

**Sec. 46a-13b. Office of the Victim Advocate established.**

(a) There is established, within the Office of Governmental Accountability established under section 1-300, an Office of the Victim Advocate. The Governor, with the approval of the General Assembly, shall appoint a person with knowledge of victims' rights and services as Victim Advocate. Such person shall be an attorney and qualified by training and experience to perform the duties of Victim Advocate as set forth in section 46a-13c. Upon any vacancy in the position of Victim Advocate, the advisory committee established pursuant to section 46a-13h shall meet to consider and interview successor candidates and shall submit to the Governor a list of not fewer than five and not more than seven candidates not later than sixty days after said vacancy. Such list shall be confidential and not open to the public or subject to disclosure, and shall rank the candidates in the order of committee preference. Not later than eight weeks after receiving the list of candidates from the advisory committee, the Governor shall appoint a candidate for Victim Advocate from among the choices on such list. If, at any time, any of the candidates withdraws from consideration prior to confirmation by the General Assembly, the appointment shall be made from the remaining candidates on the list submitted to the Governor. The person appointed Victim Advocate shall serve for a term of four years and may be reappointed or shall continue to hold office until a successor is appointed and qualified.

(b) Notwithstanding any other provision of the general statutes, the Victim Advocate shall act independently of any state department in the performance of the advocate's duties.

(c) The Victim Advocate may, within available funds, appoint such staff as may be deemed necessary. The duties of the staff may include the duties of the Victim Advocate if performed under the direction of the Victim Advocate.

(d) The General Assembly may annually appropriate such sums as necessary for the payment of the salaries of the staff and for the payment of office expenses and other actual expenses incurred by the Victim Advocate in the performance of the advocate's duties.

(e) The Victim Advocate shall annually submit, in accordance with the provisions of section 11-4a, to the Governor, the joint standing committee of the General Assembly having cognizance of matters relating to the judiciary and the advisory committee established pursuant to section 46a-13h a detailed report analyzing the work of the Office of the Victim Advocate.

**Sec. 46a-13c. Responsibilities of the Victim Advocate.**

The Victim Advocate may, within available appropriations:

(1) Evaluate the delivery of services to victims by state agencies and those entities that provide services to victims, including the delivery of services to families of victims by the Office of the Chief Medical Examiner;

(2) 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;

(3) Review the procedures established by any state agency or other entity providing services to victims with respect to the constitutional rights of victims;

- (4) Receive and review complaints of persons concerning the actions of any state or other entity providing services to victims and investigate those where it appears that a victim or family of a victim may be in need of assistance from the Victim Advocate;
- (5) File a limited special appearance in any court proceeding for the purpose of advocating for any right guaranteed to a crime victim by the Constitution of the state or any right provided to a crime victim by any provision of the general statutes;
- (6) Ensure a centralized location for victim services information;
- (7) Recommend changes in state policies concerning victims, including changes in the system of providing victim services;
- (8) Conduct programs of public education, undertake legislative advocacy, and make proposals for systemic reform;
- (9) Monitor the provision of protective services to witnesses by the Chief State's Attorney pursuant to section 54-82t; and
- (10) Take appropriate steps to advise the public of the services of the Office of the Victim Advocate, the purpose of the office and procedures to contact the office.

**Sec. 46a-13d. Access to information. Rights and powers.**

(a) All state, local and private agencies shall have a duty to cooperate with any investigation conducted by the Office of the Victim Advocate. Consistent with the provisions of the general statutes concerning the confidentiality of records and information, the Victim Advocate shall have access to, including the right to inspect and copy, any records necessary to carry out the responsibilities of the Victim Advocate as provided in section 46a-13c. Nothing contained in this subsection shall be construed to waive a victim's right to confidentiality of communications or records as protected by any provision of the general statutes or common law.

(b) In the performance of his responsibilities under section 46a-13c, the Victim Advocate may communicate privately with any victim or person who has received, is receiving or should have received services from the state. Such communications shall be confidential and not be subject to disclosure except as provided in subsection (a) of section 46a-13e.

(c) The Victim Advocate may apply for and accept grants, gifts and bequests of funds from other states, federal and interstate agencies and independent authorities and private firms, individuals and foundations, for the purpose of carrying out his responsibilities.

**Sec. 46a-13e. Confidentiality of identity of complainant, identity of certain witnesses and other information. Limited disclosure authorized.**

(a) The name, address and other personally identifiable information of a person who makes a complaint to the Victim Advocate as provided in section 46a-13c, all information obtained or generated by the office in the course of an investigation, the identity and location of any person receiving or considered for the receipt of protective services under section 54-82t and all information obtained or generated by the office in the course of monitoring the provision of protective services under section 54-82t, and all confidential records obtained by the Victim Advocate or his designee shall be confidential and shall not be subject to disclosure under the Freedom of Information Act or otherwise, except that such information

and records, other than confidential information concerning a pending law enforcement investigation or a pending prosecution, may be disclosed if the Victim Advocate determines that disclosure is (1) in the general public interest, or (2) necessary to enable the Victim Advocate to perform his responsibilities under section 46a-13c, provided in no event shall the name, address or other personally identifiable information of a person be disclosed without the consent of such person.

(b) No state or municipal agency shall discharge, or in any manner discriminate or retaliate against, any employee who in good faith makes a complaint to the Victim Advocate or cooperates with the Office of the Victim Advocate in an investigation.

**Sec. 46a-13f. Advisory committee established.** Section 46a-13f is repealed, effective July 1, 2011.

**Sec. 46a-13g. Limitation re filing appearance for victim.**

The provisions of subdivision (5) of section 46a-13c shall not apply to infractions or misdemeanors not involving the use, attempted use or threatened use of physical force against another person.

**Sec. 46a-13h. Advisory committee established.**

There is established an advisory committee to the Office of the Victim Advocate established under section 46a-13b. Said committee shall prepare and submit to the Governor a list of candidates for appointment of the Victim Advocate. The advisory committee shall consist of seven members as follows: (1) One appointed by the president pro tempore of the Senate; (2) one appointed by the speaker of the House of Representatives; (3) one appointed by the majority leader of the Senate; (4) one appointed by the majority leader of the House of Representatives; (5) one appointed by the minority leader of the Senate; (6) one appointed by the minority leader of the House of Representatives; and (7) one appointed by the Governor. The committee shall select a chairperson who shall preside at meetings of the committee. No member of the advisory committee shall be a person who is a volunteer for, a board member of, or is employed by any entity or agency subject to the review of, or evaluation or monitoring by the Victim Advocate pursuant to section 46a-13c, or is a communicator lobbyist who pursuant to such lobbyist's registration under chapter 10, lobbies on behalf of any entity or agency subject to the review of, or evaluation or monitoring by the Victim Advocate pursuant to said section 46a-13c. Each member of the advisory committee shall serve a term of five years and may be reappointed at the conclusion of such term. All initial appointments to the advisory committee shall be made not later than September 1, 2011. Each member of the advisory committee shall serve a five-year term from July first of the year of their appointment. Any vacancy in the membership of the committee shall be filled by the appointing authority for the unexpired portion of the term.

**Secs. 46a-13i to 46a-13j.** Reserved for future use.