

Criminal Prosecution Career Advising 101

- **Debunk Myths by Understanding the Prosecutor's Role in the Criminal Justice System**
 - Pursuit of justice, not convictions
 - A prosecutor serves the public interest (the "People," not individuals)
 - What is the relationship with the local police department?
 - Not automatically aligned with police and their interests
 - Key for discussing high-profile cases like Ferguson/Staten Island in this context
 - Relationship with Victims/Complainants
 - Victims share cultural/socio-economic backgrounds with defendants
 - Prosecutors protect the interests and safety of all individuals and communities helping those who have been harmed
 - Discretion
 - What is the level of discretion afforded to line prosecutors?
 - Who is given the discretion to set bail on misdemeanor cases?
 - Does the office actively support and use reentry programs and rehabilitative programs as alternatives to sentencing and incarceration?
 - Are the line assistants encouraged to spend time on activities focusing on prevention and community engagement such as: speaking at schools, mentoring individuals from underserved communities, and volunteering their time to help communities in other ways?

- **Office Culture**
 - Location/Size of Office
 - Jurisdiction
 - Only Felonies or Felonies, Misdemeanors and Traffic Court? Very relevant to junior prosecutor's first couple of years in the office
 - What are the crime demographics of the community?
 - Is the prosecution vertical or horizontal?
 - What is their discovery practice?
 - Is there a Conviction Integrity Unit or Program?
 - Career Development
 - What type and level of training is offered?
 - How are cases assigned?
 - What opportunities are there for advancement to management or supervisory positions?

- Career Development (cont.)
 - How are attorneys promoted? Is it through trial experience or through other experience? Productivity or Convictions?
 - How long do lawyers stay in the office?
 - If they leave, where do they go?
- District Attorney's Tenure in Office
 - Is the office under the leadership of a first-term DA?
 - How many District Attorneys have been elected over the past few years?
 - Are there term limits?
- Community Demographics and Community Engagement
 - Does the office staff, legal and support, reflect the population in the community?
 - Is there professional support staff dedicated to community partnerships?
 - Do the prosecutors participate?
 - Does this include cultivating pipeline programs starting at the high school level and extending through law school?
 - Is there a formal celebration of various heritages?
- **Diversity Matters**
 - Number of Minority Line Prosecutors and Minorities on Executive Team
 - Is there a Chief Diversity Officer and/or Diversity Committee?
 - Is there a Mentoring Program?
 - Are there recognized active Affinity Groups within the office and support for those groups at the local and national level?
 - Are there Community Outreach Initiatives specifically geared towards diverse communities?
 - Is there Diversity training for legal and support staff? What form does it take?
 - Is there bias training?
- **Resources:**
 - Associations such as: National Black Prosecutors Association, National Hispanic Prosecutors Association, Asian American Prosecutors Association
 - National prosecutor organizations such as: Association of Prosecuting Attorneys, National District Attorney's Association, and Fair and Just Prosecution.
 - Encourage students to reach out to local prosecutors for informational interviews/shadowing
 - Provide names and contact information for alumni who are or were prosecutors (state or federal)

Helpful Publications

21 Principles for the 21st Century Prosecutor

<https://www.brennancenter.org/publication/21-principles-21st-century-prosecutor>

The New Reformer DAs, The American Prospect, Jan 2, 2018;

<https://prospect.org/article/new-reformer-das>

What If Prosecutors Wanted to Keep People Out of Prison?, New York Magazine, March 2018

<http://nymag.com/intelligencer/2018/03/what-if-prosecutors-wanted-to-keep-people-out-of-prison.html>

Power of the Prosecutor, The New Republic, May 24, 2018: <https://newrepublic.com/article/148305/reformer-district-attorneys>

Are Prosecutors the Key to Justice Reform?, The Atlantic, May 18, 2016

<https://www.theatlantic.com/politics/archive/2016/05/are-prosecutors-the-key-to-justice-reform/483252/>

Can a Good Person Be a Good Prosecutor? By Angela Davis, Fordham Law Review, Sept. 2018

<http://fordhamlawreview.org/wp-content/uploads/2018/09/Davis-8.pdf>

Charged: The New Movement to Transform American Prosecution and End Mass Incarceration, Penguin-Random House, April 2019. Emily Bazelon.

Race and Prosecution, A paper in the Series on: Reimagining the Role of the Prosecutor in the Community, Sponsored by the Executive Session of the Institute for Innovation in Prosecution at John Jay College; Angela J. Davis, John Chisholm, and David Noble.

Top Ten List of Factors to Consider

Who is the DA?

What is the mission of the office?

What are the Office demographics and commitment to diversity?

What are the types of crimes prosecuted (e.g., violent crimes, white collar crimes, quality of life crimes, special victims crimes)?

Does the office support criminal justice reform? Recent initiatives/reforms, i.e. bail reform, drug (marijuana) policies, how deal with “crimes of poverty,” pre-arraignment diversion programs, commitment and resources devoted to Alternatives to Incarceration.

What are the training opportunities / opportunities to transfer and advance within the Office?

How much discretion are ADAs given?

What is the relationship to the community?

What is the relationship with law enforcement partners?

What is the office policy on bar failure, family friendliness/child care policies?

Contact Information

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