

BUILDING EMPATHY THROUGH EXPERIENCE
Elected Prosecutors' Pledge to Facilitate
Officewide Prison, Jail, and Juvenile Facility Visits
July 2022

“The degree of civilization in a society can be judged by entering its prisons.”
– Fyodor Dostoyevsky

In the American justice system, prosecutors play a significant role in if, when, and how we use incarceration. From pretrial detention requests, to charging decisions, to plea bargaining, to sentence length recommendations, prosecutors have profound influence over who ultimately ends up behind bars and for how long. Yet too many prosecutors have never set foot inside the institutions—prisons, jails, and juvenile facilities—where many of their decisions play out. At a time when national, state, and local policymakers and criminal justice stakeholders are considering how to shrink the footprint of the justice system and how we move away from “tough on crime” carceral policies of the past, it is vital for prosecutors to understand the true impact of their decisions and to *see firsthand* the jails, prisons, and juvenile facilities in their jurisdiction.

We are also keenly aware of the poor conditions of confinement in our nation’s prisons and jails, which are, at best, inadequately equipped to support their intended purpose of rehabilitation. Prisons are often in remote locations that inhibit connection to family, loved ones, and educational and work opportunities, while local jails were not designed to support the lengths of time in which many now remain in them. Too many correctional facilities are unsafe and inhumane. High-profile in-custody deaths have drawn public attention to the way that solitary confinement is too often deployed as a means of maintaining order. Few people behind bars receive the medical and mental health care to which they are constitutionally entitled. And dehumanizing conditions in correctional facilities all too often beget cultures of violence and offer little hope of a successful return to the community.

In short, prisons and jails are often violent and unhealthy places that can leave people, including staff, worse off than when they entered. Recognizing that 95% of people in prisons will return to their communities, we cannot ignore the fact that the conditions we subject people to while detained or incarcerated impact them, their families, and the health and safety of our communities as a whole.

In light of these concerns, we are joining FAMM’s [#VisitAPrison challenge](#), which encourages all state and federal policymakers to visit a prison or jail. The challenge is based on the premise that gaining a better understanding of incarceration through visiting these facilities will increase policymakers’ support for criminal justice reforms.

We are also going a step beyond that challenge! In partnership with [Fair and Just Prosecution](#), (FJP), we are building on the #VisitAPrison challenge to reflect the unique and expansive duty and impact of chief prosecutors as both elected officials and criminal justice system leaders.

Specifically, we pledge to:

- (a) **Personally visit the facilities**—the local prison, jail, and juvenile facilities—in which individuals prosecuted by our office are detained or sentenced to terms of incarceration;
- (b) **Require line prosecutors** in our office to visit the local prison, jail, and juvenile facility in which individuals that they prosecute are detained or sentenced to terms of incarceration;¹ and
- (c) Make these expectations part of the **ongoing mandatory training and job expectations** for line prosecutors in our offices, and underscore that this is an integral part of the performance of their duties.

Some of us already embrace these policies and practices in our office; others will be joining this effort. Together, we hope to inspire prosecutors' offices and policymakers around the nation to take accountability for their actions by more fully understanding what incarceration looks like in our communities. We must recognize that our obligations, and the communities we are sworn to protect, do not stop at the gates of our jails and prisons.

Sincerely,

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¹ Note that these commitments are being made to the extent consistent with any applicable collective bargaining agreements, with the recognition that any provisions in bargaining agreements deemed to be in conflict with these job expectations would govern and override these commitments.

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