RESOLVED, That the American Bar Association urges the United States Department of
Justice to reconsider the guidelines contained in its May 10, 2017 Memorandum
regarding charging and sentencing policies and to utilize the *ABA Standards on the
Prosecution Function (2015)* in revising the guidelines;

FURTHER RESOLVED, That all prosecuting authorities should adopt and pursue
charging policies that are consistent with the *ABA Standards on the Prosecution Function
(2015)*; assess each case individually to determine whether, under the totality of the
circumstances -- including a defendant’s leadership role in the offense, use or threat of
violence, significant criminal history, ties to large-scale criminal organizations or serious
victim injury -- charging the most serious, readily provable offense is likely to achieve
justice in the individual case; and prohibit filing of charges and recidivist
enhancements simply to exert leverage to induce a guilty plea,

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charging policies that are consistent with the *ABA Standards on the Prosecution Function
(2015)*; assess each case individually to determine whether, under the totality of the
circumstances, charging the most serious, readily provable offense is likely to achieve
justice in the individual case; prohibit filing of charges and recidivist enhancements
simply to exert leverage to induce a guilty plea, and prohibit seeking mandatory
minimum sentences unless required by law or justified by such factors as: a defendant’s
leadership role in the offense, use or threat of violence, significant criminal history, ties
to large-scale criminal organizations or serious victim injury.