Victim Services Division

Commitment to Serving Our Community

The San Mateo County Victim Services Division has been providing support to victims of crime and their families since 1975. Our Victim Advocates care for a victim's physical, emotional and financial needs after a crime. We do this by providing support, information, links to community resources and assisting in the enforcement of victim's rights.

Our services are free of charge and are provided to all individuals regardless of immigration status, sexual orientation, gender identity, race, religion or income.



Jail Inmate Locator:

To sign up to be notified when an offender is released from jail, please visit https://smc-inmatelocator.org or call (650) 363-4424. You will need the offender's name, date of birth and/or inmate number.

VICTIM SERVICES DIVISION (650) 599-7479

E-mail: victimservices@smcgov.org Web: da.smcgov.org

400 County Center, 3rd Floor Redwood City, CA 94063

222 Paul Scannell Drive, 2nd Floor San Mateo, CA 94402

1050 Mission Road South San Francisco, CA 94080



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YOUR RIGHTS IN THE CRIMINAL JUSTICE SYSTEM



VICTIM SERVICES DIVISION



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The criminal justice process

Navigating the criminal justice system can be confusing, discouraging and intimidating. The Victim Services Division is here to help. Our Victim Advocates work to make the criminal justice system more understandable, accessible, and responsive to the concerns of victims and their families. We can guide you through the criminal justice process and provide you with information about your rights at each stage of the criminal case. Below are some common terms that you may encounter in the criminal justice process.

<u>Criminal charges</u>: Allegations of criminal acts.

<u>Arraignment</u>: The court hearing at which a defendant hears the charges alleged and is advised of his rights. The amount of bail is often determined at the arraignment.

<u>Pretrial Conference</u>: The pretrial conference is a meeting that occurs between the judge, assigned deputy district attorney and defense attorney. The purpose of the pretrial conference is to consult with the judge to see if the case can settle before trial.

<u>Preliminary Hearing</u>: In felony cases, a preliminary hearing is a hearing where the deputy district attorney presents evidence to show that there is probable cause that

the crime occurred and that the defendant committed the crime.

<u>Plea</u>: A defendant's response to the criminal charges. A defendant may plead "not guilty", "guilty" or "no contest". A defendant can plead guilty at any time during the criminal justice process.

<u>Trial</u>: The most common and well known type of trial is a jury trial. Alternately, a defendant has a right to have a trial heard by a judge, also known as a bench, or court, trial.

<u>Sentencing</u>: A hearing that occurs after the guilt stage of the case where the judge sets a sentence for the crimes committed.

Victims' rights in the criminal justice system

The District Attorney's Office believes that justice requires the voice of victims. There are rights that a victim has at every stage of the process. For example, victims have a right to respect, protection, to be notified of hearings and to be present at most hearings. For more information about victim's rights, contact a Victim Advocate.

Felony cases

A felony is a crime that is punishable by more than a year in county jail or state prison. Many felony cases often move through the criminal justice process slowly. Below is the typical course that a felony case follows through the criminal justice process and the rights that a victim has at each hearing.



6. Sentencing

A victim has a right to:

- Provide a victim impact statement
- •A copy of the presentencing report
- Restitution
- •Be informed of the conviction, sentence, place of incarceration and release of the defendant

5. Trial

A victim has the right to:

•If testifying, certain victims have the right to a support person

1. Arraignment

A victim has the right to:

- Address the judge about bail
- •Be notified if the defendant is released from custody

2. Pretrial Conference

A victim has a right to:

- •Consult with the DDA about the charges filed
- •Know about potential pretrial resolution

3. Preliminary Hearing

In some types of cases, a victim may be called to testify at the preliminary hearing.

A victim has a right to:

 If testifying, certain victims have the right to a support person

If the defendant is held to answer the charges against him/her, the case will proceed to the next hearing

4. Arraignment

Misdemeanor cases

A misdemeanor is a crime that is punishable by no more than a year in county jail.

Misdemeanor cases often move through the criminal justice process very quickly. Below is the typical course that a misdemeanor case follows through the criminal justice process and the rights that a victim has at each hearing.

4. Sentencing

A victim has the right to:

- Provide a victim impact statement
- Restitution
- Be informed of the conviction, sentence, place of incarceration and release or escape of the defendant

1. Arraignment

A victim has a right to:

- Address the judge about bail
- •Be notified if the defendant is released from custody

2. Pretrial Conference

A defendant may elect to plea guilty at the pretrial conference. If that happens, the judge will sentence the defendant immediately. If a victim would like to describe to the judge how the crime has impacted him/her, the victim is encouraged to attend this hearing.

A victim has a right to:

- Consult with the DDA about the charges filed
- Know about potential pretrial resolution

3. Trial

A victim has the right to:

• If testifying, certain victims have the right to have a support person

