NEW RESEARCH RELEASED BY HARVARD'S RAPPAPORT INSTITUTE INDICATES DISTRICT ATTORNEY'S POLICY TO STOP PROSECUTING MISDEMEANORS DID NOT INCREASE RECIDIVISM
Harvard Kennedy School Postdoctoral Fellow Analyzed Impact of Policy from Former District Attorney Rachael Rollins of Suffolk County, Massachusetts

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CAMBRIDGE, MA – Today, the Rappaport Institute for Greater Boston at the Harvard Kennedy School released new research showing that a policy from former District Attorney Rachael Rollins of Suffolk County, Massachusetts, to limit her office's prosecution of nonviolent misdemeanor offenses significantly reduced prosecution rates in those cases with no increase in recidivism.

The publication, *Presumptive Declination and Diversion in Suffolk County, MA,* by Felix Owusu, Postdoctoral Research Fellow at Harvard's [Program in Criminal Justice Policy and Management](#), finds that for cases impacted under Rollins' declination and diversion policy, prosecution rates declined by 5 percentage points on average. For cases involving nonviolent misdemeanors more generally, meaning those included on Rollins' "decline to prosecute" list and other misdemeanor crimes outside of the list, prosecution rates declined by nearly 10 percentage points. Prosecution rates declined substantially less for cases involving Black defendants, however, and decreases in prosecution rates were concentrated among a subset of offenses like driving with a suspended license. Owusu also finds that these decreases in prosecution rates were not associated with increases in overall reoffending or violent reoffending. [Read the full report here](#).

"Despite comprising most of the criminal caseload and posing a substantial cost on defendants and their communities, prosecuting nonviolent misdemeanor cases does not appear to prevent reoffending," said Felix Owusu. "This research builds on existing evidence that reducing the policing and criminal prosecution of nonviolent misdemeanors can eliminate these costs with limited risk to public safety."

After her inauguration in 2019, former DA Rollins implemented a policy that identified 15 common charges arraigning Assistant District Attorneys in her office should presumptively decline to prosecute or divert when possible. These [charges](#) include trespassing, shoplifting, disorderly conduct, minor driving offenses such as operating with a suspend license, and others. The policy indicated that instead of prosecuting, these cases should be dismissed prior to arraignment or diverted and treated as a civil infraction for which community service, restitution, or engagement with a community-based program is satisfactory.

According to Owusu, these changes reflect mounting evidence that relying on policing, criminal

prosecution, and incarceration to address non-violent offenses is costly, often ineffective at improving public safety, and exacerbates racial disparities. Some have argued, however, that offering leniency for even minor offenses could embolden people who commit crimes and lead to more serious misconduct. Owusu's research indicates that prosecuting non-violent misdemeanor offenses does not deter more serious repeat offending and that policymakers should consider alternatives to criminal prosecution that support communities in addressing the underlying causes of unwanted conduct.

About the Rappaport Institute for Greater Boston
The Rappaport Institute for Greater Boston works to improve the governance of Greater Boston by strengthening connections among the region's scholars, students, and civic leaders. A university-wide entity housed at the Harvard Kennedy School and affiliated with the School's Taubman Center for State and Local Government, the Institute pursues this mission by promoting emerging leaders, producing new ideas, and stimulating informed discussion. The Institute was founded and funded by the Phyllis and Jerome Lyle Rappaport Charitable Foundation which promotes emerging leaders in Greater Boston. Visit the Rappaport Institute website to learn more.

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