
**THE
HUNTERDON COUNTY
OFFICE OF VICTIM
WITNESS ADVOCACY**



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**HUNTERDON COUNTY
PROSECUTOR'S OFFICE**
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908-788-1129

<http://www.co.hunterdon.nj.us/prosecutor/index.html>

**THE HUNTERDON COUNTY OFFICE
OF VICTIM-WITNESS ADVOCACY
PROVIDES THE FOLLOWING
SERVICES FOR THE VICTIMS AND
WITNESSES INVOLVED IN THE
PROSECUTION OF A CASE**

Information about the Criminal Justice System;

Information about the specific case in which you are involved;

Information about available services to meet the needs resulting from the crime and referrals to appropriate social service agencies;

Information and assistance in filing claims with the State Victims of Crime Compensation Office;

A separate victim-witness waiting area for use during court proceedings;

Courtroom accompaniment;

Information about transportation, parking facilities, courthouse location;

Assistance with return of property when it is no longer needed as evidence;

Assistance in filling out a Victim Impact Statement prior to sentencing;

Assistance in applying for restitution;

Employer notification or intervention;

Assistance in obtaining HIV/AIDS test results of the defendant;

Referral information on available medical testing and counseling for victims of sexual assault; and

Notification of a defendant's release from custody.

THE CRIMINAL JUSTICE PROCESS IN HUNTERDON COUNTY

The process begins with the filing of a **Complaint** by either a law enforcement officer or a private citizen. The person signing the complaint must swear to facts that show that a crime was committed and that it was committed by the accused (**Defendant**).

After the complaint is signed, either a **Complaint Warrant or a Summons** will be issued by the local court where the complaint is filed. At the **First Appearance**, the defendant is advised of his rights. In Hunterdon County, the First Appearance takes place at the Hunterdon County Justice Center in the Criminal Courtroom in person or can be done in the virtual courtroom (to view First Appearances in the virtual courtroom, please visit www.njcourts.gov/vc). The defendant can either apply for a public defender or appear with private counsel.

If the defendant has been detained, a **Pretrial Detention Hearing** will be set to determine if that person will remain in jail or be released.

An Assistant Prosecutor will review the charges to decide whether the case will go to a Pre-Indictment Conference or be presented to the Grand Jury. **Pre-Indictment Conferences (PIC)** are for defendants charged with indictable offenses. Cases that do not resolved through the PIC will be presented to the Hunterdon County Grand Jury.

A **Grand Jury** is a body of 23 citizens that hears evidence presented by the **Prosecutor** about an alleged crime. If at least 12 of the jurors determine that there is sufficient evidence to believe that a crime has been committed and that the defendant has committed it, the case is **True Billed** and an **Indictment** is returned. If the matter is **No Billed**, the proceedings may be considered terminated. In certain cases however, with additional evidence, the case may be re-presented to the Grand Jury.

Upon indictment, the defendant must appear with his attorney before a Superior Court Judge. At the **Post Indictment Arraignment**, the defendant receives a copy of the indictment, a plea of guilty or not guilty

is entered, and a date is set for an **Initial Disposition Conference**.

A defendant may be eligible for the **Pre-Trial Intervention Program (PTI)**. With the consent of the Prosecutor, the defendant who is accepted into PTI is diverted into rehabilitative counseling and supervision, and placed on probation without a trial or entry of a guilty plea. Upon successful completion of the program, the charges against the defendant will be dismissed. If applicable, restitution is ordered.

At the **Pretrial Conference**, the defendant, his attorney and the Assistant Prosecutor appear. If a **Plea Agreement** has not previously been negotiated, this is an opportunity for both parties to negotiate a plea. The defendant agrees to plead guilty to some of the charges with the Prosecutor often recommending a sentence and/ or the dismissal of other charges. Plea-bargaining is a necessary aspect of Hunterdon County's criminal justice process because it promotes the speedy disposition of cases without the necessity of a lengthy trial. The goal of the prosecutor in plea-bargaining is to achieve approximately the same result as would have occurred if the defendant had gone to trial. Plea bargains also eliminate the fear of testifying for victims and witnesses. If a plea cannot be agreed upon, a date is set for a trial.

In a **trial**, the Assistant Prosecutor presents the case for the State, attempting to prove **beyond a reasonable doubt** that the defendant did commit the crime as charged. If the judge or jury finds that this burden of proof has not been met, the defendant must be found Not Guilty. If this occurs, it does not mean that the victim was not believed, or that the defendant is believed to be innocent. A not guilty verdict only means that the evidence presented was not sufficient to prove the defendant's guilt beyond a reasonable doubt.

If the defendant has been found guilty after a trial, or has decided to plead guilty, the judge will consider sentence recommendations by the State, the Probation Department, and Victim Impact Statements prepared by the victim and/or victim's family. **Sentences** may include imprisonment in county jail or state prison; probation; fine; and a Violent Crime Penalty. Special conditions of

probation, such as restitution, counseling for the defendant or an order to stay away from the victim, may be imposed in certain cases.

In appropriate cases, the judge may order the defendant to reimburse a victim for their financial losses. The **restitution** would be a condition of the sentence imposed. Save all bills, receipts and copies of checks in reference to this crime to provide to the Prosecutor's Office as documentation of your losses.

The Hunterdon County Probation Department is responsible for the supervision of offenders and the collection and redistribution of support monies, fines, and restitution as ordered by the Court. If you have any questions concerning Probation, call 908-237-5900 for additional information or appropriate referral.

New Jersey law provides for **compensation** for victims of violent crimes or their dependants who have suffered out-of-pocket losses due to physical or emotional injury, loss of income or death. The Office of Victim Witness Advocacy can assist you in determining your eligibility for this fund and in filing a claim, or you can contact:

State of New Jersey
Victims of Crime Compensation Office
50 Park Place, 5th Floor
Newark, NJ 07102-9902
1-877-658-2221
<http://njvictims.org/>

CRIME VICTIM BILL OF RIGHTS

Effective July 31, 1985 – Mandates the following Rights to Crime Victims and Witnesses of Crimes:

To be treated with dignity and compassion by the criminal justice system;

To be informed about the criminal process;

To be free from intimidation;

To have inconveniences associated with participation in the criminal justice process minimized to the fullest extent possible;

To make at least one telephone call from the police station provided the call is reasonable in length and location called;

To medical assistance if, in the judgment of the law enforcement agency, medical assistance appears necessary;

To be notified if presence in court is not needed;

To be informed about available remedies, financial assistance and social services;

To be compensated for their loss whenever possible;

To be provided a secure, but not necessarily separate waiting area during court proceedings;

To be advised of case progress and final disposition;

To the prompt return of property when no longer needed as evidence;

To submit a written statement about the impact of the crime to a representative of the county prosecutor's office which shall be considered prior to the prosecutor's final decision concerning whether formal criminal charges will be filed; and

To make, prior to sentencing, an in-person statement directly to the sentencing court concerning the impact of the crime. This statement is to be made in addition to the statement permitted for inclusion in the Pre-Sentence Investigation Report (PSI) under N.J.S.A. 2C:44-6. In any homicide prosecution, the victim's survivor may display directly to the sentencing court, at the time of this statement, a photograph of the victim taken before the homicide.

To have the opportunity to consult with the prosecuting authority prior to the conclusion of any plea negotiations, and to have the prosecutor advise the court of the

consultation and the victim's position regarding the plea agreement, provided however that nothing herein shall be construed to alter or limit the authority or discretion of the prosecutor to enter into any plea agreement which the prosecutor deems appropriate;

To be present at any judicial proceeding involving a crime or any juvenile proceeding involving a criminal offense, except as otherwise provided by Article I, paragraph 22 of the New Jersey Constitution;

To be notified of any release or escape of the defendant;
and

To appear in any court before which a proceeding implicating the rights of the victim is being held, with standing to file a motion or present argument on a motion filed to enforce any right conferred herein or by Article I, paragraph 22 of the New Jersey Constitution, and to receive an adjudicative decision by the court on any such motion.

SUGGESTIONS FOR VICTIMS AND WITNESSES

Be prepared. Before you testify, try to remember the scene and what happened. Do not try to memorize your testimony; just be prepared to tell what happened in your own words.

Listen carefully to the questions. If you do not understand a question, ask that it be explained or repeated.

Think before you speak. Give an accurate answer to the best of your ability. If you do not know the answer to a question, or if you do not remember, say so.

Speak clearly and loud enough so that all the jurors can hear you.

Answer only the question that is asked of you. Do not volunteer information.

Dress neatly and appropriately for court. Avoid distracting mannerisms, such as chewing gum while testifying. Be serious and avoid joking.

Stop when the judge interrupts you or when an attorney objects to a question. Wait until the court gives its ruling. You will be told when to continue.

Be courteous, even if the lawyer asking questions is not. It is important that you do not lose your temper or argue with either attorney. Stay calm at all times while you are being questioned.

Be honest. You will be sworn to tell the truth at all times. Do not guess or make up an answer. The old adage is useful: Always tell the truth; it's easier to remember later.

AS A VICTIM OR WITNESS, IT IS IMPORTANT THAT YOU KEEP THE OFFICE OF VICTIM-WITNESS ADVOCACY INFORMED OF ANY CHANGE OF ADDRESS OR TELEPHONE NUMBER.

IMPORTANT TELEPHONE NUMBERS

EMERGENCY SERVICES

Police, Fire and Rescue	911
Child Abuse Hunterdon County (Division of Child Protection and Permanency)	908-782-8784
Hunterdon Medical Center	908-788-6100
Hunterdon Behavioral Health and Crisis Intervention	(Days) 908-788-6401 (After hours) 908-788-6400
Hunterdon Helpline	211 1-800-272-4630
SAFE in Hunterdon	1-888-988-4033 908-788-4044

ADULT PROTECTIVE SERVICES

Senior, Disabilities and Veteran Service	908-788-1362
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CHILD PROTECTIVE SERVICES

Division of Child Protection and Permanency - DCP&P	908-782-8784
Child Abuse Hotline	1-800-NJABUSE
Dorothy B. Hersh Regional Child Protection Center	732-448-1000 1-888-491-3841
New Jersey Child Advocate	877-543-7864

COUNSELING SERVICES

Hunterdon Behavioral Health	908-788-6401
Catholic Charities	908-782-7905
Richard Hall Mental Health Center	908-725-2800

Counseling Services Continued

SAFE in Hunterdon 1-888-988-4033
908-788-7666

National Center for Victims of Crime 1-800-FYI-CALL

To find private counselors, see yellow pages, ask your physician, call your insurance company or the Victim Witness Office.

DOMESTIC VIOLENCE

SAFE 24 hour Hotline 1-888-988-4033

Domestic Violence Hotline 1-800-572-SAFE

Women Referral Central 1-800-322-8092

NJ Coalition of Battered Women 609-584-8107

JUDICIAL & LEGAL INFORMATION

HUNTERDON COUNTY

Prosecutor's Office 908-788-1129

Criminal Division 908-237-5840

Family Division 908-237-5920

Civil Division 908-237-5820

Probation Department 908-237-5900

Sheriff's Department 908-788-1166

County Jail 908-788-1184

Public Defender 908-782-1082

Legal Services 908-782-7979

Lawyer Referral Services 908-735-2611

MISCELLANEOUS

NJ Crime Victims Law Center 973-729-9342

NJ Office of the Attorney General 609-292-4925

OTHER SERVICES

Sexual Assault Response Team/ Sexual Assault Nurse Examiner-SART/ SANE	908-788-1129
Prosecutor's Office TIPS Hotline-CRIMEBUSTERS	1-800-321-0010
AIDS/HIV Task Force	908-806-4893
Public Housing	908-788-1336
Social Services	908-788-1300
Human Services	908-788-1253
Health Department	908-788-1351
Transportation: The Link	1-800-842-0531 908-788-9760
Hunterdon Medical Center	908-788-6100
Drug Awareness	908-788-1900
Red Cross	908-735-6572
Meals on Wheels	908-735-8332
Homeless Prevention Program	973-383-0251
Medicaid	732-603-3151
New Jersey State Parole Board Special Investigation and Victim Services Unit	609-292-4257
Parent Education for Adults and Children (PEACH)	908-788-1345
State Office of Victim Witness Advocacy	609-588-7900
Traumatic Loss Coalition	908-788-6401

**HUNTERDON COUNTY
PARK POLICE AND MUNICIPAL
POLICE DEPARTMENTS**

Bulls Island Park Rangers	908-397-2949
Clinton Borough	908-735-2665
Clinton Township	908-735-7230
Delaware Township	609-397-8189
Flemington Borough	908-782-3435
Franklin Township	908-735-6508
Frenchtown	908-996-2341
High Bridge	908-638-8959
Holland Township	908-995-2804
Hunterdon County Sheriff's	908-788-1166
Lambertville City	609-397-3134
Lebanon Township	908-638-8516
NJSP-Kingwood	908-996-2864
NJSP-Perryville	908-730-7042
NJSP-Washington	908-689-3101
Raritan Township	908-782-8889
Readington Township	908-534-4031
Round Valley Park Rangers	908-236-6355
Spruce Run Park Rangers	908-638-8801
Tewksbury Township	908-439-0063
West Amwell Township	609-397-5875

	NOTES
State of N.J. vs.	_____
Prosecutor File #	_____
Indictment #	_____
Post Indict A/C	_____
Pre Indict Conf	_____

Trial	_____

Disposition	_____

DIRECTIONS

From Route 202 (Southbound):

Make a right onto Church Street at the Voorhees Corner Road and Church Street light.

At the Route 31 traffic light continue to go straight. Make a right at the Main Street traffic light. Make third left onto Capner Street. (Justice Center is on the right) At the intersection of Capner Street and Park Avenue continue straight across. Justice Center Parking lot entrance is on the right on Capner Street.

From Route 202 (Northbound):

Make a left onto Church Street at the Voorhees Corner Road and Church Street light.

At the Route 31 traffic light continue to go straight. Make a right at the Main Street traffic light. Make third left onto Capner Street. (Justice Center is on the right) At the intersection of Capner Street and Park Avenue continue straight across. Justice Center Parking lot entrance is on the right on Capner Street.

From Route 31 (Southbound):

Make a right onto Walter Foran Boulevard. (Shammy Shine is on your right) At the stop sign make a right onto Main Street and a quick left onto Park Avenue. At Capner Street make a right. The Justice Center Parking lot is on the right on Capner Street.

Courtroom number 1 and Prosecutor's Office are on the second floor of the Justice Center.

Courtrooms numbers 2 through 5 are on the third floor of the Justice Center.

NOTE: THERE IS A TWO-HOUR PARKING LIMIT ON THE STREETS OF FLEMINGTON, WHICH IS STRICTLY ENFORCED. THIS OFFICE IS NOT RESPONSIBLE FOR PARKING TICKETS.