



SPONSOR: Rep. Lynn & Rep. Dorsey Walker & Sen. Gay
Reps. Baumbach, Cooke, Mitchell, Smyk; Sens. Hansen,
Paradee, Sokola, Walsh

HOUSE OF REPRESENTATIVES
151st GENERAL ASSEMBLY

HOUSE BILL NO. 329

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE STATE BUREAU OF IDENTIFICATION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend § 8502, Title 11 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 8502. Definitions.

4 The following words, terms and phrases, when used in this subchapter, shall have the meanings ascribed to them in
5 this section, except where the context clearly indicates a different meaning:

6 (5) "Criminal justice agency" shall mean:

7 a. Every court of this State and of every political subdivision thereof;

8 b. A government agency or any sub-unit thereof which performs the administration of criminal justice
9 pursuant to statute or executive order, and which allocates a substantial part of its annual budget to the
10 administration of criminal justice. Such agencies shall include, but not be limited to, the following:

11 1. The Delaware State Police.

12 2. All law-enforcement agencies and police departments of any political subdivision of this State.

13 3. The State Department of Justice.

14 4. The Office of the Solicitor of the City of Wilmington.

15 5. The Delaware Criminal Justice Information System, Office of the Director.

16 6. The Department of Correction.

17 7. The Division of Youth Rehabilitative Services.

18 8. The Division of Family Services.

19 9. The Division of Alcohol and Tobacco Enforcement.

20 10. The Federal Bureau of Investigation.

21 11. The Division of Professional Regulation.

22 12. The Office of Animal Welfare.

- 23 13. The Division of Management Support Services in the Department of Services for Children,
24 Youth & Their Families.
25 14. The Office of the Child Advocate.

SYNOPSIS

This bill updates the State Bureau of Identification’s definition of “criminal justice agency” in two ways. First, by adding the Division of Management Support Services in the Department of Services for Children, Youth & Their Families to reflect the shift in some criminal justice functions to that Division from the Division of Family Services. Second, by clarifying that the Office of the Child Advocate is a criminal justice agency. The Office of the Child Advocate provides legal representation to children in foster care, and the Investigation Coordinator, located within the Office of the Child Advocate, is a member of the criminal multidisciplinary response to child abuse and neglect.