

Confidential Communication Policy

Confidential Communication is any statement made under circumstances that imply or indicate that the speaker intends the communication to be treated as secret or private and intends to be heard only by the individual addressed.

Victim information, communicated to a certified Victim/Witness Coordinator of the District Attorney's Office by a victim seeking services, shall be treated with the utmost respect for the privacy of the individual. Such communication shall be held in strict confidence. However, there are times when the information provided by the victim seeking services is not subject to this policy.

Confidentiality does not extend to information, either written or oral, that is deemed relevant to the prosecution of the case. Victim Impact Statements which are enclosed herewith are made available to the court and must, by law, be made available, upon request, to the defense attorney. Additionally, confidentiality is breached where there is a threat of imminent, foreseeable and serious harm to the victim or another identified individual.

This will all be discussed with the victim by the Victim/Witness Coordinator. The victim will always be informed prior to disclosure of any personal information when the communication is not protected and the information could be subject to subpoena.

The District Attorney's Office will be the proprietor of all victim records. The records are maintained by the Victim/Witness Coordinators in a secure location. Any information provided by a victim shall not be disclosed to any person or agency, other than the District Attorney's Office or relevant law enforcement agency and only then, on a need to know basis, without the prior consent of the victim. All paper copies will be destroyed at the conclusion of one year of the filing of the case.

Victim's Signature:

Parent or Legal Guardian (if applicable):

Date: _____

Defendant:

Case No.: CP-40-CR-000