

June 17, 2019

Mr. Jerry Estes  
Executive Director  
Tennessee District Attorneys General Conference  
226 Anne Dallas Dudley Blvd., Ste. 800  
Nashville, TN 37243

Re: District Attorney General Craig Northcott

Dear Mr. Estes:

As you are aware, several news stories have surfaced regarding discriminatory statements made by District Attorney General Craig Northcott of the 14th Judicial District. Mr. Northcott has, on at least two occasions, made statements that call into question whether the guarantees of the Fourteenth Amendment's Equal Protection and Substantive Due Process clauses would be fairly applied to victims and defendants in the LGBTQ and Muslim communities in his district. The District Attorneys General Conference must investigate these statements and any conduct by Mr. Northcott that would compromise the integrity of the judicial system or potentially constitute unconstitutional policies or actions.

In March 2018, Mr. Northcott, while giving a speech to the Chafer Theological Pastors Conference, made statements that he would not follow the Supreme Court's decision finding marriage for same-sex couples to be constitutionally guaranteed under the 14th Amendment. Because his personal and religious view is that same-sex couples should not be granted the right to marry, Mr. Northcott stated that he would not prosecute domestic violence cases between same-sex couples as domestic cases.

In Facebook posts from April 2019, Mr. Northcott expressed his hatred for Islam and those who follow it, calling the religion "evil, violent and against God's Truth." In addition to displaying a shocking degree of ignorance on the precepts of Islam, Mr. Northcott demonstrated his own predilection for placing his personal religious beliefs above the religious freedom guarantees of the First Amendment's Free Exercise and Establishment clauses.

By his own words, Mr. Northcott has indicated a willingness to substitute his personal opinions and beliefs for those enshrined in the U.S. Constitution, which he has taken an oath as an attorney and as



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an elected district attorney general to uphold and protect. District attorneys general are among the most powerful people in the criminal justice system in Tennessee. They are the ultimate arbiters for determining whether to prosecute and what charges to bring. They wield a tremendous amount of law enforcement power in determining how the criminal process begins, and legal power in making bail and sentencing recommendations. The equitable functioning of the criminal justice system relies on a district attorney general's adherence to the laws of the land and their dedication to protect the rights enshrined in the Constitution.

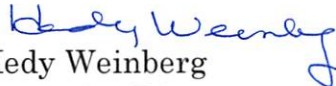



Mr. Northcott's discriminatory statements leave little confidence that he will protect the rights of certain vulnerable individuals in our state. Defendants and alleged victims in the 14th Judicial District may be subjected to unequal and unconstitutional treatment based on their sexual orientation or religious beliefs.

The Conference's commitment to the "prompt and efficient administration of justice" requires that you investigate whether Mr. Northcott has instituted discriminatory policies in his office and failed to adhere to Tennessee laws regarding charging decisions. To rebuild trust, the Conference should publicly rebuke his statements as not in keeping with the ethical and professional standards expected of district attorneys in Tennessee. It can and should ensure that Mr. Northcott is not appointed as a *Pro Tem* in cases outside his jurisdiction and cooperate with the ongoing investigation conducted by the Board of Professional Responsibility.

We look forward to hearing from you.

Sincerely,

  
Hedy Weinberg  
Executive Director

  
Thomas H. Castelli  
Legal Director

cc: Tennessee Board of Professional Responsibility  
Lisa Zavogiannis, President, 31st Judicial District

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Garry Brown, Ex Officio, 28th Judicial District  
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