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Tennessee DA under fire for saying he won't enforce domestic violence law for gays

In a video from 2018, Craig Northcott said of same-sex domestic violence cases: "There's no marriage to protect, so I don't prosecute them."

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By Tim Fitzsimons

Craig Northcott, a district attorney in Tennessee's Coffee County, a rural county between Nashville and Chattanooga, is facing calls to resign for saying he would not enforce domestic violence laws for people in same-sex marriages because he does not believe in same-sex marriage.



Craig Northcott, district attorney general of Coffee County, Tennessee.

Craig Northcott District Attorney 14TH Judicial District via Facebook

In a video filmed in 2018, Northcott faced a question from a constituent who asked about a “hypothetical” situation in which the federal government were to do something “ridiculous” and legalize same-sex marriage, which happened in 2015: “How as Christians do you think we should deal with all those situations?”

Northcott responded that “five people in black dresses rule us – it just takes five votes, it doesn’t take all nine,” referring to the five-justice majority that ruled in favor of gay marriage in 2015.

“DAs have what’s called prosecutorial discretion. Y’all need to know who your DA is. Y’all give us a lot of authority whether you know it or not,” Northcott said. “We can choose to prosecute anything, we can choose not to prosecute anything, up to and including murder,” he said. “It’s our choice, unfettered.”

“So, to deal with that, you elect a good Christian man as DA, and you’ll make sure at least they don’t get prosecuted criminally,” Northcott said. He then transitioned: “Y’all know what assault is?”



[Northcott: 'I don't recognize' same-sex unions 'as marriage'](#)

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“There’s a subcategory of assault called domestic assault,” Northcott said. “But a domestic assault carries more punishment: You forever lose the right to own a gun under federal and state law, you

have restrictions on your movement that you otherwise wouldn't have under what we call 'simple assault' and there are other enhanced punishments.”

“So the social engineers on the Supreme Court decided that we now have homosexual marriage. I disagree with them. What do I do with domestic assaults? One hand, I don't prosecute them, because I don't recognize it as marriage, on the other hand, if I don't prosecute them, then the sinner, the immoral guy, gets less punishment, what do you do?” Northcott asked.

Northcott said he concluded, based on his own analysis and not on the fact that domestic violence charges also apply for unmarried couples, that “the reason that there's enhanced punishment on domestic violence is to recognize and protect the sanctity of marriage. And I said, 'there's no marriage to protect.' So I don't prosecute them as domestics.”

“The point is,” Northcott said, “you need someone who will do an evaluation on those terms.”

Chris Sanders, executive director of statewide LGBTQ group [Tennessee Equality](#), encouraged Northcott to step down.

"He should explore resigning from office at this point, because he has expressed very clearly that he will not apply the law equally, and we think that's his duty," Sanders said.

The video was released Monday by [Tennessee Holler](#). It comes on the heels of another controversy for the district attorney. Just last week, the Center for American Islamic Relations [filed a formal complaint](#) against Northcott for his comments about Muslims.

CAIR alleges that Northcott, in sharing a series of Islamophobic posts on Facebook, “violated Rule 3.8 of the Tennessee Rules of Professional Conduct, a comment to which states that prosecutors are expected ‘to be impartial in the sense that charging decisions should be based upon the evidence, without discrimination or bias for or against any groups or individuals.’”

According to screenshots of the posts, Northcott wrote in a Facebook comment that Islam is "evil, violent and against God's truth" and that being Muslim is no different than "being part of the KKK, Aryan Nation, etc." Northcott made the comments while responding to a Republican candidate's post in late April.

Northcott later responded he would not resign and he would not apologize for calling out hate.

The Tennessee Republican Party did not immediately respond to NBC News' request for comment regarding Northcott's controversial remarks.

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The Associated Press contributed.

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