

THE CASE FOR A
PRESIDENTIAL TASK FORCE ON

21ST CENTURY PROSECUTION



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Fair and Just Prosecution (FJP) is a national, bipartisan non-profit which brings together a network of elected state and local prosecutors committed to promoting a justice system grounded in fairness, equity, compassion, and fiscal responsibility. In furtherance of those efforts, FJP produces resources and materials, available on the [FJP website](#), that delineate best practices and expert thinking on a range of important and timely criminal justice topics.

*At this critical moment in our nation's history — with communities and a growing number of elected prosecutors embracing new data-driven [principles](#) and policies that move away from past “tough on crime” approaches — FJP recommends the establishment of a **Presidential Task Force on 21st Century Prosecution**. This recommendation aligns with the thoughtful analysis in President Biden's [Plan for Strengthening America's Commitment to Justice](#), which called for a “task force on prosecutorial discretion.” Likewise, the Biden-Sanders Unity Task Force [recommended](#) “support[ing] new state prosecutors through funding and technical support in their efforts to ensure public safety while reducing incarceration.”*

A national body created by the President can play an invaluable role in examining the critical function of local prosecutors in an evolving criminal legal system and identifying ways to support leaders who are searching for smart and effective strategies to address racial inequities and the harms of mass incarceration while using the limited resources they have to promote public safety. There has been little to no focus on the role of local prosecutors and how to support the efforts of innovative leaders at a presidentially-supported national level. This long-overdue vehicle to propel change and promote data-driven thinking among prosecutors — leaders who wield enormous influence at every stage of the criminal legal process — can have a lasting impact on the future of our justice system.

EXECUTIVE SUMMARY

THE NEED FOR A PRESIDENTIAL TASK FORCE ON 21ST CENTURY PROSECUTION

The United States currently incarcerates its residents at the highest rate of any democratic country in the world. This system of mass incarceration disproportionately impacts Black and brown Americans, disrupts communities, and bloats budgets, all while impeding the mission of public safety it purports to promote.

Prosecutors wield a vast amount of discretion and authority within the criminal legal system — and therefore share responsibility for those systemic failings — yet they also hold the power to bring about systemic transformation. The Biden-Harris administration has a vital role to play in catalyzing innovation and helping prosecutors nationwide chart a path to greater justice and equity for their communities. A new generation of local elected prosecutors are modeling that potential and are reimagining the role of prosecutors. We propose a **Presidential Task Force on 21st Century Prosecution** to build on — and help perpetuate — that movement.

PROPOSED FOCUS

Seventeen pillars would serve as the basis for a series of hearings and focus the Task Force's work:

- Understanding the historical legacy of the prosecutor
- Promoting deflection, diversion, and shrinking the system
- Advancing racial and ethnic justice
- Addressing the poverty penalty and bail reform
- Promoting harm reduction, saving lives, and drug policy reform
- Misdemeanor justice
- Better serving crime survivors
- Understanding, preventing, and addressing violence
- Juvenile and young adult justice
- Preventing officer-involved shootings and enhancing police accountability
- Improving conditions of confinement
- Implementing post-conviction justice, fair sentencing, and sentencing review
- Accounting for collateral consequences and promoting expungement
- Addressing mass supervision and improving reentry
- Envisioning success, metrics, and culture change
- Ensuring ethics, accountability, and transparency
- Propelling change and investing in transformation

STRUCTURE AND FORMAT

We recommend that the Task Force:

- Be led by two co-chairs with complementary backgrounds, experiences, and perspectives, such as an innovative current or former prosecutor and a leading criminal defender, civil rights advocate, or individual with personal experience with the justice system;
- Conduct a national tour with hearings in communities around the nation, including with those most impacted by the criminal legal system;
- Visit prisons and jails and hold listening sessions with people behind bars, as well as their families and loved ones; and
- Be located outside of, and independent from, the Department of Justice.

COMPOSITION

We recommend that the Task Force include:

- Elected state and local prosecutors, national prosecution experts, and law enforcement leaders who model new thinking and innovation taking place in the field;
- People who have lived experience with the criminal legal system and their loved ones;
- Survivors of crime;
- Leaders and advocates from the communities most impacted by mass incarceration;
- Criminal defense and civil rights attorneys and leaders; and
- Researchers, academics, advocates, and experts on public health, drug policy, juvenile justice and adolescent behavior, and international criminal justice models, among other related topics.

GOALS AND OUTCOMES

We recommend that the Task Force produce:

- A **final report** that identifies successful prosecutorial reforms and innovation, lays out key challenges to implementing change, details promising practices, and offers specific and tangible goals paired with policy and program recommendations that could include improving the safety and well-being of our communities, dramatically reducing jail and prison populations, ending racial disparities, and enhancing transparency and accountability;
- A **strategic roadmap to incentivize and fund change and innovation**, including by encouraging and enabling specific federal laws, policies, resources, and grants to help support and propel systemic transformation; and
- A **concrete implementation plan**, including the creation of an implementation oversight group and ongoing technical assistance from key federal government bodies and leaders.



AN OPPORTUNE MOMENT TO PROPEL CHANGE

On any given day, the United States detains [2.3 million](#) people in prisons, jails, and confinement facilities — *more than any other democratic nation*. This starting point imposes a significant human and fiscal toll, costing taxpayers an estimated [\\$182 billion](#) each year and subjecting families and communities to an incalculable loss of human potential. And too often, it does little to improve public safety.

The Biden-Harris administration has the opportunity to disrupt this status quo and propel a bold criminal justice reform agenda that would shrink our nation's bloated prison system and address an incarceration rate that has made us an international outlier, expand access to evidence-based prevention and treatment programs, and ensure more people get a second chance. And this opportunity to transform our criminal legal system comes at a time when many in our country, and particularly communities of color, have been devastated by the ongoing COVID-19 pandemic.

We are at an unprecedented moment where the rallying cry for transformation of our criminal legal system is gaining momentum and increasingly garnering support across the political spectrum. Today, [members of both political parties overwhelmingly support](#) reducing the incarcerated population, prioritizing rehabilitation over punishment, and addressing persistent racial disparities that have existed for far too long.

A PRESIDENTIAL TASK FORCE ON 21ST CENTURY PROSECUTION

WHY...

Meaningful and lasting change of our criminal legal system necessarily must focus on state and local policies and decisionmakers. Fewer than 10 percent of people incarcerated in the U.S. are detained in federal facilities — which means that the administration must find ways to engage state and local justice systems around its vision for reform.

Fortunately, some local justice systems have become powerful incubators for criminal justice reform. Over the past several years, voters have elected reformers to lead dozens of local prosecutorial offices covering big cities and rural counties in every region of the country. And this past election cycle saw increasingly [strong support for reform-minded prosecutors](#) committed to ending the failed war on drugs that has devastated communities of color, countering ineffective and harsh sentencing practices, revitalizing communities shattered by mass incarceration, addressing the poverty penalty of cash bail, and finally closing the prison system’s revolving door. Today, more than one in five Americans lives in a jurisdiction led by a reform-minded elected prosecutor.

These elected leaders are embracing new data-driven thinking and leading the charge away from past ineffective “tough on crime” policies. For example:

- Several district attorneys¹ have heavily reduced or eliminated their offices’ use of **cash bail** and also adopted **smarter charging practices** that are reducing the entry into the justice system of individuals who need not be removed from the community to protect public safety. After Philadelphia District Attorney Larry Krasner eliminated the use of cash bail for many offenses, there was [no impact](#) on the rate at which individuals failed to appear in court. San Francisco District Attorney Chesa Boudin cut the local jail population nearly in [half](#) while crime in the city continued to [decline](#), and a recent [study](#) found that Suffolk County, Massachusetts District Attorney Rachael Rollins’ [decision](#) to stop prosecuting many low-level, misdemeanor offenses did not result in any increase in crime. Baltimore City, Maryland State’s Attorney Marilyn Mosby also ceased to prosecute many low-level offenses in the wake of the COVID-19 pandemic and, following a [successful decrease in crime](#), made that policy permanent.

¹ The term “district attorney” or “DA” is used generally to refer to any chief local prosecutor, including state’s attorneys, prosecuting attorneys, etc.

- Many DAs have reformed their jurisdictions' approach to **substance use disorder** and embraced treatment and saving lives over punishment. For example, in Chittenden County, Vermont, State's Attorney Sarah George and then-Police Chief Brandon del Pozo jointly [announced](#) in 2018 that they would no longer arrest or prosecute individuals for illegally possessing the addiction therapy drug buprenorphine, contributing to a nearly [50 percent drop](#) in local overdose deaths. Similarly, King County, Washington Prosecuting Attorney Dan Satterberg [stopped](#) prosecuting personal use drug possession cases, allowing Seattle to redirect the more than \$3 million it was spending each year on those cases to improving public health and safety and supporting the implementation of Law Enforcement Assisted Diversion. Likewise, in 2019, Baltimore City, Maryland State's Attorney Marilyn Mosby enacted a [sweeping policy](#) that ended prosecutions of cannabis possession and also mandated referral of all first-time nonviolent felony drug offenses to a diversion program that provides support and treatment in lieu of convictions that can serve as barriers to employment and so much more.
- Some DAs have implemented reforms to ensure both **prospective and retrospective justice**. For example, in Brooklyn, New York, Kings County District Attorney Eric Gonzalez launched the country's first Post-Conviction Justice Bureau, which oversees the office's nation-leading [Conviction Review Unit](#), significantly expanding opportunities for individuals who have earned a second chance to be released on parole and streamlining the process by which individuals who have served their sentence may have their past convictions sealed. Philadelphia District Attorney Larry Krasner has overseen the exonerations of more than [20 wrongfully convicted individuals](#) in just over two years. Other jurisdictions have implemented units dedicated to reviewing extreme and unjust sentences, including [San Francisco](#), [Baltimore](#), [Seattle](#), and [Los Angeles](#).
- Furthermore, many of these elected prosecutors have implemented reforms to improve **transparency and accountability** among both police and prosecutors, such as Cook County State's Attorney Kim Foxx, who implemented an [online tool](#) for the public to report police criminal misconduct. All allegations are reviewed by prosecutors in the Law Enforcement Accountability Division and then sent to an investigative agency if there is evidence of misconduct. Former New Jersey Attorney General Gurbir Grewal likewise created a [comprehensive package](#) of statewide law enforcement policies, covering issues including use-of-force, internal affairs, disclosure of exculpatory evidence, and identifying at-risk officers that apply to all state and local law enforcement officers.

Even while these leaders are creating a new normal in the field of prosecution, they are also facing aggressive challenges from those interested in maintaining past punitive approaches, often as a result of a false narrative suggesting that proven reforms are making communities less safe. Yet, we [know that](#) recent crime trends have remained consistent across cities that both have and have not implemented reforms and many states have significantly reduced incarceration while also reducing crime.

To harness and support the full power of reform-minded prosecution, and enable bold change agents to continue to propel innovation and new thinking even in the face of headwinds, the Biden-Harris administration should bring together forward-thinking leaders and experts working on these issues, bridge the work being done on the federal and local levels, leverage federal funding streams in a manner that supports and incentivizes reform, and identify resources that can be used by local prosecutors across the country as they continue to rethink their own practices. A **Presidential Task Force on 21st Century Prosecution** can accomplish these objectives, while also putting a bright spotlight on the changing nature of prosecution taking hold around the nation.

Similar to the [Obama-Biden Administration's Task Force on 21st Century Policing](#), a national task force would allow the administration to collect the most promising innovations being developed across the field of prosecution, catalyze new ideas from experts, and begin to scale transformative changes across the over 2,400 local prosecutor's offices. The imperative to advance these endeavors has never been more urgent.



WHAT...

A Task Force on 21st Century Prosecution would enable elected prosecutors, national leaders, impacted communities, survivors of crime, law enforcement, advocates, and experts to come together and forge a new role for prosecutors in the criminal legal system that fosters community well-being, health, and safety, while also improving equity and reducing incarceration.



We suggest that a set of key pillars be addressed through FACA-compliant hearings open to the public and readily accessible by the community. They should be conducted over an accelerated one-year time frame, with a final report detailing findings and recommendations issued by the fall of 2022. And that work should be followed by a strategic implementation phase, delegated to an implementation oversight group, in partnership with other entities and leaders within the administration, thereby ensuring that the Task Force recommendations take hold.

WHO...

The Task Force should consist of a broad range of stakeholders and experts who bring diverse backgrounds and varied experiences with, and insights into, the criminal legal system. In particular, the Task Force should include:

- Elected state and local prosecutors, and national prosecution experts, who model new thinking and innovation taking place in the field;
- People who have had contact with the criminal legal system, including those who have been incarcerated as well as relatives of incarcerated people who have been impacted by the system;
- Survivors of crime;
- Law enforcement leaders;
- Leaders and advocates from the communities most impacted by mass incarceration;
- Criminal defense attorneys and leaders, including public defenders;
- Civil rights advocates;
- Public health and drug policy experts;
- Experts on juvenile justice and adolescent behavior;
- National, state, and local policy leaders; and
- Researchers and academics, including those who can speak to innovative international solutions to problems that the United States continues to face.



HOW...

Task Force Design and Process

As with the [President's Task Force on 21st Century Policing](#), this Task Force should be led by two co-chairs with complementary backgrounds, experiences, and perspectives, such as an innovative current or former prosecutor and a leading criminal defender, civil rights advocate, or individual with personal experience with the justice system. While neither co-chair needs to have all these attributes, ideally the co-chairs would collectively possess on-the-ground experience working within the criminal justice system, a deep understanding of the data and research landscape surrounding the field, stellar reputations that have national credibility across the political spectrum, and strong ties to the grassroots movement for transformation of the criminal legal system.

The Task Force should conduct a national tour with hearings in communities around the nation, including those most impacted by the criminal legal system. These hearings should involve a broad and diverse range of stakeholders, including input from community members through public comment. In addition, Task Force members should visit prisons and jails and hold listening sessions with people behind bars, as well as their families and loved ones.

Notably, President Biden's [criminal justice policy platform](#) recognized the need for a "task force on prosecutorial discretion" and called for it to be located outside of the Department of Justice. While representatives from the DOJ should offer important insights and be a part of the task force, there are good reasons for the Task Force on 21st Century Prosecution to be situated outside of, and independent from, the DOJ to provide a fresh look at best practices, policies, research, and resources, and to focus on prosecutorial practices at the all-important *state and local level* that have been drivers of mass incarceration.

KEY PILLARS AND AREAS OF FOCUS

In order to promote new thinking in prosecution and chart a path for systemic transformation, the Task Force should focus on the pillars below, many of which overlap and intersect. These areas of focus can provide a structure for the Task Force hearings (although some could be combined across hearings), and also provide a way to organize the Task Force’s work stream and any subcommittees or working groups.

PILLAR ONE: UNDERSTANDING THE HISTORICAL LEGACY OF THE PROSECUTOR

Prosecutors have played a significant role in fueling modern mass incarceration and perpetuating racial and ethnic oppression in the United States, including in the context of slavery and in the Jim Crow era. This conversation could examine that role and ground the work of the Task Force in the goals of reckoning with and repairing the prosecutor’s role in systemic injustice. Members of the Task Force could consider further exploring this pillar through a visit to the Equal Justice Initiative’s [Legacy Museum and National Memorial for Peace and Justice](#). This learning opportunity was [incredibly impactful](#) for a group of elected prosecutors who made the trip to Alabama and visited many of the sites with formerly incarcerated leaders.



PILLAR TWO: PROMOTING DEFLECTION, DIVERSION, AND SHRINKING THE SYSTEM

Deflecting and diverting people away from the criminal justice system is often the most effective and fiscally prudent choice, and can improve outcomes in the long run and decrease the chances of future system involvement. This conversation will explore how prosecutors can shrink the system while promoting public safety and examine best practices and promising innovations. Task Force members may consider pairing this discussion with one or more site visits to observe an alternative responder model in which trained civilians are dispatched instead of police to address issues like mental health crises or harmful substance use. Examples include the [CAHOOTS](#) crisis intervention program in Eugene, Oregon, and the [Law Enforcement Assisted Diversion/Let Everyone Advance with Dignity](#) program in Seattle, Washington.

PILLAR THREE: ADVANCING RACIAL AND ETHNIC JUSTICE

Racial and ethnic disparities permeate every aspect of the criminal legal system, including charging, plea bargaining, sentencing, and the imposition of the death penalty. This conversation could explore the impact of racial and ethnic bias in the criminal legal system; how some local district attorneys have implemented policies that reduce disparities; the role of data collection, transparency, and analysis; and steps that can advance the fair administration of justice moving forward.

PILLAR FOUR: ADDRESSING THE POVERTY PENALTY AND BAIL REFORM

Cash bail, as well as the overuse of fines and fees, effectively criminalizes poverty and can trap individuals and communities in costly cycles of criminal justice involvement. This discussion would explore the successes and challenges of bail reform, alternatives to fines and fees, and other pathways to increased economic equity in the justice system.

PILLAR FIVE: PROMOTING HARM REDUCTION, SAVING LIVES, AND RETHINKING DRUG POLICY

The overdose crisis has reached a devastating peak, demonstrating the longtime failures of the Drug War. This conversation would examine public health models to address problematic drug use, the efficacy and limits of drug diversion programs, implications of drug-induced homicide prosecutions, successes and challenges of drug legalization and decriminalization, and specific life-saving interventions. Task Force members could consider further exploring this pillar through a visit to a harm reduction service provider such as a syringe exchange, a street outreach program, or even a Canadian overdose prevention site.



PILLAR SIX: MISDEMEANOR JUSTICE

Misdemeanor charges make up approximately 80 percent of state and local dockets, and arrests and prosecutions for misdemeanors and violations can significantly affect people's lives even when they result in short sentences or probation, trapping individuals in a cycle of incarceration and resulting in lifelong collateral consequences. This conversation would focus on the impact of misdemeanor prosecutions, best practices, and promising interventions, including non-prosecution.



PILLAR SEVEN: BETTER SERVING CRIME SURVIVORS

A significant proportion of crime survivors never report their victimization to police, and the majority that do report receive no services or assistance from the criminal legal system, which prioritizes punishment over the needs and desires of crime survivors. This conversation would explore the unmet needs of crime survivors, including criminalized survivors, survivors of color, and those who choose not to participate in the criminal legal process; examine ways to meet those needs; and identify avenues for change. Task Force members could consider building on this conversation with a visit to a restorative justice program, such as [Common Justice](#) in Brooklyn, NY, the first alternative-to-incarceration and victim-service program in the United States that focuses on violent felonies in adult courts, or with a visit to San Francisco to explore the [Trauma Recovery Center model](#), a comprehensive and holistic transformational new model of care for survivors of violent crime.

PILLAR EIGHT: UNDERSTANDING, PREVENTING, AND ADDRESSING VIOLENCE

This hearing would explore recent trends in serious crime, the drivers of violence, and effective interventions for prosecutors, including in the context of hate crimes, gun violence, youth violence, gender and family violence, and the role of diversion and restorative justice. Task Force members could consider building on this conversation with a visit to a violence interruption program.

PILLAR NINE: TREATING KIDS LIKE KIDS

Long-term outcomes for teenagers and young adults are substantially better when they have as little contact with the criminal justice system as possible. Prosecutors have enormous power over how young people are treated in the justice system; this conversation would explore how prosecutors can keep kids out of the adult system or out of the criminal justice system altogether, as well as different approaches in other countries and effective models of intervention for young people who do come into the justice system. It could also include a visit to [New Beginnings Youth Development Center](#), a trauma-informed secure residential facility for youth in Washington, DC, and a conversation around the role prosecutors can play in promoting the [closure of youth prisons](#) entirely and the development instead of community-based placements that keep kids close to home.

PILLAR TEN: PREVENTING OFFICER-INVOLVED SHOOTINGS (OIS) AND ENHANCING POLICE ACCOUNTABILITY

This discussion would explore the drivers of OIS and other police violence, barriers to accountability, and best practices for ensuring prosecutorial responses to these incidents, as well as independence, impartiality, and transparency. The discussion should include ways to enhance community co-ownership of policing, including through meaningful [civilian oversight](#). This conversation should also examine the role of the prosecutor in effectively [prosecuting individual incidents of misconduct](#), and in [propelling broader systemic change in policing](#).





PILLAR ELEVEN: IMPROVING CONDITIONS OF CONFINEMENT

Overcrowding, poor healthcare, the deterioration of the prison-based education system, lack of funding for key services, and many other failures make American prisons and jails dangerous, dehumanizing, and inhumane for both incarcerated people and staff. Meanwhile, taxpayers incur significant costs with limited public safety benefits. This conversation will explore the role of prosecutors in transforming prison conditions and lessons from correctional systems around the [world](#).

PILLAR TWELVE: IMPLEMENTING POST-CONVICTION JUSTICE, FAIR SENTENCING, AND SENTENCING REVIEW

Prosecutors impact the sentencing process through charging, plea bargaining, and sentence recommendations. This conversation would explore plea bargaining practices (including the so-called “trial penalty”); the impact of extreme, decades-long sentences; the science behind sentencing and rehabilitation; and the use of the death penalty and arguments for abolishing it. The discussion would also examine lessons learned from DAs’ offices across the country that have [conviction review processes](#) and/or are creating second-look opportunities, including through [conviction integrity](#) and [sentencing review](#) units. And it would explore [growing support](#) among survivors and the community for this new way of thinking.

PILLAR THIRTEEN: ACCOUNTING FOR COLLATERAL CONSEQUENCES AND PROMOTING EXPUNGEMENT

Arrests, charges, and convictions trigger thousands of collateral consequences that make it difficult for people to find housing, employment, and education, trapping people in cycles of crime and impacting the economic strength of entire communities. The stakes are especially high for people who are not U.S. citizens, who could face detention and deportation. This conversation would examine how and when prosecutors can consider the impact of collateral consequences in deciding if and what to charge, as well as their role in expunging and sealing criminal records and promoting auto-expungement or clean slate initiatives.

PILLAR FOURTEEN: ADDRESSING MASS SUPERVISION AND IMPROVING REENTRY

About five million people are under some form of probation or parole in the United States. Probation and parole, in addition to collateral consequences, can create onerous conditions and lead to cycles of reincarceration due to technical violations. This discussion would explore the impact of mass supervision, the risks of digital surveillance, and avenues for prosecutors to shrink the footprint of community corrections while furthering public safety. It will also look at models of reentry prosecutors are advancing that place people released from incarceration on a more successful pathway and facilitate effective reintegration into the community.

PILLAR FIFTEEN: ENVISIONING SUCCESS, METRICS, AND CULTURE CHANGE

A prosecutor's success has long been measured in conviction rates and quantity-driven metrics that [fail to model the pursuit of justice](#). Redefining the role of prosecutors requires new metrics of success that offer a more holistic and accurate picture of justice. This discussion would focus on the appropriate goals [21st century prosecutors should seek to advance](#), data-driven best practices, meeting the needs of both small and large offices, culture change strategies, and the co-creation of public safety with the community.

PILLAR SIXTEEN: ENSURING ETHICS, ACCOUNTABILITY, AND TRANSPARENCY

A [recent report](#) found that prosecutorial misconduct was responsible for a majority of the 2,400 exonerations in the American criminal legal system since 1989, yet prosecutors are rarely held accountable for wrongdoing. Meanwhile, few prosecutors publicly release their policies and procedures, and prosecutors' offices are often a "black box" with little public understanding of what they do or the outcomes of their practices. This conversation would explore how prosecutors' offices can prevent misconduct, enhance prosecutorial accountability and transparency, and improve community trust, including via discovery practice reform, improved *Brady* compliance, and reducing conflicts of interest during prosecutor elections.

PILLAR SEVENTEEN: PROPELLING CHANGE AND INVESTING IN TRANSFORMATION

This final discussion would focus on pathways to propel and sustain the previously discussed reforms through funding reallocation, incentives, new resources, and investment in change, including community-based alternatives to incarceration. This discussion would explore the potential cost-savings from shrinking the footprint of the criminal legal system, and ways to reinvest those savings in the community to strengthen wellbeing. And it would look at how the federal government can support the work of local prosecutors committed to innovation and reform via both funding and technical assistance; for example, by providing expert guidance on how local prosecutors can address police accountability and bias crimes.



The Objectives and End Product

The Task Force should be grounded in the goals of redefining the role of prosecutors, changing the national conversation, and significantly reducing the reach and harm of the criminal legal system. And it should aim to chart the course for the future of state and local prosecution — with concrete strategies to support bold leaders seeking to move the field beyond past practices that have fueled mass incarceration and adversely impacted communities of color.

The Task Force should produce a **final report** that lifts up successful prosecutorial reform policies, identifies key challenges, and details promising practices that prosecutors' offices around the country can adopt. The best practices should be accompanied by a list of specific and tangible goals paired with policy and program recommendations that could include improving the safety and well-being of our communities, dramatically reducing jail and prison populations, ending racial disparities, and enhancing transparency and accountability.

Finally, the Task Force should offer a **strategic roadmap** with specific ways to incentivize and fund change and innovation, including by encouraging and enabling policymakers, legislators and federal grantmaking entities to support and propel systemic transformation. And the Task Force should delineate a concrete **implementation plan**, including the creation of an implementation oversight group and ongoing technical assistance (as needed) from key federal government bodies and leaders.

A PATHWAY FORWARD

For the last half century, the United States' unrelenting embrace of tough-on-crime policies has cost trillions of dollars and destroyed millions of lives without making our communities safer. Now, as the nation begins to rebuild in the aftermath of the pandemic, we stand at a crossroads: we can continue to pour money into the same failed strategies and ready ourselves to have the same conversation in another 50 years, or we can plot a path toward justice.

Through a Presidential Task Force on 21st Century Prosecution, we can bring together the best thinkers in this space — people who have spent their lives studying these issues, people who have been failed or victimized by our criminal legal system, and people working to improve the system from the inside — to work together to surface bold, innovative ideas and begin to look forward.

The time to embrace and begin this work is upon us.



**For more information on these and other issues, visit
FairandJustProsecution.org.**

