



**Jason E. Mumpower, Comptroller of the Treasury**

*September 25, 2024*

## **Davidson County DA's Office Recorded Defense Attorneys, Visitors, and Employees**

A lengthy investigation by the Tennessee Comptroller's Office, working in conjunction with the Tennessee Bureau of Investigation, describes numerous questionable actions within the 20<sup>th</sup> Judicial District Attorney General's Office. The 20<sup>th</sup> Judicial District serves Davidson County.

Investigators determined that government employees surveilled and monitored audio and video recordings of criminal defense attorneys, office employees, other building tenants, and visitors without their knowledge or consent.

Former office employees said it was common practice to audio and video record criminal defense attorneys when they were reviewing evidence inside the DA's Office viewing room. These attorneys often discussed privileged information, including statements made by their clients, along with defense strategies.



*A criminal defense team reviewing evidence in a pending criminal case.*

After the defense attorneys left the viewing room, every indication is the recordings were then provided to the assistant district attorney(s) or secretary of the office unit handling the criminal case.

These activities could violate the United States Constitution, Tennessee Rules of Professional Conduct, and state law.

The investigation also revealed that the District Attorney General (DAG) allowed office employees to participate in campaign activities during work hours, and they used government resources to promote and benefit the DAG's reelection effort.

Paid-time-off forms were created for office employees after questions were raised with the office that could indicate office employees were participating in campaign related activities when required to be at work.

Furthermore, the District Attorney General utilized questionable practices with a former Assistant District Attorney (ADA) whose family member made a social media post in support of the DAG's 2022 campaign opponent.

The DAG received a questionable campaign contribution from the former ADA; he reassigned her to a different position within the office; and directed that she be monitored with the audio and video surveillance system without her knowledge or consent.

“Elected district attorneys must act with high integrity and ethical standards when managing day-to-day business and office affairs,” said Comptroller Jason Mumpower. “The actions noted by our investigators bring into question the DAG’s integrity and the public’s confidence in his ability to fulfill his responsibilities.”

“I’m proud of the collective work of the Office of the Comptroller and the TBI special agents who thoroughly investigated these accusations,” said TBI Director David Rausch. “The role of our team is to independently discover the facts and provide that information for further consideration, and we met that responsibility in this case.”

The results of the investigation have been communicated with the Office of the Tennessee Attorney General & Reporter and the Tennessee Board of Professional Responsibility.

To view the investigative report, go to [tncot.cc/doireports](https://tncot.cc/doireports). To view a map depicting Comptroller investigations, go to [tncot.cc/mappinginvestigations](https://tncot.cc/mappinginvestigations)

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