



Office of District Attorney General Neal Pinkston

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January 24, 2020

Agent Mark Wilson
TBI
6040 Century Oaks Drive
Chattanooga, TN 37416

**RE: Case No: CH-82A-000137
Collegedale Police Department**

Agent Wilson,

I have reviewed the TBI Investigation of the Collegedale Police Department as well as relevant case and statutory law. My opinion is based only upon the documents which have been provided to me. It appears in 2018 the Collegedale Police Department attempted to adopt performance guidelines based upon numbers of arrests, number of citations issued and other patrol activities for their police department and officers. These guidelines were adopted by the department and were to be applied to each individual officer beginning in late 2018 or early 2019.

Although these were described as performance standards, they can easily be construed to be quotas. Tennessee Code Annotated 39-16-516 (b) states:

“A political subdivision or any agency of this state may not require or suggest to a law enforcement officer that the law enforcement officer is required or expected to issue a predetermined or specified number of any type or combination of types of traffic citations within a specified period.”

Its apparent from the investigation certain officers thought they were bound by these guidelines and in turn voiced complaints to the Collegedale Police Department Command Staff. After some intra-department discussion, Collegedale Police Chief Brian Hickman told the department the adopted performance standards were no longer in effect. When requested for his legal opinion, the Collegedale City Attorney told the department to cease and desist this practice. Per the TBI investigation, the numbers of arrests and citations

issued would have not have been the only standards by which the department's officers would have been evaluated.

In summary, the Collegedale Police Department attempted to develop some updated performance standards which appeared to resemble quotas more than performance standards. Tennessee law doesn't allow the development of quotas in law enforcement. Because these poorly drafted performance standards were discontinued as soon as they were brought to the attention of Chief Hickman and the City Attorney, and it's questionable how long they have been in effect, I will request the TBI close their investigative file with no further action.

Sincerely,

A handwritten signature in blue ink that reads "Neal Pinkston". The signature is written in a cursive, flowing style.

Neal Pinkston
District Attorney