

THE VICTIMS' VOICE

Quarterly Newsletter

VOLUME 1, ISSUE 2 JUNE 2009

A MESSAGE FROM THE STATE VICTIM ADVOCATE



Michelle S. Cruz, Esq.
CT State Victim Advocate

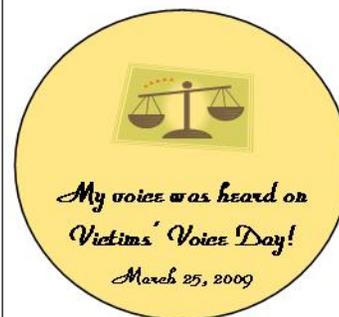
CRIME VICTIMS' RIGHT TO PRIVACY THE FACTS

Over the last few years Connecticut has made great strides towards transparency in the Courts: a movement geared towards openness of courthouses, through videotaped arraignments, trials, parole hearings, as well as accessibility to arrest warrants and search warrants. The idea stems from a desire to provide the public with a better understanding of the criminal justice system. The impact, however, realized or unintentional, is that crime victims, the innocent families and children who are involuntarily thrust into the center of the criminal justice system, are becoming the show piece for many of these events. The courts are and will continue to be open to the public, with the exception of child protection cases and juvenile matters. However, the issue of crime victims' privacy as it relates to the private painful details of their shattered lives continues to be a point of contention especially in regards to Freedom of information Requests (FOI).

The impetus for the creation of the Freedom of Information Commission in Connecticut and similar agencies throughout the country was to provide the public access to the inter-workings of their government to prevent governmental indiscretions such as the Watergate scandal. In the state of Connecticut, the Freedom of Information Commission has discretionary authority to determine, alone, whether information is privy to a Freedom of Information request. The concept behind FOI requests is that the public may gain access to documents that reveal governmental interworkings. This access, allegedly, provides the public with a means to gauge the governments' actions within a public agency and hold questionable practices or even corrupt officials accountable for misconduct. For instance, an individual who believes that an indiscretion has occurred can make a FOI request to the public agency and bring to light the actions of that agency. A FOI request could be sent to a police department or correctional institution to determine whether there was abuse of a detainee, or in the case of courts, whether the courts are fair and impartial. By reviewing these documents, the public can determine whether the governmental agency is conducting itself appropriately.

It is common knowledge within the legislative world, that oftentimes sound and well-thought out legislation has unforeseen consequences. Many times, despite diligent research, statistical analysis, and field studies, legislative initiatives and their collateral ramifications are not always readily apparent. The problem in the case of FOI requests is that crime victims are paying a heavy price. Their lives are being laid out in newspapers, televisions, and radio stations and their privacy is being trampled upon.

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CRIME VICTIMS' RIGHT TO PRIVACY - THE FACTS

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At first glance, the use of the FOI doesn't appear to a lay person or even a legally trained individual as problematic. And in fact there are many instances where there are no problems. The issue arises when the news media or even an inmate in a correctional facility utilizes the FOI to obtain information regarding crime victims which is highly personal or detailed and then publishes the information or dispenses it to others. The issue arises in the following manner: When processing a crime scene, police officers are cognizant that they have one opportunity to gather evidence of a crime and collect it. A crime scene is often difficult to process and can take many officers hours or even days to clear. The information gathered often comes in the way of documents such as letters, legal documents, emails, life insurance policies, financial paper work and so forth. Additionally, with the advances in technology, evidence can take on a number of forms, such as a computer hard drive, text messages, voice mails, photographs or videos from cell phones, internet photos and videos (You Tube), the list is endless. The idea behind careful collection of evidence is that once the processing of the scene is completed (keeping in mind that a crime scene is often a home, a store, or a car) the scene is no longer secure. Any evidence taken after the initial search is questionable, at best. The police officers are well aware that they get one bite at the apple.

After processing the scene, the police officers take the evidence they have collected in their investigation, catalogue and store it at the police department. In a large majority of cases throughout Connecticut there will be a plea bargain. Therefore much of the evidence that has been collected from the scene will never see the light of a courtroom since it will not be presented at a motion or in a trial. Herein lies the problem.

Regardless of the nature of the information housed at the police station, if it was collected by the police in an investigation it is subject to a FOI request. By way of clarity, this information often includes crime scene photographs of a deceased victim, videotapes of a murder in progress, financial records of the crime victim and so forth. When a FOI request is directed at a police department, anything and everything which has been housed at the police department, a public agency, becomes accessible to the requester. I want to be clear, the information I am concerned about is not evidence from a trial or motion. Obviously this information is public information. Furthermore, I am not suggesting that summarily this information be withheld. I am simply asking that the victim, and in cases of a homicide, the victim's family, be included in the balancing of Constitutional rights. I am advocating for the creation of a reasonable person's standard balancing test between the public's right to know what is occurring in their public agencies and the victim's right to privacy. I advocate for the public to learn about their public agencies through FOI; however, there is a difference between community empowerment and exploiting the crime victim. When the FOI requests include private and horrific details the disclosure of which would be offensive to a reasonable person, we have ventured outside of the intent and spirit of FOI. The pool of information I'm suggesting to be subjected to this balancing test is narrow.

There are many states that permit a balancing test such as the one proposed even the Federal government. Additionally, Connecticut already has a privacy exemption for people like me – state employees. Why are we not protecting the citizens of Connecticut in their darkest hours from having their private information splattered all over the front page of a newspaper? Why am I afforded more protection simply because I draw a check from the state? A large portion of the FOI requests have nothing to do with challenges or allegations of wrong doing directed at the interworkings of a public agency, the original reason FOI laws were necessary.

The proposed legislation is not a blanket refusal of information as the media would lead one to believe. Rather, it is specific objection(s) directed at certain portions of a FOI request such as photographs, video tapes etc. This is about common sense.



NATIONAL CRIME VICTIMS' RIGHTS WEEK RECEPTION APRIL 28, 2009

Governor M. Jodi Rell officially proclaimed the week of April 26-May 2, 2009 to be **CONNECTICUT CRIME VICTIMS' RIGHTS WEEK** in the State of Connecticut.

This annual reception was held on April 28, 2009 with the following guest speakers:



Michelle S. Cruz
State Victim Advocate



State Representative Michael Lawlor



Kevin Kane
Chief State's Attorney



Chief Gaudet
Bridgeport Police Department



James Amann
Former Speaker of the House
of Representatives



Richard Blumenthal
Connecticut Attorney General



Linda Cimino
Executive Director
Office of Victim Services



Sam Rieger, Survivor
Melanie Ilene Rieger Foundation



Survivors of Homicide
Memorial Wall and Shoe Display



Robin McHaelen
True Colors Executive Director



Anna Petrisky
Best friend of Tiana Notice



Jan Smolinski
Mother of missing Billy Smolinski



Leone Marie Page
Survivor of Childhood Sexual Assault
Member of CONNSACS Victim-
Survivor Advisory Council



Shirley Banks
Survivor of Homicide

Victims' Voice Day

March 25, 2009

On Wednesday, March 25, 2009 the Office of the Victim Advocate (OVA) held its first annual Victims' Voice Day. Victims' Voice Day is a statewide event that gives victims of crime the opportunity to have their voices heard.

Diana Virgie, OVA intern was the coordinator of this important event. Diana contacted organizations in Connecticut asking for their assistance in making the first Victims' Voice Day a success. The OVA was honored to have over twenty (20) organizations throughout Connecticut willing to participate, including AMP Media Partners which showed their generosity through providing an event location and additionally providing complimentary advertising. Governor M. Jodi Rell, recognizing and supporting victims of crime proclaimed March 25, 2009 officially Victims' Voice Day.

The OVA is well aware of the challenge that many crime victims find in discussing crimes committed against them. Having numerous locations throughout Connecticut all offering their support is what this event is about. Victims' Voice Day is a day of giving crime victims a comfortable atmosphere to express their concerns, have the opportunity to share their personal experiences, providing them with resources available throughout the state of Connecticut and giving them the opportunity to support proposed legislation directly concerning victims' rights in the state of Connecticut.

The first annual Victims' Voice Day was a success. With the efforts of everyone the OVA received over 330 signed letters of support for proposed legislation that were sent to their respective legislators, giving crime victims the ability to have their voices heard.

It is our hope that more crime victims will have their voices heard during the 2010 Victims' Voice Day making the day an even bigger success. A special "thank you" to all participants of Victims' Voice Day.



Intern Diana Virgie and Michelle S. Cruz, State Victim Advocate

**A SPECIAL *THANK YOU* FOR ALL PARTICIPATING ORGANIZATIONS
IN MAKING THE 1ST ANNUAL “VICTIMS’ VOICE DAY” A SUCCESS!**

American Red Cross - Farmington
Center for Women & Families of Eastern Fairfield County, Inc., - Rape Crisis Services - Bridgeport
Community Health Partners - Middletown
Connecticut Coalition Against Domestic Violence - East Hartford
Coordinating Council for Children in Crisis - New Haven
New Haven Police Department - New Haven
Petit Family Foundation at AMP Media Partners - Plainville
Ruthe Boyea Women’s Center, Central Connecticut State University - New Britain
Safe Haven of Greater Waterbury - Waterbury
Sexual Assault Crisis Center of Eastern Connecticut - New London
Sexual Assault Crisis Center of Eastern Connecticut - Willimantic
Sexual Assault Crisis & Education Center - Stamford
Survivors of Homicide - Wethersfield
United Services - Dayville
United Services - Wauregan
United Services - Willimantic
University of New Haven - West Haven
Windham Judicial District - Danielson
Women & Families Center - Meriden
Women & Gender Resource Action Center (WGRAC) - Hartford
Women’s Center at EASTERN - Willimantic
Women’s Center at UCONN - Storrs
Women’s Center of Greater Danbury, Inc. - Danbury
Women’s Center of Southeastern Connecticut - New London
Women’s Support Services - Sharon
YWCA of New Britain Sexual Assault Crisis Services - New Britain

The voices of crime victims were heard on March 25, 2009
with the assistance of these participating organizations.



*In memory of all victims that
are forever silenced!*





C.O.P.S. Mission Statement

“Concerns of Police Survivors, Inc. provides resources to assist in the rebuilding of the lives of surviving families and affected co-workers of law enforcement officers killed in the line of duty as determined by Federal criteria. Furthermore, C.O.P.S provides training to law enforcement agencies on survivor victimization issues and educates the public of the need to support the law enforcement profession and its survivors.”

Concerns of Police Survivors, Inc. was organized with 110 members in 1984. Today memberships have grown to include over 15,000 families consisting of spouses, children, parents, siblings, significant others, and affected co-workers of officers killed in the line of duty according to Federal government criteria.

C.O.P.S. offers programs for survivors, some of which include:

- ◆ *National Police Survivors’ Conference*
- ◆ *Training & Assistance to law enforcement agencies nationwide on how to respond to the tragic loss of a member of the law enforcement profession.*
- ◆ *“C.O.P.S. Kids” counseling reimbursement program*
- ◆ *“C.O.P.S. Kids” Summer Camp*
- ◆ *“C.O.P.S. Teens”*

C.O.P.S. is a non-profit organization, which programs and services are funded by grants and donations. To learn more about this vital organization or to show your support with a donation, please visit the C.O.P.S. website at www.nationalcops.org.

*Concerns of Police Survivors
P.O. Box 3199
Camdenton, MO 65020
Phone: (573) 346-4911
Email: cops@nationalcops.org*

*Connecticut survivors are part of the Massachusetts C.O.P.S. Chapter.
Contact information for the Massachusetts Chapter is available on the C.O.P.S. website.*



As parents and caregivers we try to protect our children as much as possible. However, it becomes more and more of a challenge as technology improves. So, the big question is:

How do we protect our children on the internet?

There are many individuals who attempt to sexually exploit children on the internet. Some individuals try to accomplish this slowly, while others try to immediately engage in a sexually explicit conversation "chat" with children. Children often have beliefs that they can monitor or block out strangers - this is a false sense of security! While the best way to protect your child on the internet is to be aware of their activities on the internet, below are some more helpful tips.

- ◆ Become computer literate and know the computer lingo (Example: Did you know that A/S/L? means age, sex, location)
- ◆ Place your computer in a common area, your child is easier to monitor if the computer is not in their individual bedrooms
- ◆ Share an email account with your child or maintain access to their account
- ◆ Bookmark their favorite sites for easy access and block offensive material
- ◆ Spend time online together to teach your child appropriate online behavior
- ◆ Do not allow your child in private "chat rooms". Did you know that when you post messages to a chat room your user's email address is exposed?
- ◆ Inquire what protection is offered, if any, by your child's school, or any place where kids could use a computer without your supervision.
- ◆ Take your child seriously, if they report any uncomfortable online usage
- ◆ Establish basic rules for your children to follow while exploring the web:
 - * NEVER upload (post) pictures of themselves on the internet to people they do not personally know
 - * NEVER download pictures from an unknown source, it is a good chance there could be sexually explicit content or images
 - * NEVER reveal personal information, such as name, address, phone number, school name or location. Use only a screen name.
 - * NEVER agree to meet anyone from a chat room in person.
 - * NEVER respond to a threatening, suggestive, obscene or harassing email or message
 - * Make your child aware, that information told to them online may or may not be true
 - * ALWAYS tell parents or guardians about any conversation or communication that was scary or uncomfortable

There are often warning signs of a child being targeted by an online predator such as:

- ◆ Spending long hours online, especially in the evening
- ◆ Receiving phone calls from people you don't know
- ◆ Unsolicited gifts arriving in the mail

As you walk into the room, if you child suddenly turns off the computer, doesn't want to talk about their online activities or is distant with the family, ask why and monitor them more closely.

What should you do if you believe your child is communicating with a sexual predator online?

- ◆ TALK to your child about your suspicion and tell them the dangers of computer sex-offenders
- ◆ Review what is on your child's computer. Pornography or any kind of sexual communication can be a warning sign
- ◆ Monitor your child's access to all types of electronic communication (chat rooms, instant messages, email)

Immediately contact your local or state law enforcement agency, the FBI, and the National Center for Missing and Exploited Children if any of the following situations should arise:

- ◆ Anyone in your household has received child pornography;
- ◆ Your child has been sexually solicited by someone who knows that your child is under 18 years of age;
- ◆ Your child has received sexually explicit images from someone that knows your child is under the age of 18

The FBI suggests, if one of these scenarios occur, keep your computer turned OFF to preserve any evidence for future law enforcement use. Unless directed to do so by the law enforcement agency, you should not attempt to copy any of the images or text found on the computer.

For more information, please visit the following websites:

National Center for Missing & Exploited Children: www.missingkids.com

Internet Keep Safe Coalition: www.ikeepSAFE.org

Federal Bureau of Investigation: www.fbi.gov/publications/pguide/pguidee.htm

The Cyber Tipline: www.cybertipline.com

NetSmartz411: www.netSmartz411.org

FREE 2009 NetSmartz Internet Safety Presentation: www.netSmartz.org/presentations



THE PATTI-ANN FUND FOR RECOVERY

(Patti-Ann is not the woman's real name)

The Patti-Ann Fund for Recovery is a fund for a woman attacked in Hamden, CT in March 2009. The woman agreed to give a co-worker a ride home and was severely beaten, raped and left for dead by this co-worker. The New Haven Register advertised the fund in the newspaper for people to donate towards her many expenses.

The road to recovery for this woman will be a long and painful road, if you can make a donation in any amount it would be appreciated.

Donations may be sent to the address below or brought to any New Alliance Bank:



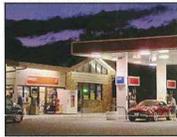
The New Alliance Bank
245 Main Street
East Haven, CT 06512

If you should have any questions regarding donations, please call:

Renee Kenney, Assistant Vice President of the New Alliance Bank at (203) 467-7723

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CONNECTICUT COLD CASE

THEREA WILSON



Therea Wilson's life was cut short on January 14, 1977, at the age of 26. Therea also known as *Thera Wilson*, *Theresa Wilson* and *Mona Williams*, was stabbed to death in our capital city of Hartford, CT. Therea suffered over fifty (50) stab wounds to her back and entire left side of her body. She was found over thirty-six hours later in the garage of the former Statler Hilton Hotel (10 Ford Street, Hartford). Her body was found in the backseat of her boyfriend's Cadillac Fleetwood Sedan, with blood visible all over the windows in below freezing weather. Her killer, in his bizarre behavior, wrapped her fingers which were badly cut from defending herself, in tissue.

Hartford Police Department had numerous leads back in 1977, but all leads turned up with negative results. During April 1977, Connecticut Governor Ella Grasso issued a \$5,000 reward for information leading to the arrest and conviction of the individual (s) responsible for her murder. In November 2006, that reward was increased to \$50,000 by Governor M. Jodi Rell at the request of Hartford State's Attorney, James E. Thomas.

At the request of the Hartford Police Department the case was re-opened in March 2006, with the assistance of the Cold Case Unit of the Office of the Chief State's Attorney.

Therea's surviving brother, Kevin Wilson, has dedicated his life to solving his sister's murder. The obstacle in solving this case, is no one, as of yet, has been willing to step forward and tell what they know. If you have information, please contact the tip line at the Office of the Chief State's Attorney at (860) 548-0606 or toll-free at 1-866-623-8058.

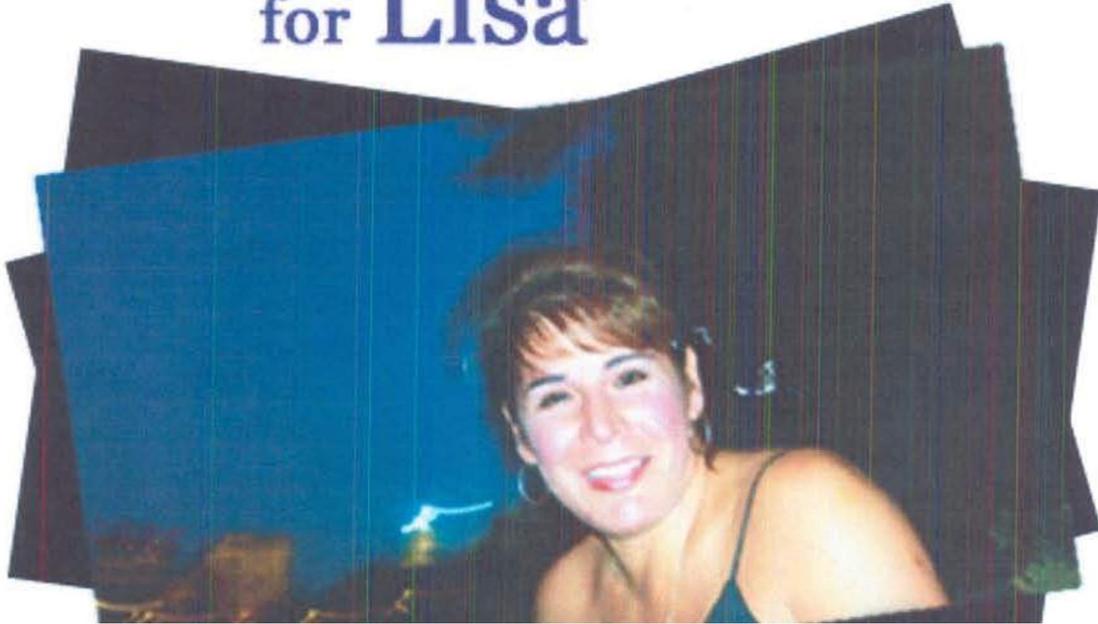
PLEASE NOTE: ALL CALLS ARE CONFIDENTIAL.

The Therea Wilson Foundation

The Therea Wilson Foundation was started in honor of a sister long gone but never forgotten. The mission of the Therea Wilson Foundation is to assist families in need of justice and closure. For more information on the Therea Wilson Foundation, please visit their website at www.thereahomicide.com.

INDEPENDENCE FOR LISA

Independence for Lisa



Lisa Goodman suffered injuries in a domestic violence incident back in January 2007, which left her a paraplegic. “Independence for Lisa” is a fundraiser to raise funds to purchase a handicap equipped vehicle for Lisa, which will allow Lisa the opportunity to gain back some of her independence.

If interested, you can contribute by sending a monetary donation. Donations will help give this young woman who has gone through a traumatic and life changing experience the freedom and independence that one deserves.

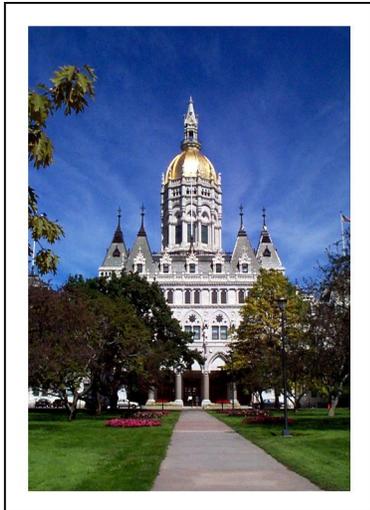
Monetary Donations can be made at [*TD Banknorth*](#): **“Independence for Lisa”**

RESTORE THE BUDGET OF THE OFFICE OF THE VICTIM ADVOCATE (OVA)

	FISCAL YEAR 2010	FISCAL YEAR 2011
Governor Recommended	376,354	381,867
Committee Recommended	301,083	305,494
Difference	75,271	76,373

- **THE OVA'S BUDGET HAS REMAINED STAGNANT SINCE ITS' INCEPTION**
- **THE OVA IS NOT A LUXURY**
- **THE OVA IS THE ONLY AGENCY THAT CAN ADDRESS AND REMEDY THE NEEDS OF CRIME VICTIMS**
- **THE OVA HAS 4 FULL TIME AND 1 PART TIME EMPLOYEES, WHICH INCLUDES THE STATE VICTIM ADVOCATE**
- **A 20% REDUCTION WILL CAUSE THE OVA TO LOSE AT LEAST ONE EMPLOYEE**
- **A 20% REDUCTION WILL CRIPPLE THE OVA'S ABILITY TO ASSIST CRIME VICTIMS EFFECTIVELY**
- **A 20% REDUCTION WILL NOT SOLVE THE STATE'S BUDGET CRISIS**
- **THE APPROPRIATION COMMITTEE'S CURRENT BUDGET PROPOSAL INCLUDES NEARLY 1.5 MILLION DOLLARS FOR NEW OFFENDER PROGRAMS AND NEARLY 5 MILLION TO INCREASE CURRENT OFFENDER PROGRAM SPENDING**

The OVA appreciates the legitimacy of offender programs; however, the disproportionate allocation of state funds to offender programs as compared to the continued reduction of victim service programs is fundamentally unfair. Both populations are guaranteed constitutional protections and yet the state funded support of offender programs by far out weights the support of crime victims.



2009 LEGISLATIVE SESSION WRAP - UP

At the request of the Office of the Victim Advocate, the Judiciary Committee agreed to raise House Bill No. 6670, An Act Concerning the Rights of Crime Victims and the Duties of the Office of the Victim Advocate. On April 3, 2009, the Judiciary Committee voted favorably on substitute language to House Bill No. 6670.

Sections 1 & 2 would have allowed a public agency to deny the release of certain records of crime victims, made pursuant to a freedom of information request, that were determined to be highly offensive to a reasonable person and not of legitimate concern to the public. If the requestor appealed the denial, the victim would have the opportunity attend the hearing and be heard.

Section 3 would have allowed the victim services advocates to assist any crime victim through the criminal justice process, not just those who sustain physical injury.

Section 4 would have formalized the process for requesting a continuance in minor child sexual assault cases.

Section 5 of the proposal simply would have added the Victim Advocate to the membership of the Criminal Justice Policy Advisory Commission.

Sadly, the proposal was referred to the Appropriations Committee which failed to take action on the bill.

The Office of the Victim Advocate (OVA) is committed to strengthening the laws and services for the betterment of crime victims. Additionally, the OVA will continue to work with criminal justice agencies and other entities that provide services to crime victims to improve the delivery of those services.

If anyone is interested in participating in the legislative process during the next session to support important proposals that affect crime victims, contact the OVA at (860) 550-6632 or toll free in CT (888) 771-3126.

SAVE THE DATE



June 11, 2009

CT State Police Training Academy
Meriden, CT
6:00 pm - 8:00 pm

Law Enforcement Appreciation
Awards Ceremony

For more information, please contact MADD: 1-800-544-3690



June 22, 2009

Petit Family Foundation
Golf Tournament

For more information, please visit:
www.petitfamilyfoundation.org

June 29, 2009

MADD's 15 Annual Golf Tournament
In memory of Jim & Barbara Inverno

Wallingford Country Club
195 Long Hill Road; Wallingford, CT

For more information contact Paula at 203-234-6526 or
paula.dagostino@madd.org



July 19, 2009

GE5K Petit Family Foundation Race

*Includes Fun Run for Kids & Fitness Walk

For more information, please visit:
www.petitfamilyfoundation.org

June 19, 2009

Office of the Victim Advocate's
"Best Practices of Advocating for Crime Victims"

Legislative Office Building
8:00 am - 4:00 pm

A free informational training for advocates throughout the state of Connecticut to learn more about the criminal justice system. This one-day course provides advocates with the ability to enhance their knowledge about the criminal justice system, the roles of key players, and provide a forum to have pre-submitted questions answered.

For more information or to register, please see our
upcoming events page on our website at www.ova.state.ct.us



Registrations closed
as of June 5, 2009



July 11, 2009

Red Dress Run for Women at Elizabeth Park
West Hartford, CT
Start time - 8:00 am

Please contact CCADV for more information at 860-282-7899
or visit their website at www.ctcadv.org



September 12 & 13, 2009

CT Women's Expo
CT Expo Center
Hartford, CT

Saturday, September 12th from 11 am - 6 pm
Sunday, September 13th from 11 am - 5 pm

Please contact CCADV for more information at 860-282-7899
or visit their website at www.ctcadv.org

COMING THIS FALL 2009

The Crime Victims' Institute

More Information to come! Please, keep checking the OVA website at www.ova.state.ct.us