

## Connecticut's Criminal Justice Process-What to Expect

Attending court is a daunting and intimidating experience for survivors. Many of us are unfamiliar with the judicial system and don't understand that it can take years for a case to come to a close. However, you are not alone and the following is some advice to help you through this process.

### The Beginning Stages

- ❖ Getting in contact with the Court's Victim Advocate is a crucial first step in ensuring your rights will be met and you will be able to receive updated information about your case. You can contact the Office of Victim Services (OVS) to find out who your advocate is. Please note that your advocate may change after the initial arraignment.
- ❖ Register for Notification through the VINE/SAVIN system at <http://www.vinelink.com> or by calling (877) VINE-4CT. This will ensure that you are notified of all court dates.
- ❖ Before attending court for the first time it will be helpful to take a trip beforehand to see the location and where parking is available. Not all court houses have easily accessible or free parking. The Connecticut Judicial website does list available parking for courthouses. Some courthouses will validate parking for victims.
- ❖ Bring a notebook with you to every hearing so you can write down the next court date or to jot down any details or questions that you may have. It is also beneficial to carry it daily so you can write any thoughts or questions down as they come to you. Our brains are often foggy during this time.
- ❖ Plan to show up 20-30 minutes before court is scheduled to begin. There can be long lines in security and you may have to search for the correct courtroom. Arriving even five minutes late could mean missing a hearing.
- ❖ Wear comfortable, yet appropriate clothing. Avoid wearing belts, steel toe shoes, or lots of jewelry. This can set off the metal detector and result in having to take these items off and on when entering the building. Also please note that while wearing T Shirts or buttons with your loved ones picture on it is not allowed during a trial, even if you were allowed to wear them during the pretrial hearings. However, you are allowed to wear them or display a picture of your loved one during sentencing.
- ❖ No outside food or beverages are allowed in Connecticut courthouses. Special accommodations may be made for medical necessity, but it must be discussed beforehand. Some courts also have a cafeteria where items can be purchased.
- ❖ Please turn off all cell phones and electronic devices. If your phone goes off during proceedings it can be confiscated and you may be asked to leave the court room.
- ❖ Plan your day accordingly because there is no way to tell how long you will be there. Because there are multiple cases that are heard in the same courtroom there is unfortunately no way to tell when yours will be called. Some judges try to call cases where victims are present before other matters, but it is possible your case will not be called until the afternoon session.
- ❖ Don't be surprised if you see the prosecutor and defense attorneys being friendly to each other. While it is normal to harbor ill feelings towards someone who is representing the person who took your loved

one, it is important to realize that these people work with each other every day on a variety of cases. Just because they seem to be friends does not mean your case will be handled improperly.

- ❖ Be aware that you may see the offender's family and friends at the hearings. If being around them is difficult please speak to your Victim Advocate. There may be a quiet place where you can wait for the case to be called. If the offender's supporters ever become rude or threatening, please notify either your Victim Advocate or a Judicial Marshall immediately.

### As the Months Go On

- ❖ Going to court is a choice. Although you may feel as though you **must** attend every court proceeding it can become overwhelming. If you feel that attending is bringing up more trauma than it is helping you can reach out to your Victim Advocate for advice or to ask that they attend proceedings in your place.
- ❖ Though it is frustrating the State's Attorney does not represent your loved one or your family; they represent the State. However, as a crime victim in the state of Connecticut you are allowed to communicate with the prosecutor in your case. Please keep in mind that while it is totally understandable that you want many details about the case, the goal of the prosecutor is a conviction in your case. Disclosing too many details could jeopardize that from happening, but sometimes specific questions can be answered. If you are feeling angry or frustrated with your prosecutor it may be best if your Victim Advocate contacts them on your behalf.
- ❖ Please do not email your Prosecutor anything you would not like shared with the defense as all communication and evidence has to be turned over before trials starts.
- ❖ Court dates are typically scheduled every four to six weeks. There will be many continuances in your case where the hearing can last 30 seconds and a new court date is given. While this can be very frustrating for families it is important to realize that a lot goes on behind the scenes between the prosecutor, defense, and judge that they may not be able to share with you.
- ❖ Be mindful of who you speak to. Things that are posted on social media or said to reporters could be used by the Defense to support their case. It is also possible that the Defense attorneys could try to speak with you personally by contacting you over the phone, trying to befriend you on social media, or even showing up at your house. Unfortunately, there is nothing against the law about these things, but you are under no legal obligation to speak with them. If someone tries to contact, you always ask for identification and immediately share with your Prosecutor or Victim Advocate.

### Plea Bargains

Even after many months it is possible that your case may never go to trial and in reality the majority of homicide cases end in a plea bargain. Many families prefer a plea bargain to spare them the emotional and mental difficulty of enduring a trial and the multiple Habeas Corpus hearings that can follow.

- ❖ No jail time will ever be enough for what this person has done, but our justice system works off of our penal code and not by fairness. Life in prison in the state of Connecticut is 60 years and pleas can vary on a murder charge from 25-50 years. Plea bargains for Manslaughter can vary.
- ❖ If a plea is accepted sentencing typically occurs 6-8 weeks after. A Pre-Sentence Investigation will commonly be done during this time where an independent court officer will often come speak to you as well as the defendant and his family. The report is then given to the court before sentencing and will

remain in the Defendant's file. You will be able to give a Victim Impact Statement during the sentencing and your Victim Advocate can assist you in writing it.

- ❖ Please be aware that during the Sentencing Hearing an overview of the crime will be put on the court record. You may hear some troubling or graphic details during this time.
- ❖ After you give your Victim Impact Statement the Defendant and/or his family and friends will also be given a chance to address the court. Their statements can be very difficult to listen to. If you feel overwhelmed it is ok to leave the courtroom during this time, but it is very important to remain calm.

### If the Case Goes to Trial

- ❖ Be prepared to possibly be subpoenaed in the case to be a witness for the Defense. This is a strategy that is often employed to keep family members out of the courtroom so they don't elicit sympathy from the jury. If you are called as a witness, there is a good chance you will not be allowed in the courtroom during the trial.
- ❖ Trials typically last two – four weeks from opening arguments through jury deliberations. Both the Prosecutor and Defense will call witnesses and present evidence. This can be an extremely draining time and self-care is of the utmost importance. Speak with your Victim Advocate about ways to help you through this time.

#### **Courtroom Survival Kit:**

- A notepad and pen for taking notes.
- Electronic devices to help defuse during breaks.
- Some cash to purchase snacks or drinks.
- Comfortable clothes for sitting for long hours.  
Includes comfortable shoes.
- If you suffer from back problems, you may want to consider bringing a cushion to sit on. Court benches are extremely hard.
- Courtrooms are often too cold or too hot. Wear layers to keep yourself comfortable as needed.
- Bring bottled water if you are able.
- Hard candy or cough drops. Courtrooms can be very dry places.
- A bottle of lotion with a soothing aroma can help you relax and breathe through tense moments.
- Tissues- Most courthouses unfortunately do not supply them and bathroom paper towels will rub your nose raw.
- A Trinket or photo from your loved one that you can hold or keep in your pocket.
- The support and/or presence of your friends, family, and Victim Advocate.

- ❖ Don't feel frustrated because you are upset or if you think you are losing your mind. It is totally normal to feel these ways. Attending trial can bring up a lot of feelings both positive and negative. It is an extremely draining time and many people compare it to the first weeks after losing their loved one. Reaching out to your supportive resources during this time is very important.
- ❖ Be prepared to hear hurtful things about your loved one. No one wants to hear negative remarks about the person that they love, but it is the court's job to present all the evidence either good or bad. No matter how difficult it is of the utmost importance to refrain from any emotional outbursts in the courtroom, even if what you know they are saying are lies. This could result in not only your removal from the proceedings, but it could possibly cause a mistrial. We recommend carrying a small object such as a stress ball or something from your loved one that brings you comfort. This can help you keep your emotions in check when you feel out of control.
- ❖ Be aware that autopsy and/or crime scene pictures may be shown. These can be very upsetting and graphic and you do not have to stay in the courtroom during this time if you do not want to. Your Victim Advocate can make you aware of when such things will be shown.
- ❖ After both sides present their cases and give closing arguments the jury (or three judge panel) will begin deliberations. They are permitted to take as much time as is needed and they may ask questions or want specific testimony repeated. Once a verdict is reached (or if they decide they cannot reach a verdict) they will be called back and it will be read to the court.
- ❖ If the verdict is guilty, sentencing typically occurs 6-8 weeks after. A Pre-Sentence Investigation (PSI) will commonly be done during this time where an independent court officer will often come speak to you as well as the defendant and his family. The report is then given to the court before sentencing and will remain in the Defendant's file. You will be able to give a Victim Impact Statement during the sentencing and your Victim Advocate can assist you in writing it.
- ❖ After you give your Victim Impact Statement the Defendant and/or his family and friends will also be given a chance to address the court. Their statements can be very difficult to listen to. If you feel overwhelmed it is ok to leave the courtroom during this time, but it is very important to remain calm.
- ❖ In Connecticut, the judge makes the final decision on the length of a sentence and any special conditions requested by the Prosecutor and/or victim's family.

### **Is This the End?**

- ❖ A common misconception is that after someone is sentenced it is "the end" when in reality many survivors experience a "crash" or a mental let down. Now that the case is over many feel there is nothing left to do. No one to advocate for and no more phone calls to make. Survivors often expect that the end of the case would make them feel better or give them a sense of justice, but instead they go home with a heavy heart and empty handed without the one thing they have ever truly wanted; their loved one back.

- ❖ Even after a trial with a guilty verdict the process is never truly over. The Defendant has the right to file an appeal and they almost always do. In Connecticut offenders that go through trial are allowed to have many appeal hearings that can go on for years. You do have a legal right to be notified of these hearings if and when they arise.
- ❖ After a conviction it is very important to register with the Office of Victim Services as well as the Department of Correction to ensure that you will be notified if your offender comes up for a hearing, if their sentence is adjusted, if they escape, or if they die in custody. Because murder sentences are lengthy it is recommended that two members of the family apply from different generations. This is to ensure that if someone passes notification will still be received. It is very important to notify these offices if your contact information changes.
- ❖ Know that even after the trial is over Survivors of Homicide, Inc. is here for you. We understand that there is never an end to losing a loved one to murder, but we can help you on your journey to find peace.

### Useful Numbers:

Survivors of Homicide, Inc.: 860.257.7388 or 860.324.5679

CT SAVIN: 1. 877.VINE.4CT

Office of Victim Services: 860.263.2760 Helpline: 1.800.822.8428

Department of Correction Victim Services: 1.888.869.7057

Office of the Victim Advocate: 860.550.6632

Infoline: A free resource for a multitude of referrals from housing to counseling: Dial: 211