

DECISION MAKING POWERS OF THE

DISTRICT ATTORNEY

POLICE

- How to explain crimes to the police.
- If allegations of police misconduct should be ignored or taken seriously.
- If and to what extent a police officer or sheriff's deputy should be investigated for misconduct.
- If a police officer or sheriff's deputy should be charged with misconduct.
- If allegations of police misconduct should be brought to a grand jury.
- Whether to decline charging someone with a crime even if police officers want them to.
- Whether to correct or continue racial disparities in police arrests.

IMMUNITY

- The DA's office and individual prosecutors cannot be prosecuted for the things they do while pursuing a case, even if those things are illegal.

BAIL + JAIL

- Whether a person who has been arrested should be kept in jail or set free.
- When a witness should be held in jail, even if they committed no crime.
- The state's recommendations for a person's probation.
- The amount of cash bail the state wants to put on a person in jail awaiting a trial.

PLEA DEALS

- How fair the offer is.
- What type of charges and consequences are threatened when making a plea offer.
- Whether the threatened charges accurately reflect a person's behavior.
- Whether or not a person has the option to keep their record clean.
- What conditions or restrictions get imposed when a person completes jail time.
- Whether or not a person has the option to avoid the future life-barriers that come with a felony conviction record.
- Whether a plea offer gets withdrawn even after the parties have agreed to the terms.

YOUTH JUSTICE

- When to pursue charges against a youth.
- Whether a youth's charge is addressed through the state juvenile system or adult system.

CHARGING

- Who gets charged with a crime and who doesn't.
- The seriousness of charges.
- Whether or not to charge a person with a crime that has a mandatory minimum prison sentence.
- When charges should be dropped or dismissed because of a lack of evidence.

EVIDENCE

- What evidence is turned over to the defense attorney.
- How and when that evidence is turned over to the defense attorney.
- What evidence is NOT turned over to the defense attorney (even if it is illegal not to turn over this evidence).

PROSECUTORS

- Who becomes a prosecutor and what policies and practices prosecutors should adhere to.
- Whether and how prosecutors are trained and held accountable.
- Whether a prosecutor is investigated for misconduct.
- Whether and why a prosecutor should be promoted or fired.
- What priorities prosecutors will focus energy and resources on.
- What the public knows about criminal prosecutions in their county and what they don't.

SENTENCING

- When a person should get the opportunity to enter a diversion or treatment program.
- When a person will face a death sentence.

GRAND JURY

- Whether to summon a grand jury to make a charging decision.
- What evidence to present (and NOT to present) to a grand jury and whether that evidence is weighted in favor or against the person charged.
- How the job of the grand jury is explained to inexperienced jurors.