



## VICTIMS OF CRIME

Crime victims commonly face hardship, emotional trauma, and may need assistance. A witness's experience in court may also be stressful and confusing, however, the system depends on witness testimony. Patience and active participation may be the deciding factor in determining whether or not justice will be served.

The Los Angeles City Attorney's Office Victim Assistance Program was created to ensure that support and services are made available to victims and witnesses of crime.

## COURT PROCESS

Witnesses will be notified if they need to appear in court. Witnesses are required to stay for an unspecified time period and typically free to leave the courthouse after giving testimony and being excused by the judge.

A crime can be classified as either a misdemeanor or a felony. A felony is more serious and carries penalties of imprisonment for more than one year. The following court steps are generalized and may not take place in each and every case.

## PRE-TRIAL

The person on trial (called the defendant) will appear before a judge for the first time at an arraignment. The judge will inform the defendant of their charges, constitutional rights, and will appoint an attorney if necessary. A plea of guilty or not guilty will be given at this time.

Felony cases continue to a Preliminary Hearing, where a judge will determine if there is enough evidence to require the defendant to go to trial or if the case must be dismissed. If additional evidence is found after a case is dismissed, the case may be refiled for prosecution.

## TRIAL

Defendants are considered "innocent until proven guilty" and are given the right to a trial. Defendants are allowed to decide to have either a court trial or jury trial. In a court trial, the judge decides the facts and determines the defendant's guilt or innocence. In a jury trial, twelve peers are chosen to decide if the defendant is guilty or not guilty. In order to convict the defendant, all twelve jurors must agree the defendant is guilty "beyond a reasonable doubt".

## JUDGMENT AND SENTENCING

When a defendant is found guilty, the judge sets a date for sentencing to determine the appropriate consequence as dictated by law. If the defendant is found innocent, he will be acquitted and released.

Although your attendance is not mandatory, victims have the right to attend these hearings. In felony cases, victims may make a personal statement to the court concerning the crime and the defendant. In some cases the judge may order restitution to the victim if a financial loss was incurred as a result of the crime.

## ASSISTANCE FOR VICTIMS OF CRIME

The Los Angeles City Attorney's Office Victim Assistance Program was created in 1980 in order to provide direct services to victims of crime, such as:

- Assistance in filing for the State of California Victim Compensation Application
- Information and referrals to local public/ private service agencies
- Crisis intervention & obtaining emergency assistance

- Case status or disposition information for both misdemeanor & felony cases
- Explanation of court procedures and court support if requested
- Support services for elderly, handicapped and child victims
- Notification to the family and/or employer of the victim if requested
- Follow-up contact to assure that services are being delivered
- Liaison with police agencies, California Highway Patrol and Sheriff Offices on cases in which there has been no arrest

## RESTRAINING ORDER & PROTECTIVE ORDER

A restraining order is a court order that protects a person from being abused, threatened, or harassed by somebody else. Self Help Resource Centers are available at some LA Superior Court Houses to help file for restraining orders. You may also contact our offices for more information or contact a lawyer for legal assistance.

**Emergency Protective Order:** Issued by police upon request if you may be in immediate danger. This order lasts up to seven days.

**Temporary Restraining Order:** Must be requested by through court and lasts 21 days. A hearing will be scheduled to extend the order up to five years.

**Criminal Protective Order:** May be requested by the prosecutor on behalf of the victim.

**Domestic Violence Restraining Order:** Can be requested with the court if you were abused by a person with a close relationship that you live with or used to live with. Lasts up to five years.

**Elder/ Dependent Adult Abuse Restraining Order:** Can be requested with the court if you are an elder or an adult with mental or physical disabilities and you are a victim of abuse. Lasts up to three years.

**Civil Harassment Restraining Order:** Can be requested if you are being harassed by someone you do not share a close relationship with. Lasts up to five years.

## USEFUL RESOURCES

### 24 Hour Crisis Hotlines

Battered Persons Hotline	(310) 392-8381
Child Abuse Hotline	(800) 540-4000
Disabled Adults/ Elder Abuse Hotline	(800) 992-1660
Child Protection/ Child Abuse Hotline	(800) 540-4000
Domestic Violence Hotline	(800) 978-3600
Mental Health Hotline	(800) 854-7771
Sexual Assault Hotline	(877) 943-5778
Substance Use	(800) 564-6600
Suicide Hotline	(800) 273-8255
Rape and Battering Hotline	(213) 626-3393
Victims of Crime Resource Center Hotline	(800) 842-8467
Youth Crisis Hotline	(800) 843-5200

## GENERAL INFORMATION

Emergency	911
City of Los Angeles (Non-Emergency)	311
County of Los Angeles (Non-Emergency)	211
Dept. of Public Social Services	(866) 613-3777
L.A. County Bar Association	(213) 627-2727
L.A. County District Attorney	(213) 974-3512
L.A. County Sheriff's Dept.	(213) 229-1700
L.A. County Superior Court	(213) 974-5261
L.A. Small Claims Advice	(213) 593-8222
L.A.P.D. Non-Emergency Line	(877) 275-5273
Los Angeles LGBT Center	(323) 993-7440
Legal Aid Foundation Info Line	(800) 399-4529
State Bar of California Hotline	(866) 442-2529
California Victim Compensation Board	(800) 777-9229

### Useful Websites

National Domestic Violence	<a href="http://www.thehotline.org">www.thehotline.org</a>
Teen Dating Helpline	<a href="http://www.loveisrespect.org">www.loveisrespect.org</a>
Sexual Assault	<a href="http://www.rainn.org">www.rainn.org</a>
Legal Aid/ Nonprofit	<a href="http://www.LawHelpCA.org">www.LawHelpCA.org</a>
LA County Bar Association	<a href="http://www.lacba.org">www.lacba.org</a>
California VCB	<a href="http://www.vcgcb.ca.gov">www.vcgcb.ca.gov</a>
211 LA County	<a href="http://www.211la.org">www.211la.org</a>