

OFFICE OF THE VICTIM ADVOCATE (OVA)

The Best Kept Secret In
Connecticut

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OFFICE OF THE VICTIM ADVOCATE

THE OFFICE OF THE VICTIM ADVOCATE
IS SEPARATE AND DISTINCT FROM
THE OFFICE OF VICTIM SERVICES,
JUDICIAL BRANCH

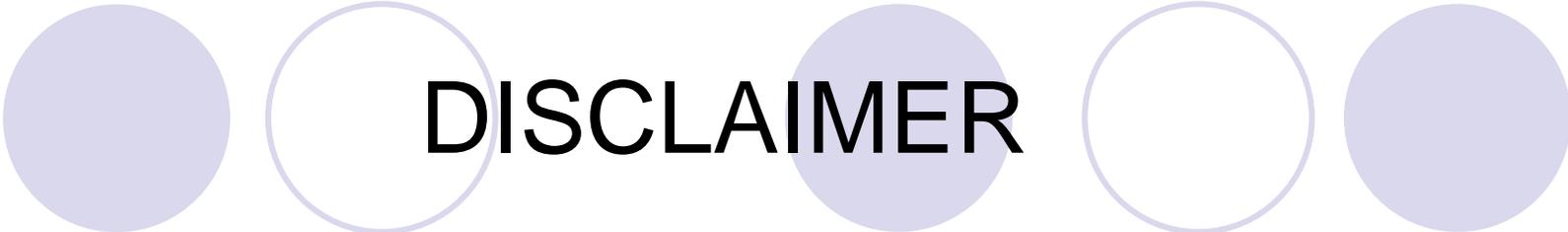
HOW?

WHAT CAN THE OVA DO?

- **OVA MEETS WITH THE COMPLAINANT**
 - VICTIM(S)
 - FAMILY/FRIENDS
 - PROFESSIONALS
 - AGENCIES
- **OVA MAY CONTACT RELEVANT CRIMINAL JUSTICE PROFESSIONALS**
 - LAW ENFORCEMENT
 - PROSECUTOR
 - ADVOCATE
 - PROBATION/PAROLE
 - DEPARTMENT OF CORRECTION (DOC)
- **OVA MAY USE STATUTORY AUTHORITY TO OBTAIN INFORMATION**
 - POLICE REPORTS
 - COURT DOCUMENTS
 - TRANSCRIPTS
 - PAROLE RECORDS
 - DOC RECORDS
 - POLICIES/PROCEDURES

WHAT CAN THE OVA DO? cont.

- **OVA MAY CONDUCT LEGAL, LEGISLATIVE OR OTHER RESEARCH**
 - WESTLAW
 - OBTS CERTIFIED
 - JUDICIAL WEBSITE
 - DEPARTMENT OF CORRECTION WEBSITE
 - DEPARTMENT OF PUBLIC SAFETY WEBSITE
 - CT GENERAL ASSEMBLY WEBSITE
- **OVA CAN ADVOCATE THROUGH**
 - LEGISLATIVE INITIATIVES
 - POLICY CHANGES OF AGENCIES OR OTHER ENTITIES
 - TRAINING/EDUCATION
 - INDEPENDENT EVALUATION/REVIEW OF CASES
 - PUBLIC EDUCATION AND OUTREACH
 - THE MEDIA



DISCLAIMER

ALTHOUGH INSPIRED BY
ACTUAL CASES, THE
FOLLOWING EVENTS ARE
FICTIONAL AND DO NOT
DEPICT ANY ACTUAL PERSON
OR EVENT

Scenarios related to: Victims' Right to be reasonably protected from the accused

- A social worker assisting the family of a quadriplegic (severely assaulted by her husband several years earlier, causing her disability) seeks protection from the defendant who was expected to be released from prison
- A stalking victim is forced to renew her restraining order every six months
- A domestic violence victim is told that she would not qualify for a standing criminal restraining order because they are only issued in very rare cases
- A victim of harassment is informed that she does not qualify for a protective order during the pendency of the criminal matter
- A male victim of domestic violence is denied the issuance of a full protective order
- A victim complains of alleged violations of orders of protection without action from police or the prosecutor

SPECIFIC ACTIONS BY THE OVA

- Conduct a factual inquiry
- Educate victim(s) about the process
- Inform prosecutor/probation of case
- File appearance/motion
- Inform prosecutor and/or judge of law
- File motion to re-open case
- Conduct an investigation
- Propose legislation/policy change
- Initiate and/or conduct trainings

Scenarios related to: Victims' Right to be treated with fairness and respect

- **The parent of a missing adult child is frustrated that law enforcement would not accept a report or investigate the disappearance of her son**
- **The parent of a minor sexual assault victim is frustrated that the investigation is taking months**
- **A victim of domestic violence is arrested for violating the protective order issued on her behalf**
- **A victim of sexual assault checks the sex offender registry and finds that the offender did not register as a sex offender**
- **A victim of sexual assault never obtained the test results ordered by the court**
- **The family of a cold case homicide is still seeking justice**

SPECIFIC ACTIONS BY THE OVA

- Conduct a factual inquiry
- Encourage victims to contact local state senator and/or state representative
- Support and advocate for legislation
- Re-establish communication with agencies and/or other entities
- Identify and communicate failures
- Coordinate information to victims
- Maintain contact with victims and progress of investigation and/or case

Scenarios related to: Victims' Right to attend court proceedings and address the court at plea AND sentencing

- A victim is told of the right to address the court at sentencing but not at plea
- A victim sits in court all day to find out later that a continuance had been granted
- A victim is denied access to a youthful offender or juvenile proceeding
- A victim finds out that a plea has gone before the court without being notified

SPECIFIC ACTIONS BY THE OVA

- Conduct a factual inquiry
- Notify victims of rights and inform on how best to exercise rights
- Send notice of intent to exercise rights form to court on behalf of victim
- Schedule and attend meeting with prosecutor and victim
- Intervene in case to ensure that victims' rights are honored

Scenarios related to: Victims' Right to receive restitution from the offender

- **Victim informed that the offender is indigent**
- **Victim is denied restitution**
- **Victim is advised to file a civil lawsuit**
- **Restitution is ordered as a condition of probation only**
- **Offender fails to pay restitution as ordered**

SPECIFIC ACTIONS BY THE OVA

- Conduct a factual inquiry
- Inform victims of written order of restitution
- Inform court of victim's request to receive a written order of restitution
- Contact prosecutor/probation
- File appearance/motion to re-open disposition for the purpose of restitution



THE BIG PICTURE

PRESENT VICTIM (resolve complaint)

- Document complaint
- Attend court or other proceedings
- File appearance/ motion
- Meet with criminal justice professionals
- Make appropriate referrals

SYSTEMIC (prevention)

- Request data
- Research
- Inquiry/Investigation
- Policy/Legislative change
- Training/education

Scenarios relating to system issues

- **Victims of domestic violence being charged with violating the protective order issued on their behalf**
- **College students/victims of sexual assault being discouraged from reporting the assault to law enforcement**
- **Victims of crime not being notified when an offender is transferred to a mental health facility from the Department of Correction**
- **Victims of crime not being notified of appellate/supreme court proceedings and decisions**
- **Statistics showing large numbers of dual arrest in domestic violence cases**

Response by OVA to Systemic Issues

- Conduct factual inquiry
- Identify systemic failures
- Conduct investigation
- Meet with affected agencies and other entities
- Issue formal investigative report
- Change policy/procedures
- Recommend training / conduct training
- Passage of new laws
 - Protective order for sexual assault victims
 - Early termination of probation