



STATE OF CONNECTICUT

OFFICE OF VICTIM ADVOCATE
505 HUDSON STREET, HARTFORD, CONNECTICUT 06106

**Testimony of Merit Lajoie, Office of the Victim Advocate
Submitted to the Judiciary Committee
Monday, March 3, 2008**

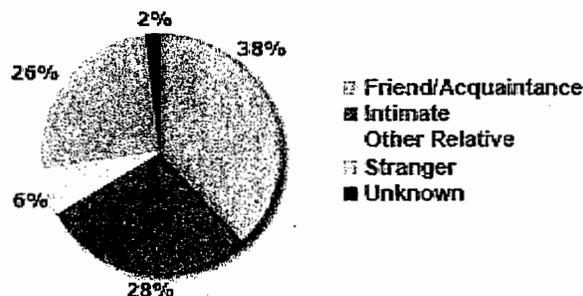
Good Afternoon Senator McDonald, Representative Lawlor and distinguished members of the Judiciary Committee. For the record, my name is Merit Lajoie and I am the Complaint Officer for the Office of the Victim Advocate. Thank you for the opportunity to provide testimony in **SUPPORT** of:

House Bill No. 5722, AAC Protective Orders and Court Services for Crime Victims

Sexual assault is one of the most underreported crimes. Many victims of sexual assault experience rape-related post traumatic stress disorder. Symptoms may include re-experiencing the trauma, social withdrawal, avoidance behavior and hyper-vigilance. Victims of sexual assault whose offender is not known to them typically feel frightened because they do not know the offender, his or her patterns, his or her record or anything about the offender. On the other hand, the offender seemingly has the upper hand because the offender appears to know information about the victim and in some cases, the victim may be threatened during the attack. Regrettably, victims of stranger sexual assault are not eligible to obtain a protective order throughout the criminal process.

According to the 2005 National Crime Victimization Survey, twenty-six percent (26%) of all reported rapes were committed by a stranger and thirty-eight percent (38%) were committed by a friend or acquaintance (not necessarily defined as a domestic relationship). In Connecticut, there were 702 forcible rapes reported in 2005. Using the national survey model, at least 183 (26%) and as many as 449 of those victims would not be eligible for a protective order in Connecticut.

Perpetrator's Relationship to Victim



Currently, superior court judges will issue an order of “no contact” at the time of arraignment in criminal cases of non-familial sexual assault. “No contact” orders are riddled with enforcement issues. Victims do not receive a copy of such order; police departments are not notified as they are with protective orders; and unless a separate and distinct crime has been committed by the offender in course of violating the “no contact” order, victims are often told by police that there is nothing they can do. In addition, “no contact” orders make stranger sexual assault victims more vulnerable if a violation occurs because often those orders are not entered into the registry of protective orders consistently (as a result the police have no way to verify the order), the victim must wait until the next scheduled court date to address the alleged violation (that could be a week or more) and the remedy in some cases is an admonishment by the court and the offender is released again.

Section 1 of House Bill No. 5722 will allow superior court judges to issue a protective order in criminal cases to benefit victims of stranger sexual assaults. Current law limits the issuance of protective orders to victims of domestic violence cases and to victims of harassment and stalking. Unlike a restraining order, which is issued by the family/civil court and does not require an arrest, as proposed, issuance of a protective order will follow an arrest and therefore there is a foundation of probable cause for the request. All crime victims have a constitutional right to be reasonably protected throughout the criminal justice process; all victims of sexual assault deserve the same level of protection from the offender, whether known to them or not.

In 1996, Connecticut residents overwhelmingly supported the Victims’ Rights Amendment to our state constitution. Since then, Connecticut has made significant strides to advance policy and improve the delivery of services to victims of crime, including the creation of the Office of the Victim Advocate (OVA) in 1998. However, there has been little advancement to fully staff the courts around the state with victim services advocates. There are thirteen (13) Judicial District Courts (JD); twenty (20) Geographical Area Courts (GA); and thirteen (13) Juvenile Matters Courts (JM). I have attached a list of victim services advocate assignments to my testimony. As you can see from the table, there is only one (1) vacancy in the JD courts; there are four (4) vacancies in the GA courts; and ten (10) vacancies in the JM courts. But, there are six (6) advocates providing services to victims in **both** a JD and a GA court.

I applaud the efforts of this committee and the entire General Assembly for some of the improvements made in the Criminal Justice Reform bill passed in special session. Section 14 of the bill requires the Office of Victim Services (OVS), Judicial Branch, to **assign** two (2) victim advocates to provide full-time assistance to victims who appear before the Board of Pardons and Paroles, effective from passage. It is more than likely that two additional advocates will be reassigned to fulfill this mandate. Although this proposal may seem as a costly endeavor, in reality, once an advocate has been assigned in every court, the court process, I believe, will actually run more cost effective and efficient for judges, prosecutors and crime victims.

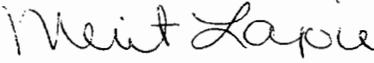
The Judicial Branch is responsible for funding and maintaining many areas of the criminal justice system, i.e. court staff; court support services; offender programs; judicial marshals; interpreter services; juvenile services; etc. The result is an overwhelming competition for funds to hire staff and implement programs in all of the

Judicial Branch areas, including victim services advocates. Unless and until money is specifically earmarked for victim services advocates, the money will continue to be redirected and appropriated to other areas of need. It has been almost twelve years since the passage of the Victims' Rights Amendment; had money been allocated and earmarked specifically for victim services advocates each year for the last twelve years, nearly every court in the state would have an advocate to assist victims through the criminal justice process. Monies are allocated and specifically earmarked for many areas; court support services; reentry and diversionary programs; and community support services. Now is the time to do the same for victims of crime.

Section 2 of House Bill No. 5722 will require the Chief Court Administrator to ascertain the need for assistance by any court specific to crime victims and to implement programs to ensure the fair and respectful treatment of crime victims, including the assignment of at least one advocate in each of the courts around the state. Crime victims, more often than not, have little or no experience or knowledge of the criminal justice process. They are thrust into a system that is confusing and frustrating during a very vulnerable and traumatic time in their life. Without a victim services advocate to help navigate the criminal justice system, crime victims needlessly experience additional frustration, confusion and victimization.

The OVA has heard from many victims, prosecutors, judges and others that advocates are a necessity in every court. Prosecutors and judges rely heavily on advocates to maintain communication with victims and provide information regarding restitution, plea bargains and sentencing. Victim services advocates also are able to meet and talk with crime victims more frequently than prosecutors. Crime victims that walk into a courthouse for the first time, without any previous experience, are intimidated, overwhelmed and scared. The victim services advocate is the compass in the criminal justice process that can guide a victim through the dark halls of justice.

I strongly urge the committee to support House Bill No. 5722. Thank you again for your consideration of my testimony.


Merit Lajoie, Complaint Officer
Office of the Victim Advocate

Victim Services Advocate Assignments

Judicial District Courts	Victim Services Advocate	Case Management Report (Judicial Branch; Jan. 2008) (Active Pending at End)
Ansonia-Milford	Kathleen Surette-Gutierrez	85
Danbury	David Pond	201
Fairfield (Bridgeport)	Richard Mancini	157
Hartford	Adriana Venegas	312
Litchfield	Cheryl Ferris	96
Middlesex	Jeanne Holm-Barth	43
New Britain	Kitt Tierney	133
New Haven	Beata Bagi	302
New London	John Adriano	233
Stamford-Norwalk	VACANT	136
Tolland	Mary Kozicki	79
Waterbury	Barbara Jean Quinn	292
Windham	Erin Spillane-Darcy	82
Geographical Area Courts	Victim Services Advocate	
#1 Stamford	VACANT	742
#2 Bridgeport	Ann Tramontana	1,081
#3 Danbury	David Pond	355
#4 Waterbury	Danielle Lawton	2,015
#5 Derby	Keith Wortz	641
#7 Meriden	Carmen Sierra	875
#9 Middletown	Jeanne Holm-Barth	753
#10 New London	Beth Ann Hess	1,172
#11 Danielson	Erin Spillane-Darcy	776
#12 Manchester	VACANT	1,318
#13 Enfield	Koren Butler-Kurth	805
#14 Hartford	Robert Eccleston	2,380
#15 New Britain	VACANT	1,395
#17 Bristol	Melissa Renna	860
#18 Bantam	Cheryl Ferris	541
#19 Rockville	Mary Kozicki	698
#20 Norwalk	VACANT	506
#21 Norwich	Corene Leone	732
#22 Milford	Kathleen Surette-Gutierrez	602
#23 New Haven	Mark Margolis	1,750
Juvenile Matters Court	Victim Services Advocate	
Bridgeport	VACANT	286
Danbury	VACANT	74
Hartford	Olga Massa	523
Middletown	VACANT	152
New Britain	VACANT	341
New Haven	Laurel Kane	549
Norwalk	VACANT	86
Rockville	VACANT	112
Stamford	VACANT	161
Torrington	VACANT	68
Waterbury	Alexandra Gittines	483
Waterford	VACANT	198
Willimantic	VACANT	195