

A message from the District Attorney



During the past twenty years, there has been increasing public frustration with the criminal justice system because the "system" appears to be fairer to the accused than to the victim. It seems as though the innocent citizen is victimized first by the criminal and again by the criminal justice system.

In an attempt to create a balance to the scales of justice I have established the Victim/Witness Program. The staff of committed victim/witness advocates provides important services to victims and witnesses of crime in Tehama County.

It is my hope that we can make a difference in helping victims overcome the physical, emotional, and financial impact of crime on their lives and the lives of their families during and after the criminal proceedings.

The time has come for us to direct our attention and efforts to the rights and protection of law-abiding citizens. Only when the victims' needs are considered is justice served.

Gregg Cohen
District Attorney

AS A VICTIM OF CRIME, YOU HAVE THE RIGHT TO THE FOLLOWING:

- To keep addresses confidential.
- To be present and address the Court at time of sentencing.
- Assistance in understanding the criminal justice system and accompaniment to court for support.
- To have your opinions considered at the time of sentencing and parole phases of a criminal case.
- Information regarding the criminal justice system and the status of your case and any recommendations.
- To be treated with dignity and compassion.
- Protection from intimidation and harm.
- To have information regarding social services and resources available in the community.
- To be compensated for injuries, wage loss, funeral expenses and the return of property.

See Marsy's Law at this
website:

<http://ag.ca.gov/victimservices/index.php>

For further information regarding this
program, please contact:
Victim/Witness Coordinator
Tehama County Victim/Witness Program

444 Oak Street, Room M
P.O. Box 519
Red Bluff, CA 96080
Phone: (530) 527-4296

TEHAMA COUNTY DISTRICT ATTORNEY'S VICTIM/WITNESS PROGRAM (530) 527-4296



Victims of crimes, and witnesses, have rights that are important to understand and protect. A brief description of the rights which benefit victims and witnesses are included.

THE STAFF OF THE VICTIM/WITNESS CENTER PROVIDES SERVICES THAT INCLUDE...

Crisis and Emergency Services

Our staff offers crime-related crisis counseling and advises victims of emergency resource agencies in the area which can provide food, shelter, transportation, medical and mental health assistance.

Court Information

Interaction with the criminal justice system can be intimidating, confusing, and frustrating. Our staff can explain your rights as a victim or witness and provide information about the process of the criminal justice system.

Case Status

We can give you current information about your court case including the dates of court hearings and the final outcome of the case.

Court Support

Appearing in court can be intimidating and inconvenient. Our staff can help coordinate your scheduled appearances and let you know just what to expect. Victim/Witness advocates can accompany victims, witnesses, and family members to court proceedings for support.

Counseling Referral

Our staff is familiar with local, state, and national resources. We can provide specific information so you can get the help you need. It is the client's responsibility to utilize their own insurance and and/or pay for therapy until they are approved for a State Compensation claim.

Property Return

In some criminal cases, personal property is held as evidence by law enforcement or by the court. We can help you get your property back after the case is concluded.

Employer Intervention

We can help your employer understand the emotional stress you may be experiencing as a crime victim, and we may intercede with him or her to explain why you must miss work for court and/or related reasons.

Restitution Assistance

If you have suffered a financial or property loss as a direct result of a crime, we can help you try to recover your loss by requesting restitution on your behalf.

Victim Impact Statements

We can assist you in preparing a Victim Impact Statement, which is a written, detailed account of the emotional, physical, psychological, and financial impact the crime has had on you and your family members. This document can be used to explain your feelings such as loss, frustration, and fear as input for consideration by the Court.

Credit Intervention

As a victim, your injuries or court appearances may affect your earnings. Our staff can intervene with creditors to explain your situation and encourage them to work with you.

Victim Compensation Claims

Victims, or their families, may be eligible for reimbursement through California's Victims of Crime Program for out-of-pocket expenses resulting from a crime. The program may cover medical and hospital expenses, lost wages or support, funeral expenses, mental health counseling, and job retraining or rehabilitation. We will advise you on your eligibility for the program and help you prepare and submit a claim to the state on your behalf.



*Funding is made possible through the United States Department of Justice, Victims of Crime Act, 2013-VA-GX-XXXX**

THE COURT PROCESS WHAT YOU SHOULD KNOW AS A VICITM/WITNESS OF CRIME

Arrest

After being arrested, suspects may be released on their own recognizance (O.R.) within a few hours or held until they can post bail.

Arraignment

If the DA decides to file charges, the defendant will be brought before the Court to hear the charges filed. They may plead at this time. All suspects in custody must have arraignment within 48 hours of arrest, or within 72 hours if arrested on the weekend.

Preliminary Hearing

Occurs when felony charges are filed and the defendant pleads "not guilty." Victims and/or witnesses may be called to testify at this time. This hearing determines if there is enough evidence that the crime was committed.

Trial

Most cases are resolved by guilty pleas and do not go to trial. The DA has the burden of proving the defendant is guilty beyond a reasonable doubt, which is decided by a 12 person jury.

Sentencing

If the defendant is found guilty, a sentence will be imposed. Prior convictions and the severity of the crime determine the outcome. Victims' input assists the Court in determining the sentence.

Tips for Testifying in Court

Be attentive. Think before you speak. Answer the question. Tell the truth. Speak clearly. Stick to the facts. Don't guess or speculate. Be fair. Be courteous. Do not lose your temper. Look at the jury when speaking.