



1 RESTORATIVE JUSTICE:

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

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

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

- 13 1) Crime causes harm and justice should focus on repairing that harm.  
14 2) The people most affected by the crime should be able to participate in its resolution.  
15 3) The responsibility of the government is to maintain order and of the community to build  
16 peace.

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18 AGO Prosecutors, in every case, will attempt to:

- 19 1) Identify and take steps to repair harm,  
20 2) Involve all stakeholders in the resolution of criminal case,  
21 3) consider the relationship between the community and the government in responding to  
22 crime.

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

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

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29 Victims

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

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

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

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

36 5) Where appropriate, prosecutors will support victim-offender encounter programs.

37 A) This can include victim-offender mediation, victim-offender panels, circles,  
38 conferencing, etc.

39 Offenders

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

41 2) In addition to traditional sanctions, Prosecutors should consider negotiating elements focused  
42 on changing offender behavior.

43 A) This may include, but is not limited to, requiring offenders to enter treatment  
44 programs, attend school, relocate to avoid old associates, etc.

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

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