

**Office of the Attorney General  
Wisconsin Department of Justice**



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800-446-6564  
TTY: 800-947-3529

***Online Resources:***

[www.doj.state.wi.us/cvs](http://www.doj.state.wi.us/cvs)

***Email:*** [ocvs@doj.state.wi.us](mailto:ocvs@doj.state.wi.us)

## Introduction

**T**he period following a crime can be very hard. Although everyone reacts differently, many victims and witnesses report that they feel shock, confusion, numbness, disbelief, anger, or other emotions after the incident. You may be having similar feelings, in addition to dealing with physical, financial, and psychological concerns related to the crime. At the same time, the criminal justice system is likely to need you to take part in the court process, so that the person(s) responsible for the crime can be held accountable.

It can all be trying, but there is help. As a crime victim in Wisconsin, you have rights providing certain privileges and protections, which will be outlined in this brochure. Additionally, crime victims in the state of Wisconsin are to be treated with fairness, dignity and respect for their privacy.

This booklet is designed to give you information about these rights, how to exercise them, and who to call to find out about services. It will also give an overview of the criminal justice system, tell you about what might happen if you have to go to court, how to prepare to speak in court, and what can happen afterwards. There is also a glossary to help you become familiar with words commonly used in the justice system. This booklet does not provide legal advice.

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***“This is one experience that one does not plan for, is not prepared for, has no knowledge of who or where to turn.” — a victim***

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## **The Impact of Crime**

Emotional reactions to crime can be very different. Not everyone feels the same or responds the same. However, victims and witnesses report some similar responses. The lists below identify some common reactions to being a victim or witness of crime:

### ***Physical***

Nausea  
Tremors  
Chills or sweating  
Lack of coordination  
Heart palpitations/chest pains  
High blood pressure  
Headaches  
Sleep disturbances  
Dizziness  
Loss of appetite  
Startled responses

### ***Emotional***

Anxiety  
Fear  
Guilt  
Grief  
Depression  
Sadness  
Anger  
Irritability  
Numbness  
Feeling abandoned  
Feeling isolated  
Wanting to withdraw or hide

### ***Mental***

Intrusive memories  
Flashbacks  
Confusion  
Disorientation  
Memory problems  
Slowed thinking  
Nightmares

***“Being a crime victim adds a new dimension to the definition of self.”***

***– Sociologist  
Morton Bard***

- When your sense of personal safety has been violated, it is normal to feel that the world is dangerous or unsettled for a time. Seeking assistance, whether it be professional, spiritual, or peer support can help you understand these reactions.
- Sharing your feelings and concerns with a friend, family member, or a counselor helps to sort out your emotions and can decrease feelings of isolation.
- As you try to explain or understand the crime, it

is easy to say, “I should have...” Remember that you are not to blame for what happened to you. Nobody asks to be victimized. It is not your fault.

- Feelings such as fear, anger, shame and anxiety will generally change over time. As you deal with the aftermath of crime, support is important. Your life has changed and it can be difficult to deal with these changes alone. There is hope.

### **How Family and Friends Can Help**

- Listening is one of the most effective ways to help. Allowing victims to talk about what has happened and how they feel is vital to their well being. Try not to rush in with your own thoughts, comments or suggestions.
- Tell victims that you are sorry about what has happened to them and that you want to understand and help them.
- No matter how well-intentioned, statements such as “you’re lucky it wasn’t worse” or “it’s time to move on” are not helpful to traumatized people and might make them feel you are minimizing their feelings.
- Keep in mind that victims of crime may feel a wide range of emotions. Don’t take their anger or other feelings personally. In some people the reaction to the crime may be delayed by days, weeks, or even months.
- Let victims know that what they are feeling is okay even if their reactions are different than what you would expect or different from other people who may be going through a similar experience.
- Reassure them that you are there and you care for them and that what happened was not their fault.

- Be aware that sometimes child victims may regress emotionally and they will need your patience to work through their feelings.
- Young people will want to know what will happen next. Be as honest as possible and access other agencies for information and support if necessary.

### **Victim/Witness (V/W) Programs**

V/W programs are located in most Wisconsin District Attorneys' (DA) Offices. V/W Programs provide:

- Information about victims' rights and how to exercise them.
- Specific information about when and where the case will be heard.
- Notice of cancelled or rescheduled court hearings and the final outcome of the case.
- Support for your appearance in court by providing a separate waiting area, someone to go with you to court, and assistance with childcare needs.
- Help in the return of personal property.
- Referrals to other sources of help, including domestic abuse programs, sexual assault programs, social service agencies, support groups and the Crime Victim Compensation Program.
- Help with preparing a victim impact statement.
- Information to the court about your financial losses (restitution).
- Assistance with safety concerns.
- Assistance to confer with the prosecutor.
- Services are provided free of charge. The availability of services may vary by county.

To request V/W help, call your county DA's Office. If you do not have a program in your area, call the Wisconsin Victim Resource Center at 1-800-446-6564.

### **DOJ Victim Resource Center**

If you are experiencing difficulties as a result of the crime, you may ask that the V/W Program in your area provide you with referral information. Additionally, the Wisconsin Department of Justice, Victim Resource Center provides services and can be reached by calling 1-800-446-6564 or 608-264-9497. The Wisconsin Victim Resource Center provides the following statewide services to victims of crime:

- Information and referrals for crime victims who are in need of additional services.
- V/W assistance in matters the Attorney General's Office is prosecuting or when no other county V/W services are available.
- Informational materials on victims' rights in Wisconsin.
- Victim Appellate Notification Services (VANS).
- Assistance in understanding and participating in the criminal justice process.
- Help in resolving problems with the justice system.
- Informal mediation to address potential victims' rights violations.

***“Just being informed of all the facts reduced my anxiety greatly.” — a victim***

## **Crime Victims' Rights**

Wisconsin law directs law enforcement, prosecutors, judges and other criminal justice officials to inform victims of their rights and how to exercise those rights. If you have specific questions about your rights or would like to receive a complete list of rights, please contact the V/W Program or the DA's Office. You can also find information about rights and links to statutes online at [www.doj.state.wi.us/cvs](http://www.doj.state.wi.us/cvs).

Counties vary in their practices, and it will be important for you to clarify and discuss the rights you have and how to exercise them. Some rights are automatic but other rights are only available *if requested*. Be sure to make your interests known, and to be clear on what information you are required to request. In order to receive information, it is important that you keep the appropriate agency informed of your current address and telephone number.

### ***Victims' rights that apply throughout the investigation and prosecution:***

- To receive written information from law enforcement, within 24 hours of contact, about victims' rights, who to call for custody information regarding the offender and how to get more information about the case.
- To speedy disposition of the case.
- To contact the Department of Justice concerning a victim's treatment (1-800-446-6564) and to seek a review of the complaint by the Crime Victims Rights Board.
- To notice of a decision not to prosecute, if an arrest has been made.
- To attend court proceedings.
- To be accompanied by a service representative, as permitted by law.

- To receive information from a district attorney about the disposition of the case, *if requested*.
- To not be the subject of an officer's or DA's order, request, or suggestion that the victim submit to a test using a lie detector if the victim reports having been the victim of a sexual assault.
- To the expeditious return of property when it is no longer needed as evidence.
- To file for Crime Victim Compensation, as provided by law.
- To request an order for an offender to submit to a test for sexually transmitted diseases, communicable disease, or HIV test (for certain offenses).

***Victims' rights that apply after  
an offender is charged:***

- To receive written information from the district attorney regarding the victim's rights and how to exercise them.
- To communicate with the prosecutor about the possible outcome of the case, potential plea agreements and sentencing recommendations, *if requested*.
- To be notified of the time, date and place of court proceedings, *if requested*.
- To be provided with a waiting area separate from any used by the defendant, defendant's relatives and defense witnesses.
- To be notified if charges are dismissed.

- To have the victim's interests considered when the court is deciding whether to grant a continuance or deciding whether to exclude persons from a preliminary hearing.
- To assistance with an employer about the need to attend court appearances.
- To recompense from forfeited bail.
- To be contacted about the right to make a statement at disposition or sentencing.

***Victims' rights related to the sentencing of the offender:***

- To provide a statement to the court, in person or in writing, about the economic, physical and psychological effects of the crime and to have that information considered by the court.
- To be contacted by the person preparing the pre-sentence report in order to have the impact on the victim included in the report.
- To restitution from an adult offender for any crime considered at sentencing and to a civil judgment for unpaid restitution.
- To be provided sentencing or dispositional information, *if requested*.

***Victims' rights that apply after sentencing:***

- To be notified of a conditional release.
- To be provided with notice by the DA of a petition for a sentence adjustment and how to file an objection to the petition.
- To be notified by the Department of Corrections of certain releases, escapes, confinements, leave, release of extended supervision and participation in the intensive sanctions program.

- To attend hearings on a petition for a modification of a sentence and to provide a statement.
- To notification from the Department of Health Services concerning discharge, home visits and supervised release of certain offenders.
- To be notified of applications for parole; to provide statements and input concerning parole; to attend parole interviews and hearings.
- *If requested*, to have the clerk of courts send: a copy of an inmate's petition for extended supervision and notice of the hearing on that petition; a copy of a motion for post-conviction DNA testing and notice of any related hearing.
- To be notified by the governor of a pardon application and to make a written statement about that application.

*If you have questions about registering to receive notices from the Department of Corrections, call 1-800-947-5777.*

### **Witnesses' Rights**

Witnesses have the following rights:

- To request information from the district attorney about the final outcome of the case.
- To be notified of cancelled court proceedings to which a witness has been subpoenaed, in order to save an unnecessary trip to court.
- To receive protection from harm and threats of harm if it were to arise out of witness cooperation with law enforcement and prosecution efforts, and to be provided with information as to the level of protection available.
- To be informed of financial assistance and other social services available to witnesses of a crime, including information on how to apply for the assistance and services.

- To be informed of the procedure to be followed in order to apply for and receive any witness fee to which a witness is entitled.
- To be provided with a waiting area separate from any used by the defendant, defendant's relatives and defense witnesses.
- To have property returned when it is no longer needed as evidence.
- To request help with talking to an employer about court appearances and meetings with the prosecutor (in an attempt to avoid work problems).
- To a speedy disposition of the criminal case.

### **Victims' and Witnesses' Rights Assistance**

A crime victim or witness who has a question about crime victims' rights or wishes to complain about a possible rights violation can contact the Wisconsin Department of Justice, Victim Resource Center at 1-800-446-6564.

The Victim Resource Center engages in an informal process to raise concerns on behalf of the victim or witness in an effort to resolve the problem. Staff will facilitate a solution if possible, which may include some response by the subject of the complaint.

The Victim Resource Center staff will address the problem and seek a resolution. The victim or witness will receive information about what was done and that the informal action is completed. After this process is completed, the victim has the right to seek a review of the complaint by the Crime Victims Rights Board for formal action.

## **Victims' Rights Enforcement**

The Wisconsin Crime Victims Rights Board (CVRB) has the authority to review and take action on complaints relating to violations of the rights of crime victims. The board can review complaints and provide remedies in cases where violations of victims' rights have occurred. The CVRB cannot address or change the outcome of a case.

The CVRB has the statutory authority to offer certain remedies in cases brought before them. The Board may:

- Issue public or private reprimands of public officials, employees or agencies.
- Refer complaints against judges to the Judicial Commission.
- Seek equitable relief on behalf of the victim to protect the rights of victims.
- Bring civil actions to assess forfeitures (not to exceed \$1000) for intentional violations.
- Issue reports and recommendations.

The CVRB will only address complaints in which a violation of a victim's right may have occurred and only after the DOJ Victim Resource Center has completed its informal review of the complaint.

## **The Criminal Justice System**

For many, the criminal justice system can be very confusing. This information will give you a general overview of the process. If you have additional questions, contact the V/W Program or DA's Office. You may be unfamiliar with some of the legal words. Many of the terms used are included in the glossary at the end of this booklet.

**What happens after the crime?**

Within 24 hours after the first contact with law enforcement, victims should receive information from law enforcement regarding victims' rights, Crime Victim Compensation, victim assistance services and information on how to reach the DA's Office. If someone was arrested, but not charged with a crime, the DA's Office should inform the victim that no charges will be issued. If charges are filed against the defendant, the victim should get written information within ten days after the initial appearance or 24 hours before the preliminary hearing including:

- The procedure for prosecution.
- A list of rights and how to exercise them.
- Who to contact to update address or telephone information (to receive notices and information about services).
- Crime Victim Compensation information.
- The person to contact for more information about prosecution of the case.

**What is a Plea Agreement?**

A plea agreement is a way to resolve a case without a trial. Plea agreements are worked out between the DA, the defense attorney and the offender. In most cases, an agreement can be reached to hold the offender accountable, but avoid a trial. Victims have a right to confer about potential plea agreements. It is important to inform the DA's Office or V/W Program of your request to confer. The V/W Program can provide more information about how plea agreements are handled in your county.

**What does the "opportunity to confer" mean?**

To confer with the DA means to discuss the case and its possible outcomes. In some instances, as appropriate, the DA can give the responsibility of conferring to other staff. If a victim requests to

confer, the discussions can include potential plea agreements, sentencing recommendations and disposition information. The DA is not required to make decisions about the case based on what a victim says or believes should happen.

**What can I do if I receive any threats or am being harassed?**

In most cases, victims and witnesses are not threatened or harassed by the defendant. However, if you are being threatened, contact the police or other law enforcement agency immediately. It is also important to notify the V/W Program or DA.

**How do I get property held as evidence returned to me?**

The DA will know when your property is no longer needed as evidence. Any questions about your property should be directed to the V/W Program or DA's Office.

**What do I do if the offender's investigator or attorney wants to talk to me?**

A victim has the right to not be compelled to submit to a pretrial interview or deposition by the defendant or his or her attorney.

Always make sure you know with whom you are talking; you can ask for identification. You may choose not to speak to the person, and you may also ask to have a police officer or DA with you during the interview. If you decide to talk with the person, give clear and precise statements and be aware that anything you say may be used in court.

## **Tips for Interacting with the Media**

In high profile cases, dealing with the media can add stress to you and your family. Many victims and family members of victims have found it helpful to have one family member or a family friend assigned to handle all contacts with the media. No matter who responds to media requests, you should know that you can:

- Decline an interview (even if you have given other interviews).
- Agree to an interview, but refuse to answer certain questions.
- Select a time and place for interviews. You may protect the privacy of your home by giving interviews elsewhere or providing your point of view through a spokesperson and/or a written statement.
- Protect children from interviews. A child may be re-traumatized by having to talk to the media.
- Request offensive photos not be printed or aired.
- Grieve in private and ask reporters, photographers or others to respect your privacy.
- Demand a retraction or correction of inaccurate reporting.
- Request to be treated with dignity and respect at all times.

If you have questions or concerns about the media, call the V/W Program or DA's Office for further assistance.

## **Subpoenas and the Court Process**

If you receive a subpoena (notice to appear in court), you are required to serve as a witness in a

criminal court hearing. A subpoena lists the date, time, place and proceeding in which your testimony is required. Do not ignore a subpoena. If you fail to appear, you could be charged with contempt of court. Attempts will be made to contact you if it is known that the hearing is cancelled.

**What should I do with the subpoena?**

Read the subpoena carefully. It may ask you to call the DA's Office or the V/W Program the day before the court appearance or it may provide other information or instructions. Bring the subpoena with you to court.

**Where do I go?**

The subpoena will tell you where to report. You can call the V/W Program for help; they may provide maps, directions, parking information, and arrange a waiting area for you.

**What should I bring to court?**

Unless your subpoena gives you specific instructions to bring records, books or other items to court, you do not need to bring anything. Be prepared to wait. Often there are a number of scheduled court events on any given date. You may want to bring a book or magazine and a snack.

**How often will I be required to appear in court?**

The only time you must go to court is when you receive a subpoena. You will be notified each time you are needed, and told, whenever possible, if the case has been delayed or cancelled. Therefore, it is very important that the DA's office and the V/W Program have your current address, telephone number or contact number.

**What if the court dates conflict with my job?**

Wisconsin law forbids employers from firing employees because they have been called to testify in a criminal proceeding, even if the employee's testimony is against the employer or involves a work-related incident. Employees are required to give their employers prompt notice of the subpoena. If you need assistance with an employer about being subpoenaed to court, contact the Victim/Witness Program.

**Why are there delays in holding the trial?**

An attorney may ask for more time to prepare the case or to locate an important witness. Trials are sometimes also delayed, because the judge or one of the attorneys has a schedule conflict. Sometimes court must be cancelled at the last minute. Every effort is made to notify you in advance.

**Who do I contact with questions about the case?**

You can call your local V/W Program or DA's Office. It is helpful to have the case number or the offender's name when calling about a specific case. This information will appear on your subpoena.

**Will I be paid for my time spent as a witness?**

You will receive a nominal witness fee for each day you are subpoenaed to appear in court. You may be entitled to a transportation allowance. The V/W Program can provide assistance with applying for witness fees. If you do not receive your witness fee within two months after your appearance in court, contact the V/W Program for further assistance.

**Am I allowed to attend even if I'm not subpoenaed?**

Victims have a right to attend court proceedings. This right is not related to whether the victim is subpoenaed or is appearing as a witness. Crime victims also have a right to receive notice of all hearings, *if requested*.

## **Testifying in Court**

The judge or jury needs to know the facts about the crime. They will consider all of the evidence presented in court. Because you have seen, heard, or know something about the crime that has been committed, your testimony is one way they get this information. Testifying in court can be scary, but you can get assistance from your local V/W Program. Prior to testifying, the Judge's clerk will ask your name and ask you to take an oath. The oath is your promise that you will tell the truth when testifying. The following are helpful tips when preparing to testify in court:

- Refresh your memory. Think about what happened and when the events occurred. If you gave a written statement, ask to see it; this may help you remember things.
- Try to remain calm. Take a deep breath before speaking and take your time to answer.
- If you don't understand a question, ask for it to be repeated or explained. If you don't know the answer, or can't remember, it's okay to say so.
- Speak loudly and clearly. The court reporter needs to hear your answers to record them. Do not nod your head.
- Stop testifying if an attorney 'objects.' Either attorney can object to a question. Do not answer the question until the judge tells you what to do. If you are told to answer the question, you may ask the attorney to repeat it.
- Always tell the truth.
- Dress appropriately.

## **Sentencing and After Court**

If the offender is found guilty or pleads guilty, the defendant will be sentenced. Prior to the sentencing of the defendant, you have a right to provide the judge with a written and/or oral victim impact statement. If the offender is found not guilty at the trial, this is the end of the court proceedings.

### **What is a victim impact statement?**

A victim impact statement is a written and/or oral statement provided to the court at the time of sentencing. The statement may include information about how the crime affected you physically, financially and emotionally. The V/W Specialist can assist you in preparing your statement.

### **How will I know what happens to the offender?**

You have the right to be informed of the disposition (sentencing) information. If you requested disposition information, the DA's office will provide that information to you after the sentencing. If the offender was sentenced to prison you also have a right to receive information about his/her release from prison. In order to be contacted about an offender's release from prison, you must register for notification of release.

### **Do offenders ever get released early?**

There are circumstances under which an offender can be released from confinement earlier than stated in the original sentence. Please contact the Department of Corrections, Office of Victim Services and Programs to speak with a victim service professional with questions regarding the offender's custodial status at 1-800-947-5777.

***For general information about probation, registration for notification of release or release of the offender, call the Department of Corrections Office of Victim Services and Programs toll-free at 1-800-947-5777.***

## **Recovering Costs**

The State of Wisconsin Department of Justice has a program to reimburse crime victims, or in the case of death, their dependents and family members for certain expenses that are the direct result of a crime. The **Crime Victim Compensation (CVC)** Program may reimburse victims for certain expenses related to the crime, such as medical or counseling expenses, lost wages, loss of support, funeral and burial expenses, cleaning up the crime scene, and clothing and bedding held as evidence as long as these expenses are not covered by another source, such as private insurance or public funds. The program does not reimburse for property loss or damage. There are requirements that must be met in order to be eligible for the program. CVC may make payment awards even if no one is arrested or prosecuted.

If you want to learn more about eligibility requirements or to request an application, ask the V/W Program or call the **Office of Crime Victim Services**, toll-free at 1-800-446-6564 (608-264-9497 in the Madison area). Information is available online at: <http://www.doj.state.wi.us/cvs>. You can also request information and application forms by writing to:

Office of Crime Victim Services  
P.O. Box 7951  
Madison, WI 53707-7951

## **What is restitution?**

If found guilty, the court may order the offender to pay for financial losses you suffered as a result of the crime. During the sentencing hearing, the DA should ask the judge to order restitution as part of the sentence.

**How do I apply for restitution?**

You will be asked to provide documentation about your out of pocket expenses. Contact the V/W Program for further information and assistance.

**How will I get paid restitution?**

When restitution payments begin, the offender will give the money to their supervising agent. The agent forwards the money to the Wisconsin Department of Corrections, Cashier's Office, which then sends it to you. Offenders who are not supervised by DOC, but owe restitution, will make payments to the local Clerk of Courts or DA's Office. Either department will then forward the restitution payment to you. If you have questions about restitution, ask the DA's Office or V/W Program. You can also call the Community Corrections Office that is supervising the offender.

**Is there any other way to recover my losses?**

Filing a lawsuit is another option for recovering losses. Civil recovery is an action that is separate from the criminal prosecution. Filing a civil action does not stop you from requesting restitution at the time of sentencing in the criminal case. If you are interested in filing a civil suit you may want to consult an attorney who has experience in civil law; however, you are not required to have an attorney in a civil action. You may want to contact your local clerk of courts and learn about filing instructions and fees, damage limits, and the time frame in which you have to file.

## **Glossary**

**Arraignment** – A court appearance when the defendant is formally charged and is asked to enter a plea of guilty, not guilty, or no contest. In felony cases, an arraignment follows a preliminary hearing.

**Bail** – The amount of money a judge determines that is sufficient to release an accused and assure his or her attendance at later hearings. The accused can lose the total amount of bail if he or she fails to appear for court.

**Bail or Bond Review** – The defense may ask for a hearing date for a bail or bond review. A bail or bond review is a request that a judge reviews the case and determines if bail or conditions of bond should be changed.

**Charging** – The District Attorney prepares a criminal complaint based on the evidence and witness statements developed during an investigation.

**Complaint** – A formal document prepared by the DA based on police reports. It lists the charges and some of the evidence against the offender. The complaint is filed with the Clerk of Courts.

**Confer** – To talk with the district attorney or designee about the criminal case. The discussions may include plea agreements and possible outcomes.

**Contempt of Court** – Disobeying a court order which can result in a fine or incarceration.

**Defendant** – The person charged with a criminal offense. This is the person alleged to have committed a particular crime.

**Defense Attorney** – The defendant's attorney.

**Deferred prosecution agreement** – An agreement to suspend prosecution for a specific period of time if the offender complies with certain conditions. Prosecution may resume if the offender fails to comply with the conditions. Upon successful completion of the agreement, the court will dismiss the charges against the offender.

**Discovery** – The process by which the prosecutor and defense attorney exchange information.

**Dismissal** – The charge(s) against the offender are dropped.

**Disposition** – The final result of a criminal case is the disposition. This may be by a finding of guilty, not guilty, dismissal or a plea of no contest.

**District Attorney** – Under state law, the prosecuting officer who is an elected official and who represents the state in each of its prosecutorial units. Also called a ‘prosecutor’ or ‘DA’.

**Due process** – The right of accused persons (defendants) to receive notice of the charges against them, be present at the trial, provide evidence to the court, and face a jury of their peers. Due process rights, guaranteed in the United States Constitution, can also be described as every person’s right to a fair trial.

**Felony** – A crime that may be punishable by confinement in a state prison, generally for a term exceeding one year.

**Initial appearance** – A defendant’s first appearance in court. A judge reads the charges, sets bail, and appoints an attorney if one is needed. In felony cases, a date is often set for arraignment or preliminary hearing. In misdemeanors, the initial appearance is also the arraignment and the defendant enters a plea.

**Jury Trial** – A panel of citizens who are selected to listen to the facts of the case and decide whether the State (represented by the District Attorney) has proven its charge beyond a reasonable doubt.

**Misdemeanor** – A crime that may be punishable by confinement to a county jail, generally for one year or less.

**Motions** – An oral or written request made to a judge about a legal question made by the prosecutor or the defense attorney before, during, or after a trial. Motions are filed to make a decision about some legal aspect of the case.

**No contest plea** – In general, this means that the defendant accepts the criminal charges, but does not admit guilt. In turn, the court usually finds the defendant guilty.

**Plea Agreement** – A proposed resolution to the case. A plea agreement is between the district attorney, the defense attorney and the offender and is done in an effort to resolve the case and hold the offender accountable.

**Preliminary hearing** – A hearing in felony cases in which the prosecuting attorney attempts to establish that a crime was committed and the defendant committed that crime. If probable cause is established, the case will proceed. If not established, the case is dismissed.

**Pretrial** – An opportunity for the attorneys to review the case, exchange discovery and discuss any possible offers and agreed upon dispositions.

**Probable cause** – A determination by the court that more likely than not, a criminal act occurred and was committed by the defendant accused.

**Probation** – As an alternative to serving time in prison, some individuals convicted of a crime are allowed to remain free in society, but have restrictions on their daily activities and are supervised. Violation of probation can result in a prison sentence, additional restrictions, or a change in conditions of supervision.

**Prosecutor** – The District Attorney, Deputy District Attorney, Assistant District Attorney or Special Prosecutor who has been asked or appointed to review and handle a specific case.

**Restitution** – An amount of money set by the court that the offender is ordered to pay the victim(s) of a crime.

**Sequestration** – An order by the court that witnesses not speak to one another during the course of a court proceeding, and may include exclusion from courtroom during other testimony.

**Subpoena** – A legal order requiring a person to appear in court to testify as a witness.

**Trial** – An official hearing of the facts in court. With physical evidence and testimony, the DA attempts to prove the defendant's guilt beyond a reasonable doubt.

**Victim** – Wisconsin law defines victim for the purpose of rights and service provision. See the section in this brochure entitled *Assistance for Victims and Witnesses* for more information.

**Victim Impact Statement** – An oral and/or written statement that is presented to the court at the time of sentencing. A victim impact statement is a victim's opportunity to tell the court how the crime affected them emotionally, financially and physically.

**Warrant** – A legal order to a law enforcement agency to arrest the person named in the order. A warrant is usually issued for an offender who fails to appear in court.

## **NOTES**

## **NOTES**