OUTCOMES OF PROSECUTION

There are a number of possible outcomes in a criminal case:

- A case may settle when the defendant voluntarily enters a plea of guilty or no contest to some or all of the charges.
- A case may go to trial, where the defendant may be found guilty or not guilty by a judge or jury.
- An eligible case may be referred to the Deferred Prosecution Program. Successful completion of the program results in the dismissal of criminal charges.

Once the defendant is found guilty by plea or trial, he or she is convicted of a crime and will be sentenced by the judge. The judge may order any or all of the following:

- jail or prison
- probation
- alcohol/drug treatment
- counseling or courses
- restitution
- fines

VICTIM'S RIGHTS

Victims of crime have the following rights:

- To request notice of all hearings.
- To confer with the District Attorney's Office regarding the prosecution of the case.
- To make a statement at sentencing either in person or in writing.
- To request restitution for out-of-pocket expenses.
- To be informed of the final disposition of the case.

Victims of crime have many other rights not listed here. To obtain a complete list, contact the Victim Witness Services Office or refer to Chapter 950 of the Wisconsin Statutes.

To exercise these rights, victims must contact the Victim Witness Services Office.

RESTITUTION

When imposing sentence or ordering probation, the judge can order the defendant to make full or partial restitution to any victim of a crime considered at sentencing.

Restitution may include reimbursement for the following:

- The reasonable repair or replacement cost of damaged property.
- The cost of necessary medical treatment.
- Lost income.
- Funeral expenses in homicide cases.
- The cost of necessary professional psychiatric or psychological treatment.

A restitution information form is sent to each victim. This form asks the victim to itemize their losses and to send copies of any bills, receipts, or estimates that support their claim for restitution.

Once all of the restitution information has been collected, a restitution order will be submitted to the judge to sign. If the defendant objects to the order, the judge will schedule a restitution hearing. A victim may be required to attend the restitution hearing in order to establish the amount of restitution that has been requested.

CRIME VICTIM COMPENSATION

The Crime Victim Compensation Program may provide financial help for victims who suffer injury as a result of a crime. To be eligible, a victim must not have caused or contributed to the crime, and must cooperate with the investigation and prosecution of the crime. Other restrictions also apply.

To file a claim, contact:

Crime Victim Compensation Program
P.O. Box 7951
Madison, WI 53707-7951

Madison Area: 608-264-9497
Toll Free: 1-800-446-6564

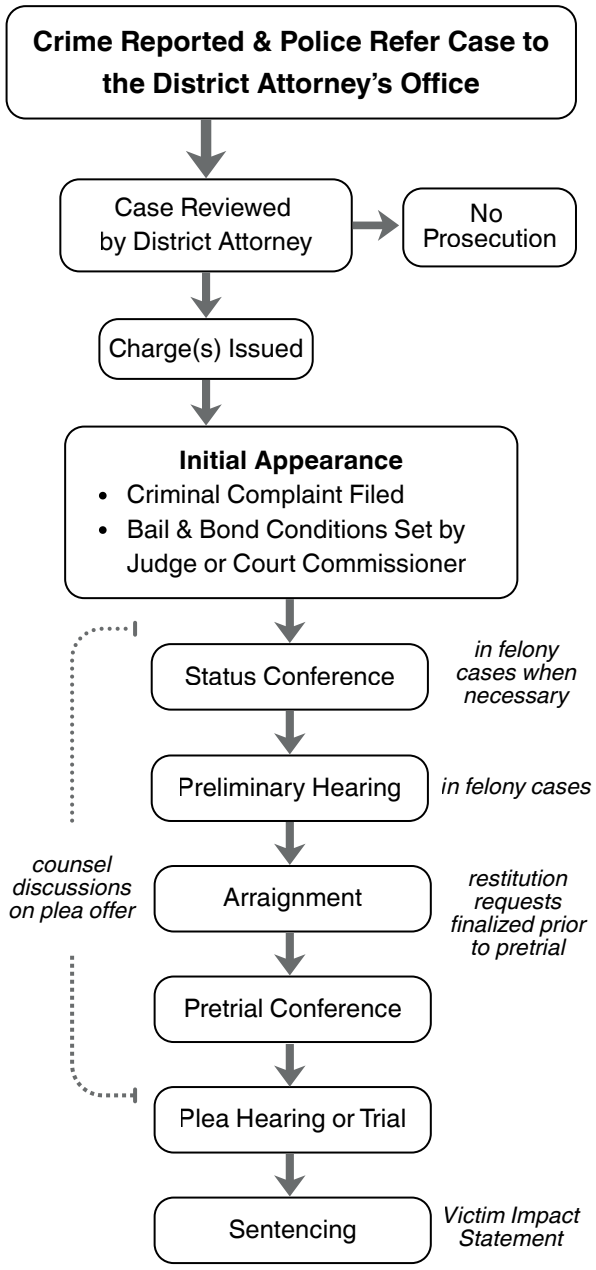
The Criminal Court Process

The cooperation of victims and witnesses is very important to our criminal justice system. When you report a crime and/or testify, you make our community a safer place to live. The enclosed information explains the criminal court process.

WOOD COUNTY
DISTRICT ATTORNEY'S OFFICE
Victim/Witness Services

Wood County Courthouse
400 Market St. PO BOX 8095
Wisconsin Rapids, WI 54495
715-421-8580
woodvw@da.wi.gov

CRIMINAL CASE



Court case information is available at www.wicourts.gov

G L O S S A R Y

Arraignment - A brief court hearing where the defendant is formally charged and enters a plea of guilty, not guilty, or no contest.

Bond - A court order allowing a defendant to be released from custody while a case is pending. The judge may set a bail amount that must be paid for release (**cash bond**) or allow release based on the defendant's promise to appear (**signature bond**). The court may also impose conditions of release.

Criminal Complaint - A document prepared by the District Attorney's Office which lists the criminal charges and summarizes the facts in support of those charges.

Defendant - The person who is charged with a crime.

Deferred Prosecution - A program run by the District Attorney's Office which may be offered to first-time criminal offenders who voluntarily enter a guilty plea.

District Attorney - The District Attorney is an elected official who represents the State of Wisconsin in criminal cases. **Assistant District Attorneys** act on behalf of the District Attorney.

Felony - A level of crime that is potentially punishable by confinement in the state prison system for a year or more.

Initial Appearance - The defendant's first appearance before the court in a criminal case. The judge advises the defendant of the charges and their constitutional rights, addresses conditions of release or bond, and schedules future proceedings as appropriate.

Misdemeanor - A level of crime for which the maximum punishment is a year or less in the Wood County Jail.

Motion - A request made to the judge which asks for a legal decision about an issue related to the case. A motion may be filed by the State or by the defendant before, during, or after a trial.

Plea - The initial plea entered by the court for all defendants is "not guilty". The defendant may change that plea at any time to "guilty," "no contest," or "not guilty by reason of mental disease or defect".

Plea Offer/Agreement - A proposed agreement to resolve a criminal case without a trial. In exchange for a guilty or no contest plea, the prosecutor may reduce or dismiss charges or recommend a particular sentence.

Preliminary Hearing - In many felony cases, the judge determines whether there is enough evidence to continue prosecuting the case. The defendant may waive or give up his or her right to have this hearing.

Pretrial Conference - The parties discuss plea negotiations, trial readiness, unresolved issues, and scheduling. Many cases are resolved at or before this hearing.

Read-In - An uncharged or dismissed offense that the defendant agrees the court may consider at sentencing. The defendant is not convicted of the read-in offense, but it may be considered in sentencing and restitution.

Restitution - Money a defendant is ordered by the court to pay a victim for out-of-pocket expenses directly caused by the crime.

Sentence - The punishment or consequences ordered by the court after a defendant is convicted or pleads guilty or no contest.

Status Conference - A hearing to determine if the defendant has an attorney and if he or she wants to have the State produce evidence at the preliminary hearing.

Subpoena - An order that requires a victim or witness to appear in court to testify.

Trial - A hearing at which evidence is presented to a judge or jury to determine whether the defendant is guilty beyond a reasonable doubt. A defendant may be found guilty of all, some, or none of the criminal charges.