

## **IMPORTANT INFORMATION:**

You will be notified by Subpoena when the case is set for trial or when the case is continued for a new trial date. The Prosecutor's Office will try to consult with you prior to a continuance. If you are unable to attend Court on the scheduled trial date, please contact the Prosecutor's Office at (513) 352-5333 as soon as possible so that the prosecutor can try to get a continuance. Because the Subpoena will be sent to your residence or place of employment, it is important that you notify our office of any new addresses. Please also notify our office if you get a new phone number so that we may reach you.

If you are THREATENED by the Defendant, you should contact the police immediately. Also, contact the Prosecutor's Office at (513) 352-5333 so that the prosecutor can file a motion with the Court to review the Defendant's bond if necessary.

Please feel free to contact the Prosecutor's Office at (513) 352-5333 to speak directly with the prosecutor assigned to prosecute Defendant's case should you have any questions or concerns.

### **NEED A VICTIM'S ADVOCATE?**

Please contact Lacy Wuebbli at (513) 352-3306 or by email at [Lacy.Wuebbli@cincinnati-oh.gov](mailto:Lacy.Wuebbli@cincinnati-oh.gov). Lacy will connect you with support throughout all stages of the criminal case. You may also contact Women Helping Women at (513) 381-5610, or toll free at 1-877-889-5610, or online at [www.womenhelpingwomen.org](http://www.womenhelpingwomen.org) for more information about the agency or the services it provides.



## **PROSECUTION DIVISION**

Paula Boggs Muething, City Solicitor  
Natalia S. Harris, City Prosecutor  
801 Plum Street, Room 226  
Cincinnati, Ohio 45202  
Phone: 513-352-5333  
Fax: 513-352-5217

[www.cincinnati-oh.gov/law/victim-advocates](http://www.cincinnati-oh.gov/law/victim-advocates)

## OVERVIEW:

Criminal Cases in Hamilton County generally proceed in the following order:

- (1) Arraignment
- (2) Pre-trial
- (3) Trial
- (4) Sentencing

What you can expect to occur at each stage is explained below.

## ARRAIGNMENT:

Bond is set. The Defendant is advised of the nature of the charge. The Defendant enters a plea of Not Guilty, No Contest, or Guilty. Your appearance is not mandatory, but you may attend if you desire. If you wish to share something with the judge for him/her to consider when deciding whether to release the defendant on bond, then it will be helpful for you to be present and to bring a state-issued identification card. It is likely that the Court will issue an order that requires the Defendant to stay away from you at this proceeding, which will remain in place until the case is over.

## PRE-TRIAL:

If a Not Guilty plea is entered, the trial judge determines if the defendant has a lawyer. Bond may also be reviewed at this time. The defense attorney may also file for discovery in which the State is required to provide the Defendant with the evidence it intends to use at trial.

Your appearance is not mandatory, but you may attend if you desire. Because your appearance is not required at this setting, you will not receive a subpoena to be in court on the pre-trial date. Feel free to contact the Prosecutor's Office at (513) 352-5333 to learn the date on which the pre-trial is scheduled should you wish to attend.

## TRIAL:

The judge or a jury determines guilt or innocence through a trial. It is important that the State be ready to proceed on the trial date, so please forward any pictures, text messages, medical records, witness information, etc. to the Prosecutor's Office before this date. Your presence is required for trial - you should expect to receive a SUBPOENA for the court date. The

SUBPOENA is a Court order that requires you to appear. You are required to be present at the trial date because your testimony is necessary for the State to prove its case against the Defendant. It is possible that the trial date may be continued by the Defendant, State, or Court on the day of trial.

## SENTENCING:

If the Defendant is found Guilty, you or your representative are entitled to speak at the sentencing. Any issues of restitution or fears for your safety should be mentioned at this time.

If you cannot be present, you should contact the Prosecutor's Office to inform us of these issues so the prosecutor can represent your wishes for sentencing to the Court. You may also contact the Prosecutor's Office to find out what sentence was imposed. The sentence is determined by the Judge and can include jail time, an order for restitution, probation, an order to stay away from the victim, an order to participate in anger management, mental health treatment, drug and/or alcohol treatment or other conditions.

## NOTE:

After the Defendant's conviction, you or your representative are entitled to be notified of a hearing upon a Motion to Mitigate or Motion to Reduce Sentence, the filing of an appeal, and the hearing date of an appeal if you request it. Please call the Prosecutor's Office at (513) 352-5333 and refer to this letter if you wish to be notified of these matters.

## AS A VICTIM, YOU HAVE THE RIGHT:

- To be treated fairly and with respect for your safety, dignity, and privacy.
- To be present and to be heard in any public proceeding that implicates your rights, including proceedings for release, plea, and sentencing.
- To reasonable protection from the accused or any person acting on his/her behalf.
- To refuse an interview, deposition, or other discovery request made by the accused or someone acting on his/her behalf, except as otherwise provided in the Ohio Constitution.

- To full and timely restitution from the defendant if he/she is convicted.
- To proceedings free from unreasonable delay and a prompt conclusion of the case.
- To be informed, in writing, of all your rights as a victim.
- To confer with the prosecutor upon your request.
- To assert your rights or to have your lawful representative do so, or to request that the prosecutor do so.
- To petition the Court of Appeals or to have your lawful representative do so if the relief you seek is denied.

## PLEASE CALL (513) 352-5333 TO BE NOTIFIED ABOUT:

- All public proceedings involving the criminal offense(s) in this case.
- A motion to dismiss the case.
- A motion to keep your personal identifying information confidential.
- A motion to return your property.
- A substantial delay in the case.
- Whether the defendant is acquitted or convicted of the charge(s).
- If defendant is convicted: What crime(s) the defendant was convicted of; your right to make a victim impact statement (VIS); the address and phone # of the department doing the VIS, which will be included in a report that the defendant may see unless the court orders otherwise; the date, time, and place of the sentencing hearing; the sentence imposed; and any sentence modifications (including those resulting from appeal).
- If defendant appeals: An explanation of the appellate process; whether defendant has been released on bail; the time, place, and location of appellate proceedings; and the result of the appeal.
- If the defendant is incarcerated: The likely release date, the name and address of the institution where defendant is being held, and notice that the defendant has been released or has escaped.
- That employers cannot punish you, a family member, or your representative for participating in preparing the case or attending court proceedings.