



## Rights of Crime Victims in Delaware

Delaware has a **Victims' Bill of Rights** ([Chapter 94 of Title 11 of the Delaware Code](#)) that entitles a victim to be notified of and participate in all major phases of a criminal case. This is a summary of the rights provided victims of crime in Delaware.

### **When A Crime Is Reported:**

- At the initial contact with law enforcement , the victim shall be provided:
  - an explanation of the victim's rights
  - information concerning the availability of social service and other victim assistance
  - a copy of the initial report
  - notice of available victim services
  - information about the Violent Crimes Compensation Program that may provide reimbursement or payment of costs associated with being a crime victim
  - information concerning pre-trial release (bail) of the defendant
  - an agency contact to allow the victim to check the status of any arrest.
- Unless a victim or witness waives confidentiality in writing, or as ordered by a court for good cause, a law-enforcement agency, the Attorney General's Office, or Corrections Department may not 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.

### **The Prosecution Process:**

- A victim shall be notified by the Attorney General's Office of the schedule of events involved with the prosecution of the defendant.
- A victim may be present at the trial and the sentencing of the defendant, unless the judge in the case rules otherwise
- The prosecutor assigned to your case must consult with you prior to trial
- Court proceedings shall be expedited in cases involving a child victim or witness, particularly in child abuse and sexual abuse cases
- The court shall try to minimize the victim's contact with the defendant, defendant's relatives, and defense witnesses during court proceedings
- A victim's employer may not discipline the victim for participation in the prosecution process when the participation is requested by the Attorney General's office
- The prosecutor will contact you to discuss any proposed plea agreement
- The Attorney General's office will notify you of the crimes for which the defendant was convicted and the specifics of the sentencing order
- A victim shall have any property seized as evidence promptly returned when it is no longer needed for evidentiary purposes, unless it is contraband or subject to forfeiture
- A victim has the right to be present at trial and sentencing.

### **After A Conviction:**

- If the defendant appeals after being convicted, the Attorney General shall promptly inform a victim of the date, time, and place for any hearing and of the decision once it is made by the court
- For a defendant sentenced to prison, a victim must be notified of the release date or any parole hearing
- Attempts will be made to locate and notify a victim if a convicted individual applies for a pardon, and a victim may address their position to the Parole Board or Board of Pardons.