



Office of the Victim Advocate
FY 2016 Administrative Digest
A Division of the Office of Governmental Accountability

At a Glance

Organizational Structure - Independent executive branch state agency under the direction of NATASHA M. PIERRE, Esq.

Established - June 8, 1998

Operational - September 1999

Statutory authority - Conn. Gen. Statutes Sec. 46a-13b et seq.

Central office - 505 Hudson Street, 5th Floor, Hartford, CT 06106

Number of employees - 5 (1 vacant since March 2015)

Recurring operating expenses - \$484,900 appropriated for FY 2016;
\$447,583 allocated for FY 2016

Mission

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 services providers, as well as court and legislative advocacy, the OVA believes the voice of crime victims will become a necessary component of our state.

Statutory Authority

OVA was statutorily established in 1998, and became operational in 1999, as an independent state agency charged with the promotion and protection of the constitutional and statutory rights of crime victims in Connecticut. Among its many responsibilities, the OVA provides oversight of state and private agencies, and advocacy to crime victims when a violation of their rights is 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.

OVA currently operates under the following statute when determining who is a “victim of crime” or “crime victim;”

Conn. Gen. Statues Sec. 1-1k: Except as otherwise provided in the general statutes, “victim or 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.

Public Service

The State Victim Advocate and her staff endlessly endeavor to appropriately address the concerns brought forth by crime victims or those on behalf of crime victims. As part of this effort, the agency frequently engages with crime victims, state agencies who provide services to crime victims, and non-profit organizations to discuss the handling of particular matters that may require action by the OVA. The goal of the OVA is to provide the necessary advocacy and education to victims so that they remain knowledgeable and vigilant in their efforts to become survivors instead of victims.

Improvements/Achievements

OVA operated as a functional state agency committed to effectively and efficiently carrying out its statutory mandates. Despite a robust statutory mandate, with minimal staffing to accomplish such mandate, the hard-working staff of the OVA attained many successes during the fiscal year.

Advocacy: OVA received 851 calls and opened 79 new cases, resulting in 122 open cases at the end of the fiscal year.

Of the new cases, 63% female, 30% male and 7% unidentified; 51% Caucasian, 18% African American/Black, 15% Hispanic/Latino, 1% Asian and 15% other or unknown. At the time the crime was committed, clients were: 20% minors, 51% adults, 6% senior citizens and 23% unidentified. The types of crimes committed were: 13 Assault, 4 Burglary/Theft, 23 Domestic/Family Violence, 4 Elder Abuse, 2 Harassment/Stalking, 4 Homicide/Murder; 2 Identify Theft, 1 Missing Persons/Cold Case, 2 Motor Vehicle, 2 Post Conviction, 11 Sexual Assault, and 10 other.

Of the calls, 725 resulted in referrals to service providers or another entity. However, this number only takes into account the initial call, and does not reflect that many of these matters required several conversations before a referral was made. These callers were referred to: 211 CT Infoline, the Alliance to End Sexual Assault, the Appellate Court, the Board of Pardons and Parole, Catholic Charities, the Chief State's Attorney Office, credit reporting agencies, the Crime Victim Bar, the Connecticut Bar Association, the Connecticut Coalition Against Domestic Violence, the Connecticut Humane Society, the Connecticut Innocence Project, Connecticut Legal Services, the Connecticut State Police, the Department of Children and Families, the Department of Correction Victim Services Unit, the Department of Housing, the Department of Public Health, the Department of Social Services, the Division of Public Defender Services, the Elder Abuse Hotline, Family Court Relations, the Family Violence Intervention Unit, Federal Court, the Freedom of Information Commission, Greater Hartford Legal Aid, housing authorities, the ID Theft Division of the Federal Trade Commission, insurance companies, Mothers Against Drunk Drivers, the Office of Adult Probation, the Office of the Child Advocate, the Office of the Healthcare Advocate, the Office of Protection and Advocacy, the Office of Victim Services, police departments, police departments, including internal affairs units, Safe at Home, the Salvation Army, Survivors of Homicide, the Special Licensing and Firearms Unit, U&T Visa programs, the U.S. Department of Justice Civil Rights Division, and the Witness Protection Program.

OVA staff accompanied 13 victims to multiple court and/or review board hearings. In some cases, the OVA filed limited appearances to address matters to the Court on behalf of clients. In other cases, OVA attended for moral support and to educate clients about the criminal justice process. Additionally, OVA monitored Connecticut Supreme Court cases that impact victim's rights, specifically *State v. Michael Skakel* (2016), *State Vs. Devon B.* (2015), and *Wendy V. vs. Luis Santiago* (2015).

To address systemic issues raised by victims of domestic violence, the OVA conducted a survey of all law enforcement agencies to assess if the departments had adopted the Statewide Model Policy for Police Response to Crimes of Family Violence, as mandated in Conn. Gen. Statutes Sec. 46b-38b (e)(2) and (4).

Additionally, the OVA began the process of creating a webpage to educate crime victims of potential hearing dates for juvenile offenders impacted by recent U.S. Supreme Court decisions

Graham v. Florida (2010) and Miller v. Alabama (2012). In these cases, the Supreme Court held that states cannot sentence defendants under the age of 18 to life without parole for non-homicide crimes (Graham), or homicides unless certain considerations were evaluated (Miller). In response to these rulings, Connecticut passed Public Act 15-84 to establish parole eligibility rules for someone who commits a crime while they are under the age of 18 and are sentenced to more than 10 years. Since the law has been applied retroactively, over 50 offenders have or will be granted early parole hearings.

Unfortunately, some victims did not receive notice of certain hearings, and learned of the hearings via newspapers after they occurred. These hearings regarded resentencing eligibility, which did not change the status of the offender, and consequently did not trigger notice via the existing notification systems. To address this deficiency, the OVA informed the Judicial Branch of the oversight, and the department immediately developed an alternative notice policy for certain hearings.

Appointments: The State Victim Advocate is appointed to the following boards or commissions to address the needs and concerns of the agency and victims of crime: Criminal Information Sharing System, Criminal Justice Information System Governing Committee, Criminal Justice Policy Advisory Commission, Eye Witness Identification Task Force, Family Violence Governing Council, Governmental Accountability Commission, Governor's Task Force on Justice for Abused Children, Governor's Youth and Urban Violence Commission, Racial and Ethnic Disparity Council, Sentencing Commission, Task Force to Study Service of Restraining Orders, and the Trafficking in Persons Council.

Collaborations: The OVA and the Connecticut Coalition against Domestic Violence were presented with a \$2,000 donation from the Brooklyn Correctional Institution's Brooklyn Cares Program. The program, run by the Department of Correction and five prisoners, sells snacks to inmates and the proceeds are donated to organizations. The Brooklyn Cares donation helped supplement the OVA's continued funding of the update and printing of 10,000 Domestic Violence Best Practices Cards to be distributed to all police departments across the state.

The OVA staff collaborated with the Community Renewal Team for its "Tee off With Women to End Domestic Violence" Golf Classic, where the State Victim Advocate was a keynote speaker. OVA staff volunteered at the 20th Annual Melanie Ilene Reiger Conference Against Violence. OVA collaborated with law enforcement via participation in the VOICES Program at MacDougall-Walker Correctional institution, and tours of several correctional facilities.

Education and Outreach: The OVA presented at several events, and participated in press and radio interviews, reaching approximately 4,000 individuals. These educational events were held by businesses, churches, community organizations, senior center community centers, and universities. Additionally the State Victim Advocate met with legislators, victim advocacy groups, state's attorneys, and other public agency officials to provide outreach and education in targeted areas throughout the state.

The OVA sponsored events during the National Crime Victims' Rights Week. The week began in the Legislative Office Building concourse in Hartford. Information about crime victims'

rights, resources and services was provided by staff from the OVA, the Connecticut Alliance to End Sexual, the Connecticut Coalition Against Domestic Violence, Mothers United Against Violence, the Office of Victim Services, and Survivors of Homicide. The OVA, in partnership with the Central Connecticut State University Ruth Boyea Women's Center, held a public hearing at the university. Crime victims told the OVA, the Commissioner of the Department of Correction, and the Executive Directors of the Office of Victim Services, the Connecticut Alliance to End Sexual Violence, and Survivors of Homicide about their experiences while practicing their constitutional rights during the criminal justice process as a crime survivor. The OVA rounded out the week with the Second Annual 5k Race and Unity Walk with Mothers United Against Justice at Bushnell Park in Hartford. The race attracted 40 participants.

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

Legislation: The State Victim Advocate met with legislators and testified before the Legislature on key bills that address crime victim's rights. The OVA monitored 74 bills and submitted testimony on 27 bills before the Appropriations, Children, Education, Higher Education & Employment Advancement, Insurance & Real Estate, and Judiciary Committees.

Key issues this legislative session were: ensuring that crime victims' rights are not violated or diminished in several criminal justice reform bills, and improving the criminal justice response to elder abuse, family violence, human trafficking, and sexual assault matters.

Information reported as required by State Statute

The OVA has complied with all federal and state requirements regarding affirmative action and equal opportunity