Victim Services

The District Attorney's Bureau of Victim Services is available in courthouses and police stations throughout the County to assist crime victims who suffered injury or were threatened with injury.

Victim services representatives provide assistance and resources to victims and their families to help keep them safe. These victim services representatives also provide trauma-informed mental health counseling referrals to address the trauma of victimization.

In addition to helping victims obtain restitution, victim services representatives provide crisis-intervention services and necessary referrals to crime victims and their families; assist in requesting protective orders; guide crime victims through the court process; help arrange emergency shelter, food and clothing; and assist in filing for compensation through the California Victim Compensation Board.

Victims of violence or threats of violence with police reports on file may be eligible to receive compensation for qualifying losses and expenses related to the crime, such as loss of wages and relocation, medical, and counseling expenses.

Victim services representatives are available to assist victims in several languages. There are no fees or legal residency requirements.

Victim Impact Statement

At sentencing hearings, victims have the right to make statements explaining how the crime affected them and their family and friends. If the victim is unable or reluctant to speak in court, they may have someone else read the statement or may submit a recorded or written statement to the judge.

Restitution

Crime victims are entitled to restitution. A sentencing judge must order a convicted person to pay for financial losses stemming from the crime. Victims should give information about the loss, such as receipts and supporting documents, including the dollar amount, to prosecutors, probation officials, and Bureau of Victim Services staff. This information will be used to determine the amount of restitution that the judge will order. In some cases, the documents may be needed to conduct a hearing if the convicted person does not agree with what the victim claims as a loss.

A convicted person sentenced to prison will have restitution deducted from their prison account and wages. If they are placed on felony probation, the Probation Department will collect the court-ordered restitution. If you have questions regarding enforcement of a restitution order, please call the Restitution Enhancement Program at **(800) 380-3811**.

Notice of Parole

A victim has the right to be informed of all parole hearings and to provide information for consideration before a decision is made to release the convict.

A victim has the right to be informed of any change in the convict's status, such as release upon completion of sentence, escape, or death.

A victim also has a right not to attend parole hearings and/or be notified of the defendant's parole hearing date. To assure notification, victims must complete the California Department of Corrections and Rehabilitation (CDCR) **Request for Victim Services Form 1707** and always keep the CDCR's Office of Victim and Survivor Rights and Services informed of their current address. To obtain the form and filing instructions call **(877) 256-6877** or visit **cdcr.ca.gov/victim_services**. Victim services representatives can assist in completing and submitting the form.

NAVIGATING THE

CRIMINAL JUSTICE SYSTEM



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Key Legal Terms

Acquittal: A final determination by a judge or jury that the prosecution did not prove an accused person was guilty beyond a reasonable doubt.

Arraignment: A court proceeding at which an accused person is brought before a judge, informed of the charge(s) against them, and a plea – usually not guilty – is entered.

Closing Argument: After all testimony and evidence have been presented at trial, the prosecutor and defense lawyer make final statements summarizing their cases.

Complaint: A document filed by the prosecution accusing one or more persons of committing one or more crimes.

Continuance: A delay in court proceedings ordered by a judge for a variety of reasons.

Conviction: A final determination that the accused committed the crime(s) as charged. A conviction occurs when a judge or jury finds the accused guilty or when the person pleads guilty or no contest.

Felony: A crime that may be punished by confinement in prison or jail, by fines, and by forfeiture of office.

Grand Jury: A 23-member panel of citizens empowered to hear evidence presented by the prosecution and issue charging documents, which are called indictments.

Misdemeanor: A crime that is punishable by no more than one year in county jail or generally a $1,000 fine.

Motion: A written or verbal request asking a judge to make a legal ruling in a case.

Opening Statement: Before any testimony or evidence is presented at trial, the prosecutor and defense lawyer make statements outlining evidence they expect to present.

Plea: An accused person's answer to the charge(s)

against them. The accused may plead not guilty, guilty, or no contest.

Preliminary Hearing: A court proceeding in felony cases at which the prosecution must present evidence to support the charge(s) filed against an accused person. A judge decides if the evidence is sufficient and if the case should proceed toward trial.

Presumption of Innocence: A principle of criminal law that requires prosecutors to prove the guilt of an accused person and eliminates any burden for the accused to prove their innocence.

Reasonable Doubt: A standard of proof that must be surpassed to find an accused person guilty of a crime; a doubt based on reason and common sense after careful and impartial consideration of all the evidence.

Restitution: Money paid to a victim who suffered financial losses such as stolen property, medical bills, or funeral expenses resulting from a crime.

Sentencing: A court proceeding at which a judge sets a convicted person's punishment. This may include a prison, jail, or probation term, or other conditions.

Subpoena: A legally-binding summons to appear in court.

Testimony: Any statement made, or answer given, by a witness who is under oath in court. Witnesses may encounter two forms of questioning:
Direct Examination is the initial questioning of a witness by the attorney who called that person to testify. Both prosecutors and defense lawyers may call witnesses.
Cross-Examination is the questioning of a witness by the opposing lawyer who did not call that person to testify. Cross-examination is intended to clarify or discredit testimony given during direct examination.

Verdict: The jury's final unanimous decision determining if an accused person is guilty or not guilty. If jurors cannot reach a unanimous verdict, a judge will declare a mistrial and the accused person may face a new trial before a new jury.

The Process

Law enforcement personnel investigate crimes and, if sufficient evidence is found, make arrests. An arrest is just the first step in the criminal justice process.

After an arrest, prosecutors determine if there is sufficient evidence to file charges. If such evidence exists, a criminal complaint is filed in court or, in some cases, prosecutors may ask a grand jury to review evidence and issue an indictment.

In criminal cases, each side is represented by an attorney. Deputy district attorneys, who represent the People of the State of California, prosecute criminal cases. An accused person has a constitutional right to be represented by an attorney. If the accused cannot afford an attorney, one will be appointed by a judge. Under certain circumstances, accused individuals may represent themselves.

Once a felony complaint is filed, the case is presented to a judge at a preliminary hearing.

If the accused pleads guilty or is convicted at trial, they will be sentenced by a judge to prison, jail, probation, and/or receive other conditions of punishment.

If the person is acquitted at trial, they will go free.



Attending Court Proceedings

Victims, their families, friends, and members of the public may attend court proceedings to watch legal arguments, testimony, and court rulings. To comply with court etiquette please:

- Dress neatly.
- Do not wear or display buttons or other items identifying the victim.
- Leave drinks, food, and gum outside the courtroom.
- Stand when instructed to do so by the bailiff or judge.
- Refrain from talking inside the courtroom.
- Do not speak near a member of the jury or attempt to talk to or communicate with jurors.
- When the verdict is being read, refrain from any verbal outbursts or other disruptive reactions.

The judge may exclude from the courtroom people who cause a disturbance or do not follow court decorum.

Victims, their families, and friends must avoid confrontations and attempts to communicate with the accused person and their family.

Promptly notify police and court officials of threats, intimidating behavior, or attempts to dissuade victims or their families from taking part in proceedings.

In criminal homicide cases, graphic photos of the victim may be presented as evidence. Certain family members may consider leaving the courtroom before the presentation of this evidence.

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Testifying in Court

A witness called to testify by either the prosecutor or the defense attorney should:

- Always tell the truth.
- Listen carefully and answer only the question asked; answer "yes" or "no" if the question calls for it; and do not volunteer additional information.
- Ask that the question be repeated if it is confusing or not understood and not guess if they do not know the answer.
- Be patient and courteous answering attorneys' questions – both attorneys are allowed to question witnesses.
- Ask to review their prior statements related to the case – such as statements to police – before taking the stand; be prepared to answer questions about them.
- Wait until the judge tells them to answer the question when an attorney objects to a question.
- Speak loudly and clearly.
- Dress neatly.

Helping Crime Victims Become Survivors

Los Angeles County District Attorney's Office
Bureau of Victim Services
da.lacounty.gov/victims
(800) 380-3811