

To date, the only consequence that Mrs. Walsh has suffered as a result of killing my father is the payment of a \$25 fine. That is the same fine that is leveled for failure to wear a seat belt. On the website <http://attorneygeneral.delaware.gov/media/releases/2007/decriminalization.shtml>, it is stated that: "House Bill 158 focuses on minor motor vehicle code infractions It excludes egregious traffic violations, such as ...moving violations resulting in injury. *These violations will continue to be prosecuted by the Department of Justice as criminal offenses to the fullest extent of the law.* (Italics added)" The conduct of the Justice Department in the [Walsh Homicide Case](#) is clearly inconsistent with its stated policy regarding prosecution of moving violations resulting in injury. The Department's behavior in the [Keiser Homicide Case](#) is further evidence of this inconsistency.

My father was 95 years old and in excellent health prior to the accident. The Department of Justice website <http://attorneygeneral.delaware.gov/family/elderlyviolence/elderlyabusereport.shtml> proclaims a commitment to reducing victimization of seniors and states that: "Persons who commit crimes against senior citizens in Delaware are not subject to sufficiently severe sanctions under existing laws." The actions of the Justice Department to shield my father's killer from prosecution show a lack of commitment to protecting the rights of seniors.

The website for the Attorney General's Office boasts of "[how we're acting to hold offenders accountable](#)". This is empty talk; in the Walsh and Keiser Homicides the Department has adamantly *refused* to hold the killers accountable despite **overwhelming** evidence against them.

The most egregious example of the inconsistency between the Justice Department's stated goals and its actions is its treatment of crime victims. In a press release the Department issued on April 21, 2010, it states that "[National Crime Victims' Rights Week is an important time for us to acknowledge the struggles of crime victims, celebrate their triumphs over the adversity of victimization, and stand shoulder to shoulder with them as we fight back together.](#)" On the website for the Attorney General's Office, it states its intention to "[stand up for victims](#)". These are admirable goals. Unfortunately, the Department's actions are *not* consonant with these goals. I handed the Department a slam dunk case against my father's killer. I researched what statutes my father's killer had violated and looked up the relevant case law to support her prosecution for these violations. I offered to hire a lawyer to file an Amicus Brief in support of the Department's efforts to have the Operation of a Motor Vehicle Causing Death Statute upheld. I even commissioned an [accident reconstruction](#), *at my own expense*, to provide further evidence against the killer. How did the Department react to my cooperation? They have treated this as an adversarial relationship, not with my father's killer, but with me. Over the course of the last three and a half years, the department has:

1. Conducted a [second accident reconstruction](#). The Department [misrepresented](#) the results of the second reconstruction to me in such a way as to indicate that it contradicted my accident reconstruction. In fact, as I learned later, the results of that reconstruction *supported* the conclusions of the one I commissioned.
2. Broken promises they made to me. Sometimes they have [promised to get back to me and have failed to do so](#).
3. [Engaged in stalling tactics](#). As a result, for two of the three offenses that were chargeable against my father's killer, the Statue of Limitations has expired.
4. Made deceptive statements to me. See the [Downs Complaint](#) for details.
5. Lied to me. See the [Andrews Complaint](#) for details.

6. Refused to provide an honest explanation for why my father's killer was not prosecuted for Operation of a Motor Vehicle Causing Death or Falsely Reporting an Incident prior to the expiration of the Statute of Limitations.
7. Refused to provide answers to several reasonable questions which I have asked them. For example, three and a half years after my father's death, I still have no idea what the Department was doing with the case or who was assigned to prosecute the case during the first *eleven months* after the accident.
8. Refused to provide any explanation for why they consider the conduct of my father's killer not to be *criminally* negligent. I met with Chief Deputy Attorney General Charles Butler on June 7 of this year. He made the claim that Walsh's actions weren't criminally negligent. I pointed out the case precedent of [Hazzard v. Delaware](#), which clearly shows that Walsh's conduct *was* criminally negligent. He wasn't familiar with the case (the *only* Vehicular Homicide Case in Delaware referenced in the Atlantic Reporter). I provided him with the two page description of the Delaware Supreme Court decision in this case. He looked it over and said there weren't enough details to compare this case to the Walsh case. I then furnished him with the 75 page transcript of the Superior Court case in which Hazzard was convicted of Vehicular Homicide. He started looking through the transcript and apparently couldn't find anything in it to support his position. He just kept repeating that Walsh's conduct wasn't criminally negligent. *He couldn't cite a single case precedent to support his position.* I wrote a [follow up letter](#) shortly after the meeting requesting clarification on why he doesn't consider Walsh's conduct to be criminally negligent. To date *he has still not responded to my letter.*
9. Refused to take seriously complaints that I filed against two of its employees ([Deputy Attorney General John Downs](#) and [State Prosecutor Richard Andrews](#)) for unethical conduct. For details, see the [Timeline of the Handling of the Complaints](#).

The conduct of the Justice Department has demonstrated *contempt* for the rights of crime victims and for the Rule of Law. I have reluctantly come to the conclusion that this is not simply a problem with two unethical and dishonest Justice Department employees, but is rather a *structural* problem with the Department .