**PROSECUTOR PROTOCOL**

*For the Care of the Sexual Assault Victim*

*What the Victim/Survivor Should Expect*

**Protocol Purpose**

Prosecution of the perpetrator punishes criminals and helps them assume responsibility for the crime, protects society, and assists in restoring a sense of safety and security for the victim.

**Goals**

* To ensure the victim feels supported in the processing of the case through the criminal justice system.
* To work collaboratively with healthcare to meet the needs of the victims.
* To educate forensic examiners as expert witnesses.

**Process:**

* Utilizes a vertical prosecution model in order to reduce trauma to the victim.
* Evaluates cases submitted by law enforcement.
* Determine if sufficient credible evidence exists to support prosecution.
* Helps inform victim of the status of the case from the time of the initial charging decision to sentencing.
* Explain the reasons for continuances and seek mutually agreeable dates for the hearings that are rescheduled when appropriate.
* Arrange for interpreting services for victims and witnesses when necessary to assist a victim to understand questions and frame answers.
* Brings to the attention of the court the views of the victim on bond decisions, plea bargains, dismissals, sentencing, and restitution.
* Pursue to the fullest extent that the law allows, those defendants who harass, threaten, or otherwise attempt to intimidate or retaliate against victims or witnesses.
* Assist in the prompt return of the victims’ property if it is no longer needed as evidence in court, unless case is on appeal.
* Seek no contact orders as conditions of bond or PR bonds.
* Include the victim whenever possible in decisions concerning the filing of the case, the reduction of charges, plea offers, dismissal, or other possible case dispositions.
* Provide victim with a business card and the preferred time and method of contact.
* Respond to inquiries by the victim as soon as possible.
* Refer the victim to Victim Assistance for information regarding crime victim’s compensation from the state, as well as other services.
* Advise the victim of his/her right to have a support person and advocate present during interviews and in court.
* Prepare the case with the witnesses prior to the trial date.
* Orientation information about the criminal justice system and the victims’ role.
* Information on crime prevention and available responses to witness intimidation.
* Information about available victim/witness services to meet victim needs resulting from the crime and referral to other agencies, where appropriate.
* Advanced notice of court hearings, including disposition hearings, preliminary hearing, trial, plea, and sentencing.
* Information about restitution and other forms of recovery and assistance.
* A waiting area separate from the defendant for use during court proceedings.
* Information about directions, parking, courthouse, and courtroom locations, transportation assistance, and witness fees.
* Assistance for victim and witnesses in meeting special needs.
* Assistance making travel and lodging arrangements for out-of-state victims and witnesses.
* Information to victims about their legal right to make a statement about the impact of the crime for the inclusion in the pre-sentence report or at the time of sentencing, or at the time of parole consideration, if applicable.
* Assessing the evidence collected to determine its potential admissibility in court.
* Correspondence with victims and multidisciplinary team members to update them on criminal court status.

**Collaboration:**

* Will work with and assist the other members of the multidisciplinary team to ensure that the best interest and protection of the victim will be served.
* Consult with law enforcement, healthcare personnel, and advocates in the furtherance of the prosecution of the case.
* Prepare the case with all witnesses prior to the trial date.
* Correspondence with victims and multidisciplinary team members to update them on criminal court status.

**Education:**

* Prosecutor will participate in sexual assault training.
* Participates in case reviews.
* Provides input and related teaching to medical professionals and law enforcement as an interdisciplinary member.
* Provides feedback to forensic examiners regarding testimony.