

What to expect if you are arrested

Friday, August 2, 2019

How the criminal justice system works

A)

1. An individual is arrested by a law enforcement agency and accused of committing a crime.
2. The arrested individual is either issued a summons to appear in court or transported to the nearest jail (Shreveport City Jail or the Caddo Correctional Center).
3. If you are issued a summons, you are not booked into the jail and you do not have to post a bond. If your court appearance date is not on the summons, you will be notified of your court date by mail.
4. If you are booked into jail you will be photographed and finger printed. You will have to post (pay) a bond or bail if you want to get out of jail before your court date.
5. The bond/bail amount is set by the Judge, not by the law enforcement agency.
6. The bond/bail is your written promise to come to court if you are released from jail. If you make all your court appearances, you get your bail money back when your case is over (unless you hire a bail bondsman). If you don't come to court, you have broken your promise to appear, and you don't get your money back.

B)

1. The District Attorney (Caddo District Court) or the City Prosecutor (Shreveport City Court) makes the decision whether the arrested person will have to stand trial before a judge or jury – not the arresting law enforcement agency.
2. If the prosecutor decides to present your case in court, then the judge or the jury decides your case if you plead not guilty.
3. The arresting law enforcement officials will be called as witnesses and you may call your own witnesses.
4. If you plead guilty or are found guilty, the judge will sentence you. The sentence may be to pay a fine or to serve jail time. If you are found not guilty, you are free to go.

C)

1. Prior to you making a court appearance, or afterwards, the prosecuting attorney might decide to dismiss the charge against you or offer you the opportunity to enter a diversion program.
2. If the prosecutor dismisses the charges, you are free to go with no obligation of a fine or jail time and you may apply to recover any bail money you personally posted for a cash bond.
3. If you enter the prosecutor's diversion program you may be required to pay a fee and attend safe driving classes, anger management classes, perform community service, etc.
4. If you successfully complete the prosecutor's diversion program, generally the charges against you are dismissed or substantially reduced. If they are dismissed, you have no further obligation. If the charges are reduced, you may have to pay a small fine.