

V. R. E. A. C

Victims' Rights Enforcement Advisory Commission

Minutes

Thursday, April 2, 2015

1ST Floor Training Center, Chief State's Attorney's Office
300 Corporate Place, Rocky Hill, CT
10:00a.m. – 12:00p.m.

1. Welcome and Introductions --- Call to Order 10:10 a.m.

Members Present: Natasha M. Pierre, Chair; Brian Austin (on behalf of Kevin Kane); Linda J. Cimino; Laura Cordes; Janice Heggie Margolis; Anne Mahoney, Esq.; Jessica Pizzano; Bethany Phillips, Esq.; James C. Rovella; Scott Semple; Andrew Woods.

Also in Attendance were Hakima Bey-Coon, Valina Carpenter, Vanessa DeLeon, Megan Grant, Merit Lajoie and Karen Martucci.

Members Absent: Hon. Patrick L. Carroll, III; Mario T. Gaboury; Carleton J. Giles; Ana Gonzalez; Karen Jarmoc; Kevin Kane; Jillian Knox; Dawn Luddy and Dora B. Schriro.

2. Approval of Minutes

December 12, 2014 draft minutes approved as amended – 3 abstained
January 14, 2015 draft minutes approved as amended – 1 abstained
March 5, 2015 draft minutes approved – 2 abstained

3. Public Comment

No public present for comment

4. Recommendations

Commission members received a recommendation worksheet to review and use as a working guide for the remaining commission meetings.

Discussion ensued regarding the potential statutory language to enforce Crime Victim's Rights by allowing a victim to petition the court to seek remedy for a violation of a crime victim's right. Reference recommendations from Jim Clarke section 2. Concerns regarding costs associated with amending the constitution were made.

Action item: N. Pierre will consult with an OLR attorney to seek input regarding constitutional and/or statutory changes.

A. Woods shared the establishment of the Governors Youth and Urban Violence Commission charged to examine issues, best strategies, policies, funding and make recommendations to the governor to address inner city violence.

Recommendation worksheet:

Pg. 1 – #1: Creation of Victim Services units in each police department modeled after New Haven Police Department.

Members discussed potential burdens imposed on police departments to fund such a unit and more staff unless this recommendation was funded.

J. Pizzano mentioned that smaller Police Departments may not need victim services unit, however larger cities would benefit from such a unit.

J. Rovella shared the Hartford Police Department is implementing a unit to be staffed by a civilian with experience in this area.

Outcome: This recommendation will be incorporated into a collaborative recommendation.

Pg. 1 - #2: Improve communication between law enforcement and victims during the pendency of an investigation.

Commission members agreed that recommendation #2 related to recommendation #1.

Outcome: This recommendation will be incorporated into a collaborative recommendation.

In regards to enforcement H. Bey-Coon addressed the commission and referenced a Federal Government handout. Federal Government 18 U.S.C. § 3771 (d)(5) provides the following limitations on relief for a violation of a crime victim's rights: In no case shall a failure to afford a right under this chapter provide grounds for a new trial. A victim may make a motion to re-open a please or sentence only if –

- (A) The victim has asserted the right to be heard before or during the proceeding at issue and such right was denied;
- (B) The victim petitions the court of appeals for a writ of mandamus within 14 days; and
- (C) In the case of a please, the accused has not pled to the highest offences' charged. This paragraph does not affect the victim's right to restitution as provided in title 18, United States Code.

Conversation continued regarding how to enforce a crime victim's right. It was asked if all service providers have a formal complaint process in place. A. Mahoney stated there was no formal complaint process regarding a prosecutors' treatment of a victim. However, if one were to be put in place that it should be made clear that complaints would be for a violation of a crime victim's right and not the outcome of a case.

H. Bey-Coon shared that this is an area that has two parts. 1. The complaint process and 2. What are the possible remedies for a violation of a CT crime victim's right.

L. Cimino stated there is a process in place for The Office of The Victim Services and she addresses those complaints.

L. Cimino recommended that the OVA explain all statutes to include civil protection for crime victims.

N. Pierre asked commission members if they would be present at the scheduled June meeting or would most be at the Melanie Ilene Rieger Conference. Most commission members would be in attendance at the conference. N. Pierre decided the June 4th commission meeting will need to be rescheduled.

Next meeting: May 7, 2015

Action item: reschedule June meeting

Adjournment: 11:42 p.m.