

# Thurston County's Pretrial Justice System

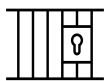
The pretrial phase of the justice system is when a person is accused of a crime and presumed innocent. During this phase, the U.S. Supreme Court says liberty is the norm and detention the carefully limited exception. Different agencies make decisions that determine how a person moves through the pretrial phase.



Law Enforcement (State Patrol, Thurston County Sheriff, city police, etc.) become involved at the beginning of the pretrial justice system in Thurston County. When officers suspect someone of a crime, they can take several actions.

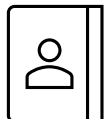
- Take no action/offer a warning.
- Issue a citation; a citation is like a speeding ticket and provides the individual with information on the crime they are accused of and how to report to court.
- Offer diversion from arrest.
- Arrest and take to custody.

*In some circumstances, law enforcement officers in Thurston County have the discretion to make a referral to the county's Law Enforcement Assisted Diversion. This referral diverts people toward substance use and mental health treatment that can help people implement life-long changes. Situations involving domestic violence or other violent crimes are not eligible for diversion.*



Jail staff come into the pretrial justice system when an individual is arrested and taken into custody. Jail administrators play an important role in the pretrial system and have several actions they can take.

- Book into jail.
- Divert for mental health services; this is the only option for diversion at this point in the process.
- Not book into jail until medically cleared; once medically cleared, the individual returns to jail unless there is new evidence regarding the case.



Prosecutors are responsible for charging individuals with crimes and are commonly depicted in popular television series as the lawyers representing the people of a jurisdiction such as a city or state. There are several actions a prosecutor can take during the pretrial justice process.

- Charge or decline to charge.
- Offer diversion from prosecution.
- Accept a plea agreement; a plea agreement is between the prosecutor and the defendant to resolve the criminal case.
- Take the case to trial; a trial is where a judge and jury will hear both sides of a case and decide if a person is guilty or not guilty of an alleged crime.
- Dismiss the charge.

*In Thurston County, there are additional court-involved diversion opportunities, such as treatment courts.*



**Defense Counsel** is integral to the pretrial justice system. When a person is charged with a crime, they have the right to legal representation. Defense attorneys perform important functions during the pretrial process.

- Evaluate each case for legal sufficiency; this step is where a defense attorney determines if the charge matches the available information.
- Represent indigent clients at all stages at the trial court level, from pretrial through trial.
- Argue various motions, including conditions of release or to dismiss.
- Engage in plea negotiations.
- Coordinate and conduct case investigation.
- Interview relevant witnesses.
- Arrange for the retention of experts.

*Thurston County Public Defense represents indigent clients at all stages at the trial court level, from pretrial through trial.*



**Judicial officers** are responsible for overseeing cases and ensuring people's rights are protected. Before trial, a judicial officer makes decisions involving the person charged.

- Determine if probable cause exists for the charge before the court.
- Order the person released.
- Order the person released with conditions.
- Order the person detained.



**Pretrial Services** provides the judge, prosecutor, and defense counsel with information to inform pretrial release and detention decisions and support people released with conditions.

- Help people on pretrial release attend court hearings and remain law-abiding.
- Notify the judge, prosecutor, and defense counsel if there are violations of conditions of release.