



# Victims of Crime Part 1: The Roles of Victims in Criminal Cases

Maryland law defines a victim of crime as someone who suffers physical, emotional, or financial harm as a result of a crime. This tip sheet includes information on filing criminal charges, your role in the criminal case, and your responsibilities as a victim.

## Filing Criminal Charges

- If you believe you have been the victim of a crime, the first step is to **report it to the police**. The police may investigate, make an arrest, or apply for charges. The police will often refer you to the District Court Commissioner to apply for charges on your own.
- An application for charges always goes to a **District Court Commissioner**, whether you or the police apply. A Commissioner is a judicial officer who has the legal authority to issue charging documents.
- To apply for charges, first, file what is called an **Application for Statement of Charges**. You or someone else with personal knowledge of the incident may file the application. The person who files must appear in person before a District Court Commissioner in the county in which the incident occurred. Commissioners are available 24 hours a day 7 days a week. Check [mdcourts.gov/district/directories/commissionermap](https://mdcourts.gov/district/directories/commissionermap) for information on your Commissioner's station.
- The **Application for Statement of Charges** should include:
  - A statement that describes the incident in detail.
  - Where and when the incident occurred.
  - A list of any injuries, damages, or losses.
  - An explanation of why you believe a particular person or group of people are responsible for the crime.
- The Commissioner will review the statement and determine if there is **probable cause** to issue charges. Probable cause refers to having a reasonable basis to suspect someone of committing a crime.
- If the Commissioner finds there is probable cause, they will file a **charging document**. If they find there is no probable cause, they will deny the statement of charges.
- If a charging document is issued, the person you believe is responsible for the crime will either receive a **summons to come to court or will be arrested**.



## Your Role in the Case as a Victim

- After a charging document is issued, the case may go to trial. There are two parties to the court case: **the State and the defendant**. The defendant is the person accused of the crime.



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- The **State's Attorney** is the lawyer who represents the State of Maryland. They will review the case and decide whether to pursue that case or not.
- As a victim, you are not a party to the case. You do, though, have rights and obligations. For more information on your rights, see Tip Sheet 73 Victims Part 2.

#### Your Responsibilities as a Victim

- You may be called to appear at trial as a witness. The State's Attorney's Office may issue a **subpoena** requiring you to appear in court to testify. A subpoena may also require you to bring certain documents to trial. If you receive a subpoena, don't ignore it or you could face penalties.
- If you received a subpoena and do not want to appear in court, talk to a lawyer. For more information on resources for victims of crime see below and Tip Sheet 73 Victims Part 2.

#### Resources

- Find the location of Commissioners' offices on the Maryland Courts website. Visit [mdcourts.gov/district/directories/commissionermap](https://mdcourts.gov/district/directories/commissionermap).
- The **Maryland Crime Victims' Resource Center** can provide some legal support and advocacy for victims of crime. Visit <https://www.mdcrimevictims.org/> or call 301-952-0063.
- The **Maryland State Board of Victim Services** offers brochures and forms on the rights of crime victims in Maryland. Visit [goccp.maryland.gov/victim-services/rights-resources/brochures-forms/](https://goccp.maryland.gov/victim-services/rights-resources/brochures-forms/).
- The **State's Attorney's Office** has resources for victims of crime. Contact your local State's Attorney's Office.
- You can also find lawyers by using the **Lawyer Referral Information** by county. Visit [msba.org/for-the-public/lawyer-referral-information/](https://msba.org/for-the-public/lawyer-referral-information/).
- The **Maryland Coalition Against Sexual Assault, Sexual Assault Legal Institute (SALI)** provides legal services for survivors of sexual violence across the state. Call 301-565-2277 or 877-496-SALI, or visit [mcase.org/survivors/sali](https://mcase.org/survivors/sali).
- **House of Ruth Maryland** provides free lawyers for victims of intimate partner violence and hosts information for victims of crime online. Visit [hruth.org](https://hruth.org) or call 410-889-7884.
- For questions about civil cases, you can contact the **Maryland Court Help Center**. Find more information at [mdcourts.gov/helpcenter](https://mdcourts.gov/helpcenter). Call 410-260-1392 to speak to a lawyer for free. Help Center lawyers can only assist if you do not currently have an attorney for the civil case.



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