



SPONSOR: Sen. Gay
Sens. Brown, Buckson, Hansen, Hocker, Hoffner,
Huxtable, Lawson, Lockman, Mantzavinos, S. McBride,
Paradee, Pettyjohn, Pinkney, Poore, Richardson, Sokola,
Sturgeon, Townsend, Walsh, Wilson; Reps. Minor-
Brown, Harris

DELAWARE STATE SENATE
152nd GENERAL ASSEMBLY

SENATE CONCURRENT RESOLUTION NO. 99

CREATING THE "VICTIMS' BILL OF RIGHTS COMMITTEE."

1 WHEREAS, the Victims' Bill of Rights has not received a comprehensive review since it was enacted in 1992;
2 and

3 WHEREAS, financial funding and community supports for victims continually ebbs and flows and it is important
4 to consider ways in which Delaware can identify sustainable funding for victim services; and

5 WHEREAS, our understanding of consent, healthy relationships, and victim safety continues to evolve as well as
6 our overall understanding of trauma and the cycle of abuse; and

7 WHEREAS, it is critical to ensure that the Victims' Bill of Rights is updated to include best practices for
8 supporting the recovery of all victims, especially victims who experience trauma; and

9 WHEREAS, the technology used during the commission of crime and the prosecution of crime continues to
10 advance.

11 NOW, THEREFORE:

12 BE IT RESOLVED by the Senate of the 152nd General Assembly of the State of Delaware, the House of
13 Representatives concurring therein, that the Victims' Bill of Rights Committee be established to study and make findings
14 and recommendations including, but not limited to:

15 (1) Definitions of, and mechanisms to support "victim" and "special victims" as they navigate the
16 criminal justice system.

17 (2) Procedures for victim notification.

18 (3) Rights for victims of sexual assault and sexual violence, including image based sexual assault.

19 (4) Funding and use of the Victims' Rights Fund.

20 (5) Funding and administration of the Victims' Compensation Assistance Program.

21 (6) The use of technology in victim services.

22 BE IT FURTHER RESOLVED that the Committee be composed of the following members:

(1) A Senator from the majority caucus, appointed by the President Pro Tempore of the Senate, who shall serve as the Chair of the Committee.

(2) A Representative from the majority caucus, appointed by the Speaker of the House of Representatives, who shall appoint the Vice-Chair of the Committee.

(3) A Senator from the minority caucus, appointed by the President Pro Tempore of the Senate.

(4) A Representative from the minority caucus, appointed by the Speaker of the House of Representatives.

(5) The Attorney General.

(6) The Chief Defender.

(7) The Secretary of the Department of Correction.

(8) The Secretary of Homeland Security.

(9) The President Judge of Superior Court.

(10) The Chief Judge of Family Court.

(11) The Chief Judge of the Court of Common Pleas.

(12) The Child Advocate.

(13) The Chair of the Victims' Rights Task Force.

(14) The Chair of the Domestic Violence Task Force.

(15) The Executive Director of the Delaware Coalition Against Domestic Violence.

(16) The Executive Director of the Delaware Domestic Violence Coordinating Council.

(17) The Executive Director of the Delaware Alliance Against Sexual Violence.

(18) The Executive Director of the Delaware Anti-Trafficking Action Council.

(19) The Executive Director of the Criminal Justice Council.

(20) The Executive Director of the Victims' Compensation Assistance Program.

(21) The President of the Delaware Police Chiefs' Council.

(22) The Executive Director of the Delaware Criminal Justice Information System.

(23) Two representatives from either a police-based victim service department or a community organization supporting survivors of crime in the state of Delaware, one appointed by the President Pro Tempore of the Senate and one appointed by the Speaker of the House of Representatives.

BE IT FURTHER RESOLVED that members serving by virtue of position may designate another individual to attend Committee meetings and must provide the designation in writing to the Chair of the Committee. An individual

53 attending a meeting for a member serving by virtue of position has the same duties and rights as the member serving by
54 virtue of position.

55 BE IT FURTHER RESOLVED that the Secretary of the Senate notify the Chair of the Committee's creation and
56 provide the Chair with a copy of the legislation creating the Committee.

57 BE IT FURTHER RESOLVED that the Chair of the Committee be responsible for guiding the administration of
58 the Committee by, at a minimum, doing all of the following:

59 (1) Notifying the individuals identified in this resolution of the creation of the Committee and the need to
60 appoint a member, if applicable.

61 (2) Setting a date, time, and place for the initial meeting.

62 (3) Supervising the preparation and distribution of Committee meeting notices, agendas, minutes,
63 correspondence, and reports.

64 (4) Sending to the President Pro Tempore, Speaker of the House of Representatives, and the Director of
65 the Division of Research of Legislative Council, after the first meeting of the Committee, a list of the members of
66 the Committee and the person who appointed them.

67 (5) Providing meeting notices, agendas, and minutes to the Director of the Division of Research of
68 Legislative Council.

69 (6) Ensuring that the final report of the Committee is submitted to Speaker of the House of
70 Representatives and the President Pro Tempore, with copies to all members of the General Assembly, The
71 Governor, the Director and Librarian of the Division of Research of Legislative Council, and the Delaware Public
72 Archives.

73 BE IT FURTHER RESOLVED that the Committee must hold its first meeting no later than 60 days after passage.

74 BE IT FURTHER RESOLVED that a quorum of the Committee is a majority of its members.

75 BE IT FURTHER RESOLVED that:

76 (1) Official action by the Committee, including making findings and recommendations, requires the
77 approval of a quorum of the Committee.

78 (2) The Committee may adopt rules necessary for its operation. If the Committee does not adopt rules or
79 if the adopted rules do not govern a given situation, Mason's Manual of Legislative Procedure controls.

80 BE IT FURTHER RESOLVED that the Senate Majority Caucus is responsible for providing reasonable and
81 necessary support staff and materials for the Committee.

82 BE IT FURTHER RESOLVED that the Chair must compile a report containing a summary of the Committee's
83 work regarding the issues assigned to it, including any findings and recommendations, and submit the report to the General
84 Assembly, the Governor, and the Director and Librarian of the Division of Research of Legislative Council no later than
85 January 15, 2024.

86 BE IT FURTHER RESOLVED that this Concurrent Resolution expires on the date the Committee submits its
87 findings and recommendations.

SYNOPSIS

This Concurrent Resolution creates the Victims' Bill of Rights Committee to study and make findings and recommendations regarding the Victims' Bill of Rights.

Author: Senator Gay