



Saturday 11/04/2023 11am at Allegheny County Courthouse

****Community Activists Denounce District Attorney's Threat to Strip Mayor's Authority****

On the morning of Tuesday, October 31, 2023, reports surfaced that District Attorney Stephen A. Zappala threatened federal court action against Mayor Ed Gainey, seeking to strip him of his authority to oversee the Pittsburgh Bureau of Police. As community activists, we denounce this unprecedented and egregious move to undermine the authority of Pittsburgh's first Black Mayor, and we will not stand idly by and let this assertion go unchallenged.

Organizations, including the Black Political Empowerment Project (B-PEP), the NAACP Pittsburgh Branch, the Alliance for Police Accountability (APA), 1 HOOD, the Abolitionist Law Center, West End P.O.W.E.R, PA Interfaith Impact Network (PIIN), Peace Is Possible Coalition, W PA Black Political Assembly, and others, view D.A. Zappala's actions as both unprecedented and potentially racially motivated. Pennsylvania law is unequivocal in granting the Mayor *full* charge and control of the Chief of Police and the police force (Title 8, Chapter 11). St. Vincent College law professor Bruce Antkowiak states that there is no legal basis for the District Attorney's proposed action.

We are deeply concerned about the inherent conflict of interest that would result from the District Attorney assuming control of the Pittsburgh Bureau of Police. Presently, the District Attorney holds the authority to prosecute police officers when necessary. If the authority to oversee the Pittsburgh Bureau of Police were transferred to the District Attorney, it would blur the lines between prosecution and supervision, raising grave questions about the separation of powers and responsibilities.

The timing of this threat is also suspect. District Attorney Zappala's negative view of mayoral leadership in addressing policing issues only became apparent after Mayor Ed Gainey assumed office. In a Tribune Review article dated Friday, December 16, 2022, Allegheny County District Attorney Zappala, who had been notably absent from the media for several months, until announcing his candidacy for a seventh term voiced his perspective on the city's recent history, highlighting the periods of growth and regression under various administrations. Specifically, Mr. Zappala contrasted the positive developments during the tenures of late Mayor Bob O'Connor and Mayor Luke Ravenstahl, stating his belief that the city had witnessed a decline in development during the leadership of former Mayor Bill Peduto and the current Mayor Ed Gainey. He underscored the opinions of downtown business figures, who, according to him, held a less favorable view of Mayor Peduto's administration and expressed optimism about Mayor Gainey's. At no time during former Mayor Bill Peduto's Administration did D.A. Zappala

threaten to relieve Mayor Peduto of *his* powers & responsibilities over the Pittsburgh Bureau of Police. Zappala's clear attempt to *emasculate* Pittsburgh's first African American Mayor raises concerns about racially motivated political maneuvering.

In Mayor Gainey's brief tenure of a year and three quarters, we have witnessed a *reduction* in homicides in key areas of Pittsburgh. His administration has been actively engaged in addressing violence, learning from successful violence prevention models in other cities, including Newark, New Jersey, and working closely with community leaders. Mayor Gainey's proactive approach to building trust and reducing violence is commendable. It is important to look at the record. In speaking with Pittsburgh Bureau of Police Chief Larry Sciroto we were told that in 2022 there were two homicides in the Central Business District, but in 2023 there has been only one homicide in the Central Business District, a reduction of 50%. In 2022 the City of Pittsburgh had 71 homicides. In 2023 there have been 45 homicides thus far. Chief Sciroto states that based on these statistics, it appears that the City of Pittsburgh is on a course to see a REDUCTION in the homicide rate in 2023 of 29%! We find this reduction to be a *significant accomplishment* on the part of the Gainey Administration.

Despite all of Mayor Gainey's administration's notable achievements in reducing crime in the City of Pittsburgh, we must acknowledge the distressing and recurring pattern of inequity in the treatment of Black individuals within Allegheny County by District Attorney Stephen Zappala. [Investigative reporting](#) from the Garrison Project and Black Pittsburgh.com shed light on significant racial disparities in the charging decisions made by the D.A.'s office.

By analyzing 105,000 cases the Garrison Project & Black Pittsburgh.com were able to determine that Black defendants in Allegheny County are prosecuted by the District Attorney's Office at a rate 5.8 times higher than that of their White counterparts. To provide context, black individuals in Allegheny county only represent 13.5% of the population, however black people make up 68% of incarcerated individuals in the Allegheny County Jail. While there is clear statistical evidence showing the District Attorney overcharging of black defendants, there seems to be a lack of interest when the possible perpetrator is white.

We are deeply troubled by the Allegheny County District Attorney's priorities, which appear to be centered on undermining the powers and duties granted to Mayor Ed Gainey by the citizens of Pittsburgh, rather than focusing on his *own* responsibilities as Allegheny County District Attorney. We call upon the District Attorney's office to prioritize unresolved cases that have either been ignored, or have not received sufficient attention. One of the most prominent cases is Jim Rogers, a case where the City of Pittsburgh is set to pay \$8 million dollars to the family. It is imperative that the public has access to the body camera footage to understand the circumstances surrounding this horrific death and costly settlement. While we acknowledge that no amount of money can ever replace the loss of a loved one, transparency and accountability are essential in

situations like these. The D.A. has blocked the Roger's family Attorney Mr. Todd Hollis requests to release the body cam footage surrounding the death of Jim Rogers.

Additional cases that have failed to garner the attention of D.A. Zappala are Ja'shon Martin and Brandon Thomas cases. As many of us viewed the viral arrest of Ja'Shon Martin which in our opinion was an excessive use of force, the D.A. has yet to publicly state his position on this specific arrest and has failed to release the body camera footage from this case. In the case of Brandon Thomas, a 17-year old young black man who at the time of his death was basketball player for Carrick High School who was stabbed to death in Schenley Park. We are deeply concerned by the District Attorney's failure to apply equal justice, as it appears to be a failure of equal treatment particularly considering the racial makeup of the individual who is directly responsible for the death of Mr. Thomas.

In closing, we urge District Attorney Stephen A. Zappala Jr. to focus on his *own* responsibilities as District Attorney, rather than interfering in the affairs of City Government and attempting to undermine the powers and authorities of the City's **First Black Mayor!!**