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Roadmap Charts a New Path for Prosecutors to Reduce Incarceration and Enhance Fairness

*Principles Released Today Redefine the Role of the
21st Century Prosecutor*

LOS ANGELES – Today, [Fair and Just Prosecution](#) (FJP) – in partnership with Yale Law School Senior Research Scholar Emily Bazelon, The Justice Collaborative and the [Brennan Center for Justice](#) at New York University School of Law – released [21 Principles for the 21st Century Prosecutor](#). The document serves as a blueprint for elected prosecutors seeking to move away from past incarceration-based approaches and toward new pathways that promote equity, compassion and prevention-oriented responses within the criminal justice system.

“In recent years, we’ve seen a significant shift in the way communities think about criminal justice; a growing wave of forward-looking prosecutors have responded to this call for reform and rejected past ‘tough on crime’ approaches that simply haven’t worked,” said **Miriam Krinsky**, executive director of FJP. “The 21st century prosecutor is focused on building a new vision for the justice system grounded in fairness, compassion and common-sense. These *21 Principles* provide a bold roadmap for prosecutors as they pursue new paradigms that promote safer and healthier communities.”

The *21 Principles* focus on reducing incarceration and increasing fairness within the system. **Key recommendations include:**

- Using charging discretion with restraint and making diversion the rule, with programs that focus on alternatives to incarceration when possible for individuals facing felony as well as misdemeanor charges.
- Treating mental illness and substance use disorder as health issues and encouraging public health rather than criminal justice responses as a starting point.
- Ending the devastating impact of cash bail and justice system-related fines and fees on those with low incomes and advocating for solutions that truly take the ability to pay into account.
- Treating children and youth in a manner that recognizes science and adolescent brain development and avoids punitive responses.

“More people who are reflective of the communities they serve are being elected as prosecutors, creating a tremendous shift in the field of prosecution,” said **Emily Bazelon**, Yale Law School

Senior Research Scholar. “Instead of a homogenous group that looks and thinks the same, we now have diverse people with different experiences who are better able to recognize and reject the racial and economic disparities embedded in the justice system.”

In communities across the nation – including Philadelphia, Houston, Durham and Kansas City, Kansas – a growing group of reform-minded prosecutors has been elected in recent years. These prosecutors span the political spectrum and hail from both rural and urban areas. They also bring greater diversity to a field that has been historically white and male. In 2014, [95 percent](#) of the nation’s elected prosecutors were white, and only one percent of prosecutors at that time were women of color.

“Incarceration has never been the prosecutor’s most effective tool, though it is the one most often over-used,” noted **Rob Smith**, executive director of The Justice Collaborative. “Now a new movement of elected prosecutors is approaching the justice system with a different lens that aims to responsibly reduce incarceration while promoting rehabilitation and creating greater opportunities for the communities they serve. These principles are a critical playbook for 21st century prosecutors and serve as a guide for other prosecutors across the country to join them.”

Reform-minded prosecutors are increasingly becoming the new normal, as most recently reflected in elections this past November. Candidates from Missouri to Texas to Massachusetts who ran on reform platforms were elected to join the growing ranks of prosecutors focused on moving away from incarceration-based approaches.

“Prosecutors across the country are recognizing that conviction rates alone are not an accepted measure of success in the 21st century,” said **Lauren-Brooke Eisen**, Senior Fellow at the Brennan Center for Justice at New York University School of Law. “Instead, prosecutors are reimagining their roles, moving away from policies that perpetuate mass incarceration and towards practices that encourage transparency, accountability and equality.”

To read the full *21 Principles* visit the Fair and Just Prosecution [website](#).

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Fair and Just Prosecution is a national network of elected prosecutors working towards common-sense, compassionate criminal justice reforms. To learn more about FJP’s work, visit www.fairandjustprosecution.org or follow us on Facebook [@FairAndJustProsecution](#).