**People open for calls**

*The following people are involved in the case and investigation and can answer or direct questions*

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| **Your CAC Victim Advocate is** | **Your DCS Caseworker is** |
| **Your Detective is** | **Your CAC Forensic Examiner is** |

**Meet your Family and Victim Advocate**

*Your Family and Victim Advocate can you help today and in the future*

A group of people posing for the camera

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Your Victim Advocate is committed to providing you and your family with help you need to deal with the physical and emotional consequences of abuse. This is a free service provided by the Child Advocacy Center.

**Your Victim Advocate can help you**

* Find immediate crisis counseling
* Connect to other nonprofits and providers around us to meet needs for things like food, school supplies, clothing, shelter, and more
* Understand the complexities of the court system, its processes, procedures, and the people you’ll meet
* Get updates on your case status as they happen
* Advocate for your rights and the rights of your child
* File for victim compensation and restitution

First, recognize the legal process may feel slow. Charges may come slowly, the trial may take some time and, the prosecution may move methodically.

Take heart that the team of law enforcement, DCS, and the Prosecutor’s office are working toward the best possible outcome for you and your family.

But also recognize you and your child’s healing will occur most often outside of the criminal justice system.

*In the United States all suspects in a criminal case have rights*

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| * The right to remain silent * The right to confront and cross-examine all witnesses against them | * The right to a speedy, public trial by jury (if the case goes to trial) * The right to an attorney |

Your child may have to testify in court, face the perpetrator, and answer difficult questions. Your Victim Advocate can help you understand this process. The process of prosecution, when done well, can be lengthy but is methodical to achieve the best outcome.

**About plea agreements, jury trials, and the process of prosecution**

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| CHARGES & DEPOSITIONS |  |  |  |  |
| 1 | **The Prosecuting Attorney determines whether your case is suitable for criminal charges**  In Indiana, criminal cases require proving a defendant’s guilt beyond a reasonable doubt. But even when the Prosecutor or State believes a child was molested, a lack of evidence to convict the defendant may mean charges are not filed. | **3** | **The court reporter administers an oath to the witness and then records every question and every answer given**  A deposition does not replace the witness’ testimony at trial, but helps the attorneys understand what the testimony will be at trial.  *Most recorded interviews of witnesses are considered hearsay and are not admissible in some criminal cases. However, video recording done at CACs are admissible in court under Indiana’s “Protected Person” statute.*  *The judge will determine if the CAC video will be admitted during a special hearing. At the special hearing, the child must attend and the judge will watch the recording before deciding if the jury will see the video, too.*  *Except in a few circumstances, that recording will not replace the child’s testimony at trial, but may help the jury understand and believe the child’s testimony. Knowing the jury will see the video may persuade the defendant to plead guilty rather than go to trial.* |
| **2** | **When charges are filed, the defendant’s attorney also has the right to question all witnesses against the defendant**  Usually this step is done at a deposition. A Prosecuting Attorney, the defendant’s attorney, a court reporter, and the witness will attend the deposition. The witness can include children. |
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| PLEAS & TRIALS |  |  |  |  |
| 4 | **The Prosecuting Attorney will recommend sentences through plea agreements to the Court**  A plea agreement tells the defendant exactly what punishment they will receive for the crime. It ensures the defendant will be convicted. The Prosecuting Attorney usually will not offer a plea in child molestation cases without first discussing the terms of the plea with the child’s parent. | **5** | **If a defendant is convicted, either through a plea agreement or a jury trial, a sentencing hearing will be scheduled**  The child does not have to attend the sentencing hearing. Sentencing is usually about a month after the guilty plea or trial to allow the Probation Department time to prepare a Pre-Sentence Investigation Report. |
|  | | | | |
| SENTENCING |  |  | | |
| **6** | **The Pre-Sentence Investigation Report is a confidential report detailing the defendant’s history and circumstances the judge must consider in deciding the defendant’s punishment**  Indiana law also requires the judge to consider any statement by the victim, like your child, in determining the sentence. A child’s parent or legal guardian may speak on behalf of the child at the sentencing hearing. You may also ask the Prosecuting Attorney to speak on the child’s behalf. | | |