



CHALLENGING THE POWER OF PROSECUTORS IN THE **ARREST-TO-DEPORTATION PIPELINE**

WHY IS THIS IMPORTANT?

1. **DAs decide who gets charged and with what offenses.** DAs decide the severity of the charges and make recommendations about whether someone is sent to jail.
2. **DAs are often gatekeepers to the deportation pipeline.** A single conviction can lead to indefinite detention and deportation for even longtime lawful permanent residents.
3. **DAs have the power to promote public safety** by ensuring that all prosecutors understand the immigration consequences of their charging, plea and sentencing decisions and offer immigration neutral alternatives.

WHAT CAN BE DONE?

The DA's office can prevent courts from becoming a gateway to mass deportation by adopting reforms and practices that will ensure all community members, including noncitizens, are treated equally, and no one is disproportionately impacted by the criminal legal system.

- Ensure that all prosecutors implement policies that mandate the consideration of immigration consequences of criminal offenses.
- Prosecutors should work with defense attorneys to ensure immigration neutral case resolutions for noncitizen defendants.
- Establish programs that offer alternatives to convictions and incarceration.
- Federal immigration authorities use guilty pleas as grounds for deportation. Prosecutors should offer pre-arrest, pre-charge and pre-plea diversion programs to avoid a conviction for noncitizen defendants. Prosecutors should make decisions that will aid defendants in bettering their lives, instead of using jail as a blanket punishment. All defendants need equal access to diversion programs that will enable them to make the best decisions for themselves and their loved ones.
- Expand opportunities to erase the ongoing consequences of a conviction.
- The lingering consequences of a conviction, such as deportation, bars to employment and housing, can be far more severe than the jail sentence for defendants. DAs should create and expand opportunities to erase and mitigate the ongoing impact of past criminal convictions to keep immigrant families together and ensure that everyone has the opportunity for a second chance.