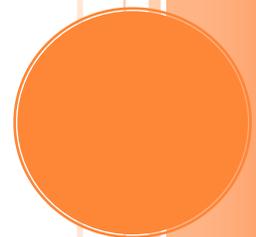


# VICTIMS' RIGHTS ENFORCEMENT ADVISORY COMMISSION

## *Progress Report*

On April 7, 2014, Governor Dannel Malloy announced the creation of the Victims' Rights Enforcement Advisory Commission to review the current status of crime victims' rights in the state and to report its findings and recommendations to the Governor in January of 2015.

1/15/2015



# VICTIMS' RIGHTS ENFORCEMENT ADVISORY COMMISSION

## *Progress Report*

The Victims' Rights Enforcement Advisory Commission (VREAC), led at the direction of the Office of the Victim Advocate (OVA), first met on May 28, 2014. The VREAC was tasked to review policies, services and crime victims' rights in the state and make specific recommendations in the areas of compliance with and enforcement of the constitutional and statutory rights of crime victims.

## **SUMMARY OF REVIEW**

The VREAC established three working subcommittees in an effort to review all of Connecticut general statutes relating to crime victims' rights and services. The VREAC identified nearly 100 statutory provisions within its review as well as nearly 50 agency written policies.

In addition, the VREAC sought presentations from the Office of Victim Services, Judicial Branch; and the Department of Correction, Victim Services Unit in an effort to understand the level of current services being provided to crime victims by those state entities.

The VREAC also sought a presentation from Doug Beloof, J.D.; Professor of Law, National Crime Victim Law Institute; Lewis & Clark Law School in Portland, Oregon. Attorney Beloof is a nationally recognized expert in the field of crime victims' rights and enforcement. Professor Beloof presented to the VREAC on September 17, 2014.

Further, the VREAC held four public hearing events across the state to gain input from victims of crime regarding their experiences in the criminal justice process. It should also be noted that during regularly scheduled VREAC meetings, various members of the public addressed the Commission during the public comment section of the agenda.

Finally, the VREAC espoused and disseminated a survey to the crime victim community in an effort to gain additional knowledge regarding the experiences of crime victims throughout the criminal justice process.

The Commission has relied upon the OVA for preparation, organization, research and communication in support of the Commission's work.

## **SUMMARY OF FINDINGS**

Throughout the seven months of the VREAC meetings, subcommittee meetings, presentations and public hearings, the Commission was confronted with the reality that, although CT had amended its constitution to provide crime victims with rights during the criminal justice process, the implementation of crime victims' rights varied across the state and across judicial districts. Further, the Commission recognized that there are significant barriers to the enforcement of crime victims' rights embedded in the state constitution as well as the CT general statutes.

On December 3, 2014, the VREAC held its regularly scheduled meeting. Among the discussion items was whether to recommend to the Governor that the Commission be extended, and if so, for how long. The Commission unanimously agreed to recommend continuation of the VREAC, however, the Commission makes no recommendation at this time for the duration of the VREAC. Commission members expressed an interest in hearing the perspectives and views of the incoming State Victim Advocate, Natasha Pierre, Esq.

During its final regularly scheduled meeting on December 17, 2014, the VREAC subcommittees submitted their recommendations for the full Commission's review, discussion and consideration. Additionally, VREAC members were provided a summary of the crime victim survey responses and recommendations. VREAC members were also provided a summary of the public hearing testimony and recommendations for review and consideration. Moreover, James Clark, Esq., of the Victim Rights Center of CT, and Andrew Woods, Executive Director, Hartford Communities That Care, Inc., each submitted a list of recommendations to the VREAC for review, discussion and consideration.

## **SUMMARY OF ONGOING EFFORTS**

While much of the work of the VREAC has occurred within the subcommittee framework, the VREAC is now undertaking the task of reviewing, discussing and furthering each of the recommendations from the three subcommittees, the public hearings, the crime victim surveys and the submissions by others within the victim services delivery system.

In addition, the VREAC has identified four outstanding issues for discussion and consideration:

1. The definition of “crime victim”
2. The potential name change of the Office of the Victim Advocate
3. The necessity of a constitutional amendment to the state constitution
4. Remedies for violations of crime victims’ rights

## **SUMMARY OF PRELIMINARY RECOMMENDATIONS**

1. The VREAC unanimously recommends that the Governor extend the deadline for the Commission to continue its work and make final recommendations for the enforcement and compliance with crime victims’ rights.
2. The VREAC unanimously adopted the Pre-arrest/Arrest/Arraignment Subcommittee recommendation that law enforcement training specific to report writing include the necessity for law enforcement to include in the report the identities of any minor children of the victim to ensure that those minor children who later become adults, are identified as victims for purposes of notification.
3. The VREAC unanimously adopted the Prosecution/Conviction Subcommittee recommendation that CT general statutes § 54-91c(b) be amended to strike the following: “wherein the defendant pleads to a lesser offense than the offense with which such defendant was originally charged”.
4. The VREAC unanimously adopted the Post-conviction/Violation Status Subcommittee recommendation that the Court Support Services Division of the Judicial Branch review its policies and procedures for providing victim notification when a probation officer decides to violate a person’s probation or when a person’s probation is scheduled to terminate early and to make improvements as necessary to ensure timely notification to victims.
5. The VREAC unanimously adopted the Prosecution/Conviction Subcommittee recommendation that employees of the Judicial Branch and the Division of Criminal Justice engage in training specific to written orders of restitution, including collateral sources to restitution.

The VREAC looks forward to its continued efforts to advance the rights and services of crime victims in CT. Upon conveyance of this report to the Governor, the VREAC will kindly await a response for the requested extension.

Respectfully submitted,

Natasha M. Pierre, Esq., Commission Chair

Honorable Patrick L. Carroll, Chief Court Administrator

Linda J. Cimino, Director, Office of Victim Services

Laura Cordes, Executive Director, CT Sexual Assault Crisis Services

Scott Semple, Interim Commissioner, CT Department of Correction

Mario T. Gaboury, Esq., Dean/Professor, University of New Haven

Carleton J. Giles, Chairperson, CT Board of Pardons and Paroles

Ana Gonzalez, Commissioner, Latino & Puerto Rican Affairs Commission

Janice Heggie Margolis, Executive Director, Mothers Against Drunk Driving,  
CT

Karen Jarmoc, Chief Executive Officer, CT Coalition Against Domestic  
Violence

Kevin T. Kane, Esq., Chief State's Attorney

Sgt. Jillian Knox, Victim Services Unit, New Haven Police Department

Dawn Luddy, Crime Victim Representative

Anne Mahoney, Esq., Senior Asst. State's Attorney, Hartford Judicial District

Jessica Pizzano, Victim Advocate, Survivors of Homicide

Bethany Phillips, Esq., Attorney at Law

James C. Rovella, Chief of Police, City of Hartford

Dora B. Schriro, Commissioner, Department of Emergency Services and  
Public Protection

Susan O. Storey, Esq., Chief Public Defender

Andrew Woods, Executive Director, Hartford Communities that Care, Inc.