

# DEFINITIONS

## VICTIM NOTIFICATION RIGHTS:

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Crime victims in Delaware cases have a legal right to know when/how their case is handled and need to have a voice in the process. The Victims' Bill of Rights says what each part of the system should provide.

- Confidentially
- Speedy Prosecution after arrest
- Ability to discuss major case decisions with prosecution
- To be present at a hearing, and to have a safe place to wait away from the defendant
- To get information from Law Enforcement on their rights, resources and what to do if victims are threatened
- Information on any appeals, hearings, confinement or incarceration

More information on the Delaware Victims' Bill of Rights can be found at:

[http://attorneygeneral.delaware.gov/criminal/victims\\_rights/](http://attorneygeneral.delaware.gov/criminal/victims_rights/)

### **Sexual Assault Evidence Kit**

A package of items used by medical personnel to collect and preserve physical evidence from a person's body following a sexual assault.

### **Unsubmitted Sexual Assault Evidence Kit**

Sexual assault evidence kits that have not been submitted to a forensic laboratory for testing with CODIS-eligible DNA methodologies.

### **CODIS**

The Combined DNA Index System (CODIS) is a system of federal, state, and local databases that contain DNA profiles from both known offenders and crime scenes. CODIS is used to generate investigative leads.

### **CODIS-Hit**

When a DNA profile is uploaded into CODIS and finds a matching DNA profile from a separate criminal offense or known offender, it is referred to as a "CODIS-Hit" and can be used as an investigative lead by law enforcement.

### **Victim-Centered Approach**

A method that puts the victim at the center of decision-making regarding recovery and any involvement with the criminal justice system. The victim's choice, safety, and well-being are the focus, and the needs of the victim are everyone's concern.

**ContactLifeline**  
1-800-262-9800

**Sexual Assault Response Center (SARC)**  
1-800-773-8570

**Delaware Victims Center:**  
1-800-842-8461

**National Sexual Assault Hotline**  
Call 1-800-656-4673

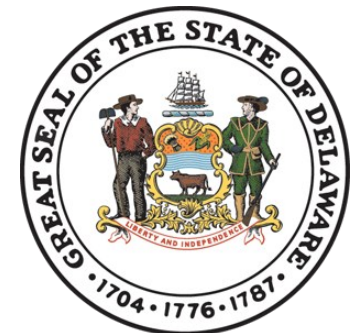
## SEXUAL ASSAULT INVESTIGATIONS

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# Information for Victims and Survivors About Sexual Assault Kit Testing



**A JOINT EFFORT OF THE VICTIM SERVICES SUBCOMMITTEE OF THE SAKI (SEXUAL ASSAULT KIT INITIATIVE) GRANT OF THE CRIMINAL JUSTICE COUNCIL.**



### FOR SURVIVORS: FREQUENTLY ASKED QUESTIONS

#### What will happen next?\*

Once the kit is tested Law Enforcement and Prosecution will determine if there is enough additional information to move forward with the case. After notification, a survivor can take time to process this decision and to seek support from loved ones **as well as** local sexual assault victim advocates who can help make an informed choice.

After the initial meeting and notification the investigator assigned to the case **along with** the Police Based Victim Assistant/Specialist will follow up with you to talk about next steps. This could include a meeting with the Department of Justice to speak with the Prosecutor and the Victim/Witness Social Worker.

#### What if you do not want to participate?

A survivor has the right to decline to speak with investigators, however, the choice to prosecute or not is solely up to the prosecutor.

#### Will there be a trial?

Many factors go into the decision to prosecute an offender and even cases that are prosecuted do not always end up in a trial. For example, there won't be a trial if the identified offender is deceased or in the case of a plea agreement. Survivors have the right to voice an opinion about a plea agreement and should be kept informed about the progress of their case by the prosecutor's staff.

#### What rights do survivors have?

Survivors have the right to be treated with fairness, dignity, and respect; to privacy and confidentiality; to be informed; to be heard and to participate in the criminal justice process; to timely disposition of the case; to receive notice about the status of the case; and to apply for compensation.

Survivors have a right to ask about the status of their case and the results of the Sexual Assault Kit.

\*<http://www.endthebacklog.org/>

<https://cjc.delaware.gov/sexual-assault-kit-initiative-saki/>

#### Is there assistance available for counseling or other crime related financial costs?

Delaware has a crime victim compensation fund designed to reimburse crime victims for some of the costs resulting from criminal victimization. Information is available by contacting the Victims' Compensation Assistance Program at 302-255-1770. Victim Services at the Police Department the crime was reported to or local Rape Crisis Program Advocates can help with questions and the application process as well.

#### PRIVACY:

Victims and witnesses are protected from public disclosure of their personal information. Unless the victim or witness waives that confidentiality in writing, it is against the law for officials to disclose the address, telephone number, or workplace information of a victim or witness.

#### A Message from the SAKI Team:

Sexual violence disrupts the lives of survivors and those who care about them and share their lives. We are committed to giving survivors **along with** their families and friends the resources they need to reclaim their equilibrium and begin healing after a rape kit is tested.

There are free confidential services offered to survivors **as well as** their friends and family. Whether the assault happened recently or many years ago, these resources are here to help you now with counseling and referrals.

Sexual violence can trigger a range of feelings and reactions including fear, guilt, anger, avoidance, distrust, loss of control, and shame even after many years.

No matter how you are feeling, we want you to know, "It's not your fault," that you are not alone, and that we are here to listen.

Statewide resources are listed on the back of this brochure. Hotlines are available 24/7.

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