



A Victim's Guide

A VICTIM'S GUIDE
to the
D.C. CRIMINAL
JUSTICE SYSTEM



Council for
Court Excellence
Improving Justice for the Community

The Council for Court Excellence

produced and distributes this educational booklet as part of a Crime Victim's Series which includes two additional booklets, *Recovering Your Stolen Property* and *Victim Impact Statements*. Together, these informational booklets aim to inform victims and other residents about the District of Columbia's criminal justice system. The Council publishes these and similar booklets to heighten the public's understanding of the District of Columbia justice system and the roles and responsibilities of the various agencies within the system.

Formed in Washington, DC in January 1982, the Council for Court Excellence is a nonprofit, nonpartisan, civic organization. The Council works to improve the administration of justice in the local and federal courts and related agencies in the Washington metropolitan area. The Council accomplishes this goal by:

- Identifying and promoting justice system reforms,
- Improving public access to justice, and
- Increasing public understanding and support of our justice system.

As a private nonprofit organization, the Council for Court Excellence depends on charitable donations and other funding from the private sector to accomplish its goals. Individuals, law firms, corporations and foundations support the work of the Council through tax-deductible gifts.

If you would like to contribute to the Council for Court Excellence or would like more information, please contact us at:

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1111 14th Street, NW, Suite 500
Washington, DC 20005
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A VICTIM'S GUIDE TO THE D.C. CRIMINAL JUSTICE SYSTEM

August 2012

Dear Community Member,

You play a very important role in our city's criminal justice system. Without your support and cooperation, guilty criminals may go unpunished.

Your role in the District of Columbia criminal justice system is crucial, but you may be unfamiliar with your rights and responsibilities. The Council for Court Excellence has prepared this booklet to help you understand better how the police, prosecution, defense and courts work in criminal cases. This booklet explains the steps involved in bringing a criminal case to trial and your role in that process.

We extend our thanks to the many individuals and government agencies who contributed to updating this booklet. Thanks are also due to the Public Welfare Foundation and to the Eugene and Agnes E. Meyer Foundation which supported the initial development of the Council's public education series in the victims' rights area in 1988. Since then, CCE has distributed more than 100,000 victim rights booklets across our community.

Sincerely,



Jay A. Brozost
Chairman of the Board

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The D.C. Criminal Justice System

The criminal justice system consists of everything that happens from the time a crime is reported through the time served by the person convicted of committing the crime. Not all crimes result in *arrest*.¹ Not all arrested people are prosecuted, *convicted*, and *sentenced*. Some of the reasons cases never enter the system or drop out of the system are:

- the crime is not reported to police;
- *victims* or *witnesses* refuse to testify;
- *evidence* cannot be used because it was illegally obtained;
- there is not enough evidence that a crime was committed to proceed;
- there is not enough evidence to identify who committed the crime to proceed;
- the person *charged* with committing the crime is declared not guilty by a jury or a *judge*.

The next few pages describe the process that both the accused and the victim go through if the accused is arrested and properly processed. Much of this information does not apply directly to victims or witnesses of crimes that are committed by juveniles.

Please keep in mind that if hearings and trials are scheduled by the *court*, you may be required to attend if you are a victim or a witness. Sometimes, court hearings are postponed to a new date or time. These delays are frustrating, but often cannot be helped. If there are schedule changes, you will be notified by the prosecutor's office.

1. Arrest

After the police, usually the D.C. Metropolitan Police Department, have determined that a crime has been committed, a *suspect* must be identified, arrested, and formally charged for the case to proceed through the system. Sometimes a suspect is identified and taken into police custody at the scene of the crime; however, there are times when identification of a suspect may require a long investigation and an immediate arrest is not possible. Sometimes, unfortunately, no

¹ Words in this guide that are in italics when they first appear are defined in the Glossary that begins on page 20.

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one is identified or caught. A detective, not the responding officer, will be assigned to investigate the case.

If you witness a crime or if you are the victim of a crime, please report the crime to the police. Without your help, the *accused* may go free. When you talk to the police, get the name and phone numbers of the police officers and write the information in the back of this booklet.

2. *Papering*

Within 24 hours after a person has been arrested, the police present information about the crime and about the accused to the prosecutor's office. In D.C., the Office of the Attorney General prosecutes juvenile cases, traffic cases, and some adult *misdemeanor* cases. The United States Attorney's Office handles the prosecution of all other criminal cases. The prosecutor's office will decide if charges will be filed with the court. If the prosecutor does not file charges, the accused must be released.

If you have reported to the police that you are the victim of a serious crime such as sexual assault or you are the relative or close friend of a murder victim, you may be contacted by the United States Attorney's Office Victim/Witness Assistance Unit. Victim/Witness Advocates can explain the court process and may assist you if you want help.

Victims and witnesses of any crime may contact the Victim/Witness Assistance Unit. **See Services Available at the United States Attorney's Office, page 10**

3. *Felony Presentment/Misdemeanor Arraignment*

This is the first time the accused appears in the D.C. Superior Court. At this hearing, the charges brought by the prosecutor are read to the accused/the *defendant*, and the judge (a) determines whether there is probable cause to believe that the accused

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committed the crime, and (b) makes an initial decision about whether to hold or release the defendant pretrial.

Defendants who are charged with a felony are either (a) released by a judge with conditions about where they can go, and with supervision during their release by the Pretrial Services Agency, or (b) held in jail until the trial.

Defendants who are charged with a misdemeanor are usually released on *personal recognizance* so long as the judge is confident that they will appear for trial.

If the judge orders the defendant to be held in jail, there is a further hearing in just a few days, where more evidence is presented, at which another judge makes a more permanent decision about whether to detain or release the defendant pretrial.

The judge can order pretrial detention with no possibility of release if the offense is serious; the prosecutor has made a sufficient *proffer* of evidence that a crime was committed and the accused is the person who committed that crime; and the accused is believed to be dangerous to himself or others, or the accused presents a serious risk of flight.

The judge may decide to release the accused on the written promise by the accused to show up at the trial. A *defense attorney*, either from the D.C. *Public Defender Service* or a private attorney compensated through the Criminal Justice Act (CJA), is appointed if the accused cannot afford to hire an attorney. In felony cases, the judge will set a date for a *preliminary hearing*. In misdemeanor cases the judge will set a date for the trial.

Victims and witnesses are not required to attend this presentment/arraignment hearing.

4. Preliminary Hearing

Within 3 to 20 days after an arrest for a felony, the judge determines from the evidence presented by the prosecutor at the preliminary hearing if there is reason to believe (*probable cause*) that the accused

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committed the crime. If the judge does not find probable cause, the case is dismissed (though the prosecutor may still decide to gather more evidence and pursue the charge against the accused). However, if the judge finds probable cause or if the accused gives up his/her right to a preliminary hearing, the prosecutor may present the case to a *grand jury*.

As a victim or witness, you may be required to attend the preliminary hearing. The prosecuting attorney will contact you to let you know if you should attend.

5. Grand Jury

Usually within 30 days after an arrest for a felony, the grand jury hears evidence against the accused presented by the prosecutor. The grand jury decides whether the evidence against the accused is enough to warrant a trial. If so, the grand jury issues an *indictment* (a written statement of the specific crime or crimes charged against the accused) to the court. (The grand jury is different from the “petit” or trial jury, which decides after a trial whether the accused has or has not been proven *guilty* beyond a reasonable doubt.)

Victims and witnesses may be required to attend the grand jury hearing. If you are needed to testify before the grand jury, you will receive a *subpoena* (an official notice to attend) listing the time, date, and place of the hearing. If you have been subpoenaed to the grand jury but have concerns regarding your constitutional rights and responsibilities at the proceeding, the D.C. Public Defender Service will provide you with assistance.

6. Felony Arraignment

If the grand jury indicts the accused, at the felony arraignment the accused is informed of the charges against him or her, advised of his or her constitutional rights, and required to enter a *plea* of guilty or not guilty to the charges.

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Sometimes, a defendant will plead guilty at this hearing. Such a plea is the result of negotiations between the prosecutor and the accused. The prosecutor's office generally offers to drop one or some of the charges against the defendant or to ask for less than the maximum statutory sentence if the defendant enters a *guilty plea*. This practice is called *plea bargaining*.

If the defendant pleads guilty, the judge asks questions to be certain that the defendant is sure of his choice and his plea, so that he cannot later appeal it, and to be certain that the defendant is not pleading guilty because of pressure or fear. If the judge accepts the guilty plea, no trial is held and the *offender* is sentenced at a subsequent hearing, usually held about 6 weeks later.

Victims and witnesses are not required to attend arraignment hearings. If they are present, they would not be asked or allowed to testify.

7. Status Hearings

If the accused has entered a plea of not guilty at the arraignment hearing, the judge will hold one or more status hearings to make sure that both the prosecution and defense are ready for *trial*.

Victims and witnesses are not required to attend status hearings.

8. Witness Conferences

These meetings are set up by the prosecutor's office to review the case and discuss your *testimony*. Witness conferences, including victims as witnesses, might occur during all the stages leading up to the trial and sentencing hearing.

The Victims/Witness Assistance Unit of the United States Attorney's Office may contact you about these meetings, especially if you are a victim in a serious felony case. You should attend all meetings set up by the prosecutor. Sometimes, as a victim or a witness

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to an alleged crime, you may have concerns about whether you may face charges yourself. If so, the D.C. Public Defender Service will provide you with assistance.

9. Trial

If a felony defendant pleads not guilty, a trial takes place. A person accused of a felony or some serious misdemeanors is guaranteed the right to a trial by jury. However, the accused may decide to ask for a trial before a judge, without a jury.

In both types of trials, the prosecution presents evidence and questions witnesses, and the judge decides issues of law. The defense may question witnesses and present evidence, but the defendant's constitutional right to remain silent remains with him or her throughout the trial.

The trial ends when the judge or jury decides if the prosecution has proved the defendant guilty beyond a reasonable doubt. If the defendant is found not guilty, he or she is *acquitted* and is free to go. If the defendant is found guilty, the judge decides if he or she will be detained in jail until sentencing, and the judge sets a date for the sentencing hearing.

Victims and witnesses will be notified by the prosecutor's office of the date, time, and place of the trial. You will also be told whether you will be testifying. If you are required to testify, you will receive a subpoena. On the day of the trial, you should report to the prosecutor's office for further instructions.

10. Testifying:

When you are preparing to testify and when you testify, please consider the following:

- Always tell the truth.
- Think before you speak. Take your time. Make sure you understand the question you are asked before you answer.
- Do not guess at answers or offer your opinion unless the judge asks you to do so. If you do not know the answer to a question, simply say that you do not know.

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- Do not memorize your answers.
- Speak up loudly enough for everyone in the courtroom to hear you.
- Always remain calm. Try not to become upset even if one of the attorneys makes you angry or hurts your feelings.
- Listen to the judge. If one of the attorneys makes an objection, stop testifying until the judge tells you to continue.
- If you are confused or have a question, ask the judge for help.

11. Sentencing Hearing

After a guilty *verdict* or guilty plea, the judge sets a date for the sentencing hearing, at which time he or she will sentence the defendant. A sentencing hearing may be held to discuss the circumstances surrounding a convicted person's criminal behavior. Victims and witnesses are not required to attend the sentencing hearing, but you may do so if you would like.

Before the sentencing hearing, the judge will usually receive a *presentence report* from the Court Services and Offender Supervision Agency. This report gives the judge a lot of information about the defendant. In serious felony cases, one of the important parts of this report is the *Victim Impact Statement*.

Victims of any felony or of a violent misdemeanor have the right to complete a form called the Victim Impact Statement. Impact statements give crime victims the opportunity to describe how the crime has affected his or her life so the judge will have that information when deciding the sentence.

If you need help completing the Victim Impact Statement, contact the Court Services and Offender Supervision Agency or the Victim/Witness Assistance Unit of the U.S. Attorney's Office.

The Council for Court Excellence has published an information booklet to help crime victims know how to fill out the Victim Impact Statement form. The booklet can be requested from the Council for Court Excellence office.

Copies of the booklet are also available from the U.S. Attorney's Office, the D.C. Superior Courthouse, or at D.C. Public Library branches.

Services Available at the United States Attorney's Office

United States Attorney's Office

555 Fourth Street, NW, Washington, DC 20530
Phone: 202-252-7566 • (202) 514-7558 (TTD)
<http://www.justice.gov/usao/dc/index.html>

Victim/Witness Assistance Unit

The United States Attorney Victim/Witness Assistance Unit, (202-252-7130) or if using TTD (202-305-9195), is located in Suite 1412, 555 Fourth Street, NW, Washington, DC. The Unit will help you while you are involved in the criminal justice system. Victim/Witness Advocates can help you with crime-related problems, assist with arranging protection or relocation, accompany victims and witnesses to court, assist out-of-town witnesses with travel and hotel reservations, provide information on court proceedings and the status of the case, assist with the return of property, and assist with the processing of victim compensation claims in conjunction with the Crime Victims Compensation Program.

Witness Waiting Rooms (Prosecution)

Waiting areas for victims or witnesses for the prosecution are located on floors 1 to 5 of the United States Attorney's Office/Judiciary Center, 555 Fourth Street, NW, Washington, DC. The Assistant United States Attorney who is handling the case will tell you when and where to report. You will need to check in with the security guard on the 1st floor of the Judiciary Center building. The building is secured, so be sure to bring an ID card. Please check in with the receptionist on the floor where the prosecuting attorney asked you to wait. You may want to bring a book, newspaper, or magazine to occupy your time while you are waiting.

Child Waiting Room

The Child Waiting Room at the United States Attorney's Office, 555 Fourth Street, NW, Washington, DC, provides childcare services for victims and witnesses with children ages 6 months to 12 years, while the victims or witnesses meet with the prosecutor about a case. There is no charge for the services of the Child Waiting Room, but it is only available to victims or witnesses while they are meeting with the prosecutor at the U.S. Attorney's Office or testifying in court or before the Grand Jury.

Services Available at (or near) the Moultrie Courthouse

Superior Court of the District of Columbia

H. Carl Moultrie I Courthouse
500 Indiana Avenue, N.W.
Washington, D.C. 20001
Phone: (202) 879-1010
(202) 879-1111 (TTY)
<http://www.dccourts.gov/>

Public Information Desk

The Public Information Desk (202-879-1010) is located on the left side of the Indiana Avenue entrance of the Moultrie Courthouse. If you need to find out when and where a trial is being held or directions to a courtroom, ask one of the information clerks, or go to the Criminal Information Center on the fourth floor in Room 4001. You may call the Criminal Information Center at 202-879-1373, or TTY 202-783-6445.

Child Care Center

If you are scheduled to appear in the D.C. Superior Court and have children in need of care, there is a Child Care Center available in Room C185 of the Moultrie Courthouse (202-879-1759). The Center is open Monday through Friday (excluding holidays) from 8:30 a.m. to 5:00 p.m. Only children ages 2 to 12 who are toilet trained (no diapers or pull-ups permitted) and have immunization records are accepted. There is no charge, but you must bring a lunch for your child, and you must remain in the courthouse while your child is in the Center.

Witness Waiting Rooms

Much of the time that you spend at the Moultrie Courthouse will be spent waiting. There are separate waiting facilities available for witnesses for the defense and witnesses for the prosecution. You may want to bring a book, newspaper, or magazine to occupy your time while you are waiting.

Services Available at (or near) the Moultrie Courthouse

Translation Services

The court has staff who will arrange for a translator if one is needed for a court hearing.

Coffee Shop

A coffee shop, called Firehook Bakery and Coffeehouse, is located on the C Street level of the Moultrie Courthouse. It is open from 7:30 a.m. to 3:30 p.m. year-round; phone: (202) 879-0066.

Domestic Violence Intake Centers (DVICs)

Located in Room 4550 of the Moultrie Courthouse, the main Domestic Violence Intake Center handles all aspects of domestic violence cases. The phone is (202) 879-0152. There is also a DVIC at the Greater Southeast Intake Center, 1328 Southern Avenue, SE, Medical Pavilion Suite 311; staff there can be reached at 202-561-3000.

At both DVICs, a variety of staff are present to assist victims through all aspects of the process: court clerks, police officers, prosecutors, advocates, and staff from the Crime Victims Compensation Program.

For a description of the Domestic Violence Centers' services, see page 18 of this booklet.

Pretrial Services Agency

The Pretrial Services Agency (202-220-5500) is located in Suite 1120 at 633 Indiana Avenue, NW, one block from the Moultrie Courthouse. This office will provide you with information about the case before it is brought to trial. If you want information about someone arrested the night before, call (202) 585-7030.

Crime Victim Compensation Program

This office is located in Room 109 of D.C. Courts Building A, 515 5th Street, NW. See page 17 for details.

Your Rights as a Victim or Witness

Victim Impact Statement (VIS)

The District of Columbia's "Victim Rights Amendment Act of 1988" allows the victims of felonies and violent misdemeanors to file a Victim Impact Statement (VIS) with the sentencing judge if the defendant pleads guilty or is found guilty at trial. A VIS permits you to describe any physical, financial, psychological, and/or emotional injuries that occurred as a direct result of the crime.

The VIS is read by a community supervision (*probation*) officer, the sentencing judge, the prosecutor, and the defense counsel. Your statements will be used to help the judge in sentencing the defendant.

Victim Compensation

The D.C. Superior Court's Crime Victim's Compensation Program provides compensation, not exceeding \$25,000, to eligible, innocent victims of violent crime. The program, administered by the court, provides reimbursement for economic losses directly related to the crime where no other resource is available to pay for these expenses. The program is funded by filing fees paid by those who file lawsuits and by fines paid by criminal defendants.

You are eligible for compensation if you or your loved one suffered personal injury or death due to a crime of violence in the District of Columbia. You must have reported the crime to law enforcement within seven days of the crime, and you must file your application for victim compensation within one year of the crime. You are not eligible for compensation if you committed or helped commit the crime, if you were involved in any illegal activity at the time of the crime, or if you do not reasonably cooperate with law enforcement officials.

For more information about what you need to do to receive compensation, see page 17 of this booklet.



Your Rights as a Victim or Witness

Domestic Violence Victims

In 1990, the D.C. Council enacted the Domestic Violence Prevention Act, which provides important legal protections for victims of domestic violence in the District of Columbia.

The law requires the police to make an arrest in all cases where there is probable cause to believe that a crime involving domestic violence has occurred.

If you are a victim of domestic violence or need a stay-away order from the court in the form of a *Civil Protection Order*, report in person to one of the Domestic Violence Intake Centers: Room 4550 of the Moultrie Courthouse, 500 Indiana Avenue, NW, or Medical Pavilion Suite 311 of the Greater Southeast Intake Center at 1328 Southern Avenue, SE, for assistance.

Property Return

Any property recovered by the police that is not being held as evidence in the case may be returned to the owner before the trial, once the police department's Property Clerk has determined who the lawful owner is. Property that is being used as evidence in a trial will usually need to be held until the end of the trial. Any contraband (weapons or illegally gained money or property) will not be returned.

If your property is being held as evidence and you need it back, contact the prosecuting attorney or the Victim/Witness Assistance Unit of the United States Attorney's Office for help in recovering your property. Sometimes arrangements can be made for early release of property.

Freedom From Intimidation

It is a serious criminal offense to threaten, intimidate, or harass a victim or witness in a criminal proceeding (D.C. Code Section 4-164). If at any time you believe you or your family are in immediate danger, call the police (911).

Your Rights as a Victim or Witness

After you call the police, be sure also to tell the prosecuting attorney or the victim advocate for the case what happened. You may be able to get a court order from a judge requiring the defendant to stay away.

The Defense Attorney

During the *investigation* phase of a criminal case, you may be contacted by the defense attorney or by an investigator working on behalf of the defendant (there are no investigators for the court). It is your choice whether you talk to them or not. You do not have to speak to the defense attorney. You can choose to ask him or her to get the information from the prosecutor's office.

If you choose to speak with the defense attorney, tell the truth. What you say may be used to challenge your testimony during the trial. Be sure to get a copy of the interview and read it carefully to be sure it is accurate before signing it. Inform the prosecuting attorney about the interview.

Witness Fees

By law, all victims and witnesses are paid for time spent in court. You will be paid \$40 for every court appearance, unless you are employed by the federal or D.C. government. Instead of the witness fee, witnesses who are employed by the federal or D.C. government will receive their regular salary without being charged for annual leave from their job.

Local victims and witnesses who have a signed fee voucher from the prosecuting attorney and proper identification can get emergency payment from the Criminal Finance Office (202-879-1840) located in Room 4203 of the Moultrie Courthouse, 500 Indiana Avenue, NW. Unless it is an emergency, you will get your check by mail.



Your Rights as a Victim or Witness

Out-of-town (more than 25 miles) victims and witnesses are reimbursed for travel and hotel expenses (up to a certain amount) in addition to the daily witness fee. Out-of-town witnesses must bring their subpoena, signed by a judge, and proper identification to be paid.

All necessary witness fee forms are available from the D.C. Courts' Budget and Finance Division on the 6th floor of Gallery Place at 616 H Street, NW, (202-879-7596).

Programs Available to Victims and Witnesses

Crime Victims Compensation Program

D.C. Courts Building A
515 5th Street, NW, Room 109
Washington, DC 20001
Phone: 202-879-4216 • Fax: 202-879-4230

The D.C. Crime Victims Compensation Program provides assistance to eligible innocent victims of violent crime in the District of Columbia to reimburse them for crime-related expenses not already covered by other sources such as private insurance, Medicaid, Medicare, Social Security, an employer's wage continuation program, worker's compensation benefits, or similar sources. Eligible victims for compensation may also include survivors, dependents or family members of an innocent victim of crime, any person injured trying to prevent a crime, and a person who legally assumes a financial obligation for a crime victim who has suffered a financial loss as a direct result of a violent crime not covered by another source.

Compensation not exceeding \$25,000 may be awarded to eligible crime victims for crime-related costs such as funeral expenses, medical expenses, lost wages, mental health counseling, loss of support, clean-up of a crime scene, and replacement of clothing held as evidence by law enforcement. The Program may also award the cost of temporary emergency shelter, not exceeding 120 days, where necessary as a result of the crime. The Crime Victims Compensation Program does not pay for the loss of personal property, such as items stolen in a burglary or a stolen car.

Those eligible for compensation are victims of violent crimes that occurred in the District of Columbia who reported the crime to law enforcement within seven days of the crime. If you are a victim of sexual assault, the reporting requirement is satisfied if you obtained a sexual assault examination from a medical provider. If you are a victim of domestic violence, you may satisfy the reporting requirement by obtaining a protection order against the offender. In cases of child

Programs Available to Victims and Witnesses

cruelty, the reporting requirement is met by filing a neglect petition. You must file an application with the Crime Victims Compensation Program within one year of the crime and must reasonably cooperate with law enforcement.

To receive an application, please call or visit the Crime Victims Compensation Program office.

The Domestic Violence Intake Centers

H. Carl Moultrie I Courthouse
500 Indiana Avenue, NW, Room 4550
Washington, DC 20001
Phone: (202) 879-0152

Greater Southeast Intake Center

1328 Southern Ave, SE,
Medical Pavilion Suite 311
Washington, DC
Phone: (202) 561-3000

The Domestic Violence Intake Centers handle all aspects of domestic violence cases. Staff members at the Centers help victims to file petitions for *Temporary Protection Orders* and Civil Protection Orders, find attorneys, and obtain social services such as counseling and shelter. An advocate from the U.S. Attorney's Office is available to help victims better understand whether the case should be prosecuted in criminal court, or, if no arrest has been made, whether a warrant for the alleged abuser's arrest should be issued.

Programs Available to Victims and Witnesses

United States Attorney's Office Victim/Witness Assistance Unit

Judiciary Center

555 Fourth Street, NW, Suite 1412

Washington, DC 20530

Phone: 202-252-7130

202-305-9195 (TTY)

Please turn to page 10 for a complete description.

United States Capitol Police Victim-Witness Assistance Program

119 D Street, NE, Suite 704

Washington, DC 20510-7218

Phone: (202) 228-CARE (2273)

(202) 228-0911 (TTY)

This program offers assistance to victims and witnesses in cases where the investigation or arrest was made by the United States Capitol Police (USCP). The USCP helps keep you informed about various aspects of your case and answers questions you may have during the process. United States Capitol Police Officers can also answer questions about victim compensation and recovery of any property that may have been stolen. Additionally, USCP can act as a resource to refer you to public or private programs that provide counseling, treatment, or other support to victims or witnesses of crime.

Glossary of Terms

ACCUSED - A person who has been charged with committing a crime but has not yet been tried. (see also Defendant)

ACQUITTAL - A decision made by a judge or jury that the accused was not proven guilty of committing the crime.

APPEAL - To take a case to a higher court for review.

ARRAIGNMENT - The initial court hearing at which a person accused of a misdemeanor is brought before a judge, told the charges against him or her, and asked to enter a plea of guilty or not guilty.

ARREST - To take a person suspected of committing a crime into legal custody so that he or she can be charged and tried for committing the crime.

BOND - The amount of money set by a judge which allows the accused to go free until the trial. The purpose of bond is to ensure the accused shows up at court. (see also Personal Recognizance)

CHARGE - The specific law that the prosecutor accuses the defendant of having violated.

CIVIL PROTECTION ORDER (CPO) - A court order which can prohibit contact between two persons; establish temporary custody and visitation schedules in cases of domestic violence; and designate treatment programs for alcohol or drug abuse, domestic violence, or parenting skills as a response to domestic violence issues. The respondent (the person whose behavior will be restrained by the order) has a right to be present for the CPO hearing,

CJA ATTORNEY - An attorney appointed and paid by the court to represent a criminal defendant who cannot otherwise afford a lawyer. (see also Public Defender)

CONTINUANCE - A delay or postponement of a court hearing to another date or time.

CONVICTION - A decision made by a judge or jury that the accused is guilty beyond a reasonable doubt of committing the crime for which he or she was tried.

COURT - An agency of the judicial branch of government with constitutional authority to decide questions of law and disputes brought before it.

Glossary of Terms

DEFENDANT - A person who has been charged in court with committing a crime and is now on trial. (see also Accused)

DEFENSE ATTORNEY - The lawyer for the defendant.

DOMESTIC VIOLENCE - A systematic pattern of behavior in which one person uses various forms of abusive behavior such as hitting, threatening, destroying property, or emotional abuse to control others in intimate and family relationships.

EVIDENCE - Testimony and objects presented in court by the prosecutor and the defense.

FELONY - A serious crime punishable by more than one year in a prison and/or a fine. Felonies include crimes such as murder, rape, burglary, and robbery.

GRAND JURY - A group of up to 23 D.C. citizens who hear evidence presented by the prosecutor and decide whether there is enough evidence to charge and try the accused.

GUILTY - A decision of a judge or a jury in a criminal case that the accused committed the crime he or she was charged with.

GUILTY PLEA - A statement to the court by the accused that he or she committed the crime.

INDICTMENT - A written accusation made by a grand jury charging a person with committing a crime

INVESTIGATION - The gathering of evidence by police and prosecutors to determine whether a crime was committed and who committed the crime.

JUDGE - In the District of Columbia, a person recommended to the President of the United States by the D.C. Judicial Nomination Commission, appointed by the President, and confirmed by the U.S. Senate to preside over a court of law.

JURY - A group of citizens who hear the evidence presented in court and decide whether the government has or has not proven beyond a reasonable doubt that the defendant is guilty.

MISDEMEANOR - A crime that is less serious than a felony and is punishable by one year or less in jail and/or a fine. Misdemeanors include offenses such as petty theft, most traffic violations, and possession of marijuana.

Glossary of Terms

NOT GUILTY PLEA - A statement to the court by the accused denying that he or she committed the crime.

OFFENDER - A person who has been convicted of a crime.

PAPERING - The decision made by the prosecutor about whether to file charges against the accused.

PERJURY - A lie told while a person is under oath to tell the truth.

PERSONAL RECOGNIZANCE - The written promise made by the accused to the judge that he or she will return to court when ordered to do so; a frequent form of pretrial release in criminal cases in D.C.

PLEA - A defendant's formal answer in court denying or admitting that he or she committed a crime.

PLEA BARGAIN - An agreement between the prosecutor and the defendant that the defendant will plead guilty.

PRELIMINARY HEARING - A hearing to determine if there is enough evidence to hold the accused for a grand jury hearing.

PRESENTENCE REPORT - A report by the Court Services and Offender Supervision Agency (CSOSA) describing the past behavior, family circumstances and personality of the defendant, as well as specifics about the crime committed. This report helps the judge determine the sentence. (see also Victim Impact Statement)

PRESENTMENT - The initial court hearing at which a person accused of a felony is brought before a judge, told the charges against him or her, and asked to enter a plea of guilty or not guilty.

PROBABLE CAUSE - The amount of proof needed by the police, the prosecutor, and the judge to believe that a crime was committed and that the accused should be put on trial to see if he or she was the one who committed the crime.

PROBATION - A court sentence allowing the offender to go free under the supervision of a probation officer.

PROFFER - a preliminary offering or preview of testimony or evidence that will be said or shown. Also known as an offer of proof.

Glossary of Terms

PROSECUTOR - In a criminal case, the lawyer representing the government; in D.C., the prosecutor is an Assistant United States Attorney or an Assistant D.C. Attorney General.

PUBLIC DEFENDER - An attorney employed by the D.C. Public Defender Service who represents defendants who cannot afford to pay for a lawyer. (see also CJA Attorney)

SENTENCE - The offender's punishment after being found guilty of a crime.

STATUS HEARINGS - Court hearings to see if both the prosecution and defense are ready for trial.

SUBPOENA - A written order requiring a person to appear at a certain time and place to give testimony about the crime.

SUSPECT - A person who is thought to have committed a crime and is under investigation, but who has not been arrested or charged.

TEMPORARY PROTECTION ORDER (TPO) - A court order that restrains someone from specific behaviors. The temporary protection order lasts for 14 days, at which time there will be a hearing to determine if a civil protection order (CPO) should be

granted. The respondent (the person whose behavior will be restrained by the order) need not be present in order for a TPO to be issued.

TESTIMONY - Statements made in court by witnesses who are under oath to tell the truth.

TRIAL - A court proceeding at which evidence is presented for a judge or a jury to decide whether or not the defendant committed the crime.

VERDICT - The decision of the judge or jury at the end of a trial that the defendant is either guilty or not guilty of the crime.

VICTIM - An individual against whom a crime, or an attempted crime, was committed. The family or close friend of an individual who was murdered.

VICTIM IMPACT STATEMENT - A form that allows victims to describe the physical, emotional, psychological and financial impact of the crime on their lives and families, and that is used by the judge at the time of sentencing. (see also Presentence Report)

WITNESS - A person who has seen or knows something about the crime. The victim is usually a witness, too.

WITNESS CONFERENCE - A discussion between the victim, the witness, and the prosecutor to prepare for trial.

Getting To Court

Superior Court of the District of Columbia

H. CARL MOULTRIE I COURTHOUSE

500 Indiana Avenue, NW

Washington, DC 20001

Phone: 202-879-1010

202-879-4749 (TTY)

Metro:

Judiciary Square Stop (Red Line)

Exit 4th Street, NW/Federal & Local Courts

OR

Navy Memorial Stop (Green or Yellow Line)

Exit 7th and E Streets, NW

Bus:

D2 to E Street & 4th Street, NW

44 to E Street & 4th Street, NW

Any 30s or 70s bus to

7th Street & Indiana Avenue, NW

Circulator to 7th Street & Indiana Avenue, NW

Parking:

Very limited in the courthouse area;

travel by public transportation is preferred.

Building Locations

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

H. Carl Moultrie I Courthouse

500 Indiana Avenue, NW

C STREET LEVEL

Arraignment Courtroom,
C-10
Child Care Center,
Room C-185
Coffee Shop

JOHN MARSHALL LEVEL

Family Court Courtrooms
JM-1 to JM-3 and
JM-10 to JM-16
Family Court Central
Intake Center (receives all
Family Court filings)
Family Court
Self-Help Center

INDIANA AVENUE LEVEL

Public Information Desk
Courtrooms 100-120
Mental Health Urgent
Care Clinic
(adjacent to courtroom 115)

2ND LEVEL

Courtrooms 200-202
and 210-221

3RD LEVEL

Courtrooms 301-302
and 310-321
Jurors Office and
Jurors Lounge

4TH LEVEL

Criminal Division and
Family Court Offices
Domestic Violence
Intake Center
(Room 4550)

5TH LEVEL

Courtrooms 516-519
Civil Division Offices

6TH LEVEL

D.C. Courts' Executive Office
Superior Court Library

Court Building A

515 5th Street, NW
Courtrooms 46-50
Crime Victim's
Compensation Program
Room 109

Court Building B

510 4th Street, NW

JUDICIARY CENTER

555 4th Street, NW
United States Attorney's Office

MUNICIPAL CENTER

300 Indiana Avenue, NW
Metropolitan Police
Department Headquarters

Case Diary

Defendant's Name(s): _____

Case Number: _____

(Case docket information is available on the court website: www.dccourts.gov/cco)

Charge(s): _____

Crime Date: _____

Grand Jury Date: _____

Trial Date: _____

Sentencing Date: _____

Police Officer's Name: _____

Phone: _____

Police Detective's Name: _____

Phone: _____

Prosecuting Attorney's Name: _____

Phone: _____

Victim Advocate's Name: _____

Phone: _____

Case Diary

I have been referred to: _____

Agency: _____

Contact: _____

Phone: _____

Agency: _____

Contact: _____

Phone: _____

My Insurance Company is: _____

Agent: _____

Phone: _____

Claim Number: _____

Defense Attorney/Investigator who contacted me:



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www.courtexcellence.org