used intimidation and violence to keep the gang in power. They face multiple charges, including conspiracy to participate in racketeering and attempted murder in the aid of racketeering.

Jury selection began Tuesday in federal court and is scheduled to continue Wednesday.

Prosecutors said the case is important partly because of its size - 25 people were charged in a 57-count indictment - and because the racketeering charge is a tool rarely used against gangs, indicating this is an attempt to take down the entire enterprise.

"This is a major case on many levels," U.S. Attorney's Office spokeswoman Jeanne Cooney said. "It's one of the largest, if not the largest case dealing with Native American gangs."

The 2011 National Gang Threat Assessment says the Native Mob is one of the largest and most violent American Indian gangs in the U.S., and is most active in Minnesota and Wisconsin, as well as Michigan, North Dakota and South Dakota. It is made up of mostly American Indian men and boys, and started in Minneapolis in the 1990s as members fought for turf to deal drugs. The Native Mob is also active in prison.

Tom Heffelfinger, a former U.S. attorney in Minnesota who has worked to curb crime in Indian Country, said racketeering charges were appropriate in this case. While the statutes outlawing racketeering - when multiple people commit crimes together in order to benefit a criminal enterprise - were created to go after groups like the Mafia, Heffelfinger said the statute is well-suited to go after any organized criminal activity.

But Frederick Goetz, McArthur's attorney, said this case doesn't fit the bill.

"There is, and there was, no racketeering enterprise," Goetz said. "The interesting part of the case will be sorting the myth from the reality."

Goetz said many of the allegations aren't part of a conspiracy, but are sporadic, individual acts carried out by disaffected, alienated youths who have dealt with tough circumstances on reservations.

The Native Mob has about 200 members, according to the indictment, and is recruiting new ones. Heffelfinger said some recruitment happens at powwows, as recruiters use Native American culture and the "warrior mentality" to attract children.

The indictment paints a picture of a structured group that held monthly meetings where members were encouraged to assault or murder enemies, or anyone who showed disrespect.

Authorities say McArthur was a leader or "chief" of the Native Mob, and directed other members to carry out beatings, shootings and the armed home invasion of a rival drug dealer. The indictment said that in 2010, he ordered fellow gang members to shoot at a rival's house to keep him from dealing on Native Mob turf, authorized the assault of a prison inmate in 2008 and recruited new members from prison.

He also, according to the indictment, wrote a letter from prison to a fellow Native Mob member in 2004, describing a plan to hold people accountable, and saying "Discipline and promote fear is the quickest way to progress our case."

The indictment also said that in 2010, Morris and Cree tried to kill a man by shooting him multiple times while he held his 5-year-old daughter. The indictment said it was done at McArthur's behest, and in retaliation because the man was cooperating with authorities.

Goetz had no comment on specifics in the indictment, but said the Native Mob is about keeping people safe.

"Are we saying this is the Boys and Girls Club? No. But I think the actual purpose of this is to decrease the violence rather than increase the violence," Goetz said.

Christopher Grant, a national Native American gang specialist in South Dakota, said there are hundreds of American Indian gangs nationwide. Most, he said, are loosely organized and might have as few as five members.

"I consider Native Mob to be the most organized, violent and predatory street gang structure in Indian Country," Grant said. "There are many other Native American gangs ... but Native Mob stands out in terms of their victimization of Native American people in both tribal and non-tribal communities."

Though racketeering cases against Native American gangs are rare, they are not unprecedented.

In Arizona, three members of the East Side Bloods in the Salt River Pima-Maricopa Indian Community are awaiting trial on racketeering crimes. And in 1997, five members of the East Side Crips Rolling 30s, also in the Salt River Pima-Maricopa Community, were convicted on racketeering charges.

The Native Mob trial is expected to take several weeks as prosecutors plan to call about 300 witnesses - including current and former Native Mob members, crime victims and members of rival gangs. Evidence could include recordings collected by undercover informants and prison calls, according to court documents.