

MEMORANDUM - JUDICIAL BRANCH

To: Linda Cimino
Jim Morgan

Date: March 13, 2009

Re: Recovery Act - Grant Applications

Attached please find two grant applications submitted electronically to the U.S. Department of Justice.

Please feel free to contact me at 706-5146 if you have any questions.



FROM: Rick Dunion

2009 MAR 17 11:48

OFFICE OF
VICTIM SERVICES
RECEIVED



**FY 09 Recovery Act - Victims of Crime Act (VOCA) Victim Assistance
Formula Grant Program** 2009-40203-CT-SG



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Your application for the FY 09 Recovery Act - Victims of Crime Act (VOCA) Victim Assistance Formula Grant Program has been successfully submitted. You will no longer be able to edit any information submitted. However, you can log in any time to view the application information.

You will be contacted by the Program Office when your application is processed or any other action is required by you.

Attachment: 1 Recovery Act – OVC FY 09 VOCA Victim Assistance Formula Grant Program

Administrative Cost: The State of Connecticut plans to use an amount not to exceed five percent (5%) of its total Recovery Act – OVC FY 09 VOCA Victim Assistance Formula Grant Program award for administrative and training costs.

The Connecticut Judicial Branch will use the administrative and training funds to supplement existing state funds in the administration of the Recovery Act – OVC FY 09 VOCA Victim Assistance Formula Grant Program and to conduct statewide training.

Attachment: 2 Recovery Act – OVC FY 09 VOCA Victim Assistance Formula Grant Program

Certification of State Grantee Eligibility Requirements Statement -

The State of Connecticut Judicial Branch certifies that it complies with and will comply with the requirements of Part II, State Grantee Eligibility Requirements, **and will** require subgrantee compliance with Part IV. Subgrantee Eligibility Requirements. These include the following:

- Victim assistance grant funds will be used only to provide services to victims of crime, except for a maximum of 5 percent that may be used for administration and training.
- Victim assistance grants and administrative funds will not be used to supplant state and local public funds that would otherwise be available for crime victim services.
- A minimum of 40 percent of the total grant will be awarded by giving 10 percent to each of 4 categories of crime victims: sexual assault, domestic violence, child abuse, and underserved. Underserved victims are designated by type of crime and are determined by the state grantee. This requirement may be waived if the state grantee can document to OVC the following:
 - A category of crime victims is currently receiving a significant amount of financial assistance from the state or other funding sources.
 - A smaller amount of financial assistance, or no assistance, is needed in the VOCA victim assistance grant program.
 - Crime rates have diminished for the particular type of crime.
- Fund accounting, auditing, and other records as necessary will be maintained to assure fiscal control, proper fund management, and efficient disbursement of funds received under the VOCA victim assistance program.
- OVC will be provided the name of a civil rights contact person who is responsible for ensuring that all applicable civil rights requirements are met and who will act as liaison in civil rights matters with the Office of Justice Programs, Office of Civil Rights.
- No person on the grounds of race, color, religion, national origin, disability, or sex shall be excluded from participating in, or be denied the benefits of, or be subjected to discrimination under, or be denied employment in any undertaking funded in whole or in part with VOCA victim assistance grant funds.
- Required programmatic and financial reports will be submitted on the use of VOCA victim assistance funds by OVC deadlines.
- OVC and the cognizant agency will promptly be notified of any illegal acts or irregularities, and of proposed and actual actions, if any. Illegal acts and irregularities include conflicts of interest, falsification of records or reports, and misappropriation of funds or other assets.
- State grantee and its subgrantees will comply with the applicable provisions of the VOCA *Final Program Guidelines VOCA FFY 1997 Victim Assistance Program*.
- State grantees are required to assist OVC in implementing its responsibilities under the National Historic Preservation Act (NHPA). Specifically, the grantee will establish and maintain records when reviewing and considering any request for use of grant funds that involve proposed renovation work. Renovation work includes altering or otherwise improving the exterior or interior of a structure. This applies to proposed renovation work that is not only specifically funded with OVC victim assistance grant funds, but this requirement also applies if funded by the grantee or any third party as a prerequisite to accommodate the proposed use of the grant funds. The grantee must certify to OVC that the grantee has established and maintains records of any proposed renovation work on a structure that is less than 50 years old or 50 years and older. If the structure is determined to be less than 50 years old and this

fact is documented in the grant file, no further action is required. If any portion of the structure is 50 years or older, the grantee is required to contact the State Compensation and Assistance Division Director at 202-307-5983 to provide information needed for the NHPA consultation process. This may include assisting OVC to consult with the State Historic Preservation Officer and amending the proposed renovation work to avoid any potential adverse impact to the historic structure. The grantee assures not to fund any proposed renovation of a structure 50 years or older until the grantee has received written approval from OVC.

Attachment: 3 Recovery Act – OVC FY 09 VOCA Victim Assistance Formula Grant Program

To assist in fulfilling the accountability objectives of the Recovery Act, as well as the Department's responsibilities under the Government Performance and Results Act (GPRA), Public Law 103-62, applicants who receive funding under this solicitation must provide data that measure the results of their work. Performance measures for this solicitation are as follows:

OBJECTIVE	PERFORMANCE MEASURES	DATA THE GRANTEE PROVIDES FOR 3-MONTH REPORTING PERIOD	DESCRIPTION (PLAIN LANGUAGE EXPLANATION OF WHAT EXACTLY IS BEING PROVIDED)
To provide direct services to crime victims in support of the Recovery Act objectives to preserve and create jobs and promote economic recovery.	Number of jobs retained due to Recovery Act funding.	Number of existing jobs retained as a result of Recovery Act funding.	During the reporting period, how many jobs that would have been lost without Recovery Act funding were retained as a result of the funding?
	Number of jobs created due to Recovery Act funding.	Number of new jobs created as a result of Recovery Act funding.	During the reporting period, how many new positions were created using Recovery Act funding to administer the program or for other purposes?
	Essential services maintained without disruption.	Number of programs with uninterrupted service to victims as a result of Recovery Act funding (by type of program). Number of programs that were reinstated to provide services to victims as a result of Recovery Act funding (by type of program).	During the reporting period, how many programs that would have been interrupted without Recovery Act funding continued as a result of the funding? During the reporting period, how many programs that were discontinued due to insufficient funding were reinstated as a result of Recovery Act funding?

	Number of collaborative partnerships established to avoid reductions in essential programs.	Number of new partnerships established as a result of Recovery Act funding. Number of partnerships continued as a result of Recovery Act funding.	During the reporting period, how many funded partnerships were established as a result of Recovery Act funding? During the reporting period, how many funded partnerships were continued as a result of Recovery Act funding?
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Data collection methods

The Connecticut Judicial Branch Office of Victim Services (OVS) will collect all required data for the 2009 Recovery Act Victim Assistance award.

Sub-Recipients of Recovery Act funding will be required to submit budget and budget narratives prior to the awarding of funds. The following information will be requested:

- Detailed use of funds
- Project staff rosters
- Narrative listing any changes in staff rosters due to Recovery Act funding
- Narrative stating the anticipated impact that additional funds had on the project – new services, maintaining existing services, restoring services that were previously eliminated, etc.
- Narrative identifying any collaborative partnerships that are being funded under this project

This information will be summarized by OVS and will be used to address performance measures noted above. OVS also maintains a contract listing which will be used to identify any changes in the number of programs that are funded using Recovery Act dollars.

Sub-Recipients of Recovery Act funding will also be required to maintain records and report on the following information:

- Current project staff rosters
- Changes in project staff rosters due to Recovery Act funding
- Changes in project services

This information will be reported to OVS on a quarterly basis. The information will be summarized and reported to OVC quarterly until the funds are fully expended.



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS

**Recovery Act – OVC FY 09 VOCA Victim Assistance
Formula Grant Program**

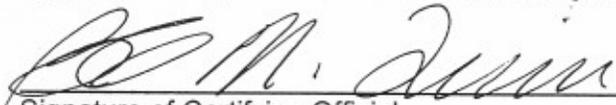
Certification as to Recovery Act Reporting Requirements

On behalf of the applicant entity named below, I certify the following to the Office of Justice Programs, U.S. Department of Justice:

I have personally read and reviewed the section entitled "Accountability and Transparency under the Recovery Act" in the program announcement for the Recovery Act grant program identified above. I have also read and reviewed section 1512(c) of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), concerning reporting requirements for grants. I agree that the applicant will comply with the reporting requirements set forth therein with respect to any grant the applicant may receive under the Recovery Act grant program identified above.

I acknowledge that a false statement in this certification may be subject to criminal prosecution, including under 18 U.S.C. § 1001. I also acknowledge that Office of Justice Programs, grants, including certifications provided in connection with such grants, are subject to review by the Office of Justice Programs, and/or by the Department of Justice's Office of the Inspector General.

I have authority to make this certification on behalf of the applicant entity (that is, the entity applying directly to the Office of Justice Programs).



Signature of Certifying Official

Barbara M. Quinn

Printed Name of Certifying Official

Judge, Chief Court Administrator

Title of Certifying Official

State of Connecticut Judicial Branch

Full Name of Applicant Entity

March 13, 2009

Date



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS

**Recovery Act - OVC FY 09 VOCA Victim Assistance
Formula Grant Program**

General Certification as to Requirements for Receipt of Funds
for Infrastructure Investments

On behalf of the applicant state or unit of local government (including tribal government) named below, I certify the following to the Office of Justice Programs ("OJP"), U.S. Department of Justice:

I have personally read and reviewed the section entitled "Eligibility" in the program announcement for the Recovery Act grant program named above. I also have personally read and reviewed section 1511 of the American Recovery and Reinvestment Act of 2009 (the "Recovery Act"), which requires a specific certification prior to receipt of Recovery Act funds for infrastructure investments.

Initial the statement that applies:

The applicant identified below **does not intend to use** any portion of any funds received under this Recovery Act grant program for any infrastructure investment. Should this intention change, the applicant will promptly notify OJP, and (except to the extent, if any, that OJP has given prior written approval to expend funds to conduct the review and vetting required by law) will not draw down, obligate, or expend any funds received under this Recovery Act program for any infrastructure investment project until section 1511 of the Recovery Act has been satisfied, and an adequate project-specific certification has been executed, posted, and submitted to OJP.

The applicant identified below **does intend to use** some or all of any funds received under this Recovery Act grant program for one or more infrastructure investment projects. Except to the extent, if any, that OJP has given prior written approval to expend funds to conduct the review and vetting required by law, I agree that the applicant entity will execute, post, and submit to OJP, prior to obligating, expending, or drawing down funds for such project, a project-specific certification that satisfies all of the requirements of section 1511 (including execution by the Governor, mayor, or other chief executive, as appropriate) for each such infrastructure investment project.



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U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS

General Certification as to Requirements for Receipt of Funds
for Infrastructure Investments

I acknowledge that a false statement in this certification may be subject to criminal prosecution, including under 18 U.S.C. § 1001. I also acknowledge that Office of Justice Program grants, including certifications provided in connection with such grants, are subject to review by the Office of Justice Programs and/or by the Department of Justice's Office of the Inspector General.

I have authority to make this certification on behalf of the applicant (that is, the governmental entity applying directly to the Office of Justice Programs).

Barbara M. Quinn
Signature of Certifying Official

Barbara M. Quinn
Printed Name of Certifying Official

Judge, Chief Court Administrator
Title of Certifying Official

State of Connecticut Judicial Branch
Full Name of Applicant Government Entity

March 13, 2009
Date



**FY 09 Recovery Act - Victims of Crime Act (VOCA) Victim
Compensation Formula Grant Program** 2009-40211-CT-SF



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Your application for the FY 09 Recovery Act - Victims of Crime Act (VOCA) Victim Compensation Formula Grant Program has been successfully submitted. You will no longer be able to edit any information submitted. However, you can log in any time to view the application information.

You will be contacted by the Program Office when your application is processed or any other action is required by you.

APPLICATION FOR FEDERAL ASSISTANCE	2. DATE SUBMITTED	Applicant Identifier
1. TYPE OF SUBMISSION	3. DATE RECEIVED BY STATE	State Application Identifier
Application Non-Construction	4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier
5. APPLICANT INFORMATION		
Legal Name	Organizational Unit	
Connecticut Judicial Branch	Judicial Branch	
Address	Name and telephone number of the person to be contacted on matters involving this application	
231 Capitol Avenue Hartford, Connecticut 06106-1692	Dunion, Rick (860) 706-5146	
6. EMPLOYER IDENTIFICATION NUMBER (EIN)	7. TYPE OF APPLICANT	
06-6001799	State	
8. TYPE OF APPLICATION	9. NAME OF FEDERAL AGENCY	
New	Office for Victims of Crime	
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: 16.802 CFDA TITLE: Recovery Act - Victim Compensation Formula Grants	11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT	
	Recovery Act-OVC FY09 VOCA Compensation Formula Grant	
12. AREAS AFFECTED BY PROJECT		
Statewide		
13. PROPOSED PROJECT	14. CONGRESSIONAL DISTRICTS OF	
Start Date: October 01, 2008 End Date: September 30, 2012	a. Applicant	
	b. Project CT01 CT02 CT03 CT04 CT05 CT00	
15. ESTIMATED FUNDING	16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?	
Federal	\$285,841	Program is not covered by E.O. 12372
Applicant	\$0	
State	\$0	
Local	\$0	
Other	\$0	
Program Income	\$0	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?
TOTAL	\$285,841	

Attachment: 1 Recovery Act – OVC FY 09 VOCA Victim Compensation Formula Grant Program

Administrative Cost: The State of Connecticut plans to use five percent (5%) of its total Recovery Act – OVC FY 09 VOCA Victim Compensation Formula Grant award for administrative costs.

- The Connecticut Judicial Branch agrees to comply with the requirement that the Branch will use the administrative funds to supplement and not supplant existing state funds in the administration of the VOCA Crime Victim Compensation Program.

Attachment: 2 Recovery Act – OVC FY 09 VOCA Victim Compensation Formula Grant Program

Certification of State Grantee Eligibility Requirements:

- The Connecticut Judicial Branch complies with and will comply with the requirement that the program promotes victim cooperation with the reasonable requests of law enforcement authorities.
- The Connecticut Judicial Branch complies with and will comply with the requirement that the program certifies that grants received for crime victim compensation will not be used to supplant state funds otherwise available to provide crime victim compensation.
- The Connecticut Judicial Branch complies with and will comply with the requirement that the program provides compensation to residents and nonresidents on the same basis.
- The Connecticut Judicial Branch complies with and will comply with the requirement that the program provides compensation to victims of federal crimes occurring within the state on the same basis that it provides compensation to victims of state crimes.
- The Connecticut Judicial Branch complies with and will comply with the requirement that the program does not, except according to state-established rules, deny compensation to any victim because of the victim's familial relationship to the offender or because the victim and offender share the same residence.
- The Connecticut Judicial Branch complies with and will comply with the requirement that the program includes as compensable those crimes that result in victims suffering death or personal injury as a result of the intentional or attempted defacement, damage, or destruction of any religious real property because of its religious character or the obstruction, by force or threat of force, of any person's enjoyment of the free exercise of religious beliefs when the crime is covered by interstate or foreign commerce. VOCA also requires that states include as compensable those crimes that result in victims suffering death or personal injury as a result of the intentional or attempted defacement, damage, or destruction of any religious real property because of the race, color, or ethnic characteristics of any individual associated with the religious property.
- The Connecticut Judicial Branch complies with and will comply with the requirement that the program provides other information and assurances related to the crime victim compensation program as the OVC Director may reasonably require.
- The Connecticut Judicial Branch complies with and will comply with the requirement that the program assists OVC in implementing its responsibilities under the National Historic Preservation Act (NHPA). Specifically, the grantee will establish and maintain records when reviewing and considering any request for use of grant funds that involves proposed renovation work. Renovation work includes altering or otherwise improving the exterior or interior of a structure. This applies to proposed renovation work that is not only specifically funded with OVC compensation grant funds, but also may be funded by the grantee or any third party as a prerequisite to accommodate the proposed use of the grant funds. This provision is limited to state grantees and cannot be passed through as an obligation for the victim. The grantee must certify to OVC that they have established and maintained records of any of proposed renovation work on a structure that is less than 50 years old or 50 years and

older. If the structure is determined to be less than 50 years old and this fact is documented in the grant file, no further action is required. If any of the portion of the structure is 50 years or older, the grantee is required to contact the State Compensation and Assistance Division Director at 202-307-5983 to provide information needed for the NHPA consultation process. This may include assisting OVC to consult with the State Historic Preservation Officer and amending the proposed renovation work to avoid any potential adverse impact to the historic structure. The grantee assures not to fund any proposed renovation of a structure 50 years or older until the grantee has received written approval from OVC.

Attachment: 3 Recovery Act – OVC FY 09 VOCA Victim Compensation Formula Grant Program

To assist in fulfilling the accountability objectives of the Recovery Act, as well as the Department's responsibilities under the Government Performance and Results Act (GPRA), Public Law 103-62, applicants who receive funding under this solicitation must provide data that measure the results of their work. Performance measures for this solicitation are as follows:

OBJECTIVE	PERFORMANCE MEASURES	DATA THE GRANTEE PROVIDES FOR 3-MONTH REPORTING PERIOD	DESCRIPTION (PLAIN LANGUAGE EXPLANATION OF WHAT EXACTLY IS BEING PROVIDED)
To provide direct services to crime victims in support of the Recovery Act objectives to preserve and create jobs and promote economic recovery.	Number of jobs retained due to Recovery Act funding.	Count of people receiving work-loss benefits, defined as lost wages or lost support.	Number of claimants receiving Recovery Act funds to help offset economic loss due to victimization
	Number of jobs created due to Recovery Act funding.	Not Applicable	Not Applicable
	Essential services maintained without disruption.	Dollar amount spent on providing essential services (by type of services).	How much Recovery Act funding will be spent on providing each type of essential service (e.g., medical, dental, etc.) during the reporting period.

Data collection methods

The Connecticut Judicial Branch Office of Victim Services (OVS) will collect all required data for the 2009 Recovery Act Victim Compensation award. The OVS claims processing system will generate reports each quarter to track:

- Number of individuals who received funding under this award.
- Dollar value of claims paid under this award by type - work-loss benefits (lost wages, loss of support) or essential services (medical, dental, etc.). Costs will be identified for each specific expense type.
- Summary report indicating number of individuals who received funding by type of specific loss.

CHAPTER 968
VICTIM SERVICES

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Sec. 54-231. Notification of Office of Victim Services by Department of Correction upon release of inmate. Access to criminal history record information.

Sec. 54-232. Disposition of requests for notification received prior to April 1, 1992.

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Sec. 54-234. Development of response system for victims of offense of trafficking in persons. Contracts.

Sec. 54-235. State-wide automated victim information and notification system.

Secs. 54-236 to 54-239.

Sec. 54-201. Definitions. As used in sections 54-201 to 54-233, inclusive:

(1) "Victim" means a person who is injured or killed as provided in section 54-209;

(2) "Personal injury" means (A) actual bodily harm and mental anguish which is the direct result of bodily injury and includes pregnancy and any condition thereof, or (B) injury to a guide dog or assistance dog owned or kept by a blind or disabled person;

(3) "Dependent" means any relative of a deceased victim or a person designated by a deceased victim in accordance with section 1-56r who was wholly or partially dependent upon his income at the time of his death or the child of a deceased victim and shall include the child of such victim born after his death;

(4) "Relative of any person" means the spouse, parent, grandparent, stepparent, child, including natural born, step and adopted, grandchild, brother, sister, half brother, half sister or spouse's parents;

(5) "Crime" means any act which is a felony, as defined in section 53a-25, or misdemeanor, as defined in section 53a-26, and includes any crime committed by a juvenile.

(P.A. 78-261, S. 1, 17; P.A. 87-554, S. 17; P.A. 95-175, S. 4; P.A. 02-105, S. 15; P.A. 03-129, S. 1.)

History: P.A. 87-554 redefined "dependents" to include children of deceased victims and added definition of "crime"; P.A. 95-175 redefined crime to include crimes committed by juveniles; P.A. 02-105 amended Subdiv. (3) by making technical changes and adding a person designated by a victim pursuant to Sec. 1-56r to definition of "dependent"; P.A. 03-129 redefined "personal injury" in Subdiv. (2) by inserting Subpara. (A) designator and adding Subpara. (B) to include injury to a guide dog or assistance dog owned or kept by a blind or disabled person.

Sec. 54-202. Compensation commissioners; appointment; Chief Victim Compensation Commissioner; temporary victim compensation commissioners; compensation. (a) On or before July 1, 1993, the Governor shall appoint five victim compensation commissioners for a term of four years to conduct hearings and make determinations as provided in sections 54-201 to 54-233, inclusive. To be eligible for appointment, a victim compensation commissioner shall have been admitted to the practice of law in this state for at least five years prior to the appointment.

(b) Each victim compensation commissioner shall be eligible for reappointment and may be removed by the Governor for inefficiency, neglect of duty or malfeasance in office after due notice and hearing.

(c) A Chief Victim Compensation Commissioner shall be designated by the Chief Court Administrator from among the five victim compensation commissioners appointed by the Governor. The Chief Court Administrator may appoint qualified attorneys to serve as temporary victim compensation commissioners when victim compensation commissioners are not available or when additional victim compensation commissioners are necessary for the expeditious processing of claims. Temporary victim compensation commissioners shall have the same qualifications for appointment and the same powers as victim compensation commissioners.

(d) Each victim compensation commissioner and temporary victim compensation commissioner shall receive one hundred twenty-five dollars for each day of service.

(P.A. 78-261, S. 2, 17; P.A. 80-390, S. 1, 5; P.A. 83-311; P.A. 87-554, S. 1; P.A. 89-35; P.A. 91-389, S. 9; P.A. 92-153, S. 1; May Sp. Sess. P.A. 92-11, S. 49, 70; P.A. 93-310, S. 1, 32.)

History: P.A. 80-390 replaced previous provision in Subsec. (c) which had allowed members no compensation but had allowed reimbursement for expenses incurred in performing duties with provision authorizing \$50 per diem; P.A. 83-311 amended Subsec. (c) by increasing compensation from \$50 to \$100 per day; P.A. 87-554 changed "criminal injuries compensation board" to "commission on victim services" and amended Subsec. (c) to specify that expenses are in addition to \$100 per diem; P.A. 89-35 amended Subsec. (d) by adding provision permitting administrator to make preliminary evaluation and order of compensation not to exceed \$2,000; P.A. 91-389 amended Subsec. (d) to replace provision permitting administrator to make preliminary evaluation and order of compensation not to exceed \$2,000 with provision permitting administrator to make a preliminary evaluation of an application; P.A. 92-153 increased members from three to five, required that one member have at least five years' experience in delivery of victim services and one member have at least five years' experience in insurance handling personal injury claims, deleted restriction specifying that members must never have been victims themselves or be related to a victim, added provisions re expiration of terms of members on September 30, 1992, appointment of members as of October 1, 1992, and re term length, revised provision re compensation of members and appeals panel, and changed "administrator" to "executive director"; May Sp. Sess. P.A. 92-11 made a technical change in Subsec. (a); P.A. 93-310 extensively revised section, changing "members of the commission" to "victim compensation commissioners", providing for chief victim compensation commissioner, authorizing appointment of temporary victim compensation commissioners, replacing provision authorizing reimbursement for expenses and payment of \$100 per day with set compensation of \$125 per day and deleting prior provisions re hearing officers, effective July 1, 1993.

See Sec. 4-38f for definition of "administrative purposes only".

Sec. 54-202a. Executive director. Appointment; term; salary; duties. Deputy director of compensation. Deputy director of victim services. Section 54-202a is repealed, effective July 1, 1993.

(P.A. 92-153, S. 2; P.A. 93-310, S. 31, 32.)

Sec. 54-203. Office of Victim Services established. Powers and duties. (a) There is established an Office of Victim Services within the Judicial Department.

(b) The Office of Victim Services shall have the following powers and duties:

(1) To direct each hospital, whether public or private, to display prominently in its emergency room posters giving notice of the availability of compensation and assistance to victims of crime or their dependents pursuant to sections 54-201 to 54-233, inclusive, and to direct every law enforcement agency of the state to inform victims of crime or their dependents of their rights pursuant to sections 54-201 to 54-233, inclusive;

(2) To request from the office of the state's attorney, state police, local police departments or any law enforcement agency such investigation and data as will enable the Office of Victim Services to determine if in fact the applicant was a victim of a crime or attempted crime and the extent, if any, to which the victim or claimant was responsible for his own injury;

(3) To request from the Department of Correction, other units of the Judicial Department and the Board

of Pardons and Paroles such information as will enable the Office of Victim Services to determine if in fact a person who has requested notification pursuant to section 54-228 was a victim of a crime;

(4) To direct medical examination of victims as a requirement for payment under sections 54-201 to 54-233, inclusive;

(5) To take or cause to be taken affidavits or depositions within or without the state;

(6) To apply for, receive, allocate, disburse and account for grants of funds made available by the United States, by the state, foundations, corporations and other businesses, agencies or individuals to implement a program for victim services which shall assist witnesses and victims of crimes as the Office of Victim Services deems appropriate within the resources available and to coordinate services to victims by state and community-based agencies, with priority given to victims of violent crimes, by (A) assigning, in consultation with the Division of Criminal Justice, such victim advocates as are necessary to provide assistance; (B) administering victim service programs; and (C) awarding grants or purchase of service contracts in accordance with the plan developed under subdivision (15) of this subsection to private nonprofit organizations or local units of government for the direct delivery of services, except that the provision of training and technical assistance of victim service providers and the development and implementation of public education campaigns may be provided by private nonprofit or for-profit organizations or local units of government. Such grants and contracts shall be the predominant method by which the Office of Victim Services shall develop, implement and operate direct service programs and provide training and technical assistance to victim service providers;

(7) To provide each person who applies for compensation pursuant to section 54-204, within ten days of the date of receipt of such application, with a written list of rights of victims of crime involving personal injury and the programs available in this state to assist such victims. The Office of Victim Services, the state or any agent, employee or officer thereof shall not be liable for the failure to supply such list or any alleged inadequacies of such list. Such list shall include, but not be limited to:

(A) Subject to the provisions of sections 18-81e and 51-286e, the victim shall have the right to be informed concerning the status of his or her case and to be informed of the release from custody of the defendant;

(B) Subject to the provisions of section 54-91c, the victim shall have the right to present a statement of his or her losses, injuries and wishes to the prosecutor and the court prior to the acceptance by the court of a plea of guilty or nolo contendere made pursuant to a plea agreement with the state wherein the defendant pleads to a lesser offense than the offense with which the defendant was originally charged;

(C) Subject to the provisions of section 54-91c, prior to the imposition of sentence upon the defendant, the victim shall have the right to submit a statement to the prosecutor as to the extent of any injuries, financial losses and loss of earnings directly resulting from the crime;

(D) Subject to the provisions of section 54-126a, the victim shall have the right to appear before a panel of the Board of Pardons and Paroles and make a statement as to whether the defendant should be released on parole and any terms or conditions to be imposed upon any such release;

(E) Subject to the provisions of section 54-36a, the victim shall have the right to have any property the victim owns which was seized by police in connection with an arrest to be returned;

(F) Subject to the provisions of sections 54-56e and 54-142c, the victim shall have the right to be notified of the application by the defendant for the pretrial program for accelerated rehabilitation and to obtain from the court information as to whether the criminal prosecution in the case has been dismissed;

(G) Subject to the provisions of section 54-85b, the victim cannot be fired, harassed or otherwise retaliated against by an employer for appearing under a subpoena as a witness in any criminal prosecution;

(H) Subject to the provisions of section 54-86g, the parent or legal guardian of a child twelve years of age or younger who is a victim of child abuse or sexual assault may request special procedural considerations to be taken during the testimony of the child;

(I) Subject to the provisions of section 46b-15, the victim of assault by a spouse or former spouse, family or household member has the right to request the arrest of the offender, request a protective order and apply for a restraining order;

(J) Subject to the provisions of sections 52-146k, 54-86e and 54-86f, the victim of sexual assault or domestic violence can expect certain records to remain confidential;

(8) Within available appropriations, to establish a victim's assistance center which shall provide a victims' rights information clearinghouse which shall be a central repository of information regarding rights of victims of crime and services available to such victims and shall collect and disseminate such information to assist victims;

(9) To provide, not later than January 1, 1994, a victims' notification clearinghouse which shall be a central repository for requests for notification filed pursuant to sections 54-228 and 54-229, and to notify, on and after January 1, 1994, persons who have filed such a request whenever an inmate has applied for release from a correctional institution or reduction of sentence or review of sentence pursuant to section 54-227 or whenever an inmate is scheduled to be released from a correctional institution and, on and after January 1, 1994, to provide victims of family violence crimes, upon request, information concerning any modification or termination of criminal orders of protection;

(10) To provide a telephone hotline that shall provide information on referrals for various services for victims of crime and their families;

(11) To provide staff services to a state advisory council. The council shall consist of not more than fifteen members to be appointed by the Chief Justice and shall include the Chief Victim Compensation Commissioner and members who represent victim populations, including but not limited to, homicide survivors, family violence victims, sexual assault victims, victims of drunk drivers, and assault and robbery victims, and members who represent the judicial branch and executive branch agencies involved with victims of crime. The members shall serve for terms of four years. Any vacancy in the membership shall be filled by the appointing authority for the balance of the unexpired term. The members shall receive no compensation for their services. The council shall meet at least six times a year. The council shall recommend to the Office of Victim Services program, legislative or other matters which would improve services to victims of crime and develop and coordinate needs assessments for both court-based and community-based victim services. The Chief Justice shall appoint two members to serve as cochairmen. Not later than December fifteenth of each year, the council shall report the results of its findings and activities to the Chief Court Administrator;

(12) To utilize such voluntary and uncompensated services of private individuals, agencies and organizations as may from time to time be offered and needed;

(13) To recommend policies and make recommendations to agencies and officers of the state and local subdivisions of government relative to victims of crime;

(14) To provide support and assistance to state-wide victim services coalitions and groups;

(15) To develop, in coordination with the Department of Social Services, the Department of Public Health, the Office of Policy and Management, the Department of Children and Families and the Division of Criminal Justice, a comprehensive plan to more effectively administer crime victims' compensation and coordinate the delivery of services to crime victims, including the funding of such services. Such plan shall be submitted to the Governor and the General Assembly not later than January 1, 1994;

(16) Within available appropriations to establish a crime victims' information clearinghouse which shall

be a central repository for information collected pursuant to subdivision (9) of this subsection and information made available through the criminal justice information system, to provide a toll-free telephone number for access to such information and to develop a plan, in consultation with all agencies required to provide notification to victims, outlining any needed statutory changes, resources and working agreements necessary to make the Office of Victim Services the lead agency for notification of victims, which plan shall be submitted to the General Assembly not later than February 15, 2000;

(17) To provide a training program for judges, prosecutors, police, probation and parole personnel, bail commissioners, officers from the Department of Correction and judicial marshals to inform them of victims' rights and available services; and

(18) To submit to the joint standing committee of the General Assembly having cognizance of matters relating to victim services, in accordance with the provisions of section 11-4a, on or before January 15, 2000, and biennially thereafter a report of its activities under sections 54-201 to 54-233, inclusive, including, but not limited to, implementation of training activities and mandates. Such report shall include the types of training provided, entities providing training and recipients of training.

(P.A. 78-261, S. 3, 17; P.A. 80-390, S. 2, 5; P.A. 83-341; P.A. 85-609, S. 1; P.A. 86-401, S. 1; P.A. 87-514, S. 1, 4; 87-554, S. 2; P.A. 91-389, S. 10; P.A. 92-153, S. 3; P.A. 93-91, S. 1, 2; 93-262, S. 1, 87; 93-310, S. 2, 32; 93-381, S. 9, 39; P.A. 95-257, S. 12, 21, 58; P.A. 96-97, S. 1; P.A. 97-257, S. 3, 13; P.A. 99-184, S. 1-3; P.A. 00-99, S. 125, 154; 00-196, S. 44; P.A. 04-234, S. 2; P.A. 05-288, S. 190.)

History: P.A. 80-390 added Subdiv. (e) re implementation of programs to assist witnesses and crime victims; P.A. 83-341 amended Subsec. (e) to permit board to apply for and receive grants of funds for victim services program; P.A. 85-609 added Subsec. (f) re provision of comprehensive state-wide victim assistance program and appointment and assignment of victim advocates; P.A. 86-401 amended Subsec. (f) to permit transfer of any person employed in classified service as a victim advocate on October 1, 1986, to the criminal injuries compensation board as classified employee as victim advocate without reduction in salary or grade and added Subsec. (g) re written list of rights provided to victim; P.A. 87-514 added Subsecs. (h) to (k), inclusive, adding duty to provide victims' rights information and telephone hotline for referrals; to continue study by task force on civil liability, assist in implementing recommendations thereof and report findings; to utilize voluntary services and recommend policies to state and local government re rights of victims of crime and victims of torts; P.A. 87-554 changed name of "criminal injuries compensation board" to "commission on victim services"; P.A. 91-389 amended Subsec. (a) to include notice of the availability of "assistance" to crime victims, inserted a new Subsec. (c) to authorize the commission to request information to verify that a person who has requested notification pursuant to Sec. 54-228 was a victim of crime and relettering the remaining Subsecs. accordingly, amended Subsec. (g) to delete provision re transfer to the commission as a classified employee any person employed in the unclassified service as a victim advocate on October 1, 1986, added Subsec. (h)(6) to (10), inclusive, re additional rights of victims to be included in the list, inserted a new Subsec. (j) re the establishment of a victims' notification clearinghouse and the notification of persons who have requested notification, relettering the remaining Subsecs. accordingly, deleted former Subsec. (j) re the study by the task force on civil liability, and added Subsec. (l) re the establishment, composition and duties of a victim services coordinating council, relettering the remaining Subsec. accordingly; P.A. 92-153 established division of crime victims' compensation and division of victim services under supervision of executive director and deputy directors, revised provisions re coordination of victim services, added provision re notification of victims of family violence crimes and modification or termination of criminal orders of protection not later than April 1, 1993, deleted provision re victim services coordinating council and added provision re state advisory council and added responsibility of development of comprehensive plan for administration of crime victims' compensation and coordination of delivery of services in coordination with department of human resources, department of health services, office of policy and management, judicial branch, department of children and youth services and division of criminal justice; P.A. 93-91 substituted commissioner and department of children and families for commissioner and department of children and youth services, effective July 1, 1993; P.A. 93-262 authorized substitution of commissioner and department of social services for commissioner and department of human resources, effective July 1, 1993; P.A. 93-310 revised section by deleting references to victim compensation commission, establishing office of victim compensation within the judicial department, deleting references to

victims of torts, adding deadline of January 1, 1994, for establishment of victims' notification clearinghouse, requiring chief justice to appoint members of council, including the chief victim compensation commissioner, and two members to serve as cochairmen, effective July 1, 1993; P.A. 93-381 replaced department of health services with department of public health and addiction services, effective July 1, 1993; P.A. 95-257 replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health, effective July 1, 1995; P.A. 96-97 amended Subsec. (b)(9) by adding "scheduled to be" before "released"; P.A. 97-257 amended Subsec. (b)(8) by adding "Within available appropriations, to establish a victim's assistance center which shall" and added Subdivs. (16) re establishment of victim's information clearinghouse and provision of toll-free number for access to information and (17) re training program for judges, prosecutors, police, probation and parole personnel, bail commissioners, correctional officers and special deputy sheriffs, effective July 1, 1997; P.A. 99-184 amended Subsec. (b)(6) by adding provision that training and technical assistance for providers and development and implementation of public education campaigns may be provided by nonprofit or for-profit organizations or local units of government, amended Subsec. (b)(16) by adding provision requiring the Office of Victim Services to develop a plan in consultation with other agencies for notification of victims, making Office of Victim Services the lead agency for notification of victims and requiring plan to be submitted to General Assembly not later than February 15, 2000, and added Subdiv. (18) requiring Office of Victim Services to submit report of its activities, including training activities and mandates, to the General Assembly on or before January 15, 2000, and biennially thereafter; P.A. 00-99 replaced reference to special deputy sheriffs with judicial marshals in Subsec. (b)(17), effective December 1, 2000; P.A. 00-196 made a technical change in Subsec. (b)(18); P.A. 04-234 replaced Board of Pardons and Board of Parole with Board of Pardons and Paroles, effective July 1, 2004; P.A. 05-288 made a technical change in Subsec. (b)(16), effective July 13, 2005.

Sec. 54-204. Application for compensation or restitution services. Report and examination.

Confidential information. (a) Any person who may be eligible for compensation or restitution services, or both, pursuant to sections 54-201 to 54-233, inclusive, may make application therefor to the Office of Victim Services. If the person entitled to make application is a minor or incompetent person, the application may be made on such person's behalf by a parent, guardian or other legal representative of the minor or incompetent person.

(b) In order to be eligible for compensation or restitution services under sections 54-201 to 54-233, inclusive, the applicant shall prior to a determination on any application made pursuant to sections 54-201 to 54-233, inclusive, submit reports if reasonably available from all physicians or surgeons who have treated or examined the victim in relation to the injury for which compensation is claimed at the time of or subsequent to the victim's injury or death. If in the opinion of the Office of Victim Services or, on review, a victim compensation commissioner, reports on the previous medical history of the victim, examination of the injured victim and a report thereon or a report on the cause of death of the victim by an impartial medical expert would be of material aid to its just determination, said office or commissioner shall order such reports and examinations. Any information received which is confidential in accordance with any provision of the general statutes shall remain confidential while in the custody of the Office of Victim Services or a victim compensation commissioner.

(P.A. 78-261, S. 4, 17; P.A. 79-505, S. 1, 7; P.A. 87-554, S. 3; P.A. 91-39; P.A. 93-310, S. 3, 32.)

History: P.A. 79-505 added references to restitution services; P.A. 87-554 substituted "commission" for "board"; P.A. 91-39 amended Subsec. (b) by adding provision that confidential information received by the commission shall remain confidential while in the custody of the commission; P.A. 93-310 changed "commission" to "office of victims services", added "of the minor or incompetent person" after "representative", changed "hearing" to "determination", changed "commission or hearing examiner" to "office of victim services or, on review, a victim compensation commissioner" and "office of victim services or a victim compensation commissioner", effective July 1, 1993.

Sec. 54-205. Evaluation of application. Determination. Request for review by compensation commissioner. (a) Upon application made under the provisions of sections 54-201 to 54-233, inclusive, the Office of Victim Services shall evaluate such application, make an appropriate determination in writing, and provide notice to the applicant of such determination. In order to make a determination on an application, the Office of Victim Services may administer oaths or affirmations, may subpoena any witness to appear or may issue a subpoena duces tecum, provided no subpoena shall be issued except under the signature of a victim compensation commissioner. Any application to any court for aid in enforcing such subpoena may be made in the name of the Office of Victim Services only by a victim compensation commissioner. Subpoenas shall be served by any person designated by a victim compensation commissioner.

(b) An applicant may request that a determination made pursuant to subsection (a) of this section be reviewed by a victim compensation commissioner by filing a request for review with the Office of Victim Services, on a form prescribed by the Office of the Chief Court Administrator, within thirty days from mailing of the notice of such determination.

(c) For the purposes of carrying out the provisions of sections 54-201 to 54-233, inclusive, a victim compensation commissioner shall hear any request for review filed by an applicant pursuant to sections 54-201 to 54-233, inclusive, to which such commissioner is assigned and shall make a written determination on such application for compensation. A victim compensation commissioner shall hold such hearings and take such testimony as such commissioner may deem advisable. A commissioner may administer oaths or affirmations to witnesses and shall have full power to subpoena any witness to appear and give testimony or to issue a subpoena duces tecum. Subpoenas shall be served by any person designated by a victim compensation commissioner.

(d) No witness under subpoena authorized to be issued by the provisions of this section shall be excused from testifying or from producing records, papers or documents. If any person disobeys such process or, having appeared in obedience thereto, refuses to answer any pertinent question put to him by the victim compensation commissioner or to produce any records, papers or documents and appears pursuant thereto, said commissioner may apply to the superior court for the judicial district of Hartford, setting forth such disobedience to process or refusal to answer. The court shall cite such person to appear before said court to answer such question or to produce such records, papers or documents or to show cause why a question put to him should not be answered or why such records, papers or documents should not be produced. Upon such person's refusal to answer or produce records, papers or documents or to show cause, the court may commit such person to a community correctional center until such person complies, but not for a longer period than sixty days. Notwithstanding any such commitment of such person, the victim compensation commissioner may proceed with the hearing as if such witness had testified adversely regarding his interest in the proceeding.

(e) The applicant and any other person having a substantial interest in a proceeding may appear before the victim compensation commissioner and be heard, produce evidence and cross-examine witnesses in person or by his attorney. The victim compensation commissioner also may hear such other persons as in the commissioner's judgment may have relevant evidence to submit.

(f) Any statement, document, information or matter may be considered by the Office of Victim Services or, on review, by a victim compensation commissioner, if in the opinion of said office or commissioner, it contributes to a determination of the claim, whether or not the same would be admissible in a court of law.

(g) If any person has been convicted of any offense with respect to an act on which a claim under sections 54-201 to 54-233, inclusive, is based, proof of that conviction shall be taken as conclusive evidence that the offense has been committed by such person, unless an appeal or any proceeding with regard thereto is pending.

(P.A. 78-261, S. 5, 17; P.A. 87-554, S. 4; P.A. 93-142, S. 4, 7, 8; 93-310, S. 4, 32; P.A. 95-220, S. 4-6; P.A. 96-97, S. 2; P.A. 03-189, S. 1.)

History: P.A. 87-554 changed "board" to "commission"; P.A. 93-310 revised section, changing "commission" to "office of victim services", changing "hearing" to "determination", providing revised procedure for determination of claims by office of victim services and upon request of applicant, review by a victim compensation commissioner and adding provision re witness under subpoena, effective July 1, 1993 (Revisor's note: P.A. 88-230, P.A. 90-98 and P.A. 93-142 authorized substitution of "judicial district of Hartford" for "judicial district of Hartford-New Britain" in public acts of the 1993 session of the general assembly, effective September 1, 1996); P.A. 95-220 changed the effective date of P.A. 88-230 from September 1, 1996, to September 1, 1998, effective July 1, 1995; P.A. 96-97 amended Subsec. (b) by increasing time for filing a request for review from 14 to 30 days from mailing notice of determination; P.A. 03-189 amended Subsec. (a) by replacing "review such application" with "evaluate such application".

Sec. 54-206. Payment of attorneys as part of order. The Office of Victim Services or, on review, a victim compensation commissioner may, as part of any order entered under sections 54-201 to 54-233, inclusive, determine and allow reasonable attorney's fees, which shall not exceed fifteen per cent of the amount awarded as compensation under section 54-208, to be paid out of but not in addition to the amount of such compensation. No such attorney shall ask for, contract for or receive any larger sum than the amount so allowed.

(P.A. 78-261, S. 6, 17; P.A. 87-554, S. 5; P.A. 93-310, S. 5, 32; P.A. 01-211, S. 19; P.A. 03-189, S. 2.)

History: P.A. 87-554 substituted "commission" for "board"; P.A. 93-310 changed "The commission" to "A victim compensation commissioner", effective July 1, 1993; P.A. 01-211 designated existing provisions as Subsec. (a) and added new Subsec. (b) re direct payment to health care providers for health care services rendered to the victim; P.A. 03-189 deleted Subsec. (a) designator, added reference to the Office of Victim Services and provision re review by victim compensation commissioner and deleted former Subsec. (b) re payment to health care providers.

Sec. 54-207. Regulations to prescribe procedures. Section 54-207 is repealed, effective July 1, 1993.

(P.A. 78-261, S. 7, 17; P.A. 87-554, S. 6; P.A. 92-153, S. 7; P.A. 93-310, S. 31, 32.)

Sec. 54-207a. Chief Court Administrator to prescribe policies and procedures. The Office of the Chief Court Administrator shall prescribe such policies and procedures, as deemed necessary, to implement the provisions of sections 54-201 to 54-233, inclusive, and may formulate standards for the uniform application of the payment of compensation of claims.

(P.A. 93-310, S. 6, 32.)

History: P.A. 93-310 effective July 1, 1993.

Sec. 54-208. Order of payment of compensation. Criminal intent. Circumstances considered. Prosecution not necessary. Amount and manner of payments. Unclaimed award. (a) If a person is injured or killed as provided in section 54-209, the Office of Victim Services or, on review, a victim compensation commissioner may order the payment of compensation in accordance with the provisions of sections 54-201 to 54-233, inclusive: (1) To or for the benefit of the injured person; (2) in the case of personal injury of the victim, to any person responsible for the maintenance of the victim who has suffered pecuniary loss as a result of such injury; or (3) in the case of death of the victim, to or for the benefit of any

one or more of the dependents of the victim including any dependent child of a homicide victim who was killed by the other parent or to any person who has suffered pecuniary loss, including but not limited to funeral expenses, as a result of such death.

(b) For the purposes of sections 54-201 to 54-233, inclusive, a person shall be deemed to have intended an act notwithstanding that, by reason of age, insanity, drunkenness or otherwise, he was legally incapable of forming a criminal intent.

(c) In determining whether to make an order under this section, the Office of Victim Services or, on review, a victim compensation commissioner shall consider all circumstances determined to be relevant, including but not limited to provocation, consent or any other behavior of the victim which directly or indirectly contributed to such victim's injury or death, the extent of the victim's cooperation in investigating the application and the extent of the victim's cooperation with law enforcement agencies in their efforts to apprehend and prosecute the offender, and any other relevant matters.

(d) An order may be made under this section whether or not any person is prosecuted or convicted of any offense arising out of such act. Upon application made by an appropriate prosecuting authority, the Office of Victim Services or a victim compensation commissioner may suspend making any determination or any proceedings, as the case may be, under sections 54-201 to 54-233, inclusive, for such period as it deems appropriate on the ground that a prosecution for an offense arising out of such act or omission has been commenced or is imminent.

(e) In determining the amount of compensation to be allowed, the Office of Victim Services or, on review, a victim compensation commissioner shall take into consideration amounts that the applicant has received or is eligible to receive from any other source or sources, including but not limited to payments from state and municipal agencies, insurance benefits, and workers' compensation awards, as a result of the incident or offense giving rise to the application.

(f) Payments shall be made in a manner to be determined by the Office of Victim Services, including, but not limited to, lump sum or periodic payments. If an award is not claimed by the applicant within forty-five days after notice of the award, the Office of Victim Services may vacate such award or may order payments from such award to health care providers or victim service providers and vacate any remaining amount of such award.

(P.A. 78-261, S. 8, 17; P.A. 80-90; P.A. 82-397, S. 1, 7; P.A. 87-554, S. 7; P.A. 93-310, S. 7, 32; P.A. 95-175, S. 5; P.A. 02-132, S. 79.)

History: P.A. 80-90 amended Subsec. (a)(3) to include payments to victim's estate; P.A. 82-397 deleted references to "incurred expenses" associated with injury or death in Subsec. (a), referring instead to "pecuniary loss" in both instances, added provision re extent of victim's cooperation with board and law enforcement agencies in Subsec. (c), restated Subsec. (e) and added specific reference to payments from state and municipal agencies, insurance benefits and workers' compensation awards and added Subsec. (f) re method of payment; P.A. 87-554 changed "board" to "commission" and amended Subsec. (a) by adding "including any child of a homicide victim who was killed by the other parent, provided the proceeds of any payment of compensation shall be placed in a trust fund for the benefit of any such child until such child or children reach the age of eighteen"; P.A. 93-310 changed "commission" to "office of victim services, or on review a victim compensation commissioner", made technical changes, and in Subsec. (f) changed "commission" to "office of victim services", eliminated annuities or deposits in accounts held in trust for applicant and added provision permitting vacation of award if not claimed within 45 days, effective July 1, 1993; P.A. 95-175 amended Subsec. (c) to delete "need for financial aid" as factor to be considered; P.A. 02-132 amended Subsec. (f) by adding provisions re order of payments to health care providers or victim service providers from unclaimed award and making technical changes.

Sec. 54-209. Compensation ordered, when. (a) The Office of Victim Services or, on review, a victim compensation commissioner may order the payment of compensation in accordance with the provisions of sections 54-201 to 54-233, inclusive, for personal injury or death which resulted from: (1) An attempt to prevent the commission of crime or to apprehend a suspected criminal or in aiding or attempting to aid a police officer so to do, (2) the commission or attempt to commit by another of any crime as provided in section 53a-24, (3) the operation of a motor vehicle by another person who was subsequently convicted with respect to such operation for a violation of subsection (a) of section 14-224 or of section 14-227a, 53a-56b or 53a-60d, or (4) any crime involving international terrorism as defined in Section 2331 of Title 18 of the United States Code.

(b) In the absence of conviction, as provided in subdivision (3) of subsection (a) of this section, the Office of Victim Services or, on review, a victim compensation commissioner may order payment of compensation under this section if, upon consideration of all circumstances determined to be relevant, the Office of Victim Services or a victim compensation commissioner, as the case may be, reasonably concludes that another person has operated a motor vehicle in violation of subsection (a) of section 14-224 or of section 14-227a, 53a-56b or 53a-60d.

(c) Except as provided in subdivision (3) of subsection (a) and subsection (b) of this section, no act involving the operation of a motor vehicle which results in injury shall constitute a crime for the purposes of sections 54-201 to 54-233, inclusive, unless the injuries were intentionally inflicted through the use of the vehicle.

(d) Evidence of an order for the payment of compensation by the Office of Victim Services or a victim compensation commissioner in accordance with the provisions of sections 54-201 to 54-233, inclusive, shall not be admissible in any civil proceeding to prove the liability of any person for such personal injury or death or in any criminal proceeding to prove the guilt or innocence of any person for any crime.

(P.A. 78-261, S. 9, 17; P.A. 85-529, S. 2, 4; P.A. 87-554, S. 8; P.A. 89-49; P.A. 93-310, S. 8, 32; P.A. 95-175, S. 6; P.A. 97-59, S. 1, 4.)

History: P.A. 85-529 inserted Subsec. indicators and added Subsec. (a)(3) and an exception to Subsec. (b) to authorize the board to pay compensation for injury or death resulting from the operation of a motor vehicle by another person subsequently convicted of a violation of Sec. 14-227a, 53a-56b or 53a-60d; P.A. 87-554 changed "board" to "commission"; P.A. 89-49 inserted new Subsec. (b) permitting payment of compensation in absence of conviction if commission reasonably concludes person operated motor vehicle in violation of Sec. 14-227a, 53a-56b or 53a-60d, relettering former Subsec. (b) accordingly, and added Subsec. (d) re inadmissibility of order of compensation in civil or criminal proceeding to prove liability or guilt or innocence of any person; P.A. 93-310 changed "commission" to "office of victim services or, on review, a victim compensation commissioner", effective July 1, 1993; P.A. 95-175 amended Subsecs. (a) and (b) by adding references to Sec. 14-224(a); P.A. 97-59 added Subsec. (a)(4) re crime involving international terrorism, effective May 8, 1997.

Sec. 54-210. Compensation ordered for expenses, loss of earnings, pecuniary loss and other losses. (a) The Office of Victim Services or a victim compensation commissioner may order the payment of compensation under sections 54-201 to 54-233, inclusive, for: (1) Expenses actually and reasonably incurred as a result of the personal injury or death of the victim, provided coverage for the cost of medical care and treatment of a crime victim who does not have medical insurance or who has exhausted coverage under applicable health insurance policies or Medicaid shall be ordered; (2) loss of earning power as a result of total or partial incapacity of such victim; (3) pecuniary loss to the spouse or dependents of the deceased victim, including zero to one per cent loans of up to one hundred thousand dollars, with repayment beginning five years from the date the loan was awarded, provided the family qualifies for compensation as a result of murder or manslaughter of the victim; (4) pecuniary loss to the relatives or dependents of a deceased victim for attendance at court proceedings with respect to the criminal case of the person or persons charged with committing the crime that resulted in the death of the victim; and (5) any other loss, except as set forth in

section 54-211, resulting from the personal injury or death of the victim which the Office of Victim Services or a victim compensation commissioner, as the case may be, determines to be reasonable. At the discretion of said office or victim compensation commissioner, there shall be one hundred dollars deductible from the total amount determined by said office or victim compensation commissioner. Loan funds awarded under subdivision (3) of this subsection shall be used to pay for essential living expenses, directly resulting from the loss of income provided by the deceased victim, or preexisting financial obligations that are not otherwise forgiven or excused. The Office of the Chief Court Administrator shall establish procedures and forms for the application and repayment of such loans.

(b) Payment of compensation under sections 54-201 to 54-233, inclusive, may be made to a person who is a recipient of public assistance or state-administered general assistance for necessary and reasonable expenses related to injuries resulting from a crime and not provided for by the income assistance program in which such person is a participant. Unless required by federal law, no such payment shall be considered an asset for purposes of eligibility for such assistance.

(P.A. 78-261, S. 10, 17; P.A. 87-217; 87-554, S. 9; P.A. 92-153, S. 6; P.A. 93-310, S. 9, 32; P.A. 97-257, S. 5, 13; June 18 Sp. Sess. P.A. 97-2, S. 111, 165; P.A. 99-128, S. 1; 99-184, S. 4; P.A. 00-200, S. 1; P.A. 04-76, S. 41.)

History: P.A. 87-217 added Subsec. (b) permitting board to order compensation to recipient of income assistance for expenses related to injuries resulting from crime and not provided for by income assistance program and providing that no such payment shall be considered asset for purposes of eligibility for assistance unless required by federal law; P.A. 87-554 changed "board" to "commission"; P.A. 92-153 made no change; P.A. 93-310 changed "commission" to "office of victim services" or "office of victim services or a victim compensation commissioner, as the case may be", effective July 1, 1993; P.A. 97-257 amended Subsec. (a) by requiring order of coverage for cost of medical care of victim who does not have medical insurance or who has exhausted coverage, effective July 1, 1998; June 18 Sp. Sess. P.A. 97-2 amended Subsec. (b) to make technical and conforming changes re references to assistance programs, effective July 1, 1997; P.A. 99-128 amended Subsec. (a) by adding provision re compensation for pecuniary loss to relatives or dependents of deceased victim for attendance at court re criminal case of person charged with crime resulting in death of victim; P.A. 99-184 amended Subsec. (a) by providing that the \$100 deductible shall be at the discretion of the Office of Victim Services or a victim compensation commissioner; P.A. 00-200 amended Subsec. (a) to add provisions re compensation for pecuniary loss to spouse or dependents of deceased victim in the form of 0% to 1% loans; P.A. 04-76 amended Subsec. (b) by deleting reference to "general assistance".

Sec. 54-211. Time limitation on filing application for compensation. Restrictions on award of compensation. Amount of compensation. (a)(1) No order for the payment of compensation shall be made under section 54-210 unless (A) the application has been made within two years after the date of the personal injury or death, (B) the personal injury or death was the result of an incident or offense listed in section 54-209, and (C) such incident or offense has been reported to the police within five days of its occurrence or, if the incident or offense could not reasonably have been reported within such period, within five days of the time when a report could reasonably have been made, except that a victim of a sexual assault shall not be ineligible for the payment of compensation by reason of failing to make a report pursuant to this subparagraph if such victim presented himself or herself to a health care facility within seventy-two hours of such sexual assault for examination and collection of evidence of such sexual assault in accordance with the provisions of section 19a-112a. (2) Notwithstanding the provisions of subdivision (1) of this subsection, any person who, before, on or after October 1, 2005, fails to make application for compensation within two years after the date of the personal injury or death as a result of physical, emotional or psychological injuries caused by such personal injury or death may apply for a waiver of such time limitation. The Office of Victim Services, upon a finding of such physical, emotional or psychological injury, may grant such waiver. (3) Notwithstanding the provisions of subdivision (1) of this subsection, any minor who, before, on or after October 1, 2005, fails to make application for compensation within two years after the date of the personal injury or death through no fault of the minor, may apply for a waiver of such

time limitation. The Office of Victim Services, upon a finding that such minor is not at fault, may grant such waiver. (4) Notwithstanding the provisions of subdivision (1) of this subsection, a person who is a dependent of a victim may make application for payment of compensation not later than two years from the date that such person discovers or in the exercise of reasonable care should have discovered that the person upon whom the applicant was dependent was a victim or ninety days after May 26, 2000, whichever is later. Such person shall file with such application a statement signed under penalty of false statement setting forth the date when such person discovered that the person upon whom the applicant was dependent was a victim and the circumstances that prevented such person discovering that the person upon whom the applicant was dependent was a victim until more than two years after the date of the incident or offense. There shall be a rebuttable presumption that a person who files such a statement and is otherwise eligible for compensation pursuant to sections 54-201 to 54-233, inclusive, is entitled to compensation. (5) Any waiver denied by the Office of Victim Services under this subsection may be reviewed by a victim compensation commissioner, provided such request for review is made by the applicant within thirty days from the mailing of the notice of denial by the Office of Victim Services. If a victim compensation commissioner grants such waiver, the commissioner shall refer the application for compensation to the Office of Victim Services for a determination pursuant to section 54-205. (6) Notwithstanding the provisions of subdivision (1), (2) or (3) of this subsection, the Office of Victim Services may, for good cause shown and upon a finding of compelling equitable circumstances, waive the time limitations of subdivision (1) of this subsection.

(b) No compensation shall be awarded if: (1) The offender is unjustly enriched by the award, provided compensation awarded to a victim which would benefit the offender in a minimal or inconsequential manner shall not be considered unjust enrichment; (2) the victim violated a penal law of this state, which violation caused or contributed to his injuries or death.

(c) No compensation shall be awarded for losses sustained for crimes against property or for noneconomic detriment such as pain and suffering.

(d) (1) No compensation shall be awarded for the first hundred dollars of injury sustained and no such compensation shall be in an amount in excess of fifteen thousand dollars except that such compensation to or for the benefit of the dependents of a homicide victim shall be in an amount not to exceed twenty-five thousand dollars. The claims of the dependents of a deceased victim, as provided in section 54-208, shall be considered derivative of the claim of such victim and the total compensation paid for all claims arising from the death of such victim shall not exceed a maximum of twenty-five thousand dollars.

(2) Notwithstanding the provisions of subdivision (1) of this subsection, the Office of Victim Services or a victim compensation commissioner may, for good cause shown and upon a finding of compelling equitable circumstances, award compensation in an amount in excess of the maximum amounts set forth in said subdivision.

(e) Orders for payment of compensation pursuant to sections 54-201 to 54-233, inclusive, may be made only as to injuries or death resulting from incidents or offenses arising on and after January 1, 1979, except that orders for payment of compensation pursuant to subdivision (3) of subsection (a) of section 54-209 may be made only as to injuries or death resulting from incidents or offenses arising on and after July 1, 1985.

(f) Compensation shall be awarded pursuant to sections 54-201 to 54-233, inclusive, for bodily injury or death resulting from a crime which occurs (1) within this state, regardless of the residency of the applicant; (2) outside this state but within the territorial boundaries of the United States, provided the victim, at the time of injury or death, was a resident of this state and the state in which such crime occurred does not have a program for compensation of victims for which such victim is eligible; and (3) outside the territorial boundaries of the United States, provided the applicant is a victim of international terrorism, as defined in Section 2331 of Title 18 of the United States Code, and was a resident of this state at the time of injury or death.

(P.A. 78-261, S. 11, 17; P.A. 81-23, S. 1; P.A. 82-397, S. 4, 7; P.A. 85-529, S. 3, 4; 85-538, S. 3; P.A. 87-554, S. 10; P.A. 90-22, S. 1; 90-279, S. 1; P.A. 93-310, S. 10, 32; P.A. 95-175, S. 7; P.A. 97-59, S. 2, 4; P.A. 00-110, S. 1, 2; P.A. 05-249, S. 7; P.A. 06-100, S. 2, 3.)

History: P.A. 81-23 added Subsec. (e) prohibiting compensation to nonresident victims unless a reciprocal victim compensation provision has been enacted in the state in which the victim is a resident; P.A. 82-397 amended Subsec. (a) by deleting provision prohibiting compensation award if victim is relative of offender or living with offender as member of family or household or maintaining a sexual relationship with offender or member of family of offender and added prohibition of compensation to victim if offender benefits or if victim was living with offender by mutual consent in relationship of cohabitation, regardless of legal status, and amended Subsec. (c) by deleting requirement that all payments be made in a lump sum; P.A. 85-529 amended Subsec. (d) by providing that compensation pursuant to Sec. 54-209(a)(3) is limited to incidents or offenses arising on and after July 1, 1985; P.A. 85-538 amended Subsec. (b) adding "unless the parties have separated, are no longer in a relationship of cohabitation and there is no expectation that the parties will resume a relationship of cohabitation in the future, and deleted Subsec. (e) which required reciprocity for nonresident victim; P.A. 87-554 amended Subsec. (c) by increasing maximum compensation to \$15,000, except that the maximum compensation for dependents of homicide victim shall be \$25,000 and providing that claims of dependents of deceased victim shall be considered derivative of claim of victim and total of all claims shall not exceed \$25,000, and amended Subsec. (e) re compensation for bodily injury or death from crime occurring in this state, regardless of residency of the applicant; P.A. 90-22 amended Subsec. (b) by adding provisions prohibiting compensation if offender may be unjustly enriched and amended Subsec. (e) by authorizing award of compensation to resident victim of a crime committed outside the state; P.A. 90-279 amended Subsec. (a) by permitting application for and granting of waiver of time limitation for benefits if failure to file within two-year period was a result of physical, emotional or psychological injuries or the negligence of the parent, guardian or custodian of a minor who failed to file within the two-year period; P.A. 93-310 changed "commission" to "office of victim services", added provision re review of denial of waiver, deleted provision in Subsec. (b) re investigation where unjust enrichment, added provision prohibiting compensation for crimes against property or for noneconomic detriment such as pain and suffering and made technical changes, effective July 1, 1993; P.A. 95-175 amended Subsec. (a) by replacing failure to make application through "negligence of the parent, guardian or custodian" of a minor with failure to apply "through no fault of" the minor; P.A. 97-59 amended Subsec. (a) by changing "fourteen" days from the mailing of the notice of denial to "thirty" days from such mailing, amended Subsec. (f)(2) by adding "but within the territorial boundaries of the United States" and added Subdiv. (3) re crime outside territorial boundaries provided applicant is victim of international terrorism and resident of state at time of injury or death, effective May 8, 1997; P.A. 00-110 added new Subsec. (a)(4) re time limitation and procedure for a person to make application for compensation upon discovering that the person upon whom the applicant was dependent was a victim, redesignating former Subdiv. (4) as Subdiv. (5), effective May 26, 2000; P.A. 05-249 amended Subsec. (a)(2) to make provisions applicable to any person who "before, on or after October 1, 2005," fails to make a timely application for compensation and delete the condition that an application for a waiver be filed not later than six years after the date of the personal injury or death, amended Subsec. (a)(3) to make provisions applicable to any minor who "before, on or after October 1, 2005," fails to make a timely application for compensation and delete the condition that an application for a waiver be filed not later than two years after the minor attains the age of majority or seven years after the date of the personal injury or death, whichever is sooner, and made technical changes in Subsec. (a); P.A. 06-100 amended Subsec. (a) to insert Subpara. designators and make technical changes in Subdiv. (1), add exception in Subdiv. (1)(C) re sexual assault victim who presents himself or herself to health care facility within 72 hours for examination and collection of evidence of such sexual assault, and add Subdiv. (6) authorizing office to waive time limitations of Subdiv. (1) for good cause shown and upon a finding of compelling equitable circumstances and amended Subsec. (d) to designate existing provisions as Subdiv. (1) and add Subdiv. (2) authorizing office to award compensation in excess of maximum amounts set forth in Subdiv. (1) for good cause shown and upon finding of compelling equitable circumstances.

Sec. 54-211a. Appeal. Any applicant aggrieved by an order or decision of a victim compensation commissioner may appeal by way of a demand for a trial de novo to the superior court for the judicial district of Hartford. The appeal shall be taken within thirty days after mailing of the order or decision, or if there is no mailing, within thirty days after personal delivery of such order or decision.

(P.A. 82-397, S. 3, 7; P.A. 87-554, S. 11; P.A. 88-230, S. 1, 12; 88-364, S. 72, 123; P.A. 90-98, S. 1, 2; P.A. 93-142, S. 4, 7, 8; 93-310, S. 11, 32; P.A. 95-220, S. 4-6.)

History: P.A. 87-554 changed "board" to "commission"; P.A. 88-230 replaced "judicial district of Hartford-New Britain" with "judicial district of Hartford", effective September 1, 1991; P.A. 88-364 made technical changes; P.A. 90-98 changed the effective date of P.A. 88-230 from September 1, 1991, to September 1, 1993; P.A. 93-142 changed the effective date of P.A. 88-230 from September 1, 1993, to September 1, 1996, effective June 14, 1993; P.A. 93-310 changed "commission" to "victim compensation commissioner" and added provision re appeal by way of trial de novo and requirement that appeal be taken within 30 days, effective July 1, 1993; P.A. 95-220 changed the effective date of P.A. 88-230 from September 1, 1996, to September 1, 1998, effective July 1, 1995.

Court lacked subject matter jurisdiction to hear administrative appeal and lacked authority to enter order to pay plaintiff's medical expenses where plaintiff failed to comply strictly with provisions of section and did not take appeal until approximately 210 days after receiving notice of commissioner's decision. 61 CA 151.

Sec. 54-212. Office of Victim Services to have subrogated cause of action against person responsible for crime. (a) Whenever an order for the payment of compensation for personal injury or death or for the provision of restitution services is or has been made under sections 54-201 to 54-233, inclusive, the Office of Victim Services shall, upon payment of the amount of the order or the provision of such services, be subrogated to the cause of action of the applicant against the person or persons responsible for such injury or death. The Attorney General, on behalf of the Office of Victim Services, shall be entitled to bring an action and, if the Attorney General declines to do so, the office may hire a private attorney to bring an action against such person or persons and to recover, whether by judgment, settlement or compromise settlement before or after judgment, the amount of damages sustained by the applicant and shall furnish the applicant with a copy of the action taken within thirty days of the filing of such action. If an amount greater than two-thirds of that paid pursuant to any such order is recovered and collected in any such action, whether by judgment, settlement or compromise settlement before or after judgment, the state shall pay the balance exceeding two-thirds of the amount paid pursuant to such order to the applicant less any costs and expenses incurred therefor.

(b) If the applicant brings an action against the person or persons responsible for such injury or death to recover damages arising out of the crime for which an award has been granted, the Office of Victim Services shall have a lien on the applicant's recovery for the amount to which the office is entitled to reimbursement. The applicant shall notify the Office of Victim Services of the filing of such complaint within thirty days of the filing of the complaint in court. Whenever an applicant recovers damages, whether by judgment, settlement or compromise settlement before or after judgment, from the person or persons responsible for such injury, the Office of Victim Services is entitled to reimbursement from the applicant for two-thirds of the amount paid pursuant to any order for the payment of compensation for personal injury or death or for the provision of restitution services.

(c) Notwithstanding the provisions of subsection (a) of this section, if the Office of Victim Services finds that enforcement of its subrogation rights would cause undue harm to the applicant, the office may abrogate such rights. Notwithstanding the provisions of subsection (b) of this section, if the Office of Victim Services finds that enforcement of its lien rights would cause undue harm to the applicant, the office may abrogate such rights. "Undue harm" includes, but is not limited to, considerations of victim safety and recovery by the applicant of an amount that is less than the applicant's compensable economic losses.

(P.A. 78-261, S. 12, 17; P.A. 79-505, S. 6, 7; P.A. 81-149; P.A. 82-397, S. 5, 7; P.A. 85-538, S. 4; P.A. 87-554, S. 12; P.A. 93-310, S. 12, 32; P.A. 95-175, S. 8.)

History: P.A. 79-505 added references to orders for provision of restitution services; P.A. 81-149 provided that if an amount greater than two-thirds of restitution payment is recovered by judgment or settlement, the state shall pay the excess to the applicant, less any costs and expenses, where previously

the excess was paid to applicant when any amount greater than that paid was recovered; P.A. 82-397 enabled board to recover, whether by judgment settlement or compromise settlement before or after judgment the amount of damages sustained by applicant and to contract with private attorneys to undertake subrogation actions on its behalf and deleted provision re payment by state of balance exceeding two-thirds of amount paid pursuant to order; P.A. 85-538 added provision that if an amount greater than two-thirds of order is recovered, the state shall pay balance exceeding two-thirds to the applicant less costs and expenses, and added Subsec. (b) stating whenever applicant recovers damages, the board is entitled to two-thirds of amount paid pursuant to order; P.A. 87-554 changed "board" to "commission" and amended Subsec. (a) by adding provision requiring commission to furnish applicant with copy of action to recover damages within 30 days of filing such action and requiring applicant who brings any such action to provide similar notice to commission; P.A. 93-310 changed "commission" to "office of victim services" and "the attorney general, on behalf of the office of victim services", added provision that if attorney general declines to bring an action, the office of victim services may hire private attorney to bring action, and made technical changes, effective July 1, 1993; P.A. 95-175 amended Subsec. (b) by adding provision re lien by Office of Victim Services on applicants recovery and added Subsec. (c) re abrogation of subrogation and lien rights if it would cause undue harm to the applicant.

Sec. 54-213. Award not subject to execution or attachment. No award made pursuant to sections 54-201 to 54-233, inclusive, shall be subject to execution or attachment other than for expenses resulting from the injury which is the basis for the claim.

(P.A. 78-261, S. 13, 17.)

Sec. 54-214. Annual report to legislature and to appropriations committee. Section 54-214 is repealed, effective July 1, 1993.

(P.A. 78-261, S. 14, 17; P.A. 82-397, S. 2, 7; P.A. 84-179; P.A. 85-609, S. 5; P.A. 87-554, S. 13; P.A. 92-153, S. 4; P.A. 93-310, S. 31, 32.)

Sec. 54-215. Criminal Injuries Compensation Fund. (a) The Office of Victim Services shall establish a Criminal Injuries Compensation Fund for the purpose of funding the compensation and restitution services provided for by sections 54-201 to 54-233, inclusive. The fund may contain any moneys required by law to be deposited in the fund and shall be held by the Treasurer separate and apart from all other moneys, funds and accounts. The interest derived from the investment of the fund shall be credited to the fund. Amounts in the fund may be expended only pursuant to appropriation by the General Assembly. Any balance remaining in the fund at the end of any fiscal year shall be carried forward in the fund for the fiscal year next succeeding.

(b) The cost paid into court under section 54-143 shall be deposited in the General Fund and shall be credited to and become a part of the Criminal Injuries Compensation Fund. Any restitution collected by the Court Support Services Division pursuant to section 46b-140, 53a-30 or 54-56e which is not disbursed within five years after the date such restitution is collected, because the victim could not be located, shall be deposited in the Criminal Injuries Compensation Fund. Any restitution collected pursuant to section 46b-140 or 54-56e on or before May 8, 1997, that has not been disbursed as of October 1, 2003, shall be deposited in the fund. If payment is awarded under section 54-210 and thereafter the court orders the defendant in the criminal case from which such injury or death resulted to make restitution, any money collected as restitution shall be paid to the fund unless the court directs otherwise. The Office of Victim Services may apply for and receive moneys for the fund from any federal, state or private source.

(c) Any administrative costs related to the operation of the Criminal Injuries Compensation Fund,

including credits to and payments of compensation therefrom, shall be paid from the fund. Administrative costs of providing direct services, the proportionate share of any fixed costs associated with such services, the costs of providing direct services to victims and witnesses of crimes in accordance with subdivision (6) of subsection (b) of section 54-203, and any services offered by the Office of Victim Services to witnesses and victims of crime may be budgeted for payment from the fund.

(P.A. 78-261, S. 16, 17; P.A. 79-505, S. 2, 7; P.A. 80-390, S. 3, 5; P.A. 82-397, S. 6, 7; P.A. 86-312, S. 13, 21; P.A. 87-554, S. 14; P.A. 92-153, S. 5; May Sp. Sess. P.A. 92-14, S. 6, 11; P.A. 93-310, S. 13, 32; P.A. 97-59, S. 3, 4; P.A. 02-132, S. 50; P.A. 03-189, S. 3; 03-278, S. 112.)

History: P.A. 79-505 added reference to restitution services and deleted provision requiring termination of fund on June 30, 1979, and transfer of remaining moneys to general fund; P.A. 80-390 deleted specific reference to ten-dollar cost under Sec. 54-143, that amount having been increased and specified that costs of services to witnesses and crime victims are to be paid from fund; P.A. 82-397 included cost of encouraging volunteer activities on board's behalf as administrative cost and required board to invest balance of fund in short term investment fund, with any interest earned deposited in criminal injuries compensation fund, effective July 1, 1983; P.A. 86-312 changed criminal injuries compensation "fund" to a separate nonlapsing "account" within the general fund; P.A. 87-554 changed "board" to "commission" and authorized commission to apply for and receive state funds; P.A. 92-153 changed "account" to "fund" and provided that amounts in fund may be expended only pursuant to appropriation by the general assembly, and deleted costs of volunteer activities and costs of services to witnesses and victims of crime from payments to be made from the fund; May Sp. Sess. P.A. 92-14 added provision that administrative costs of direct services and proportionate share of fixed costs for such services to witnesses and victims of crime may be paid from the fund; P.A. 93-310 changed "commission on victim services" to "office of victim services", effective July 1, 1993; (Revisor's note: In 1995, a reference to "said account" was changed editorially by the Revisors to "said fund" to reflect the changes enacted by P.A. 92-153); P.A. 97-59 added provision re deposit into fund of restitution collected by Office of Adult Probation and not disbursed to victim and added provision re payment of costs of providing direct services to victims and witnesses of crime from fund, effective May 8, 1997; P.A. 02-132 replaced "Office of Adult Probation" with "Court Support Services Division" and made technical changes; P.A. 03-189 divided existing provisions into Subsecs. (a) to (c), added provisions re restitution collected pursuant to Secs. 46b-140 and 54-56e, re deposit of such restitution into the fund and re disbursement within five years after the date restitution is collected in Subsec. (b) and made technical changes; P.A. 03-278 made technical changes, effective July 9, 2003.

Sec. 54-216. Restitution services. (a) The Office of Victim Services or, on review, a victim compensation commissioner may order that services be provided for the restitution of any person eligible for such services in accordance with the provisions of sections 54-201 to 54-233, inclusive. Such services may include but shall not be limited to medical, psychiatric, psychological and social services and social rehabilitation services.

(b) The Office of Victim Services or, on review, a victim compensation commissioner may order that such restitution services be provided to victims of child abuse and members of their families, victims of sexual assault and members of their families and members of the family of any victim of homicide.

(c) The Office of Victim Services may contract with any public or private agency for any services ordered under this section.

(P.A. 79-505, S. 3, 7; P.A. 85-538, S. 1; P.A. 87-554, S. 15; P.A. 93-310, S. 14, 32; P.A. 95-175, S. 9.)

History: P.A. 85-538 inserted new Subsec. (b) re restitution services to victims of child abuse and their families and members of the family of any victim of homicide, relettering former Subsec. (b) accordingly; P.A. 87-554 replaced "board" with "commission"; P.A. 93-310 changed "commission" to "office of victim services or, on review, a victim compensation commissioner", effective July 1, 1993; P.A. 95-175 amended Subsec. (b) by including victims of sexual assault and members of their families.

Sec. 54-217. Emergency award pending final determination on claim. Notwithstanding the provisions of sections 54-204 and 54-205, if it appears to the Office of Victim Services, prior to taking action upon a claim, that such claim is one with respect to which an award probably will be made and undue hardship will result to the claimant if immediate payment is not made, the Office of Victim Services may make an emergency award to the claimant pending a final determination on the claimant's application, provided (1) the amount of such emergency award shall not exceed two thousand dollars, (2) the amount of such emergency award shall be deducted from any final award made to the claimant, and (3) the excess of the amount of such emergency award over the final award, or the full amount of the emergency award if no final award is made, shall be repaid by the claimant to the Office of Victim Services.

(P.A. 79-505, S. 5, 7; P.A. 87-554, S. 16; P.A. 90-22, S. 2; P.A. 93-310, S. 15, 32; P.A. 03-189, S. 4.)

History: P.A. 87-554 changed "board" to "commission"; P.A. 90-22 increased maximum amount of emergency award from \$500 to \$1,000; P.A. 93-310 changed "commission on victim services" to "office of victim services", effective July 1, 1993; P.A. 03-189 increased maximum amount of emergency award from \$1,000 to \$2,000 and made technical changes.

Sec. 54-218. Profits derived as result of crime of violence. Recovery of money judgment by victim. Payment to Criminal Injuries Compensation Fund. (a) Any person, firm, corporation, partnership, association or other legal entity contracting with any person or the representative or assignee of any person accused of a crime of violence in this state, with respect to the reenactment of such crime, by way of a movie, book, magazine article, radio or television presentation, live entertainment of any kind, or from the expression of such person's thoughts, feelings, opinions or emotions regarding such crime, shall pay over to the Office of Victim Services any moneys which would otherwise, by terms of such contract, be owing to the persons so accused or the accused's representatives. The Office of Victim Services shall deposit such moneys in an interest-bearing escrow account for the benefit of and payable to such accused person for the expenses of his or her defense and any victim of a crime of violence committed by such person, provided such person is finally convicted of a crime of violence for which compensation may be paid and, provided further such victim brings a civil action in a court of competent jurisdiction within five years of the date of the crime and recovers a money judgment against such person or his or her representatives. Any covenant, promise, agreement or understanding entered into or in connection with or collateral to a contract or agreement relative to the payment of any person accused or convicted of a crime of violence which attempts to circumvent the provisions of this section is prohibited.

(b) If no victim brings a civil action within five years of the date of the crime and recovers a money judgment, the moneys in any such escrow account shall be paid to the Criminal Injuries Compensation Fund established under section 54-215. If there is an affirmative finding that the person accused of the crime is not guilty within such five-year period, the money in any such escrow account shall be returned to such person.

(P.A. 82-328; P.A. 93-310, S. 16, 32; P.A. 95-175, S. 11.)

History: P.A. 93-310 deleted "clerk of the court of the judicial district in which the crime is alleged to have been committed" to the "office of victim services" and made technical changes, effective July 1, 1993; P.A. 95-175 amended Subsec. (b) by adding provision re return of money if affirmative finding that person accused of crime is not guilty.

Sec. 54-219. Victim Services Technical Assistance Fund. Section 54-219 is repealed.

(P.A. 85-609, S. 3; P.A. 88-185, S. 1, 2; P.A. 92-153, S. 13.)

Sec. 54-220. Victim advocates. Responsibilities and duties. (a) Victim advocates shall have the following responsibilities and duties: (1) To provide initial screening of each personal injury case; (2) to assist victims in the preparation of victim impact statements to be placed in court files; (3) to notify victims of their rights and request that each victim so notified attest to the fact of such notification of rights on a form developed by the Office of the Chief Court Administrator, which form shall be signed by the victim advocate and the victim and be placed in court files and a copy of which form shall be provided to the victim; (4) to provide information and advice to victims in order to assist such victims in exercising their rights throughout the criminal justice process; (5) to direct victims to public and private agencies for service; (6) to coordinate victim applications to the Office of Victim Services; and (7) to assist victims in the processing of claims for restitution.

(b) Within available appropriations, the Office of Victim Services may contract with any public or private agency for victim advocate services in geographical area courts.

(P.A. 85-609, S. 2; P.A. 87-554, S. 1; P.A. 93-310, S. 17, 32; P.A. 95-175, S. 10; P.A. 03-179, S. 3; P.A. 05-152, S. 11.)

History: (Revisor's note: In 1991 the term "commission on victim services" was substituted editorially for "criminal injuries compensation board" pursuant to public act 87-554); P.A. 93-310 amended Subdiv. (3) by deleting "prosecutors by gathering victim or witness" and inserting "victims by providing", amended Subdiv. (4) by deleting requirement of counsel, and amended Subdiv. (6) by changing "commission" to "office of victim services", effective July 1, 1993; P.A. 95-175 amended Subsec. (a) by adding Subdiv. (7) re assistance of victims in processing claims for restitution and added Subsec. (b) re contracting with public or private agency for victim advocates in geographical area courts; P.A. 03-179 amended Subsec. (a) by replacing "prepare" with "assist victims in the preparation of" in Subdiv. (2), replacing provision re providing information needed for processing of cases with provisions re notification of rights and attestation on form in Subdiv. (3), and deleting reference to "individual" and adding provision re assisting victims in exercising their rights throughout the criminal justice process in Subdiv. (4); P.A. 05-152 amended Subsec. (a)(3) by inserting "so notified".

Sec. 54-220a. Assignment of victim advocates to assist victims before Board of Pardons and Paroles. The Office of Victim Services shall assign two victim advocates to provide full-time assistance to victims who appear before a panel of the Board of Pardons and Paroles or submit a written statement to such panel, as authorized by section 54-126a.

(Jan. Sp. Sess. P.A. 08-1, S. 14.)

History: Jan. Sp. Sess. P.A. 08-1 effective January 25, 2008.

Sec. 54-221. Appointment of advocates for victims of crime by court. The court may appoint any appropriate person to act as an advocate for any victim of a crime. The court shall not appoint an advocate under this section unless the victim agrees to such appointment.

(P.A. 85-538, S. 2.)

Sec. 54-222. Bilingual brochure re rights of victims and victim services. The Office of the Chief Court Administrator shall develop a concise, bilingual card or brochure concerning information to victims of crime concerning their rights as victims and any services available to them. The Office of Victim Services

shall distribute such cards or brochures to municipalities and the state police who shall distribute such cards or brochures to crime victims.

(P.A. 85-609, S. 4; P.A. 87-554, S. 1; P.A. 93-310, S. 18, 32.)

History: (Revisor's note: In 1991 the term "commission on victim services" was substituted editorially for "criminal injuries compensation board" and "commission" for "board" pursuant to public act 87-554); P.A. 93-310 changed reference to "commission on victim services" to "office of the chief court administrator", changed "commission" to "office of victim services" and added "and the state police" after "municipalities", effective July 1, 1993.

Sec. 54-222a. Duty of peace officer regarding crime victim. Regulations. (a) Whenever a peace officer determines that a crime has been committed, such officer shall: (1) Render immediate assistance to any crime victim, including obtaining medical assistance for any such crime victim if such assistance is required; (2) present a card prepared by the Office of the Chief Court Administrator to the crime victim informing the crime victim of services available and the rights of crime victims in this state; and (3) refer the crime victim to the Office of Victim Services for additional information on rights and services. A peace officer shall not be liable for failing to present an informational card to any crime victim as provided in subdivision (2) of this subsection or for failing to refer any crime victim to the Office of Victim Services as provided in subdivision (3) of this subsection. For the purposes of this subsection, "crime victim" shall have the same meaning as provided in section 1-1k.

(b) The Commissioner of Public Safety shall adopt regulations in accordance with chapter 54 to implement the provisions of subsection (a) of this section.

(P.A. 88-260; P.A. 93-310, S. 19, 32; P.A. 05-169, S. 4.)

History: P.A. 93-310 changed "commission on victims services" to "office of chief court administrator" and changed "said commission" to "the office of victim services", effective July 1, 1993; P.A. 05-169 amended Subsec. (a) by replacing references to victim with references to crime victim, deleting provision re victim who has suffered physical injury, adding provision re peace officer not liable for failure to present informational card or refer crime victim to Office of Victim Services, defining "crime victim" and making technical changes.

Sec. 54-223. Failure to afford rights to victim shall not constitute grounds for vacating conviction or voiding sentence or parole determination. Failure to afford the victim of a crime any of the rights provided pursuant to any provision of the general statutes shall not constitute grounds for vacating an otherwise lawful conviction or voiding an otherwise lawful sentence or parole determination.

(P.A. 86-401, S. 3, 7.)

Sec. 54-224. Liability of state re failure to afford rights to victim. Except as provided in subsection (d) of section 46b-38b, the state or any agent, employee or officer thereof shall not be liable for (1) the failure to afford the victim of a crime any of the rights provided pursuant to any provision of the general statutes or (2) the failure to provide the victim of a crime with any notice pursuant to any provision of the general statutes.

(P.A. 86-401, S. 4, 7; P.A. 93-310, S. 20, 32.)

History: P.A. 93-310 inserted "Except as provided in subsection (d) of section 46b-38b, the", added

Subdiv. indicators, designating as Subdiv. (2) new provision re failure to provide notice to victim, effective July 1, 1993.

Sec. 54-225. Voluntary program for lawyers for protection of persons injured in person or property by civil wrong. There shall be a program for the protection of persons injured in person or property by a civil wrong. Lawyers may voluntarily participate in such program. Under the program, a lawyer shall inform any person injured in person or property by a civil wrong of his right to (1) bring an action to recover damages for such injury within the time limited by law, (2) the competent assistance of counsel, (3) notification of all court proceedings concerning his action, (4) full compensation for his injury, and (5) a written list of the rights of civil victims and the agencies or programs available to assist such victims. No lawyer who participates in such program or any law firm with which he is associated may solicit, accept or agree to accept any compensation from any such victim.

(P.A. 87-514, S. 2, 4.)

Sec. 54-226. Definitions. For the purposes of sections 54-226 to 54-231, inclusive, "furlough" means the temporary custodial transfer of an inmate from incarcerative custody to community custody for an authorized purpose under the supervision of a verified community sponsor, and "victim" means the victim, the legal representative of the victim or a member of the deceased victim's immediate family.

(P.A. 91-389, S. 1, 12; P.A. 92-153, S. 8.)

History: P.A. 91-389, S. 1 effective April 1, 1992; P.A. 92-153 added definition of "furlough".

Sec. 54-227. Notification of Office of Victim Services and Victim Services Unit within Department of Correction by inmate or sexual offender seeking release or other relief. (a) Any inmate who makes an application to the Board of Pardons and Paroles or the Department of Correction for release other than a furlough from a correctional institution, who applies to the sentencing court or judge for a reduction in sentence pursuant to section 53a-39 or who applies to the review division for a review of sentence pursuant to section 51-195, shall notify the Office of Victim Services and the Victim Services Unit within the Department of Correction of such application on a form prescribed by the Office of the Chief Court Administrator. Notwithstanding any provision of the general statutes, no such application shall be accepted unless the applicant has notified the Office of Victim Services and the Victim Services Unit within the Department of Correction pursuant to this subsection and provides proof of such notice as part of the application.

(b) Any person who files an application with the court to be exempted from the registration requirements of section 54-251 pursuant to subsection (b) or (c) of said section and any person who files a petition with the court pursuant to section 54-255 for an order restricting the dissemination of the registration information or removing such restriction shall notify the Office of Victim Services and the Victim Services Unit within the Department of Correction of the filing of such application or petition on a form prescribed by the Office of the Chief Court Administrator. Notwithstanding any provision of the general statutes, no such application or petition shall be considered unless such person has notified the Office of Victim Services and the Victim Services Unit within the Department of Correction pursuant to this subsection and provides proof of such notice as part of the application or petition.

(c) Notwithstanding any provision of the general statutes to the contrary, the Board of Pardons and Paroles, sentencing court and sentence review division may make available to the Office of Victim Services and the Victim Services Unit within the Department of Correction direct access to records in their custody, including computerized criminal history record information, for the purpose of performing said office's and

department's duties regarding victim notification.

(P.A. 91-389, S. 2, 12; P.A. 92-153, S. 9; P.A. 93-310, S. 21, 32; P.A. 96-97, S. 3; P.A. 01-211, S. 3; P.A. 04-234, S. 2; P.A. 05-146, S. 2; Jan. Sp. Sess. P.A. 08-1, S. 26.)

History: P.A. 91-389, S. 2 effective April 1, 1992; P.A. 92-153 added phrase "other than a furlough"; P.A. 93-310 changed "commission on victim services" to "office of victim services", effective July 1, 1993; P.A. 96-97 added Subsec. (b) permitting Board of Pardons, Board of Parole, sentencing court and sentence review division to allow Office of Victim Services direct access to records; P.A. 01-211 amended Subsec. (a) to require the inmate to also notify the Department of Correction of such application, added new Subsec. (b) to require any person who files an application to be exempted from the registration requirements of Sec. 54-251 or who files a petition pursuant to Sec. 54-255 for order restricting dissemination of registration information or removing such restriction to notify the Office of Victim Services and the Department of Correction of the filing of such application or petition and to prohibit the consideration of such application or petition unless such notice has been given and redesignated existing Subsec. (b) as Subsec. (c) and amended to allow the Department of Correction direct access to records in the custody of the specified agencies; P.A. 04-234 replaced Board of Pardons and Board of Parole with Board of Pardons and Paroles, effective July 1, 2004; P.A. 05-146 specified that the notice under Subsecs. (a) and (b) should be given to, and the records under Subsec. (c) made available to, the "Victim Services Unit" within the Department of Correction; Jan. Sp. Sess. P.A. 08-1 amended Subsec. (a) to make technical changes, effective January 25, 2008.

Sec. 54-227a. Transferred to Chapter 886, Sec. 51-286g.

Sec. 54-228. Request by victim or family member of inmate for notification. (a) Any victim of a crime or any member of an inmate's immediate family who desires to be notified whenever an inmate makes an application to the Board of Pardons and Paroles, Department of Correction, sentencing court or judge or review division as provided in section 54-227, or whenever an inmate is scheduled to be released from a correctional institution other than on a furlough, may complete and file a request for notification with the Office of Victim Services or the Victim Services Unit within the Department of Correction.

(b) Any victim of a criminal offense against a victim who is a minor, a nonviolent sexual offense or a sexually violent offense, as those terms are defined in section 54-250, or a felony found by the sentencing court to have been committed for a sexual purpose, as provided in section 54-254, who desires to be notified whenever the person who was convicted or found not guilty by reason of mental disease or defect of such offense files an application with the court to be exempted from the registration requirements of section 54-251 pursuant to subsection (b) or (c) of said section or files a petition with the court pursuant to section 54-255 for an order restricting the dissemination of the registration information, or removing such restriction, may complete and file a request for notification with the Office of Victim Services or the Victim Services Unit within the Department of Correction.

(c) A request for notification filed pursuant to this section shall be in such form and content as the Office of the Chief Court Administrator may prescribe. Such request for notification shall be confidential and shall remain confidential while in the custody of the Office of Victim Services and the Department of Correction and shall not be disclosed. It shall be the responsibility of the victim to notify the Office of Victim Services and the Victim Services Unit within the Department of Correction of his or her current mailing address and telephone number, which shall be kept confidential and shall not be disclosed by the Office of Victim Services and the Department of Correction. Nothing in this section shall be construed to prohibit the Office of Victim Services, the Board of Pardons and Paroles and the Victim Services Unit within the Department of Correction from communicating with each other for the purpose of facilitating notification to a victim and disclosing to each other the name, mailing address and telephone number of the victim, provided such information shall not be further disclosed.

(P.A. 91-389, S. 3, 12; P.A. 92-153, S. 10; P.A. 93-219, S. 13, 14; 93-310, S. 22, 32; P.A. 96-97, S. 4; P.A. 01-211, S. 4; P.A. 04-234, S. 2; P.A. 05-146, S. 3; 05-152, S. 12; Jan. Sp. Sess. P.A. 08-1, S. 27, 28.)

History: P.A. 91-389, S. 3 effective April 1, 1992; P.A. 92-153 deleted reference to confidentiality "as provided in section 54-204" and inserted provision specifying that requests for notification "shall not be disclosed"; P.A. 93-219 authorized any member of an inmate's immediate family to complete and file a request for notification, effective July 1, 1993; P.A. 93-310 changed "commission" to "office of victim services", changed "commission on victim services" to "office of the chief court administrator", and added provision re responsibility of victim to notify office of current mailing address, which shall be kept confidential, effective July 1, 1993; P.A. 96-97 added phrase "scheduled to be" before "released"; P.A. 01-211 designated existing provisions authorizing a victim to file a request for notification as Subsec. (a) and amended same. to authorize the victim to file request with the Department of Correction, added a new Subsec. (b) to authorize the victim of certain sexual offenses to file a request for notification whenever the perpetrator seeks to be exempted from the sexual offender registration requirements or to restrict the dissemination of the registration information or remove such restriction and designated existing provisions re the form and confidentiality of the victim's request for notification as Subsec. (c) and amended same to make the confidentiality and nondisclosure provisions applicable to the Department of Correction and require the victim to also notify the Department of Correction of his or her current mailing address; P.A. 04-234 replaced Board of Pardons and Board of Parole with Board of Pardons and Paroles, effective July 1, 2004; P.A. 05-146 specified that the request for notification under Subsecs. (a) and (b) should be filed with, and the notice of the victim's current mailing address under Subsec. (c) should be given to, the "Victim Services Unit" within the Department of Correction; P.A. 05-152 amended Subsec. (a) by adding exception re furlough granted for the purpose of reintegrating an inmate into the community and amended Subsec. (c) by providing that nothing in section shall be construed to prohibit communication between Office of Victim Services and Department of Correction re current mailing address of victim and disclosure of such address to each other; Jan. Sp. Sess. P.A. 08-1 amended Subsec. (a) to delete provision re victim notification whenever inmate is to be released on furlough granted for the purpose of reintegrating the inmate into the community and amended Subsec. (c) to require victim to provide his or her current telephone number, replace provision allowing Office of Victim Services and Department of Correction to communicate with each other to determine if either has current mailing address of victim and, if so, to disclose that address to each other for purpose of facilitating notice to victim with provision allowing Office of Victim Services, Board of Pardons and Paroles and Victim Services Unit within Department of Correction to communicate with each other for purpose of facilitating notice to victim and disclosing to each other the name, mailing address and telephone number of victim, prohibit further disclosure of "such information", rather than "such mailing address", and make technical changes, effective January 25, 2008.

Sec. 54-229. Request by prosecuting authority for notification. Any state's attorney, assistant state's attorney or deputy assistant state's attorney who desires to be notified whenever an inmate makes an application to the Board of Pardons and Paroles, Department of Correction, sentencing court or judge or review division as provided in section 54-227 may complete and file a request for notification with the Office of Victim Services or the Victim Services Unit within the Department of Correction. Such request for notification shall be in such form and content as the Office of the Chief Court Administrator may prescribe.

(P.A. 91-389, S. 4, 12; P.A. 93-310, S. 23, 32; P.A. 04-234, S. 2; P.A. 05-146, S. 1.)

History: P.A. 91-389, S. 4 effective April 1, 1992; P.A. 93-310 deleted "commission on" and inserted "office of" and deleted "commission on victim services" and inserted "office of chief court administrator" effective July 1, 1993; P.A. 04-234 replaced Board of Pardons and Board of Parole with Board of Pardons and Paroles, effective July 1, 2004; P.A. 05-146 authorized the filing of a request for notification with the Victim Services Unit within the Department of Correction.

Sec. 54-230. Notification of victims and other persons by Office of Victim Services when inmate or sexual offender seeks release or other relief or is released from a correctional institution. (a) Upon receipt of notice from an inmate pursuant to section 54-227, the Office of Victim Services shall notify by certified mail all persons who have requested to be notified pursuant to subsection (a) of section 54-228 and section 54-229 whenever such inmate makes application for release or sentence reduction or review. Such notice shall be in writing and notify each person of the nature of the release or sentence reduction or review being applied for, the address and telephone number of the board or agency to which the application by the inmate was made, and the date and place of the hearing or session, if any, scheduled on the application.

(b) Upon receipt of notice from a person pursuant to subsection (b) of section 54-227, the Office of Victim Services shall notify by certified mail all persons who have requested to be notified pursuant to subsection (b) of section 54-228 whenever such person files an application with the court to be exempted from the registration requirements of section 54-251 pursuant to subsections (b) or (c) of said section or files a petition with the court pursuant to section 54-255 for an order restricting the dissemination of the registration information, or removing such restriction. Such notice shall be in writing and notify each person of the nature of the exemption or of the restriction or removal of the restriction being applied for, the address and telephone number of the court to which the application or petition by the person was made, and the date and place of the hearing or session, if any, scheduled on the application or petition.

(c) Upon compliance with the notification requirements of this section, the Office of Victim Services shall notify, on a form prescribed by the Office of the Chief Court Administrator, the board, agency or court to which the application or petition was made of such compliance.

(d) Upon receipt of notice from the Department of Correction pursuant to section 54-231, the Office of Victim Services shall notify by certified mail all victims who have requested to be notified pursuant to section 54-228 whenever such inmate is scheduled to be released from a correctional institution. Such notice shall be in writing and notify each victim of the date of such inmate's release. The victim shall notify the Office of Victim Services of his or her current mailing address and telephone number, which shall be kept confidential and shall not be disclosed by the Office of Victim Services. Nothing in this section shall be construed to prohibit the Office of Victim Services, the Board of Pardons and Paroles and the Victim Services Unit within the Department of Correction from communicating with each other for the purpose of facilitating notification to a victim and disclosing to each other the name, mailing address and telephone number of the victim, provided such information shall not be further disclosed.

(P.A. 91-389, S. 5, 12; P.A. 92-153, S. 11; P.A. 93-310, S. 24, 32; P.A. 96-97, S. 5; P.A. 01-211, S. 5; P.A. 05-152, S. 13; Jan. Sp. Sess. P.A. 08-1, S. 29.)

History: P.A. 91-389, S. 5 effective April 1, 1992; P.A. 92-153 deleted requirement that victim be notified of "place" where inmate is released; P.A. 93-310 changed "commission on" to "office of" and added provision in Subsec. (b) re responsibility of victim to notify office of current mailing address which shall be kept confidential, effective July 1, 1993; P.A. 96-97 amended Subsec. (b) by adding phrase "scheduled to be" before "released"; P.A. 01-211 amended Subsec. (a) to require notice to be sent by "certified" mail and replace reference to "section 54-228" with "subsection (a) of section 54-228", added new Subsec. (b) re notification by the Office of Victim Services of victims who have requested notification whenever a sexual offender seeks to be exempted from sexual offender registration requirements or to restrict the dissemination of registration information or remove such restriction, added new Subsec. (c) requiring the Office of Victim Services to notify the board, agency or court to which the application or petition was made of said office's compliance with the notification requirements of section and redesignated existing Subsec. (b) as Subsec. (d) and amended same to require notice to be sent by "certified" mail; P.A. 05-152 amended Subsec. (d) by providing that nothing in section shall be construed to prohibit communication between Office of Victim Services and Department of Correction re current mailing address of victim and disclosure of such address to each other; Jan. Sp. Sess. P.A. 08-1 amended Subsec. (d) to require victim to provide his or her current telephone number, replace provision allowing Office of Victim Services and Department of Correction to communicate with each other to determine if either has current mailing address of victim and, if so, to disclose that address to each other for purpose of facilitating notice to victim with provision allowing Office of Victim Services, Board of Pardons and Paroles and Victim Services Unit within Department of

Correction to communicate with each other for purpose of facilitating notice to victim and disclosing to each other the name, mailing address and telephone number of victim and prohibit further disclosure of "such information", rather than "such mailing address", effective January 25, 2008.

Sec. 54-230a. Notification of victims and other persons by Department of Correction when inmate or sexual offender seeks release or other relief. (a) Upon receipt of notice from an inmate pursuant to section 54-227, the Victim Services Unit within the Department of Correction shall notify by certified mail all persons who have requested to be notified pursuant to subsection (a) of section 54-228 and section 54-229 whenever such inmate makes application for release or sentence reduction or review. Such notice shall be in writing and notify each person of the nature of the release or sentence reduction or review being applied for, the address and telephone number of the board or agency to which the application by the inmate was made, and the date and place of the hearing or session, if any, scheduled on the application.

(b) Upon receipt of notice from a person pursuant to subsection (b) of section 54-227, the Victim Services Unit within the Department of Correction shall notify by certified mail all persons who have requested to be notified pursuant to subsection (b) of section 54-228 whenever such person files an application with the court to be exempted from the registration requirements of section 54-251 pursuant to subsections (b) or (c) of said section or files a petition with the court pursuant to section 54-255 for an order restricting the dissemination of the registration information, or removing such restriction. Such notice shall be in writing and notify each person of the nature of the exemption or of the restriction or the removal of the restriction being applied for, the address and telephone number of the court to which the application or petition by the person was made, and the date and place of the hearing or session, if any, scheduled on the application or petition.

(c) Upon compliance with the notification requirements of this section, the Victim Services Unit within the Department of Correction shall notify, on a form prescribed by the Office of the Chief Court Administrator, the board, agency or court to which the application or petition was made of such compliance.

(P.A. 01-211, S. 6; P.A. 05-146, S. 4.)

History: P.A. 05-146 specified that the required notice be given by the "Victim Services Unit" within the Department of Correction.

Sec. 54-231. Notification of Office of Victim Services by Department of Correction upon release of inmate. Access to criminal history record information. The Department of Correction shall notify the Office of Victim Services whenever the department schedules the release of an inmate from a correctional institution other than on a furlough. Notwithstanding any provision of the general statutes to the contrary, the Department of Correction may make available to the Office of Victim Services direct access to any records in its custody, including computerized criminal history record information, for the purpose of assisting said office to perform its duties regarding victim notification.

(P.A. 91-389, S. 6, 12; P.A. 92-153, S. 12; P.A. 93-310, S. 25, 32; P.A. 96-97, S. 6; P.A. 05-68, S. 1; Jan. Sp. Sess. P.A. 08-1, S. 30.)

History: P.A. 91-389, S. 6 effective April 1, 1992; P.A. 92-153 specified that correction department need not notify commission of inmate's release on furlough; P.A. 93-310 changed "commission on victim services" to "office of victim services", effective July 1, 1993; P.A. 96-97 changed "releases" to "schedules the release of" and added provision permitting Department of Correction to allow Office of Victim Services direct access to records; P.A. 05-68 required notification when an inmate is scheduled to be released on a furlough that is granted for the purpose of reintegrating the inmate into the community and allows the inmate to serve the period immediately preceding the inmate's parole release or discharge date in the community; Jan. Sp. Sess. P.A. 08-1 deleted provision requiring notification whenever inmate is to be released on furlough

granted for the purpose of reintegrating the inmate into the community and made a technical change, effective January 25, 2008.

Sec. 54-232. Disposition of requests for notification received prior to April 1, 1992. Section 54-232 is repealed, effective July 1, 1993.

(P.A. 91-389, S. 11; P.A. 93-310, S. 31, 32.)

Sec. 54-233. Compensation of victim of tort occurring prior to July 1, 1993. Nothing in sections 4-141, 18-85, 18-101, 54-202 to 54-206, inclusive, 54-207a to 54-212, inclusive, 54-215 to 54-218, inclusive, 54-220, 54-222, 54-222a, 54-224 and 54-227 to 54-231, inclusive, shall preclude any victim of a tort occurring prior to July 1, 1993, from seeking compensation pursuant to the provisions of this chapter, revision of 1958, revised to January 1, 1993.

(P.A. 93-310, S. 29, 32.)

History: P.A. 93-310 effective July 1, 1993.

Sec. 54-234. Development of response system for victims of offense of trafficking in persons.
Contracts. (a) The Office of Victim Services within the Judicial Department shall, within available appropriations, contract with nongovernmental organizations to develop a coordinated response system to assist victims of the offense of trafficking in persons.

(b) Such contracts shall be entered into for the following purposes, including, but not limited to:

(1) Developing a uniform curriculum to address rights and services for such victims;

(2) Developing information and materials on available resources and services for such victims;

(3) Actively seeking out quality training and other educational opportunities regarding the identification and assistance of such victims that take into consideration such victims' cultural context and needs; and

(4) Promoting and disseminating information on training and other educational opportunities concerning the assistance of such victims to emergency medical services, faith-based communities, sexual assault service providers, domestic violence service providers and state and local governmental agencies.

(June Sp. Sess. P.A. 07-4, S. 29.)

Sec. 54-235. State-wide automated victim information and notification system. The Judicial Branch shall contract for the establishment and implementation of a state-wide automated victim information and notification system to provide automatic notice of relevant offender information and status reports to registered crime victims. Such system shall be used to provide victim notification by the Office of Victim Services within the Judicial Department, the Victim Services Unit within the Department of Correction, the Board of Pardons and Paroles and the Division of Criminal Justice. Such system shall be operational on July 1, 2009, or not later than thirty days after receipt of notice of the award of federal funds for the establishment and implementation of such system, whichever is earlier.

(Jan. Sp. Sess. P.A. 08-1, S. 31.)

History: Jan. Sp. Sess. P.A. 08-1 effective January 25, 2008.

Secs. 54-236 to 54-239. Reserved for future use.



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS

**Recovery Act – OVC FY 09 VOCA Victim Compensation
Formula Grant Program**

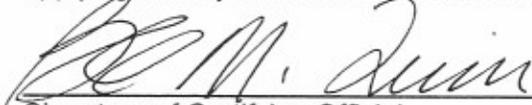
Certification as to Recovery Act Reporting Requirements

On behalf of the applicant entity named below, I certify the following to the Office of Justice Programs, U.S. Department of Justice:

I have personally read and reviewed the section entitled "Accountability and Transparency under the Recovery Act" in the program announcement for the Recovery Act grant program identified above. I have also read and reviewed section 1512(c) of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), concerning reporting requirements for grants. I agree that the applicant will comply with the reporting requirements set forth therein with respect to any grant the applicant may receive under the Recovery Act grant program identified above.

I acknowledge that a false statement in this certification may be subject to criminal prosecution, including under 18 U.S.C. § 1001. I also acknowledge that Office of Justice Programs, grants, including certifications provided in connection with such grants, are subject to review by the Office of Justice Programs, and/or by the Department of Justice's Office of the Inspector General.

I have authority to make this certification on behalf of the applicant entity (that is, the entity applying directly to the Office of Justice Programs).



Signature of Certifying Official

Barbara M. Quinn

Printed Name of Certifying Official

Judge, Chief Court Administrator

Title of Certifying Official

State of Connecticut Judicial Branch

Full Name of Applicant Entity

March 13, 2009

Date



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS

**Recovery Act - OVC FY 09 VOCA Victim Compensation
Formula Grant Program**

General Certification as to Requirements for Receipt of Funds
for Infrastructure Investments

On behalf of the applicant state or unit of local government (including tribal government) named below, I certify the following to the Office of Justice Programs ("OJP"), U.S. Department of Justice:

I have personally read and reviewed the section entitled "Eligibility" in the program announcement for the Recovery Act grant program named above. I also have personally read and reviewed section 1511 of the American Recovery and Reinvestment Act of 2009 (the "Recovery Act"), which requires a specific certification prior to receipt of Recovery Act funds for infrastructure investments.

Initial the statement that applies:

The applicant identified below **does not intend to use** any portion of any funds received under this Recovery Act grant program for any infrastructure investment. Should this intention change, the applicant will promptly notify OJP, and (except to the extent, if any, that OJP has given prior written approval to expend funds to conduct the review and vetting required by law) will not draw down, obligate, or expend any funds received under this Recovery Act program for any infrastructure investment project until section 1511 of the Recovery Act has been satisfied, and an adequate project-specific certification has been executed, posted, and submitted to OJP.

The applicant identified below **does intend to use** some or all of any funds received under this Recovery Act grant program for one or more infrastructure investment projects. Except to the extent, if any, that OJP has given prior written approval to expend funds to conduct the review and vetting required by law, I agree that the applicant entity will execute, post, and submit to OJP, prior to obligating, expending, or drawing down funds for such project, a project-specific certification that satisfies all of the requirements of section 1511 (including execution by the Governor, mayor, or other chief executive, as appropriate) for each such infrastructure investment project.



Page 2 of 2

U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS

General Certification as to Requirements for Receipt of Funds
for Infrastructure Investments

I acknowledge that a false statement in this certification may be subject to criminal prosecution, including under 18 U.S.C. § 1001. I also acknowledge that Office of Justice Program grants, including certifications provided in connection with such grants, are subject to review by the Office of Justice Programs and/or by the Department of Justice's Office of the Inspector General.

I have authority to make this certification on behalf of the applicant (that is, the governmental entity applying directly to the Office of Justice Programs).

Barbara M. Quinn
Signature of Certifying Official

Barbara M. Quinn
Printed Name of Certifying Official

Judge, Chief Court Administrator
Title of Certifying Official

State of Connecticut Judicial Branch
Full Name of Applicant Government Entity

March 13, 2009
Date