

# ANNUAL REPORT Fiscal Year 2012



## Minnesota Crime Victims Reparations Board



DEPARTMENT OF PUBLIC SAFETY  
OFFICE OF JUSTICE PROGRAMS

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# LETTER FROM THE CHAIRMAN

As chairman of the board, I am honored to present the annual report of the Minnesota Crime Victims Reparations Board for fiscal year 2012. This report covers the board's activities from July 1, 2011 through June 30, 2012.

Every year, thousands of Minnesotans are affected by violent crime. The Reparations Board is often among the first agencies to respond to victims and their family members. The board's quick response helps many victims secure the critical services they need in the aftermath of a crime. The financial assistance provided to victims and their families also contributes to the healing process by easing victims' concerns about how to pay their bills while they are recovering.



Throughout the past year, Reparations Board members and staff worked very hard to provide essential financial help to victims in need. More than \$2.3 million was awarded to 1,148 victims and/or their service providers. These funds helped pay for medical and dental care, mental health counseling, funeral and burial expenses, lost wages and survivor benefits. The board assisted victims from all around the state.

During fiscal year 2012, the Reparations Board received 1,555 new claims. In 29 percent of new claims, the victim was 17 years old or younger. A majority of these claims resulted from assaults, homicides, child abuse, robberies, sexual assaults or impaired driving. Also, 27 percent of the claims received were related to domestic violence.

Throughout the year, the board heard from many victims who appreciated the financial help they received, as well as the compassionate and caring service. At its monthly meetings, board members reviewed claims, and made decisions fairly and impartially in accordance with the laws and rules governing the board. Members reviewed 269 claims, and heard 46 appeals.

I believe we made a significant difference this year in the lives of many crime victims. It has been a pleasure to work in collaboration with our very experienced board members, as well as Marie Bibus, executive director, and her staff, to provide essential services to crime victims throughout Minnesota.

**Robert Goodell, Chairman**

# PROGRAM OVERVIEW

## History

The first victim compensation programs were created during the 1960s to help victims cope with their financial losses. Today, every state and many other countries have programs to provide financial assistance to crime victims.

In Minnesota, the Crime Victims Reparations Act was passed by the Legislature in 1974. The Legislature recognized that many victims incur expenses they cannot afford to pay and most are unable to collect full restitution from criminal offenders. As a result of the reparations program, victims are able to receive the financial help they need to assist in their recovery.

During the program's 38 years, more than 39,500 victims of crime have applied for assistance. The mission of the program has remained the same during that time—to help crime victims and their family members recover their health and economic stability by providing compensation for losses incurred as a direct result of a violent crime.

## Staff

There are currently 11 full-time reparations staff who work in the Minnesota Department of Public Safety Office of Justice Programs.

## Board Members

The Reparations Board is composed of five members appointed by the commissioner of the Department of Public Safety. Under Minnesota law, one member of the board must be a physician, and at least one member must have been a victim of a crime. The board members' terms are four years, and they may serve more than one term.



Current board membership includes: (left to right) Lt. Kimberly Lund, Minneapolis Police; Robert Goodell, Anoka County Attorney's Office; Dr. Philip Eckman, retired; Rosalind Sampson, crime victim; Lisa Eder, Hennepin County.

## Board Responsibilities

The board is responsible for distributing funds in accordance with the Minnesota Crime Victims Reparations Act, Minnesota Statutes Section 611A.68.

The board also is governed by Minnesota Rules 3050.0100 to 3050.4100. The board reviews approximately 20 percent of reparations claims and hears all appeals. In addition, the board develops policies and rules regarding eligibility and coverage, and determines payment rates.

## Appeals

The board meets monthly to review claims and hear appeals. In fiscal year 2012, the board heard 46 appeals. Of those, 29 were affirmed, seven were modified, four were reversed and paid, and six were held over for more information. There was one contested claim that proceeded to an administrative hearing.

# YEAR IN REVIEW

## Claim Trends

The number of claims received by the Crime Victims Reparations Board decreased slightly. The board received 1,555 new claims during fiscal year 2012, compared to 1,647 new claims in fiscal year 2011. This decrease in claims was primarily due to a lower number of vehicular crashes. In contrast, claims for robberies increased.

The most prevalent violent crimes were assaults, child sexual abuse, homicides, impaired driving, sexual assaults and robberies. Twenty-seven percent of the claims received were the result of domestic violence.

## Board News

In June 2012, the board's chair, Robert Goodell, was awarded the 2012 Kosiak Memorial Award for his volunteer service on behalf of crime victims. During the past 20 years, Goodell has given very generously of his time to train hundreds of advocates and criminal justice professionals about victim's rights.

In July 2012, a new member, Rosalind Sampson, was appointed to the board. Ms. Sampson serves as the victim representative on the board.

## Change in Coverage

At the end of the fiscal year, the board voted to make the following changes in coverage. The board added \$1,000 to the funeral benefit, which the victim's family may use to purchase a headstone. The board also increased the monthly survivor benefit to \$350 per dependent. In addition, the cap on crime scene cleanup was increased to \$10,000.

## Customer Service

The board always strives to provide excellent service to victims. This is measured through a regular survey of recipients. During fiscal year 2012, 94 percent of survey respondents gave staff an overall service rating of *Very Good*, or *Good*. Ninety-six percent of recipients said they were satisfied with the amount of benefits received.

## Processing Time

During fiscal year 2012, processing time was an average of 125 days from the time a claim was received to the first payment made to the applicant. Eighty-five percent of recipients indicated that benefits were paid in a timely manner.

## Outreach and Training

The Reparations Board continued its efforts this year to educate victim service providers and other criminal justice professionals about reparations. Eight training sessions were completed in various locations around the state. This year, two trainings were held for the Minnesota National Guard Sexual Assault Prevention and Response Program. Staff also presented at the U.S. Attorney's Multi-state Conference, as well as at the OJP Victims Services Academy. All participants stated they appreciated receiving this important information.

### Claimant Comment

“This program is an excellent resource for victims. Thank you.”

# APPLICATION PROCESS

The application process begins when a claim form is received from the victim. A request is then sent to the investigating law enforcement agency for information verifying the crime. Claims specialists review the application and law enforcement reports to make an initial decision on the claim. This includes determining whether the claim meets the program's eligibility requirements.

## Award Process

If the applicant clearly meets all of the eligibility requirements, staff immediately begins to collect billing information and other documentation from service providers to determine the amount of the victim's losses. If the victim missed work because he or she was disabled, the employer and a physician are asked to provide information about the victim's lost wages. Staff members work to ensure all applications are processed in a timely manner and applicants receive all of the benefits due to them.

### Claimant Comment

"Throughout this ordeal, I was treated with concern and compassion that in itself was healing. Offering financial assistance actually gave me closure and peace."

After the amount of the award is determined, an award notice and explanation of benefits is sent to the victim and their providers. After the award notice is mailed, a check is sent to the victim or his/her providers. In many cases, funds are paid through an electronic funds transfer.

## Board Review

If there is a question about the applicant's eligibility under the board's statutes and rules, the claim is forwarded to the board for review. The board votes on the eligibility and benefit levels of questionable claims. Typically, the board reviews cases involving contributory misconduct by the victim. If the claim is denied or reduced by the board, the applicant is notified in writing of the denial or reduction in benefits, and the reasons for the board's decision.

## Appeals Process

Applicants who are dissatisfied with the board's actions on their claim may submit an appeal letter. After the board hears the appeal, applicants who are still dissatisfied with the board's decision can proceed to an administrative hearing. Hearings are conducted by an impartial administrative law judge at the Office of Administrative Hearings.

## Eligibility Requirements

- The applicant must have been a victim of a crime involving injury or death in Minnesota, or a Minnesota resident victimized while traveling in another country.
- Claims must be submitted to the board within three years of the crime (except for child abuse).
- The crime must have been reported to the police within 30 days (except for sexual assault and child abuse).
- The victim must have cooperated fully with law enforcement officials and prosecution.
- Victims who contributed to the crime through serious misconduct or criminal activity are disqualified or may receive a substantially reduced award.

# PROGRAM COVERAGE

The Reparations Board provides benefits for expenses incurred by the victim as a result of the crime. The board only pays expenses that are not covered by another source of funding, such as health or auto insurance. Property losses are not covered.

There are rate limits or caps on most expenses. Medical, dental and mental health costs are covered at a reduced rate and providers are required to write off the remaining amount. Total benefits paid may not exceed \$50,000.

Benefits are available for the following expenses:

- Medical or dental costs, including hospital and clinic fees, ambulance service, prescriptions, chiropractic care, physical therapy and accessibility remodeling.

- Mental health care for the victim, up to \$7,500. Benefits also are available for counseling for immediate family members of the victim and witnesses to a violent crime.
- Crime scene cleanup up to \$10,000.
- Funeral and burial costs up to \$6,500, including transportation and lodging for family members to attend the funeral. An additional \$1,000 is available for a headstone.
- Lost wages for the victim due to a disabling injury from the crime, up to 52 weeks. Limited lost wages also are available for immediate family members.

## Claimant Comment

“Staff responded very quickly to my request for funds for eye glass replacement. It made a difference in this difficult situation.”

- Survivor benefits for dependents of a deceased victim.
- Childcare or professional household services to replace services previously provided by the victim.



Board members Lund and Eckman



Board members Sampson and Eder

# EDUCATION AND OUTREACH PROGRAM

The Reparations Board has an education and outreach program to ensure all victims of violent crime receive information about reparations and have an opportunity to apply for benefits. The board uses various ways to raise awareness, including training sessions, a website, and distribution of informational materials.

The board provides training and information to professionals who have the most contact with crime victims. Training about reparations benefits and policies is provided during the annual Minnesota Victim Assistance Academy. The staff also responds to requests for training from shelters, crisis centers, community organizations, hospitals and prosecuting attorney offices.

The education and outreach program has been very successful. During fiscal year 2012, the reparations staff conducted eight training sessions at a variety of locations throughout the state, including Blaine, Duluth, Minneapolis, St. Cloud and St. Paul.

The program has a variety of brochures, handbooks and posters available. Law enforcement agencies, county attorney offices and victim service programs may request materials by submitting an order form. The order form and copies of materials may be downloaded from the Department of Public Safety Office of Justice Programs website at [ojp.dps.mn.gov](http://ojp.dps.mn.gov).

## Participant Comments

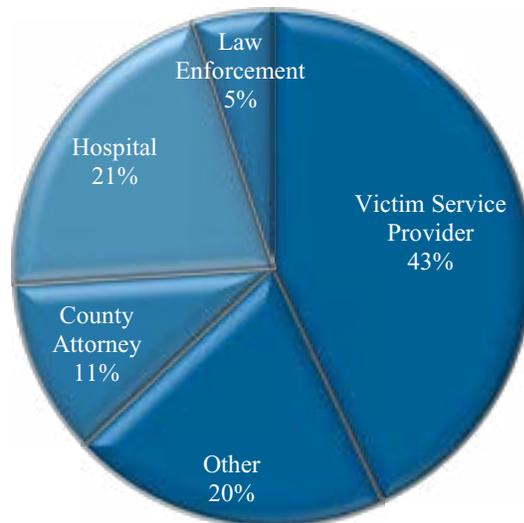
“I liked finding out more information and resources I would need to use to be an advocate.”

“I went in not knowing anything and learned so much”

“The presenter was very knowledgeable and helpful, and provided lots of good information.”

## Claims by Referral Source

Referral Source	Number of Claims
County Attorney	174
Domestic Abuse Program	62
Funeral Home	26
Hospital	333
Internet Website	15
Other	249
Law Enforcement	76
Probation Agent	14
Sexual Assault Program	59
Victim/Witness Program	547
<b>TOTAL</b>	<b>1,555</b>



# CLAIMS RECEIVED

In fiscal year 2012, the Reparations Board received 1,555 claims statewide. The majority of claims were from victims in the following counties: Hennepin (27 percent), Ramsey (18 percent), Dakota (5 percent), Anoka (6 percent), Stearns (4 percent), Washington (3 percent) and Olmsted (3 percent).

Fifty-four percent of the victims were female and 46 percent were male. Claims for victims 17 years old or younger constituted 29 percent of all new claims.

**Claimant Comment**

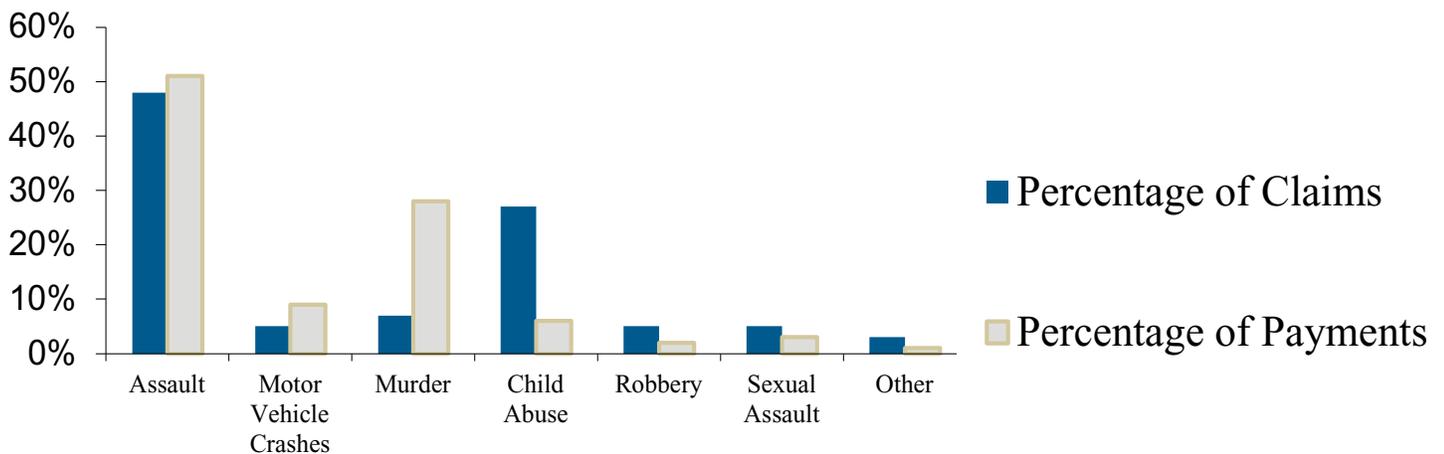
“I had to pay off my bills from the crime, and it's so helpful and a big relief. Thanks so much.”

Claims decreased in the following counties: Beltrami, Blue Earth, Dakota, LeSueur, Olmsted, Rice, St. Louis and Scott. In contrast, claims from Hennepin County increased.

The most prevalent crime categories were assaults (47 percent), child abuse (27 percent), homicides (7 percent), impaired driving (6 percent), sexual assaults (5 percent) and robberies (5 percent).

Claims by Type of Crime	
Crime Type	Number of Claims
Assault-5th Degree	157
Assault-Felony	585
Motor Vehicle Crashes	86
Kidnapping	5
Murder	106
Child Abuse	415
Robbery	81
Sexual Assault	76
Other	44
<b>TOTAL</b>	<b>1,555</b>

## Claims and Payments by Crime Type



# PROGRAM FUNDING AND EXPENDITURES

## Funding Sources

The Reparations Board received its funding from a number of different sources. More than 30 percent of the funding came from an appropriation from the state's general fund.

Nearly 20 percent of the board's funding was derived from special revenue collected by the board. Special revenue included restitution payments from offenders, unclaimed restitution, funds recovered from civil awards to victims and inmate wage deductions transferred from the Minnesota Department of Corrections.

Nearly 50 percent of the board's funding was received in grants from the federal government. The program received an annual federal grant from the U.S. Department of Justice.

## Expenditures

In fiscal year 2012, more than \$2.3 million in awards was approved for payment to victims or their service providers.

The largest category of expenses was medical care for victims, which accounted for 46 percent of the reparation payments.

The second largest category of expenses was economic support, which included lost wages and survivor benefits to dependents of a deceased victim. Twenty-six

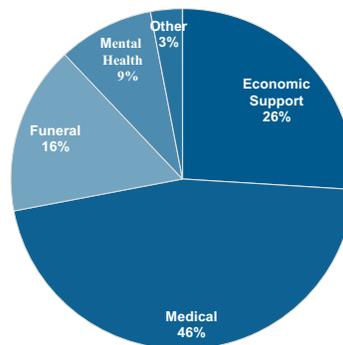
percent of the board's expenses were for economic support.

Funeral and burial expenses were the third largest category of expenditures at 16 percent.

Mental health care was the smallest category, comprising only 9 percent of expenditures.

Other payments, such as crime scene cleanup and accessibility remodeling, accounted for 3 percent of expenditures.

Payments by Category



## Restitution and Inmate Wage Collections

The board is committed to holding offenders accountable for restoring victims' losses. The board has a fund recovery program that has been extraordinarily successful.

In fiscal year 2012, the program recovered \$460,000 in restitution. The program also received \$248,000 in unclaimed restitution monies from counties. In addition, the program recovered \$92,000 in civil awards.

The amount of inmate wages transferred from the Minnesota Department of Corrections in fiscal year 2012 was \$352,000.

### Claimant Comment

“Staff was kind, considerate and patient with me in my time of need. Thank you.”