
Preparing for the Pretrial Period: A Resource for Women and Gender Diverse People

Purpose: This document will prepare you for some questions that pretrial professionals or other criminal legal stakeholders may ask you during the pretrial process. We hope that this resource will reduce some of the uncertainty of the pretrial process and help you better advocate for yourself.

Common Questions

Question: Where do you lay your head? This may or may not be the same address where you receive mail.

Explanation: Pretrial professionals may want to remind you of upcoming court dates, sometimes through the mail but they want to know of other ways to reach you. Not having a current address may also violate the conditions of your pretrial release. Remember to update the address if you can no longer receive mail there.

Question: Do you know how to use Zoom (or another video conference program)? Do you have access to a computer, laptop, or tablet?

Explanation: Sometimes, the court will allow you to attend your court hearings by Zoom instead of appearing in person. This option is more likely to be available to you if you have a phone or access to a computer and are familiar with the program. Remember that you can access Wi-Fi at public places.

Question: Will you use public transportation or Uber or Lyft to attend in-person sessions and court appearances?

Explanation: During the pretrial phase, you must attend court hearings and maybe some in-person appointments. Knowing whether you will use public transportation or rideshare options is helpful for scheduling appointments and appearances around convenient transportation times. Also, pretrial professionals may have bus passes or prepaid Uber or Lyft credit to reduce or eliminate the financial strain of attending appointments.

Question: Where are your children now? Do you need to use the phone to ask someone to pick them up from school or tell someone else to get them?

Explanation: Pretrial professionals want to keep your family together. However, child protective services can investigate any situation that may endanger the safety of your children. Try to avoid child protective services' involvement by ensuring the well-being of your children (e.g., by requesting that a friend or family member pick them up from school if you are unable to do so, or by requesting that an appointment be rescheduled due to childcare responsibilities).

Question: Are you currently employed? Do you need to call your employer?

Explanation: Some courts and offices may try to accommodate your work calendar when scheduling appointments. Or, they might give you the opportunity to call your employer if you may be late or absent because of an appointment. This can help you avoid loss of a job if there is a call-in policy in the event of lateness or absence. Also, the courts view employment favorably. Among other things, it is a sign that you have strong community ties.

Note: *Community ties* is a broad term that refers to a person's relationship with their community. For example, a person may have strong community ties if they are employed, regularly volunteer at a homeless shelter, is involved in an educational program, is a member of their neighborhood watch, own their own property, or have family living nearby.

Question: Do you have specific needs, such as food, clothing, and safe shelter/housing? Do you have access to healthy, fresh groceries?

Explanation: Many pretrial services offices can help you access community resources to meet your basic needs, such as housing, food, and clothing.

Question: Who would you name as your support system?

Explanation: Pretrial professionals may need to contact your support system if they cannot reach you to remind you of your court dates. Also, having a support system indicates that you have strong community ties to support your success.

Question: Are you experiencing any violence in your home or community? Do you have any concerns about medical, mental, or substance use problems or issues?

Explanation: System stakeholders have a mission to help people succeed while on pretrial release. At times, this means identifying and offering community-based resources and services, beyond what is court-ordered, to help you with basic needs, safety, and security. Your participation in these programs is optional; if you choose not to attend or participate, it will not be a violation of your conditions.

Question: Tell me about your educational background. (They may also ask about your employment status, how long you've lived at your current address, or your marital status.)

Explanation: A good education, a good job, and a stable place to live can be seen as strengths and help you succeed during the pretrial period. And, if these things are lacking, pretrial services can help fill the gap.

Question: Are you experiencing or anticipating difficulties complying with your pretrial conditions, such as mandatory drug testing, classes, or curfews?

Explanation: Pretrial professionals sometimes have the authority to waive or adjust conditions. Being honest about difficulties can help your officer adjust conditions so that it will be easier for you to comply with them.

Prepare for Pretrial Release and Supervision

1. What are the potential barriers to your success while on pretrial supervision?
2. What can your pretrial officer do to assist you with getting to court?
3. What can your pretrial officer do to assist you in being successful during the pretrial phase?
4. Is there any additional information the pretrial officer should know about you that wasn't already asked about or presented?

Remember, pretrial services and other people asking you questions are there to help you succeed. You are presumed innocent, and the goal of the pretrial system is to efficiently resolve your case while also making sure the community is safe. At no point should any pretrial services staff ask you about guilt or innocence in the process.