

What happens when someone gets arrested?

Someone tells the police that a crime has happened

The police start an investigation and decide if someone should be charged

The police decide not to charge anyone

The police charge someone. This person is called the accused. The prosecution may withdraw or stay the charges at any stage

If the police do not decide to release the accused, a Show Cause Hearing (bail) is held to decide if the accused should be released or detained until the charges are dealt with

The accused is released, sometimes with a surety, with conditions that they promise to keep

The accused is detained in jail until the charges are dealt with

The charges may be withdrawn/stayed at this stage or later

The charges will continue to be prosecuted

First appearance in court to decide how to continue

Option 1: Summary Conviction

Option 2: Indictment

The accused pleads guilty

The accused pleads not guilty

Election - the accused decides:
1. Whether or not to have a preliminary hearing
2. Whether to have a trial with a judge only, or a trial with a judge and jury

The accused pleads not guilty

The accused pleads guilty

A trial is held, and testimonies are heard

The accused is found not guilty

The accused is found guilty

A Sentence Hearing is held. Victims have a right to give a Victim Impact Statement

Territorial jail (like BCC) if jail time is less than 2 years

Sentencing options without jail such as probation

Federal jail (if jail time is more than 2 years)

The accused is released at the end of the sentence

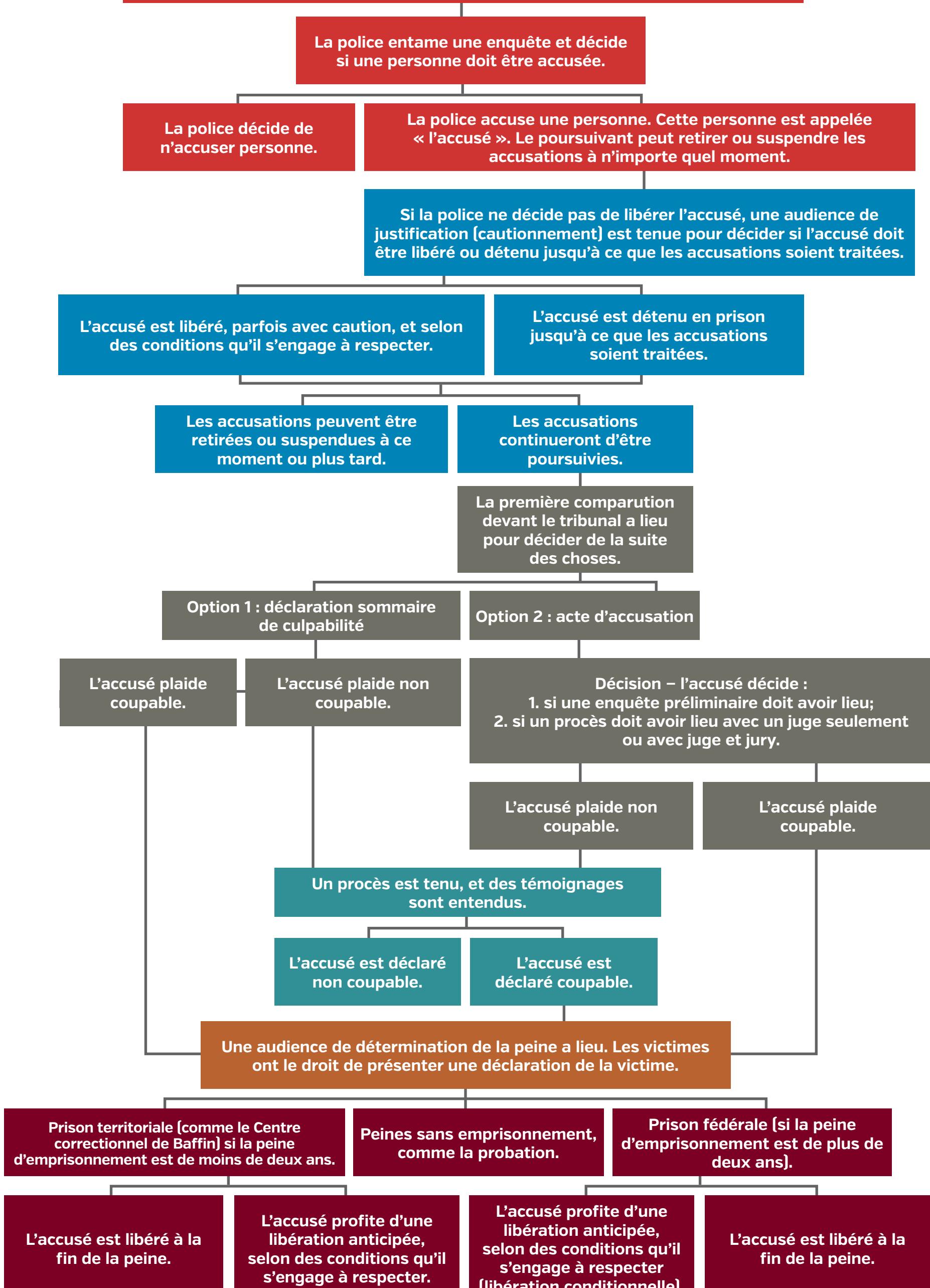
The accused is released early with conditions they promise to keep

The accused is released early with conditions they promise to keep (parole)

The accused is released at the end of the sentence

Que se passe-t-il lorsqu'une personne est mise en état d'arrestation?

Une personne dit à la police qu'un crime a été commis.



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