

Guest opinion: Utahns want post-election prosecutor accountability

Jason M. Groth, Smart Justice Coordinator at the ACLU of Utah

Deseret News

December 14, 2018

Link: <https://www.deseret.com/2018/12/14/20661096/guest-opinion-utahns-want-post-election-prosecutor-accountability>

The candidate pledges and promises of the recent election season are behind us, but the public accountability for Utah's newly-elected prosecutors is only beginning.

The 2018 campaigns for County Attorney and District Attorney across the state demonstrated that criminal justice reform is not the domain of a single political ideology. Prosecutor candidates from Republican, Democratic, and Libertarian parties weighed in on criminal justice reform issues. Even candidates who ran unopposed in their local elections voiced support for reform efforts.

This is important because prosecutors are powerful actors in the criminal justice system. They impact the trajectory of a criminal case more than anyone else in the courtroom, from the decision to file charges, to arguing bail amounts, to the details of a plea agreement. One of the most promising aspects of the prosecutor's power is the ability to improve the criminal justice system.

This year's prosecutor elections in Utah spawned a new and exciting emphasis on reforming our criminal justice system. Many candidates discussed alternatives to incarceration, prosecutorial oversight, and the disproportionate number of people of color in the criminal justice system. Most supported criminal justice reform ranging from past efforts like the Justice Reinvestment Initiative legislation, to future initiatives like creating Conviction Integrity Units to address wrongful convictions.

The fact that candidates for prosecutor jobs across the state repeatedly addressed issues like mass incarceration and combating racial disparities reveals that these are not only pressing policy concerns, but also issues that Utah voters care about.

During most elections, contests for county prosecutor do not attract widespread attention. That changed this year when we saw 275 people pack an auditorium to watch the Salt Lake County District Attorney Debate, and live-streamed video of the Republican primary debate for Wasatch's County's DA race garnered over 900 views. These two events, plus another well-viewed DA debate in Utah County, introduced

many voters to the unique and powerful position that a prosecutor holds in the justice system.

Now that more Utahns better understand the crucial role of prosecutors and the commitments made by candidates, it is time to see how elected prosecutors deliver on criminal justice reform.

Earlier this year, the Campaign for Smart Justice sent candidate questionnaires to every prosecutor candidate in Utah. Ten candidates in seven counties responded. Of the ten respondents, four won their election. Additionally, two who did not respond participated in debates sponsored by the Campaign for Smart Justice and the ABU Education Fund. That means that we know the positions and commitments on criminal justice reform issues for six elected county prosecutors with jurisdiction over almost 60% of the state's population. This provides a solid benchmark to evaluate prosecutors who have not entered the discussion.

The next four years will tell us which candidates made serious commitments and which candidates provided just lip service to addressing mass incarceration; one of the most significant issue facing the United States. We also look forward to their implementation of policies that address the significant racial disparities reflected in Utah's prison population. We are optimistic about their support for alternatives to incarceration to help people grappling with addiction, as well as treatment options for those suffering from mental health issues. And we welcome their support for transparent and accountable prosecutions within their offices.

If Utah is serious about criminal justice reform, then Utahns must be serious about prosecutor accountability. We have the next four years to continue advocating for reform from our local elected prosecutors while we hold them accountable to the statements and promises they made in their recent campaigns.

In a message directly to the newly-elected prosecutors, Utah's Campaign for Smart Justice stands ready to be your partner as we watch and evaluate how you implement changes in the courtroom for a fair and smart criminal justice system.

Jason Groth is the Smart Justice Coordinator at the ACLU of Utah.