

# THE VICTIMS' VOICE

Fall 2016 Newsletter



Natasha M. Pierre, Esq.

## ADVOCATE'S CORNER

I am fortunate to be surrounded by people that are committed to assisting crime survivors through the criminal justice system. This newsletter issue will begin a series of highlights about the Office of the Victim Advocate (OVA Staff) who have advocated on behalf of crime survivors. Over the summer, the OVA staff established a website link to inform the public of the impact of recent legislation for juvenile offenders, which allows offenders to seek a parole hearing earlier than originally anticipated (Click [here](#) for detailed list). As we ramp up for another legislative session of potential criminal justice reform, it is important that crime survivors and advocates continue to be vocal about how the impact of said laws impact them personally.

## NATIONAL CRIME VICTIMS' RIGHTS WEEK

APRIL 2-8 • 2017

Every year in April, communities throughout the country celebrate this annual observance recognizing National Crime Victims' Rights Week (NCVRW).

The weeklong initiative promotes victims' rights and honors crime victims and those who advocate on their behalf.

Plans are underway for events during this special time. More information regarding event specifics will be available on our website.

•••

## In side this Issue:

### Partners at Work

The Office of Victim Services

### Juvenile Offenders

Superior Court Decision

### Meet the Staff

OVA Staff Attorney

### Did you know?

Auto Insurance

### Holiday Shopping

Safety Tips

•••

## QUESTIONS?

CONTACT OUR OFFICE

**TOLL FREE**  
1-88-771-3126

**VISIT US ONLINE**  
WWW.CT.GOV/OVA



# Celebrate the Season

Join us for a holiday reception to benefit Connecticut Alliance to End Sexual Violence.

**Thursday, December 1, 2016 // 5:00 - 7:00 pm**  
Bubbly, Hors d'Oeuvres & Festive Holiday Decorations

**The Governor's Residence**  
990 Prospect Avenue, Hartford CT

**Host Committee Chair**  
Cathy Malloy

Laura Cordes	Secretary of the State Denise Merrill
Joni Arval	Millie Torres-Ferguson
Bryte Johnson	Judy Blei
Joe Barber	Shannon Wegele
Mary Farrell	Joy Reho
	Chrissy Landino

Tickets must be purchased before the event and cost \$75 per attendee. Learn more at [EndSexualViolenceCT.org/holiday](http://EndSexualViolenceCT.org/holiday) or by contacting us at 860-282-9881.

**CONNECTICUT ALLIANCE TO END SEXUAL VIOLENCE**  
Support. Advocate. Prevent.  
EndSexualViolenceCT.org formerly COMMUNITY

# Partners At Work: Highlighting CT Service Providers



This issue we highlight the Connecticut Judicial Branch's Office of Victims Services (OVS). OVS has a long and proud history of providing compassionate and comprehensive services to victims of crime. Legislatively enacted in 1978, OVS has evolved into a multi-faceted agency that provides direct and indirect services to Connecticut's crime victims from the scene of the crime and beyond the pardons and paroles process until services are no longer required. OVS services include financial assistance, information on the criminal justice system, victim advocacy and support, victim notification, sexual assault forensic examination services, funding to community-based nonprofit agencies for victim-centered services, and training to criminal justice professionals to assist in meeting the evolving needs of crime victims.

For almost 37 years, OVS has been the state's lead agency dedicated to assisting victims of violent crime in Connecticut. OVS values its collaborative relationships with community-based agencies that provide services to victims of crime, municipal and state police departments, both state and federal criminal justice departments, and Executive Branch agencies in providing comprehensive services that are effective and respectful to Connecticut's crime victims.

OVS's placement within the Judicial Branch strategically allows

for collaborative efforts with other Judicial Branch divisions in the implementation of legislation, programmatic, and other projects that enhance and improve services to crime victims.

When OVS was created in 1978, the Victim Compensation Program was the only service offered to crime victims. OVS has evolved over the years and now offers:

- Advocates assigned to the various courts throughout the state to inform victims of their rights and guide victims through the often confusing criminal justice system; Notification programs that inform registered crime victims and their families of certain court activities and the issuance, modification or termination of orders of protection;
- A nationwide toll-free Helpline that provides information and referrals;
- Sexual Assault Forensic Examiners at participating hospitals to provide compassionate sexual assault forensic examination services;
- Contracts with community-based agencies to provide victim-centered services at no costs to victims;
- and A Victim Compensation Program that helps victims with the financial impact of crime.

OVS recognizes the potentially devastation of crime. OVS helps victims navigate the various systems involved in their journey from victim to survivor. OVS also helps community-based, law enforcement agencies, and criminal justice professionals provide better services to victims of crime

through training and outreach efforts.

Linda Cimino who is the Executive Director of OVS, has worked on behalf of victims and survivors of crime since the 1980s when she helped establish the Rape Crisis Services Program at the New Haven YWCA. Prior to joining OVS in January 2000, she served in the field of domestic violence - first, as executive director of Meriden-Wallingford Chrysalis, and then as executive director of the Connecticut Coalition Against Domestic Violence. Ms. Cimino continues to serve on various committees and task forces that study victim issues, needs, and trends.

When asked where CT could improve in the arena of victim services, Linda stated, "Connecticut has a wealth of community-based agencies that work to meet the various needs of victims of crime. OVS works closely with 49 community-based agencies, municipal and state police and other state agencies to ensure victims of crime receive services that are effective and respectful. The service providers must continue to strengthen their partnerships and collaborative efforts so that together we can identify trends, issues, and current challenges faced by victims and service providers to develop a common understanding and systematic approach".

## OVS Contact Information:

(toll-free nationwide)

Helpline: 1-800-822-8428

Compensation Unit: 1-800-286-7347

Administrative Office: 860-263-2760

Online: [www.jud.ct.gov/crimevictim](http://www.jud.ct.gov/crimevictim)



## Brief Overview of recent U.S. Superior Court Decisions Involving Juvenile Offender Sentencing

In Roper v. Simmons, (2005), the United States Supreme Court held that the Eighth Amendment's prohibition against cruel and unusual punishment bars capital punishment for children offenders.

In Graham v. Florida, (2010) the United States Supreme Court held that the Eighth Amendment's prohibition against cruel and unusual punishment prohibits states from sentencing defendants under age 18 to life without parole for non-homicide crimes. The Court stated that there must be "some meaningful opportunity" for release based on a defendant's demonstrated maturity and rehabilitation. It said that the Eighth Amendment does not prohibit a juvenile who commits a non-homicide crime from being kept in prison for life but it prohibits making the judgment "at the outset that those offenders never will be fit to re-enter society."

In Miller v. Alabama, (2012) the United States Supreme Court held that the Eighth Amendment prohibits courts from automatically imposing life without parole sentences on offenders who committed homicides while they were juveniles (under 18). The Court did not categorically bar life without parole sentences for juveniles but stated that a court must "take into account how children are different, and how those differences counsel against irreversibly sentencing them to a lifetime in prison."

**The Connecticut Legislature responded to the U.S. Supreme Court rulings by passing Public Act 15-84.** The act requires a court to consider certain factors when sentencing a child transferred to adult criminal court and convicted of a class A or B felony. In addition to other information relevant to sentencing, the act requires the court to consider the defendant's age at the time of the offense, the hallmark features of adolescence, and scientific and psychological evidence showing the difference between a child's and adult's brain development.

### PAROLE ELIGIBILITY

Under existing law, someone is generally eligible for parole after serving (1) 50% of his or her sentence minus any risk reduction credits earned if convicted of a nonviolent crime and (2) 85% of his or her sentence if convicted of a violent crime, home invasion, or 2<sup>nd</sup> degree burglary. Someone convicted of certain crimes, such as murder, is ineligible for parole.

Public Act 15-84, establishes new parole eligibility rules for minors who commit crimes and are sentenced to more than 10 years in prison, as follows:

If the offender is sentenced to 10 to 50 years in prison, the offender is eligible for parole after serving 12 years or 60% of his or her sentence, whichever is greater, or;

If the offender is sentenced to more than 50 years in prison, the offender is eligible for parole after serving 30 years.

**Visit the OVA website at [www.ct.gov/ova](http://www.ct.gov/ova) to see a listing of inmates that are scheduled for a parole hearing under these new rules. Information will be updated as acquired and/or needed.**

## Meet the Staff Attorney of the Office of The Victim Advocate



*Hakima Bey -Coon, OVA Staff Attorney* received a Bachelor of Arts degree in Political Science from Rutgers University in 1992, and a Juris Doctor degree from Seton Hall Law School in 1995. After earning her law degree, she served a clerkship under the Hon. Kevin G. Callahan, J.S.C., in the New Jersey Superior Court-Criminal Division. Over the next several years she served as a staff attorney at Hudson County Legal Services in Jersey City, NJ where she represented indigent clients in housing matters and as a Deputy Attorney General in the **New Jersey Attorney General's Office** where she prosecuted disciplinary matters against licensed professionals (medical doctors, dentists, chiropractors etc.) for violations of statutes, regulations and standards governing the practice of licensed professions. After serving several years in the NJ **Attorney General's Office**, **Hakima** relocated to Connecticut and began practicing law at Maya & Associates, P.C., a general practice law firm in Westport.

### **What sparked your interest in working for the OVA?**

During my college and law school years there wasn't a clear emphasis on crime victims' rights at that time probably because the national wave to implement crime victims' rights into state constitutions was in its infancy stages and had not trickled down to colleges and law schools. So years later I learned that Connecticut, along with many other states, had adopted state constitutional and statutory rights for crime victims. I was fascinated to

learn that the State of Connecticut went one step further by statutorily creating the Office of the Victim Advocate to **ensure that Connecticut crime victims' rights** were honored and protected in the criminal justice process.

### **As an attorney for the agency and in your daily interactions what do you feel is an obstacle for victims of crime in CT?**

An obstacle for victims is not having a legal remedy for certain crime victim rights violations. For example, a crime victim has a state constitutional 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. There have been incidents over the years where the victim was not notified of an upcoming plea hearing and the case proceeded without the victim having an opportunity to address the court concerning the plea. Some may contend that the victim can still address the court at sentencing **however, the victim's right to address the court at sentencing is not the same as the victim's right to object** to or support a plea agreement. The latter is an opportunity for the victim to let the court know their position concerning the plea agreement before the court makes a decision as to whether or not to accept the plea agreement. Unfortunately, we currently do not have an express legal remedy in place if a **victim's right to address the court at plea** is violated.

### **Where can CT improve as it relates to this obstacle?**

**The Victims' Rights Amendment to the Connecticut Constitution** provides that

the General Assembly shall provide by law for the enforcement of the crime **victims' state constitutional rights**. Thus, my hope is that the legislature will expressly create remedies for violations of victims' state constitutional and statutory rights.

### **What do you want our readers to know most?**

In Connecticut we have an "opt-in" system for crime victim notification. Some victims are not aware of this and mistakenly believe that they will automatically receive notification of criminal court case information and/or an **inmate's custodial status**. In order for victims to effectively exercise their **crime victims' rights, and not miss** important participatory stages of the criminal court process, I recommend that crime victims register for automated notification or request to be kept informed of the status of the criminal matter and the status of an incarcerated defendant.

If the reader is unsure how a victim can opt-in to one of our many notification systems, the reader can contact the Office of Victim Services (for criminal court case notification) at 1-800-822-8428 and/or the Department of Correction-Victim Service Units Unit (for notice of the inmate's custodial status) at 1-888-869-7057. The reader can also have the victim register for automated notification on pending criminal court **case information and an inmate's custodial status** through the CT SAVIN program with the Judicial Branch by going to the Judicial Branch website at [www.jud.ct.gov](http://www.jud.ct.gov).



**People might have to pay out-of-pocket for expenses related to a motor vehicle incident.**



## **Will you be covered ?**



### **UNINSURED MOTORIST:**

**If your car was involved in an accident and the driver of the other vehicle does not have insurance, your insurance would have to be used to cover damage, loss and medical bills.**

**Do you have the right coverage to cover such a loss?**



### **CAR THEFT:**

**If your car was stolen and damaged and you only have liability coverage, it will not cover the loss of your vehicle. The state of CT does not have funds to cover this type of loss even if a crime was committed.**

**Are you prepared to cover these expenses?**



### **FULL COVERAGE:**

**Consider having full coverage to assist in paying for damages or purchasing a new vehicle.**

**The Office of The Victim Advocate**

**Toll Free: 1-888-771-3126**



# Holiday Shopping

*The holiday season is here and many of us can get lost in the hustle and bustle of it all. Thieves feed on opportunities especially at this time of year when people are on overload. Be sure to take these safety tips into consideration!*

## **SHOPPING MALLS AND STORES**

---

- Stores have extended hours and close late at night, if you shop at this time, bring a shopping buddy.
- Park your vehicle in well lit areas.
- Don't leave packages in clear view in your vehicle. Place items in the trunk if the vehicle if possible.
- Have your keys in hand when approaching your vehicle. Check the back seat and around the car before getting in.
- Beware of strangers approaching you. At this time of year, con-artists may try various methods of distracting you, including working in teams, with the intention of taking your money or belongings.
- If you are shopping with small children be sure to make a plan in case you get separated. Teach children to ask mall security or personnel if they need help.

## **PROTECT YOUR WALLET**

---

- Do not carry a purse or wallet, if possible consider using a security wallet or travel pouch instead.
- Avoid carrying large amounts of cash.
- Pay for purchases with one credit card and keep track of your purchases regularly.
- Keep a record of all your wallet contents and credit card numbers in a safe place at home in case your wallet is lost or stolen.
- Save all receipts and confirmations from all purchases. Start a file to verify statements as they come in.

## **AT HOME**

---

- Be sure to secure your home at all times. If you will be away for a period of time consider leaving lights on or having someone housesit.
- Don't leave packages outside. Try to have packages delivered to a location where someone can receive the package on your behalf.
- Don't leave empty packaging of items purchased curbside - this alerts others of purchases made.

## **ONLINE**

---

- Before surfing the Internet, secure your personal computers by updating your security software. Everyone's computer should have anti-virus, anti-spyware, and anti-spam software, as well as a good firewall installed. Visit [www.bytecrime.org](http://www.bytecrime.org) for free software downloads.
- Use secure websites for purchases. Look for the icon of a locked padlock at the bottom of the screen or "https" in the URL address.
- If it seems to good to be true, it usually is! Don't get reeled in to making a purchase on a bogus site.
- Use a credit card instead of a debit card. If your credit information is compromised or the item your purchased never arrives it is easier to resolve issues with a credit card company than your bank.
- Take advantage of your credit card alert features. Activate alerts that can notify you of abnormal activity.
- Review your bank and credit card statements on a regular basis. Early detection in fraudulent activity is key to protecting your identity.
- Keep your personal information private and your password secure. Do not respond to requests to "verify" your password or credit card information unless you initiated the contact. Legitimate businesses will not contact you in this manner.
- Shop with companies you know and trust. Check for background information if you plan to buy from a new or unfamiliar company.

*Safe Shopping and Happy Holidays!*



WARMEST GREETINGS,  
& WELL WISHES  
FOR A SAFE  
HOLIDAY SEASON &  
HAPPY NEW YEAR!

•••

*From the staff at The Office of The Victim Advocate*