

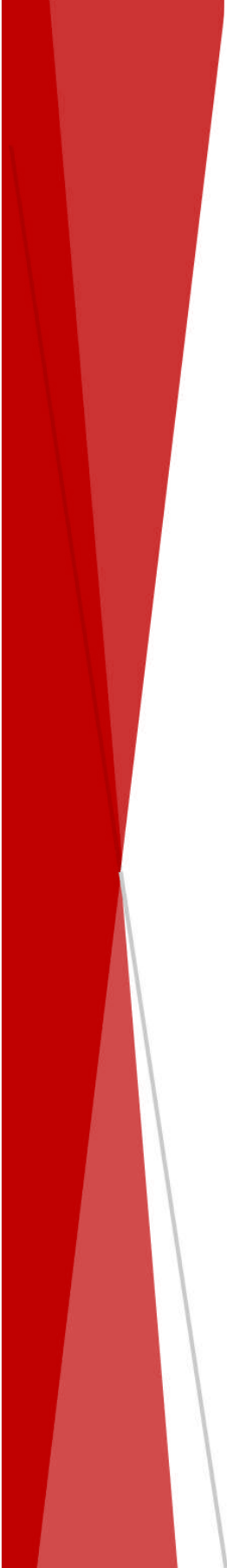
2019

OFFICE OF THE VICTIM ADVOCATE ANNUAL REPORT FISCAL YEAR 2019



ENFORCING, PROTECTING & PROMOTING
THE CONSTITUTIONAL & STATUTORY
RIGHTS OF CRIME VICTIMS
IN CONNECTICUT

Submitted, as statutorily mandated, in October 2019 to the Governor of the State of Connecticut, and to the members of the Connecticut General Assembly.



Constitution of the State of Connecticut

Article XXIX

Rights of Victims of Crime

In all criminal prosecutions, a victim, as the General Assembly may define by law, shall have the following rights:

- The right to be treated with fairness and respect throughout the criminal justice process;
- The right to timely disposition of the case following arrest of the accused, provided no right of the accused is abridged;
- The right to be reasonably protected from the accused throughout the criminal justice process;
- The right to notification of court proceedings;
- The right to attend the trial and all other court proceedings the accused has the right to attend, unless such person is to testify and the court determines that such person's testimony would be materially affected if such person hears other testimony;
- The right to communicate with the prosecution;
- The right to object to or support any plea agreement entered into by the accused and the prosecution and to make a statement to the court prior to the acceptance by the court of the plea of guilty or nolo contendere by the accused;
- The right to make a statement to the court at sentencing;
- The right to restitution which shall be enforceable in the same manner as any other cause of action or as otherwise provided by law;
- The right to information about the arrest, conviction, sentence, imprisonment and release of the accused.

The General Assembly shall provide by law for the enforcement of this subsection. Nothing in this subsection or in any law enacted pursuant to this subsection shall be construed as creating a basis for vacating a conviction or ground for appellate relief in any criminal case.

Mission Statement

The Office of the Victim Advocate (OVA) seeks to ensure that victims of crime become an integral part of the criminal justice system. Through public education of the rights and services available to crime victims, collaboration with law enforcement and service providers, as well as court and legislative advocacy, the OVA believes that the voices of crime victims will become a necessary component of our state.

Overview

The Office of the Victim Advocate (OVA) was statutorily established in 1998 as an independent state agency charged with the promotion and protection of the constitutional and statutory rights of crime victims in Connecticut (C.G.S. §46a-13b). Among its many responsibilities, the OVA provides oversight of state and private agencies that provide services to crime victims and advocacy to crime victims when a violation of their state constitutional and statutory rights are at issue.

In order to fulfill the mandates of the OVA, the State Victim Advocate may:

- Evaluate the delivery of services by state agencies and entities that provide services to victims;
- Coordinate and cooperate with other private and public agencies concerned with the implementation, monitoring and enforcement of the constitutional rights of victims;
- Review procedures established by any state agency or other entity providing services to victims with respect to the constitutional rights of victims;
- Receive and review complaints of persons concerning the actions of any state agency or other entity providing services to crime victims;
- Initiate formal investigations into the circumstances of a complaint so as to remedy the concern in a systemic manner.
- File a limited special appearance in any court proceeding to advocate for any right guaranteed to a crime victim by the State Constitution or any other right provided to a crime victim by general statutes;
- Recommend systemic changes in state policies to ensure the proper treatment and protection of crime victims;
- Conduct programs of public education, undertake legislative advocacy, and make proposals for systemic reform;
- Monitor the provision of protective services to witnesses by the Chief State's Attorney; and
- Ensure a centralized location for victim services information.

The OVA currently operates under the following statute when determining who is a "victim of crime" or "crime victim:"

C.G.S. Sec. 1-1k: *Except as otherwise provided by the general statutes, "victim of crime" or "crime victim" means an individual who suffers direct or threatened physical, emotional or financial harm as a result of a crime and includes immediate family members of a minor, incompetent individual or homicide victim and a person designated by a homicide victim in accordance with section 1-56r.*

OVA Fiscal Year Review

During the 2019 fiscal year (July 2018-June 2019), the OVA operated as a functional state agency committed to effectively and efficiently carrying out its statutory mandates.

COMPLAINT/INTAKE ACTIVITY ►

The OVA's statutory mandates include receiving complaints or requests for information and assistance from crime victims, agencies and entities on behalf of crime victims. The OVA received over 654 requests for assistance during the fiscal year and had an open caseload of 180 clients. In addition to providing assistance, the OVA referred clients to 72 state, federal, private or community agencies to assist the clients in other areas related to the crime.

DEMOGRAPHICS ►

Clients self-reported the demographic and crime information included in the charts below.

Chart 1: FY 2019
Gender of Crime Victims
(Total: 180 clients)

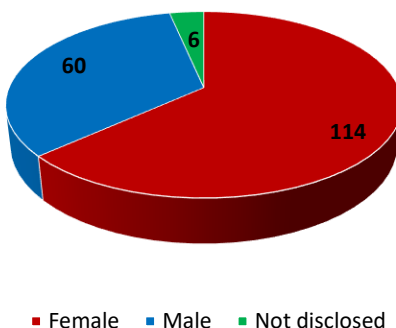


Chart 2: FY 2019
Race/Ethnicity of Crime Victims
(Total: 180 clients)

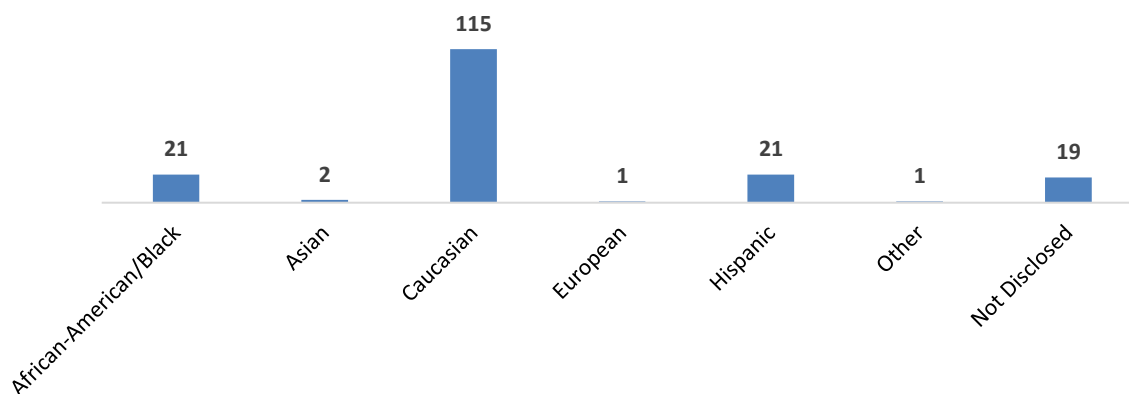


Chart 3: FY 2019
Age of Crime Victims
at the time the crime was committed
 (Total: 180 clients)

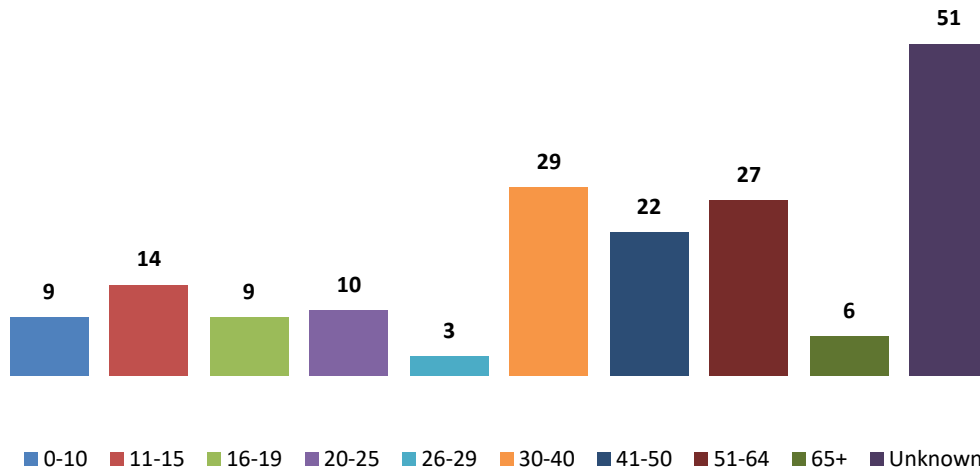
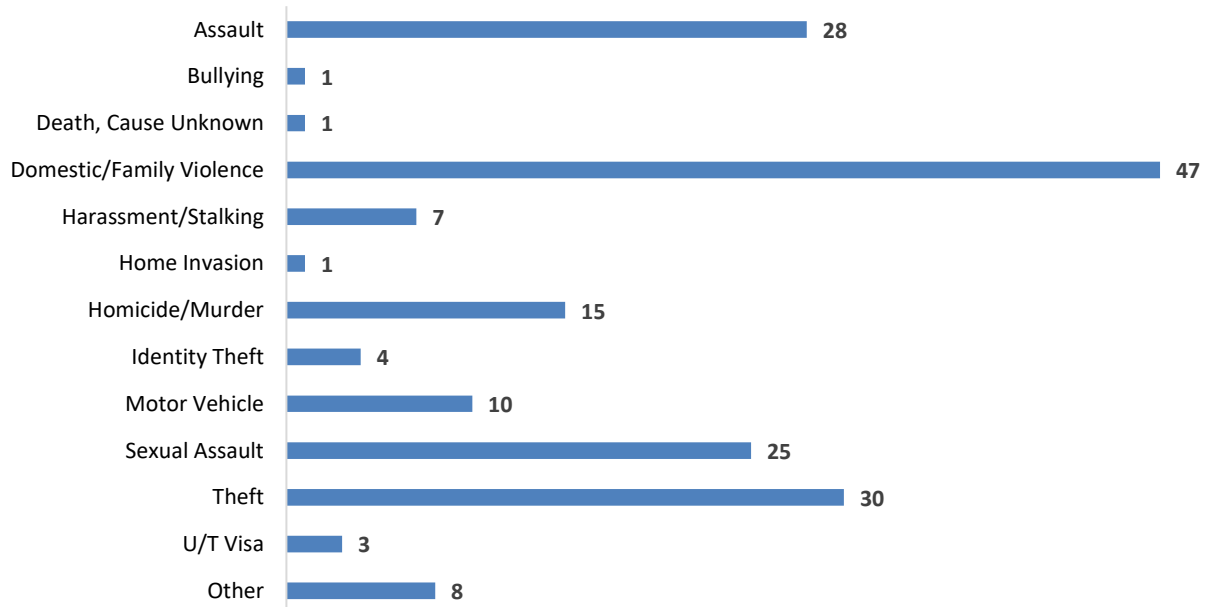
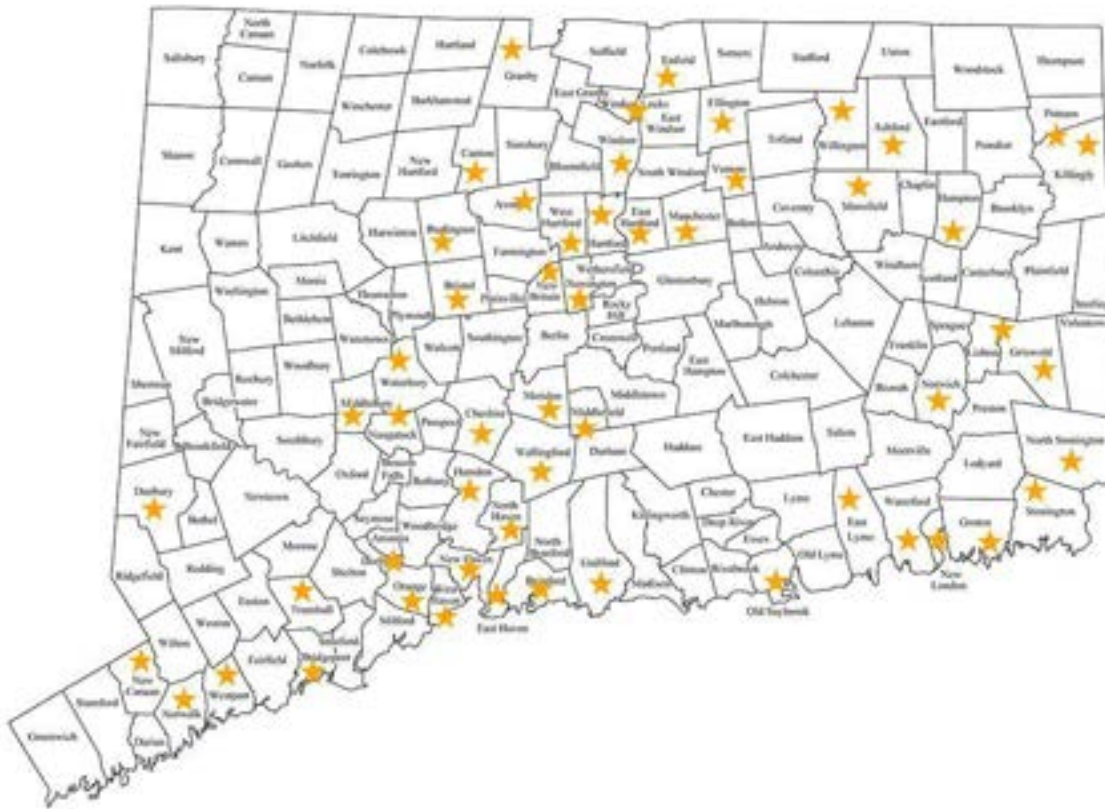


Chart 4: FY 2019
Types of Crimes Committed
 (Total: 180 Clients)



Clients reported that the crimes were committed in: Ashford, Avon, Branford, Bridgeport, Bristol, Burlington, Canton, Cheshire, Danbury, Danielson, Dayville, Derby, East Hartford, East Haven, East Lyme, Ellington, Enfield, Granby, Griswold, Guilford, Hamden, Hartford, Jewett City, Manchester, Mansfield Center, Meriden, Middlebury, Middlefield, Morris, Mystic, Naugatuck, New Britain, New Canaan, New Haven, New London, Newington, Niantic, North Haven, North Stonington, Norwalk, Norwich, Old Saybrook, Orange, Pawcatuck, Plainville, Prospect, Putnam, Redding, Rocky Hill, Shelton, South Windsor, Southbury, Southington, Stamford, Stonington, Trumbull, Vernon/Rockville, Wallingford, Waterbury, Waterford, West Hartford, West Haven, Westport, Willimantic, Willington, Windsor, and Windsor Locks.



ADVOCACY

OVA staff assisted clients in a variety of ways, including accompanying clients to court hearings. For the first time since its creation, the OVA was able to capture and report caseload data regarding specific crime rights violations and found the following violations for 131 clients:

- 30 were denied their right to be treated with fairness and respect by prosecutors, police departments, judges, investigators, and defense attorneys.
- 4 were denied their right to timely disposition of the case following the arrest of the accused.
- 23 were not reasonably protected from the accused.
- 7 did not receive notification of court proceedings.
- 3 were not allowed the opportunity to attend the trial or other court proceedings.
- 10 could not communicate with the prosecution about the case.

- 5 were denied their right to object or support a plea agreement.
- 3 were denied their right to make a statement in court at sentencing.
- 21 did not receive financial restitution.
- 25 did not receive information about the arrest, conviction, sentence, imprisonment or release of the accused.

The OVA monitors approximately 100 juvenile offender parole eligibility cases and maintains a webpage of said information for crime victims to access the information.



GOVERNMENT

You Have the Right to Remain Outspoken

Natasha M. Pierre, Esq. '93 Women's Studies, '98 MSW, '98 JD

Connecticut State victim advocate

"Since Connecticut's Constitution was amended in 1996, Connecticut residents have had constitutional rights as crime victims to engage in the criminal justice process on their cases.

These rights are routinely ignored or violated by government entities with little to no consequence.

Enforcement is needed in the State and I'm excited that I and my staff intend to start tackling that issue next legislative session."

APPOINTMENTS ►

The State Victim Advocate is appointed to the following boards or commissions to address the needs and concerns of victims of crime: Connecticut Sentencing Commission, Connecticut Information Sharing System, Criminal Justice Information System Governing Committee, Criminal Justice Policy Advisory Commission, Eye Witness Identification Task Force, Family Violence Governing Council, Governor's Task Force on Justice for Abused Children, Juvenile Justice Policy & Oversight Commission, Racial and Ethnic Disparity Commission, Task Force to Study the Filing of Habeas Corpus Matters, and the Trafficking in Persons Council.

COLLABORATIONS ►

The OVA staff participated in the Melanie Ilene Rieger Annual Symposium and the VOICES Program at correctional institutions.

LEGISLATION ►

The State Victim Advocate met with legislators and testified before the Legislature on key bills that address crime victims' rights. The OVA monitored bills and submitted testimony on 15 bills before the Appropriations and Judiciary Committees. Below is a listing of new laws that will directly impact crime victims.

All Crime Victims

PUBLIC ACT NO. 19-64, AN ACT CONCERNING COURT OPERATIONS (IN PART)

Adds victim services advocates employed by the Judicial Branch to the list of professionals who the law designates as mandated reporters of child abuse and neglect. Allows the Office of Victims Services or a victim compensation commissioner to order compensation for pecuniary loss to an injured victim or the relatives or dependents of an injured or deceased victim for attendance at juvenile proceedings and Board of Pardons and Parole hearings.

PUBLIC ACT NO. 19-84, AN ACT CONCERNING MINOR REVISIONS TO SPECIAL PAROLE AND PAROLE DISCHARGE STATUTES

Requires the Judicial Branch's Office of Victim Services (OVS) to notify certain victims that the Board of Pardons and Paroles intends to consider terminating a person's special parole period. It allows any victim to submit a statement to the board about such special parole termination. The bill makes various changes to the parole and special parole review processes, including establishing a panel and process for special parole that is separate and distinct from the regular parole review process.

Elderly Victims

PUBLIC ACT NO. 19-116, AN ACT CONCERNING REGISTRIES OF PERSONS FOUND RESPONSIBLE FOR ASSAULTS OR OTHER ABUSE, NEGLECT, EXPLOITATION OR ABANDONMENT OF ELDERLY PERSONS OR PERSONS WITH DISABILITIES

Requires the executive director of the Commission on Women, Children, and Seniors to provide a portal on the commission's website that includes links to publicly available background databases. Convene a working group to develop strategies to raise public awareness of these databases to people hiring providers to care for adults aged 60 and older, children, or individuals with disabilities

Victims of Domestic Violence

PUBLIC ACT NO. 19-43, AN ACT CONCERNING THE CONFIDENTIALITY OF LAW ENFORCEMENT RECORDS CONCERNING VICTIMS OF SEXUAL ASSAULT AND FAMILY VIOLENCE

Expands the disclosure exemption to the Freedom of Information Act to include identifying information of victims of family violence.

PUBLIC ACT NO. 19-146, AN ACT REQUIRING THE PROVISION OF INFORMATION CONCERNING DOMESTIC VIOLENCE SERVICES AND RESOURCES TO STUDENTS, PARENTS AND GUARDIANS

Requires the Office of Victim Services, in consultation with the Connecticut Coalition Against Domestic Violence, to compile information on domestic violence victim services and resources and provide such information to the State Department of Education. Requires the State Department of Education to publish the information on its website. Requires the State Department of Education to disseminate the above information to local and regional school boards. Requires each school board to

provide the information to any student, parent or guardian who expresses to a school employee that they do not feel safe in the home because of domestic violence.

PUBLIC ACT NO. 19-189, AN ACT CONCERNING THE PARITY BETWEEN SEXUAL ASSAULT IN THE CASE OF A SPOUSAL OR COHABITATING RELATIONSHIP AND OTHER CRIMES OF SEXUAL ASSAULT AND CONCERNING THE INVESTIGATION OF A FAMILY VIOLENCE CRIME

Narrows the exceptions for police, while responding to a family violence complaint, to arrest the person the officer believes is the dominant aggressor.

Victims of Sexual Assault

PUBLIC ACT NO. 19-16, AN ACT COMBATTING SEXUAL ASSAULT AND SEXUAL HARASSMENT

PUBLIC ACT NO. 19-93, AN ACT CONCERNING SEXUAL HARASSMENT AND SEXUAL ASSAULT

Enhances employer sponsored training on sexual assault and sexual harassment. Expands the definition of discriminatory practice in the Commission on Human Rights and Opportunities (CHRO) statutes to include, an employer's failure to provide sexual harassment training. Makes various changes concerning sexual assault, sexual harassment, discrimination complaints filed with CHRO. Extends the time for filing a civil case related to sexual abuse for victims under 21. Increases the penalty for subjecting someone to sexual contact if the victim is mentally incapacitated and cannot consent. Eliminates or extends the statute of limitations for various sexual assault and related crimes.

PUBLIC ACT NO. 19-43, AN ACT CONCERNING THE CONFIDENTIALITY OF LAW ENFORCEMENT RECORDS CONCERNING VICTIMS OF SEXUAL ASSAULT AND FAMILY VIOLENCE

Expands the disclosure exemption to the Freedom of Information Act to include identifying information of victims of sexual assault and related crimes.

PUBLIC ACT NO. 19-114, AN ACT CONCERNING SEXUAL ASSAULT FORENSIC EXAMINERS

Makes various changes to the Office of Victim Services' (OVS) Sexual Assault Forensic Examiner (SAFE) program.

PUBLIC ACT NO. 19-189, AN ACT CONCERNING THE PARITY BETWEEN SEXUAL ASSAULT IN THE CASE OF A SPOUSAL OR COHABITATING RELATIONSHIP AND OTHER CRIMES OF SEXUAL ASSAULT AND CONCERNING THE INVESTIGATION OF A FAMILY VIOLENCE CRIME

Repeals the law that specifically criminalizes sexual assault in a spousal or cohabiting relationship and repeals exemptions for married individuals in sexual assault statutes.

Victims of Juvenile Offenders

PUBLIC ACT NO. 19-110, AN ACT CONCERNING THE SUSPENSION OF DELINQUENCY PROCEEDINGS FOR TREATMENT OR OTHER SERVICES IN MOTOR VEHICLE THEFT OR MISUSE CASES AND CONCERNING DETENTION OF JUVENILES

Allows a juvenile charged with a delinquency offense involving a motor vehicle to request a suspension of the delinquency proceedings for up to six months, during which time the offender must participate in services to address any condition or behavior directly related to the offense. Crime victims will not be notified of the proceedings or provided an opportunity to be heard prior to the suspension.

PUBLIC ACT NO. 19-187, AN ACT CONCERNING CONFIDENTIALITY IN THE CASE OF A DISCRETIONARY TRANSFER OF A JUVENILE'S CASE TO THE REGULAR CRIMINAL DOCKET AND IMPLEMENTING THE RECOMMENDATIONS OF THE JUVENILE JUSTICE POLICY AND OVERSIGHT COMMITTEE (IN PART)

Makes the proceedings and records of cases transferred from juvenile to adult court confidential, thereby violating crime victims' constitutional rights to be notified, attend and be heard in adult criminal proceedings.

PUBLIC OUTREACH AND EDUCATION ►

The State Victim Advocate met with legislators, victim advocacy groups, and other public agency officials to provide outreach and education in targeted areas throughout the state. The OVA presented at several events reaching approximately 2,000 individuals directly. These educational events were held by state and federal agencies, legislators, community organizations, senior center community centers, and universities.

FREE VIEWING

A true, inspiring story of finding triumph over tragedy, injustice, and loss. Brooks Douglass and his sister survived a devastating crime that rocked their city and took their parents' lives. His quest for justice leads him to becoming Oklahoma's youngest state senator, and champion of important victims' rights legislation.

MIKE VOGEL TARYN MANNING SILAS WEIR MITCHELL

THE AMENDMENT

WE ARE CAPABLE OF MORE THAN WE EVER THOUGHT POSSIBLE.

January 16, 2019 - Capitol Building - Old Appropriations Room 310 - 1 p.m.

For reservations visit www.eventbrite.com/e/free-viewing-of-the-amendment-tickets-52873982505

Questions? Contact the Office of The Victim Advocate at 860-550-6632



The OVA hosted a Victims' Rights Symposium during National Crime Victims' Rights Week in April. The symposium sought to provide attorneys, law enforcement, and service providers with information and tools to assist the crime victim community. Representatives from the CT Alliance to End Sexual Violence, CT Coalition Against Domestic Violence, Survivors of Homicide, the Office of the Victim Advocate, and the Office of Victim Services, Judicial Branch conducted workshops highlighting current policies, changes and challenges service providers and victims of crime encounter while navigating the criminal justice system. The symposium was attended by 100 people from across Connecticut representing police departments, court houses, hospitals, schools, and local and state service agencies. The symposium was offered at no charge and provided CLE, CLU and POST credits to eligible participants.





The OVA continued its billboard media campaign to educate the public. Billboards were placed in Hartford, Meriden, New Britain, New Haven, New London, Norwalk, Thomaston, and Waterbury. It is expected that this campaign will be seen by 169,168 people.



The OVA continued to maintain print and electronic materials, including a newsletter, a website, Facebook, Twitter, and brochures for distribution to the public, the Judicial Branch and law enforcement agencies.



OVA Staff

Natasha M. Pierre, Esq., State Victim Advocate – Ms. Pierre was appointed as the State Victim Advocate on November 28, 2014, by Governor Dannel P. Malloy and assumed her responsibilities on December 26, 2014. The Legislature confirmed her appointment in February 2015.

Merit Lajoie, Complaint Officer --- Mrs. Lajoie joined the OVA in May 2000. She advocates for clients during the criminal justice process, assists in legislative advocacy, conducts public education and outreach, and represents the OVA on boards and commissions.

Hakima Bey-Coon, Esq., Staff Attorney 3 --- Ms. Bey-Coon joined the OVA in March 2006. She provides legal counsel to clients concerning crime victim rights, and represents the OVA on boards and commissions.

Vanessa M. Torres, Secretary II --- Ms. Torres joined the OVA in January 2011. She conducts intakes, manages office and budget administration, and implements social media and public education and outreach strategies.



The Office of the Victim Advocate
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