

OFFICE OF THE VICTIM ADVOCATE

GARVIN G. AMBROSE, ESQ.
STATE VICTIM ADVOCATE

2012

ANNUAL REPORT

*PROTECTING & PROMOTING THE RIGHTS OF CRIME
VICTIMS IN CONNECTICUT*



TO THE GOVERNOR AND THE CONNECTICUT GENERAL ASSEMBLY

June 12, 2014

Submitted this day, as statutorily mandated, by State Victim Advocate, Garvin G. Ambrose, Esq., for the period of time served by former State Victim Advocate Michelle Cruz.

505 HUDSON STREET
HARTFORD, CT 06106
(860) 550-6632
WWW.CT.GOV/OVA



Garvin G. Ambrose, Esq.
State Victim Advocate

STATE OF CONNECTICUT
OFFICE OF THE VICTIM ADVOCATE
505 HUDSON STREET, HARTFORD, CONNECTICUT 06106

June 12, 2014

Governor Dannel P. Malloy
Office of the Governor
210 Capitol Avenue
Hartford, CT 06106

Office of Legislative Management
Connecticut General Assembly
300 Capitol Avenue, Room 5100
Hartford, CT 06106

Mr. Mike Lawlor (Advisory Committee Chair)
Under Secretary, State of Connecticut
Office of Policy and Management
Criminal Justice Policy and Planning Division
450 Capitol Avenue
Hartford, CT 06106-1379

Dear Governor Malloy, Honorable Members of the General Assembly, and Chairman Lawlor:

Pursuant to Section 46a-13b of the Connecticut General Statutes, you will find herein the required 2012 Annual Report for the Office of the Victim Advocate. Although this report relates to matters which preceded my tenure in office on March 15, 2013, it is being submitted in accordance with our statutory mandate for work completed under the direction of the former State Victim Advocate, Michelle Cruz. Going forward it is my intent to submit these required reports based on the fiscal year time frame, therefore the 2013 report will include matters stemming from July 1, 2013 to June 30, 2014 (FY14), as well as the final quarter of the FY13 (March 15 to June 30, 2013).

Sincerely,

Garvin G. Ambrose, Esq.
State Victim Advocate

MISSION STATEMENT OF THE OFFICE OF THE VICTIM ADVOCATE

The Office of the Victim Advocate (OVA) seeks to ensure that the victims of crime become an integral part of the criminal justice system. Through public education of the rights and services available to crime victims, collaboration with law enforcement and service providers, as well as court and legislative advocacy, the OVA believes that the voices of crime victims will become a necessary component of our state.

OVERVIEW OF THE OFFICE OF THE VICTIM ADVOCATE

The Office of the Victim Advocate (OVA) was statutorily established in 1998 as an independent state agency charged with the promotion and protection of the constitutional and statutory rights of crime victims in Connecticut. Among its many responsibilities, the OVA provides oversight of state and private agencies that provide services to crime victims, and advocacy to crime victims when a violation of their state constitutional and statutory rights as a crime victim are at issue.

In order to fulfill its mandate, the OVA receives and reviews complaints of persons concerning the actions of any state agency or other entity that provides services to crime victims. When appropriate, the OVA may also initiate formal investigations into the circumstances of a complaint so as to remedy the concern in a systemic manner.

As part of its enforcement abilities, the Victim Advocate is statutorily authorized to file a limited special appearance in any court proceeding for the purpose of advocating for a victim when their state constitutional and statutory rights as a crime victim have been violated. In addition, as part of its advocacy efforts, the OVA conducts programs of public education on the rights of crime victims, undertakes legislative advocacy when necessary, and recommends systemic changes in state policies to ensure the proper treatment and protection of crime victims.

The Office of the Victim Advocate currently operates under the following statute when determining who is a "victim of crime" or "crime victim:"

C.G.S. Sec. 1-1k: *Except as otherwise provided by the general statutes, "victim of crime" or "crime victim" means an individual who suffers direct or threatened physical, emotional or financial harm as a result of a crime and includes immediate family members of a minor, incompetent individual or homicide victim and a person designated by a homicide victim in accordance with section 1-56r.*

CONSTITUTION OF THE STATE OF CONNECTICUT

ARTICLE XXIX - RIGHTS OF VICTIMS OF CRIME

In all criminal prosecutions, a victim, as the General Assembly may define by law, shall have the following rights:

- The right to be treated with fairness and respect throughout the criminal justice process;
- The right to timely disposition of the case following arrest of the accused, provided no right of the accused is abridged;
- The right to be reasonably protected from the accused throughout the criminal justice process;
- The right to notification of court proceedings;
- The right to attend the trial and all other court proceedings the accused has the right to attend, unless such person is to testify and the court determines that such person's testimony would be materially affected if such person hears other testimony;
- The right to communicate with the prosecution;
- The right to object to or support any plea agreement entered into by the accused and the prosecution and to make a statement to the court prior to the acceptance by the court of the plea of guilty or nolo contendere by the accused;
- The right to make a statement to the court at sentencing;
- The right to restitution which shall be enforceable in the same manner as any other cause of action or as otherwise provided by law;
- The right to information about the arrest, conviction, sentence, imprisonment and release of the accused.

The General Assembly shall provide by law for the enforcement of this subsection. Nothing in this subsection or in any law enacted pursuant to this subsection shall be construed as creating a basis for vacating a conviction or ground for appellate relief in any criminal case.



THE WORK OF THE OVA

The following is a summary of the work performed by the OVA during the reporting period (January 1, 2012 to December 31, 2012). Additionally, as a transition of Victim Advocates was made during the first quarter of 2013, this report also includes completion of work by the former Victim Advocate from January 1, 2013 to March 14, 2013.

COMPLAINT/INTAKE ACTIVITY

The OVA's statutory mandates include receiving complaints from crime victims, supporters of crime victims and agencies and/or entities on behalf of crime victims. During this reporting period, the OVA responded to more than 3000 requests for assistance. Approximately 2200 inquiries involved short term participation by the OVA, including, education on available services or the court system, referrals to direct service providers or other entities, as well as short term legal, agency or Court advocacy. Approximately 660 requests involved prolonged advocacy, including in-depth investigations and/or inquiries; legal assistance; court or agency/organizational intervention; and/or policy/legislative advocacy. These figures above do not include on-going continued involvement with crime victims that pre-dated January of 2012.

INTER-AGENCY COLLABORATIONS:

During the reporting period the OVA met with countless representatives of state agencies, non-profit organizations, and entities who work with crime victims on varying levels to discuss issues impacting crime victims and future partnership opportunities, including:

- Department of Public Safety
- Norwich Police Department
- Manchester Police Department
- Commissioner Katz, Department of Children and Families
- Executive Director Laura Cordes of CONNSACS

OUTREACH AND EDUCATION:

As part of its statutory mandates, the OVA is to continuously conduct programs of public education and outreach. Although there are no set parameters as to the extent of the trainings, during the reporting period the OVA provided many trainings and educational activities to numerous audiences throughout the state, including appearances on several talk radio shows, the television show "Beyond Justice," conducting trainings with the Manchester Police Department, and submission of written articles to newspapers on the issue of victims' rights. Additionally, the creation of a Facebook page for the OVA has allowed for the sharing of more information to our audience, and receipt of real-time feedback.

Additionally, in furtherance of its mandates, and during the reporting period, the OVA was also an active member of numerous Committees and Commissions including: Criminal Justice Information Systems Governing Board; OBTS Application Steering Committee; Governor's Task Force on

Justice for Abused Children, and the Victim Service Sub-Committee; the Connecticut Sentencing Commission, and Legislative Sub-Committee; SAFE Advisory Committee; Racial and Ethnic Disparity Commission; the Eyewitness Identification Task Force; the Family Violence Model Policy Governing Council, the Bond/Bail and Model Policy Sub-Committees; Tunxis Community College Criminal Justice Advisory Board; and the Melanie Ilene Rieger Conference Planning Committee.

Finally, as part of its ongoing commitment to the crime victim community, the OVA once again was a co-sponsor and financial supporter of the Melanie Ilene Rieger Conference against Violence. The continued support of this, and other conferences of its kind, are important to the overall outreach efforts of the OVA.

LEGISLATIVE ADVOCACY

During this reporting period the OVA continued to remain active in the legislative arena by supporting and opposing many measures. Most notably, the OVA continued to work closely with the Speaker's Task Force on Domestic Violence to ensure passage of several proposals for the betterment of crime victims. One such proposal, supported by the OVA, was the creation of the crime of Threatening First Degree with a firearm. This crime was categorized as a Class D Felony when the threat involves the use or attempted use of a firearm or other dangerous weapon.

NEXT STEPS

While education and outreach continue to improve as part of the OVA's mandates, so much more needs to be done to properly include all crime victims in the discussion. Knowledge of one's rights is key to successful advocacy on their own behalf; however, knowledge and awareness of an agency such as the OVA is imperative to making certain that victims become a regular part of the criminal justice system. To that end, the OVA will aim to expand its reach and presence throughout the state, but most notably in those high crime areas that are not properly serviced.