

Understanding Court Hearings

Rule 5/Arrest/First Appearance: The defendant is notified of the charges. A judge sets bail and conditions of release. Defendants may be released on their "personal recognizance" without having to post bail. If the defendant cannot afford an attorney, a public defender may be appointed.

Rule 8: Allows time following the first appearance for the defendant to hire an attorney. This can be combined with the Rule 5 if the defendant already has an attorney or a public defender is appointed.

Omnibus Hearing: Defendant's opportunity to request that certain evidence not be used at trial. He/she may ask the court to determine whether any of his/her rights were violated during investigation.

Plea Hearing/Plea Negotiations: The defendant may enter a guilty plea at any hearing following the first appearance. A plea agreement is an arrangement between the defendant and prosecutor, in which the defendant agrees to plead guilty under certain conditions. Plea agreements are a means of arriving at a reasonable and certain disposition without a trial.

Pre-trial Hearing: Often used as an opportunity to resolve a case before trial. The prosecution and the defense narrow the issues in dispute in order to be prepared for trial. Witnesses may be subpoenaed.

Trial: A defendant chooses whether a judge or jury will hear the case. Victims may be called to testify. If found not guilty, the defendant is acquitted. If found guilty, the case proceeds to sentencing at a later date.

Sentencing/Disposition: The defendant will be sentenced after a guilty plea or guilty verdict. Sentences must comply with state law.

Victimization

Coping with victimization

No one expects to be a crime victim. Often, victims are left with puzzling emotions throughout their recovery. Remember:

- There is no right or wrong way to feel.
- Your feelings are normal and natural, even though they may seem unusual.
- You may be filled with disbelief about the incident.
- Grief, sorrow and depression frequently follow loss or injury.
- Anger is a common reaction.

Contact us:

Anoka County Attorney's Office

763-324-5550

attorney@co.anoka.mn.us
anokacounty.us/attorney

Victim/Witness Services

763-324-5540

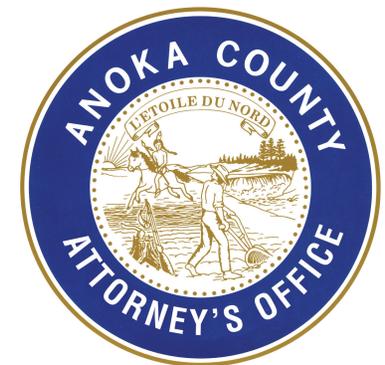
8 a.m. - 4:30 p.m., Monday through Friday
victimwitness@co.anoka.mn.us
anokacounty.us/victimwitness

Feedback

We want to know about your experience with us. To complete a survey, visit anokacounty.us/vwfeedback.

CRIME VICTIM SERVICES

Your Rights and the Criminal Justice System



Victim/Witness Services Unit

A Message from Anoka County Attorney Tony Palumbo

Our Office has identified you as a victim of a crime. It is our goal to provide you with an understanding of the criminal justice process, relay accurate information about criminal cases and explain your rights as a crime victim under Minnesota law.

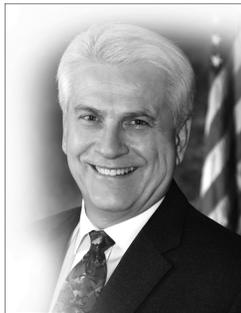
The Anoka County Attorney's Office Victim/Witness Services unit was created to guide you through the prosecution process.

Victims play a vital role in the criminal justice system and your cooperation is essential in holding offenders accountable. We know that being a crime victim can be a difficult and traumatic experience. That is why we want to help you through your experience in the criminal justice system.

Sincerely,



Tony Palumbo
Anoka County Attorney



The mission of Anoka County Victim/Witness Services is to protect the rights and interests of crime victims and witnesses in the criminal justice system, while encouraging participation in the court process and addressing individual needs brought on by victimization.

Victim Rights & Needs

Victim Rights

Minnesota Statute 611A provides the following rights to victims of crime:

- The right to be notified
- The right to participate in prosecution
- The right to protection from harm
- The right to apply for financial assistance

Victim Impact Statements

Victims have a right to be heard and may provide information to the judge about the harm caused by the offender. This is called a victim impact statement.

Victim impact statements allow victims and their families the opportunity to express in court the pain, anguish and financial devastation caused by the crime. A victim impact statement can provide the judge with information he/she can use in determining sentences, and can also make offenders aware of the harm they have caused the victim. Statements can be submitted in writing or read in court at the time of sentencing.

Assistance for Crime Victims

Victim/Witness Specialists Can Provide:

- Assistance in understanding crime victim rights and the criminal justice system
- Liaison to law enforcement, prosecutors and correctional agencies
- Notification of court hearings and case updates
- Encouragement to participate in the prosecution process
- Attendance at court hearings
- Preparation for testimony at trial
- Financial assistance with restitution, reparations, emergency funds, and sexual assault victim funds
- Information on restorative justice and victim-offender dialogues
- Referral to appropriate services

Protective Orders:

No Contact Orders and **Domestic Abuse No Contact Orders** are criminal orders issued by a judge and can be set for the duration of the prosecution and as a condition of the defendant's probation. **Orders For Protection (OFP)** and **Harassment Restraining Orders (HRO)** are civil orders brought by an individual seeking protection from harm or harassment. There is no fee for an OFP when the abuser is a partner, family or household member.