

CRIMINAL JUSTICE TERMS

ADJOURNMENT - A delay asked for by the judge or either side. The judge may agree to the delay.

ARRAIGNMENT - Defendant is formally charged. If in District Court, the defendant can plead either guilty, not guilty, or stand mute. The amount of bond is set at this hearing.

BOUND OVER - In a preliminary examination, if the judge finds that it is reasonable to believe that the defendant committed the crime, the defendant is sent to Circuit Court to stand trial.

CIRCUIT COURT - Handles all felony trials and sentencing.

DISTRICT COURT - Handles all misdemeanor cases, sentencings, traffic violations and the first stages of felony cases.

FELONY - A crime for which a person may be sent to state prison or local jail for one year or more.

MISDEMEANOR- A crime for which a person may be sentenced to not more than one year in jail.

MOTION - Court hearing to answer legal questions.

PRELIMINARY EXAMINATION -A hearing to find out whether a crime happened and if there is reason to believe that the defendant did it. This hearing is held only for felony crimes.

PRE-SENTENCE REPORT -A background investigation of the defendant is performed by Adult Probation to assist the judge in determining sentence.

PRE-TRIAL - Meeting between lawyers to see if the case can be settled without going to trial or to see if all parties are ready for trial.

PROBATION - A sentence that places the offender under the supervision of a probation officer.

PROSECUTING ATTORNEY - The attorney who represents the people of the State of Michigan against a criminal defendant.

RESTITUTION - An amount of money set by the Court to be paid to the victim of a crime for property losses or injuries caused by the crime.

SUBPOENA - A legal order which requires a person to appear in Court to testify as a witness.

IMPORTANT CRIMINAL JUSTICE TELEPHONE NUMBERS

Jeffrey R. Fink
Prosecuting Attorney
227 West Michigan Avenue
Kalamazoo, Michigan 49007
(269) 383-8900

Kalamazoo County Jail
1500 Lamont Street
Kalamazoo, Michigan 49001
(269) 383-8719

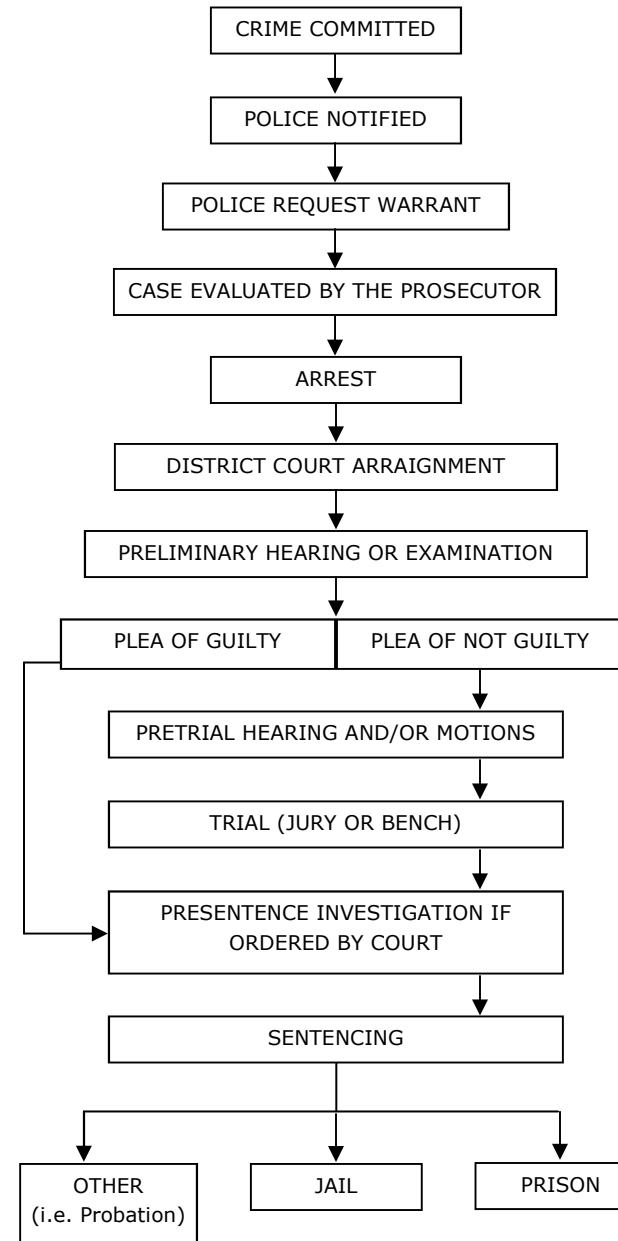
Adult Probation Department
201 West Kalamazoo Avenue
Kalamazoo, Michigan 49007
(269) 383-8972

Department of Corrections
PO. Box 30003
Stevens T. Mason Building
Lansing, Michigan 48909
Toll Free (877) 866-5401

Crime Victim Services Commission
Michigan's Dept. of Community Health
320 S. Walnut
Lansing, Michigan 48913
(517) 373-7373
(877) 251-7373 (TOLL FREE)

YWCA Domestic and Sexual Assault Program
353 East Michigan Avenue
Kalamazoo, Michigan 49007
(269) 385-3587 (24-Hour Crisis Line)
(269) 385-2869 (Business Phone)

FELONY PROCESSING



Upon your WRITTEN REQUEST, the Sheriff's Dept. will notify you of the earliest release date if the defendant is sentenced to more than 92 days.

CRIME VICTIM ASSISTANCE

383-8677

- **LEGAL RIGHTS**
- **INFORMATION**
- **FINANCIAL AID**
- **SUPPORT**
- **EMERGENCY SERVICES**

I am sorry to learn that you have become the unfortunate victim of a crime.

We recognize that you may be unfamiliar with court procedures and the law. To help you overcome your concerns, and to answer questions you may have, I encourage you to read this brochure and contact my Victim/Witness Unit. My staff will do all they can to help you.

Sincerely,

Jeffrey R. Fink
Prosecuting Attorney



VICTIM ASSISTANCE

We realize being a victim of a crime can be very difficult for most people. Victim Assistance is an effort to help you return to your normal way of life. We provide the opportunity for you to express your worries and problems, and offer help.

Our services include:

- Providing information and help in filing for Michigan Crime Victim's Compensation.
- Helping with emergency services such as food, shelter and clothing.
- Making referrals to other community agencies for additional help.
- Giving information on how the court works and case status.
- Accompanying a victim to court, upon their request.
- Providing and assisting with Victim Impact Statements.
- Providing information and assistance in obtaining restitution
- Informing the community about victim's rights.

If you are intimidated or threatened with physical violence by the defendant, CONTACT THE POLICE IMMEDIATELY.

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If you are in need of further assistance, contact the **VICTIM/WITNESS UNIT**:

(269) 383-8677

LEGAL RIGHTS

Under the Crime Victims Right Act of 1985, you have the right to:

- Be present during the entire trial unless you are to be called as a witness.
- Be free from threats or acts of discharge from your employer because you are subpoenaed or requested by the court to testify in court.
- Be provided with a waiting area separate from the defendant.
- Consult with the Prosecuting Attorney to give your views about the disposition of this crime
- Receive the name of the person to contact regarding information about your case.

You also have the right to:

- Receive notice of any scheduled court proceeding.
- Confer with the Prosecuting Attorney prior to the selection of the jury and trial.
- Receive written notice of the defendant's final disposition.
- Have your written impact statement included in the pre-sentence report.
- Make an oral impact statement at the time of sentencing.
- Be notified of the time and place of the sentencing.

POST SENTENCE RIGHTS

Victims are entitled to additional rights following conviction if the defendant is sentenced to prison or jail, or if the defendant appeals their conviction. Further information will be provided at that time.

VICTIM COMPENSATION

The Michigan Crime Victims Compensation Act provides financial help to crime victims who are hurt or lose earnings or support because of the crime. Victim Assistance will help with any questions you might have. Applications are available by contacting the Kalamazoo County Prosecutor's Office.

VICTIM/WITNESS UNIT

Kalamazoo County Prosecutor's Office
227 West Michigan Avenue
Kalamazoo, MI 49007
(269) 383-8677

TO RECEIVE COMPENSATION

- The crime must have happened in the State of Michigan.
- The crime must be reported to the police within 48 hours and the victim must cooperate with the investigation and prosecution.
- A person must have at least a \$200 out-of-pocket medical expense and/or loss of two continuous weeks of earnings or support.
- The claim must be filed within one year from the date of the criminal injury.
- In the case of death, a claim may be filed by a family member
- Expenses or losses that are covered by personal insurance or that can be paid by another source will not be covered.
- **PROPERTY LOSS IS NOT COVERED.**

Applications may also be obtained from the:

Crime Victim Services Commission
Michigan Dept. of Community Health
320 S. Walnut; Lansing, MI 48913
(517) 373-7373
(877) 251-7373 (TOLL FREE)

TESTIFYING

TELL THE TRUTH. The single most important piece of advice is tell the truth.

DRESS NEATLY. It is important that you look good in court.

BE PREPARED. Think about the questions you may be asked and your answers. Contact our office one week prior to the trial to review your case.

STICK TO THE FACTS. The Judge wants to hear only the facts as you know them to be, not what someone else told you.

RELAX. SPEAK CLEARLY. You have nothing to fear when giving truthful answers. When you are asked questions, give the Judge your answer as clearly as possible.

COURTROOM PROCEDURES

- One of the basic rules in a criminal case is that both sides have the chance to question the witness. Questions asked by both sides have the same goal: to find out what is true.
- Do not let the defense attorney upset you. It may seem at times the defense attorney is trying to pin you down, but they have the right to test how many of the facts you know and remember.
- Answer all questions to the point. It is the responsibility of each lawyer to bring out the truth by asking questions.
- If you can answer a question with a single yes or no, do so. Answer only the questions asked. Do not volunteer additional information.
- If you do not know the answer to a question, say so.
- If you do not understand or did not hear the question, ask that it be explained or repeated.
- If either lawyer raises an objection, stop speaking at once. After the Judge has ruled, you will be asked to go on.