



March 15, 2021

The Honorable Merrick Garland  
Attorney General of the United States  
US Department of Justice  
950 Pennsylvania Avenue  
Washington, DC 20530-0001

Attorney General Garland:

Your confirmation during the start of the trial of Derek Chauvin, the police officer charged with murdering George Floyd, is emblematic of the important context within which you assume leadership. In the wake of Floyd's death, millions marched, demanding an end to the racism and injustices in our criminal legal system. Under the last Administration, the Department of Justice did little to protect Black lives and in fact inflamed antipathy toward the cause. Under your leadership, we hope that can change.

Prosecutors are vital and overlooked players in this endeavor and the Department should use its power to buttress their efforts. At the Vera Institute of Justice, we help local prosecutors implement data-driven policies and practices to address the system's disparate impact on Black communities, and promote public safety in a way that centers the needs of the most impacted community members. On April 6th, our [Motion for Justice](#) initiative will launch a partnership with 10 district attorneys' offices to decrease racial disparities by 20 percent by engaging in historical education, deep data analysis and community engagement with the most impacted populations.

In our country, a Black person is [five times](#) more likely than a white person to be stopped by law enforcement without just cause. [One in three](#) black men can expect to go to prison in their lifetime. Once arrested, Black people are [more likely](#) to be convicted; and once convicted, they face harsh sentences. Prosecutors are not bystanders to these tragedies.

As you are well aware, a growing group of them in jurisdictions from St. Louis, Missouri to Suffolk County, Massachusetts and Contra Costa, California have taken up the charge and implemented policies and practices that refute the idea that punishment is synonymous with public safety. They understand their offices can perpetuate racial injustice, or work to rectify it. They have chosen the latter.

As you begin to take on the great many challenges set before you, it is crucial that your Department do the same.

**As partners in justice, we the signatories below, along with several elected prosecutors, request a meeting with you and key Department leadership to discuss this work, the challenges local prosecutors face, and how the Department can and must engage.** Those ways include:

- The Office of Justice Programs (OJP) should provide \$50 million in funding and support to prosecutors to collect data that reveals the extent of racial disparities in their system and the impact of any reforms to address them.
- OJP should offer an additional \$50 million to jurisdictions to pilot and scale diversion and community-based programs, particularly in the communities most harmed by the system, that prosecutors increasingly rely on instead of traditional prosecution.
- The Department should concretely implement policies that center racial equity in the decisions and actions of its prosecutors through a public facing “Garland” memo to set an example of the prosecutor’s obligation to respond to the systemic injustice faced by Black and brown communities.
- The Department should engage all US Attorneys in this work, and ensure their practices are working in tandem to address racial inequities in the system given their close proximity to local prosecutors.
- The Department cannot be silent and should actively amplify and encourage efforts to address systemic harm and support local prosecutors as they work to transform the criminal legal system given the significant challenges and deep opposition to their work.

Our requests are not for a distant future, but to meet an urgent need to repair past harms and create a more just future. We ask for your help to support the education and work of local prosecutors to address the historical and current harm of criminal legal policies and practices on Black communities. Only then can we enact bold, lasting change.

Sincerely,



**Nicholas R. Turner**  
President and Director  
[Vera Institute of Justice](#)



**Jill Habig**  
Founder and President  
[Public Rights Project](#)



**Jamila Hodge**  
Reshaping Prosecution Program Director  
[Vera Institute of Justice](#)



**Rose Cahn**  
Senior Staff Attorney  
[Immigrant Legal Resource Center](#)



**Hillary Blout**  
Founder and Executive Director  
[For the People](#)



**Alissa Marque Heydari**  
Deputy Director  
[Institute for Innovation in Prosecution at John Jay College](#)