

May 16, 2008

PERSONAL & CONFIDENTIAL

A. Andrew Jackson
Dickson County General Sessions Judge
4000 Highway 48
North Suite 1
Charlotte, TN 37036

FORMAL LETTER OF REPRIMAND

In re: Complaint of Jerry Gonzales against Judge A. Andrew Jackson
File No. 07-3154

Dear Judge Jackson:

This shall serve as a public censure pursuant to your agreement with the Investigative Panel of this court and in compliance with Tenn. Code Ann. § 17-5-301 (f) (5). This reprimand relates to your actions as the Dickson County Juvenile Court Judge in hearing cases in which children appeared before you who were illegal aliens, children of illegal aliens, or perceived by you as being illegal aliens. In juvenile cases in which the defendant juvenile had illegal or questionable legal status in the United States, you consistently determined that the child was dependent and neglected when the petition before you did not seek to have the child declared dependent and neglected and that you also when informed that this was inappropriate conduct, determined each child to be unruly, jailing these juveniles as a result of their status, their parents' status or your perceived view of the status. This course of conduct was demonstrated in hearings held before you March 14, 2007, April 18, 2007 and May 2, 2007 in the case of a juvenile identified for the purpose of this letter as R. I. so as to protect that juvenile's identify. In those proceedings you repeatedly asked counsel and the child "if he was illegal." You announced to counsel your predetermination of the case when you stated "Mr. Taylor, you know what I'm going to do on that don't you, might as well go on and get your appeal set up." These statements led to laughter in the courtroom and because of your perceived predetermination as to Hispanic individuals appearing before you. You also in this hearing told the representatives of the child to "Get on over there and get Birch to sign it. It always just irritates me to no end," referring to the requirement of counsel to seek an immediate appeal from your predetermined judgments and incarceration for juveniles in matters dealing in this particular case with a charge of speeding, expired permit and a seat belt violation.

Your actions in this and other juvenile cases violated Supreme Court Rule 10, Canon 1 requiring a judge to uphold the integrity and independent of the judiciary, Canon 2 requiring a judge to respect and comply with the law, Canon 3 B (2) requiring a judge to be faithful to the law and to maintain professional competence in it, Canon 3 B (5) requiring a judge to perform his judicial duties without biased and prejudice and your conduct in dealing with these juveniles deprived those individuals of equal protection of the law as required by the Fourteenth Amendment to the United States Constitution and the equal protection provisions of the Tennessee Constitution. In addition to the violations of the Canons of Judicial Ethics and state and federal constitutional rights, your conduct detrimentally affects the integrity of the Tennessee judiciary and undermines public confidence in the administration of justice.

This public censure represents the highest degree of judicial discipline authorized by law short of the Court seeking a judgment recommending your removal as a judge from office. In the future, you are to accord all persons who appear before you equal protection of the law and to decide their case on an independent and fair basis.

Sincerely,

Don R. Ash
Presiding Judge
Court of the Judiciary

DRA/cg
cc. Investigative Panel
Disciplinary Counsel