

YOU ARE NOT ALONE

This brochure will provide a brief overview of our court system, the criminal process, and your rights. It will also explain our victim/witness services. During the prosecution of your case, please do not hesitate to contact us if you need further information or assistance.



VICTIM ASSISTANCE

The Victim Rights Staff is here to assist you by providing the following information and services during your involvement in the criminal justice process. This includes (but not limited to):

- Information and assistance in applying for Michigan Crime Victim Services Commission Funds.
- Referrals to other community agencies which may provide counseling and other services.
- Information about the court process and case progress. Advocates are available to accompany victims to court.

STEPS IN THE TRIAL COURT PROCESS

These steps are standard for most cases. Some cases, including misdemeanors, may vary.

1. **Crime Committed:** Police are notified and begin an investigation.
2. **Police Request Charges:** Police officer feels there is probable cause that an individual committed a crime, and the officer requests that the prosecutor authorizes an arrest warrant listing all charges.
3. **Arrest:** After a suspect has been arrested, they are arraigned. *In most cases the arraignment is within 24 hours of an arrest.*
4. **Preliminary Examination:** The prosecution must prove to the satisfaction of a District Court Judge that a felony did occur, and that evidence exists which indicates that the defendant committed the felony charged. All the evidence and witnesses are not presented at this time. Felony cases will get a bind over to the Circuit Court.
5. **Arraignment in Circuit Court:** The defendant is formally charged in the Circuit Court with a felony charge.
6. **Pretrial:** A meeting in a conference room between Prosecutor and Defense Attorney to discuss potential resolution to the case.
7. **Plea/Sentence:** A defendant may enter a plea, which then leads to sentencing before the judge, who announces the sentencing decision in open court.
8. **Trial:** A jury or non-jury trial is the only alternative if no plea is entered.

YOUR RIGHTS AFTER SENTENCING

(provided only upon written request)

These rights are provided to you only upon request to the Sheriff (if the defendant is jailed) or to the Department of Corrections (if the defendant was sent to prison).

You have the right:

- to be notified of the location where the defendant is being confined.
- to receive, within 30 days of your request, notice of the earliest release date of the defendant from jail or prison.
- to be notified of a transfer or pending transfer of defendants to a minimum security facility and the address of the facility.
- to be notified of a reduction of the defendant's sentencing as a result of the Prison Overcrowding Emergency Powers Act.
- to be promptly notified of the escape of the defendant.
- to address or submit a written statement to the parole board or to a member of any panel having authority over a defendant's release on parole.
- to be notified within 14 days of the decision of a parole review.
- to be notified 90 days before the defendant's release from prison if practical.
- to be notified of any hearing regarding a reprieve, commutation or pardon of sentence by the Governor.

YOUR RIGHTS

You have the following rights under Article 1, Section 24 of the Michigan Constitution, Amended 1988, as well as under the Crime Victim Rights Act of 1985: Section 24 (1). Crime victims, as defined by law, shall have the following rights as provided by law.

The right to:

- be treated with fairness and respect throughout the criminal justice process.
- a timely disposition of the case following arrest of the accused.
- be reasonably protected from the accused throughout the criminal justice process.
- notification of court proceedings.
- attend trial and all other court proceedings the accused has the right to attend.
- confer with the prosecution.
- make a statement to the court at sentencing.
- restitution.
- information about the conviction, sentencing, imprisonment, and release of the accused.

ADDITIONAL RESOURCES

Crime Victim Services Commission Michigan Department of Health and Human Services

Grand Tower, Suite 1113
2355 Grand Avenue
Lansing, MI 48909
(517) 373 – 7373

Isabella County Sheriff's Department

207 North Court St.
Mount Pleasant, Michigan 48858
(989) 772 – 5911

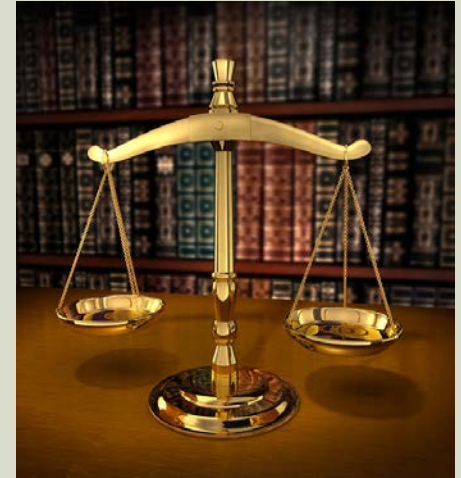
Department of Corrections Crime Victim Services

P.O. Box 30003,
Lansing, Michigan 48909
(517) 373 – 4467 or Toll Free: (877) 866 - 5401

CRIMINAL JUSTICE TERMS

- **Misdemeanor:** generally, a less serious crime, punishable by a fine or a penalty of one year or less in the County jail.
- **Felony:** a crime punishable by more than a year in a state prison or County jail.
- **Defendant:** a person who is charged with a crime.
- **Arraignment:** defendant is formally charged and can plead either guilty, not guilty, or stand mute.
- **Bond:** the amount of money determined by the court required for the release of a person from custody as assurance that the defendant will appear in court when required to do so.
- **Adjournment:** delay in the proceedings of a case, which is agreed to by the judge.
- **Probation:** a sentence which places the defendant under the supervision of a probation officer; may or may not include jail time,
- **Parole:** when convicted of a felony, this is the release from prison, under conditions of supervision through MDOC.
- **Bound Over:** (felony case) there is a preliminary examination – if the judge finds it reasonable to believe that the defendant committed the crime, the defendant is ordered to stand trial and is bound over to Circuit Court.
- **Restitution:** court-determined amount of money to be paid to the victim by the defendant through the court for losses that are a direct result of the defendant's criminal conduct.

ISABELLA COUNTY PROSECUTING ATTORNEY'S OFFICE



200 North Main Street
Mount Pleasant, MI 48858
Phone: (989) 317 - 4085
Fax: (989) 775 - 8413
victimservices@isabellacounty.org

VICTIM RIGHTS PROGRAM:

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Victim Rights Coordinator
(989) 317 – 4088

Jordan Rios
Victim Rights Advocate
(989) 317 - 4087

AS A VICTIM OF A CRIME
You are not alone

Being a victim of a crime can be a stressful experience.
The Victim Rights Staff is here to assist you.