

Outcomes

Following the defendant's first appearance in Court, the case may be scheduled for a number of future Court dates, including a trial.

The charges against the defendant may be resolved in a number of ways at any one of the scheduled Court dates. The defendant may plead guilty to the charges or to amended charges. By pleading guilty, the defendant admits the facts of the crime and is convicted by his own admission. If the defendant does not plead guilty, the case would go to a trial before either a judge or a jury. If a trial is held, the victim and other witnesses would testify under oath. The witnesses would, of course, be questioned by the prosecutor and then questioned by the attorney for the defendant. After hearing the testimony from the witnesses, the judge or jury would find the defendant guilty of the charges or not guilty of the charges.

If the defendant is found not guilty of the charges, pre-trial conditions of release such as a DANCO or IDAPP would be terminated. If the Defendant is found guilty of the charges, or if the defendant pleads guilty to the charges, a Pre-Sentence Investigation would be performed by the Anoka County Corrections Department to provide information to the sentencing judge. A Pre-Sentence Investigation involves the Corrections Department performing a background check on the defendant and reviewing the facts of the crime. Victims are also interviewed by the Corrections Department as a part of this process and can provide input regarding any concerns they may have. The Corrections Department then prepares a sentencing report for the judge and may recommend several conditions for probation including programming such as chemical dependency treatment, anger management, psychological evaluation, domestic abuse counseling, no use of alcohol or non-prescribed drugs, testing for drugs or alcohol and whether a probationary DANCO is recommended. This Pre-Sentence Investigation report is provided to the prosecutor and defense attorney before sentencing.

The judge will then sentence the defendant. In misdemeanor and gross misdemeanor cases, the sentencing hearing is likely to be held the same day as the Pre-Sentence investigation. For felony cases the sentencing is usually held within 30-45 days. The victim has a right to make a statement to the judge prior to sentencing. The victim may also offer a written statement which can be read by the prosecutor to the judge. The judge, generally, places the defendant on probation and may order the defendant to attend programming, serve jail time, pay a fine, submit to drug and alcohol testing, issue a probationary DANCO, and order restitution to be paid to the victim for out of pocket expenses due to the crime. The length of probation depends on the severity of the crime. If you wish to receive post sentence notifications such as probation violation hearings, you should notify the prosecuting attorney's office that you are requesting these notifications.