

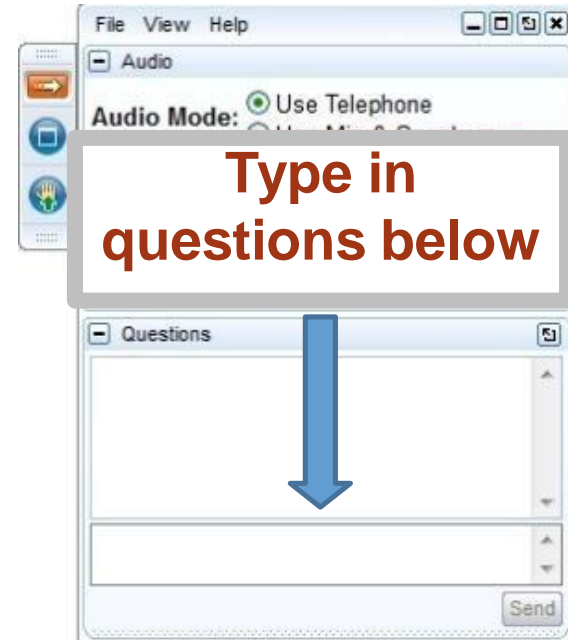


Rights of and Resources for the Most Vulnerable Populations

November 17, 2020

House Keeping

- Because this is a webinar, attendees are muted
- Please type any questions you have into the Questions Box
- This webinar is being recorded and the webinar recording and slides will be available on our Webinar Library www.cceh.org



Seeking Justice and Supporting Recovery

How Lawyers Help Crime Victims
Seek Justice and Repair Shattered
Lives

CONNECTICUT ALLIANCE
TO END SEXUAL VIOLENCE 
Support. Advocate. Prevent.



VICTIM RIGHTS CENTER
OF CONNECTICUT



Maura Crossin

Program Director/Senior Attorney



Keighly Rector

Assistant Program Director/Associate Attorney

Agenda



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Founded in 2013,
VRCCT is the **ONLY**
program in
Connecticut
exclusively servicing
the legal needs of
victims of violent
crime.



Our Team!



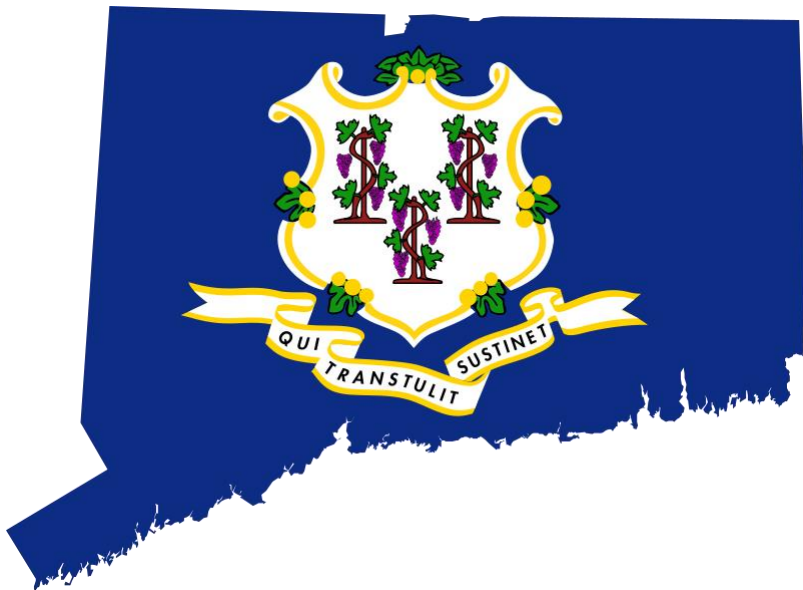
We currently have a staff of:

- ❖ Six Associate Attorneys (Two Bilingual)
- ❖ One Bilingual Case Manager & Paralegal
- ❖ Two Certified Legal Interns

Our undergraduate and law students join us from:

- ❖ Quinnipiac University School of Law
- ❖ Yale University
- ❖ The University of Chicago
- ❖ University of New Haven
- ❖ Central Connecticut State University
- ❖ UCONN School of Law
- ❖ Roger Williams University School of Law

Current Catchment Area*



We currently offer services:

- ❖ New Haven County
- ❖ Middlesex County
- ❖ Hartford County
- ❖ Tolland County
- ❖ Windham County
- ❖ Parts of Fairfield County (Greater Bridgeport)



What We Do

VRCCT provides trauma-informed, holistic legal services to victims of sexual assault, stalking, child abuse, LGBTQIA+ hate crimes, elder abuse, student sexual harassment, and homicide.

We do not charge for our services, regardless of income.

What We Do



Pre and Post
Arrest Advocacy



Family & Civil
Protective Orders



Education – Title IX



Housing



Immigration



Employment

Why should victims have a lawyer?

- Victims have been through traumatizing experiences
 - Often impacts multiple areas of their lives (i.e. education, housing, family, etc.)
- Pro se representation can be overwhelming/re-traumatizing
- VRCCT Attorneys are trained in trauma-informed law practice
 - Assisting victims in navigating the complex legal system
- Attorneys lay out all legal options as they arise
 - Advise and empower victims to choose their own path to justice and recovery



How can lawyers assist
victims?

Criminal Law: Pre and Post Arrest Advocacy

- ❖ Assist victims with filing reports, attending interviews, following up with LEO, and tracking warrants
- ❖ File an appearance on behalf of the victim to provide notice to the court and parties
- ❖ Keep the victim informed and engaged in the case throughout its lengthy pendency
- ❖ Ensure a victim's privacy rights are not violated and file motions if needed to protect those rights
- ❖ Provide legal advice to assist the victim in making decisions about the case
- ❖ Advise prosecutors about victim's wishes for the case
- ❖ Help prepare for disposition conferences, sentencings, and/or trial
- ❖ Act as a buffer between the defense attorney and the victim
- ❖ Facilitate meetings with the SAO
- ❖ Act as a Guardian Ad Litem (GAL)

Case Examples

Education Law: Title IX

Under Title IX of the Education Amendments of 1972:

“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.”

Title IX:

- ❖ A civil right that prohibits sex discrimination in education
- ❖ Applies to all students regardless of gender identity
- ❖ Applies to all schools who receive federal funding (K-12 & high school)

Title IX Requirements

- Schools must disseminate a **notice of nondiscrimination**
- Every educational institution receiving federal funding must have a **Title IX Coordinator**.
- Required to adopt and publish a **grievance procedure** outlining the complaint, investigation, and disciplinary process for addressing sex discrimination, sexual harassment, and sexual violence occurring within educational programs.
- Schools are required to be **prompt** when receiving a complaint of sex discrimination, sexual harassment, or sexual violence in order to remedy any hostile educational environment created by such behaviors

Family and Civil Legal Issues

Family Court

- Temporary Restraining Orders
 - Requires qualifying relationship prior to the harm/threat of harm
 - Minor victim may have to testify at judge's discretion at the hearing
- Emergency Ex-Parte Custody
 - Child does not have to testify at the hearing



Civil Court

- Civil Protective Orders
 - No familial relationship and there is sexual assault, sexual abuse or stalking

Humanitarian Immigration Relief



- U Visa
 - Victims of sexual violence and other serious crimes
 - Helpfulness certification from law enforcement
- T Visa
 - Victims of human trafficking (labor and sex)
 - Cooperation with reasonable requests from law enforcement
- Relief through VAWA (Violence Against Women Act)
 - Victims of battery or extreme cruelty
 - Spouses and children of US citizens or legal permanent residents
 - Parents of adult US citizens
- Special Immigrant Juvenile Status (SIJS)
 - Unmarried minors under 21
 - Abused, neglected or abandoned by one or both parents
- Asylum and related relief
 - Fear of persecution or torture if returned to home country
 - Harm based on race, religion, nationality, political opinion, or membership in a particular social group
 - Government unable or unwilling to protect

Know Your Rights

Non-legal service providers can help undocumented clients by providing them with information about their basic constitutional rights.

Basic Rights (Citizens and Noncitizens):

1. Right to remain silent and request a lawyer.
2. Right to decline to sign anything, say anything, hand over documents, or consent to a search until given an opportunity to speak to a lawyer.
3. Right to refuse entry into home by police, FBI or immigration agents, unless they have a warrant signed by a judge.
4. Right to not be questioned, detained, threatened or arrested based on skin color, accent, or language.
5. Right to a hearing with an Immigration Judge* and right to have an attorney (not provided by gov't) present.

*Exception: Expedited removal

Know Your Rights Resources

- **IRC Red Cards – order or print**
 - ilrc.org/red-cards
- **ACLU:**
 - Various scenarios (e.g. Police/ICE at home, stopped by police/ICE, law enforcement asking about immigration status)
 - English and Spanish
 - aclu.org/know-your-rights/immigrants-rights/



Additional Civil Legal Needs of Victims

Housing

- Negotiating with landlords to break lease and retrieve security deposit per CT Gen. Stat. Sec. 46a-11e
 - Requires notice to landlord of family violence or sexual assault incident at least 30 days in advance of lease termination
 - Victim must provide landlord with certification under oath that they are a victim of family violence or sexual assault AND a police report/court record that is dated not more than 90 days prior to the date of tenant's notice OR a signed written statement from a victim services provider (OVS/OVA) that is dated not more than 30 days prior to the date of the tenant's notice
 - Termination of a lease under this statute does not relieve the tenant from liability to the landlord for any rent owed prior to termination, or for liability for property damage cause by tenant, or any other tenant from liability to the landlord under the rental agreement

Employment

- Negotiating accommodations with Employers under the ADA
- Filing CHRO/EEOC complaints for sexual assault and discrimination
- Obtaining unemployment benefits if cause of unemployment linked to victimization

NOTE: ALL civil legal remedies could carry serious consequences for the victim and should be sought only after consulting with an experienced attorney.

Case Examples

Community Partners and Referral Sources

Our work would NOT be possible without the collaboration and support from our state and national allies and partners!

State-Based

- SACS member centers
- Survivors of Homicide
- Connecticut Women's Education & Legal Fund
- Sexual Harassment and Assault Response & Education Office at Yale University
- Office of Victim Services
- Connecticut Institute for Refugees and Immigrants
- Love 146
- BHcare
- Connecticut Legal Services
- Family Centered Services of Connecticut
- Jane Doe No More
- Office of the Victim Advocate

Broad-Based

- Mental Health Providers
- Hospitals
- Sexual Assault & Domestic Violence Crisis Centers
- Victim Rights Law Center
- SurvJustice
- Know Your IX
- Time's Up Legal Defense Fund
- National Women's Legal Fund
- 2-1-1 Infoline

How can providers/advocates make a referral
to VRCCT?



CLIENT LEGAL SERVICES REFERRAL & INTAKE FORM

Please review the following before completing this form:

- VRCCL does not charge for services, but clients will be responsible for any court fees/costs.
- VRCCT referral information is strictly confidential and will not be shared with anyone. We are not mandated reporters.
- VRCCT does not allow third parties to attend/participate in attorney/client communications or meetings. A release of information may be completed with a third party for an attorney to have a separate communication with/without a client present. We cannot confirm or deny any client information, including to a referral source, until we have a written release of information. *Our federal grants do not allow for verbal releases of information under any circumstance.*
- VRCCT can only schedule consultations virtually, via video conference or by phone.
- **Non-immigration cases:** VRCCT can only accept cases where the *crime occurred* in Hartford, Middlesex, New Haven, Tolland, and Windham counties and in the towns of Bridgeport, Easton, Fairfield, Monroe, Stratford, or Trumbull. Clients do not need to live within this catchment area. **Immigration cases:** VRCCT can only accept cases where the client resides in Connecticut.
- VRCCT cannot represent defendants/respondents in criminal/civil cases, and cannot represent in civil suits, including child custody & support, divorce, post-judgment, or temporary restraining orders that are not inclusive of sex assault or stalking.
- VRCCT does not cover workplace sexual harassment, only in an educational setting/student sexual harassment complaints.
- A referral does not guarantee legal representation. VRCCT will do an initial screening to determine if services can be offered. **All items with asterisks are critical information needed. Any items unknown by client or referral provider, please mark "UK"*

First & Last Name*: _____ Age*: _____ Date of Birth*: _____ Preferred Language*: _____
 Ethnicity & Race*: _____ Gender*: F M O Sexual Orientation*: _____ Preferred Pronoun*: _____
 Veteran*: Y N Disabilities*: _____ Homeless*: Y N Immigrant/Refugee/Asylum Seeker* Y N
 Socioeconomic Status: very low low moderate high Primary vic Secondary vic Vic age at time of offense* _____
 Phone No*: _____ Email: _____ Safe to message*: Y N
 Home Address & Zip Code (minimum town/city*): _____
 If under 18, First & Last Name of Parent/Guardian*: _____ Parent/Guardian phone*: _____
 Covered Client Victimization* (check all that apply): Sex Abuse/Assault (any age) Stalking (any age) Homicide (any age)
 Student Sexual Harassment (11 years old & older) Elder Abuse (62 years & older) LGBTQIA Hate Crimes (any age)
 Adolescent Physical Abuse/Assault (11-17 years old) Adult Victim of Childhood Sex Assault (18 years old & older)
 Offender's First & Last Name*: _____ Year of Birth (or Age): _____ Date(s) of Crime*: _____
 Relationship to victim*: _____ Was offense reported to police? Y N Was an arrest made? Y N Case #: _____
 Police Dept/Troop or City/Town where offense occurred*: _____ Detective or Prosecutor name: _____ N/A
 If incident at university, university where offense occurred*: _____ N/A Is there a *current* Title IX case? Y N
 If the victim is a minor, was a forensic interview completed? Y N N/A If so, at what facility? _____
 Was a report made to the Dept of Children & Families? Y N N/A Is there a need for immigration assistance? Y N
 How did you hear about us? (or referral person/agency contact) _____
 Do you/does the client require any accommodations for a consultation? Y N If so, please specify: _____
 Please describe the incident/assault that occurred and what the client is seeking legal assistance with*: (note this field scrolls)

Please send the completed referral via email to vrctreferrals@endsexualviolencect.org or fax to 203-745-0073.
 Please leave us a voice message if you do not receive a confirmation of receipt within three business days at 203-350-3515.

Referral Forms can be sent via:

E-mail: vrctreferrals@endsexualviolencect.org

Fax: 203-745-0073

Or verbally over the phone: 203-350-3515

Questions?

Thank you!

Contact Us

Victim Rights Center of Connecticut

A program of The Alliance

P.O. Box 631

Wallingford, CT 06492

Office: 203-350-3515

General email: mail.vrcct@endsexualviolencect.org

Referrals email: vrcctreferrals@endsexualviolencect.org

Internship Information: nadya@endsexualviolencect.org

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