

VICTIM SERVICES

Victim/Witness Assistance Program

The criminal justice process can be complicated, confusing and even intimidating for victims and witnesses of crime. Victims and witnesses often have questions about what is required of them as cases move through the judicial system. They have the right to understand the process and to be notified of court dates and case-related proceedings. The Attorney General's Victim/Witness Assistance Program provides case notification and victim services statewide through specially-trained Social Workers and Victim Service Specialists who assist criminal prosecutors.

Delaware's Victim's Bill of Rights entitles victims to be notified of and to participate in the criminal justice process. It requires that they be notified of the following:

- When a defendant is released on bail, the amount of bail, and any conditions of bail
- Court events, possible plea agreements, outcome of the case, projected prison release dates, and any sentence modification
- If a conviction is reversed on appeal
- Parole and Pardon Board hearing dates
- Procedures to follow if the offender threatens or intimidates them
- If an offender escapes from a correctional facility

Note: if the police recover your stolen property they will keep it as evidence until after the trial.

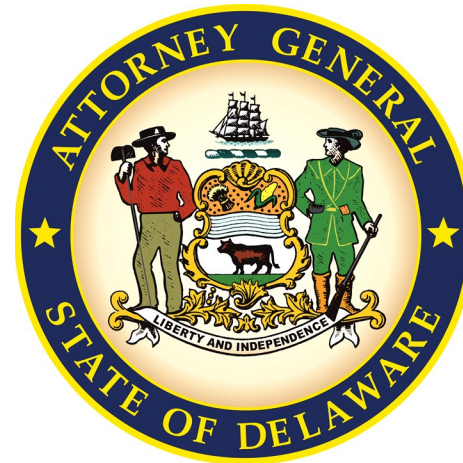
Victims' Compensation Assistance Program (VCAP)

VCAP helps alleviate the financial burden and distress that crime leaves behind by awarding financial compensation for losses that victims sustain as a result of crime. Financial awards provided by VCAP help recover lost income and pay for medical expenses, counseling services, temporary housing, and other costs that victims may bear. For assistance please contact VCAP at (302) 255-1770 or www.attorneygeneral.delaware.gov/VCAP.

A GUIDE TO VICTIM RESOURCES IN DELAWARE

Protecting Victims & Witnesses of Crime

Delaware Department of Justice



Matthew P. Denn Attorney General

New Castle County (302) 577-8500
Kent County (302) 257-3293
Sussex County (302) 752-3263
Para asistencia en Español (877) 851-0482

www.attorneygeneral.delaware.gov
Email: AttorneyGeneral@State.de.us

COURT PROCEEDINGS

Arraignment

A court hearing where charges are read to the defendant and he/she enters a plea of guilty, not guilty, or no contest. This public hearing is held in the court that will later hear the trial. Victims are not required to attend this hearing.

Bail Review Hearing

A court hearing to determine if bail should be reduced, should stay the same, or should be increased. This hearing is open to the public. No plea will be taken at a bail review. Victims are not required to attend this hearing. Hearings are scheduled only after the court receives a bail review motion from the defendant.

Case Review

A court hearing where the prosecutor and defense attorney discuss the case. The defendant may plead guilty at this time.

Preliminary Hearing

A court hearing to determine whether there is enough evidence against the defendant to proceed to trial. This hearing is open to the public. Victims are not required to attend unless they receive a subpoena. (See glossary for definition)

Sentencing Hearing

A court hearing at which convicted defendants are sentenced for their crimes. Victims may choose to make written or oral statements at this hearing.

Trial

A court hearing where the prosecution calls witnesses and introduces evidence to try to prove that the defendant is guilty of the crime with which he/she is charged. The defendant has the right to introduce evidence of his/her innocence and to have witnesses testify on his/her behalf. A jury or judge will determine whether or not the defendant is guilty beyond a reasonable doubt.

Learn more about court proceedings:
<http://courts.delaware.gov>

COURT ORDERS

Protection From Abuse Orders (PFA)

A Family Court order that offers protection for most victims of domestic or intimate partner abuse. Protections may include but are not limited to:

- Restraining or no contact order
- Temporary possession of residence, personal property
- Temporary relinquishment of firearms
- Requirement for treatment and or counseling

If you are a victim, additional safety measures may be necessary. For additional information, call the Victims' Advocacy Center located in the Family Court. If you are in immediate danger, dial 911.

No Contact Orders

A no-contact order requires that the defendant have no contact with the victim or victims in a case. This includes contact in-person, by telephone or mail, or arranging for other people to make contact with the victim on the defendant's behalf. When no-contact orders are issued, a copy of that order and a victim letter are provided to the victim by the Attorney General's office. If you observe a violation of any court order, call 911 and show the copy of the order and the Attorney General's victim letter to the responding police officer.

Court Information

Victims' Advocacy Centers

New Castle County 255-0420
Kent County 672-1075
Sussex County 856-5843

Justice of the Peace Court Case Notification

New Castle County (302) 577-8500
Kent & Sussex Counties 1-800-870-1790

Superior Court Case Notification

New Castle County (302) 577-8500
Kent County (302) 739-4211
Sussex County (302) 856-5353

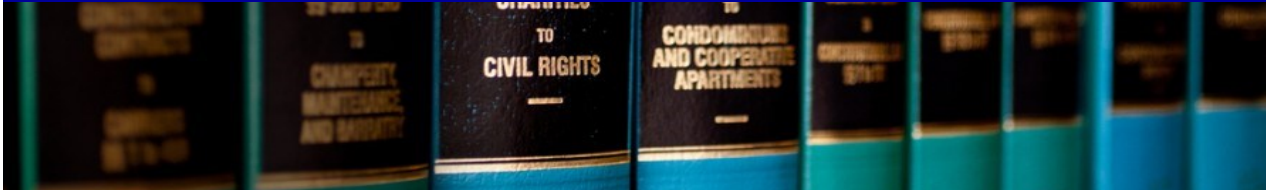
Superior Court Case Scheduling

New Castle County (302) 255-0730
Kent County (302) 739-5353
Sussex County (302) 856-5525

Superior Court Pre-Sentence Office

New Castle County (302) 255-0590
Kent County (302) 739-5275
Sussex County (302) 856-5549

GLOSSARY



Capias—An arrest warrant issued by a court when a defendant does not appear in court as required.

Defendant—The person charged with a criminal offense.

Detained—The defendant is held in prison before trial because he or she cannot raise the amount of bail set by the Court or the Court has denied a request for bail.

Felony—The most serious type of criminal offense, including robbery, murder, and unlawful sexual offenses.

Misdemeanor—A less serious type of criminal offense, including terroristic threatening and offensive touching.

Restitution—The money the Court orders a convicted defendant to pay to the victim for losses or damages that resulted from the crime. Restitution is ordered at the sentencing hearing. In most circumstances defendants pay restitution in either full or monthly payments to the Court, which in turn pays the victim.

Subpoena—A Court order requiring an individual to appear at a court hearing.

Victim's Compensation Fund Fine—Under Delaware law, a portion of criminal and traffic offense fines (currently 18% of the fine) is paid to the Victims' Compensation Assistance Program (VCAP). This money is made available as compensation to victims of violent crime.

Learn more by visiting:

www.attorneygeneral.delaware.gov/VCAP or call VCAP at (302) 255-1770.

Bail—Money or another type of security the Court requires the defendant to pay to ensure that he/she attends all required Court hearings. Bail can be set in several forms:

- **Secured**

Money or property the defendant signs over to the Court to cover the amount of bail set by the Judge. This money or property may be forfeited if the defendant fails to appear in Court as required.

- **Unsecured**

Money or property that does not have to be signed over to the Court by the defendant. If the defendant fails to appear for Court, the unsecured bail amount will be owed to the court by the defendant.

- **Cash Secured**

Cash bail means that only cash or a money order can be posted. No property will be accepted.

- **Unsecured with Co-Signer**

A second person, usually a family member of the defendant, is required to sign the defendant's bond along with the defendant. If the defendant fails to appear for Court, the co-signer is then responsible for the amount of bailed owed to the Court.

- **10%**

In some cases the judge will permit the defendant to post 10% of the amount of the original bail in cash or property.

- **Release on Own Recognizance**

The defendant is allowed to sign himself/herself out of custody. Although no money or property is at stake, if the defendant fails to appear for his Court, a capias can be issued for his or her arrest.

- **Release to Parents/Guardian**

Juvenile defendants may be released to the custody of his or her parents.

- **Release to Home Confinement**

Defendant is confined to his/her home or another specified location instead of incarceration in a jail or prison.

CONTACT INFORMATION

VICTIM SERVICE ORGANIZATIONS

Prevent Child Abuse Delaware

Statewide (302) 425-7490 / 1-866-925-7223

Rape Crisis/Contact

New Castle County (302) 761-9100
Kent & Sussex Counties 1-800-262-9800

Survivors of Accident and Murder

New Castle County (302) 654-6833
Kent & Sussex Counties 1-800-287-6423

People's Place

Sussex County (302) 422-8033

Child Inc.

New Castle County (302) 762-8989

Domestic Violence Hotline

New Castle County (302) 762-6110
Kent & Sussex Counties (302) 422-8058
Número para asistencia 1-800-262-9800

Delaware Council on Crime & Justice/ Elderly Crime Victim Program

New Castle County (302) 658-7174

DE Legal Helplink

Statewide 1-800-773-0606

Families in Transition

Kent & Sussex Counties (302) 422-8058
North Kent County (302) 678-3886

MADD (Mothers Against Drunk Driving)

Statewide 1-877-630-6233

GOVERNMENT RESOURCES

Adult Protective Services (DHSS)

1-800-223-9074

Victim Information & Notification System (VINE) 1-877-338-8463

Division of Family Services (Child Protective Services Report Line)

1-800-292-9582 (statewide)

Victim's Compensation Assistance Program

(302) 255-1770

U.S. Attorney's Office Victim/Witness Program (federal cases)

(302) 573-6277

Board of Pardons

(302) 739-4111

ATTORNEY GENERAL'S OFFICE

New Castle County (302) 577-8500
Kent County (302) 739-4211
Sussex County (302) 856-5353
Toll Free 1-800-870-1790

Consumer Protection Unit (ID Theft)

Toll Free 1-800-220-5424

POLICE AGENCY VICTIM SERVICES

Delaware State Police Victim Center

1-800-VICTIM(842846)-1

Dover Police Victim Services Program

(302) 736-7134

Georgetown Police Victim Services

(302) 856-6613

New Castle County Police Victims Program

(302) 395-8135

Número para asistencia (302) 395-8117

Newark Police Victims Program

(302) 366-7110

Wilmington Police Victims Program

Major Crimes (302) 576-3622
Domestic Violence (302) 576-3648
Número para asistencia (302) 576-3665

Find more information at
[attorneygeneral.delaware.gov/criminal/
victims_phone](http://attorneygeneral.delaware.gov/criminal/victims_phone)