

SURVIVOR CENTERED PROSECUTION

CRIMINAL JUSTICE PROCESS IN KING COUNTY

Phase:		Information:	
Police Report		The initial police report is filed, and the case is assigned to a detective for further investigation.	
Investigation		A survivor will be interviewed by the detective or have a joint interview with the detective and the prosecutor. For a young teen or a child, the interview will take place with a child forensic interview specialist. The detective will collect additional evidence, interview other witnesses and interview the suspect, if possible.	
Investigation Completed		Once the investigation is complete, the detective will submit the interview to the prosecuting attorney's office for review.	
Filing Decision		The prosecutor will review all the information in the investigation and determine if there is enough evidence to file charges. If there is not enough evidence, the prosecutor will decline to file charges and the legal case will end. If the prosecutor requires additional information, they will send the case back to the detective for more investigation.	
Arraignment Hearing		At this hearing, defendants are advised of the charges that have been filed against them. The defendant is also advised that they have certain legal and constitutional rights. Finally, the judge asks the defendant to enter a plea to the current charges. For many CSEC cases, a sexual assault protection order will be issued on the survivor's behalf.	
Case Setting Hearings		Case setting hearings are administrative hearings where the case can be set for trial, for a plea, or continued to allow for additional time to review the case. During this phase, the prosecutor and defense attorney will engage in negotiations to see if the case can be resolved through a plea.	
<i>If a plea can be reached:</i>		<i>If a plea can't be reached:</i>	
Plea Hearing	The defendant enters a plea of guilty to the current charges or amended charges and the sentencing hearing date is set.	Trial Date is Set	A trial date will be set out several months in the future. During this time, the defense attorney will schedule interviews with all witnesses, including the survivor. The survivor has the right to have the prosecutor and an advocate present at any interview.
Sentencing Hearing	At a sentencing hearing, the judge will review the presentence report and hear arguments from both the prosecutor and the defense attorney. The survivor has the right to attend and provide a statement to the court. After the judge evaluates all the information, the judge will impose a sentence within the limits set by law.	Omnibus hearing	A trial readiness hearing is generally scheduled several weeks prior to trial. At this hearing both parties inform the court of their "readiness" for trial. The case may be continued if for some reason the case is not ready to proceed to trial as scheduled (witnesses unavailable, additional evidence discovered, lack of courtroom availability, etc.).
<div style="border: 1px dashed black; padding: 10px; margin-bottom: 10px;"> <p>Note: Survivors have the right to have an advocate present to provide in-person support and information during each step of the criminal justice process.</p> </div>		Trial	The trial is a process where the facts of a case are presented to a jury, and the jury decides if the defendant is guilty or not guilty of the charge offered. During trial, the prosecutor uses witnesses and evidence to prove to the jury that the defendant committed the crime. The defendant, represented by an attorney, also tells their side of the story using witnesses and evidence.
		Verdict	A defendant can be found guilty, acquitted (not guilty) or if the jurors cannot agree on a verdict, a hung jury results, leading to a mistrial, and the case returns to the omnibus phase as the prosecutor's review if they will retry the case. If a not guilty verdict is reached the legal case ends. If the jury reaches a guilty verdict, a sentencing hearing date will be set.
		Sentencing Hearing	See above for details.