

Procedural Justice for Prosecutors

Use this worksheet to document practices that you commit to implementing and sharing as a result of this training.

My role as a prosecutor is...

1. What is one thing that moved or struck you?

2. What is one thing you're going to pass down to your staff?

Procedural Justice Principle	Victim/Witness	Accused	Community
Respect			
Voice			
Neutrality			
Understanding			

**PROCEDURAL JUSTICE:
SUGGESTED PRACTICES FOR PROSECUTORS**

Procedural Justice Principle	Victim/Witness	Accused	Community
Respect	<ul style="list-style-type: none"> • Interview victims/witnesses in a comfortable and safe environment • Limit the number of times a victim/witness is asked to recount events 	<ul style="list-style-type: none"> • Stop using the term “defendant” • Don’t read unnecessary incendiary details at arraignments • Look at the accused when they are before the court 	<ul style="list-style-type: none"> • Attend community events in your role as a prosecutor • Learn the community’s history • Support CBOs in your jurisdiction and the services they provide
Voice	<ul style="list-style-type: none"> • Ask victims whether they feel comfortable discussing the incident over the phone before you start inquiry • Do not lead the victim/witness when they recount the incident 	<ul style="list-style-type: none"> • Ask the defense attorney (or accused, if pro se) whether they have information you should consider 	<ul style="list-style-type: none"> • Routinely ask for community feedback about the policies and practices of your office
Neutrality	<ul style="list-style-type: none"> • Do not use accusatory language • Do not make assumptions about a victim’s or witness’ lived experience 	<ul style="list-style-type: none"> • Consistent courtroom decorum on and off the record with all parties • Offer consistent offers, especially when an ATI is not an option 	<ul style="list-style-type: none"> • Provide information on decision-making for high-profile cases • Make office policies public in order to be held accountable by the community
Understanding	<ul style="list-style-type: none"> • Show the victim or witness that you heard them and ask if your understanding is accurate. • Provide the victim or witness with step-by-step information on what to expect when navigating the system 	<ul style="list-style-type: none"> • Provide defense attorneys with discovery as soon as possible • Candidly explain reason for not being ready for trial • Provide defense attorney with reason when ATI is not available 	<ul style="list-style-type: none"> • Provide opportunities for community to understand how the criminal justice system works • Openly share data on case dispositions and use of diversion/ATI with community