



Genesis of Criminal Investigation in the U.S. Army

By Master Sergeant Patrick V. Garland (Retired)

Some say the birth of the Criminal Investigation Division (CID) took place during the U.S. Civil War—or even earlier. I do not believe that is true. It was not until World War I that a military unit composed of regular Soldiers was assigned to criminal investigative duties. There were certainly civilian investigators during the Civil War, but they were primarily involved in intelligence operations and the enforcement of “draft laws.”

Before World War I, there was no provision for a provost marshal general (PMG) except in wartime—never mind a PMG department. There were Soldiers who performed military police duties, but they were regular troops assigned to temporary duty, generally at the division level. The commander of trains¹ was assigned the additional duty of division provost marshal.

On 16 April 1917, Congress declared that a state of war existed between the United States and the imperial German government. This resulted in a significant increase to the size of the U.S. Armed Forces and the transport of a huge Army to the European theater of operations.

Shortly thereafter, Major General Enoch Crowder, the Army’s Staff Judge Advocate General, was also appointed PMG. His main purpose was to enforce the provisions of the Selective Service Act.

General John J. Pershing was designated as Commander in Chief, American Expeditionary Forces; and he appointed Lieutenant Colonel Hanson E. Ely, an infantry officer, as his first PMG. On 24 August 1917, after only a month, Colonel William H. Allaire, another infantry officer and the troop commander in Paris, France, replaced Ely.

Studies were made of British military police organizations and functions. A U.S. model was based

on those findings. In *Origin of the Military Police*, Jacob B. Lishchiner relates that officers and enlisted men performing military police duties were to wear a “blue brassard halfway up the left arm, between the elbow and shoulder, bearing the letters M.P. in white.”² According to the U.S. Army Quartermaster Museum, this brassard was made from blue denim material and the letters were outlined in white thread. However, according to the *Regulations for the Provost Marshal General’s Department*, the brassard was to be blue with red lettering. These regulations further stated that “The plain-clothes officer investigates, and if necessary arrests, frequently with the help of the uniform branch, all cases which lie below the surface, while the uniform officer deals mostly with what takes place openly and in the sight of all.”³ This is the only reference to an “investigative arm” of the PMG Department, and nowhere are the duties of criminal investigators described.

On 11 May 1918, General Pershing ordered the formation of a Division of Criminal Investigation (DCI), which was to be under the direction of an officer “who possesses a thorough knowledge of detective work in all of its branches and who will be the technical advisor of the Provost Marshal General on all questions arising from criminal investigation work.”⁴ However, this order remained virtually ignored until much later. In July 1918, the now Brigadier General Allaire was replaced by Lieutenant Colonel John C. Groome, who served in that position for two months before yet another PMG, Brigadier General Harry H. Bandholtz, was named.

“Now, Bandholtz,” Pershing said, “you are going to hate me for this. But the Provost Department is in a disgraceful condition. I want you to take hold of it and put it in shape. When you can come to

me and say that the provost guard is working to your satisfaction, you can go back to your command at the front.”⁵ Of course, the war ended with General Bandholtz still in place as PMG.

In November 1918, Pershing directed that “a criminal investigation division be organized by the Provost Marshal General from the Military Police Corps and the attached commissioned and enlisted personnel, to which may be added a number of civilian operatives at such rates of pay and allowances as the commander in chief may from time to time authorize.”⁶ Going a step further, Bandholtz reorganized the entire PMG Department. The result was a Military Police Corps that was superior in number to any law enforcement organization of that time.

Seven criminal investigation companies were organized to handle PMG Headquarters—the three field armies under General Pershing’s command, the city of Paris, and all the base sections. Another company of operatives was added to handle the Embarkation Center, Le Mans, France. A detachment from headquarters covered the British Isles. DCI companies were authorized 5 officers and 100 “operatives;” however, these numbers varied as the missions were formulated. At times, those in Paris and Bordeaux had 150 operatives; while others, like those in Le Mans, had a much smaller number.

It was soon determined that the draft brought many criminals and profiteers into the military. With large quantities of supplies stored in various areas, it became lucrative for those bent on making money to tap into these resources and sell what they could on the black market.

In one such instance, two enlisted men from the 58th Infantry posed as officers and hired a band of foreign nationals for their thievery. They ultimately became personnel of interest to operatives of the DCI, who recovered a motorcycle and more than 21,000 francs—the proceeds from sales of the stolen property. The two men were arrested, and the foreign nationals were turned over to French authorities.

Another case, which was investigated by the Paris office, involved a gang of deserters who committed crimes such as larceny, robbery, and sexual assault. In January 1919, a concerted effort was made to locate and identify the men involved. On the 29th of the month, a raid was conducted and nine men were arrested. Items recovered included large sums of cash, guns of various types and calibers, officers’ uniforms, equipment, and an American Red Cross ambulance loaded with loot from a railroad baggage room.

Corporal Allen J. Wilson of the 309th Engineers was a criminal who also became a man of interest

for DCI, Saint-Nazaire. During questioning, Wilson admitted no crime, but acknowledged that he had entered the Army fraudulently. He was fingerprinted and photographed, and the investigation continued. It was discovered that Wilson was, in fact, William Lustgarten, an embezzler wanted by the New York Police. He had faked his own suicide, changed his identity, and enlisted in the Army. Lustgarten was returned to New York and released to civil police.

On 31 July 1919, the *Brooklyn Daily Standard Union* covered his trial, reporting:

Lustgarten Convicted of \$20,000 Swindle

A jury before Judge CRAIN, in General Sessions, Manhattan, to-day (sic) found William LUSTGARTEN guilty of fleecing New Yorkers out of a large sum of money. It is said the total amount of the losses of men who invested in the Tax Lien Company will amount to \$800,000, but the specific charge against LUSTGARTEN was getting away with \$20,000 belonging to Robert SCHALKENBACH.

LUSTGARTEN disappeared in August 1917, after leaving a bundle of clothes and a suicide note on a pier. He was later recognized at an army unit by two young women. He enlisted under the name of Allan H. WILSON and after serving in many camps was sent to France, where he was arrested.

Among LUSTGARTEN’s victims are F. LEUBUSCHER, Frank L. MONTAGUE, ex-City Chamberlain Milo R. MALTBIIO, ex-Dock Commissioner Calvin TOMKINS and John MARTIN. The money was invested to buy real estate, which was never purchased.

The PMG Report for 1919 states that during the period 12 December 1918 to 12 April 1919, more than 4,500 cases were handled by the DCI. Of these, 23 were highway robberies, 32 were murders, and 25 were rapes. Members of the DCI received many letters of commendation.

In March of 1919, a new *Manual for the Provost Marshal General's Department, AEF* was published. This monumental book describes the functions of the CID and the organization and duties of its units. It also provides for CID credentials, civilian clothing allowances, availability of separate rations, and housing allowances when required for an investigation.

Also during 1919, General Bandholtz submitted a proposed Act of Congress for the creation and organization of a Military Police Corps. Sections 21 and 27 of this proposal relate specifically to a DCI. Section 21 reads, "The division of criminal investigation shall be organized from and as part of the Military Police Corps and the enlisted force thereof by the Provost Marshal General for the investigation of crimes committed by members of or against the army." Section 27 deals with the appropriation of funds, and it reads: "Of the sum hereinbefore appropriated for carrying into effect the provisions of this Act, \$200,000, or so much thereof as may be necessary, will be available for the payment of expenses of criminal investigation by the Military Police Corps, including employment of civilian operatives, traveling expenses of operatives, commutation of rations and quarters for officers and men of the division when absent from their stations on duty, and other expenses of criminal investigation, under such regulations as the Secretary of War may prescribe."⁷

Only one reference has been found indicating a casualty among the DCI units. An undercover operative from the Brest, France, office was posing as a stevedore. During September 1919, while he was trying to arrest criminals, he was overpowered and murdered.⁸

With this firm foundation, it must have been heartbreaking for those involved when, on 28 May 1919, the CID was transferred to Headquarters, Services and Supply; and on 1 June of that same year, the Military Police Corps was dissolved. CID units were not reintroduced until World War II.

Endnotes:

¹"A commander of trains is assigned for each division, together with the necessary assistants and troops . . . the troops consist of two companies known as the Train and Military Police Force under the command of a field officer. The commander of trains controls the marching and camping of the

combined ammunition, supply, sanitary, and engineer trains. He is also charged with all matters of general police in the rear of the division while on the march and throughout the command while it is in camp." Source: Lieutenant Colonel Henry Jervey, "Warfare of the Future," *National Service Library, Volume Five*, P.F. Collier & Son, 1917.

²Jacob B. Lishchiner, "Origin of the Military Police: Provost Marshal General's Department, A.E.F., World War I," *Military Affairs*, Volume 11, Number 2, Summer 1947, pp. 66–79.

³*Regulations for Provost Marshal General's Department, AEF in France*, U.S. Army Military History Institute, 1917.

⁴*Ibid.*

⁵Vic Hurley, *Jungle Patrol: The Story of the Philippine Constabulary*, E.P. Dutton and Company, Incorporated, 1938. The statement appointing Brigadier General Bandholtz as PMG has not been documented through any other source. Nothing of the sort was found in the personal correspondence or diaries of Brigadier General Bandholtz.

⁶Jacob B. Lishchiner, "Origin of the Military Police: Provost Marshal General's Department, A.E.F., World War I," *Military Affairs*, Volume 11, Number 2, Summer 1947, pp. 66–79.

⁷"Draft of Proposed Act of Congress Creating and Organizing a Military Police Corps," *Bandholtz Papers*, Bentley Research Library, University of Michigan.

⁸The murder of an undercover operative is mentioned in *True Tales of the DCI* (p. 182); however, it has not been documented in other sources. A French-speaking friend contacted police in Morlaiz, but the authorities would not acknowledge the incident or release any information. Attempts to follow up with the information desk and military attaché at the U.S. Embassy, Paris, went unanswered.

References:

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Brooklyn Daily Standard Union, 31 July 1919.

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Master Sergeant Garland retired from the U.S. Army in 1974. During his military career, he served in military police units and criminal investigation detachments and laboratories. At the time of his retirement, Master Sergeant Garland was serving as a ballistics evidence specialist at the European Laboratory. He remained in this career field until retiring from civilian law enforcement in 1995.