



Press Release:

# The Association of Prosecuting Attorneys Responds to Erosion of Prosecutorial Independence and Separation of Powers

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***Prosecutors issue statement and policy brief on the importance of prosecutorial independence to uphold the rule of law, pursue justice and ensure safety***

**WASHINGTON, D.C., December 21, 2023--**The Association of Prosecuting Attorneys (APA), a national organization dedicated to supporting prosecutors, both elected and appointed, issued a statement and policy brief in response to recent actions that undermine prosecutorial independence and the ability of prosecutors to use their discretion to pursue justice and safeguard their communities.

To ensure the inclusion of diverse geographic and ideological perspectives, both the statement and brief were developed by a working group of over 50 members, including prosecutors, constitutional and ethics legal scholars, and allied partners.

The [Prosecutorial Independence Policy Brief](#) articulates the role and duties of the prosecutor as “ministers of justice,” and underscores the importance of prosecutorial decision-making and the exercise of discretion to ensure justice, fairness, accountability and community safety. The brief addresses the core tenets of our democracy, including the separation of powers.

Along with the policy brief, APA has released the following [statement](#):

*“We, as Chief Prosecutors from across the country, support and defend prosecutorial independence and the use of discretion to seek justice. These foundational values have served as the core of our justice system throughout the history of our Nation. We are troubled by recent efforts to limit the discretion and independence of prosecutors by some in the executive, legislative, and judicial branches. The integrity, legitimacy, and credibility of our justice system are eroded when prosecutors are denied the ability to exercise independent judgment.*

*As prosecutors, we are charged with the responsibility to exercise discretion in the pursuit of justice. We seek justice based upon a careful evaluation of the facts and the law. We work with our community partners to promote public safety. We must decide how best to use the limited resources provided to us to attain these important goals.*

*Prosecutors are not legislators and do not have the power to enact laws. Still, we may advise legislators about the impact of laws they pass on the criminal justice system, and advocate for the communities we serve.”*

The full statement can be found [here](#).

### **About The Association of Prosecuting Attorneys**

The Association of Prosecuting Attorneys is a national nonprofit organization whose mission is to support prosecutors in their efforts to create safer communities through a more just and equitable legal system. APA provides prosecutorial training and technical assistance for our membership, which is made up of elected and appointed prosecuting attorneys, law enforcement professionals and other criminal justice system actors. APA works across disciplines to increase public safety and eliminate disparities in the justice system by providing prosecutors with the most effective and innovative resources and guidance to better serve everyone in their communities.



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