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Markell signs victim compensation bill into law

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By Submission
Office of the Governor
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STATEWIDE — Delaware crime victims are eligible to receive state compensation for mental health counseling, costs of attending criminal proceedings, and other expenses through legislation signed into law by Gov. Jack Markell during an afternoon ceremony Monday in Wilmington.

House Bill 133 expands the newly revamped Delaware's Victims' Compensation Assistance Program (VCAP), formerly called the Violent Crimes Compensation Board.

Through House Bill 133, innocent victims may request compensation when a "cold case" is reopened or the offender seeks release through the Board of Parole or appears in court for purposes of post-conviction relief or appeal of the conviction.

Victims are now also eligible to apply for compensation in the event of a retrial of the offender on the original charges involving the victim, including penalty hearings, or upon the execution of the offender. Compensation is available for one year prior to, or two years after, the offender's release from prison or the date of the retrial, parole hearing, or other court-related events involving the offender. House Bill 133 was sponsored by Representatives Dennis P. Williams and Helene M. Keeley and Senate Majority Whip Margaret Rose Henry.

Today's signing of House Bill 133 follows the recent enactment of House Bill 253, which transferred the Victims' Compensation Assistance Program to the Delaware Department of Justice, streamlined the compensation process for innocent victims of crime, and provided Delawareans statewide with local access to victim compensation services. VCAP is funded through penalties paid by individuals convicted of a criminal act or adjudicated as a delinquent.

"The true costs of crime are not just what is stolen, or broken, or lost. The true costs to the victim and society can be, and often are, so much greater," Markell said. "This legislation offers some additional assistance to help survivors heal."

A retired Wilmington police officer, Representative Williams also served on the Violent Crimes Compensation Board and has seen both the immediate and long-term effects crime has on victims. "Innocent victims often are forced to relive those incidents over and over," he stated. "Anything we can do to help them is a step in the right direction. Government taking this action today is a testament that we can have a positive impact on people's lives. I'm honored to have been able to sponsor this bill."

"Victims of violent crime are affected physically, emotionally and financially," stated Patricia Dailey Lewis, Director of the Attorney General's Family Division. "This legislation will relieve some of the financial burden from these innocent victims of crime, allow them to freely participate in the criminal justice process, and aid them in putting their lives back together."

VCAP Executive Director Barbara Brown and VCAP staff have been holding outreach sessions with mental health providers, local hospitals and other service providers to expand awareness of compensation benefits available to

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victims and to coordinate assistance throughout the community. In an effort to expand access to victim services, the Department of Justice also announced that, beginning over the next several weeks, VCAP helpdesks will be staffed at:

- The Department of Justice (Dover office), 102 West Water St., every Monday between 9 a.m. and 3 p.m., effective immediately
- The Department of Justice (Georgetown office), 114 East Market St., every Monday between 9 a.m. and 3 p.m., beginning Sept. 14
- The New Castle County Family Court, 500 North King St., Wilmington, every Friday between 8:30 a.m. and 3 p.m., beginning Sept. 4

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