

CAN I VOTE IF...

I'm in jail but am not currently serving a felony sentence?

YES

I've been charged with a felony but haven't been convicted?

YES

I've been given a stay of adjudication?

YES

I was charged with or convicted of a misdemeanor or gross misdemeanor?

YES

Eligible voters may legally vote in every state. Absentee voting applications are available on the Minnesota Secretary of State website at www.sos.state.mn.us.

Please confer with legal counsel if previously convicted of a felony offense in any court or for additional questions regarding your voting rights.

FREQUENTLY ASKED QUESTIONS: COURT PROCEEDINGS

What is an Initial Appearance?

The initial appearance is in most cases the defendant's first contact with the judge and usually is the point where pretrial release or detention is addressed.

What is a Detention Hearing?

A detention hearing in federal court is much like a bail hearing in state court. It is a hearing where the judge determines whether to release the defendant on a condition or combination of conditions, or orders the defendant detained pending further proceedings. If detained, the judge typically makes a finding that there is no condition or combination of conditions that will reasonably assure the appearance of the defendant as required and/or the safety of any other person and the community.

What is an Arraignment?

Arraignments consist of the reading of the charging document (i.e., Indictment) to the defendant or stating the substance of the charge. The defendant must enter a plea to the charge(s) at that time. A trial date, among other scheduled hearings and deadlines, is then set.

Please access the U.S. Probation and Pretrial Services website at www.mnp.uscourts.gov for more information.



300 S. 4th St, Suite 406
Minneapolis, MN 55415-1320
612-664-5400
Fax: 612-664-5350

www.mnp.uscourts.gov



UNITED STATES PROBATION AND PRETRIAL SERVICES
District of Minnesota

PRETRIAL SERVICES



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PRETRIAL SERVICES

INVESTIGATION

Pretrial Services is a time period after an individual (hereinafter defendant) has been arrested, and before he/she has been convicted of a crime. A U.S. Probation Officer (USPO) gathers defendant information through various interviews and record inquiries. The USPO compiles this information into a confidential report that is made available to the judge, prosecutor (Assistant U.S. Attorney), and defense attorney. At the defendant's hearing, the judge will decide whether to grant pretrial release or order the defendant to remain in custody. The judge utilizes the Pretrial Services report to assist in making a release or detention decision.

There remains a legal presumption of release on the least restrictive terms and conditions, with an emphasis on non-financial terms, unless the judge determines that no condition or combination of conditions will reasonably assure the appearance of the defendant in court and the safety of any other person and the community.

CONDITIONS OF RELEASE

Conditions established by the judge may include: reporting as directed, drug and/or alcohol testing, no dangerous weapons, residential restrictions, location monitoring/ankle bracelet, no contact with co-conspirators/victims, or other conditions as deemed appropriate to mitigate risk. For those released, we are committed to strengthening support systems and are devoted to putting people in positions to succeed.

SUPERVISION

Pretrial Services supervision commences when the defendant is ordered released from custody. The judge typically issues an appearance bond and accompanying release order that may contain a combination of conditions or restrictions the defendant is required to adhere to. The USPO supervises the defendant in accordance with the judicial order, to ensure the conditions of release are enforced and that the defendant appears at any subsequent hearings.

In addition, the USPO assists defendants released in securing any necessary employment, medical, legal, or social services. Throughout the pendency of the federal case, the USPO provides the judge with supervision updates. If found guilty or a guilty plea is entered, the USPO will typically continue supervising the defendant. During this time, another USPO may become involved with the defendant to begin the presentence investigation process. Pretrial supervision typically will continue until the defendant is sentenced and, if imposed, until a term of imprisonment commences.

