

August 17, 2021

President Joseph Biden  
The White House  
1600 Pennsylvania Avenue, N.W.  
Washington, DC 20500

cc:

Vice President Kamala Harris

Attorney General Merrick B. Garland  
U.S. Department of Justice

Ambassador Susan Rice  
Assistant to the President for Domestic Policy

Deputy Attorney General Lisa Monaco  
U.S. Department of Justice

Associate Attorney General Vanita Gupta  
U.S. Department of Justice

Dear President Biden:

We are a group of current and former elected prosecutors and Attorneys General, former federal criminal justice leaders, and past and present law enforcement leaders writing to urge the Biden-Harris Administration to convene a **Presidential Task Force on 21st Century Prosecution** before the year is out.

The evidence is clear: our nation's decades of "tough on crime" practices have not created safety and have been an anathema to justice. The United States detains [2.3 million](#) people in prisons, jails, and confinement facilities, more than any other democratic nation. Racial, ethnic, and class disparities pervade the criminal legal system: American justice is far from equal. Our communities in turn bear an enormous human and fiscal toll. Countless families have been torn apart by over-policing and over-incarceration. Too many Americans are trapped in poverty and unable to contribute to their communities because of their criminal records. Many marginalized neighborhoods, particularly Black communities, face cycles of trauma, violence, and disinvestment, and are denied opportunities. Although state and local prosecutors work to protect their communities through targeted prosecution of serious crimes and offering services for survivors, survivors of crime still do not receive the care they deserve. And taxpayers pay an estimated [\\$182 billion](#) each year for our current system that throws away far too many lives as well as scarce resources. The

traditional punitive approach to prosecution has not made us safer and it has not brought justice. We urge the Biden-Harris Administration to help us chart a new path forward.

Every day, we fight for fairness and justice in our jurisdictions. We work in our jurisdictions to advance a new vision of justice, one in which all Americans are safe from harm and oppression, and empowered to collectively build a better future. We need allies and support in that fight. And we need national engagement.

Prosecutors possess far-reaching discretion to charge crimes, recommend bail, plea bargain, and recommend sentences. With this starting point in mind, it is not surprising that President Biden's [Plan for Strengthening America's Commitment to Justice](#) called for a "task force on prosecutorial discretion." Transforming prosecution must be at the heart of any effective criminal legal reform agenda.

Across the country over the past few years, a number of elected reform-minded prosecutors are boldly redefining what it means to be a prosecutor and how we can play a key role in a new [21st Century vision for prosecution](#). The prosecutorial profession, however, still has much to learn. In the model of the Presidential Task Force on 21st Century Policing, we need prosecutorial leaders at a state and local level to come together with justice-impacted people, defense attorneys, crime survivors, civil rights advocates, community and law enforcement leaders, researchers, Department of Justice representatives and other federal experts, and many others, to listen, share innovations, and together create a roadmap that can help promote the justice system our communities seek and deserve.

The American people have demanded change. The rallying cry to transform our criminal legal system stretches from the streets to [across the political aisle](#). We urge the Biden-Harris Administration to seize this moment and create a Presidential Task Force on 21st Century Prosecution soon; our communities are urging us all to act.

Most respectfully,

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