

***From The Desk of
Mary Deenihan Hamel***

Judiciary Committee

February 28, 2007

Good Afternoon Senator McDonald and Representative Lawlor. My name is Mary Hamel and I am here today to support the passage of HB 7235, An Act Concerning Crime Victims and The Authority of the Victim Advocate.

I am victim/survivor of domestic violence and sexual assault. This was not a choice that I made and, in fact, was a situation that I was desperately trying to get out of while I was going through this. The criminal justice process I had to endure was long and exhausting to say the least, both for me as well as my family. It was emotionally draining. It reduces a person to "a nothing" regardless of the intent of the attorneys involved.

Throughout this process I was told that I had rights but these rights were never enforced and seemed to be superseded by the man who raped me; he had more rights than I did and his rights seemed to be honored and respected by the system to a much greater extent than my rights as a crime victim.

I did contact the state Victim Advocate, James Papillo, for his assistance and he was able to work with the prosecutor to see that certain of my rights were enforced. However, there was no remedy for many of my rights that had been violated. There was at the time really no recourse for me legally to address violations of my rights or to even get them to be respected.

The one sentence that I constantly heard too often throughout the criminal justice process was "*I'm sorry there is nothing that I can do.*" This is not acceptable to me and until this is not said again I will be where ever I am needed to make this change.

I urge you to support the common sense proposals of the State Victim Advocate contained in Raised Bill 7235. First, crime victims need and want our State Victim Advocate to have the tools necessary to legitimately investigate complaints from crime victims and to seek remedies when those in the system insist on violating victims' rights. I'm tired of hearing the same objections to these proposals raised by those in the system who obviously don't want to see victims' rights attain the respect the citizens of Connecticut demanded when they supported amending our state constitution back in 1996 to give crime victims rights. The Office of the Victim Advocate needs to be an office with teeth, which can bite when necessary, just like the police department, Office of the State's Attorney and the Public Defender's Office.

Each of the other proposals in the Bill will provide the level of protection that crime victims deserve. Crime victims, whether they are related to the offender or not, if the crimes charged involved violence of any type, should be able to be protected by a protective order. No contact orders offer no real protection since they are not backed-up by penalties sufficient to keep the offender away.

The proposal to have victim rights and services information prominently displayed in each and every courthouse in the state is an extremely important proposal. Because not every crime victim qualifies for the services of a court-based victim advocate, information regarding rights and how to assert your rights must be made available to every crime victim—our state constitution demands it!

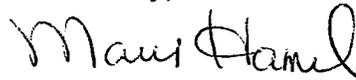
If an offender has violated his/her probation, the crime victim should be allowed to know this and to be heard by the court to protect restitution order and other orders that were issued by the court at the original sentencing.

No crime victim should be contacted directly by the defendant during the criminal prosecution. The current law that requires criminal defendants to directly notify the crime victim via mail of his/her application for accelerated rehabilitation should be changed. The court clerks should be the ones contacting the victims. Many victims will feel re-victimized by learning the defendant has learned where the crime victim lives.

Time is running out so I'll end by pointing out that, unlike criminal, most crime victims are involved with the criminal justice system not because they choose to be. They need and deserve to have the rights and protections given them by our lawmakers and the citizens of our state honored and respected—to the same degree as the rights given to criminal defendants.

Thank you for the opportunity to testify before you today, and I'd be happy to answer any question you might have.

Sincerely,

A handwritten signature in black ink that reads "Mary Hamel". The signature is written in a cursive, flowing style.

Mary Hamel