

Prosecutor Policies & Health Equity



FACT SHEET

Prosecutors have a great deal of control over our current criminal legal system. The law grants them power that can have both direct and indirect effects on public health. Their actions and decisions often disproportionately impact those who are Black, Indigenous, and People of Color (BIPOC), immigrants, and/or LGBTQ+. The recommendations in this fact sheet aim to not only diminish the power and resources given to county prosecutors, but also invest in resources to improve community health & well-being.

what is a prosecutor?

The prosecutor is a lawyer who works for the government. Their job is to file charges and try cases against people accused of crimes.

Prosecutors work at the local, state, and federal level. In Michigan, the county prosecutor is elected to a four-year term.

mass incarceration & police violence are public health issues.

The American Public Health Association has declared that police violence is a public health crisis in the U.S. [1]

Police violence directly causes injury and death.

- Between 2013 and 2019, police in the United States killed 7,666 people. [2]
- Police violence is one of the leading causes of death for young Black men. [3]

Mass incarceration is harmful to the health of individuals, families, and communities.

- Men who have been incarcerated experience more deaths from unmet medical needs than men who have not been incarcerated. [4]
- Young adults with an incarcerated parent are more likely to experience health problems including depression, PTSD, asthma, anxiety, and heart disease. [5]

Racism and discrimination in the criminal legal system disproportionately harm Black, Brown, Indigenous, immigrant, and LGBTQ+ communities.

- Black people are incarcerated in state prisons 5 times more than White people. [6]
- In 2013, transgender people of color were 6 times more likely to experience physical violence from the police than White cisgender people. [7]

how does the prosecutor contribute to mass incarceration and police violence?

The prosecutor can decide which charges are filed and which crimes get prosecuted. This means they influence what punishments are mandated. This often leads to inequities in charges and sentencing.

- Black non-violent drug offenders are more likely to have sentences resulting in incarceration and have longer-lasting sentences than their White counterparts. [8]
- Prosecutors can decide not to bring charges against a police officers who abuse power.
- The prosecutor can decide whether to seek excessive bail. When people cannot afford bail, they may be jailed for months or years without being charged with a crime.

what can the prosecutor do to stop contributing to mass incarceration and police violence?

ensure transparency & accountability

Hold police accountable for abuses of power. Ensure that police who harm or kill people are fired, lose pensions, and are prevented from being hired in the future.

Create mechanisms for **community oversight** and feedback.

stop targeting Black & Brown people

Stop targeting Black and Brown residents with higher charges and longer sentences.

Gather & share data about race. Assess equity with independent evaluators.

Do not cooperate with immigration authorities.

divest & invest

Create mechanisms to **address root causes** of inequality, such as housing and addiction, and divert people away from the criminal legal system entirely.

Invest in public health, education, and community services.

decriminalize mental health & poverty

End cash bail. Tens of thousands of people in Michigan are jailed before being tried or convicted of a crime because they cannot afford to pay bail.

Do not prosecute sex workers. Do not prosecute people for trespassing, homelessness, vagrancy, or loitering.

Direct individuals to mental health and economic resources and treatment where appropriate.

treat children & youth with respect

Stop criminalizing and incarcerating youth. Always provide youth with effective legal representation.

End the school-to-prison pipeline. Do not prosecute youth for school-based arrests such as truancy. Support removing law enforcement officers from schools.

Do not prosecute children in foster care for violations related to their living situation.

what can you do?

Learn about your local prosecutor and their positions on issues like cash bail, decriminalization, and ensuring transparency and accountability for harm caused by police and prosecutors.

Vote in primary & general elections!

- Register to vote at www.vote.org/state/michigan

Support local organizations fighting to end mass incarceration and police violence. Here are a few examples:

- MI Liberation
- Liberate! Don't Incarcerate
- Survivors Speak

references

1. www.apha.org/policies-and-advocacy/public-health-policy-statements/policy-database/2019/01/29/law-enforcement-violence
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acknowledgements

- Liberate! Don't Incarcerate
- Michigan Liberation
- The Prison Policy Initiative
- Critical Resistance