



STATE OF CONNECTICUT
DIVISION OF CRIMINAL JUSTICE
POLICIES AND PROCEDURES
OFFICE OF THE CHIEF STATE'S ATTORNEY

TITLE:
VICTIM RIGHTS AND NOTIFICATION

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AUTHORIZED:

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I. Statement of Purpose

The Division of Criminal Justice (Division) is committed to fulfilling its constitutional, statutory, and professional responsibilities to victims of crime. See Conn. Const. art. I, § 8.b., as amended; Conn. Prosecution Standards 2-9.1 through 2-9.8 & commentary. In recognition of the integral role the prosecutor plays in protecting victims' rights throughout the criminal process, the Division adopts the following policy regarding victim rights and notification.

II. Definition of Victim

A "victim of crime" or "crime victim" is defined by Connecticut statute as "an individual who suffers direct or threatened physical, emotional or financial harm as a result of a crime and includes immediate family members of a minor, incompetent individual or homicide victim and a person designated by a homicide victim in accordance with [General Statutes] section 1-56r [i.e., by power of attorney, will or similar written instrument executed prior to death]." General Statutes § 1-1k. General Statutes § 51-286e(a) provides that the term "victim" includes the legal representative of the victim or a member of the deceased victim's immediate family." General Statutes § 51-286e(a); see also General Statutes § 54-91c(a) ("For the purposes of this section, 'victim' means a person who is a victim of a crime, the legal representative of such person, a member of a deceased victim's immediate family or a person designated by a deceased victim in accordance with [General Statutes] section 1-56r.").

III. The Victim's Rights Amendment

Pursuant to Article XXIX (b), of the Amendments to the Constitution of the State of Connecticut (commonly known as "the victim's rights amendment"), in all criminal prosecutions, a victim, as that term is defined by the general assembly, shall have the following rights:

- (1) the right to be treated with fairness and respect throughout the criminal justice process;

- (2) the right to timely disposition of the case following arrest of the accused, provided no right of the accused is abridged;
- (3) the right to be reasonably protected from the accused throughout the criminal justice process;
- (4) the right to notification of court proceedings;
- (5) the right to attend the trial and all other court proceedings the accused has the right to attend, unless such person is to testify and the court determines that such person's testimony would be materially affected if such person hears other testimony;
- (6) the right to communicate with the prosecution;
- (7) the right to object to or support any plea agreement entered into by the accused and the prosecution and to make a statement to the court prior to the acceptance by the court of the plea of guilty or nolo contendere by the accused;
- (8) the right to make a statement to the court at sentencing;
- (9) the right to restitution which shall be enforceable in the same manner as any other cause of action or as otherwise provided by law; and
- (10) the right to information about the arrest, conviction, sentence, imprisonment and release of the accused.

Conn. Const. art. I, § 8.

IV. Victim Notification in Criminal Proceedings Generally

In cases in which a person has committed an offense, including a motor vehicle violation, which results in the death of another person, the state's attorney shall identify and notify a member of the immediate family of the victim or the next of kin of the victim, if any, of the arraignment of the person accused of the offense or violation. General Statutes § 51-286d. In doing so, the state's attorney shall provide information on the date, time, and place of the arraignment and shall furnish the designated family member or next of kin with the name and telephone number of a person to contact for additional information or for information on the status of the case. General Statutes § 51-286d.

In all non-death related cases, crime victims must take affirmative steps in order to receive notification of certain court proceedings. See General Statutes §§ 51-286e and 54-91c(c)(1) & (d). When a victim requests notification and provides the state's attorney with a current address, the state's attorney for a judicial district wherein an offense has been committed shall notify any victim of the offense of any judicial proceedings relating to the victim's case, including:

- (1) the arrest of the defendant,
- (2) the arraignment of the defendant,
- (3) the release of the defendant pending judicial proceedings, and
- (4) proceedings in the prosecution of the defendant, including the dismissal of the charges against the defendant, the entry of a nolle prosequi to the charges against the defendant, the entry of a plea of guilty by the defendant, and the trial and sentencing of the defendant.

General Statutes § 51-286e.

Prosecutors should be aware that when a defendant who has been ordered placed for treatment on an inpatient basis at a mental health facility or a facility for persons with intellectual disability is released from such facility on a furlough or for work, therapy or any other reason and fails to return to the facility according to the terms and conditions of the defendant's release, the facility shall, within twenty-four hours of the defendant's failure to return, report the failure to the prosecutor for the court which ordered the placement of the defendant. General Statutes § 54-56d(l). Upon receipt of such a report, the prosecutor shall, within available resources, make reasonable efforts to notify any victim of the crime for which the defendant is charged of such defendant's failure to return to the facility. General Statutes § 54-56d(l).

V. Victim Access to Contents of State's File

Maintaining the integrity of the state's case is critical to the Division's ability to fairly and successfully prosecute each of its cases. While the Victim's Rights Amendment affords crime victims in this state numerous rights – including, among other things, the right to information about the arrest, conviction, sentence, imprisonment, and release of the accused – victims do not possess a right to view or obtain copies of the contents of the state's file. In addition, it is often unknown, particularly in the early stages of a prosecution, whether a victim or members of a victim's family will be called as witnesses at trial such that their prior review of portions of the state's file might negatively impact their later trial testimony and the state's case. As such, it is the policy of the Division that prosecutors and DCJ personnel (including clerical staff, inspectors, and investigators) not share the contents of the state's file with a victim or victim's representative prior to final disposition of the case in superior court. The "state's file" for purposes of this policy means all written and electronic materials in the possession of the Division of Criminal Justice.

The Division recognizes, however, that oftentimes victims and their families are left with questions and concerns following the commission of a crime that may be answered and

alleviated by review of certain case related items, the disclosure of which is not likely to jeopardize, or would have minimal to no impact upon, the state's prosecution.

With respect to case file information in cases involving adult defendants, prosecutors may, in their discretion, provide a copy of the unsealed arrest warrant¹ and police reports² to a victim or victim's representative with prior approval of the State's Attorney or Deputy Chief State's Attorney or his or her designee. Victims are entitled to review and obtain a copy of the victim's own statement. Finally, victims are entitled to a copy of any transcript prepared in connection with a criminal proceeding involving their offender free of charge. General Statutes § 51-286g.

All other information in the state's file should not be shared with or provided to a victim or victim's representative without express written approval of the State's Attorney or Deputy Chief State's Attorney or his or her designee.

In connection with case file information in juvenile matters, prosecutors and DCJ personnel shall provide such information to a victim or victim's representative only upon court order for good cause shown subject to all applicable laws relating to confidentiality of juvenile delinquency proceedings. See General Statutes § 46b-124a.

Any copies of case file information provided to a victim or victim's representative shall be redacted in accordance with state and federal law and Division policy.

VI. Victim Notification at Sentencing and in Plea Bargaining

In accordance with subsection (c) of General Statutes § 54-91c, the prosecutor in charge of the case shall notify the victim of such crime of the date, time, and place of the original sentencing hearing, or any judicial proceeding concerning the acceptance of a plea pursuant to a plea agreement, provided the victim or the victim advocate acting on the victim's behalf has informed the state in writing that the victim wishes to make or submit a statement. See General Statutes § 54-91c(c).

In prosecutions for assaulting a peace officer in violation of General Statutes § 53a-167c, the prosecutor is required to personally notify the peace officer of the date, time, and

¹ Unsealed arrest warrants are a matter of public record. See General Statutes § 1-215.

² Victim advocates are entitled to a copy of any police report in the state's attorney's possession that the victim advocate requires to perform their statutory obligations. See General Statutes § 54-220(b).

place of the original sentencing hearing or any judicial proceeding concerning the acceptance of a plea pursuant to a plea agreement. General Statutes § 54-91c(c)(2).

If the prosecutor is unable to notify the victim, he or she shall sign a statement as to such notification. General Statutes § 54-91c(c)(3). Such statement should be scanned for inclusion within the Division's case management system and retained in the state's paper file.

A. Filing of Victim Statement at Sentencing

Prior to the imposition of sentence upon any defendant who has been found guilty of any crime or has pleaded guilty or nolo contendere to any crime, the court shall permit any victim of the crime to appear before the court and make a statement or submit a written statement. See General Statutes § 54-91c(b). It is the prosecutor's obligation to file any victim's statement with the court and make it part of the record of the case. General Statutes § 54-91c(b). Such statement shall relate to the facts of the case, the appropriateness of any penalty and the extent of any injuries, financial losses and loss of earnings directly resulting from the crime for which the defendant is being sentenced. General Statutes § 54-91c(b).

B. Written Terms of Proposed Plea Agreement Provided Upon Request

If requested by a victim, prior to the acceptance by the court of a plea of a defendant pursuant to a proposed plea agreement, the prosecutor in charge of the case shall provide such victim with the terms of any proposed plea agreement in writing. See General Statutes § 54-91c(d). Whenever a prosecutor provides a victim with written notice of the terms of a proposed plea agreement, the prosecutor shall ensure that a copy of the communication is scanned for inclusion within the Division's case management system and retained in the state's paper file.

If the terms of the plea agreement provide for a total effective sentence of more than two years' imprisonment, the prosecutor in charge of the case shall also indicate to the victim the following: (1) the maximum period of imprisonment that may apply to the defendant; (2) whether the defendant may be eligible to earn risk reduction credits pursuant to General Statutes Section 18-98e; (3) whether the defendant may be eligible to apply for release on parole pursuant to General Statutes § 54-125a; and (4) whether the defendant may be eligible for automatic erasure of such defendant's criminal conviction pursuant to subsection (e) of General Statutes § 54-142a. These four categories are described in more detail below.

1. Maximum Period of Imprisonment

The prosecutor in charge of the case shall advise the victim of the total period of imprisonment that may apply to the defendant pursuant to the terms of the proposed plea agreement.

2. Eligibility to Earn Risk Reduction Credit

The prosecutor in charge of the case shall inform the victim of a defendant's eligibility for risk reduction credits under the terms of any proposed plea agreement. Given this statutory requirement, prosecutors shall familiarize themselves with the parameters of the Risk Reduction Earned Credit (RREC) Program, which allows eligible inmates to earn up to 5 days a month off their sentence. See General Statutes § 18-98e. For purposes of General Statutes § 54-91c(d), any defendant entering into a proposed plea agreement with the State will be eligible to earn risk reduction credits unless the crime(s) encompassed by the plea are specifically excepted by General Statutes § 18-98e. Be advised that only the following crimes are statutorily **not eligible for RREC**:

- Murder [C.G.S. § 53a-54a]
- Murder with special circumstances [C.G.S. § 53a-54b]
- Felony Murder [C.G.S. § 53a-54c]
- Arson Murder [C.G.S. § 53a-54d]
- Manslaughter in the 1st degree [C.G.S. §§ 53a-55 and 53a-55a]
- Aggravated sexual assault in the 1st degree [C.G.S. § 53a-70a]
- Aggravated sexual assault of a minor [C.G.S. § 53a-70c]
- Home invasion - Class A felony [C.G.S. § 53a-100aa]
- Persistent dangerous felony offender [C.G.S. § 53a-40(a)]
- Persistent dangerous sexual offender [C.G.S. § 53a-40(b)]

3. Eligibility for Release on Parole

The prosecutor in charge of the case shall inform the victim whether, pursuant to the terms of the proposed plea agreement, the defendant may be eligible to apply for release on parole pursuant to General Statutes § 54-125a. As such, prosecutors should know those crimes that are **not eligible for parole**:

- Murder [C.G.S. § 53a-54a]
- Murder with special circumstance [C.G.S. § 53a-54b]

- Capital felony [C.G.S. § 53a-54b]
- Felony murder [C.G.S. § 53a-54c]
- Arson murder [C.G.S. § 53a-54d]
- Aggravated sexual assault in the 1st degree [C.G.S. § 53a-70a] for crimes committed on or after July 1, 2004

All other crimes not listed above are eligible for parole, and the victim should be so advised.

4. Eligibility for Automatic Erasure of Criminal Conviction

The prosecutor in charge of the case shall inform the victim whether, pursuant to the terms of the proposed plea agreement, the defendant may be eligible for automatic erasure of such defendant's criminal conviction pursuant to subsection (e) of General Statutes § 54-142a. Given this statutory requirement, prosecutors shall familiarize themselves with the erasure statute, which specifically provides that the following criminal offenses **shall not be eligible for erasure**:

- a. Any conviction, on or after January 1, 2000, designated as a family violence crime, as defined in C.G.S. § 46b-38a;
- b. Any conviction for an offense that is a nonviolent sexual offense or a sexually violent offense, each as defined in C.G.S. § 54-250;
- c. Any conviction for a violation of:
 - Sale, delivery or transfer of pistols or revolvers [C.G.S. § 29-33]
 - Assault in the 2nd degree with a firearm [C.G.S. § 53a-60a]
 - Assault of an elderly, blind, disabled or pregnant person or a person with intellectual disability in the 2nd degree [C.G.S. § 53a-60b]
 - Assault of an elderly, blind, disabled or pregnant person or a person with intellectual disability in the 2nd degree with a firearm [C.G.S. § 53a-60c]
 - Assault of an elderly, blind, disabled or pregnant person or a person with intellectual disability in the third degree [C.G.S. § 53a-61a]
 - Strangulation or suffocation in the 1st degree [C.G.S. § 53a-64bb]
 - Strangulation or suffocation in the 3rd degree [C.G.S. § 53a-64cc]

- Sexual assault in the 3rd degree [C.G.S. § 53a-72a]
 - Enticing a minor [C.G.S. § 53a-90a]
 - Burglary in the 3rd degree with a firearm [C.G.S. § 53a-103a]
 - Stalking in the 1st degree [C.G.S. § 53a-181c]
 - Incest [C.G.S. § 53a-191]
 - Obscenity as to minors [C.G.S. § 53a-196]
 - Possessing child pornography in the 1st degree [C.G.S. § 53a-196d]
 - Possessing child pornography in the 3rd degree [C.G.S. § 53a-196f]
 - Possession of a sawed-off shotgun or a silencer [C.G.S. § 53a-211]
 - Stealing a firearm [C.G.S. § 53a-212]
 - Criminal use of a firearm or electronic defense weapon [C.G.S. § 53a-216]
 - Criminal possession of a firearm, ammunition or an electronic defense weapon [C.G.S. § 53a-217]
 - Criminally negligent storage of a firearm [C.G.S. § 53a-217a]
 - Criminal possession of a pistol or revolver [C.G.S. § 53a-217c]
 - Abuse in the 2nd degree [C.G.S. § 53a-322]
 - Abuse in the 3rd degree [C.G.S. § 53a-323]
 - Failure to register – criminal offense against victim who is a minor or non-violent sexual offense [C.G.S. § 54-251]
 - Failure to register – sexually violent offense [C.G.S. § 54-252]
 - Failure to register – sexual offense in another jurisdiction [C.G.S. § 54-253]
 - Failure to register – felony for a sexual purpose [C.G.S. § 54-254]
 - Voyeurism [C.G.S. § 53a-189a(a)(1)]; and
- d. Any conviction for operation while under the influence of liquor or drug or while having an elevated blood alcohol content, in violation of C.G.S. § 14-227a, if the defendant has been convicted for another violation of § 14-227a within the ten years following such conviction.

Therefore, apart from those criminal offenses identified above, which are specifically excepted from erasure, any other classified or unclassified misdemeanor offense, class D or E felony, or unclassified felony offense carrying a term of imprisonment of not more than five years **is eligible for automatic erasure by operation** of law following the

applicable period of time prescribed by the statute, and victims should be advised accordingly.

It is strongly advised that victims provided with information relating to the defendant's maximum period of imprisonment, eligibility to earn risk reduction credit, eligibility for release on parole, and eligibility for automatic erasure of criminal conviction, be advised that the information provided reflects the state of the law on the date of the proposed plea agreement, which may be subject to change in the future due to legislative or judicial action, and/or decisions of the Board of Pardons and Paroles, all of which are outside the control of the Division of Criminal Justice.

VII. Victim Notification in Violation of Probation Proceedings

When a victim of the crime underlying the violation of probation proceeding is directly impacted by the violation (i.e., restitution is unpaid) and/or will be directly impacted by the result of such a proceeding (i.e., a condition of probation relating to the victim could be terminated), prosecutors should make reasonable efforts to notify the victim of the proceeding in order for the victim to remain apprised of the potential change in condition or circumstance.

VIII. Victim Notification in Habeas Corpus Matters and Petitions for New Trial

A. Background

Among the rights afforded to victims of crime by Article XXIX (b) of the Connecticut constitution are: (1) the right to be treated with fairness and respect throughout the criminal justice process; (2) the right to notification of court proceedings; and (3) the right to information about the arrest, conviction, sentence, imprisonment and release of the accused. See Conn. Const. art. I, § 8.b., as amended; see also Connecticut Prosecution Standards Standard 2-9.2.

Both habeas corpus actions and petitions for new trial are technically civil in nature. Nonetheless, given that they attack the judgment of conviction for which the petitioner is in custody, it is beyond dispute they are part of the "criminal justice process" and have the potential to impact upon the "conviction, sentence, imprisonment, and release of the accused." Therefore, it follows that victims maintain the constitutional right to notification of court proceedings surrounding such actions.

While the responsibility and procedure for victim notification throughout the pendency of the underlying criminal case are explicitly set forth by statute, it is acknowledged that legislation implementing the victim's rights amendment does not address specifically the role of the prosecutor in notifying victims of crime in post-judgment habeas corpus cases, nor when a petition for new trial is filed. Moreover, unlike statutes which require the inmate to provide notice to the Office of Victim Services and the Victim Services Unit within the Department of Correction when making an application for release to the Board of Pardons and Paroles, applying for sentence modification (C.G.S. § 53a-39), or applying for sentence review (C.G.S. § 51-195), "[p]rosecutors handling habeas corpus matters [or petitions for new trial] should be acutely aware that there is no statutory provision requiring the petitioner to alert a victim of crime to the filing of a habeas corpus petition [or petition for new trial]." (Emphasis added) Standard 2-9.2, commentary; see also General Statutes §§ 54-227(a), 54-230 and 54-230a.

Although not statutorily responsible for victim notification in either habeas corpus cases or proceedings related to petitions for new trial, the Division nonetheless recognizes both a professional responsibility to victims of crime and an ethical obligation to ensure that they remain informed throughout the criminal justice process. Therefore, the Division adopts the following procedures to address the statutory void regarding victim notification in such post-judgment matters.

The Connecticut Prosecution Standards advise that "[b]ecause post-judgment actions are often initiated years after the conviction, prosecutors handling post-judgment petitions and applications should work closely with the trial prosecutor and victim's advocate in the jurisdiction where the conviction originated to ensure that victims are aware of the pendency of any post-judgment proceedings." Standard 2-9.1, commentary. The timing of victim notification in such matters is a significant consideration. Victims and their families, understandably, expect a certain level of closure from a conviction and sentence; particularly so after that conviction has been affirmed on appeal. Notification that a prisoner has initiated a collateral challenge to a conviction may cause anxiety and fear for a victim.

In adopting these procedures, the Division is mindful of the fact that experience informs us that many collateral challenges to convictions result in either a withdrawal of the action following investigation by counsel, or a dismissal of the petition by the court on procedural grounds. Accordingly, providing notice to the victim prior to such time as the petitioner's claims have been finalized by counsel in the form of an amended petition may cause the victim unnecessary concern. It is only after the amended petition has been filed that the issues will be properly framed and the likelihood the matter will proceed to trial or hearing

can be determined. Therefore, unless circumstances dictate earlier notification, the initiation of victim contact should generally coincide with receipt of the petitioner's amended petition. Under current standing court orders in habeas corpus actions, the amended petition must be filed no later than one year prior to any scheduled trial date.

Often times, the trial prosecutor, inspector, or victim advocate will be able to provide valuable insight on the victim's attitude and desire to be kept abreast of proceedings. Whether earlier notification of proceedings is warranted is to be determined in the judgment of habeas or new trial counsel, in consultation with the criminal trial prosecutor.

B. Procedures Related to Victim Notification in Habeas Corpus Matters and Petitions for New Trial

1. After the petition for a writ of habeas corpus or new trial has been filed, but prior to the filing of an amended petition, the prosecutor in charge of the post-judgment proceeding should contact the trial prosecutor who handled the underlying criminal matter and the victim advocate assigned to the court in which the criminal case was tried.

2. If the original trial prosecutor is unavailable, the prosecutor in charge of the post-judgment proceeding should contact the judicial district or geographical area supervisory assistant state's attorney or state's attorney in the court where the case was prosecuted.

3. During the initial contact with the trial prosecutor and victim advocate, the prosecutor in charge of the post-judgment proceeding should inquire as to whether any special circumstances or arrangements exist between the trial prosecutor and/or victim advocate and the victim. If the prosecutor in charge of the post-judgment proceeding tried the criminal case, he or she will have familiarity with the victim's notification preferences and should confirm those preferences with the victim advocate and victim prior to the filing of the amended petition.

4. If the trial prosecutor or victim advocate indicate that the victim wants to be notified of the post-judgment proceeding, the prosecutor in charge of the post-judgment proceeding shall notify the victim of the proceeding upon receipt of the amended petition. After the initial communication, the amount and extent of victim contact rests in the prosecutor's discretion taking into due consideration, among other factors, the victim's level of interest in the proceeding. Subsequent contacts should include, at a minimum, notification of when any trial or hearing is scheduled to commence and the trial court's ruling on the final amended petition.

5. If the trial prosecutor or victim advocate indicate that the victim does not want to be notified of the post-judgment proceeding, the prosecutor in charge of the post-judgment proceeding is not required to provide notification to the victim. Under these circumstances, the prosecutor in charge of the post-judgment proceeding should: (A) provide the victim with, or confirm that the victim has been provided with, a contact person (i.e., a prosecutor, inspector or victim advocate) in the event that the victim changes his or her mind; and (B) document in writing the victim's position regarding notification of the post-judgment proceeding and the fact that the victim has been provided a contact person in the state's file.

6. In the event that the trial prosecutor and victim advocate are unable to make contact with the victim, the prosecutor in charge of the post-judgment proceeding should document that fact in the state's file.

7. During the early stages of a post-judgment proceeding, the prosecutor may consider sending a written communication to opposing counsel: (A) informing counsel that it is the Division's policy not to make contact with the victim until the amended petition has been filed, and (B) requesting that, if opposing counsel intends to reach out to the victim prior to that time, he or she extend the prosecutor the courtesy of informing him or her of that action so as to avoid unexpected victim contact(s).

IX. Victim Notification in Appeals

A. Direct Appeals

For all direct appeals from criminal convictions and in state's appeals from the dismissal of charges, appellate prosecutors should provide notice of the appeal to the appropriate state's attorney's office and the Office of Victim Services. Appellate prosecutors should email the pertinent information to the prosecutor who handled the case in the trial court and copy the victim advocate assigned to that Judicial District or Geographical Area courthouse with the request that the victim advocate make any required victim notifications. If any special arrangements exist regarding victim notification (i.e., the trial prosecutor communicates directly with the victim advocate and/or victim), the appellate prosecutor should keep a record of that arrangement in the state's file.

The initial notice shall be made fairly soon after the appellate prosecutor is assigned the case or after he or she has finished reviewing the transcripts. The initial notice should include a brief summary of the case, the parties involved and identification of appellate issues. It may also include identifying areas of concern and what the result will be if the

defendant prevails on one or all of his or her claims (e.g., retrial of all charges, order of entry of judgment of acquittal, etc.) where the defendant is the appellant. Likewise, it may include similar information where the state is the appellant. In any written communications, the appellate prosecutor should include the case name and both the appellate court and the trial court docket numbers.

Thereafter, subsequent notices shall include the following:

- (1) The scheduling of oral argument;
- (2) The release of an opinion by the Appellate or Supreme Court; and
- (3) The denial or granting of certification by the Connecticut and/or U.S. Supreme Court.

B. Appeals Involving Habeas Corpus Petitions and Petitions for New Trial

In habeas corpus appeals or appeals involving petitions for new trial, please refer to Section VI, supra. If the victim indicated during the lower court proceedings that he or she wanted to receive notification of the proceedings, appellate prosecutors shall proceed with the notification procedures set forth above pertaining to criminal appeals, including notifying the victim advocate of the proceedings at the court in which the criminal case was prosecuted. If the victim indicated during the lower court proceedings that he or she did not wish to receive notification of the proceedings or the victim could not be located during litigation of the habeas matter or petition for new trial, the appellate prosecutor need not provide the victim advocate with notifications. In this latter circumstance, the appellate prosecutor should continue to keep the habeas trial prosecutor and original trial prosecutor (or supervisory assistant state's attorney) apprised of the scheduling of oral argument, the release of any appellate decision and the denial or granting of certification by the Connecticut or U.S. Supreme Court.

For other types of appeals that may arise from miscellaneous post-conviction proceedings (i.e., motions to correct an illegal sentence), appellate prosecutors should exercise judgment and provide appropriate notice consistent with the policies articulated above.

X. Preemption

Nothing in this policy shall be construed to preempt any policies and procedures related to victim notification promulgated by the Cold Case and Conviction Integrity Units at the Office of the Chief State's Attorney.

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[History: The Division of Criminal Justice (DCJ) Advisory Board approved this policy on November 1, 2023. The policy incorporated, with updates, and superseded former DCJ Policy No. 521 (Victims' Rights in Plea Bargaining; new November 9, 2022) and DCJ Policy No. 522 (Victim Notification in Post-Judgment Proceedings; new September 6, 2023). In April 2024, the policy was revised to add Sections V and VII, and amend language in Section VI. The DCJ Advisory Board approved the revised policy on May 8, 2024.]