

RESOLUTION NO. 27005

A RESOLUTION IN SUPPORT OF SENATE BILLS 3004 AND 3005 AND HOUSE BILLS 2868 AND 2869 GIVING OUR LOCAL AND STATE LAW ENFORCEMENT AGENCIES MORE OPPORTUNITIES TO INCARCERATE A GREATER NUMBER OF CRIMINAL STREET GANG MEMBERS FOR LONGER PERIODS OF TIME AND TO PROTECT OUR CITIZENS AND THEIR RIGHTS.

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WHEREAS, Throughout our nation and our state, municipalities and small towns are facing an increased rise in violent crimes and criminal street gang activity, making it imperative for cities to find creative and effective ways to protect their citizens; and

WHEREAS, In order to deal with the increased amount of violent crimes and criminal street gang activity, the City of Chattanooga has formed interdepartmental and multiagency relationships with local, state, and federal law enforcement agencies to better protect our citizens and their safety; and

WHEREAS, In accordance with these unprecedented law enforcement relationships, the City of Chattanooga has proposed two pieces of legislation to help give our local and state law enforcement and prosecutors the ability to keep criminal street gang members behind bars for longer periods of time; and

WHEREAS, Senate Bill 3004 and House Bill 2869 as written, seeks to allow cities and counties to add an additional felony for gang members who are committing felonious acts. This additional felony allows judges the opportunity to increase potential lengths of sentences by possibly allowing the additional crime to be run consecutively to the underlying felony. The additional felony may also be used to increase future sentences, as an additional conviction used to enhance within the range; and

WHEREAS, Senate Bill 3005 and House Bill 2868 seek to amend the State of Tennessee's Racketeer Influenced and Corrupt Organization Act (RICO) to include criminal

street gang activity. This amendment, if passed, will allow local district attorneys and local governments to dismantle street gangs by allowing for “group prosecutions” against several gang members at once. As the punishment for a RICO violation is a Range II B-Felony, not only can RICO prosecutions remove gang members by the dozen, it will send a clear and dramatic message to every non-hardened gang member to get out while they still can.

NOW THEREFORE, the Chattanooga City Council wishes to offer this resolution in support of Senate Bill 3004 and House Bill 2869 and Senate Bill 3005 and House Bill 2868 as written, in order to give our local and state law enforcement agencies more opportunities to incarcerate a greater number of criminal street gang members for longer periods of time and to protect our citizens and their rights.

ADOPTED: February 21, 2012

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