

LEGAL SYSTEM FLOWCHART

This chart divides the legal system into the steps a person goes through, what happens at each stage and the choices available. The arrows show the flow from one step to the next. We offer this as a tool to help empower people in an arrest situation. (Based on experience in Chicago. Will likely differ in other settings.)

<u>STEPS</u>	<u>CHOICES</u>	<u>WHAT HAPPENS</u>
Warning ▼	<ul style="list-style-type: none"> Stay or leave Continue or stop doing intended actions 	<ul style="list-style-type: none"> Officer may give warning to leave or command to stop doing something.
Arrest ▼	<ul style="list-style-type: none"> Walk with officer Go limp; be carried away Leave or return to action (if left unguarded) 	<ul style="list-style-type: none"> Officer physically grabs you, takes you to paddy wagon or squad car; may inform you that you are under arrest; pat search, sometimes handcuffs; taken to holding area.
Processing and Booking ▼	<ul style="list-style-type: none"> Decide what, if any, information to give police (remain anonymous, give name, give symbolic name). Refuse to post bond or post bond Bail solidarity: demand no cash bonds or equal bonds for all. 	<ul style="list-style-type: none"> Police question you for arrest reports (name, address, occupation, ss #); may try to get additional info for intelligence; possible photographing, fingerprinting; may take property, clothes; Bond set from \$0-\$100 in state misdemeanor cases; no cash bonds required for city ordinance or federal trespass violations.
First Court Date ▼	<ul style="list-style-type: none"> Use lawyers or go "Pro Se" (defend yourself) <ul style="list-style-type: none"> - Continuance - Plea Agreement - Bench Trial (before a judge) - Demand Jury Trial 	<ul style="list-style-type: none"> Appear in court alone, or most likely with other arrestees; Attempt to dispose of case by plea or trial or continue case for later bench or jury trial or plea negotiations; prosecutor not always ready for trial.
Trial ▼	<ul style="list-style-type: none"> Lawyer or Pro Se Bench or Jury Defense based on Necessity of Actions or non-commission of acts/technicalities Small or large resources of time & money 	<ul style="list-style-type: none"> Trial can vary from a few minute bench trial with or without a lawyer to a full jury trial with expert witnesses lasting a week or more, or anything in between.
Verdict ▼	<ul style="list-style-type: none"> Acquittal (Not Guilty) Guilty 	<ul style="list-style-type: none"> Judge or jury decides
Sentencing	<ul style="list-style-type: none"> Make statement: opportunity to bring out political & moral issues, show non-recalcitrance Remain silent 	<ul style="list-style-type: none"> Hearing on appropriate sentence; can testify or call witnesses to why actions were justified, necessary, etc., and your background.

Adapted From: "Organizing for Resistance: Historical and Theological Reflections and Organizing" by the Chicago Religious Task Force on Central America, 1985.