

RIGHTS OF CRIME VICTIMS IN CONNECTICUT

Summary of State Statutes



OFFICE OF VICTIM SERVICES
Focusing on a brighter future

The State of Connecticut Judicial Branch, Office of Victim Services (OVS) provides information and services to victims of violent crimes and their families, including information on crime victims' rights and referrals to state and community agencies, victim advocacy during the criminal justice process, confidential notification on an offender's status in the criminal justice system, changes in an inmate's custody status, and financial help for out-of-pocket expenses caused by crime.

This booklet has a list of crime victims' rights in Connecticut that were in effect on the date of this publication. The Connecticut General Statutes' section numbers are shown in brackets []. You can find these General Statutes on the Connecticut General Assembly Website at www.cga.ct.gov.

In the back of this booklet is contact information, as of the date of this publication, for state and community agencies that may be helpful to crime victims and their families [Section 54-203(7)].

For more information about crime victims' rights or other services offered by OVS, please call the OVS Helpline at **1-800-822-8428**, Monday – Friday, 8:00 a.m. to 4:30 p.m.

The State of Connecticut Judicial Branch is not responsible for any information that was not included in this booklet and does not guarantee the accuracy of the information. This booklet does not contain legal advice, but has general information and should not be used as a substitute for legal advice.

CONSTITUTIONAL RIGHTS OF CRIME VICTIMS

As a crime victim, you have certain rights under the constitution of Connecticut, article first, Section 8b.

You have the right to:

- Be treated with fairness and respect throughout the criminal justice process;
- Have the case completed in a timely manner following arrest of the accused, provided no rights of the accused are violated;
- Be reasonably protected from the accused throughout the criminal justice process;
- Be told of court dates;
- Attend the trial and all other court proceedings (*arraignment, pretrial, and sentencing*) unless you are testifying, in which case the court may decide that you can't attend the trial until after you are done testifying;
- Talk to the prosecutor about the case;
- Have the chance to agree or disagree with any plea agreement between the accused and the prosecutor and to make a statement to the court before the court decides if it will accept the agreement;
- Make a statement to the court at sentencing;
- Request restitution for expenses or property lost or damaged because of the crime; and
- Get information about the arrest, conviction, sentence, imprisonment, and release of the accused.

CONNECTICUT STATEWIDE AUTOMATED VICTIM INFORMATION AND NOTIFICATION (CT SAVIN)

CT SAVIN provides confidential notification in English, Polish, Portuguese, and Spanish on criminal court cases for an offender, changes to an offender's custody status with the Department of Correction, and when a court order of protection is issued, changed, or ends. To register for notification, please call 1-877-846-3428 or go to www.jud.ct.gov and click on the CT SAVIN button.

Notification of criminal court cases include:

- Upcoming court hearings;
- Change in bail;
- Case transfer to Juvenile Matters Court;
- Defendant failed to appear at a court hearing;
- Plea hearing;
- When the court orders, changes, or ends a family or non-family violence protective order, a standing criminal protective order, a civil protection order, and a restraining order;
- Case disposition (how the case ended, such as sentenced, dismissed, nolle);
- Notice of probation violation and probation violation decision;
- Sentence reduction decision;
- Appeal filed and appeal decision;
- Case severed (separated into 2 cases); and
- Case entered in error.

Notification of an offender's custody status include:

- Scheduled to be released;
- Released from prison;
- Escaped from prison and escaped inmate returned to prison;
- Released to community;
- Transferred to a prison in another state;
- Parole hearing;
- Released to parole.

CRIME VICTIM

State law defines a crime victim as the person who suffers direct or threatened physical, emotional, or financial harm because of the crime and includes a person legally named by a homicide victim to make decisions on his or her behalf and the immediate family members of a

- minor child victim (*under the age of 18*);
- homicide victim; and
- victim who is unable to act in his or her own legal interest because of an illness or disability [Section 1-1k].

STATUTORY RIGHTS OF CRIME VICTIMS

As a crime victim, you have certain rights under state law.

At the scene of the crime, you have the right to:

- Have the police get medical help for you, if needed, be given information on crime victims' rights and services, and referred to the Office of Victim Services (OVS) for more information on crime victims' rights and services [Section 54-222a].

During the court process, you have the right to:

- Be informed by the prosecutor
 - of the arrest of the offender;
 - when a court hearing is scheduled (arraignment, pretrial, trial, and sentencing);
 - if the defendant is released on bond;
 - if the charges are dismissed or nolle;
 - if a plea of guilty is entered.

You must provide the prosecutor with your contact information to receive notification [Section 51-286e].

During the court process, you have the right to: (CONTINUED)

- Attend court hearings or take part in a police investigation for a criminal case in which you are the victim or an immediate family member or legal guardian of a homicide victim, a minor child victim, or a victim who is physically or mentally disabled without being fired, harassed, or punished by your employer [Section 54-85b].
- Attend all court hearings that are a part of the court record, if you are a victim of a violent crime, the legal representative of a victim, or an immediate family member of a homicide victim. The judge may find that it is in the best legal interest of the criminal case that a representative of a homicide victim not attend a hearing, but the judge will hold a hearing before deciding if a representative cannot attend [Sections 54-85c and 54-85f].
- Be informed when the defendant applies for the following pretrial diversionary programs and to tell the judge what you think about that:
 - accelerated pretrial rehabilitation [Section 54-56e];
 - supervised diversionary program for veterans and persons with psychiatric disabilities [Section 54-56l];
 - suspension of prosecution for treatment of alcohol or drug addiction [Section 17a-696];
 - family violence education diversionary program [Section 46b-38c(h)(2)];
 - alcohol education program [Section 54-56g].
- Receive in writing from the prosecutor the terms and conditions of a proposed plea agreement before the court accepts a plea from the defendant based on that plea agreement. If the plea agreement includes 2 or more years of a prison sentence, the prosecutor must include the maximum amount of prison time that applies to the defendant, including whether the defendant may be eligible for an early release from prison through the Risk Reduction Earned Credits program or parole. You must ask the prosecutor to provide this information to you [Section 54-91c(d)].

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- Ask the judge to order the defendant to pay you for your financial losses (restitution) caused by the crime [Section 53a-28(c)].
 - Apply for victim compensation for expenses or losses related to the crime, including medical, counseling, dental, and lost wages that are not covered or eligible to be covered by other financial sources, such as insurance [Section 54-204].
 - Be informed if the defendant does not return to a mental health facility after release from the facility for work, therapy, or any other reason [Section 54-56d(l)].
 - Tell the judge how the crime affected you by giving a victim impact statement. You may read the statement in court or give a written statement to the prosecutor or the OVS court-based victim services advocate who will give it to the judge. This statement can be made before the plea agreement is accepted and at the sentencing hearing [Section 54-91c].
 - Ask the judge to issue a standing criminal protective order. If issued, the order will stay in effect until changed or ended by the court [Section 53a-40e].

After the court case ends, you have the right to:

- Ask the judge to return any personal property taken for the investigation or prosecution of the crime. Within 30 days of the request, the court may order the property be returned or order the property be held for a longer time. You have 6 months from the end of the criminal case to claim the property. After that, the property will be disposed of [Sections 54-203(b) (7) (E) and 54-36a].
- Be informed if the criminal case has been dismissed and to file an application for the name of the defendant(s) and other information from the erased records if you have filed or will file a civil action for losses or damages because of the crime. Your request must be made to the court within 2 years of the dismissal [Section 54-142c].

After the court case ends, you have the right to: (CONTINUED)

- Be informed when the defendant applies for a reduced or modified sentence and to tell the Sentence Review or sentencing court or judge what you think about that [Sections 54-228, 51-196, and 53a-39].
- Receive notification if the defendant violates a probation condition [Section 53a-32].
- Be informed when the inmate is released from the Department of Correction (DOC). A request must be sent to OVS or DOC [Sections 18-81e, 54-228 and 54-230].
- Tell the Board of Pardons and Paroles in person or in writing your opinion on whether the offender's sentence should be reduced (commutation); or if the inmate should be released from prison, with or without conditions; or given a pardon, with or without conditions [Section 54-130d (b)].
- Be informed when a parole hearing will be held for the inmate and to tell the Board and Pardons and Paroles in person or in writing your opinion on whether the inmate should be released on parole or if the inmate should have any conditions with the release. A request for notification must be given to OVS [Section 54-126a].
- Be informed by OVS of any granting of a reduced sentence, release, with or without conditions, or a pardon, with or without conditions. A request for notification must be given to OVS [Section 54-130d (d)].
- Ask the court to require the defendant to pay the restitution ordered by the judge, if the defendant has not fully paid the restitution. The request may be made at any time during the 20 years following the restitution order or the offender's release from prison or probation [Section 53a-28a].
- File a lawsuit seeking any profits the accused might receive from any book, movie, or dramatization of the crime, if the accused is convicted of the crime [Section 54-218]. You must file the lawsuit within 5 years of the date of the crime.

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- Be informed of any Psychiatric Security Review Board (PSRB) hearings or orders on the discharge, release with conditions, or incarceration of a person who was found not guilty by reason of mental disease or defect (NGRI) and to tell the PSRB what you think about that [Sections 17a-596 and 17a-601].
 - Be informed when the person who was convicted or found NGRI files an application with the court requesting changes to the Sex Offender Registry requirements, including not having to register, and limiting or removing any limits on the information available to the public. A request for notification must be sent to OVS or DOC [Sections 54-228, 54-230, and 54-230a].
 - Be informed if the offender escapes from the custody of the PSRB [Section 17a-601].

ADDITIONAL RIGHTS FOR CHILD VICTIMS

You have the right to:

- Have your child, if a victim of assault, sexual assault, or abuse testify in court without prior qualification. This means that your child will not have to prove that he or she can testify truthfully [Section 54-86h].
- Ask that special considerations be taken during your child's testimony, in or out of court, if your child is a victim of assault, sexual assault, or abuse and 12 years of age or younger [Section 54-86g].

ADDITIONAL RIGHTS FOR FAMILY MEMBERS OF HOMICIDE VICTIMS

You have the right to:

- Be informed by the prosecutor of the date, time, and place of the arraignment, and to be given the name and telephone number of a person to contact for more information or for the case status, if you are an immediate family member or the next of kin of a homicide victim [Section 51-286d].

- Have the prosecutor show a photograph no larger than 8 by 10 inches of a homicide victim to the jury during the prosecutor's opening and closing arguments. The photograph must have been taken before the crime [Section 54-85e].
- File a written complaint with the Chief State's Attorney or Criminal Justice Commission, if the prosecutor does not prosecute any person involved with the victim's death in a homicide case and you are an immediate family member of the victim [Section 51-277d].
- Request the offender's treatment records from a psychologist or a psychiatrist for the use in a civil action against the offender. The offender must have been found NGRI and your request may not be made later than 6 years after the finding of NGRI [Sections 52-146c(6) and 52-146f(7)].

ADDITIONAL RIGHTS FOR VICTIMS OF DOMESTIC VIOLENCE

You have the right to:

- File an affidavit (written statement) for the police to request the court issue an arrest warrant for the offender [Section 46b-38b].
- Ask for a protective order from the criminal court or apply for a restraining order at the family court, if you believe the defendant will continue to sexually assault, injure, harass, or stalk you. Orders of protection may include protection for any animal owned or kept by you [Sections 46b-15 and 46b-38c].
- Not be fired, harassed, or punished by your employer because you are a victim of family violence, you were issued a restraining order or a protective order, or because you attend or participate in court hearings [Section 54-85b].

The police will remain at the scene of the crime for a reasonable time until the police decide that it is unlikely there will be more violence [Section 46b-38b].

ADDITIONAL RIGHTS FOR VICTIMS OF SEXUAL ASSAULT

You have the right to:

- Receive emergency contraceptives at any licensed health care facility [Section 19a-112e (b) (3)].
- Not be asked or required to take a lie detector test by a police officer, prosecutor, or investigator [Section 54-86j].
- Apply for a civil protection order at the civil court if you are a victim of sexual abuse, sexual assault, or stalking and you believe that the offender will continue to sexually assault, injure, harass, or stalk you. To be eligible, you must not be related to or living with the offender and cannot currently have or be eligible for another order of protection [Section 46b-16a].
- Request that your location information (for example home and work addresses) for a civil protection order be kept confidential [Section 46b-16a (b)].

It is against state law for a victim to receive a bill for the sexual assault forensic medical exam and evidence collection [Section 19a-112a (e)].

DID YOU KNOW?

*You have the right to be notified by the Office of Victim Services (OVS), the Department of Correction (DOC), or both whenever there is a change in the status of an inmate under the supervision of the DOC. For more information, call OVS at **1-800-822-8428** or DOC at **1-888-869-7057**.*

- Not have your present or prior sexual conduct brought up during a court proceeding unless the judge, after a hearing, decides that it is necessary for the court proceeding. Court documents about the hearing will be sealed (can't be seen by the public) and any evidence that will be used at the court proceeding will be unsealed. The defense cannot share the unsealed evidence with anyone who is not working on the defense's case without permission from the judge. You may wish to speak with the prosecutor about this [Section 54-86f].
- Ask the judge to have the person accused or convicted of certain sexual assault offenses to be tested for AIDS (acquired immune deficiency syndrome) or HIV (human immunodeficiency virus) and to have the results of the test given to you by a health care provider of your choosing or given by an HIV testing and counseling site funded by the Department of Public Health [Sections 54-102a (b), 54-102b, and 54-102c].

ADDITIONAL RIGHTS FOR VICTIMS OF DOMESTIC VIOLENCE AND VICTIMS OF SEXUAL ASSAULT:

You have the right to:

- Have your communications with a certified domestic violence counselor or a certified sexual assault counselor stay confidential and not be used in court without your permission [Section 52-146k].
- Use your available paid sick leave for medical care and counseling, to get services from a victim services provider, to relocate, or to take part in any civil or criminal hearings because of the assault, if you are a service worker and your employer has 50 or more employees [Section 31-57t (3)]. A list of jobs under the title of service worker can be found in Section 31-57r (7).

ADDITIONAL RIGHTS FOR VICTIMS OF DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR VOYEURISM AND CHILD VICTIMS:

You have the right to:

- Not have your address or telephone number made known in the courtroom during any hearing in the prosecution of cases involving sexual assault, voyeurism, injury or risk of injury to a child, impairing the morals of a child, or family violence unless the judge finds that they are important to the case. The defendant will have access to this information through his or her attorney [Section 54-86d].
- Have your name and address in the court records stay confidential from people not involved in the case and released only by an order of the court in the prosecution of cases involving sexual assault, voyeurism, injury or risk of injury to a child, impairing the morals of a child, or family violence. The defendant will have access to this information through his or her attorney [Section 54-86e].

Victims of family violence, risk of injury to a child, sexual assault or stalking have the right to keep their address confidential for safety concerns by applying to the Safe at Home Confidential Address Program [Section 54-240a]. This program provides a free substitute mailing address so that your home address is kept private. See the Resource section for contact information for your local domestic violence program or sexual assault program for more information.

OFFICE OF VICTIM SERVICES

Victim Services Helpline: 1-800-822-8428

Email: ovs@jud.ct.gov

Victim Compensation: 1-888-286-7347 or 860-263-2761

Email: ovscompensation@jud.ct.gov

Office: 860-263-2760

www.jud.ct.gov/crimevictim

The State of Connecticut Judicial Branch, Office of Victim Services (OVS) offers information, services, and financial help to victims of violent crime and their families including:

- Financial help for eligible expenses because of the crime, such as medical, counseling, dental, and lost wages.
- Court-based help that includes advocacy during court cases and information on crime victims' rights.
- Helpline for information on crime victims' rights and referrals to resources.
- Notification programs that offer information to victims and other eligible persons about an offender's status in the criminal justice system, changes in an inmate's status, including requests for changes to his or her registration with the Sex Offender Registry, and when an order of protection is issued, modified or ends.
- Sexual assault forensic examiners to provide compassionate forensic examination and evidence collection services to victims of sexual assault that go to a participating health care facility.

CHILD ABUSE

DEPARTMENT OF CHILDREN AND FAMILIES

Child Abuse and Neglect Careline

24-hour Careline: 1-800-842-2288

www.ct.gov/dcf

The Child Abuse and Neglect Careline is available 24-hours a day, 7 days a week to take calls from people with questions, concerns, and reports of child abuse and neglect.

OFFICE OF THE CHILD ADVOCATE

Services: 1-800-994-0939

www.ct.gov/oqa

The Office of the Child Advocate advocates for children at risk and investigates complaints on the services provided to children by state or municipal agencies.

DOMESTIC VIOLENCE

CONNECTICUT COALITION AGAINST DOMESTIC VIOLENCE

24-hour Hotlines:

1-888-774-2900 (English)

1-844-831-9200 (Spanish)

Office: 860-282-7899

www.ctcadv.org

Connecticut Coalition Against Domestic Violence has 15 member programs in Connecticut, which offer free, confidential services to victims of domestic violence, including 24-hour Hotlines, emergency shelter, safety planning, court-based advocacy, information and referrals.

DRUNK DRIVING

MOTHERS AGAINST DRUNK DRIVING (Connecticut)

24-hour Helpline: 1-877-623-3435

Office: 1-800-544-3690 or 1-203-764-2566

www.madd.org/connecticut/

Mothers Against Drunk Driving provides advocacy, information and referrals for victims of impaired and drunk drivers.

GENERAL INFORMATION

DEPARTMENT OF SOCIAL SERVICES, PROTECTIVE SERVICES FOR THE ELDERLY

Referrals: 1-888-385-4225

www.ct.gov/dss

The Protective Services for the Elderly program helps people, 60 years of age or older, who are being physically, mentally, emotionally, or financially abused or neglected.

OFFICE OF THE HEALTHCARE ADVOCATE

Services: 1-866-466-4446

www.ct.gov/oha

The Office of the Healthcare Advocate helps Connecticut residents with health care issues.

UNITED WAY OF CONNECTICUT

24-hour Helpline: 211 or 1-800-203-1234

www.211ct.org

United Way is a free service that helps callers find programs and services in their area and is available 24-hours a day, 7 days a week, every day of the year.

IMMIGRATION SERVICES

U.S. CITIZENSHIP AND IMMIGRATION SERVICES

Services: 1-800-375-5283

www.uscis.gov

U.S. Citizenship and Immigration Services provide information on immigration services and benefits.

SEXUAL ASSAULT

CONNECTICUT ALLIANCE TO END SEXUAL VIOLENCE (formerly CONNSACS)

24-hour Hotlines:

1-888-999-5545 (English)

1-888-568-8332 (Spanish)

Office: 860-282-9881

Email: info@endsexualviolencect.org

www.endsexualviolencect.org

The Connecticut Alliance to End Sexual Violence has 9 member programs in Connecticut, which offer free, confidential services to victims of sexual assault, including 24-hour hotlines, crisis intervention and short-term counseling, information and referrals, victim advocacy, and support groups.

SURVIVORS OF HOMICIDE

SURVIVORS OF HOMICIDE VICTIMS

Office: 860-257-7388

www.survivorsofhomicide.com

Survivors of Homicide provides support, counseling, and advocacy to family and friends of homicide victims.

VICTIM NOTIFICATION

CONNECTICUT STATEWIDE AUTOMATED VICTIM INFORMATION AND NOTIFICATION (CT SAVIN)

24-hour Services: 877-846-3428

Email: ovs@jud.ct.gov

www.jud.ct.gov/crimevictim

CT SAVIN is a confidential service that offers victims and the public access to current information and notification about an offender's status in the criminal justice system, an inmate's custody status with the Department of Correction, and when an order of protection is issued, modified, or ends. Registration is available in English and Spanish. Notifications are available in English, Polish, Portuguese, and Spanish.

DEPARTMENT OF CORRECTION, VICTIM SERVICES UNIT

Services: 1-888-869-7057

Email: doc.victimservices@ct.gov

www.ct.gov/doc

Victims and other eligible persons may register with the Department of Correction, Victim Services Unit, to request notification when an inmate is released, escapes, or is scheduled for a sentence review, parole hearing, or a pardon hearing.

OFFICE OF VICTIM SERVICES, POST-CONVICTION NOTIFICATION PROGRAM

Helpline: 1-800-822-8428

Email: ovs@jud.ct.gov

www.jud.ct.gov/crimevictim

Victims and their survivors or representatives may register for notification when an inmate is released, escapes, or is scheduled for a sentence review hearing, a parole hearing, or a pardon hearing.

VICTIMS' RIGHTS AND SERVICES COMPLAINTS OFFICE OF THE VICTIM ADVOCATE

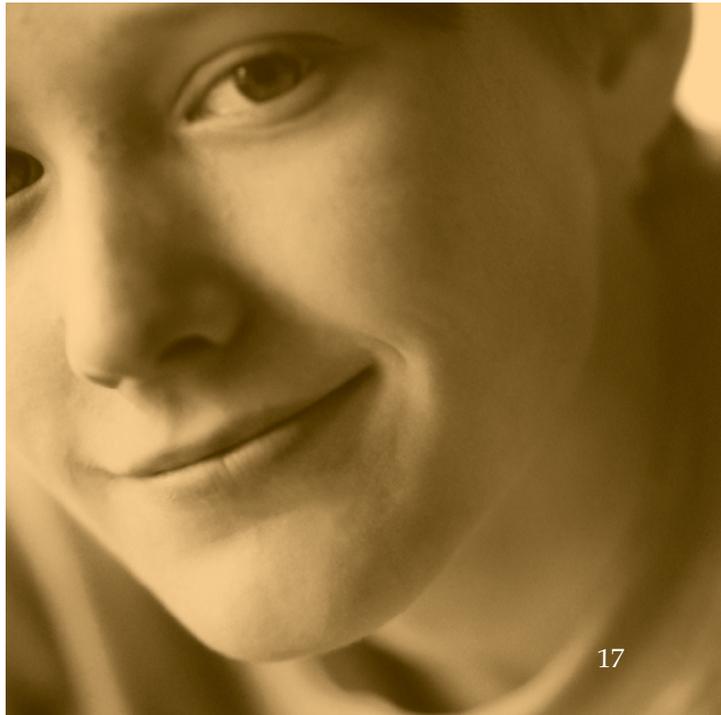
Services: 1-888-771-3126

Office: 860-550-6632

Email: ova.info@ct.gov

www.ct.gov/ova

The Office of the Victim Advocate offers services to crime victims who believe their rights have been or are being violated or who believe that services available to crime victims in Connecticut are being denied or are not being provided.



Focusing on a brighter future

CONNECTICUT JUDICIAL BRANCH
OFFICE OF VICTIM SERVICES

225 SPRING STREET
WETHERSFIELD, CT 06109

800-822-8428

Helpline

860-263-2760

Office

ADA NOTICE

The Judicial Branch of the State of Connecticut complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation, in accordance with the ADA, call OVS at 1-800-822-8428.



Office of Victim Services
State of Connecticut Judicial Branch

www.jud.ct.gov/crimevictim JDP-VS-15 Rev. 1/18