

**Victims' Bill of Rights
Law Enforcement Compliance Form**

The Victims' Bill of Rights (Title 11 DE Code §9401-9420) was signed into law on July 23, 1992. On July 8, 1994, an amendment was signed and incorporated into the existing statute. Delaware was the 49th state to pass victims' rights legislation. The underlying premise of the legislation is that victims should have the right to be treated with respect and compassion, to be informed about and involved in the criminal justice process as it affects their lives, to be protected from harm and intimidation, and to be provided fair information and notice concerning the criminal justice process.

All agencies given duties under the Victims' Bill of Rights are required to submit an annual report with related statistics outlining compliance with the Bill. Annual reports are to be submitted to the Governor and the Criminal Justice Council at the end of each calendar year. Any agency having difficulty with compliance is to note the nature of such difficulty in their annual report. Forty eight (48) agencies police departments, the Department of Justice, the Department of Correction, Youth Rehabilitative Services, the Board of Parole, the Board of Pardons, and the courts are required to file a report under this legislation.

Law Enforcement has several requirements under the Victim Bill of Rights. The listing below specifies each requirement. Please explain how your department has addressed each issue. If your department is in compliance explain how; if not, explain why.

- ① ***§9403 - Unless a victim waives confidentiality in writing, neither a law-enforcement agency, the prosecutor, nor the corrections department may disclose, except among themselves or as authorized by law, the residential address, telephone number or place of employment of the victim or a member of the victim's family, except to the extent that disclosure is of the site of the crime, is required by law or the Rules of Criminal Procedure, is necessary for law-enforcement purposes, or is permitted by the court for good cause.***

YES NO EXPLAIN

- ② ***§9406 - At the initial contact, the investigating law enforcement agency is to provide written information to the victim on who they may contact to ascertain if the defendant is released from custody and the procedures that the victim may follow if threatened, intimidated or if conditions of bail or custody are not complied with.***

YES NO EXPLAIN

③

§9408 - The agency holding the property of a victim shall promptly return the property to the victim when it is no longer needed for evidentiary purposes unless it is contraband or subject to forfeiture.

YES NO EXPLAIN

④

§9410 - The law enforcement agency having responsibility for investigating the crime, shall promptly give in writing to the victim:

- A **An explanation of the victim's rights;**
- B **Information concerning the availability of social service and other assistance to victims;**
- C **A copy of the initial incident report;**
- D **Notice of the availability of a victim service unit within the Department or, in the absence of a unit within that law enforcement agency, the availability of the Statewide Victim Center;**
- E **Notice of the Violent Crime Compensation Program;**
- F **Notice of the availability of information concerning pretrial release; and**
- G **Source of information at the investigating law-enforcement agency where the victim may check the status of any arrest.**

YES NO EXPLAIN

⑤ Related Statistical Information:

A **Do you have an in house victim services program using civilian victim services workers or a specially trained, dedicated officer or officers.**

Yes No If Yes: Civilian Unit Specially trained officer(s)

B **Total number of victims served:**

Follow up or Direct Contact Service Provided after Initial Contact

_____ *(includes face to face or telephone contact with victim)*

Referrals to:

Statewide Victim Center _____

In house Victim Program _____

Other Victim Program (Rape Crisis, Family Violence Shelter, etc.) _____

⑥ Comments on this form. (Did you find it easy to use? Do you have any recommendations for improvements? etc.)

Person completing form _____

Address

Telephone

Reporting Period: January 1, _____ to December 31, _____

Please attach any supporting documents used by your department such as: copies of policies, forms, etc. You may use additional sheets for explanations as necessary.

Thank you!