

For More Information

For training and technical assistance, visit us at:

innovatingjustice.org

## **Criminal Legal System Process Map for Kids**

The criminal legal system process has many steps and can be very confusing. This map explains these steps, with the arrows showing the different things that can happen, so you can better understand your case. Definitions of the words that are underlined can be found in the 'Criminal Legal System Glossary.' For explanations of the practitioners' roles, please see the 'Who's Who?' section of the book for your age group.

Someone tells the police about a <u>crime</u> that may have happened, or the police see a crime happening on the street.



When the police respond, their first job is to make sure everyone is safe. Then they conduct an <u>investigation</u> by talking to people and gathering <u>evidence</u> to learn about what happened. The police write down information about what happened in a 'police report.'



If the police think that a crime happened and they know who did it, they may <u>arrest</u> the person and take them to jail.



If the police can't find enough evidence that a crime happened, they may close the case. If the police don't know who committed the crime or if they can't find the person who did it, their investigation may continue.



After an arrest, the police send the case to the prosecutor, who decides whether or not to **charge** the person with a crime.



If the prosecutor can't find enough evidence to charge the person with a crime, the case will be closed and the person will get out of jail.



If the prosecutor finds enough evidence, they may charge the person with one or more crimes at an <u>arraignment</u> hearing. For <u>misdemeanors</u>, this happens in <u>court</u> with a judge. For <u>felonies</u>, this happens at the <u>Grand Jury</u> or in a preliminary hearing and is called <u>indictment</u>. Sometimes witnesses have to <u>testify</u> in the Grand Jury or preliminary hearing.



If the Grand Jury or judge doesn't think there's enough evidence to charge the person with a crime, the case will be closed and the person will get out of jail.



After the defendant has been charged, the judge decides whether to let them out of jail or whether they have to stay in jail until the trial. This may be called a **bail** hearing.



The investigation continues whether or not the defendant stays in jail.



The prosecutor can decide at any point that there isn't enough evidence to keep going with the case. If that happens, the case will end. You might hear the prosecutor say that the case was dismissed.



Center for Court Innovation

The prosecutor, defendant and defense attorney go to court to talk about the case. During each of these hearings, the prosecutor makes an offer to the defendant.



If the defendant agrees to an offer, that is called 'pleading guilty' and the <u>sentence</u> that they agreed to will begin. If the defendant is not in jail, they might have to come back to court regularly for <u>compliance reviews</u>.



If the prosecutor and the defendant can't reach an agreement about an offer, both sides get ready to go to <u>trial</u>. The prosecutor and defense attorney share the evidence they have gathered with each other, which is called <u>discovery</u>.



The case goes to trial. Witnesses come to court to testify.



If the jury or judge does not think there is enough evidence that the defendant committed the crime, they will find the person 'not guilty.' This is called an acquittal and is the end of the case. If the defendant has been in jail, they will go home.



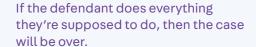
If the jury or judge is very sure that the defendant committed the crime, they will find the person 'guilty.' This is called a **conviction**.



The judge will have a <u>sentencing hearing</u> when they tell the defendant what the consequences will be for committing the crime(s). In some cases, crime victims have the right to make a <u>victim impact statement</u> at the sentencing hearing.



The sentence begins—the defendant goes to jail/prison or stays in the community to participate in programs and/or **probation**. If the defendant is not in jail, they might have to come back to court regularly for compliance reviews. If they're not doing what they're supposed to do, the judge can send them back to jail and/or they can be charged with a new crime.







If the defendant is in prison, they might have a <u>parole hearing</u>. Sometimes crime victims participate in parole hearings. The Parole Board decides if the defendant can leave prison and if so, whether they will be on <u>parole</u> and for how long.



If the defendant does everything they're supposed to do when they're on parole, then the case will be over.

## For More Information

For training and technical assistance, visit us at innovating justice.org.

This project was supported by Grant # 2018-V3-GX-K069 awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this publication are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

December 2022