

OFFICE OF DISTRICT ATTORNEY GENERAL  
**NEAL PINKSTON**  
11TH JUDICIAL DISTRICT

To the citizens of Chattanooga and their council:

When Chattanooga Mayor Andy Berke unveiled his Violence Reduction Initiative two years ago, he promised an immediate drop in violence, particularly gang violence. As we know, that didn't happen.

Fast-forward two years. It should not surprise anyone that 200 misdemeanor arrests have not curbed violence in our city. Suddenly, a few city council members are now using the media to point fingers at me, although they haven't bothered to call me at any point in the past twenty-four months to discuss the VRI or the way my office prosecutes cases.

The full council asked for my take on the VRI. Let me be clear: My office is not the problem and I will not allow my staff to bear responsibility for the city's failure. The VRI is not working because the city isn't implementing many of the basic components the initiative requires.

Among the problems:

***The city has not been working collaboratively with the District Attorney's Office on the front end.***

Dr. Kennedy's plan calls on the city to consult with my office before deciding which gangs to target. This would allow prosecutors to give input on the strength of potential cases so that focused deterrence efforts would be more accurate.

***The city is not using every possible means to target gang members.***

There are many ways to disrupt gang activity and the VRI calls for all of them to be leveraged. Stolen cable and electricity should be shut off. Houses that violate code should be shuttered. Gang members with child support arrears should be arrested.

***The city is not building enough federal cases.***

The most powerful way to keep offenders off the streets for significant periods of time is to build federal cases against them. This is why Chattanooga is funding a federal prosecutor.

***The city is not building gang activity cases for my office to prosecute.***

If a case doesn't meet federal criteria, the best way to ensure a maximum sentence is for investigators to prove crimes are being committed as part of a gang's business. This allows us to use enhancement factors in sentencing so we can ask a judge for extra prison time.

***Too many shooters are still on the streets.***

All of this year's homicides and a majority of shootings to date remain unsolved. The public is often unwilling to share information with police. That information could be vital to charging a violent offender with murder or attempted murder. To stop violence police must be able to put more shooters behind bars and in large part that requires the public's help.

***The city's police officers don't buy in to the initiative.***

At a VRI meeting with CPD officers last fall I was told the biggest obstacle to VRI success is a lack of officer buy-in. That same day came the announcement that 11 of the 12 members of the Street Crimes Response Team had asked to be reassigned.

Ultimately, Mayor Berke and the city council bear responsibility for the success or failure of their own initiative. If implemented properly, the VRI can have a positive impact. But minor traffic citations and other low level arrests alone – no matter how many – will not curb violence, as no reasonable person would expect.

Currently, the right cases are not reaching court with enough frequency to stop the violence. **That is a problem I will seek to change with the creation of a Multi-Agency Gang Unit.** This week I will be asking federal, state and local law enforcement agencies to join my office in a joint effort to hold gang offenders accountable for violent crimes throughout Hamilton County. Together, the unit's specialized investigators will focus on homicides, armed robberies, attempted murders, weapons and drug cases, as well as other violent offenses.

I will have more to say about the multi-agency gang unit in the coming days. In the meantime, if any citizen, councilperson or not, has questions about Tennessee sentencing law or other rules prosecutors must follow, they can call our office at 423-209-7400. Our office hours are Monday through Friday, 8:00am-4:00pm.

Respectfully,



Neal Pinkston  
District Attorney General