

# Living Safely

with disabilities and special health needs

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## Common Terms Used in the Criminal Justice System

**Arrest:** This is when a police officer reads a suspect their Miranda Rights and brings them to a police station to ask questions about a crime that was committed.

**Attorney:** This is a person that is appointed to speak on your behalf in court. They can also be referred to as a public defender, defense counsel or lawyer.

**Complaint:** A document that provides a summary of the criminal act and charges.

**Crime:** The act of doing something illegal.

**Defendant:** The person that is charged with a crime.

**Discovery/Evidence:** The information the attorney and prosecutor have collected to prove the defendant did or did not commit the crime they are being charged with.

**Factual Basis:** This occurs when a guilty plea is entered. The defendant tells the judge how and when the crime was committed.

**Guilty:** This is when the defendant admits to the judge they committed the crime, or when a jury concludes that the defendant has committed the crime.

**Indictment:** A legal document that provides the facts of the case and reason for the charge(s).

**Judge:** The lawyer that hears the case in the courtroom and makes decisions based on the evidence presented, facts of the case and law.

**Jury:** A group of citizens that hear the evidence to determine if the defendant committed the crime or not. The jury decides if the defendant is guilty or not guilty of the crime.

**Miranda Rights:** The legal rights of an arrested individual. This includes your right to have an attorney and to refuse to answer questions by the police. The officer will read these to the person arrested so that the person understands these rights.

**Pre-Sentence Report (PSR):** A report that is generated by a probation officer to assist the judge with deciding the defendant's sentence.

**Pretrial Service Officer:** This person will be responsible for assessing the risk level of an arrested individual and monitoring a defendant who is released pending trial.

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## Common Terms Used in the Criminal Justice System – Continued from previous page.

**Probation:** A period of time when a person is assigned to, and supervised by a probation officer in the community.

**Prosecutor:** A lawyer representing the State who presents evidence in an attempt to prove the defendant is guilty of the crime.

**Victim:** The person that is affected by a criminal act.

**Witness:** Someone who observed or has information about a crime that was committed.

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We value the expertise of our partners in safety who have demonstrated their commitment to inclusive healthy communities. Portions of this resource have been adapted from The Arc ([www.thearc.org](http://www.thearc.org)).

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This initiative was funded in part by an Inclusive Healthy Communities Grant from the Division of Disability Services, New Jersey Department of Human Services.

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