

The legal system can be very confusing to new prison ministry volunteers, but even more so for families of prisoners. This is a quick reference guide to some of the basic terminology often used in the legal system.

**Arrest:** Being taken into legal custody by the police or other authorized law enforcement personnel

**Arrest Warrant:** An official order issued by a judge for a person to be found and arrested

**Appeal:** A request by either the defense or the prosecution that a case be moved from a lower court to a higher court in order for the trial proceedings to be reviewed by the higher court to see if errors occurred that made the trial unfair or the verdict unreliable

**Arraignment:** The appearance of a person before a judge or magistrate in order to be read the charges against him or her, to be informed of his or her right to counsel, to enter a plea, and to receive notice of bail.

**Bail Bond:** A document that allows a person to be released from jail by paying bail money and promising he/she will appear in court when required

**Booking:** The intake process that occurs when a person goes to jail which involves a medical and mental evaluation, being fingerprinted and photographed, being strip searched, changing into a jail uniform, receiving an inmate number, and being transferred to an assigned cell

**Community Service:** A sentencing alternative that requires offenders to work without monetary compensation at public or private nonprofit agencies in the community

**Correctional Facility:** A place for the incarceration of individuals accused or convicted of criminal activity; jail or prison

**Defense Attorney:** A lawyer who defends and/or speaks on behalf of a person accused of a crime whether before, during, or after the trial; the attorney of record

**Defendant:** The person who is being tried for a crime

**Department of Corrections (DOC):** A government agency that is headed by a director who develops policy and oversees the operation of correctional facilities and programs

**District Attorney:** Also known as the DA, this person is the prosecuting officer for a judicial district; sometimes referred to as simply “the prosecutor”

**Federal Bureau of Prisons (BOP):** An organization created by Congress in 1930 that is responsible for incarcerating those individuals convicted of violating federal laws

**Felony:** A criminal offense that is punishable by incarceration in a state or federal prison, generally for one year or more, or by death

**Halfway House:** A transitional living place for those coming out of prison and/or those who need help recovering from substance abuse or other addictions

**Incarcerated:** To be confined in jail or prison

**Indictment:** A written statement charging a party with the commission of a crime or other offense, drawn up by a district attorney and presented by a grand jury

**Jail:** A secure lock-up facility within a city or county where people are kept who are accused of a crime, charged with a crime, waiting for trial, or serving a short sentence

**Jury:** A body of persons sworn to judge and give a verdict on a given matter, especially a body of persons summoned by law and sworn to hear and hand down a verdict upon a case presented in court

**Life Sentence:** A court sentence that requires an offender to be imprisoned for life (although in some cases, parole is possible after a certain number of years)

**Parole:** The process of releasing inmates from incarceration before the end of their sentence on conditions of supervision by a parole officer and their maintenance of good behavior (a person can be re-incarcerated if parole conditions are violated)

**Parole Agency:** A correctional agency whose responsibilities may include pre-release investigations, parole plan preparation for prospective parolees, and the supervision of adults having conditional release status

**Parole Authority:** The decision-making body that has the responsibility to grant, deny, and revoke parole; also called the parole board or parole commission

**Parole Officer:** An employee of a parole agency whose primary duties are the supervision of parolees or pre-parole investigation and planning

**Parole Violation:** An act or a failure to act by a parolee which means he/she is out of compliance with the pre-determined conditions of parole

**Plea Bargaining:** The negotiation of an agreement between the prosecution and the defense whereby the defendant pleads guilty to one (or more) offenses usually in exchange for more lenient sentencing recommendations or dismissal of other charges

**Pre-release Programs:** Programs designed to prepare inmates for reentry into society and help them begin to “phase in” to community life

**Prison:** A state or federal facility where people who have been convicted of a crime are confined for the duration of their sentence or until they are granted parole

**Probation:** A court-ordered disposition alternative through which a convicted adult offender or an adjudicated delinquent is placed under the control, supervision, and care of a probation field staff member in lieu of imprisonment, as long as the offender meets certain standards of conduct

**Probation Agency:** A correctional agency of which the principal functions are juvenile intake, the supervision of adults and juveniles placed on probation, the investigation of adults and juveniles and preparation of pre-sentence or predisposition reports to assist the court in determining the proper sentence or juvenile court disposition.

**Release on Recognizance:** Being released after arrest on your own word (without paying bail) that you will appear as required on your court date; may be referred to as “ROR”

**Restitution Program:** A program in which those convicted of a crime must do certain things to compensate or repay victims for their losses

**Treatment Program:** A program in which a person with substance abuse problems or other issues receives therapy and rehabilitation

**Twelve-Step Program:** An addiction recovery program based on the original 12 steps of recovery developed and proven effective by Alcoholics Anonymous

**Victim:** A person who has suffered death, physical or mental suffering, or loss of property as the result of an actual or attempted criminal offense committed by another person

**Writ of Habeas Corpus:** A legal document requiring a person under arrest to be brought before a judge and/or requiring that a person who is incarcerated be released if there is insufficient cause or evidence of a crime