Introduction

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The *Dickinson Law Review* decided to devote this Symposium issue to a topic that permeates our public discourse in 2019: prosecutorial discretion. In recent years, public attention has grown increasingly more focused on prosecutorial decision-making. Recent events have produced public outcries against prosecutorial decisions to not charge the wealthy and powerful,[1] to overcharge and aggressively prosecute people of color,[2] and to refuse to charge petty offenses.[3] The major concerns underlying each of these outcries, whether well-founded or not, are that prosecutors have either weaponized their authority to an unlawful extreme or have completely abdicated their duties to seek justice.

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1. *See* Jeannie Suk Gersen, *Why Didn't the Manhattan D.A. Cyrus Vance Prosecute the Trumps or Harvey Weinstein?*, New Yorker (Oct. 13, 2017), http://bit.ly/2PhEDcB [https://perma.cc/4XBG-C4P2].

2. *See* Paul Butler, *US Justice Is Built to Humiliate and Oppress Black Men. And It Starts with the Chokehold*, Guardian (Aug. 11, 2017), http://bit.ly/2KJ4r2V [https://perma.cc/X8E6-YHV4].

3. *See* Anthony M. DeStefano, *De Blasio, NYPD Criticize DA's Policy to Not Prosecute Fare-Beaters*, Newsday (Feb. 7, 2018), https://bit.ly/2toVOPv [https://perma.cc/UY32-E3BD]; Maria Cramer, *DA Candidate Rachael Rollins Hailed Nationally, but Locally Her Plan Not to Prosecute Petty Crimes Alarms Some*, Bos. Globe (Sept. 13, 2018), http://bit.ly/2UkH8fm [https://perma.cc/B5LH-TPU7].

Prosecutors are key actors within our justice system, and they possess enormous amounts of power. The American legal system understands and values the complexity of prosecutorial decision-making. [4] Prosecutors must make difficult decisions, often in the face of serious pressure. This issue of the *Dickinson Law Review* examines various aspects of those decisions in a wide array of contexts. Some of the articles highlight the complexity of prosecutorial decision-making; others shine light on prosecutorial decisions that, although not illegal, remain questionable; and others call into question prosecutorial conduct that can arguably be deemed unlawful.

We did not establish a clear set of topics when we began building this Symposium. Instead, we recruited leading scholars and gave them wide latitude in deciding how they wished to contribute their scholarship. We invited scholars whose work focuses not only on prosecutorial decision-making but on areas of the law from which we can transfer valuable lessons. Much to our delight, our open-ended approach produced a compilation of scholarship that cavasses some of the more vexing prosecutorial-discretion issues in 2019 through a solutions-oriented approach. With this Symposium, we hope to continue the *Dickinson Law Review*'s long-standing tradition of advancing public discourse towards meaningful and just results.

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4. *See, e.g.*, Díaz-Colón v. Fuentes-Agostini, 786 F.3d 144, 151 (1st Cir. 2015) ("[T]he purpose of affording prosecutors absolute immunity [is] to insulate prosecutorial discretion and resources from the threat of litigation." (citing Van de Kamp v. Goldstein, 555 U.S. 335, 345 (2009))).