



# ANNUAL REPORT FISCAL YEAR 2010

MINNESOTA CRIME VICTIMS REPARATIONS BOARD

MINNESOTA DEPARTMENT OF PUBLIC SAFETY  
OFFICE OF JUSTICE PROGRAMS

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## Contacting the Crime Victims Reparations Board

Minnesota Department of Public Safety

Office of Justice Programs  
Crime Victims Reparations Board  
445 Minnesota Street, Suite 2300  
St. Paul, MN 55101-1515

651-201-7300 Main  
888-622-8799 Toll Free  
651-205-4827 TTY  
651-296-5787 Fax

Email: [dps.justiceprograms@state.mn.us](mailto:dps.justiceprograms@state.mn.us)

Website: [www.ojp.state.mn.us](http://www.ojp.state.mn.us)

# 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 2010. This report covers the board's activities for the period from July 1, 2009 through June 30, 2010.



Violent crime often strikes with no warning, leaving its victims and their family members with unexpected losses. This year, the board heard from many victims who were struggling to make ends meet while recovering from their victimization. The board made every effort to reduce the economic impact of crime on victims and their families to the extent feasible.

Throughout the past year, the members of the Reparations Board and staff worked very hard to provide essential financial help to victims in need. Over \$2.4 million dollars was awarded to 1,400 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 loss of support. The board assisted victims from all geographic areas of the state.

During fiscal year 2010, the Reparations Board received 1,670 new claims. In 26 percent of new claims, the victim was less than 17 years old. A majority of new claims resulted from assaults, homicides, robberies, child abuse, sexual assault or drunk driving. Also, 23 percent of the claims received were related to domestic violence.

Throughout the year, the board listened carefully to many victims and their family members who described the physical, emotional and financial impact of their victimization. At its monthly meetings, board members reviewed their claims, and made decisions in a fair and impartial manner in accordance with the laws and rules governing the board. The board members personally reviewed 281 claims, and heard 61 appeals.

The board always strives for excellence, and I believe we made a very positive impact on the lives of many victims seeking financial assistance. 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 a critical service to crime victims throughout Minnesota.

**Robert Goodell, Chairman**

# PROGRAM OVERVIEW

## History

Prior to the creation of victim compensation programs, many innocent victims of crime were left with devastating medical bills, lost wages and other expenses. The first victim compensation programs were established during the 1960s to provide critical financial assistance and restore the losses sustained by victims of violent crime. Today, every state and many other countries have programs to provide financial compensation to crime victims.

In Minnesota, the Crime Victims Reparations Act was passed by the Legislature in 1974 to help victims with their financial losses and aid in their recovery from a violent crime. 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 36 years, over 37,000 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 crime.

## 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) Raichel Brown, crime victim; Lt. Kimberly Lund, Minneapolis Police; Mary Waldkirch, Washington County; Robert Goodell, Anoka County Attorney's Office; Dr. Philip Eckman.

## Board Powers and Duties

The board is responsible for distributing funds in accordance with the Minnesota Crime Victims Reparations Act, Minnesota Statutes Section 611A.68. The Board is also governed by Minnesota Rules 3050.0100 to 3050.4100. The Board meets once a month to review claims, hear appeals, and conduct related business. In addition, the Board develops policies and rules regarding eligibility and coverage and determines payment rates.

## Appeals

In fiscal year 2010, the Board heard 61 appeals. Of those, 30 were affirmed, 13 were modified, 10 were reversed and paid, and eight were held over for more information. There were six cases in which claimants requested administrative hearings. There were eight pre-hearing conferences held regarding contested cases. All cases were resolved without proceeding to full administrative hearings.

# YEAR IN REVIEW

## Reparations Claims Increased in FY2010

The number of claims received by the Crime Victims Reparations Board increased slightly. The Board received 1,670 new claims during fiscal year 2010, compared to 1,648 new claims in fiscal year 2009.

The increase was primarily due to improved outreach to programs serving victims of child sexual abuse. As a result, claims for child abuse increased by over 20 percent.

There was also an increase in claims for certain types of crime including murder, robbery and domestic violence.

Claims increased in many counties including Anoka, Becker, Beltrami, Cass, Chisago, Olmsted, Otter Tail, Ramsey, Sibley, Stearns and Steele.

## Financial Stability

The financial stability of the program was maintained, and no reductions in benefits were necessary.

During fiscal year 2010, the total amount of approved awards was over \$2.4 million. The Board's costs for medical expenses remained steady. Loss of support payments increased slightly, while payments for lost wages continued to decline.

## Processing Time

One of the Board's primary goals is to process claims as quickly as possible. Processing time during fiscal year 2010 was an average of 110 days from the time a claim was received to the first payment made to the applicant.

The Board also strives to provide quality service to victims. This is measured through a regular survey of recipients. During fiscal year 2010, 98 percent of survey respondents gave staff an overall service rating of Very Good, Good or Fair.

## Computer Upgrade

The Reparations Program successfully completed an upgrade of its automated claims processing system. The new system, which includes updated letters and forms in English and Spanish, will be easier to maintain.

## Federal Site Visit

The federal Office for Victims of Crime conducted an onsite monitoring visit to assess the implementation and administration of the VOCA Victim Compensation Grant Program in Minnesota. Their report concluded that the program is in compliance with VOCA and Victim Compensation Program Guidelines.

## Outreach and Training

The Reparations Program continued its training and outreach efforts. Informational materials were updated, and new brochures and posters were produced utilizing federal grant funds.

Nearly half of all applicants were referred to reparations by victim services programs. During fiscal year 2010, an increasing number of applicants were referred by hospital staff.

The Reparations Board would like to thank all the advocates, service providers, hospital staff, county attorneys, law enforcement and other professionals around the state for their continued support of the reparations program.

### Claimant Comment

"It is great to have something to turn to when you really need it. Fairview Hospital is the one that sent me the information."

# 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 listed to the right.

## Award Process

If the applicant clearly meets all of the eligibility requirements, the 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 that all applications are processed in a timely manner, and that applicants receive all of the benefits due to them.

### Claimant Comment

"The Reparations Board was a lot of help, polite and professional. With the help of the Reparations Board everything went very well."

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 by the Department of Finance. 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 writeoff 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 are also available for counseling for immediate family members of the victim and witnesses to a violent crime.
- Crime scene clean-up, up to \$5,000.
- Expenses related to the return of an abducted child.
- Funeral and burial costs up to \$6,500, including transportation and lodging for family members to attend the funeral.
- Lost wages for the victim due to a disabling injury from the crime, up to 52 weeks. Limited lost wages are also available for immediate family members.
- Loss of support benefits for dependents of a deceased victim.
- Childcare or professional household services to replace services previously provided by the victim.

## Claimant Comment

“I did not know they had supportive help for funeral costs. It was a great help and much appreciated.”



Board members Eckman and Lund



Board members Waldkirch and Brown

# EDUCATION AND OUTREACH PROGRAM

The Reparations Board has an education and outreach program to ensure that 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 events, a website, and distribution of informational materials in multiple languages and formats.

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 and prosecuting attorney offices.

The education and outreach program has been very successful. During fiscal year 2010, the reparations staff conducted nine training sessions at locations throughout the state, including St. Paul, Minneapolis, Albert Lea, Blaine and St. Cloud.

The program has a variety of new 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 [www.ojp.state.mn.us](http://www.ojp.state.mn.us).

**Participant Comments**

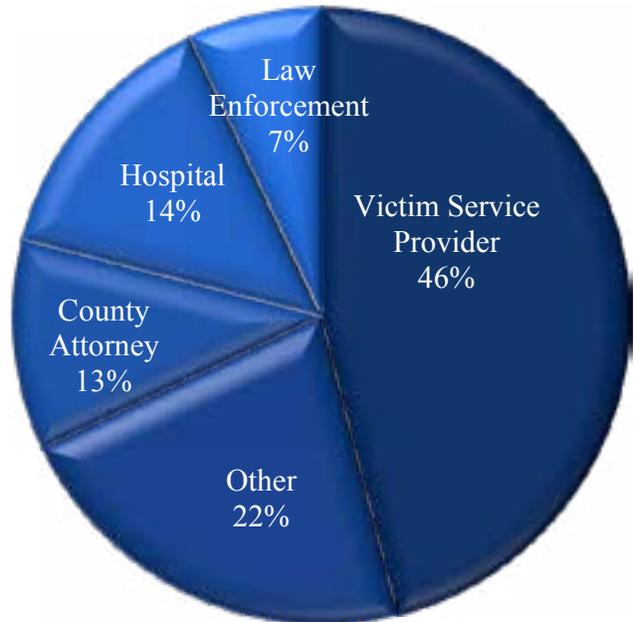
“Everything was very informative. The speaker had a really good command of a lot of complex information”

“Very important information for us to have as victim advocates.”

“Excellent information and clarification. I’m glad I attended as I was unaware of this service.”

## Claims by Referral Source

Referral Source	Number of Claims
County Attorney	183
Domestic Abuse Program	80
Funeral Home	57
Hospital	234
Internet Website	9
Other	281
Law Enforcement	123
Probation Agent	12
Sexual Assault Program	71
Victim/Witness Program	620
<b>TOTAL</b>	<b>1,670</b>



# CLAIMS RECEIVED

In fiscal year 2010, the Reparations Board received 1,670 claims from all geographic areas of the state. This was an increase from the previous year. The majority of claims were from victims in the following counties: Hennepin (27 percent), Ramsey (15 percent), Dakota (5 percent), Anoka (5 percent), St. Louis (3 percent), Washington (4 percent) and Olmsted (4 percent).

Claims for victims who were ages 1 through 17 years old constituted 26 percent of all new claims. Fifty-one percent of the victims were female and 49 percent were male. Fifty-nine percent were white, 16 percent were African-American, 11 percent were Hispanic or Latino, 4 percent were American Indian, 3 percent were Asian-American, and 7 percent were unknown.

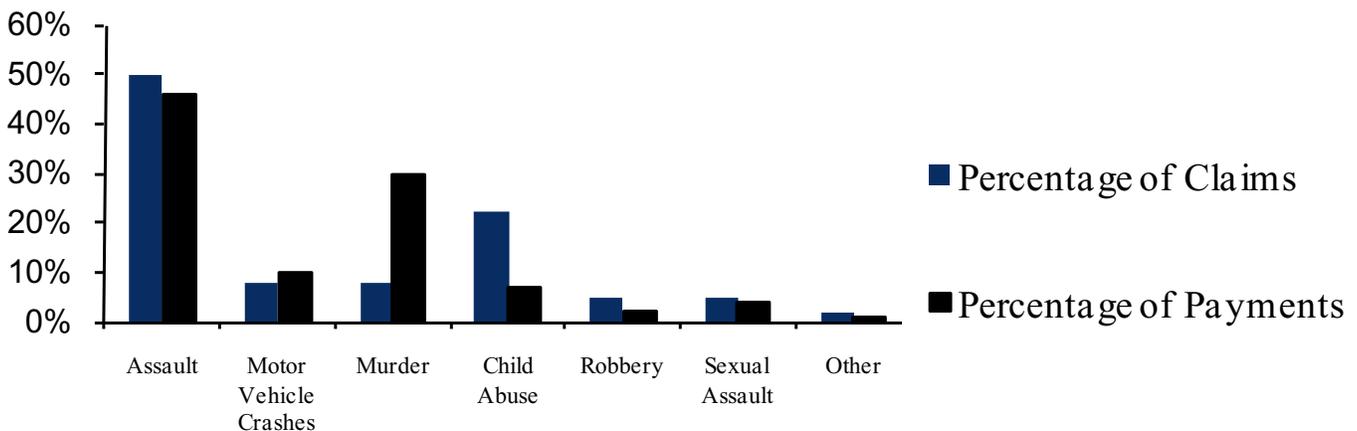
**Claimant Comment**

“Your generosity made it possible to provide a respectful homecoming service. In addition, your comforting manner and service on the telephone gave us some ease during this difficult time.”

The most common crime categories were assaults (50 percent), child abuse (22 percent), homicides (8 percent), impaired driving (8 percent), sexual assaults (5 percent) and robberies (5 percent). Twenty-three percent of all claims were the result of domestic violence. During fiscal year 2010, claims for child sexual abuse, homicides and robberies, increased significantly.

Claims by Type of Crime	
Crime Type	Number of Claims
Assault-5th Degree	182
Assault-Felony	656
Motor Vehicle Crashes	125
Kidnapping	7
Murder	136
Child Abuse	362
Robbery	85
Sexual Assault	84
Other	33
<b>TOTAL</b>	<b>1,670</b>

## Claims/Payments by Crime Type



# PROGRAM FUNDING AND EXPENDITURES

## Funding Sources

The Reparations Board received its funding from a number of different sources. Approximately 50 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 from civil awards paid to victims, and inmate wage deductions transferred from the Minnesota Department of Corrections.

Over 30 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 2010, nearly \$2.4 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 44 percent of the reparations payments.

The second largest category of expenses was economic support which includes lost wages and loss of support to dependents of a deceased victim. Twenty-five percent of the Board's expenses were for economic support.

Funeral and burial expenses were the third largest category of expenditures at 19 percent.

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

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

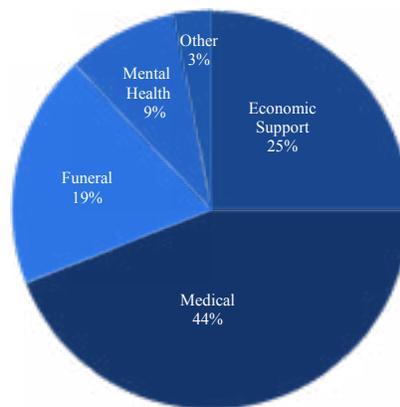
## Restitution and Inmate Wage Collections

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

In fiscal year 2010, the program recovered \$382,705 in restitution. The program also received \$163,870 in unclaimed restitution monies from counties. In addition, the program recovered \$52,868 in civil awards.

The amount of inmate wages transferred from the Minnesota Department of Corrections in fiscal year 2010 was \$250,174.

Payments by Category



### Claimant Comment

“We would like you to know that you have made a positive impact on our lives .”



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