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EDITORS’ NOTES
This Issue focuses on the power and discretion of local prosecutors. It is a topic that has finally started garnering the attention it deserves. The articles here show the scope of prosecutorial discretion that begins with arrest and charging decisions and extends long past judicial imposition of a sentence. Few major decisions in the criminal justice system can be taken without the assent or acquiescence of prosecutors.

The ongoing COVID-19 pandemic highlights the clout of prosecutors, as they can lead others in the system to act or impede change. COVID-19 outbreaks in correctional facilities could prove catastrophic in light of medical shortages and a detainee population already confronted with a vast array of health challenges. Some prosecutors, particularly in large cities, have taken the initiative in attempting to decrease custodial populations, as this Issue shows, and have worked collaboratively with jail superintendents, defenders, and the courts. Whether the impact of these measures will have a long-term effect on the criminal justice system remains to be seen.

Yet prosecutors are not the only influential players. Sometimes the courts cooperate and sometimes they don’t. Two of our authors, and a decision by the Virginia Supreme Court, remind us of the various ways in which the judiciary can present a hurdle or backstop to prosecutorial discretion and power.

This Issue also includes a tribute to Joan Petersilia, one of the most important criminologists of the last few decades. Her research in multiple areas, including prison alternatives and reentry, was pathbreaking. But her impact reached far beyond academia. She had a unique ability to translate academic scholarship into policy prescriptions, which earned her a place next to policy makers and politicians. While her much-too-early passing represents a major loss for criminal justice reform, her legacy sets the stage for its future. The three authors, who have been Joan’s colleagues on different projects, reflect on her work, its effects, and their relationships with her.

The next Issue, jointly produced by FSR Editor Jelani Jefferson Exum and Guest Editor Jalila Jefferson-Bullock, will explore the concept of aging out of crime and topics unique to punishment of the aging population. In particular, the Issue addresses issues such as the medical needs of elderly prisoners and how certain conditions, especially dementia, should provide the basis for release. Some of these themes will be a perfect follow-up to the coverage of health-related jail releases here.