

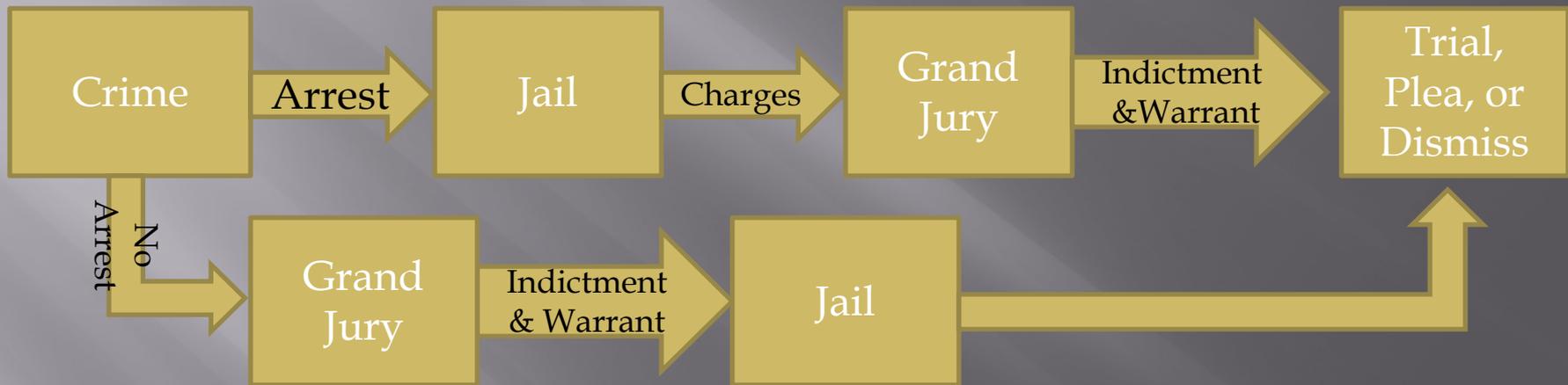
THE CRIMINAL JUSTICE PROCESS

Brett Ligon

District Attorney

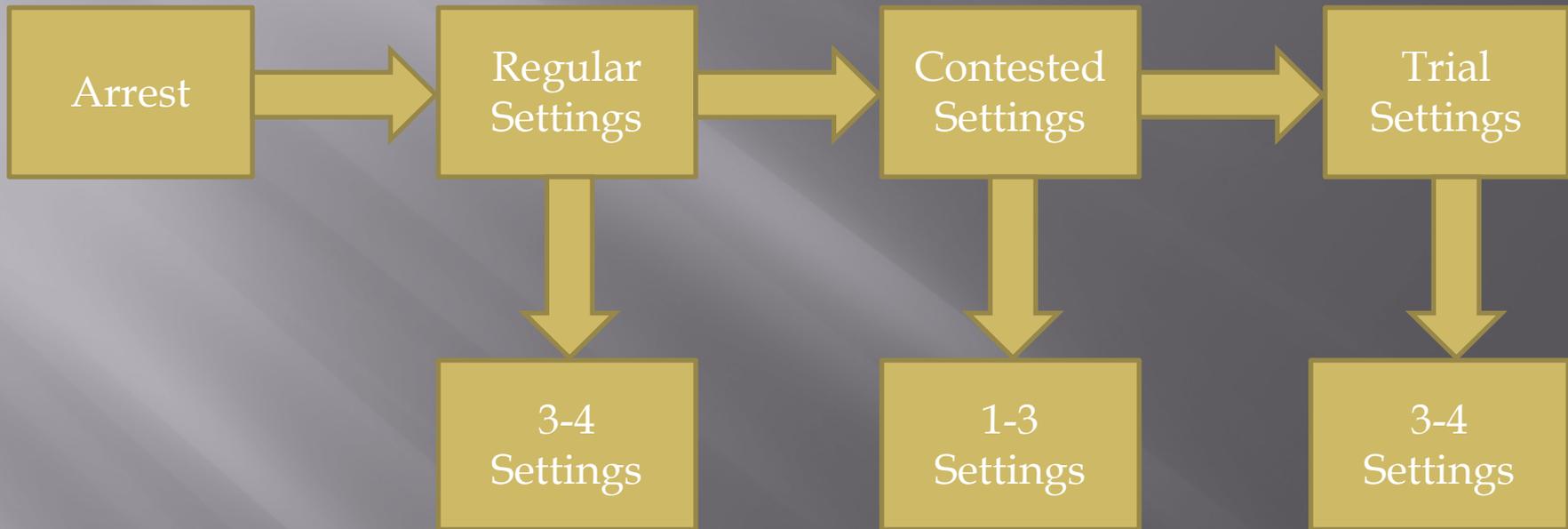
Montgomery County, Texas

Steps in the Process



An arrest warrant is typically issued shortly after the grand jury indicts a case. Once a suspect has been arrested and booked into jail, in most cases they can bond out by posting a cash bond or by posting about 10% with a bonding agency. This process can take as little as one hour but as much as twelve hours.

Arrest to Trial



These settings are approximate and may vary depending on the complexity of the case or issues. Generally, these settings will be 2-4 weeks apart except trial settings which will be 4-8 weeks apart. In most cases, there will be no hearings or any substantive matters addressed by the court at regular settings.

What to Expect in Court

- ▣ Please dress appropriately. A neat appearance and proper dress in court are important.
- ▣ Although the circumstances of your presence in court are known, please be dignified and courteous.
 - ▣ Judges will often exclude observers for violating this rule
- ▣ Please do not have contact with the defendant or his family/friends
 - ▣ People will be listening to what you say and may report and distort what you say to the defense lawyer
- ▣ Alert the prosecutor or the bailiff to your presence
 - We sometimes get very distracted when dealing with the other 100 cases on the docket
- ▣ Be prepared for people you know to show up and support the defendant
 - Some people will show up to support the defendant at trial that may be your friends, acquaintances, etc.

Contact With The DA's Office

- ▣ The prosecutor represents the people of the State of Texas
- ▣ If you so choose, you may hire a private lawyer to represent you in any potential civil cases
 - Due to work product protections, the prosecutor will generally not be able to provide information to civil lawyers until the case is over
- ▣ Please select one person as the family spokesperson
- ▣ Learn about the VINE to help you with court settings
 - ▣ VINE is an automated offender status notification program
- ▣ Get to know your victim assistance coordinator
- ▣ Emails generally receive faster responses
 - Phone calls will generally be returned within 48 hours

Some of Your Victim's Rights

Article 56.01 CCP

- ❑ Visit the following website for a thorough explanation of your rights:
 - <http://www.mctx.org/da/billorights.pdf>
- ❑ Informed of settings
 - Settings change at the last moment without our knowledge
- ❑ Right to be in the courtroom
 - There is a possibility that testifying family members may be excluded from trial in rare cases
- ❑ Right to give an oral victim impact statement
 - Generally done off the record after guilt and punishment
 - The prosecutor, victim coordinator, or other victim advocacy group can help you with this
- ❑ Right to parole, probation, or release information
 - VINE is an excellent source of information
 - Make sure that all support agencies have your current contact information at all times

Types of Likely Vehicular Homicide Charges

- ▣ Felony Murder-First Degree
- ▣ Intoxication Manslaughter-Second Degree
- ▣ Manslaughter-Second Degree
- ▣ Reckless Aggravated Assault-Second Degree
- ▣ Racing Fatality-Second Degree
- ▣ Evading Fatality-Second Degree
- ▣ Fail to Stop and Render Aid-Third Degree
- ▣ Criminally Negligent Homicide-State Jail

Any questions?

warren.diepraam@mctx.org