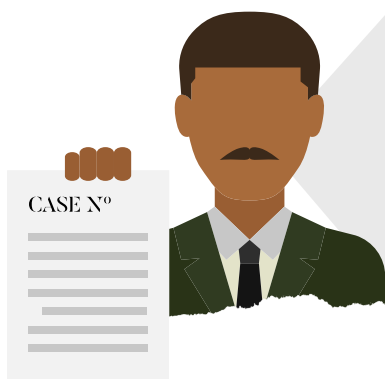


THE POWER OF PROSECUTORS

WHAT DOES A PROSECUTOR DO?



PROSECUTORS DECIDE:

WHEN to bring a case or drop charges:

- After the police make an arrest, the prosecutor decides whether there is enough evidence for the case to move forward.
- The prosecutor decides whether to charge a person with a crime and in some cases, what level of charges should be brought (i.e. misdemeanor, felony, etc.)

WHO should be held pre-trial:

- The money bond system that we have in this country creates a wealth-based determination of who gets released from custody pretrial.
- Prosecutors can also stop unfairly punishing people who are poor by supporting individualized bail determinations over predetermined bond schedules, and by stopping the practice of seeking cash bail.



WHAT level of charges and sentences to pursue and what happens during plea bargaining:

- Prosecutors have the power to decide whether or not someone should be sent to jail or prison. They also have the discretion to suggest alternatives to incarceration (treatment programs, community service, and restitution).
- 97% of criminal cases end with a plea bargain, or an agreement to resolve the case, often with the accused person pleading guilty. That means most of the time, prosecutors—rather than judges and juries—are deciding what happens in a case. That is a huge amount of power for one person to wield which is why prosecutors must be accountable to the communities they serve.

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PROSECUTORS DECIDE:

WHO should be prosecuted:

- The prosecutor can make the decision NOT to criminalize poverty and NOT to punish people for low-level theft and property crimes or homelessness. They can also decide to treat drug and alcohol addiction and mental health issues as public health issues instead of crimes.
- The prosecutor can decide not to charge children and teenagers as adults. This is crucial in disrupting the school-to-prison pipeline: a set of policies, practices and systems that operate to funnel Black, Brown, LGBTQIA, and special needs students out of public schools and into the juvenile and criminal justice systems. Many of these young people have histories of poverty, abuse, or neglect, and would benefit from additional educational and counseling services. Instead, they are isolated, punished and pushed out.



HOW CAN PROSECUTORS IMPACT POLICING?

Prosecutors can hold police officers accountable:

- Prosecutors have the discretion to credit and DISCREDIT officers. The prosecutor can decide when to dismiss cases based on unreliable testimony and evidence presented by the police.
- Prosecutors can also refuse to work with unreliable, racist, dishonest police officers. This is especially important in Wayne County where as recently as February 2020, the Detroit Police Department admitted to police corruption in the narcotics unit dating back at least 10 years. The findings of this scandal revealed that cops planted drugs on innocent citizens, robbed people, embezzled funds meant for informants, stole from arrestees, falsified evidence, and made faulty search warrants. Wayne County residents are currently detained in jail and prisons based on “evidence” from these corrupt practices. The prosecutor can and SHOULD immediately cease to prosecute cases reliant on evidence from this unit and dismiss both open and closed cases involving the officers named in the scandal.
- The prosecutor has a responsibility to protect citizens from the abuse of law enforcement, wrongful conviction, and the criminalization of race and poverty.



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