

OFFICE OF THE VICTIM ADVOCATE

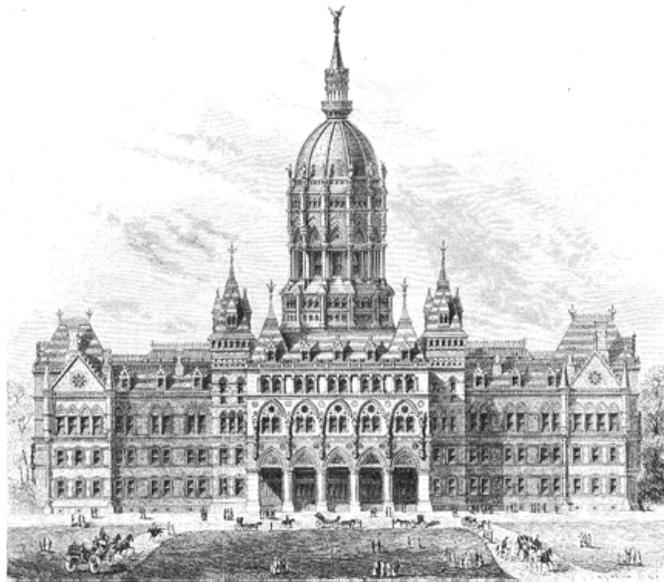
MICHELLE CRUZ, ESQ.
STATE VICTIM ADVOCATE

2008 – 2010

COMBINED

ANNUAL REPORT

PROTECTING & PROMOTING THE RIGHTS
OF CRIME VICTIMS IN CONNECTICUT

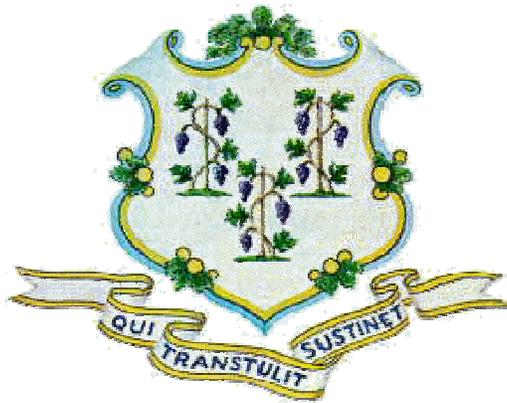


TO THE GOVERNOR AND THE CONNECTICUT GENERAL ASSEMBLY

March 1, 2011

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STATE OF CONNECTICUT
OFFICE OF THE VICTIM
ADVOCATE



STATE VICTIM ADVOCATE

MICHELLE CRUZ, ESQ., APPOINTED ON 11/5/2007

Mission Statement of the Office of the Victim Advocate

The mission of the Office of the Victim Advocate is to secure just and fair treatment of all victims of crime and to uphold the rights of crime victims under the state of Connecticut Constitution and provisions of the CT General Statutes. Additionally, the OVA strives to promote education and training within the state to enhance the awareness of crime victims' Constitutional and Statutory rights.

Strategic Plan of the Office of the Victim Advocate

As the State of Connecticut's State Victim Advocate for the Office of the Victim Advocate our challenge is to ensure that all crime victims are treated with fairness and respect during their journey through the Connecticut criminal justice system. Additionally, since the Office of the Victim Advocate has a clear mandate to provide education and training to enhance the awareness of crime victims' state Constitutional and Statutory rights, the OVA will continue over the coming years, to seek opportunities to partner with outside agencies and organizations whose purpose is equally to advance the plight of crime victims in hopes of eliminating the maltreatment of crime victims. The OVA is dedicated to a swift and appropriate collaborative response to violations of the state Constitution and the enforcement of the laws of Connecticut for the betterment of all crime victims. The OVA will continue to initiate forward thinking legislation and policy changes that will enhance services to Connecticut crime victims, resolve gaps in services which emerge from our careful review of information gleaned from our targeted population and work with law makers to ensure Connecticut has the best practices when it comes to enforcing the laws around crimes involving victims and public safety. The OVA will work with the Courts and prosecutorial staff to secure protection as mandated by the state Constitution for crime victims to be kept reasonably safe from the accused, when they are engaged with the criminal justice system.

The 2008 – 2010 Combined Annual Report is submitted to the Governor and the Connecticut General Assembly in accordance with C.G.S. § 46a-13b(f).

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.

The Office of the Victim Advocate

In 1996 the state of Connecticut, in recognizing the plight of crime victims, granted crime victims state constitutional rights to protect their interests and to acknowledge their place in the criminal justice system. Recognizing, soon thereafter, that in order for these rights to have meaning, there must be a mechanism for crime victims to address possible rights violations, the legislature began talks of creating an Office, similar to that of the Child Advocate, to respond to crime victims' rights violations, and when appropriate, bring into action, the necessary changes in the criminal justice system to allow for the protection of crime victims. As a result, in 1998, The Office of the Victim Advocate (OVA), was created, to help protect and enforce the rights of crime victims.

The OVA was purposely created as an independent state agency in order to allow the OVA to respond to crime victim rights violations without interference from members of the criminal justice system who may come under the review of the Office. The OVA's primary goal is to protect and promote the Constitutional and Statutory rights of crime victims throughout Connecticut. The OVA monitors and evaluates services to crime victims and works to advance policies throughout the state that promote the fair and just treatment of crime victims throughout the criminal justice system. The existence of the OVA, with its broad authority and independent status, provides crime victims with an agency who has oversight and can advocate when a crime victims' rights have been violated. The OVA remains committed to ensuring that the voices of crime victims play a central role in Connecticut's response to violence and to those victimized by crime. The OVA is dedicated to promoting awareness to Connecticut residents as to the services available to crime victims through outreach, education and public service events and in developing programs to meet the needs of crime victims.

The OVA's unique in that our statutory authority is broad. The OVA is mandated to:

- Evaluate the delivery of services to victims through state agencies and other entities that provide services to victims, including services provided by Office of the Chief Medical Examiner;
- Coordinate and cooperate with other private and public agencies concerned with the implementation, monitoring and enforcement of the constitutional rights of victims and enter into cooperative agreements with public or private agencies for the furtherance of the constitutional rights of victims;
- Review procedures by state agencies or other entities providing services to victims regarding constitutional rights of victims;
- Review and where appropriate investigate, complaints regarding services provided to victims;
- File a limited special appearance in any court proceeding to advocate for the protection of a crime victim's Constitutional or statutory right;
- Ensure and monitor a centralized location for victim services information;
- Monitor and recommend changes when appropriate to state policies concerning crime victims;
- Conduct programs of public education, undertake legislative advocacy, and make proposals for systemic reform;

- Periodically monitor the protective services to witnesses offered by the Chief State's Attorney; and
- Conduct programs of public education to advise the public of the services available through the Office of the Victim Advocate.

HIGHLIGHTS OF 2008, 2009, AND 2010

As an agency whose primary task is enforcement of rights, there is naturally a tension within the victim service delivery system communities we provide oversight. Most, if not all, oversight agencies can expect some push back as issues are brought to the surface and issues are highlighted. This tension is expected and naturally flows from the work of the OVA. The OVA will continue to work to balance the Office's dual roles of enforcement agency and partner in the criminal justice community. The OVA is cognizant of the difficulties facing agencies involved in enforcement of rights and will continue to nurture its role in developing collaboration within the criminal justice community.

In contrast, since the creation of the Office, there has been tension between the OVA and some of the agencies that provide services to crime victims. The OVA has expended a great deal of energy attempting to resolve these issues over the past two years, hoping to put to rest the internal conflict ingrained within the Office's Advisory Committee membership. As the OVA looks out toward the next twelve month period, the hope is that these issues will finally be resolved, and the Committee and the OVA can begin to work together to protect the rights of crime victims in addressing the issues faced by this population as a team.

Summary of Achievements 2008 – 2010

- Completed and released the investigation into the facts and circumstances surrounding the murder of Jennifer Magnano in Plymouth, CT on August 23, 2007.
- Completed and released the investigation into the facts and circumstances surrounding the murder of Tiana Notice in Plainville, CT on February, 14, 2009.
- Assisted in cultivating the support of State's Attorney John Connelly to recommend Governor Rell offer a reward in the amount of \$ 50,000 for information leading to the arrest and conviction of the person(s) involved in the disappearance of Billy Smolinski, the son of Janice Smolinski.
- The OVA was instrumental in obtaining a Memorandum of Understanding (MOU) finalized between the Department of Correction and Department of Mental Health and Addiction Services to provide notification to crime victims upon the release/escape of a client/patient/inmate of DMHAS.
- Collaborated with Court Support Services Division (CSSD), Judicial Branch, for the implementation of policies and procedures to ensure victim notification within the Early Termination of Probation Program.
- Cultivated support from the Director of the Women's Center at Central Connecticut State University (CCSU) and State University of Central Connecticut to commit to co-sponsoring and supporting the Melanie Ilene Rieger Memorial Conference Against Violence for Spring of 2010.

- Advocated against the continued practice of State's Attorneys charging and/or prosecuting domestic violence victims with violating their own orders of protection.
- Continued in efforts to end the denial of crime victims' state Constitutional right to be heard at *plea* and *sentencing* in our Connecticut Courts.
- In compliance with and adherence to victims' state Constitutional right to restitution, continued to request, and when necessary, file motions with the Courts, for the use and compliance with Judicial's Restitution Order Form in all Connecticut Courts during the pendency of a case, and in some cases, during hearings involving post conviction matters.
- In compliance with and adherence to crime victims' state Constitutional right to be reasonably protected from the offender, continued to request safety measures on behalf of crime victims during arraignment, disposition, post conviction, and where appropriate, requested steps be taken to gain re-arrest of an offender, and in other cases, requested the issuance of Protective Orders as well as Standing Orders of Protection for the protection of a victim, minor children and in some cases, animals which belong to the victim.
- In compliance with and adherence to a crime victim's right to be treated with respect and fairness, the OVA continues to address crime victims' concerns over their treatment by individuals representing the state or victims services agencies, and in some cases, the OVA filed motions to address issues involving the treatment of a crime victim by counsel and/or representatives of counsel.
- In compliance with and adherence to a crime victim's right to a timely disposition the OVA filed several motions for Articulation to the Court for clarification of the time line, for the pending criminal case involving the victim, and in some cases, actively intervened to notify the Court to issues that were impeding the victims' right to timely disposition.
- Provided a mechanism for crime victims to resolve accessibility issues with the criminal justice system process in furtherance of their state Constitutional rights to be heard;

Complaint/Intake Activity:

The OVA is mandated to respond to complaints from crime victims, supporters of crime victims and agencies and/or entities on behalf of crime victims. The OVA is in the process of revamping our system to capture and document the numbers of all incoming requests for assistance and inquiries. We have approximate numbers of around 900 per year, although this number could actually be higher in reality. The capturing and documentation of requests and inquiries is a high priority for 2011. The OVA has been working diligently to capture these figures and is in the process of creating a system with our newly hired Office Assistant to provide documented figures for the next Annual Report.

The requests for assistance received by the OVA for the reporting period of 2008 – 2010, can be broken into several categories: requests for referral information, requests for assistance in navigating the criminal justice system, complaints regarding the criminal justice system and/or agencies who provide services to crime victims, complaints

regarding accessibility, and requests for assistance in education, training, media inquiries and outreach programs. Of these inquiries, approximately one-fourth involve either direct referral or consultation with the OVA staff to validate the caller's experience, educate the caller on the criminal justice system and the limits of the system and provide additional resources that may assist the caller in addressing their concerns. One half of these inquiries involved issues and/or complaints where the OVA will become directly involved and, as a result, a case may be opened for services to the crime victim. The remaining one-fourth of these inquiries involves requests for education, outreach, media inquiries, trainings, and collaborations.

A number of our cases are a direct result of the OVA staff's continued monitoring of news events and incidents within our state. The OVA actively monitors the state for incidents and/or events that may negatively impact crime victims or hamper access to services for crime victims. The OVA actively monitors the criminal justices system as well as agencies and entities that provide services to crime victims to identify policies and/or procedures which may hamper or impede a crime victim's access to their state Constitutional rights and other statutory rights. The OVA, in turn, utilizes this information gleaned from our monitoring efforts to review statutes, policies and/or practices to ensure crime victims' rights are not unintentionally violated. The information the OVA gathers through this monitoring process and through individual requests for assistance and inquiries, is then utilized for future proposals involving legislative initiatives and policy changes, as well as educational endeavors and outreach programs.

The OVA is cognizant that crime victims' rights are, for all intents and purposes, in their infant stages. Today we stand just a little over ten years from when Connecticut guaranteed crime victims' state Constitutional rights. The criminal justice system, a system which, until a little over ten years ago, focused solely on ensuring the protection of the rights of offenders, is still adjusting to the inclusion of crime victims, with codified rights. Today's Connecticut crime victims, stands now, in the same shoes as Gideon, in the now infamous case of *Gideon v. Wainwright*, and are trying to make sense of what it means to have codified rights as a victim of a crime in Connecticut. The OVA is making strides to give meaning and enforcement to crime victims' rights and will continue to do so in the future. For Gideon, the Supreme Court had to articulate and detail what his right to be appointed counsel meant in action, prior to Gideon having an enforceable Constitutional right to an attorney. Prior to the Supreme Court's decision, Gideon's right to an attorney was merely verbiage. We at the OVA are hopeful that in the coming months and years crime victims will emerge from our criminal justice system with a tool box full of enforceable state Constitutional rights, rights which will be more than mere verbiage.

The Right to Notification:

In monitoring the state Constitutional right of crime victims right to receive notification concerning court proceedings and information regarding arrest, conviction, sentence, imprisonment and release of an accused, the OVA, during the reporting period, identified and remedied notification issues that may hamper or impede crime victims' rights. One

of these areas of concern was notifications involving individuals who were committed to the Department of Mental Health and Addiction Services through emergency committals by the Department of Corrections. The OVA was instrumental in obtaining a Memorandum of Understanding (MOU) finalized between DMHAS and the Department of Corrections to ensure the victims notification requirements would be met concerning this population of offenders. Additionally, the OVA met with the Chief Justice of the Supreme Court and the Chief State's Attorney to discuss the issue of notification to crime victims when the Appellate and/or Supreme Court releases a decision in a criminal case that has been appealed by the defendant.

States Attorney's Policies and Procedures:

The OVA assisted a crime victim whose spouse had been fatally injured in a motor vehicle crash. The operator at fault for the fatality was believed to be intoxicated at the time of the crash but was not charged. By the time the OVA became involved the statute of limitations was about to expire. In response, the OVA worked with the State's Attorney in Hartford Superior Court to create policies and procedures for reviewing warrant applications in motor vehicle offenses involving fatalities to allow for review of these cases by a State's Attorney prior to the expiration of the statute of limitations.

Domestic Violence:

Domestic violence continues to plague the state. A large majority of crime victims contacting the OVA for assistance are victims of domestic violence. During this reporting period the OVA authored two investigative reports on domestic violence related murders and has made numerous recommendations in hopes of bringing Connecticut to the forefront in its services and protection of victims of domestic violence and their children. The OVA collaborated with the Department of Public Safety, POST, the Chief State's Attorney's Office and the Department of Social Services to ensure the recommendations of the Magnano report were implemented, upon these agencies requests. Furthermore the OVA has since learned that Legal Aid of Connecticut, the Office of Victims Services, the eighteen member programs of the Connecticut Domestic Violence Coalition, and many other educators and trainers have utilized this report to enhance their knowledge of domestic violence and train their staff. The Magnano Report was further endorsed by the Connecticut Law Tribune as a "must read" for those involved in both the Family and Criminal Courts. The OVA has worked with the Speakers' Task Force On Domestic Violence to address gaps in services to this population, and has provided legislative recommendations and information the OVA has learned through working with this population. The OVA continues to work with the Speaker's Task Force On Domestic Violence in hopes of creating mandatory model policies for law enforcement's response to domestic violence, curbing the overuse of the Family Violence Education Program and ending the practice of charging victims of domestic violence with violating their own orders of protection.

During the reporting period the OVA was invited to present at the Connecticut Children and Domestic Violence Collaborative of New Haven's monthly meeting and continues to date to be an active participant of this collaboration. The OVA was invited to attend the Teen Dating Violence Forum at the University of Hartford to support the effort to end

teen dating violence. Additionally the OVA collaborated with the Danbury Police Department, and the Connecticut Law Enforcement Field Manual Staff in updating the Family Violence Policies and Procedures and ensuring victims' rights were properly reflected in the policies and procedures.

U and T Visas:

The OVA has been diligently working to bring Connecticut up to date with our services in light of the availability of U and T Visas for victims of crimes. During the reporting period, the OVA met collaboratively with Legal Aid of New Britain to review ways the OVA and Legal Aid can work together to assist this populations of crime victims who are often silenced and address concerns over U and T Visa availability. Pursuant to C. G. S. § 46b-38 b (g) as amended by Public Act. No. 09-7 § 64, and in hopes of bringing the state into compliance with the provisions of this statute to better protect crime victims, the OVA authored letters to all municipal police departments in the state and the Department of Public Safety, to request the agency's policies on U and T Visas and to determine the contact/point person in each agency for requesting certification assistance in issuing U and T Visas. The OVA has received overwhelming cooperation from the law enforcement communities in gathering this vital information. This information is being compiled and will be sent to the Office of Victim Services, the state's clearinghouse for victim service information, so that crime victims can contact the OVS and receive up-to-date information on how to access U and T Visas throughout the state.

Privacy Rights of Crime Victims:

The OVA, in response to concerns over the use and abuse of the Freedom of Information Act to obtain private and personal information regarding crime victims by some members of the media, initiated and moderated a focus group to study privacy concerns involving the Freedom of Information Act process as it may impact crime victims. Additionally, the OVA met with staff from the Freedom of Information Commission in a joint effort to publish a brochure detailing crime victims' rights during a Freedom of Information Commission hearing. Although this effort did not generate an agreed upon brochure from the two agencies, the OVA eventually created an independent brochure to overview the Freedom of Information Hearing process for crime victims and has made this brochure available to the public. The OVA continues to seek involvement with the Judicial and Media Committee around issues of privacy as they may impact crime victims. To that end the OVA, during this reporting period, has met with members of the news media to discuss and advocate victims' privacy rights in reporting the news through publications in local and surrounding area media outlets, particularly in cases that involve domestic violence and sexual assault crimes.

Juvenile Courts:

During the reporting period the OVA received a number of complaints from victims and family members in support of minor victims regarding their rights in the Juvenile Court. The OVA has worked collaboratively to resolve many of these issues in a favorable manner. For instance, the OVA worked with the Honorable Justice Keller, Chief Administrative Judge in Juvenile Matters as well as Lead Juvenile State's Attorney, Fran Carino, to resolve common barriers involving the family with service needs statutory

programs in response to working with cases that have highlighted these issues and the negative impact on crime victims. The OVA identified a gap in the current Family with Service Needs (FWSN) statutes since the statutes are silent as to victim notification when a criminal offense is treated as a FWSN matter. The OVA hopes to propose legislation in 2012 to close the gap and anticipates working in collaboration with State's Attorney Fran Carino. The OVA assisted a number of crime victims in having their statutory rights protected including the to receive information regarding their case, the right to be present at Court hearings, and the right to make an impact statement in cases involving juvenile offenders through both meeting with the State's Attorney of record and/or filing motion with the Courts. The OVA in responding to a crime victim's complaint, filed a motion on behalf of a victim in Waterbury Juvenile Court to rescind the appointment of a Guardian ad Litem and to ensure that the victim's U.S. Constitutional rights were honored and respected in the Juvenile court proceedings. In several cases the OVA filed a motion with the Court to address the appointment of a Guardian at Litem in cases involving minor crime victims where the parent's interest and the interest of the child where in alignment.

Pardons and Parole Board:

The OVA provided a presentation to the Parole Board as to the OVA's interactions with crime victims as well as the most common issues voiced by crime victims to OVA regarding parole in an effort to address these issues and work better with one another. During the reporting period the OVA also met with the Commissioner of the Department of Correction and the Chairman of the Board of Pardons and Paroles (BOPP) to discuss the parallel procedures for parole release and the granting of release by the Warden, an issue that is often frustrating for crime victims. The OVA hopes that together DOC, BOPP and the OVA can assist crime victims to better understand these parallel procedures and lessen the frustration level of future crime victims.

Legal Advocacy through Amicus Briefs:

The OVA assisted in advocating for crime victims of domestic violence through two amicus briefs during the reporting period. The OVA filed an Amicus Curiae brief, supporting the State's Attorney's position, arguing against the allowance for a defendant to be entitled to an evidentiary hearing, prior to the allowance of a protective order, as this practice would violate a crime victims' state Constitutional right to be reasonably protected from their offender. (*State v. Fernando A.*). The OVA filed a second Amicus Curiae Brief, this time to the Connecticut Appellate Court, to argue against the allowance of a criminal defendant to be permitted to invade marital assets in a pending divorce matter, in order to pay for his attorney in a criminal matter, when these same funds were likewise the assets of the soon to be ex-wife, and yet also, the named crime victim in the criminal matter. (*Parrotta v. Parrotta*).

Crime Victims' Rights and State Colleges and Universities:

During the reporting period the OVA received inquiries from crime victims attending state colleges and/or universities highlighting issues with certain campus' responses to crime victims. In response the OVA instigated a collaborative meeting with membership of Connecticut Independent Colleges to address the role of the Colleges when handling a

crime victim's complaint when reporting a crime on campus or a complaint that involves college students.

The OVA continues to monitor colleges and universities to ensure crime victims who report crimes on campus or crimes involving students attending the state's colleges or universities are complying with the crime victims' Constitutional Rights Amendment. The OVA hopes in the future to work in collaboration to train campus Judicial hearing Officers and staff regarding the rights of crime victims in Connecticut to ensure compliance.

Advocacy through Legislative Initiatives:

The OVA since its origination, has actively sought legislation to enhance and build a more supportive and protective environment in our criminal justice system for crime victims. To that end, the OVA actively works both on the front lines and behind the scenes to support legislative initiatives that will improve the treatment of crime victims and address gaps in services in our system that negatively impact crime victims. The OVA is committed to enriching our criminal justice system through collaborative support of legislative initiatives to improve Connecticut's overall responsiveness to the crime victim population. In 2009, the OVA, cognizant of the difficulties and hardship often associated with crime victims' traveling to Hartford to testify at the Legislative Office Building, in support or against proposed legislation, which can sometime be an all day event, held a Victims' Voice Day, a twenty-eight site, statewide event to encourage crime victims to provide feedback on legislative initiatives. The OVA's Victims' Voice Day was an overwhelming success, producing over 300 letters of support by crime victims and their supporters for proposed legislation. The event allowed crime victims to have a voice in upcoming legislation in a manner that took into consideration many of the barriers faced by this particularly fragile population, allowed their participation in a safe and supportive environment, while also providing information about state resources and services. Although the OVA was not able to hold this event in 2010 or 2011, the OVA remains hopeful that we can replicate this event in the future and allow access to the legislative process and provide all crime victims a voice in the system.

During the reporting period, the OVA supported the efforts of the Speaker's Task Force on Domestic Violence through both providing supportive documentation and through recommendations for legislative initiatives such as the GPS tracking system and legislation to allow a victim of domestic violence to break his or her lease in order to gain safety. The OVA applauds the work of the Speaker's Task Force on Domestic Violence and the strides made in 2010 to improve the state's responsiveness to domestic violence and looks forward to continuing to work with the Task Force in the 2011 session to continue to resolve barriers and obstacles that have historically blocked domestic violence victims' access to safety and protection in our state. As a result of the legislative community and advocates for domestic violence victims coming together, Public Act No. 10-144, An Act Concerning the Recommendations of the Speaker of the House of Representatives' Task Force on Domestic Violence became effective, in part, upon passage Public Act No. 10-137, and, equally, An Act Concerning the Protection of

and Services for Victims of Domestic Violence became effective, in part, on October 1, 2010.

As an independent agency, the OVA annually seeks legislative initiatives as well as supporting legislation for other agencies and organizations. The OVA's legislative initiatives are directly derived from our work with crime victims and geared towards addressing issues that have been identified by the population we serve. For the most part, the OVA's annual legislative initiatives can be broken down into three categories: (1) barriers to crime victims' access to services, (2) crime victims' rights violations, and/or (3) gaps in the services provided by the state to crime victims. In 2008 the OVA was successful in expanding the protections of the state's protective orders in sexual assault cases to include cases where a judge finds that the victim would benefit from such order. As a result, Public Act No. 08-84, An Act Concerning Protective Orders became effective October 1, 2008, was a huge victory for victims of sexual assaults in Connecticut.

The OVA, during the reporting period, lobbied for several legislative initiatives to enhance the state's protections to crime victims, and yet although a number of these initiatives were unsuccessful, the OVA recognizes the long process involved in changing the climate of victims' rights and will continue to advocate for improvements. To that end, the following is a summary of the initiatives sought, yet unsuccessful, during the reporting period:

- Provided a mechanism for crime victims to resolve accessibility issues with the criminal justice system process in furtherance of their state Constitutional rights to be heard;
- A proposal to increase the number of court based victims advocates from one in each court, through the establishment of a Victim Service Advocate Program Fund.
- A proposal to allow for compensation for burial expenses to be paid in *all* homicide cases where there the surviving family has an expressed and articulated financial need for assistance in burial expenses.
- A proposal for the creation of a privacy exemption to the Freedom of Information Act that would delineate a balancing test prior to disclosure of private and personal information, after the conviction or disposition of a criminal case, the disclosure of which would constitute an unreasonable harm to the crime victim or their surviving family members. The exemption would have been rooted in a reasonable person standard and would have been applicable to materials that were not released through trial or other court proceedings.
- A proposal to expedite criminal proceedings involving sexual offenses when the victim is a minor child or when a minor child is expected to testify as a witness. The bill would have required the state's attorney to provide an impact statement to the court when a request for a continuance is made, which specifies (1) whether the state agrees to the request for continuance, (2) whether the child or the child's

- representative agrees to such request and (3) the effect, if any, that granting the continuance may have on the child.
- A proposal to add the Office of the Victim Advocate to the membership of the Criminal Justice Policy Advisory Commission.

Public Education and Outreach:

During the reporting period the OVA generated the first *Victim's Voice* Newsletter and disseminated the publication to a myriad of agencies and organizations. The *Victims' Voice* is a publication whose mission is to increase crime victims' rights awareness, enhance awareness around cold and missing persons' cases and advise the public of the accomplishments and struggles involving the crime victims' rights movement both in Connecticut and nationally. Although during the Fall of 2010 the newsletters' publications were temporarily halted due to the staffing issues, the OVA is hopeful that the *Victims' Voice* will be up and running again in the later Spring of 2011.

The OVA and its staff of three full time staff members continues to travel the state, engaging in public education endeavors at a variety of venues. One of the patterns the OVA has seen over the years since its origination, is still, today, crime victims remain in the dark as to their rights when navigating the criminal justice system. A large part of the OVA's mission includes educating the public at all levels to enhance the state's knowledge base as it related to crime victims' rights and resources. The OVA strongly believes through public education, crime victims and their supporters can learn about the resources and services available to crime victims and how to address possible crime victims' rights violations in and when the need arises. The OVA continues to support the Survivors' of Homicide (SOH) as an active participant of the SOH's National Crime Victims' Rights Week Reception at the State Capitol.

During the reporting period the OVA and its staff have been active in the community and have attended numerous public education events, including: The VOICES Program through the Department of Corrections; Mother's Against Drunk Driver's – Justice for All; the National Center for Victims of Crime Awards Ceremony, NYC; Central Connecticut University- Take Back the Night; Connecticut State's Attorney's Criminal Justice Forum at Central Connecticut State University; Presentation at the Phillips Metro CME Church, Women's Fellowship on Domestic Violence and Permanent Commission on the Status of Women Annual Gala, St. Joseph College in West Hartford, Griswold High School, Watertown High School, Plainville High School, Newtown High School; Notre Dame High School; Fairfield Ludlow High School; The Sound School, New Haven; Stonington High School; Massick High School, Monroe; Wilton High School; Waterbury Survivors of Homicide monthly meeting; YWCA, New Britain, Networking Fair Ellington Senior Center; University of Bridgeport Health Fair; Tunix Community College; Quinnipiac Law School Networking Fair; University of Connecticut School Of Law- Career Fair; Quinnipiac University Career Fair; Southern Connecticut University and YWCA Supporting Survivors Together Networking Fair, New Britain.

The OVA and its staff additionally participated in numerous trainings and educational

endeavors to enhance the key players in the system's knowledge base as it pertains to crime victims' rights, including, conducting the following trainings: Connecticut Sexual Assault Crisis Services Volunteers; police re-certification training; conducted Roll Call Training for CSP; "Best Practices" training for victim advocates and presentation for the Women In Law Seminar in Stamford.

Connecticut's Witness Protection Program through the Chief State's Attorney's Office

Throughout the reporting period, the OVA has maintained a strong cooperative relationship with the Witness Protection Program, Office of the Chief State's Attorney, and has coordinated protection efforts on behalf of several victims.