



**BRENT TAYLOR**  
STATE SENATOR, DISTRICT 31  
SHELBY COUNTY

LEGISLATIVE OFFICE:  
714 CORDELL HULL BUILDING  
425 5<sup>th</sup> AVENUE, NORTH  
NASHVILLE, TENNESSEE 37243-0154  
(615) 741-3036  
FAX: (615) 253-0266  
EMAIL: sen.brent.taylor@capitol.tn.gov

**MEMBER OF COMMITTEES**

JUDICIARY  
TRANSPORTATION  
GOVERNMENT OPERATIONS

DISTRICT OFFICE:  
10390 GRAYBOURNE DRIVE  
EADS, TN 38028  
(901) 461-7500

## Tennessee State Senate

NASHVILLE

December 12, 2023

Mr. Stephen Crump  
Tennessee District Attorneys Conference  
226 Anne Dallas Dudley Blvd, Suite 800  
Nashville, TN 37243

Dear Steve,

Recently, the Shelby County District Attorney highlighted that over 100 of his staff gathered to attend a three-day training session with an outfit called Justice Innovation Lab to explore data informed prosecution and criminal justice reform. District Attorney General Mulroy suggests Judicial Innovation Lab is a national organization that works with leaders to use data to create a more equitable, effective, and fair justice system.

Based upon my research, I am very skeptical of the Judicial Innovation Lab. It appears they are an organization committed to decreasing prosecutions and incarceration rates. Unable to obtain their so-called restorative justice agenda legislatively, they seek to make inroads at the local level by finding willing accomplices to undertake fundamental changes to our criminal justice system.

This organization's stated goal is to "redefine justice"; however, defining justice is the exclusive role of the General Assembly. The Judicial Innovation Lab's solution is to encourage increased leniency in the criminal justice system in a misguided effort to fix purported social inequalities. Their goal of redefining justice is clearly supported by the Shelby County District Attorney based upon his recent actions.

Moreover, in March of this year, the Shelby County District Attorney's office announced a "partnership" with the Vera Institute. General Mulroy stated the, "[Vera Institute] can help us use local data and national best practices to devise a plan to address our most pressing crime issues. A plan which, unlike the past decade's 'throw away the key' approach, can be both humane and actually work."

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Upon research, I learned the Vera Institute of Justice openly advocates the drastic reduction in the use of jails, prisons, and detention centers. Furthermore, I have learned they now provide the Vera Institute's "Ability to Pay" Calculator to Shelby County which is in wide use by our judges and judicial commissioners. On their website, the Vera Institute indicates this "tool will help ensure that bail is less burdensome and punitive on the path to eliminating bail". This is one reason it appears bail is the only thing in Shelby County which has not been impacted by persistent inflation. At a time when my home, Memphis, can least afford to allow our criminal justice system to become even more of a revolving door, our district attorney and his restorative justice partners are working to remove the consequences government can provide the criminal element to protect the public.

I am also concerned with an organization calling themselves Just City whose stated goal is to abolish bail at the state level. Particularly, I am curious if they play an outsized role in the restorative justice schemes being advanced by the Shelby County District Attorney's office and our judicial system in Shelby County. Specifically, do they have exclusive access to real-time bail data and what advance knowledge do they have in shaping information that is ultimately released to the public? Do they analyze and manipulate the data for the District Attorney's office before it is released? Moreover, I would like to know if any other organizations have been denied access to the same data that is allegedly being provided to Just City.

The General Assembly has worked to strengthen our criminal justice system by passing tougher truth in sentencing laws, enhancing the appeals process for capital offenses, strengthening Tennessee's RICO statute, providing \$17 million to increase the pay for our state's assistant district attorneys to secure more prosecutions, and appropriating \$50 million as a down payment for a new state prison. Additionally, currently pending before the General Assembly is a juvenile blended sentencing bill and automatic transfers of juveniles to adult court for certain offenses, among other crime fighting measures.

It is disturbing to witness the Shelby County District Attorney partner with outside organizations whose stated mission is to reform our criminal justice system in a way that conflicts with the goals of the General Assembly as shown through its laws and policies. Not only does this undermine the General Assembly's goals, but it also undermines the will of Tennesseans through their elected representatives and is making this state and my home county significantly more dangerous.

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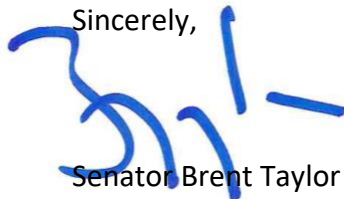
As a member of the Senate Judiciary Committee, I am requesting copies of all agreements, memorandums of understanding, contracts, work products, strategic planning documents, recommendations, and/or grant requests entered into, or provided to the Shelby County District Attorney with any outside agencies.

If any programs and initiatives are funded by private sources, I am requesting full disclosure of the private funding sources and their financial contributors. The public has a right to know if private funds are being used to transform our criminal justice system from one designed to protect the public into a system designed to protect the criminal.

It is my intent to request that the judiciary committee review the documents to determine if they are consistent with our state laws, policies, and directives of the state of Tennessee. Moreover, any engagement of outside agencies by a district attorney should be to the further the prosecutorial duties of the office which do not include embarking on a restorative justice campaign. The public welfare demands we know whether the people's will, as enacted by the legislature, is being subverted by the purpose of his office. Our citizens deserve to know if they are being used in a restorative justice experiment.

Thank you in advance for attention to this matter. Should you have any questions regarding my request, please contact my office.

Sincerely,



Senator Brent Taylor  
District 31

cc: Lt. Governor Randy McNally  
Speaker of the House Cameron Sexton  
Senate Judiciary Committee Chairman Todd Gardenhire  
Tennessee Attorney General Jonathan Skrmetti

Enclosures