

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

-FILED-

JUL 15 2015

At
ROBERT N. MAGOVICH, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF INDIANA

UNITED STATES OF AMERICA) CAUSE NO.
) 18 U.S.C. § 924(c)(1)(A) and (j)
v.) 18 U.S.C. § 1959(a)(1)
)
ANTON LAMONT JAMES)

2 . 15 CR 72

INDICTMENT

THE GRAND JURY CHARGES:

COUNT 1

THE RACKETEERING ENTERPRISE, THE LATIN KINGS

1. At all times material to this indictment, the defendant, ANTON LAMONT JAMES, was a member of the "Almighty LATIN KING and Queen Nation" (hereinafter the "LATIN KINGS"), a criminal organization whose members engaged in acts of violence and other criminal activities involving murder, assault, and narcotics trafficking. At all relevant times, the LATIN KINGS operated in the Northern District of Indiana and elsewhere.

2. The LATIN KINGS, including its leadership, membership, prospects ("shorties") and associates, constitutes an enterprise as defined in 18 U.S.C. § 1959(b)(2), that is, a group of individuals associated in fact, which is engaged in and the activities of which affect, interstate and foreign commerce. The enterprise constitutes an ongoing organization whose members, prospects and associates functioned as a continuing unit for a common purpose of achieving the objectives of the enterprise.

3. The LATIN KINGS enterprise, through its members and associates, engaged in

rackeering activity as defined in 18 U.S.C. §§ 1959(b)(1) and 1961(1), namely, acts involving murder, in violation of Indiana Penal Code, and narcotics trafficking in violation of 21 U.S.C. §§ 841 and 846.

4. The structure of the LATIN KINGS included, but was not limited to, the following:

a. The LATIN KINGS were a violent street gang with thousands of members across the United States and overseas.

b. The traditional power centers of the LATIN KINGS, and members of the gang's national leadership structure, were predominately located in the Chicago and New York metropolitan areas.

c. The LATIN KINGS had a detailed and uniform organizational structure, which is outlined—along with various prayers, codes of behavior, and rituals—in a written “manifesto” widely distributed to members throughout the country.

d. The Chicago area LATIN KINGS are divided by the North and South Sides of Chicago, each led by the “Corona,” the highest ranking LATIN KING member. Both Coronas would report to the overall LATIN KING leader. The LATIN KINGS were further organized by geographic locations into “Regions.”

e. Each Region was comprised of “Branches,” “Chapters,” or “Sections,” hereinafter referred to as “Chapters.” Each chapter was typically named after a street or streets that ran through the chapter. Each chapter had its own rank structure, a leader or “Inca,” a second in command or “Casique,” an “Enforcer,” a “Treasurer” and “Crown Council” members, all of whom were in charge of the non-ranking gang members or “Soldiers” within the chapter.

f. There were several Regions of LATIN KINGS operating throughout the Chicago,

Suburban and Northwest Indiana areas. One such Region was known as the Southeast Chicago Region, which included the Hammond, Gary and East Chicago, Indiana areas.

g. The Indiana Chapters of the Southeast Chicago Region of the LATIN KINGS included the Waco and 148th Chapters in Hammond, the Black Oak Chapter in Gary, and the East Chicago faction.

5. The Waco and 148th Street LATIN KINGS, like all other factions of the LATIN KINGS, were involved in murder, attempted murder, and drug trafficking.

6. The LATIN KINGS colors are black and gold. The symbols of the LATIN KINGS include a five-pointed crown, a lion, and a "King Master," which is a depiction of a King similar to that found on the King card in a deck of playing cards.

7. The LATIN KINGS are affiliated with the "People Nation" of gangs. Rival street gangs of the Southeast Chicago Region LATIN KINGS have included but are not limited to the Latin Counts, the Gangster Disciples, the Two Six Nation, the Latin Dragons and the Imperial Gangsters.

MEMBERSHIP

8. In order to join the LATIN KINGS prospective members or "shorties" are given a "violation," of a certain number of minutes, which entails the prospective member standing in the middle of a circle and getting beaten by multiple members of the LATIN KINGS. While a "shorty" is attempting to join the gang his conduct is observed by the members of the LATIN KINGS. While a "shorty" is attempting to join the gang, he is considered a part of the LATIN

KING family and entitled to the full protection of the enterprise. The “shorty” is also subject to the rules and orders of the enterprise.

PURPOSES OF THE ENTERPRISE

9. The purposes of the enterprise included, but were not limited to, the following:

a. Enriching the leaders, member, and associates of the enterprise through, among other things, the illegal trafficking of controlled substances.

b. Preserving and protecting the power, territory, operations, and proceeds of the enterprise through the use of threats, intimidation, violence and destruction including, but not limited to, acts of murder, attempted murder, assault with a dangerous weapon and other acts of violence.

c. Promoting and enhancing the enterprise and its members' and associates' activities.

d. Keeping victims in fear of the enterprise and in fear of its leaders, members, and associates through threats of violence and violence. The leaders, members, and associates of the enterprise undertook all steps necessary to prevent the detection of their criminal activities, and sought to prevent and resolve the imposition of any criminal liabilities upon their leaders, members, and associates, by the use of murder, violence, and intimidation directed against witnesses, victims, and others. As part of this practice, the enterprise enforced what it referred to as a “SOS” or shoot on sight order, or also known as “KOS” or, kill on sight, against LATIN KINGS members who were suspected of having cooperated with law enforcement.

e. Providing support to gang members who were charged with, or incarcerated for,

gang-related activities.

MEANS AND METHODS OF THE ENTERPRISE

10. Each member of the enterprise agreed to facilitate a scheme that included the operation and management of the enterprise by a conspirator. Members of the enterprise and their associates operated and conducted their affairs through a series of laws and policies.

11. The members of the enterprise and their associates attended regular meetings at which they discussed, planned, and otherwise engaged in criminal activity, including murder, attempted murder, narcotics distribution, and obstruction of justice.

12. Members of the enterprise and their associates initiated new members through the practice of causing them to endure physical assaults conducted by members of the enterprise at various gang-related gatherings.

13. To enforce discipline and the rules of the enterprise, members of the enterprise and their associates engaged in a system of "violations," in which members of the enterprise attempted to murder, conspired to murder, and physically beat and threatened those members of the enterprise who violated rules, questioned authority, or posed a threat to the leaders or purposes of the enterprise.

14. Members of the enterprise and their associates employed and used gang-related terminology, symbols, gestures, and color schemes.

15. To perpetuate the enterprise and maintain and extend their power, members of the enterprise and their associates committed illegal acts, including murder, attempted murder,

aggravated battery, intimidation, and assault against individuals who posed a threat to the enterprise or jeopardized its operations, including rival gang members and witnesses to the illegal activities of the enterprise. Pursuant to gang policy, members of the enterprise and their associates were required to participate in such acts, received standing orders to shoot rival gang members, and were instructed to retaliate for gang-related attacks upon the members and associates of the enterprise.

16. Members of the enterprise and their associates managed the procurement, transfer, use, concealment, and disposal of firearms and dangerous weapons within the enterprise to protect gang-related territory, personnel, and operations, and to deter, eliminate, and retaliate against competitors and other rival criminal organizations and persons.

17. Members of the enterprise and their associates earned money for their members and regularly financed their activities through funds obtained in the illegal trafficking of controlled substances, including the distribution and possession with intent to distribute marijuana and cocaine.

18. Members of the enterprise and their associates operated and conducted their affairs, in part, through a financial system in which the leadership of the LATIN KINGS and others possessed, controlled, and otherwise maintained a monetary stash on behalf of the enterprise. As part of this practice, members of the enterprise and their associates paid requisite weekly or bi-weekly dues into the pot, which, in turn, the enterprise used to bail gang members out of jail, to help pay for the defense attorneys of gang members who had been charged with crimes, to send to commissary accounts of incarcerated gang members, and to purchase and sell firearms and controlled substances. At times, the members of the enterprise and their associates paid

money into the pot by selling narcotics supplied by members of the gang.

19. Members of the enterprise and their associates hid, misrepresented, concealed and caused to be misrepresented, concealed, and hidden, the objectives of acts done in furtherance of the conspiracy, and used coded language and other means to avoid detection and apprehension by law enforcement authorities.

20. Members of the enterprise recruited and used juveniles to commit acts for the benefit of the enterprise.

OVERVIEW

21. On October 28, 2014, Anton Lamont James was walking in Hammond, Indiana when he saw who he believed to be a rival gang member, Martin Hurtado, Jr., in the vicinity of the Hurtado residence. The person in the vicinity of the residence was not Martin Hurtado, Jr., but was instead his father, Martin Hurtado, Sr. James drew a firearm and shot at Martin Hurtado, Sr. multiple times. One of these shots hit Hurtado, Sr. in the chest, killing him.

MURDER IN AID OF RACKETEERING

22. On or about October 28, 2014, in the Northern District of Indiana,

ANTON LAMONT JAMES,

defendant herein, for the purpose of gaining entrance to and maintaining and increasing position in the LATIN KINGS, an enterprise engaged in racketeering activity, did intentionally and

knowingly murder Martin Hurtado, Sr., in violation of Indiana Penal Code, Section 35-42-1-1.

All in violation of 18 U.S.C. § 1959(a)(1).

THE GRAND JURY FURTHER CHARGES:

COUNT 2

On or about October 28, 2014, in the Northern District of Indiana,

ANTON LAMONT JAMES,

defendant herein, did knowingly carry, use, and discharge a firearm during and in relation to drug trafficking crimes, to-wit: knowing and intentional distribution of a quantity of a mixture and substance containing a detectable amount of marijuana, in violation of Title 21, United States Code § 841(a)(1); knowing and intentional distribution of a quantity of a mixture and substance containing a detectable amount of cocaine, in violation of Title 21, United States Code § 841(a)(1); and conspiracy to distribute a quantity of a mixture and substance containing a detectable amount of marijuana and cocaine, in violation of Title 21, United States Code, Section 846; and during and in relation to a crime of violence, that is, murder in aid of racketeering activity, as set forth in Count 1 of this Indictment, and that in the course of these violations, defendant caused the death of Martin Hurtado, Sr. through the use of a firearm, such killing being murder as defined in Title 18, United States Code, Section 1111, in that it was an unlawful, willful, deliberate, malicious and premeditated killing committed with malice aforethought.

All in violation of Title 18, United States Code, Sections 924(c)(1)(A) and (j).

NOTICE OF SPECIAL FINDINGS

The allegations of Counts 1 and 2 of this Indictment are hereby realleged as if fully set forth herein and incorporated by reference. With regards to Count 1 and 2 of the Indictment, the Grand Jury makes the following Special Findings. The defendant:

ANTON LAMONT JAMES,

- a. was 18 years of age or older at the time of the offenses. [Title 18, United States Code, Section 3591(a)].
- b. intentionally killed the victim, Martin Hurtado, Sr. [Title 18, United States Code, Section 3591(a)(2)(A)].
- c. intentionally inflicted serious bodily injury that resulted in the death of the victim, Martin Hurtado, Sr. [Title 18, United States Code, Section 3591(a)(2)(B)].
- d. intentionally participated in an act, contemplating that the life of a person would be taken and intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and the victim, Martin Hurtado, Sr, died as a direct result of the acts. [Title 18, United States Code, Section 3591(a)(2)(C)].
- e. intentionally and specifically engaged in an act of violence, knowing that the act created a great risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and the victim, Martin Hurtado, Sr., died as a direct result of the act. [Title 18, United States Code, Section 3591(a)(2)(D)].
- f. knowingly created a grave risk of death to one or more persons in the commission of the offense, in addition to Martin Hurtado, Sr.. [Title 18, United States Code, Section

3592(c)(5)].

A TRUE BILL:

/s/ Foreperson
FOREPERSON

DAVID CAPP
UNITED STATES ATTORNEY

By: /s/ David J. Nozick
David J. Nozick
Assistant United States Attorney