



Victim/Witness Assistance Program

Lake County State's Attorney's Office

(847) 377-3000

18 North County Street

Waukegan, IL 60085

www.lakecountyil.gov/StatesAttorney

Purpose of Victim/Witness Unit

The Victim/Witness Assistance Division of the Lake County State's Attorney's Office was formed to serve the needs of people like you. The division is meant to ensure that the rights of victims are enforced. We feel your input is essential to the progress of our criminal cases.

The victim/witness unit consists of trained and experienced counselors. The primary function of the victim/witness specialist is to serve as the contact person for the victim and/or witness throughout the criminal justice process and to deliver a wide variety of other services. The services available to you include, but are not limited to:

- Orienting and educating the victim/witness to the criminal process in order to decrease the anxiety often associated with the court system.
- Keeping the victim/witness informed about procedures, changes in court dates, and reasons for postponements and delays.
- Providing the victim with the appropriate social service referrals to other community agencies.

Steps have been taken to protect the rights and dignity of victims. Our main purpose is to help alleviate your concerns and make the criminal justice system as positive an experience as possible. We encourage you to take advantage of our services.



Illinois Crime Victims Bill of Rights

The Illinois Constitution provides that crime victims shall have the following rights:

- The right to be treated with fairness and respect throughout the criminal justice process.
- The right to notification of court proceedings.
- The right to communicate with the prosecution.
- The right to make a statement to the court at sentencing.
- The right to information about the conviction, sentencing, imprisonment and release of the accused.
- The right to the timely disposition of the case following the arrest of the accused.
- The right to be reasonably protected from the accused throughout the criminal justice proceedings.
- The right to be present at the trial and all other court proceedings, unless the victim is expected to testify and the court determines that the victim's testimony will be affected if the victim hears other testimony at the trial.
- The right to have present at all court proceedings, subject to the rules of evidence, an advocate or other support person of the victim's choice.
- The right to restitution.

These rights are provided by the Illinois Constitution and can be found in the Illinois Compiled Statutes, 725 ILCS 120. The law requires that some of these rights must be requested by the victim in writing.

Investigation Process

It is very important for you as a victim or a witness to report a crime to your local police department. Once a crime has been reported, it is the responsibility of the officer to investigate the report. In a limited amount of cases, an investigator from our office will assist with the investigation.

If the officer determines that a misdemeanor offense has been committed, then the police department will make an arrest. If the crime rises to the level of a felony offense, then the officer will contact the State's Attorney's Office Felony Review Division. The exception is that all domestic violence and sexual assault cases, whether misdemeanor or felony, are called in to the Felony Review Division to be screened. An Assistant State's Attorney reviews the reports for a possibly felony charge and decides what prosecutorial action should be taken.

If the State's Attorney's Office determines that a crime has been committed, and if the defendant is not in custody, a warrant (the document giving the police the authority to make an arrest) must be issued by a judge. The defendant is then sought out by the arresting agency. If the defendant is already in custody, he or she will be arrested immediately. After the defendant has been arrested, a bond will be set by a judge. A victim/witness counselor will then contact you to inform you of the defendant's status.

Cooperation of victims and witnesses in the investigation and prosecution of crimes can be a leading factor in the reduction of crime.

Therefore, you should always report crime and you should agree to testify as to what happened.

It is very important to notify our office or the investigating agency if you are relocating or changing telephone numbers.

By prosecuting crime, we are taking measures to protect you and the citizens of Lake County.

Unfortunately, the process takes time. Please know that we realize your time is valuable and we appreciate your cooperation.

Questions and Answers

Is it my decision whether or not the criminal case is prosecuted?

When an act of violence or other crime is committed, it is considered a crime against all citizens of the State of Illinois. Your feelings and opinions will assist the State's Attorney's Office; however, the prosecutor can go forward with a criminal charge even if you do not wish to prosecute. The State's Attorney represents the People of the State of Illinois.

Do I need to appear on every court date?

The counselor assigned to your case will inform you of the court dates, but the only time you are obligated to appear is when you receive a subpoena. It is the role of the victim/witness counselor to make you aware of what occurred on the court date if you are not present. Please remember, it is not unusual for a criminal case to have several court dates and to be continued to later dates. Every effort is made to keep you informed in advance, but this is only possible if you notify the State's Attorney's Office of any change of address or phone numbers.

Will someone be with me to explain the court proceedings?

A counselor will escort you to court when possible. They can answer any of your questions and/or connect you with someone who can help you understand the court process. The courtrooms are considered a public place, so you are free to observe at any time.

Will I have a say in the defendant's sentence?

Regardless of the type of trial held, a judge always determines the punishment of the defendant. The counselor will ask you to meet with him or her and the Assistant State's Attorney to discuss the case. It is important for us to know what you'd like to see happen. Your feelings will always be considered. The victim may give a statement presented in written form, called a victim impact statement, which explains how his or her life has been physically, emotionally,

and financially affected by the crime committed by the defendant.

Do I need to talk to the defense lawyer?

You have a right to refuse to talk to the defense lawyer. The choice is yours. The decision is solely up to you.

What is restitution and how do I get it?

Restitution is payment in cash or services by the defendant to help cover losses resulting from stolen or damaged property and/or medical expenses. The court orders the offender to make restitution as part of a sentence. The court considers the ability of the offender to pay and determines whether restitution shall be paid in a single payment or in installments, and sets a fixed period of time to have it paid. If the defendant fails to pay restitution, the court can either impose an additional sentence and/or time to pay it. A victim may proceed in a civil action to recover any damages incurred.

If I am called to testify in a case, what do I need to know?

An effective witness testifies honestly and fairly in all hearings. The State will explain to you the procedures of the hearing and show you a courtroom. **As a witness you play a key role in the fight against crime and injustice. The law enforcement officers and attorneys involved in the case can only gather the facts. They rely on you to provide the court with the rest of the information needed to convict the offender.**



Court System Definitions

Defendant: A person against whom a criminal proceeding is pending.

Assistant State's Attorney: An attorney who represents the People of the State of Illinois.

Public Defender: A court-appointed attorney for defendants who cannot afford a private defense attorney.

Defense Attorney: A private attorney who represents the defendant.

Grand Jury: A group of people selected to hear evidence against accused persons and decide if there is enough evidence to prosecute the case, which could lead to an indictment.

Indictment: A written statement charging a party with the commission of a crime or other offense.

Preliminary Hearing: A judge determines whether there is probable cause, meaning enough evidence, to bring an accused person to trial.

Felony: Criminal offense punishable by probation or sentence of one year or more in a state prison.

Misdemeanor: Criminal offense punishable by a sentence of less than one year in the county jail.

Bond Hearing: After the defendant is arrested, a judge decides the amount of bond, meaning money or property the defendant must post to the Court to insure that the defendant will appear at future court dates. In most cases, 10% of the amount of bond must be posted in order to be released from jail. If the defendant cannot post bail, he/she must remain in jail. If the defendant does post bond, he/she is released from jail until the court date with restrictions such as not to consume alcohol or drugs and not to have any contact with the victim. If the defendant posts bail but does not return to court, he/she forfeits the bail money and the judge may issue an arrest warrant. Sometimes a defendant is released on his/her own recognizance bond, meaning the

defendant may sign his/her name as a promise to return to court. **If the defendant threatens or harasses you in any way, notify the police immediately and, as soon as practical, notify the State's Attorney's Office.**

Arraignment: The defendant will personally appear before the judge, who will appoint an attorney if they do not have one and advise the defendant of the charges against him/her, the possible penalties, and his/her constitutional rights.

Pre-Trial Conference: This hearing is to give both the Assistant State's Attorney and the defendant's attorney time to discuss the facts and evidence in the case. It is also an opportunity for them to file any motions which they feel are necessary for their case. During this hearing, the defendant may change his/her plea of not guilty to guilty.

Subpoena: This is a written summons to court. It is a court order directing someone to be present in court on a specific date. You are required by law to attend if served with a subpoena.

Trial: A defendant has the choice of having his or her guilt or innocence decided by a judge or by a jury of 12 citizens. In either case, witness testimony, police investigations, and physical evidence will be presented in court. It is the responsibility of the jurors to evaluate all the evidence presented and determine the guilt or innocence of the defendant. The role of the judge in a jury trial is to ensure that each attorney follows the rules of law. In a bench trial, there is no jury. All evidence and testimony is presented to a judge, who makes an evaluation of all that is presented to the Court and determines the guilt or innocence of the defendant. If a defendant is found guilty in a jury trial or a bench trial, a sentencing date is set.

Sentencing: Many factors are taken into account in this hearing date, including:

- What punishment the law requires for the crime of

which the defendant was found guilty.

- The **Victim Impact Statement** is what a victim writes to explain how the victim's life has been affected by the defendant's actions. The victim can explain the emotional, financial, and physical damage they have experienced.
- The **Pre-Sentence Investigation (PSI)** is an extensive history of the defendant, his/her background, the crime involved, and the events surrounding his/her life. Court Services writes the report and makes a recommendation to the court.
- Testimony of people who speak at the sentencing hearing on the defendant's behalf.



Resources for Victim Support and Protection

This section lists organizations that offer a variety of services for victims, witnesses, their families, and others affected by crime. Resources under “General Legal Support and Information” help you understand and navigate the criminal and civil justice systems.

Please do not hesitate to contact any of these organizations – their purpose is to help you. In an emergency, call 911 before you contact any of these organizations.

General Legal Support and Information

19th Judicial Circuit Court

(847) 377-3600, (847) 360-2975 (TTY)

19thcircuitcourt.state.il.us

Adult Probation Services

(847) 377-4504, (847) 360-2975 (TTY)

www.19thcircuitcourt.state.il.us/Organization/Pages/adtprob_home.aspx

A Safe Room/D100 – Order of Protection Help

(847) 360-6471

www.asafeplaceforhelp.org/content/orders-protection

Automated Victim Notification System

(866) 5-NOTIFY (866-566-8439),

(877) 502-2423 (TTY)

www.illinoisattorneygeneral.gov/victims/avn.htm

Illinois Attorney General’s Office Victims’ Services’

Assistance Line and Compensation Program

(800) 228-3368, (877) 398-1130 (TTY)

illinoisattorneygeneral.gov/victims/index.html

Illinois Prisoner Review Board – Victim Services

(800) 801-9110, www2.illinois.gov/prb

Lake County Bar Association Lawyer Referral Service

(847) 244-3140

www.lakebar.org/find-a-lawyer

Lake County Circuit Court Clerk

(847) 377-3380, (847) 360-2975 (TTY)

www.lakecountyil.gov/CircuitClerk

Lake County Sheriff

(847) 549-5200 (Voice/TTY)

www.lakecountyil.gov/Sheriff

Lake County State's Attorney

(847) 377-3000

18 North County Street, Waukegan, IL 60085

www.lakecountyil.gov/StatesAttorney

National Center for Victims of Crime

www.ncvc.org

Prairie State Legal Services – Not-for-profit civil legal support for low-income families and individuals

(800) 942-3940 (Voice/TTY)

www.pslegal.org

General Social and Personal Support

Catholic Charities of Lake County

(847) 782-4000

www.catholiccharities.net/locations/lake_county

Great Lakes Navy Base Family Support Center

(888) 231-0714

www.cnic.navy.mil/GreatLakes/

Illinois Department of Corrections – Victim Services

(877) 776-0755, (800) 526-0844 (TTY)

www.idoc.state.il.us/subsections/vicservices

Illinois Department of Human Services

(800) 843-6154 English or Español,

(800) 447-6404 (TTY)

www.dhs.state.il.us

Lake County Health Department

(847) 377-8000, (847) 623-1674 (TTY)

www.lakecountyil.gov/health

LCHD 24-Hour Psychiatric Crisis Hotline

(847) 377-8088, (847) 360-2905 (TTY)

National Organization for Victim Assistance

(800) TRY-NOVA (800-879-6682)

www.trynova.org

U.S. Department of Justice

www.justice.gov/actioncenter/victim.html

Domestic Violence

A Safe Place

(800) 600-SAFE (7233), (847) 249-6557 (TTY)
2710 17th St., Ste. 100, Zion, IL 60099
www.asafeplaceforhelp.org

Break the Cycle

www.breakthecycle.org

Illinois Domestic Violence Help Line – Toll-free,

confidential, 24-hour, multilingual hotline

(877) TO-END-DV (877-863-6338),
(877) 863-6339 (TTY), www.ilcadv.org

National Domestic Violence Hotline

(800) 799-SAFE (7233), (800) 787-3224 (TTY)
www.thehotline.org

DUI and Drugs

Alliance Against Intoxicated Motorists (AAIM)

(847) 240-0027, www.aaim1.org

Mothers Against Drunk Driving (MADD)

(877) ASK-MADD (877- 275-6233)
www.madd.org

Northern Illinois Council on Alcohol & Substance Abuse (NICASA)

(847) 546-6450, www.nicasa.org

Elder Abuse

B*SAFE (Bankers and Seniors Against Financial Exploitation) – Senior HelpLine Illinois Department on Aging

(800) 252-8966, (888) 206-1327 (TTY)

Elder Abuse Hotline

(866) 800-1409, (888) 206-1327 (TTY)

Illinois Department on Aging – To report or discuss elder abuse, neglect, or financial exploitation

www.state.il.us/aging

Family and Child

Child Abuse Hotline & Illinois Department of Children and Family Services

(800) 25-ABUSE (800-252-2873)

(800) 358-5117 (TTY)

www.state.il.us/dcfs

Lake County Children's Advocacy Center

(847) 377-3155

www.lakecountyil.gov/StatesAttorney/cac

Parents of Murdered Children (POMC)

(888) 818-POMC (7662), www.pomc.com

Identity Theft

Federal Trade Commission – Bureau of Consumer Protection

(877) ID-THEFT (877-438-4338), or

(866) 653-4261 (TTY)

www.consumer.gov/idtheft

Identity Theft Hotline

(866) 999-5630, (877) 844-5461 (TTY)

www.illinoisattorneygeneral.gov/consumers

Sexual Abuse and Sexual Assault

Chicago Rape Crisis Hotline – Within Chicago

(888) 293-2080, www.rapevictimadvocates.org

Illinois Coalition Against Sexual Assault

(217) 753-4117, www.icasa.org

Porchlight – For college sexual assault survivors

(773) 750-7077, www.porchlightcounseling.org

Rape, Abuse, & Incest National Network (RAINN)

(800) 656-HOPE (4673), www.rainn.org

Zacharias Sexual Abuse Center

(847) 872-7799 (24-hour hotline), or

(847) 244-1187 (Office)

www.zcenter.org

Teens

National Dating Abuse Helpline/Love is Respect

(866) 331-9474, (866) 331-8453 (TTY)

www.loveisrespect.org

National Runaway Crisis Line

(800) RUNAWAY (800-786-2929)

National Runaway Switchboard – For parents and runaways to leave messages

(800) 621-4000, (800) 621-0394 (TTY)

That's Not Cool

www.thatstnotcool.com

