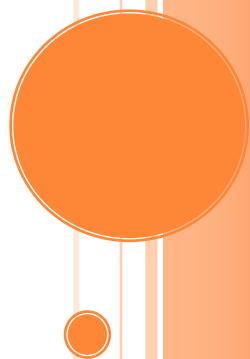


VICTIMS' RIGHTS ENFORCEMENT ADVISORY COMMISSION

Report Submitted to Governor Dannel P. Malloy

November 30, 2015



VICTIMS' RIGHTS IN CONNECTICUT

In November of 1996, the State of Connecticut, through the adoption of the Victims' Rights Amendment to Connecticut's Constitution, joined the majority of states in the nation to provide victims of crime state constitutional rights throughout the criminal justice process. 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, and;
- 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. *Constitution of the State of Connecticut, Article First § 8 as amended by Article XXIX § (b)*.

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EXECUTIVE SUMMARY

On April 7, 2014, Governor Dannel Malloy announced the creation of the Victims' Rights Enforcement Advisory Commission (VREAC) to review the current status of crime victims' rights in the State and to report its findings and recommendations to the Governor in January 2015. The creation of VREAC was a direct response to crime victims' voicing their concerns about the lack of enforcement when their rights are violated.

COMMISSION MEMBERSHIP

The 20-member commission includes representation from crime victims, victim advocates, community service providers, law enforcement, judges, prosecutors, public defenders, and correctional institutions.

Natasha M. Pierre, Esq., State Victim Advocate and 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, 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

Jillian Knox, Officer, 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 L. Phillips, Attorney at Law, Butler, Norris & Gold

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.

The Office of the Victim Advocate staff members, Hakima Bey-Coon, Esq., Merit Lajoie and Vanessa Torres provided support services including the organization and preparation of meetings, research, data analysis and other duties related to the Commission's responsibilities. Special thanks to former interns, Jackson Etting, Justine Walsh and Camila Cordoba for their assistance on the Commission.

COMMISSION MANDATE

- Compile a comprehensive inventory of victims' rights provisions of the Connecticut Constitution, General Statutes and Agency Regulations.
- Determine whether and to what extent these provisions have been implemented.
- Consider whether there should be a Model Policy for interactions with crime victims to ensure that they are provided accurate information regarding rights and remedies, that those rights are enforced, and advised regarding available services.
- Survey rights, remedies and services available in other states and from the federal government.
- Recommend to the Governor any statutory or policy changes necessary in order to protect and enforce crime victims' rights, including training and coordination among state and local criminal justice agencies and social service providers.

SUMMARY OF REVIEW

The Office of the Victim Advocate chaired and convened VREAC for monthly meetings from May 2014 to October 2015.

The VREAC established three sub-committees to review all of Connecticut general statutes relating to crime victims' rights and services.

Pre-Arrest Arraignment Subcommittee: chaired by Dora B. Schriro; *Members* – Laura Cordes, Jillian Knox, Dawn Luddy, Bethany Phillips, Esq., James C. Rovella, and Andrew Woods.

Prosecution/Conviction Sub-Committee: chaired by Kevin T. Kane, Esq.; *Members* – Judge Patrick L. Carroll, Linda J. Cimino, Mario T. Gaboury, Esq; Karen Jarmoc, Anne Mahoney, Esq., and Susan O. Storey, Esq.

Post-Conviction/Violation Status Sub-Committee: chaired by Scott Semple; *Members* - Laura Cordes, Carleton J. Giles, Ana Gonzalez, Janice Heggie Margolis, and Jessica Pizzano.

Each subcommittee was directed to identify:

- Is there is a policy/procedure/directive in place that implements the statutory provision?
- If no policy exists, is a policy needed for the enforcement of the statutory provision?
- If a policy exists, is it sufficient to prevent a violation of a victim's right?

- Are there any barriers to the enforcement or application of the statutory provision?
- Is there any additional information that may be needed concerning a statutory provision (i.e. policy from outside agency)?
- Are there statutory provisions that include a burden on the victim for exercising their constitutional or statutory right?

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. The presentation can be viewed at <http://ct-n.com/ondemand.asp?ID=10696?>.

Further, the VREAC held four public hearings across the state (Bridgeport, Hartford, New Haven, and Norwich) 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. Forty-three (43) victims of crime submitted oral or written testimony during these public hearings. *Appendix A* provides a summary of comments, feedback, recommendations, and written testimony.

Finally, the VREAC 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. *Appendix B* provides the victim survey summary.

The Commission was confronted with the reality that, although Connecticut 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 Connecticut General Statutes.

RECOMMENDATIONS

The Commission examined several aspects of the criminal justice system and its response to the constitutional rights and needs of crime victims throughout the process. As a result, the Commission adopted the following recommendations that require statutory change, administrative change, or further study.

STATUTORY RECOMMENDATIONS

Constitutional Right: The right to be treated with fairness and respect throughout the criminal justice process.

1. Amend C.G.S. §54-86g (b) to allow the use of comfort animals for any child who is twelve years of age or younger and involved in any criminal prosecution for assault, sexual assault, or abuse.

Constitutional Right: The right to timely disposition of the case following arrest of the accused, provided no right of the accused is abridged.

2. Conduct a study to map the process and determine the barriers and conditions that lengthen prosecution times and the potential adverse impact to victims. Goal: Eliminate lengthy delays and unnecessary continuances in the prosecution of crimes.

Constitutional Right: The right to notification of court proceedings.

3. Amend C.G.S. 54-220(a) (3) to require all crime victim services providers to provide “Notice of Rights” to crime victims. Goal: Currently only the Office of Victim Services is required to provide this notice. As crime victims may enter the criminal justice system from different portals, this recommendation will provide for notice despite the portal of service used.

Constitutional Right: The right to communicate with the prosecution.

4. Amend C.G.S. §51-277d as follows: Whenever a prosecutorial official, after the investigation of the cause and circumstances of a person’s death, declines to criminally prosecute any person in connection with such death, a member of such deceased person’s immediate family may file a written complaint with ~~Chief State’s Attorney or the Criminal Justice Commission~~ [the State’s Attorney of the Judicial District where the crime was committed]. Not later than thirty days after the receipt of such complaint, the ~~Chief State’s Attorney or the chairperson of the Criminal Justice Commission~~ [State’s Attorney] shall respond in writing to the complainant informing the complainant of the action, if any, said ~~Chief State’s Attorney or chairperson~~ [State’s Attorney] has taken or intends to take concerning such matter.

Constitutional Right: 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.

5. Amend C.G.S. §54-91c (b) as follows: Prior to the imposition of sentence upon any defendant who has been found guilty of any crime or has pleaded guilty or nolo contendere to any crime, and prior to the acceptance by the court of a plea of guilty or nolo contendere made pursuant to a plea agreement with the state ~~wherein the defendant pleads to a lesser offense than the offense with which such defendant was originally charged~~, the court shall permit any victim of the crime to appear before the court for the purpose of making a statement for the record, which statement may include the victim's opinion of any plea agreement....

Constitutional Right: The right to restitution which shall be enforceable in the same manner as any other cause of action or as otherwise provided by law.

6. Amend C.G.S. §53a-28a(c) to change the time period of the written order of restitution from 10 years to 20 years, consistent with other civil judgments.

Constitutional Right: The right to information about the arrest, conviction, sentence, imprisonment and release of the accused.

7. Provide a liaison within the Chief State's Attorney's Office to coordinate communications and tips with local law enforcement in the investigation of cold/missing person's cases.
8. Amend C.G.S. §54-222a to require that law enforcement officers notify victims of an arrest and provide victims with information about the arrest.
9. Amend form JD-VS-05 "Notification of Status of Inmate" to: 1) reflect a title change to "Confidential Request for Victim Notification of Status of Inmate," and 2) allow electronic notifications.

Victim Services: These provisions do not address a specific State constitutional right. It is recommended that action be taken to enhance and strengthen the existing victim services network.

10. Establish a task force to review and adopt best practices for understanding the impact of trauma on victims, interviewing techniques, investigating and the prosecution of sex assault cases; and, explore the creation of sexual assault investigative units within every law enforcement agency.

11. The Office of the Victim Advocate shall partner with state agencies and community organizations that provide services to crime victims to explore ways to support and expand the capabilities of community-based and/or community-led groups and agencies to support crime victims in urban areas, including but not limited to, the establishment of a formal process for the implementation of a 24/7 rapid response team to assist victims; the formation of community based-hospital-law enforcement partnership that connects the continuum of immediate needs where re-victimization may be possible, retaliation probable and the understanding of victims' rights and services can be communicated to the victims and their families; the expansion of mental health and other restitution services to persons under the age of 18 who are non-family witness of a violent crime.
12. Amend C.G.S. §54-203 (b) (17) to reflect that the Sexual Assault Forensic Examiner Program has already been established.
13. Expand the State of Connecticut Gail Burns Smith Sexual Assault Forensic Examiner Program to serve sexual assault victims at all participating Connecticut hospitals.
14. Require that all ER staff (reception, triage, nurses, physicians, etc.) receive trauma informed training for care and treatment of victims of sexual assault.
15. Remove the statute of limitations regarding child sex abuse cases.

ADMINISTRATIVE RECOMMENDATIONS

Administrative recommendations refer to those matters that involve agencies adopting or implementing standards, protocols or policies. For these matters, the relevant agencies were involved in the discussion and have agreed to implement the recommendation(s).

<i>Constitutional Right:</i> The right to notification of court proceedings.

16. Police officer "report writing" training should direct officers to include the identities of any minor children of the victim. Goal: To ensure that once a minor reaches adulthood, they are identified as victims for the purposes of notification.
17. The Judiciary Branch will encourage judges to include in the victim's rights advisement notice of the fact that victims may register with the state-wide automated victim information and notification system (SAVIN).

18. All agencies with statutory victim notification requirements shall explore best practices to ensure that notification is provided in a manner that minimizes the potential harm to victims.

Constitutional Right: 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.

19. The Division of Criminal Justice shall study the feasibility of employing a standard victim letter in response to C.G.S. §54-91c (d), which requires the provision of the plea agreement in writing upon a victims' request.
20. The Office of Victim Services shall develop a standard form for use by the victim or family member, to request notification from the State's Attorney's office regarding the terms and condition of plea agreement pursuant to C.G.S. §54-91c (d).

Constitutional Right: The right to make a statement to the court at sentencing.

21. Courts shall not restrict the format of a victim impact statement developed by a victim to address the court at the time of sentencing, as long as the victim directs their comments to the court rather than the defendant.

Constitutional Right: The right to restitution which shall be enforceable in the same manner as any other cause of action or as otherwise provided by law.

22. Employees of the Judicial Branch and the Division of Criminal Justice shall engage in training specific to written orders of restitution, including collateral sources to restitution, and; publish written procedures regarding the enforcement of written orders of restitution in civil court.

Constitutional Right: The right to information about the arrest, conviction, sentence, imprisonment and release of the accused.

23. The Court Support Services Division of the Judicial Branch shall review its victim notification policies and make improvements as necessary to ensure timely notification to victims when a probation officer violates a person's probation or when a person's probation is scheduled to terminate early.

Victim Services: These provisions do not address a specific constitutional right. It is recommended that action be taken to enhance and strengthen the existing victim services network.

24. The Office of the Victim Services and the Office of the Victim Advocate shall partner to increase awareness regarding victims' rights and services through cross-trainings and distribution of written materials to law enforcement and all criminal justice professions.
25. The Office of the Victim Advocate, the Office of Victim Services, the Connecticut Coalition Against Domestic Violence, the Connecticut Sexual Assault Crisis Services, the Hartford Crisis Response Team, Mothers Against Drunk Driving, and Survivors of Homicide will work in conjunction with the Police Officer Standards and Training Council to review current curriculum, implement and mandate certain trainings to new and seasoned officers.
26. The Office of Victim Services shall review the victim services card for accuracy. Law enforcement officers give this card to victims when responding to an incident.
27. The Office of the Victim Advocate will collaborate with the Judicial Branch and the Department of Public Health to educate court clerks and staff regarding form JD-CR-140 "Victim's Designation of Receiver for Defendant's HIV/AIDS Test Result." Goal: To clarify the procedures for the dissemination of protected health information.
28. The Office of the Victim Advocate will hold an annual public hearing to hear from crime victims to evaluate the state of victims' rights in Connecticut. The Office of the Victim Advocate will seek involvement from the agencies that currently sit on the VREAC Advisory Commission when organizing and presiding over said public hearings.

RECOMMENDATIONS THAT REQUIRE FURTHER STUDY

Constitutional Right: The right to information about the arrest, conviction, sentence, imprisonment and release of the accused.

29. Improve communication between law enforcement and crime victims during the pendency of the investigation by establishing a task force to examine and make recommendations regarding: a) the development of a model policy, by the Police Officer Standards and Training Council, to provide timely information and communication with crime victims pre-arrest and to explore electronic means of communicating with victims, b) the creation of a victim services unit in every law enforcement agency, and; c) the development of procedures by State's Attorneys to notify a victim of the defendant's arrest and arraignment provided that the victim has requested notification and has provided the State's Attorney with a current address.

Enforcement of Crime Victim's Constitutional Rights: Currently, crime victims are barred from filing an appeal if their rights have been violated pursuant to the State Constitution: "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." *Constitution of the State of Connecticut, Article First § 8 as amended by Article XXIX § (b).*

30. Statutory provisions regarding rights and remedies when a crime victims' rights are violated. In *State v. Skipwith*, 159 Conn. App. 502 (2015), a crime victim appealed the court's decision when she was denied her opportunity to be engaged in the plea agreement process. The Appellate Court ruled that the trial court lacks authority to vacate the defendant's sentence on the basis that the victim's mother objected, and determined that "failure to afford the victim of a crime any of the rights provided pursuant to any provision of the general statutes shall not constitute grounds for vacating an otherwise lawful conviction or voiding an otherwise lawful sentence or parole determination."

Commission members requested further research to address constitutional barriers to enforcement. The Office of the Victim Advocate has agreed to continue efforts on this issue and will reconvene all interested parties when further information is gathered.



APPENDIX A: PUBLIC HEARING TESTIMONY

PUBLIC HEARING NOTICE

Are you a victim of crime? Would you like to voice your concerns?

Public Hearings have been scheduled throughout Connecticut to hear from crime victims to evaluate the state of victims' rights in CT.

MEETING SCHEDULE

October 20, 2014 - 6:00 pm-8:00 pm

Albertus Magnus College
Tagliatela Academic Center
871 Winchester Ave
New Haven, CT 06511

October 27, 2014 - 5:30-7:30 pm

Hartford Public Library
Cultural Center
500 Main Street
Hartford, CT 06103

November 5, 2014 - 6:00 -8:00 pm

Three Rivers Community College
Multi-Purpose Room
574 New London Turnpike
Norwich, CT 06360

November 12, 2014 - 6:00 -8:00 pm

Housatonic Community College
Lafayette Hall
900 Lafayette Blvd.
Bridgeport, CT 06604

At the scheduled public hearings victims will have the opportunity to give oral, written or audio/video recorded testimony. Testimony will be limited to 3-5 minutes. If you plan on speaking about your experience as a crime victim please arrive a few minutes before the scheduled meeting time to sign up to speak.

Testimony should include whether you were informed of your rights as a crime victim, whether you were given the opportunity to exercise those rights, whether you were informed of services available to you, whether you utilized those services, whether there were any obstacles you faced as a victim through the system and whether you have suggestions on how to improve the treatment of crime victims throughout the criminal justice process in CT.

If you cannot attend a hearing but would like to share your experience, you may submit testimony to The Office of The Victim Advocate.

***Please note that media may be present at these hearings. If you are uncomfortable with being on camera please prepare to submit written testimony which can be done anonymously. Should you have any questions please contact The Office of the Victim Advocate by calling 1-888-771-3126.**

Office of The Victim Advocate – 505 Hudson Street – 5th Floor – Hartford, CT 06106 – 860.550.6632

V. R. E. A. C

Victims' Rights Enforcement Advisory Commission

Public Hearing Feedback and Recommendations

October 20, 2014 Public Hearing - New Haven, CT

Number of people that submitted testimony: 16

Jan & Bill Smolinski – Believes there should be a liaison from the Chief State's Attorney's Office to communicate with local police.

Stan Seliger – Described his frustrations with the criminal justice process. Not all of the assailants were arrested due to identification issues. He also described his frustrations with the probation officer who does not return his calls. He also described his frustrations with victim compensation.

Corrina Martin – Suggests a liaison between the court and the victim. The victim advocates are overwhelmed with so many cases. She also suggests that police and prosecutors should have proactive training when they first become police officers and prosecutors.

Barbara Fair - Her perception of the advocates is that the court advocates are only interested in getting the victims to show up in court to support the state's attorneys. She wants the advocates to ask about the victims' wellbeing, to ask the victims how they're doing and to ask the victims if they need any services.

Pastor Timothy McNulty – He recommends that every police department should have a victim services unit like New Haven Police Department. He challenges every police department to replicate the work of the New Haven victim services unit. He explained that he sees how victims have the ability to help soothe one another's pain when they are in a supportive group setting.

Lynda Faye Wilson - Described the emotional and physical impact of her granddaughter's murder four years ago. She explained the importance of support services for surviving family members. She reminds the Commission that although victims already have many rights, many victims have been denied or have not been informed of their rights. She concludes that what is now needed is the implementing and enforcing of what is already on the books.

Angela Barry – In 2012 her son was murdered. She described how there has not been any communications from the detectives assigned to the case.

Sheena Maberry – Her son was murdered in New Haven. She described her frustrations with the victim compensation process and with communicating with the detective assigned to the case.

Tracy Fulton – Her son was murdered in New Haven. She described having a positive experience with the criminal justice process and the New Haven police department.

L. Smith – Her son was murdered in New Haven in 2007. She described that her family has been very patient with the police department but that when they call the police for updates, they do not get return calls back. L.S. has not heard from the detective in two years.

Jim Clark – He notes that Survivors of Homicide (SOH) are doing a great job with limited resources and asks how we can give more money to groups like SOH and other advocacy groups who provide services to victims. He says that he has had to get intervention from the state's attorney's office at times when police do not return his calls but some prosecutors do not want to have a show down with the police so some prosecutors do not want to intervene. As a result, he states that victims should have a statutory right to speak to the police (he notes that for pre-prosecution matters, the state constitutional rights do not kick in until there has been an arrest). He also recommends sexual assault training for police which should include a component of understanding the behaviors and brain science of a sexual assault victim.

Celeste Fulcher – Her daughter was murdered at a night club in New Haven. She had questions concerning the victim compensation program particularly because her daughter had insurance and did not have any dependents. She also described her frustrations with the night club's continued business operations despite her daughter's murder.

Sandra Whitfield – Her daughter J.C. was murdered several years ago and the murder was caught on tape. The tape was the subject of an FOI case. The State's Attorney's office has taken great strides to not release the tape. She described her difficulties in taking care of her family after the tragedy and how she was unaware of the various support services available to her.

Kelly & Ebony - are Sexual Assault Advocates from Women & Families Center-Sexual Assault Crisis Services) They report that some hospitals contact the Sexual Assault Crisis Services (SACS) advocate after the fact and that some police departments are not referring cases to multidisciplinary teams (MDT's) for forensic exams. The advocates recommend cross training for police for sexual assault.

Oct. 26, 2014

To all concern,

I apologize for not getting off to you. I presented my statement to the public hearing conducted at Albertus Magnus College, Oct. 20, 2014 (Victim's Perspective of Services In Place).

It was suggested by co-chair of your Commission (Hakima Bey-Coon) and member (Ms. Giles) that this statement be presented to the Commission in totality.

What is most important to take into account, is that there are already policies on the books, yet they are not carried out and/or enforced for Connecticut victims (Violating victim's rights and due process).

Sincerely,

Rynda Faye Wilson

Albertus
Magnus
10/20/14

①

Life Alterer

My name is Lynda Faye Wilson
Grand-mother of Jameese Nicole
Hudson. She was murdered
Oct. 24, 2010 (reduced in the
system to manslaughter). By
the way, she was sixteen for
only two months. Born Augus-
3, 1994.

I thank you all, for the oppor-
tunity to participate in presen-
ting my public comments to
this committee.

Those of us left behind to mourn,
are referred to as Survivors of
Homicides. No amount of "justice"
can rectify this. Loosing someone
through homicide is one of the most hor-
rifying and traumatic experience
in ones lifetime. No one can adequately
prepare themselves for it.

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Magnus
10/20/14

It leaves us with tremendous pain, emotionally and much upheaval.

Parents and grand-parents especially, usually carry the burden of the belief that in the natural order of life; the older generation, anticipate dying first. This violates their expectation for sure.

Other family members often feel rather deep guilt for moving on with their lives without their lost love ones around. This is especially where there may have been conflicts and strifes as so many families experience and exhibits.

The fact that a family member or dear friend has gone on for good physically means, there are issues or bad feelings that remain unresolved. This leaving the survivors with even more lost of hope that things could have

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been worked out while the deceased was still alive.

Not only the physical composition and dynamics of the lost of your love one, lots of times, you are left questioning yourself, your faith and/or your religion. Asking that ultimate question, "how could God have let something like this happen?"

The essential elements of safety and security are often compromised or significantly reduced, leaving you to deal with reoccurrences of intrusive flash-backs and terrifying dreams. You find yourself avoiding places and events that may remind you of the murderer/murders!

As I said in the beginning, there are no measures of justice that is enough to replace the presence of our lost

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Magnus

10/20/14 Love one.

F.V.I.:

In 1982, thirty-three states (United States) amended their constitution to address Victims Rights and as well, so did Congress. Passin the first piece of Federal Crime Victims Rights through legislation.

Criminal Victims Rights Act 2004 is as follow — 1) The right to protection from the accused. 2) The right for notification. 3) The right not to be excluded from criminal justice proceedings. 4) The right to speak at criminal justice proceedings. 5) The right to consult with prosecuting attorneys. 6) The right to restitution, free from unreasonable delay of cases. And to be treated with fairness and respect for the victims dignity.

Many have been denied or flat-out uninformed of these matters that has

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already been granted by the Act
forementioned.

Therefore I will conclude with; I
personally feel very strongly that
it's a matter of implementing and
enforcing what is "Already On The
Books."

And for all offices, agencies and
organizations of genuine concerns
for true justice, work in not only co-
laboration but in tandem where deemed
necessary by all parties involved.

October 27, 2014 Public Hearing - Hartford, CT
Number of people that submitted testimony: 12

Nancy Simison - Husband killed as a result of a car accident. Law enforcement unresponsive to calls. No explanation of the criminal justice process. No explanation of rights. No notification of court dates. Judge's demeanor. Informed of actual sentence. Access to reports. Information regarding compliance with conditions of probation. *Recommendations:* Provide victims a copy of report(s), coordination of information when defendant is resident of another state.

Jack Holden - Son murdered by juvenile offender. Law enforcement unresponsive to calls, Notification of legal challenge (Supreme Court decisions). Notification of court dates (re-sentencing). Timely disposition (re-sentencing). *Recommendations:* Improve communication with victims and police, Notification to victims in all stages of the process, including appeals.

Tina Dambowsky - Victim/survivor of childhood sexual abuse. Never reported to the police. Defendant: a foster parent; youth officer; police officer (Greenwich). Later admitted to family. Gave statements to police and prosecutors in 2011. *Recommendations:* Remove statute of limitations in sexual assault cases and require that all adults are mandated reporters of child abuse/neglect.

Debbie Del Regno - Victim/survivor of childhood sexual abuse. Defendant was father. Report was beyond statute of limitations. Defendant moved to CA. *Recommendations:* Remove statute of limitations in sexual assault cases and provide mental health services long after crime.

Vanessa Burneschi – Oral and written testimony submitted. Victim/survivor of sexual assault. Not allowed a support person while giving her statement. Police continually accused the victim of lying (later apologized). Met advocate one time; barely contact in 2 ½ years while case was awaiting trial, lacked support from advocate. Made to feel ashamed. Prosecutor treatment was horrendous, Plea offer without prior victim notification. Not informed of the terms of the plea. Berated in court by prosecutor. Victim did not fulfill her requirements under the law; how would she know. Filed a grievance; system covering for the system.

Donna Palomba - Victim/survivor of sexual assault. Re-victimization by police. DNA linked defendant 11 years after; statute of limitations expired. *Recommendations:* Help victims re-build lives, parallel justice for victims.

Ginnie & Ashley Lavoie - Victim/survivor of sexual assault. Police treated victim very poorly. Reports not available in a timely manner. Could not charge for violating restraining order because order was not served timely. Fired from job. *Recommendations:* Require police to have sexual assault/child abuse units. Need

additional training and tools for investigations. Wait 24 hours to take a victim's statement. Remove limitation that victims' rights are embedded in a criminal prosecution.

Anee Stone – Oral and written testimony submitted. Son murdered. Crime occurred in Washington DC, counseling staff is not adequately trained. No communication between states. *Recommendations:* Empower victims to honor loved ones, Provide connection to out of state services.

Leona Mae Page – Oral and written testimony submitted. Victim/survivor of sexual assault. Horrible treatment by police. Victim blaming; pressure to pursue charges, No assistance with crime scene clean up. *Recommendations:* Additional training for law enforcement and assistance with crime scene clean up.

Bridget Prince - Victim of serious assault. Victim's faced slashed, Police overburdened, Inner city crime viewed differently. Lack of communication with police. Office of Victim Services great.

Dawn Mancarella – Written testimony submitted. Mother murdered. Murder occurred in Jan. 1996. Sentenced in Oct. 1996. Lengthy delays in prosecution of crimes.

Testimony for Victims' Rights Enforcement Advisory Commission

In 1997 our son, Ralph, was murdered during a robbery in his condominium in Washington, D.C. At that time we had many needs that were unmet in D.C. as well as in Connecticut where we lived at the time and still do. I hope that our experience can be used to improve victims' services for Connecticut residents whose loss may happen to be out of state.

The assistance we received in D.C. was more than inadequate, it was delinquent. We were notified by the D.C. police that our son was missing and that they would keep in touch with us. Later that evening after we heard nothing more from the police, we called a friend of Ralph's in Virginia who drove in to Ralph's condominium to investigate, and he learned that a homicide had taken place. The police told our friend not to contact us because they were going to do that. We never did hear from the police; later that night we heard the horrible news from the grief stricken friend.

After we rushed to D.C. in the early morning and contacted the police there, we were sent to the wrong police station, but when we finally found our way to the correct one, no one was available to talk with us until around 9:00 o'clock that evening. After a suspect was later identified, a grand jury was held to consider indicting him, but the suspect was released due to "lack of evidence." We did not hear about this until after the fact. Later this suspect was imprisoned for other crimes, and we finally learned he had died in jail. We were told that no one could tell us anything about the death, and that was the last we ever heard of the case even though there may have been an accomplice in the murder.

Back home in Connecticut we had been looking for assistance in overcoming our grief. Although there was a large article in the *Hartford Courant* about the murder, no agency in Connecticut ever contacted us to explain what services were available to us. We researched on our own to learn that a small number of counselling opportunities were available to us. We found the counselling staff inadequately trained or prepared to deal with our situation, and we discontinued our visits. No services were available to our other four sons, and we were never contacted further by any victim advocacy agency.

I implore you to do all you can to bolster communications with all Connecticut families of homicide victims regarding their rights, to provide adequate counselling services and to provide guidance through the legal system. In addition, we hope that sufficient financial help will be provided to suffering families with limited means to obtain justice.

On a positive note, I would like to share with you some very healing experiences for me and our family. Ralph was a very talented pianist, and we established a small

scholarship in his name providing private music lessons at his college. Another scholarship was established for outstanding women leaders in developing countries attending leadership conferences sponsored by the agency where Ralph worked as the Director of Training. I hope that Connecticut will consider ways they can empower victims to do something positive in the wake of their trauma to help themselves or others.

I hope that Connecticut will concentrate on improving communications with ALL families of homicide victims by informing them of their rights, expanding services in counselling, providing guidance through the legal system, and offering financial assistance for the many expenses of burial and legal help.

This past January we left our 26 year old daughter & her then boyfriend alone for 2 hours. He forcibly raped her. He grabbed her by the throat & face & raped her. All while she said No & told him to stop. She tried to call 911 but he would not let her.

At the hospital, the rape kit found DNA on & in her. Fingermarks where he squeezed her face. Bruises on her inner thighs & lacerations on her vagina.

That night he admitted to his hometown Police that he had sex with his girlfriend & was afraid of getting her pregnant.

Our own Police Detective Division was not very helpful & seemed like they did not want to help us. Her attacker got an Attorney. This Attorney was a former member of our Police Department. This seems like a conflict of interest.

DNA test came back saying not a match. Sergeant of our Detective Division repeatedly told my crying & very distraught daughter that she was wrong. He told her that it was not her boyfriend that sexually assaulted her. He said it was somebody else. My daughter knows who raped her. I told this Sergeant there has to be a mistake with the DNA test, because it was her boyfriend who raped her. He told me DNA test says it was not him. CASE IS NOW CLOSED.

Our Police Department will not let us or our Attorney see any police reports & rape kit results. How can we trust the results & what our Police Department is telling us. Curious, his Attorney was a member of our Police Department.

Her boyfriend repeatedly called & texted her for 2 days. We called Police & while Officer was at our house, he was calling & texting her. He was arrested for violating the Protective Order. He is now presently in court for violating the Protective Order. Continued 10 times now.

We now have a restraining order on him.

In August my daughter & a friend were at our courthouse for some papers we needed. They both saw her attacker coming into the courthouse. He also saw them. They ran into the nearest ladies room. They waited a few minutes & her friend looked out to see if it was okay to leave. He was there & pumped his fist in the air & said "I won the case". We contacted State Police & said restraining order was violated. Told not enough to make case. THIS CASE CLOSED.

Our Attorney spoke to State's Attorney to look at this case at courthouse. We got a call last night from State Trooper that State's Attorney reopened case

& closed it. State's Attorney denied it for lack of probable cause & was not enough to proceed. CASE CLOSED AGAIN.

DNA test has to be wrong. She knows who raped her. We would like DNA test done again, but not by our Police Department.

Our daughter has many nightmares because it happened in her room. She cries a lot because, she was raped and nobody believes her. She also was fired from her job because of the PTSD it created.

Again the criminal wins & the victim loses. Who cares about the victim. She has to deal with this the rest of her live. Who cares. Not our Police.

Good evening members of the Victims' Rights Enforcement Advisory Commission, Victim Advocates from Connecticut Sexual Assault Crisis Services, members of the Press and Public.

I am Leona Mae Page. I am here tonight to share my personal experience of the criminal justice system in their response to my report of rape.

I first met the police detective in the emergency room a few hours after I had been raped and a few hours before my sex crimes kit was performed. I was fully cooperative in every way except that I wasn't ready to agree to press charges. The detective tried several times to persuade me, saying things like she needed me to press charges so she could get this creep off the streets before he rapes someone else.

About five or six hours after I got home from my hours-long visit to the emergency room, the detective came to my home unannounced to dust my car for fingerprints. She insisted on coming in to my home in spite of my saying "no" several times. I asked why she needed to come in if she was there for my car but she never gave a clear answer. I was tired, I was alone, and I was without an advocate. I let her in. She again asked me more than once to consent to pressing charges, repeating comments about getting scum off the streets. I finally got her out of my home and left her alone to dust my car while I went back inside. I looked out my window and saw her rummaging through everything in my car in addition to dusting it for fingerprints.

I had that car for a few more years and never could get rid of all that damn finger print dust...

She was able to lift prints that led her to the rapist three days later and called me in to the police station for another interview shortly after that. The detective repeatedly asked me to come in to the room alone without my advocate. I repeatedly refused. I had an advocate with me throughout my first interview without any objection so I was confused. Later, the advocate said she suspected the detective wanted me alone so she could ask me to take a polygraph without the advocate witnessing that illegal request.

She spoke of how surprised the rapist was by her contact, that he had no idea what she wanted. She suggested that I was smarter than him and perhaps he did not understand my objections. She also suggested that since I had been drinking that night perhaps I was confused, after all the rapist "actually seems to be a really nice guy."

After the assault, the rapist had said repeatedly, "God will forgive me, God will forgive me." He told the detective that he was begging God for forgiveness not because he had raped me but because he had been unfaithful to his wife. She

said he offered to take a polygraph. She said that would be the next step. She said there was a long wait for polygraphs and that she would be in touch. She said I should call her if I decided to withdraw my statement.

At one point my advocate called the detective on my behalf to check on the status of my case. The detective called me and said I could call her directly, that I didn't need to have my "mouthpiece" call for me.

After five months of saying she was waiting for the polygraph equipment to become available, the detective told me that she was not going to bother to do a polygraph because the rapist believed he was innocent so he would pass the test. No arrest was ever made. She dropped the case. Shortly after that conversation, she left a message on my answering machine that I would like to play for you now.

Transcript of recording played at hearing: "Leona, it's Detective ----- . I'm going to leave the ...ahhh... envelope at the front desk on hold for you. Inside it is a complete list of all the statutes pertaining to sexual assault, okay. If you can find anything in these statutes that pertains to this case then you give me a call back, okay. BUT DON'T EVER HAVE THE AUDACITY TO TELL ME I DIDN'T DO ANYTHING FOR YOU."

Article XXIX of the Constitution of the State of Connecticut promises that victims have the right to be treated with fairness and respect throughout the criminal justice process.

Let's write a new story.

Let's write a story that goes something like this:

- The police detective explained the process every step of the way.
- The detective took as thorough a statement as possible.
- She asked if I wanted to press charges.
- She accepted my answers to her questions.
- She accepted that my "No" meant "No."
- She was respectful of my wish to have my advocate present at all times.
- She called me to arrange a time to come to my home to dust my car for fingerprints.
- When she arrived at my home, she explained what she would be doing before doing it.
- She told me how to clean up the fingerprint dust. Or maybe she even cleaned it up for me!
- She remained professional and refrained from expressing aggression towards me or the rapist throughout the entire case.

Thank you for doing all you can to write a new story.

-Thank the commission

-4 years ago on this very day you may or may not know where you were - I certainly do -

On October 27, 2010 at approximately 6:30 a.m. I was attacked and raped while jogging ng in West Hartford and so about this time I was taking the longest shower of my life and heading to the police station to make my report after a long day at Hartford Hospital.

-Issues at Police Station

- No one could be in the room with me as I typed account
- I had to type it myself even though exhausted
- "We are trained in deception" numerous times said
- Later in the investigation Detective Steve Ciarleglo who was wonderful and led the capturing of my attacker 3 weeks later in Springfield actually apologized to me for doubting my validity
- The WH police department was overall supportive after that initial night

-Victims' Advocate

- Barely reached out unless to return my calls during the 3 years until sentencing in 2013
- Met only ONCE at introduction soon after my attack
- Lacked support & in fact made me feel shame when she questioned the media's coverage that runners in the community would be supporting me at court. Said I might want to rethink that as some don't even tell their own family about this type of crime.

-Prosecutor

- Met only ONCE at introduction with victims advocate
- Rarely contacted me
- Was well aware I adamantly was against the sentence being given as 18 concurrently served to 15 prior years
- When she did - often last minute - even AT court while decisions were being made that she knew I said I wanted to always BE AT (even if I could only sit in the hallway I told her)
- Was not invited to plea bargain
- Rushed message while at work - needing my opinion within a few hours of the scheduled plea agreement
- Removed strangulation charge without my knowledge

-Meeting 1 week prior to sentencing

After contacting Office Victim Advocate to complain -

- Offered a meeting with Attorney Hardy and a round table of various other ranking titles
- They apologized for my violated rights but said it was too late to change decisions

-At the sentencing

- My prosecutor never shook my hand, said hello, good bye nor made eye contact with me
- Obvious rudeness was furthered by her awareness I had complained & she was incredibly & inappropriately defensive on the stand (both to me and my witnesses)
 - Even questioning the owner of Fleet Feet's comparison of impact from the Boston Marathon)
- Those hearing & seeing her behavior truly questioned "Whose side is she on???"

-Office of Victims' Advocate (including Garvin)

- Very supportive prior to & during sentencing HOWEVER
- Meeting after seemed in cahoots with the system
- Ex: questioned my lack of letter request to be at his plea
- I can't know what I don't know or I would have
- Excessive time taken to receive my court transcript I requested

-Formal Grievance

- I submitted against my prosecutor
- It was looked at, went back and forth with the prosecutor disputing my claims
- Eventually thrown out
- My feelings once again were of a system covering for within a system
- My time was not fully wasted in that I surely hope I will at the very least make her a bit more sensitive to the next victim she perhaps has on her caseload

I thank you for your attention and truly hope through strength and perseverance we can all raise the bar for those responsible in upholding Victims' rights.

When a loved one is ripped away from a family by murder, the moments that follow such a traumatic loss is like being in a fog. Comprehension of anything going on around you immediately following the event and the days, months, even years afterward, is limited or rather non-existent. This absence of time and memory was beautifully described by an actor I have long admired upon the sudden death of his stepdaughter - he said it was an "explosion of grief" that affected his memory. That phrase resonated with me for before then I couldn't explain or understand why chunks of my memory were cloudy or had simply disappeared.

Now imagine trying to grasp not only the horrific, unexpected death of your loved one, but also the foreign territories of the law, criminal justice, prison grading etc... while being thrust into the thick of it, navigating through your rights and honoring your murdered loved one with integrity and grace, all the while coming to grips with this "explosion of grief". It is extremely difficult to retain all that information let alone keep up with it.

I had no idea where to begin to look for guidance and help when my mother was murdered. Although someone gave me and my stepfather's name and contact information to the Office of the Victim Advocate here in Connecticut, reaching out was one of the hardest things to do at that time. Luckily, my stepfather got in touch with the person and set up a meeting, but beyond that, there wasn't any outreach or informational tear sheet presented to lead me to the much needed help and assistance after the shock of my mom's tragic death.

This is where I believe it would be useful to have a Victim's Advocate in every town to guide you through the process, walk you through the trials and sentencing, answer any questions/concerns that you may have along the way. These Advocates could also introduce and represent services that are available to help Murder Victim Family Members or any victims, such as therapy or monetary compensation for funeral expenses. The few services that were in place 18 years ago when my mother was killed, I wasn't made entirely aware of or if I was, my extreme grief succeeded in burying it, never to be found. With the support and guiding hand of a Victim Advocate those services could have been brought to light again and action prompted by the representative.

However wonderful I think it is that the state of Connecticut has started the conversation about improved victim services and programs, there is still so much more work to be done. The number one issue that plagues the Office of the Victim Advocate and Office of Victim Services here in Connecticut is lack of communication. It is still prominent today. Even with all the efforts this Commission has gone through to garner information from Connecticut victims and implement change, the truth of the matter is there is still a breakdown in the outreach of victims. It doesn't matter how great the resources available to victims are if they don't know

about these resources. I am supposed to be on the contact list for both the Office of the

Victim Advocate and the Office of Victim Services, however I never received word about this Commission, the victim's survey or the public hearings from either institute. Instead, the survey and hearings were brought to my attention by the Survivors of Homicide organization, and initially the Commission was discovered because a group of us who are deeply interested in victims' services in Connecticut have been closely monitoring current events.

I also want to make the Commission aware of a concern I have that we allow the needs of victims to be wrapped up with the offenders in ways that are not beneficial to victims. I think this Commission's structure is an example of that - although you are representing victims and endeavoring to improve services for victims, you have based all your sub-committee hearings around the offender and court system. This is the Victims' Rights Enforcement Advisory Commission and therefore should be concerned only with helping victims and not giving any more publicity or credence to the court proceedings that revolve around the offender.

This is even more prevalent when the court system doesn't even play a part in a victim's life. There are countless crimes in Connecticut where the offender isn't known. These victims also have needs and it is essential we focus on services for them as well. It's backwards to think the only time we're on the lookout for victims is when there is an offender. All victims need pro-active support and communication.

Thank you for your time today.

Dawn Michelle Mancarella
31 Morehouse Avenue
Milford, CT 06460

November 5, 2014 Public Hearing - Norwich, CT
Number of people that submitted testimony: 2

Elsa Hernandez – Oral and written testimony submitted. Described her experience with the Wethersfield Police Department (WPD) regarding a complaint she made on behalf of her daughter. WPD did not take the claims seriously. E.H. feels that the department officers are not trained in the area of sexual assault investigation. WPD continued to question the actions of the victim rather than the actions of the defendant. WPD did not honor the victim's anonymity and gave more deference to the defendant than to the victim.

Kathy Osten – Shared her concerns as it relates to sex offenders. K.O. is concerned at the lack of housing for sex offenders and the manner in which we, as a state, maintain the sex offender registry. She would like to see a tier approach so that people looking at the website will have an understanding of the risk an offender has rather than the offense committed. *Recommendations:* explore housing options to ensure that offenders that are released are not left to homeless shelters or just homeless and unable to comply with sex offender registration requirements.

November 12, 2014 Public Hearing – Bridgeport, CT
Number of people that submitted testimony: 13

Liz & Greg Torres – L.T. was injured when a drunken driver crashed through their home. She received a letter from the Office of Victim Services notifying her that the inmate was eligible for parole. Then she received a letter shortly thereafter notifying her that he applied for a halfway house. She was upset with the timing of the first letter. She received the letter on the anniversary of her injury. She also explained that when the crash happened, the car went through her home and caused the house to be unstable. The family had no assistance in relocating. They surmise that the emergency responders probably thought that the next person would provide relocation assistance to them. An inn keeper at a local hotel assisted the family with lodging. *Recommendations:* Look at the timing of the letters from OVS. She suggests that a telephone call would have been better. Institute a rapid response team to assist victims (e.g. how the Red Cross is activated when there is a natural disaster). Implement 24 hour victim service assistance to victims.

Fatima Hernandez – She described her difficulties with Bridgeport Police in their handling of her investigation where she was the victim of an attack by two women.

Nicole Matthews – In 2005 her son was murdered. She described some of the troubling things with the Bridgeport police department's handling of the murder investigation. An officer would not let her get beyond the yellow tape. Detectives came to the hospital and were very rude. She stated that the detectives wanted her to go door to door to speak to people. Some of the physical evidence was contaminated in the case. She called a meeting with the mayor and the Chief of Police. A new detective was assigned to the case. The defendant only received a 12 year sentence. She received a letter indicating that the defendant is going to be released early.

Joe Powell – In 2012 J.P.'s brother was murdered. His brother's body remained at the scene for hours before it was moved. The lead detective told J.P. that he did not have a working phone to call him on to return his calls. A supervisor confirmed that he did not have a working phone. The detective was eventually removed from the case and another detective was assigned. J.P. sent letters to the Mayor's office and to the Chief. He says nothing has changed. J.P. has been working with the Office of the Victim Advocate and has received assistance with communicating with the Bridgeport Police Department. *Recommendations:* There should be some type of follow-up from the Detectives to the victims. There needs to be open communication between the victim and the detective.

Eneida Martinez – In 2010 her daughter was robbed. The defendant was arrested pretty quickly. He was sentenced to 7 years, suspended after 4 with three years of probation. Apparently the defendant escaped from a facility. E.M. is a member of

You Are Not Alone (YANA). E.M. says that she, along with the other YANA members, are fighting for services for crime victims. She says that the victim services are horrible in Bridgeport. She explains that the court based victim services advocate and the Bridgeport police department's advocate are not doing their jobs.

Dawn Spearman – D.S. is a member of You Are Not Alone (YANA). She echoes the comments of E.M above. D.S. adds that the Bridgeport Police do not hand out the victim services information cards to victims when responding to incidents. With regard to the services of the court based victim advocate, D.S. asked Linda Cimino (VREAC Commission member and Director of the Office of Victim Services) to describe the services that the Bridgeport court based victim services advocate is supposed to perform. After Ms. Cimino's description, both D.S. and E.M. stated that the current victim services advocate in the Bridgeport JD court does not perform those functions. Moreover, they stated that the former victim services advocate did his job really well but that victim advocate services in the Bridgeport JD Court has gone down drastically since he left. Both Ms. M and Ms. S state that they are only volunteers, that they do not get paid for what they do to assist victims in Bridgeport, they should not have to do what they're doing but see the need in their community and that the advocates who are getting paid to provide services to victims in Bridgeport need to do their jobs. *Recommendations:* The Bridgeport Police Department's victim advocate needs to do her job. The OVS victim services advocate in the Bridgeport JD court needs to do her job. The OVS needs to hire a second advocate for the Bridgeport JD court because the caseload is too heavy for just one victim service advocate.

Giselle Jacobs – Her 6 year old son was victimized by his 13 year old step brother. The 13 year old took provocative pictures of the 6 year old. G.J. tried talking to the 13 year old child's parent. The parent's solution was to take away the 13 year old child's cell phone. Things were swept under the rug. The 6 year old did something similar with another child. G.J. reported the matter to the Hartford police. A detective was assigned. She took the 6 year old to therapy. She also contacted The Village for Children and Families. She took the 6 year old to Hartford Hospital. Hartford Hospital notified DCF. A safety plan was formed. Counseling was recommended. Manchester DCF came to her home and removed her 3 granddaughters. G.J. felt that she was penalized by DCF for seeking help for the 6 year old. *Recommendations:* There needs to be services for children who are victims.

Kenneth Jackson. – K.J. is an advocate for fathers. He discusses the difficulties that ex-offenders have when they are released from prison. He says many can only get marginal jobs and that the little pay that they receive is garnished by child support. He says when we examine issues concerning victims, we should broaden the category to include ex-offenders who are victims too.

Recommendations: There should be another component to victim advocacy, i.e. we should look at a reprieve for child support when ex-offenders are released from incarceration.

Senator Andres Ayala – He describes You Are Not Alone’s work and says it’s great that these women are doing this work but that they should not have to do this. Where do we pick up the ball?

Recommendations: We need to figure out how to ensure that police are giving out the victim services card. The OVA and OVS should do a road show together to spread the word about victim services. He provides examples as to how we can disseminate information: via snail mail, social media, local radio, e-newsletter, public access television. He suggests that we do a workshop with the Bridgeport Police Department so that they know about the services and then perhaps it could trickle down. He challenges us to come back to Bridgeport to do the things he suggested.

Bridget Prince – Gave an update concerning the response from the Hartford Police Department (previously testified at the October 27, 2014 public hearing in Hartford, CT). She also encourages other victims in the audience to seek out help because there is help out there. She does caution victims on their delivery especially if they are looking for help. You don’t want to turn people off.

Charlie Grady – Runs Project Longevity in Bridgeport. He says that from what he’s hearing from victims at this public hearing, is that what is missing is the “human stain”. He commends the work of the New Haven Police Department. *Recommendations:* There needs to be sessions where the police can educate the community.

Fred Hodges - He asks the Commission to consider tertiary victimization that affects the community. He says some of these kids do wrong things because they were victimized and have witnessed terrible things. He gave an example of children walking past a dead body in the street.

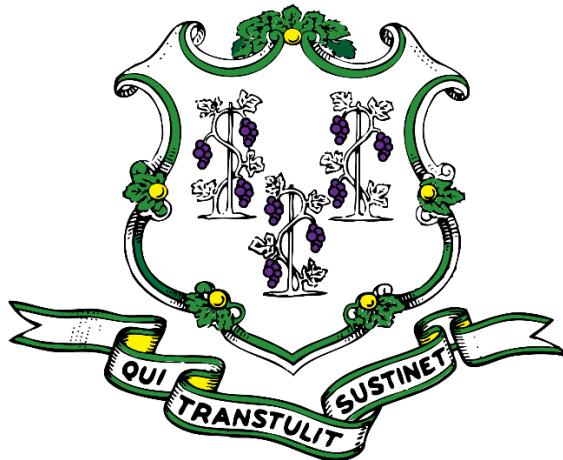
Recommendations: The Commission should include as an aspect of victimization, the tertiary victims in the community, e.g. children who witness terrible things in the community.



APPENDIX B: CONNECTICUT VICTIM SURVEY SUMMARY

V.R.E.A.C

Victims Rights Enforcement Advisory Commission



Connecticut Victim Survey Summary

The Commission sought input from Connecticut crime victims and survivors to get a better understanding as to whether victims experienced challenges or barriers in exercising their state constitutional and statutory rights as a crime victim and to get a better understanding of the services available to crime victims in the state of Connecticut. The information gathered from these surveys has been summarized for your review.

December 17, 2014

Connecticut Victim Survey Summary

Surveys were available in English and Spanish from September 23, 2014 through November 28, 2014. Surveys were distributed at public events, public hearings, were made available with victim service providers, posted on websites and sent via email. Survey questions included:

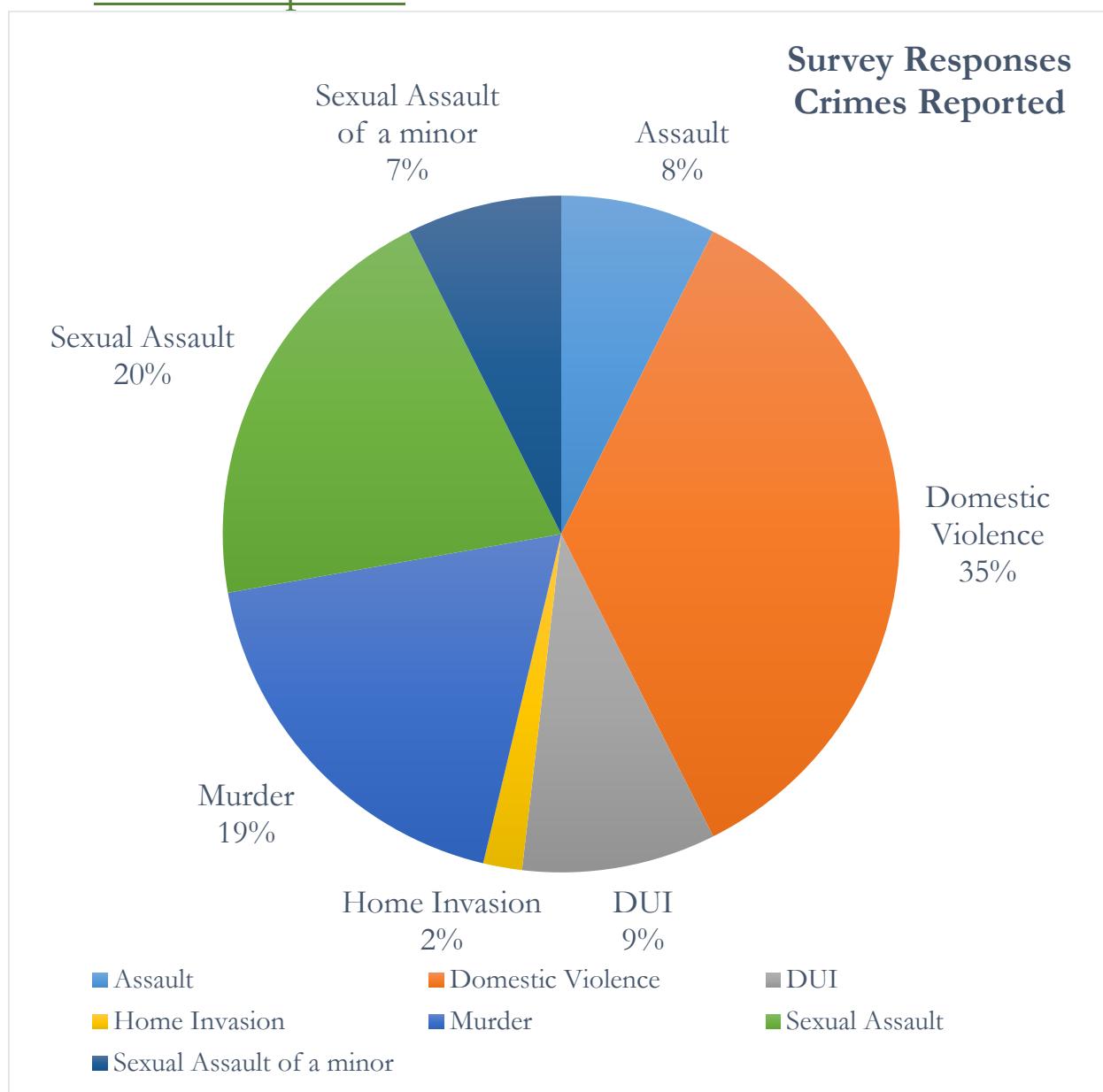
1. I am a Victim/Survivor of a crime or Family Member of a homicide victim.
2. The type of crime committed against me and/or my family member was _____, and happened in the year _____.
3. Did your case result in an investigation by the police?
If not, please briefly explain:
 - a. Did you receive a victim information card from the police?
 - b. Did the police refer you to the Office of Victim Services?
 - c. What police department assisted you?
4. Although my case has not resulted in an arrest, the police periodically keep me informed of the status of the investigation.
5. Although my case has not resulted in an arrest, I was able to utilize a victim support service. (e.g. OVS, CONNSACS, CCADV, MADD, Survivors of Homicide).
6. Were you informed about the criminal injury compensation program through The Office of Victim Services?
 - a. If yes, by who: _____
 - b. Did you make an application for compensation?
7. After an arrest was made, I was notified and understood when the first court date was scheduled and of my right to attend court.
8. Which court was your case heard in? _____
9. Once the case was in court, I was referred to an advocate for assistance.
10. I was able to meet and speak with a court victim advocate who provided me with adequate information regarding my case, available services, and my legal rights as a crime victim.
11. The court house that my case is/was in does not have a victim advocate to assist me.
12. I was informed of my right to speak to the prosecutor about my case.
13. I was given the opportunity to meet and speak with a prosecutor regarding my case.
14. The prosecutor was respectful and provided me with adequate information regarding my case, available services, and my legal rights as a crime victim.
15. My case involved restitution. If yes, a Written Order of Restitution was entered by the court.
16. I was informed of my right to request the terms of the plea bargain.
17. I was informed of the terms of the plea bargain. By whom?
18. I was informed of my right to object to or support the plea agreement.
19. I was informed of my right to speak at the plea hearing.
20. I was given the opportunity to speak at the plea hearing.
21. I was informed of my right to speak at the sentencing hearing.
22. I was given the opportunity to speak at the sentencing hearing.

Connecticut Victim Survey Summary

➤ Total Surveys received 57

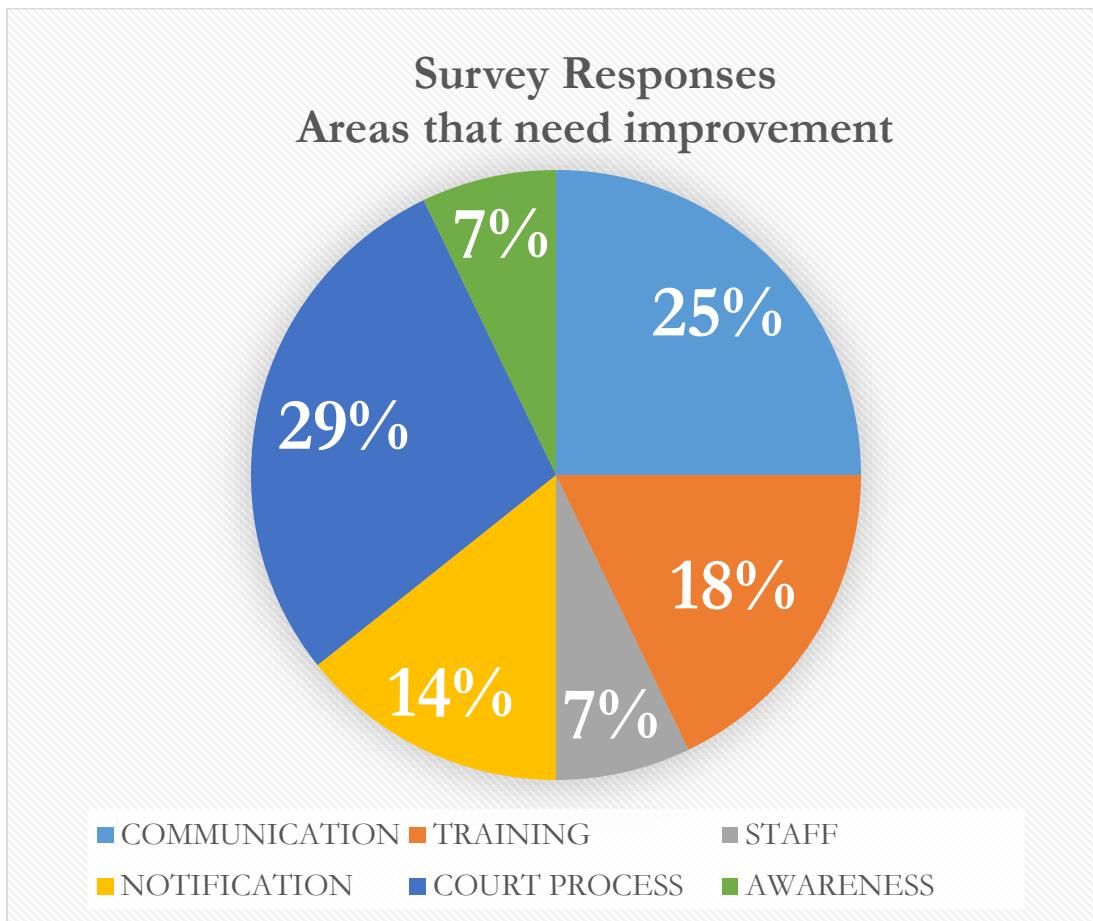
Victims	24
Survivors	21
Unknown	12

➤ Crimes Reported



Connecticut Victim Survey Summary

- Of the 57 surveys received, 6 were relating to crimes that occurred before the Constitutional Amendment was in place in 1996.



- Areas that need improvement:
- 25% of survey responses indicated that **communication** between victims, police and the courts needed improvement.
 - Better communication with the police
 - Victim advocates need to listen better
 - Ensure all questions are answered

- 18% requested more **training** for police in areas of sensitivity, specific types of crimes and investigative techniques.
 - *Improve investigative techniques when dealing with mental health, substance abuse, domestic violence, and sexual assault cases*
 - *Sensitivity training*
 - *Specify areas of expertise and assign officers accordingly*
 - *Online crimes & stalking training*
- 7% stated that more **staffing** was needed in the courts and in particular an advocate in every court house and police department.
 - *Be professional at all times*
 - *Take reports seriously*
 - *Consistency*
- 14% stated **notification** was lacking. Some victims noted that they received 1-2 days notice of hearings or no notice at all.
 - *Deportation notification*
 - *Make police reports available to victims sooner*
 - *Require a signature to ensure receipt of notice*
- 29% indicated that **court processes** needed improvement.
 - *Court process too long, too many continuances, very inefficient*
 - *Ensure all court orders including restitution have been paid or transferred from previous sentence*
 - *Separate waiting area for victims*
 - *Judges and prosecutors need to be more supportive to victims*
 - *Consistency across the state*
- 7% stated **awareness** regarding victim services and their rights lacked and needed improvement.
 - Promote services available



Victims were asked and they answered...

Was an Investigation Conducted by the police?

Yes 46 No 9

Did you receive a victim information card from the Police?

Yes 13 No 39

Did the police refer you to The Office of Victim Services?

Yes 16 No 35

Although my case has not resulted in an arrest, the police periodically keep me informed of the status of the investigation.

Yes 6 No 26

Although my case has not resulted in an arrest, I was able to utilize a victim support service. (e.g. OVS, CONNSACS, CCADV, MADD, Survivors of Homicide).

Yes 21 No 9

Were you informed about the criminal injury compensation program through The Office of Victim Services?

Yes 28 No 26

Did you make an application for compensation?

Yes 19 No 26

After an arrest was made, I was notified and understood when the first court date was scheduled and of my right to attend court.

Yes 32 No 13

Once the case was in court, I was referred to an advocate for assistance.

Yes 29 No 15

I was able to meet and speak with a court victim advocate who provided me with adequate information regarding my case, available services, and my legal rights as a crime victim.

Yes 29 No 14

The court house that my case is/was in does not have a victim advocate to assist me.

Yes 9 No 20 Unknown 11

I was informed of my right to speak to the prosecutor about my case.

Yes 33 No 12

I was given the opportunity to meet and speak with a prosecutor regarding my case.

Yes 30 No 14

The prosecutor was respectful and provided me with adequate information regarding my case, available services, and my legal rights as a crime victim.

Yes 28 No 13

My case involved restitution.

Yes 8 No 34

If yes, a Written Order of Restitution was entered by the court.

Yes 8 No 12

I was informed of my right to request the terms of the plea bargain.

Yes 21 No 18

I was informed of the terms of the plea bargain.

Yes 24 No 15

I was informed of my right to object to or support the plea agreement.

Yes 22 No 17

I was informed of my right to speak at the plea hearing.

Yes 20 No 18

I was given the opportunity to speak at the plea hearing.

Yes 20 No 18

I was informed of my right to speak at the sentencing hearing.

Yes 34 No 11

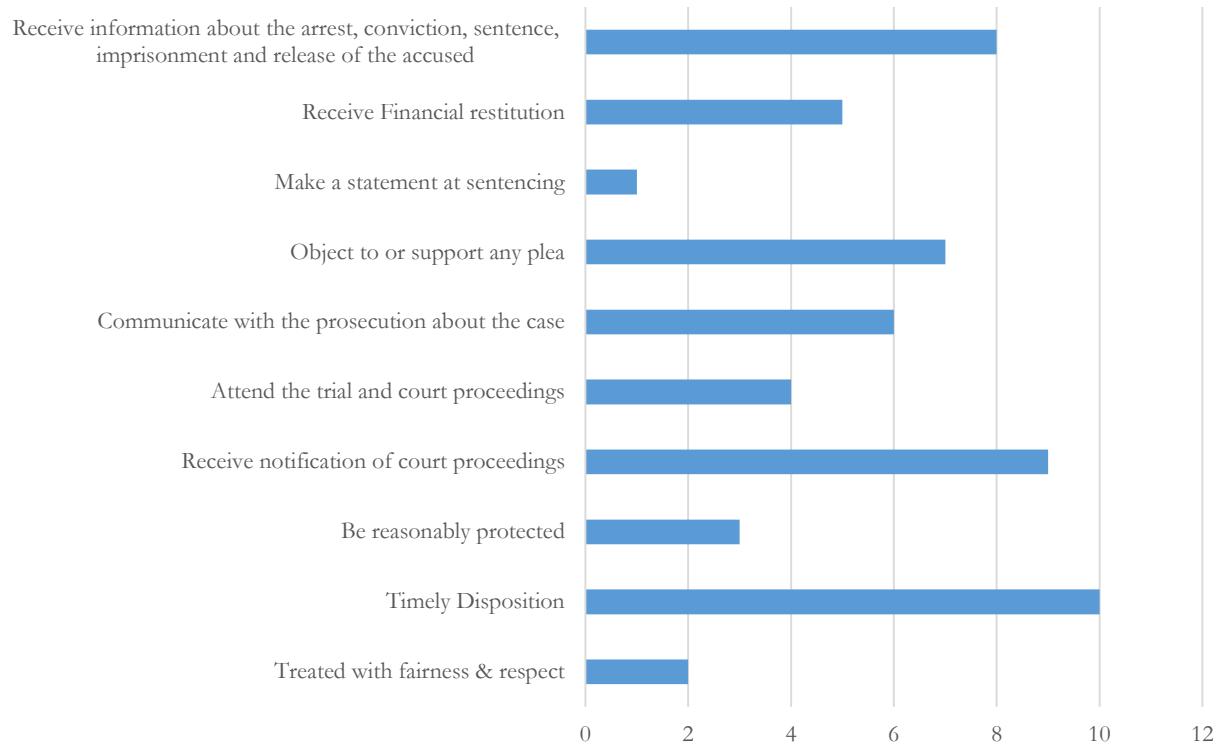
I was given the opportunity to speak at the sentencing hearing.

Yes 34 No 10



Violations of Crime Victims Rights

Survey Responses
Violations of crime victims rights



*On a scale from 1-10, where 10 represents a violation that is most common.



Areas of concern...

Police need to ensure they are giving victims the Victim Information Card.

Police need to periodically keep the victim informed of the status of the investigation.

Court houses do not have enough advocates in each courthouse available to assist victims.

When restitution is requested, a Written Order of Restitution should be entered by the court and enforced.

Timely Disposition of cases.

Receive information regarding arrest, conviction, sentence, imprisonment or release.

Victims were not informed of their right to object to or support the plea agreement.

Receive court notifications in a timely manner.



The majority...

Victims have utilized a CT victim support service even when a case has not resulted in an arrest.

Victims were informed about the criminal injury compensation program through The Office of Victim Services.

Victims were notified and understood when the first court date was scheduled and the right to attend court after an arrest was made.

Once the case was in court, victims were referred to an advocate for assistance.

Victims were able to meet and speak with a court victim advocate who provided adequate information regarding the case, available services, and legal rights as a crime victim.

Victims were informed of their right to speak to the prosecutor about their case and were given the opportunity to meet and speak with a prosecutor.

The prosecutor was respectful and provided adequate information regarding the case, available services, and legal rights as a crime victim.

The information captured through the survey of victims and their survivors shows the need to improve crime victim services is essential. There are many gaps in the Connecticut judicial system where the main concern is consistency, beginning with investigations through post conviction. Improvements are needed for better communication and treatment of crime victims from service providers including police, advocates, service agencies and the courts. Through this commission it is our main goal to address these gaps and make recommendations to improve crime victim services and enforce violations crime victim's rights.

