

RIGHTS OF CRIME VICTIMS IN CONNECTICUT

Summary of State Statutes



OFFICE OF VICTIM SERVICES
Focusing on a brighter future

The Connecticut Judicial Branch, Office of Victim Services (OVS) provides information to crime victims and their families, including information on crime victim rights and referrals to state and community agencies.

*This booklet has a list of certain rights for crime victims in Connecticut that were in effect on the date of this publication and contact information for state and community agencies that may be helpful to them and their families.
[Section 54-203(7) of the Connecticut General Statutes]*

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

CONSTITUTIONAL RIGHTS OF CRIME VICTIMS

As a crime victim, you have certain rights under the Connecticut Constitution.

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 shortened by it;
- 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, pre-trial, 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 offender.

Connecticut Constitution Article First, Section 8(b)

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 the immediate family members of a minor child (under the age of 18), an incompetent person, or a homicide victim, and a person legally designated by a homicide victim to make decisions on his or her behalf. [Section 1-1k of the Connecticut General Statutes]

STATUTORY RIGHTS OF CRIME VICTIMS

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

The right to:

- Request the state's attorney for the judicial district where the crime happened to tell you
 - if the defendant was arrested;
 - the date of the arraignment (first court hearing);
 - if the defendant was released from custody while the criminal court case is pending;
 - the date(s) of court hearings including the trial, if there is one, and the sentencing;
 - if the defendant enters a guilty plea; and
 - if the charges against the defendant are dropped by the judge (dismissed) or the prosecutor (nolle prosequi).

You must provide the state's attorney with your current mailing address and telephone number to receive notification. [Section 51-286e of the Connecticut General Statutes]

- Be told when the defendant applies for accelerated rehabilitation and an opportunity to tell the judge what you think about that. [Section 54-56e of the Connecticut General Statutes]
- Be told when the defendant applies for a supervised divisionary program and an opportunity to tell the judge what you think about that. [Section 54-56l of the Connecticut General Statutes]

- Be told when the defendant applies to postpone prosecution for treatment of alcohol or drug addiction and an opportunity to tell the judge what you think about that. [Section 17a-696 of the Connecticut General Statutes]
- Be told when the defendant applies for a family violence education diversionary program and an opportunity to tell the judge what you think about that. [Section 46b-38c (h)(2) of the Connecticut General Statutes]
- Be told when the defendant applies for a pretrial alcohol education program and an opportunity to tell the judge what you think about that, beginning on 10/1/14. [Sections 54-56g of the Connecticut General Statutes]
- Attend court hearings or take part in a police investigation for a criminal case in which you are the crime victim, an immediate family member or guardian of a minor child (under the age of 18), or a physically disabled crime victim without being fired, harassed, or retaliated against by your employer. [Section 54-85b of the Connecticut General Statutes]
- Tell the judge how the crime affected you by giving a victim impact statement. You may talk to the judge in court, or you may give written comments to the prosecutor, or the OVS court-based victim services advocate who will give the comments to the judge. This statement can be made before the plea agreement is accepted and at the sentencing hearing. [Section 54-91c of the Connecticut General Statutes]
- Ask the police to return any personal property taken for the investigation or prosecution of the crime. The property will be returned within 30 days of the request unless the court orders it 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. [Section 54-36a of the Connecticut General Statutes]
- Be told 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 of the Connecticut General Statutes]

STATUTORY RIGHTS OF CRIME VICTIMS (CONTINUED)

- Be told when the inmate is released from the Department of Correction (DOC). A request must be given to OVS or DOC. [Sections 18-81e, 54-228 and 54-230 of the Connecticut General Statutes]
- Tell the Board of Pardons and Paroles in person or in writing if the inmate should be released on parole or if the inmate should have any conditions with the release. [Section 54-126a of the Connecticut General Statutes]
- Receive notification if the offender violates a probation condition and the probation officer told police that there is probable cause to believe the offender violated the condition. You must provide the probation officer with your current mailing address and telephone number to receive notification. [Section 53a-32 of the Connecticut General Statutes]

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) of the Connecticut General Statutes]
- Ask for a protective order from the court, and to apply for a restraining order from the court to prevent further injury. [Sections 46b-15 and 46b-38c of the Connecticut General Statutes]
- Have your communications with a sexual assault counselor stay confidential and not be used in court without your permission. [Section 52-146k of the Connecticut General Statutes]
- Ask that special considerations be taken during your child's testimony, in or out of court, if you are the parent of a sexual assault or abuse victim and your child was 12 years of age or younger at the time of the offense. [Section 54-86g of the Connecticut General Statutes]

- Ask that your name and address in the court records stay confidential from people not involved in the case and released only by a court order. [Section 54-86e of the Connecticut General Statutes] The accused will have access to this information through his or her attorney.
- Not have your present or prior sexual conduct brought up during the trial unless the court, after a hearing, decides that it is necessary for the trial. You may wish to speak with the prosecutor about this. [Section 54-86f of the Connecticut General Statutes]

ADDITIONAL RIGHTS FOR VICTIMS OF DOMESTIC VIOLENCE

You have the right to:

- File an affidavit (written statement) for a warrant for the arrest of the offender and to have the police remain at the scene for a reasonable time until the police decide that it is unlikely there will be more violence. (Section 46b-38b of the Connecticut General Statutes).
- Ask for a protective order from the court, and to apply for a restraining order from the court to prevent further injury. The protective order may include protection for any animal owned or kept by the victim. [Sections 46b-15 and 46b-38c of the Connecticut General Statutes]
- Have your communications with a domestic violence counselor stay confidential and not be used in court without your permission. [Section 52-146k of the Connecticut General Statutes]
- Attend court hearings for a civil case without being fired, harassed, or retaliated against by your employer. [Section 54-85b of the Connecticut General Statutes]
- Not be fired, harassed, or retaliated against by your employer because you are a victim of family violence or because you were issued a restraining order or a protective order. [Section 54-85b of the Connecticut General Statutes]

RESOURCES

Office of Victim Services (OVS)

Nationwide toll-free Helpline: 1-800-822-8428

Nationwide toll-free Victim Compensation Program: 1-888-286-7347

www.jud.ct.gov/crimevictim/

OVS has victim services advocates in the courts throughout the state and a Helpline to give information to victims about the criminal justice system, victim rights, case updates, victim notification, and referrals to other agencies. The OVS Victim Compensation Program helps pay for the out-of-pocket costs caused by the crime.

Child Abuse

Department of Children and Families (DCF)

Statewide 24 hour toll-free Hotline: 1-800-842-2288

www.ct.gov/dcf

DCF receives calls from people with questions, concerns, and reports of child abuse and neglect.

Domestic Violence

Connecticut Coalition Against Domestic Violence (CCADV)

Statewide 24 hour toll-free Hotline: 1-888-774-2900 (*English*)

1-844-831-9200 (*Spanish*)

www.ctcadv.org

CCADV has 18 domestic violence programs throughout Connecticut to help victims of domestic violence by providing counseling services, shelters, advocacy, referrals, and support groups.

Victims of Drunk Driving Crimes

Mothers Against Drunk Driving - CT

Office: 203-764-2566

www.madd.org/local-offices/ct/

Advocacy, information and referrals for victims of impaired and drunk drivers.

RESOURCES

Elder Abuse

Department of Social Services, Protective Services for the Elderly (PSE)

Statewide toll-free Referrals: 1-888-385-4225

www.ct.gov/dss

PSE helps people 60 years of age or older from physical, mental and emotional abuse, neglect and abandonment and/or financial abuse and exploitation.

General Information

Office of the Healthcare Advocate

Statewide toll-free: 1-866-466-4446

www.ct.gov/oha

Gives information about and helps resolve problems with medical health plans in Connecticut.

United Way of Connecticut (211)

Statewide 24 hour toll-free: 211 or 1-800-203-1234

www.infoline.org

211 is a free service that helps callers find programs and services in their area.



RESOURCES

Immigration Services

U.S. Citizenship and Immigration Services (USCIS)

Nationwide toll-free: 1-800-375-5283

www.uscis.gov

USCIS provides help nationwide for immigration services and benefits.

Sexual Assault

Connecticut Sexual Assault Crisis Services (CONNSACS)

Statewide toll-free Hotline: 1- 888-999-5545 (*English*)

1- 888-568-8332 (*Spanish*)

www.connsacs.org

CONNSACS has 9 centers throughout the state to help adult and child victims of sexual assault by providing sexual assault crisis intervention, advocacy services, information, support groups, and referrals.

Survivors of Homicide

Survivors of Homicide Victims (SOH)

Office: 860-257-7388

www.survivorsofhomicide.com

SOH provides support and advocacy for surviving family members and friends of homicide victims

RESOURCES

Victim Notification

Connecticut Statewide Automated Victim Information and Notification (CT SAVIN)

Nationwide 24 hour toll-free Services: 1-877-846-3428
www.jud.ct.gov/crimevictim/

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 criminal court order of protection is issued, changed, or ends.

Department of Correction, Victim Services Unit

Statewide toll-free: 1-888-869-7057
www.ct.gov/doc/

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

Office of Victim Services, Post-Conviction Notification Program

Nationwide toll-free Helpline: 1-800-822-8428
www.jud.ct.gov/crimevictim/

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

Victim Rights and Services Complaints

Office of Victim Advocate (OVA)

Statewide toll-free: 1-888-771-3126
www.ct.gov/ova

The OVA advocates for victims who believe their Constitutional rights were violated and/or have complaints about the service received from a criminal justice or non-profit agency.

Focusing on a brighter future

CONNECTICUT JUDICIAL BRANCH
OFFICE OF VICTIM SERVICES

225 SPRING STREET
WETHERSFIELD, CT 06109

1-800-822-8428

TOLL-FREE

860-263-2760

OFFICE

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, contact a Judicial Branch employee or an ADA contact person listed at www.jud.ct.gov/ada/.

