RESTORATIVE JUSTICE:

Restorative justice in the justice system emphasizes the way in which crime harms relationships among people who live in a community and ways to repair that harm. Crime is seen as a wound that affects victims and communities, rather than simply a violation of law. Restorative justice invites those most directly impacted by a crime—offenders, victims, and community members—to come together to talk about what happened, who was impacted and how, and to collaborate about ways to move forward in an effort to heal the harm and put things as right as possible. The offender is encouraged to take direct responsibility for their actions. (Restorative Justice Collaborative of Utah)

UAGO Prosecutors are committed to staying informed with all current developments in Restorative Justice programs and implementing those where appropriate.

AGO Prosecutors will at all times strive to comply with the following key Principles of Restorative Justice:

1) Crime causes harm and justice should focus on repairing that harm.

2) The people most affected by the crime should be able to participate in its resolution.

3) The responsibility of the government is to maintain order and of the community to build peace.

AGO Prosecutors, in every case, will attempt to:

1) Identify and take steps to repair harm,

2) Involve all stakeholders in the resolution of criminal case,

3) consider the relationship between the community and the government in responding to crime.

Restorative Justice is not meant to curtail prosecutorial discretion, but rather to provide guidance on the interests and desires of all parties involved.

Nothing in this policy is to be construed as giving a cause of action to parties for failure to comply with the principles outlined herein.
Victims

1) AGO Prosecutors will at all times comply with Article 1, Section 28 of the Utah Constitution, and Utah Code § 77-37, § 77-38, and § 77-38a.

2) Victims will be kept informed of the services and rights they possess.

3) Victims will be kept apprised of the status of their case.

4) Where allowed by law, victims will be allowed to be present at all hearings and offer testimony where appropriate as to the impact of the crime upon them.

5) Where appropriate, prosecutors will support victim-offender encounter programs.
   A) This can include victim-offender mediation, victim-offender panels, circles, conferencing, etc.

Offenders

1) Prosecutors should provide the opportunity for offenders to provide an apology to all victims.

2) In addition to traditional sanctions, Prosecutors should consider negotiating elements focused on changing offender behavior.
   A) This may include, but is not limited to, requiring offenders to enter treatment programs, attend school, relocate to avoid old associates, etc.

3) Except where barred by statute, prosecutors should consider the appropriateness of diversions in all cases

4) Prosecutors should always seek restitution for the harm caused. All restitution shall be paid first to the victims of the offense in compliance with Utah Code § 77-38a.