

**MINUTES**  
**Connecticut Advisory Council for Victims of Crime**  
**January 15, 2008**

The Connecticut Advisory Council for Victims of Crime met at 225 Spring Street, Wethersfield, in the fourth floor conference room on Tuesday, January 15, 2008, from 2:04 p.m. to 3:59 p.m.

**Members in Attendance:**

Co-chair Steve Eppler-Epstein, Fernando Betancourt, Joseph Bibisi, Larry Bostrom, Chester Brodnicki, Janice Heggie Margolis, Tonya Johnson for Lisa Holden, Nancy Kushins, Neil O'Leary, and Jan VanTassel

**Members Excused or Absent:**

Judge Patrick L. Carroll, Cheryl Burack, Larry D'Orsi, John Duffey, and Kevin Lawlor

**OVS Staff Present:**

Linda J. Cimino, James Morgan, Susanne Pakele, Valina Carpenter, Joanna Buikus, and Brenda Jordan

**Agenda:**

1. Welcome  
Steve Eppler-Epstein welcomed members and called the meeting to order at 2:04 p.m. Members introduced themselves. Chet Brodnicki announced during his introduction that he will serve as interim executive director of Family Life Education, Inc., for a six month period.
2. Review and Approval of the November 20, 2007 Meeting Minutes  
Steve asked for a motion to accept the minutes of November 20, 2007. The motion was moved and seconded, and the minutes were accepted as presented.
3. Update – OVS Compensation Program Issues  
Linda Cimino stated that she and Jim Morgan developed a report entitled *Criminal Injuries Compensation Program Budget statement for month ending FY 07/01/07 – 6/30/08* updated to 12/31/07 to address a request made at the November Council meeting for an assessment of the Compensation Program funding.

Linda reviewed the first page of the report and remarked that the total funds remaining for disbursement from the SFY 06-07 deficit appropriations is approximately \$21,000 that is pending for direct payments to four minors who will turn the age of majority by the end of the year. Since July 2007, \$459,000 has been disbursed and \$1.2 million has been obligated, leaving eighty-six percent of the budget expended or committed. The Program is facing another year where obligations will exceed budget.

Jim explained that the graphs attached to the report represent the monthly obligations, expenditures, and projected deficit for SFY 07-08. Jim stated the Program will have a \$250,000 a month projected deficit from March to June with

a one million shortfall projected by the end of the year.

Jim stated that an estimated amount of \$3,529,200 would be available in SFY 08-09 from various sources. Six hundred thousand dollars of those funds will be allocated to the family violence program and five percent of the Victims of Crime Act (VOCA) award may be used for administrative purposes with an estimated amount of \$2,841,762 available for compensation payments. If the Program goes into SFY 08-09 with a million dollar deficit, an estimated \$1.9 million will be available for new claims. OVS is estimating an increase of \$165,300 in available funds for SFY 09-10.

Linda added that when tracking the history of the Compensation Program every year was different within the last decade. In FFY 04-05, there was a twenty-one percent increase of claims with 152 applications from survivors of homicide victims. In SFY 06-07, the number of applications received (960) decreased from SFY 05-06 (1,100 applications received). However, the increase in claims for economic support have had a significant financial impact.

Linda stated that Jim meticulously tracks the monies deposited into the Criminal Injuries Compensation Fund (CICF). The mainstay funding – fines and fees from inmates have declined but court-ordered donations have increased. The Fund balance is \$5.2 million, which is less than two-years funding. The Council was pro-active and instrumental in securing an additional \$1.5 million allocation from the Fund to the Program; however, a concern is whether the Fund can sustain another one million appropriation.

Linda continued that there is a need to eliminate the deficit since there is a finite amount of funds to be drawn; the Program has to live within its means. Would OVS, the Judicial Branch, and the Council consider a reduction in loss of support payments? Connecticut is the most flexible of the states in allowing survivors of homicide victims to use all of the remaining compensation award for loss of support. Jim did an analysis of the loss of support paid through last fiscal year and found that more than \$700,000 was paid for this benefit. A large amount of the deficit is represented in loss of support payments.

Jan VanTassel asked to what extent the Council is responsible for determining how to balance the budget and carry out the OVS mission. She suggested that the matter should be addressed by the legislature.

Steve suggested seeking appropriations from the legislature each year; from a crime victim's perspective, if there is a five million reserve to spend, what is wrong with spending it?

Linda stated that that was a valid argument, but noted that the Program still falls prey to the state spending cap issue.

Steve stated that reducing benefits when funds are available seems unreasonable. The OVS director and Council have different roles in appropriation. The Council could advocate for more funding.

Chet Brodnicki stated that perhaps there is a need to educate the legislature that among the states, Connecticut is on the high end of providing financial

assistance to this category of crime victims.

Jan stated that she was uncomfortable deciding which victims' benefits are reduced and that the course should be to get funding from the policymakers.

Fernando Betancourt asked how, one million dollars is used from the Fund, the Fund would be replenished. Linda responded that some proactive actions could be taken, such as having prosecutors understand the importance of court-ordered donations.

Linda added that the funds awarded for economic support in Connecticut are a much larger percentage than in other states.

Steve remarked that two fundamental questions exist:

1. How much money annually should the agency be spending?
2. In which categories, and for which victims, should the available money be spent?

Fernando stated the issues involves three partners: the Office of Policy and Management, the Judicial Department, and the legislature. Joe Bibisi remarked that the statute governing the Compensation Program is a skeleton; the chief court administrator delegates the rules/regulations.

Janice Heggie Margolis suggested a meeting be held with the chief court administrator to discuss options.

Chet suggested that data regarding other states' compensation programs be provided so that the chief court administrator is cognizant that Connecticut is in the high range of providing services. Linda remarked that obtaining the data would be easy to access through the states' federal performance reports.

Members continued to discuss a potential meeting with the chief court administrator that included content and representation.

Jan stated that she was struggling with the role of the Council in this matter and read from General Statute section 54-203 that "[t]he council shall recommend to the Office of Victim Services program, legislative or other matters which would improve services to victims of crime." This led to a brief discussion on the Council's role.

To summarize the discussion, members moved and seconded a motion to:

1. Recommend that OVS seek additional funding appropriated from the CICF to cover projected deficit.
2. OVS, in consultation with the Council, will review data comparing compensation program benefits from other comparable states.

Fernando suggested an amendment to the motion to include seeking appropriation from the state surplus first.

Members agreed to amend the motion, which was moved and seconded, as follows:

1. Recommend that OVS request an increase in funding from State appropriations.
2. Recommend that OVS seek additional funding appropriated from the CICF to cover projected deficit.
3. If these failed, explore appropriate benefit adjustment/rebalancing after review of data from comparable states.

Chet stressed the importance of the Council reviewing the comparable data before meeting with legislators. Fernando added that the concerns should be brought before the chief court administrator.

The motion was approved unanimously.

Chet inquired if the Council should have a special meeting in February because of the short amount of time available. Steve responded that might pose difficulties in meeting FOI requirements and suggested a representative from the Council attend; members agreed that all Council members, if available, may attend the meeting with the chief court administrator.

Linda remarked that she would schedule a meeting with the chief court administrator and forward the date to Council members.

#### 4. OVS Update

Jim distributed an article from the Wall Street Journal entitled *Victims' Aid is Budget Casualty*. The article pertained to a reduction in the federal funding for VOCA. OVS is anticipating an eleven percent cut and hadn't yet received the assistance grant. A similar cut occurred the year before.

Joanna Buikus reported on the following:

- One of the audit findings was an inconsistency in the completion of the one hundred dollar waiver form and that steps have been taken for compliance.
- The personal injury and survivor benefits compensation applications are being revised.
- Suellen Molstad joined OVS as a fourth claims examiner on January 4, 2008.
- The Compensation Letter Committee is reviewing correspondence elements, including user-friendliness. She thanked Larry Bostrom and his wife Shirley for the invaluable assistance they have provided to the Committee in their review of the letters.
- Former claims examiner Rachel McKnight was promoted to claims supervisor and will complete the determination process. The determination specialists will continue to assist OVS in this process for approximately six months and were recognized by OVS in December for their assistance.

Sue Pakele reported that Valina Carpenter was promoted to victim services supervisor and will supervise staff located in the geographical area courts; Sue will oversee staff in the judicial district courts. Valina added that before accepting the supervisory

position, she served as a victim services advocate in the New Britain courthouse for seven years.

Linda reported on the following:

- Larry D’Orsi informed OVS that the Spanish translations of the protective orders were printed and distributed to the courts in November.
- The OVS biennial report to the Judiciary Committee was distributed to the Council.
- Dave Burr, who served as program manager of the Compensation Unit, transferred to the Court Support Services Division.
- The Governor’s Sentencing and Parole Review Task Force, of which Linda was a member and Lisa Holden co-chair, held its final meeting in January.
- OVS is co-sponsoring the Melanie Ilene Rieger Memorial Conference that will be held April 23-24, 2008. The theme of the conference is school violence.
- OVS is co-hosting an eastern regional conference with the National Association of Crime Victim Compensation Boards May 6-8, 2008, in Mystic.
- The Victims’ Rights booklet is in the process of being revised.
- OVS provided trainings to the Forensic Health Services Youth Risk Reduction Center, judicial marshals, Police Officer Standard and Training (POST), and adult probation officers.
- At the November Council meeting, Dave Burr reported on the difficulty of obtaining police reports and having the police department short form completed. Commissioner Danaher of the Connecticut Department of Public Safety provided information to OVS on why the form cannot be completed. OVS is discussing that information with the Judicial Branch Legal Services department.

5. Legislative Update

Members did not have legislative updates to report.

6. New Business

No new business was introduced.

8. Adjournment

Steve called for a motion to adjourn the meeting; the meeting was adjourned at 3:59 p.m.

Brenda Jordan, Recorder