**Prosecutor Policies for the**

**Salt Lake county district attorney’s office**

1. **Screening and filing criminal charges**

Screening is the process which includes a determination to initiate or pursue criminal charges. The decision to initiate or pursue criminal charges is framed within the applicable statutes, laws, rules of evidence, and Constitutions of Utah and the United States coupled with adherence to office policies, professional ethics, standards and the discretion of the prosecutor.

The screening of charges for criminal filing is the presentment of alleged conduct by local law enforcement agencies to this office. The filing of charges is a factual articulation of alleged conduct, along with admissible evidence and applicable law as promulgated by the legislature. Prosecutors are reminded that the filing of charges are allegations, not a proof guilt. In this capacity, and at this stage, prosecutors are encouraged to treat all such presentments equally in the application of the law.

A prosecutor should seek or file criminal charges only if the prosecutor reasonably believes that the charges are supported by probable cause, that admissible evidence will be sufficient to support conviction beyond a reasonable doubt, that the decision to charge is in the interests of justice, and that there is a reasonable likelihood of securing a conviction at trial.

If a prosecutor has significant doubt about the guilt of the accused or the quality, truthfulness, or sufficiency of the evidence in any criminal case assigned to the prosecutor, the prosecutor should disclose those doubts to a supervisor staff. The District Attorney Office should then determine whether it is appropriate to proceed with the case.

A prosecutor should not file or maintain charges if they believe the defendant is innocent, regardless of the evidence provided.

Prosecutors in the Salt Lake County District Attorney Office are not obligated to file all possible charges which available evidence supports. The prosecutor may properly exercise discretion to present only those charges which are consistent with the evidence and in the interests of justice. The prosecutor shall not attempt to use the charging decision as a leverage device (i.e., overcharging) to obtain a guilty plea to a lesser charge. Also, to be avoided is the charging of an excessive number of counts or informations merely to provide sufficient leverage to persuade a defendant to enter a guilty plea to one or several charges.

Among the factors which the prosecutor may consider in making the charging decision include but are not necessarily limited to:

1. Nature of the offense;
2. History of the offender;
3. Doubt as to the guilt of the accused;
4. The interest and expressed wishes of the victim;
5. Any mitigating circumstances;
6. Any provisions for restitution;
7. Excessive costs of prosecution in relation to the seriousness of the offense;
8. Possible deterrent value of the prosecution;
9. Aid to other prosecutorial goals through non-prosecution;
10. The age of the case;
11. Insufficiency of admissible evidence to support a case;
12. Attitude, physical and mental state of the defendant;
13. Treating similarly situated defendants the same;
14. Recommendations of the involved law enforcement agency;
15. Possible improper motives of a victim or witness;
16. A history of non-enforcement of a statute or ordinance;
17. Likelihood of prosecution by another criminal justice authority;
18. The availability of suitable diversion programs; and
19. Undue hardship caused to the accused.

Following a careful consideration of all the above factors and variables, if a prosecutor declines prosecution in a particular case, the prosecutor is encouraged to state the reasons in a declination letter. This document, in addition to providing a case screening record for our office, is utilized to notify law enforcement agencies and victims of the disposition of a criminal incident and the reasons for the decision. Prosecutors should be aware that the declination letter may, in some instances, be made public and should therefore continue to use good judgment and clarity in their wording of the document. All screening decisions where the victim has requested to be kept informed shall be communicated to the victims of a crimes. Where appropriate the decisions may be communicated by writing or by meeting with victims in person if requested.

The Salt Lake County District Attorney Office strives to ensure a fair, just and unbiased review of cases without regard to race, ethnicity, sex, religion, national origin, disability, age, sexual orientation, gender identity, political affiliation, or socioeconomic status. It is the office policy to not isolate nor identify any case by such factors in the screening process or decisions except to the extent it is a material element of a case (i.e. in cases involving hate crimes or sexual assaults where such information may be a necessary part of the police report or elements of a crime).

**Rescreening-** All declinations may be re-screened if new or additional evidence not available at the initial screening is discovered and the statute of limitations has not run out. Upon a written request to rescreen by a victim or law enforcement agency, the Salt Lake County District Attorney Office will assign a division director or chief deputy in the justice division to re-screen any case, subject to review of the elected District Attorney. The District Attorney is willing to meet with victims who wish to appeal a declination during a scheduled appointment on one of the weekly community meetings held each Friday.

**Specialized Screenings-** The Salt Lake County District Attorney Office has within its organization specialized teams or work groups focusing upon specific areas of the law where subject matter expertise and knowledge may be critical to informed decision making. In such matters, specialized screenings or team screenings may be used depending upon the nature and subject matter involved. These may include, but are not limited to: Homicide, Sexual Assaults, Domestic Violence, Child Sexual and Physical Abuse, Political Corruption, Offenses Committed by Law Enforcement, White Collar Crime, Major Accidents Resulting in Serious Injury or Death, Environmental Crimes, or High Interest/Impact Cases. If there are novel issues, genuine questions as to issues of law or fact in the filing of a case then attorneys and supervisors are requested to bring the matter for review at the Pleas and Resolutions Committee (PARC). This committee is made up of all supervising attorneys, Division Directors, Chief Deputies and the Elected District Attorney to review, assist and discuss the matter before a final decision is made.

**Blind Screenings-** When there is a genuine question as to the notoriety of the alleged suspect the office may, under the direction of the elected District Attorney or a chief deputy, utilize a “blind screening” where the name and any identifying information of the alleged suspect is redacted so as to only focus upon the elements of the crime separate from the individual to insure a fair and unbiased decision.

1. **plea NEGOTIATIONS**

The purpose of plea negotiations is to ensure an informed decision by both the prosecution and the accused. This requires the sharing of information liberally, gathering of input from all impacted parties, and understanding the policy objectives behind the particular prosecution. The prosecutor should always be open to compromise where a just outcome can be agreed upon by both sides from a position of equity and voluntary choices than a coerced outcome. This is particularly hard in an adversarial system; however, one role of the prosecutor is to create an opportunity for an informed decision by the accused and the accused’s counsel.

Plea negations provide an opportunity to achieve procedural justice. Procedural justice is achieved where parties in an adversarial system, regardless of the outcomes, feel they were heard, seen, and responded to in a respectful manner. The presumption of innocence and the prosecutor’s burden of proof dictate that a prosecutor act with the utmost respect and professionalism in interactions with the accused and defense counsel. This affirmative responsibility is the domain of a public prosecutor regardless of the response of the accused or defense counsel. This standard of professionalism comes with the prosecution privilege and it is the expectation of this office for all those who work here.

The prosecutor should be open, at every stage of a criminal matter, to discussions with defense counsel concerning disposition of charges by guilty plea or other negotiated disposition. A prosecutor should not engage in plea negotiations directly with a represented defendant. Where a defendant has properly waived counsel, the prosecutor may engage in plea negotiations with the defendant and should make and preserve a record of such discussions. Consistent with the Utah Constitution and the philosophy of the Salt Lake County District Attorney Office the prosecutor shall solicit input from the victim and consult with the victim during the plea negotiation process.

The prosecutor should not enter into a plea agreement before having enough information to assess the defendant’s actual culpability. The prosecutor should consider collateral consequences of a conviction before entering into a disposition agreement. The prosecutor should consider factors listed in the office policy on screening and filing criminal charges and not be influenced in disposition discussions by inappropriate factors such as the defendant’s race, ethnicity, sex, religion, national origin, disability, age, sexual orientation, gender identity, political affiliation, or socioeconomic status.. A prosecutor should not use other improper considerations, such as partisan or political or personal considerations, in exercising prosecutorial discretion or in plea negotiations.

The prosecutor should not set unreasonably short deadlines, or demand conditions for a disposition, that are so coercive that the voluntariness of a plea or the effectiveness of defense counsel is put into question. A prosecutor may, however, set a reasonable deadline before trial or hearing for acceptance of a disposition offer. A prosecutor should not knowingly make false statements of fact or law during plea negotiations.

Before entering into a plea agreement, the prosecutor should disclose to the defense a factual basis sufficient to support the charges in the proposed agreement, and information currently known to the prosecutor that tends to negate guilt, mitigates the offense or is likely to reduce punishment. A prosecutor should not agree to a guilty plea if the prosecutor reasonably believes that there would not be enough admissible evidence to support conviction beyond reasonable doubt if the matter went to trial.

A prosecutor should not demand terms in a negotiated disposition agreement that are unlawful or in violation of public policy. The prosecutor may properly promise the defense that the prosecutor will or will not take a position concerning sentence and conditions. The prosecutor should not, however, imply a greater power to influence the disposition of a case than is possessed. The prosecutor should memorialize all promises and conditions that are part of the agreement and ensure that any written disposition agreement accurately and completely reflects the precise terms of the agreement including the prosecutor’s promises and the defendant’s obligations. At any court hearing to finalize a negotiated disposition, the prosecutor should ensure that all relevant details of the agreement have been placed on the record. The presumption is that the hearing and record will be public, but in some cases the hearing or record (or a portion) may be sealed for good cause.

Once a plea agreement is final and accepted by the court, the prosecutor should comply with, and make good faith efforts to have carried out, the government’s obligations. The prosecutor should construe agreement conditions, and evaluate the defendant’s performance including any cooperation, in a good-faith and reasonable manner. If the prosecutor believes that a defendant has breached an agreement that has been accepted by the court, the prosecutor should notify the defense regarding the prosecutor’s belief and any intended adverse action. If the defense presents a good-faith disagreement and the parties cannot quickly resolve it, the prosecutor should not act before judicial resolution. If the prosecutor reasonably believes that a court is acting inconsistently with any term of a negotiated disposition, the prosecutor should raise the matter with the court.

A prosecutor should not condition a plea agreement on a waiver of the right to appeal the terms of a sentence which exceeds an agreed-upon or reasonably anticipated sentence. Any waiver of appeal of sentence should be comparably binding on the defendant and the prosecution. A prosecutor should not suggest or require, as a condition of a plea agreement, any waiver of post-conviction claims addressing ineffective assistance of counsel, prosecutorial misconduct, or destruction of evidence, unless such claims are based on past instances of such conduct that are specifically identified in the agreement or in the transcript of proceedings that address the agreement. If a proposed plea agreement contains such a waiver regarding ineffective assistance of counsel, the prosecutor should ensure that the defendant has been provided the opportunity to consult with independent counsel regarding the waiver before agreeing to the disposition. A prosecutor may propose or require other sorts of waivers on an individualized basis if the defendant’s agreement is knowing and voluntary. No waivers of any kind should be accepted without an exception for manifest injustice based on newly discovered evidence, or actual innocence. A prosecutor should not request or rely on waivers to hide an injustice or material flaw in the case which is undisclosed to the defense.

1. **sentencing recommendations**

Prosecutors retain the discretion to negotiate sentencing recommendations subject to the general standards for plea agreements. In all cases where a victim has sustained a loss, it is the responsibility of the prosecutor who handles the sentencing hearing to be familiar with the victim’s restitution request and, within the bounds of applicable legal and ethical standards to aggressively request from the sentencing judge restitution on behalf of the victim. If information regarding restitution is not available or is not complete at the time of sentencing, the prosecutor may request that restitution be reserved for the period allowed by statute and may file a motion requesting restitution during that time. This shall be the policy even when the defendant is sentenced to a lengthy period of incarceration.

A prosecutor’s effectiveness is not measured by the severity of sentences obtained. Very few offenses in Utah have mandatory prison with presumptive minimum terms. Prosecutors should be familiar with Utah’s sentencing guidelines, the sentencing matrices, and what they recommend for the specific case. The sentencing guidelines are meant to be a guide to prosecutors, defendants, and the court. The prosecutor should seek to assure that a fair and informed sentencing judgment is made, and to avoid unfair sentences and disparities. When a prosecutor believes that relevant factors justify a departure from the sentencing guidelines, whether upward or downward, the prosecutor should identify articulate those factors to the court.

Throughout the pendency of the case, the prosecutor should evaluate potential consequences of the prosecution and available sentencing options, such as forfeiture, restitution, and immigration effects, and be prepared to actively advise the court in sentencing. Victims have a right to be heard at sentencing and prosecutors should maintain contact with the victim to ensure that the court is aware of the victim’s perspective before imposing sentence.

The prosecutor should assist the court in obtaining complete and accurate information for use in sentencing and should cooperate fully with presentence investigations. The prosecutor should provide any information that the prosecution believes is relevant to the sentencing to the court and to defense counsel. A record of such information provided to the court and counsel should be made, so that it may be reviewed later if necessary. If material incompleteness or inaccuracy in a presentence report comes to the prosecutor's attention, the prosecutor should take steps to present the complete and correct information to the court and defense counsel.

The prosecutor should disclose to the defense and to the court, at or before the sentencing proceeding, all information that tends to mitigate the sentence and is known to the prosecutor, unless the prosecutor is relieved of this responsibility by a court order. Prior to sentencing, the prosecutor should disclose to the defense any evidence or information it provides, whether by document or orally, to the court or presentence investigator in aid of sentencing.

1. **discovery practices**

It is the practice of this office to disclose appropriate evidence to defense counsel at the earliest opportunity once a case is filed. A prosecutor should timely respond to legally proper discovery requests and make a diligent effort to comply with disclosure obligations, unless otherwise authorized by a court. When the defense makes requests for specific information, the prosecutor should provide specific responses rather than merely a general acknowledgement of discovery obligations. The prosecutor should make prompt efforts to identify and disclose to the defense any physical evidence that has been gathered in the investigation and provide the defense a reasonable opportunity to examine it. A prosecutor should not avoid pursuit of information or evidence because the prosecutor believes it will damage the prosecution's case or aid the accused.

The prosecutor should diligently seek to identify all information in the possession of the prosecution or its agents that tends to negate the guilt of the accused, mitigate the offense charged, impeach the government’s witnesses or evidence, or reduce the likely punishment of the accused if convicted. The prosecutor should diligently advise other governmental agencies involved in the case of their continuing duty to identify, preserve, and disclose to the prosecutor information described. Before trial of a criminal case, a prosecutor should make timely disclosure to the defense of information described herein that is known to the prosecutor unless relieved of this responsibility by a court’s order. A prosecutor should not intentionally attempt to obscure information disclosed pursuant to this standard by including it without identification within a larger volume of materials.

The obligations to identify and disclose evidence continue throughout the prosecution of a criminal case.

Prosecutors must be alert to problems experienced by police agencies in providing all case police reports to the District Attorney’s office. Particularly in major cases, prosecutors should utilize the following tools to ensure that all reports that should be disclosed are received by this office and disclosed to the defense:

1. Review information in the police data system regarding reports written;
2. Contact investigating officer or detective and request they go to their agency records section and verify they have all reports currently on file for that case in their agency.
3. Meet in person with the investigating officer or detective to assure that all reports have been provided;
4. Contact defense counsel and offer them the opportunity to review District Attorney Office case file materials to assure that all discovery has been provided to the defense. Document in the case file and in the District Attorney Office case management system that the prosecutor has done this for the defense.

In order to maintain the highest possible ethical standards and to adhere to the constitutional principles announced in [*Brady v. Maryland*](https://supreme.justia.com/cases/federal/us/373/83/case.html) and its progeny including [*Giglio v. United*](https://supreme.justia.com/cases/federal/us/405/150/case.html)[*States*](https://supreme.justia.com/cases/federal/us/405/150/case.html) *and* [*Kyles v. Whitley*](https://supreme.justia.com/cases/federal/us/514/419/)*,* it is necessary for the Salt Lake County District AttorneyOffice to develop and maintain policy, protocol and a uniform system to ensure compliance with the Utah Rules of Criminal Procedure. All prosecutors are required to know and follow the policy, protocols and procedures described herein and the relevant law concerning obligations arising from the decision in *Brady*.

To ensure the fair administration of justice, prosecutors have an affirmative obligation in all cases to disclose potentially exculpatory information to a charged defendant. Compliance with the constitutional mandate set forth in *Brady* is also an ethical requirement for Utah prosecutors. Utah Rule of Criminal Procedure 16(a)(4) states that prosecutors must disclose “evidence known to the prosecutor that tends to negate the guilt of the accused, mitigate the guilt of the defendant, or mitigate the degree of the offense for reduced punishment.”

Certain information regarding state witnesses which may be discoverable as impeachment evidence will be maintained in the office pursuant to our Brady/Giglio protocol. State witnesses with possible impeachment material may include members of law enforcement, personnel employed by the State Forensic Laboratory, AP&P agents, and members of the Medical Examiner’s Office who are likely to testify in a Salt Lake County trial.

The office database acts as a centralized repository for potentially discoverable impeachment information about referenced state witnesses in possession of the District Attorney’s Office. The goal is to allow all prosecutors in all divisions to have access to this material when needed on a case by case or institutional basis while at the same time respecting the privacy and personnel interests of the state witnesses and agencies involved. By utilizing a central computerized database, with automatic notification to case prosecutors, lapses in discovery obligations will be prevented that might otherwise be caused by factors such as the passage of time and reassignment of case prosecutors and investigators.

Release of possible impeachment materials to defense counsel is not a stipulation as to the admissibility of such information. In many cases it is likely the information, although required to be disclosed, will be found to be inadmissible at trial. Inclusion in the database does not mean that a state witness will never be called to testify. It is not a comment on the individual’s personal reputation or capacity to serve the public.

1. **prosecution of juveniles**

The juvenile prosecutor is charged to seek justice just as in adult prosecutions. The prosecutor in the juvenile system, however, is further charged to give special attention to the interest and needs of the accused juvenile to the extent that it does not conflict with the duty to fully and faithfully represent the interests of the state. This call for special attention reflects the philosophy that the safety and welfare of the community is enhanced when juveniles, through counseling, restitution, or more extensive rehabilitative efforts and sanctions, are dissuaded from further criminal activity. A prosecutor should appear at all hearings concerning a juvenile accused of an act that would constitute a crime if he or she were an adult. The primary duty of the prosecutor is to seek justice while fully and faithfully representing the interests of the state. While the safety and welfare of the community, including the victim, is their primary concern, prosecutors should consider the special interests and needs of the juvenile to the extent they can do so without unduly compromising their primary concern.

The juvenile prosecutor should review cases to decide whether a petition should be filed. If the facts are not legally sufficient to warrant a petition, the matter should be terminated or returned to the referral source pending further investigation or receipt of additional reports.

Even if a juvenile’s offense is legally eligible for a certification petition, the prosecutor should review legally sufficient cases to determine whether they should be subject to a certification petition, filed formally with the juvenile court, or diverted for treatment and services. When making a decision whether to request to certify a juvenile to district court, a prosecutor should consider, among other factors, whether the gravity of the current alleged offense or the record of previous delinquent behavior reasonably indicates that the treatment services and dispositional alternatives available in the juvenile court are inadequate to protect the safety and welfare of the community and inadequate for dealing with the juvenile’s behavior.

In determining whether to file formally or divert, the prosecutor should consider the following factors in deciding what disposition best serves the interests of the community and the juvenile:

a. The seriousness of the alleged offense, including whether the conduct involved violence or bodily injury to others;

b. The role of the juvenile in that offense;

c. The nature and number of previous cases presented by law enforcement or others against the juvenile, and the disposition of those cases including compliance with probation;

d. The juvenile’s age, maturity, and mental status;

e. The existence of appropriate treatment or services available through Juvenile Justice Services;

f. Whether the juvenile admits guilt or involvement in the offense charged, and whether he or she accepts responsibility for the conduct;

g. The dangerousness or threat posed by the juvenile to the person or property of others, including the number of victims;

h. The decision made with respect to similarly situated juveniles;

i. The provision of financial restitution to victims; and

j. Recommendations of the referring agency, victim, law enforcement and advocates for the juvenile.

k. Whether there was deliberate cruelty or permanent injury to the victim;

l. Whether the offender exploited a vulnerable victim, defined as including the very young, elderly, disabled, etc.

Consistent with the Utah Constitution and the philosophy of the Salt Lake County District Attorney’s Office, the assigned deputy district attorney and or victim’s advocate should solicit input from, and consult with, the victim

The prosecutor should be responsible for recommending which cases should be diverted from formal adjudication. Treatment, restitution, or public service programs may be utilized, or the case can be referred to existing probation or community service agencies. No case should be diverted if the prosecutor believes that he or she could not substantiate the charge against the juvenile by admissible evidence at a trial.

At the adjudicatory hearing the prosecutor should assume the traditional adversarial role of a prosecutor. The prosecutor should also take an active role in dispositional hearings and make a recommendation to the court after reviewing reports prepared by prosecutorial staff, the probation department, and others. In making recommendations, the prosecutor should consider those dispositions that most closely meet the interests and needs of the juvenile offender except when inconsistent with community safety and welfare. The prosecutor should make the court aware of the impact of the juvenile’s conduct on the victim and the community. Prosecutors should periodically review diversion and dispositional programs to ensure that they provide appropriate supervision, treatment, restitution requirements, or services for the juvenile. The prosecutor should maintain a working relationship with all outside agencies providing diversion and dispositional services to ensure that the prosecutor’s decisions are consistent and appropriate. If the prosecutor discovers that a juvenile or class of juveniles is not receiving the care and treatment envisioned in disposition or diversion decisions, the prosecutor should inform the court of this fact.

If the prosecutor becomes aware that the sanctions imposed by the court are not being administered by an agency to which the court assigned the juvenile or that the manner in which the sanctions are being carried out is inappropriate, the prosecutor should take all reasonable steps to ensure agency supervisors are informed and appropriate measures are taken. If the situation is not remedied, it is the duty of the prosecutor to report this concern to the agency and, if necessary, to the dispositional court.

1. **fines, Fees, and Restitution**

The budget for the District Attorney Office is independent of and unrelated to revenues resulting from law enforcement and criminal justice activities such as fines, forfeitures, and fees. When recommending fines or fees, prosecutors should consider whether such are statutorily required, the current uniform fine schedule, the defendant’s apparent ability to pay, and other obligations which may be imposed on the defendant such as restitution, supervision fees, and costs of treatment. In cases where a victim has suffered pecuniary loss, restitution should take precedence over fines and fees.

“The Crime Victims Restitution Act requires courts to order restitution when a defendant enters into a plea disposition or is convicted of criminal activity that has resulted in pecuniary damages.” State v. Ogden, 2018 UT 8 ¶26. Additionally, Utah Code relies on prosecutors to indicate to the court when restitution should be ordered. See Utah Code Ann. §77-38a-204 (“The Judicial Council shall design and publish a financial declaration form to be completed by a defendant in a case where the prosecutor has indicated that restitution may be ordered”). It is important for prosecutors to familiarize themselves with the Crime Victims Restitution Act.

It is the policy of this office to seek restitution equaling the amount of economic loss for victims of all types of crimes. In so doing, it is not intended that such restitution will supersede or obviate any civil claims a victim might make against a defendant.

In all cases where a victim has sustained a loss, it is the responsibility of the prosecutor who handles the sentencing hearing to be familiar with the victim’s restitution request and to aggressively request from the sentencing judge restitution on behalf of the victim. This shall be the policy even though the defendant is sentenced to a lengthy period of incarceration.

In cases where more than one defendant is held responsible for a criminal act causing an economic loss, it is generally the position of this office to hold all defendants jointly and severally liable for the payment of restitution. Therefore, judges should be requested to pronounce judgments in such a way that, in the absence of mitigating circumstances, all defendants are held equally liable for a victim’s losses.

Restitution to victims is an important part of a defendant’s sanctions and this office will pursue probation violation hearings for those who willfully fail to make scheduled court- ordered payments.

1. **asset forfeitureS**

Current law sets strict time limits to initiate asset forfeiture proceedings which are much shorter than the statutes of limitation to initiate a criminal prosecution. Accordingly, it is the policy of this office to initiate civil asset forfeitures unless a criminal prosecution has already begun. When seized property is disclaimed by all known parties, the forfeiture should proceed civilly. However, if a claimant is later charged with a related criminal offense, then pending and unresolved civil forfeitures should be transferred and attached to the criminal prosecution to the extent allowed under Title 24 of Utah Code.

1. **services available to victims of crime**

A primary goal of this office is to ensure crime victims a meaningful role in the criminal and juvenile justice system and to accord them due dignity and respect. To this end, every effort should be made by all members of our staff to maximize victim involvement at every possible stage of a criminal case. Every prosecutor should be familiar with Article I, Section 28 of Utah’s Constitution, Declaration of the rights of crime victims, as well as the statutory protections in the Bill of rights for victims in Utah Code Ann. §77-37-3, and the Rights of Crime Victims Act in Title 77, Chapter 38.The victim needs to be considered when setting hearing dates and when negotiating cases. The victim must be consulted regarding the negotiated settlement of any person felony case.

It is the duty of the prosecutor responsible for a case, whenever possible and in consultation with any assigned victim advocate, to advise victims of their rights as soon as reasonably practical. If the victim wishes to exercise their rights, it is the responsibility of the prosecutor, either directly or through the victim advocate, to inform the victim of hearings, negotiations, or any other right the victim wishes to exercise.

It is the responsibility of each prosecutor to see that victims are not only active participants in the criminal proceedings, but that they receive whatever assistance or referral information this office can provide. Therefore, all members of this office are expected to be familiar with the services and programs available to victims and to refer victims to those services whenever needed.

The Salt Lake County District Attorney Office has the privilege of serving many victims of violent crime. Such an experience can be traumatic and may have a substantial impact on the victims and their loved ones. Going through the criminal justice system can be confusing and at times, intimidating. Salt Lake County District Attorney Victim Services exists to support and help victims through the justice process. The program is made up of social workers who advocate for victims, who help victims understand the court process and accompany them through court proceedings, assess victim needs, and provide referrals or assistance in obtaining other support services. It is our desire to minimize victim concerns as much as possible.

Anyone who is a victim of a person crime, especially those being prosecuted by the Salt Lake County District Attorney Office, is eligible for victim services. We customarily work with victims of sexual assault, child physical or sexual abuse, and domestic violence. We also work with family members of homicide victims and for similar cases in juvenile court. Services are not limited solely to these crimes, however, and **there is no cost for services.**

**The Salt Lake County District Attorney Office also operates the Children’s Justice Centers in Salt Lake City and West Jordan.**

1. **diversion AND restorative justice PROGRAMS**

Salt Lake County District Attorney Office currently has an active pre-filing and post-filing diversion program, plea in abeyance agreements, and actively participates in therapeutic justice and treatment-based courts, including drug courts, a veteran’s court, and a mental health court. Prosecutors should be familiar with the formal and informal programs and agreements which may be available to a defendant. When the needs of the defendant, the victim, public safety, and justice support some form of diversion, prosecutors should be proactive in offering and approving diversion opportunities.

Restorative justice is the idea that crime causes harm and that repairing the harm caused to the victim, offenders, and the community members can achieve the goals of the justice system regardless of whether a case results in a conviction or a prison sentence. In all cases, prosecutors should consider how various stakeholders have been harmed by the offense and to what extent the principles of restorative justice can be achieved in the case.