



# ANNUAL REPORT FISCAL YEAR 2009



MINNESOTA CRIME VICTIMS REPARATIONS BOARD

OFFICE OF JUSTICE PROGRAMS  
MINNESOTA DEPARTMENT OF PUBLIC SAFETY

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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 2009. This report covers the Board's activities for the period from July 1, 2008 through June 30, 2009.

Violent crime is unpredictable, and often leaves its victims and their family members with unexpected expenses. This year, the Board heard from many victims who were struggling to recover from the devastating impact of crime. Many indicated that the financial burden of crime was compounded by these tough economic times.

Throughout the past year, the members of the Reparations Board and staff worked diligently to provide critical financial assistance to victims in need. Over \$2.7 million dollars was awarded to 1,460 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 2009, the Reparations Board received 1,648 new claims. In twenty-two percent of the new claims, the victim was less than 17 years old. A majority of the new claims resulted from assaults, homicides, robberies, child abuse, sexual assault or drunk driving. Also, as in past years, nineteen percent of the claims received were related to domestic violence.

Throughout the year, the Board listened to many victims and their family members who described the physical, emotional and financial impact of their victimization. The Board members carefully reviewed their claims, and made decisions in accordance with the laws and rules governing the Board. The Board members personally reviewed 333 claims, and heard 57 appeals.

It has been a pleasure to work in collaboration with our Board members, as well as Marie Bibus, Executive Director, and her experienced staff, to provide a truly excellent service to crime victims throughout Minnesota.

**Robert Goodell, Chairman**



# PROGRAM OVERVIEW

## History

Prior to the enactment 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 crime. Today, every state and many other countries have programs to provide financial compensation to crime victims.

In Minnesota, the Crime Victims Reparations Board was created 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 Board, victims are able to receive the assistance they need to put them on the path to recovery.

During the program's 35 years of operations, over 35,448 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 terms for board members 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 2009, the Board heard 57 appeals. Of those, 38 were affirmed, 11 were modified, and 8 were reversed and paid. There were 5 cases in which claimants requested administrative hearings. Three cases were concluded at a pre-hearing conference. Two cases proceeded to administrative hearings.



# FISCAL YEAR 2009 YEAR IN REVIEW

## Reparations Claims Decreased in FY2009

The number of claims received by the Crime Victims Reparations Board decreased during fiscal year 2009. The Board received 1,648 new claims during fiscal year 2009, compared to 1,819 new claims in fiscal year 2008. The decrease was probably due to a corresponding drop in the number of violent crimes, particularly homicides and felony assaults.

While claims decreased in most areas of the state, there were a few counties where claims increased, including Carlton, Mahanomen, Meeker, Scott and Sherburne.

There was an increase in the number of claims for misdemeanor assaults. The number of claims received from adult sexual assault victims remained the same.

## Financial Stability

The financial stability of the program continued to improve due to an increase in federal funding. At the end of the fiscal year, the Board received a one-time grant of \$369,897 through the American Recovery and Reinvestment Act of 2009. As a result, no further reductions in benefits were required.

During fiscal year 2009, the total amount of approved awards was over \$2.7 million. The Board's costs for medical and

funeral expenses remained steady. Payments for lost wages decreased significantly.

## Restitution Collections

The total amount of restitution collected decreased, after two consecutive years of increasing collections. This was possibly due to poor economic conditions which may have adversely impacted the offenders' ability to pay restitution. A total of \$443,222 was collected in restitution. This was due to the efforts of a small team of reparations specialists who worked diligently to hold offenders accountable for payments.

## Processing Time

One of the Board's primary goals is to process claims as quickly as possible. Processing time during fiscal year 2009 was an average of 127 days from the time a claim is 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 2009, 96% of survey respondents gave staff an overall service rating of Very Good, Good or Fair. Many respondents indicated that the services were very helpful, and several of their comments are featured throughout this report.

## Outreach and Training

The Reparations Program continued its efforts at training and outreach during the past year. Staff completed several reparations training sessions for advocates at programs throughout the state. Forty-nine percent of applicants stated that an advocate or victim service provider informed them of reparations benefits. An increasing number of applicants were referred to reparations by hospital outreach staff. The Reparations Board would like to thank all the advocates, service providers, county attorneys, law enforcement and other professionals around the state for their continued support of the reparations program.

### Claimant Comment

"My entire experience to date with the board has been extremely easy and has made something very difficult much easier to deal with. I can't say enough good things about the program and the people I have talked to."

# 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

"Staff was very professional and polite in helping me in a timely manner."

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 fund 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 or lack of cooperation 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. In addition, 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 \$7500. Benefits are also available for counseling for immediate family members of the victim and witnesses to a violent crime.
- Expenses related to the return of an abducted child.
- Funeral and burial costs up to \$6500, including transportation and lodging for family members to attend the funeral.
- Lost wages for the victim due to a disabling physical or psychological injury from the crime, up to 52 weeks. Limited lost wages are also available for immediate family members of a deceased or injured victim.
- Loss of support benefits for dependents of a deceased victim.
- Childcare or professional household services to replace services provided by the victim prior to the crime.

## Claimant Comment

“I would like to thank you for having an understanding and compassionate staff.”



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, a newsletter, 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 quarterly seminars for advocates throughout the state. The staff also responds to requests for training from shelters, crisis centers, community organizations, and city, county or federal attorney offices.

During fiscal year 2009, the reparations staff conducted 7 training sessions at locations throughout the state, including St. Paul, Minneapolis, St. Cloud, Faribault and Grand Rapids. The education and outreach program has been very successful.

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

## Training Participant Comments

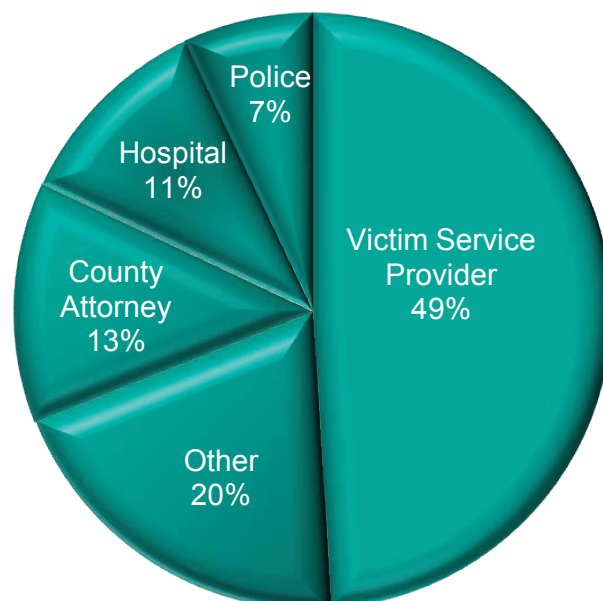
“Great presentation, very organized and knowledgeable.”

“The entire class was very useful.”

“I feel that I know this service well, but it’s good to hear again every once in a while because of changes.”

Claims by Referral Source

Referral Source	Number of Claims
County Attorney	206
Domestic Abuse Program	70
Funeral Home	45
Hospital	185
Internet Website	25
Other	248
Police	119
Probation Agent	12
Sexual Assault Program	92
Victim/Witness Program	646
<b>TOTAL</b>	<b>1648</b>





# CLAIMS RECEIVED

In fiscal year 2009, the Reparations Board received 1,648 claims from 79 counties in all geographic areas of the state. This was a decrease from the previous year. The majority of claims were from victims in the following counties: Hennepin (29 percent), Ramsey (12 percent), Dakota (6 percent), Anoka (4 percent), St. Louis (4 percent), Washington (4 percent) and Olmsted (3 percent).

The most common crime categories were assaults (57 percent), child abuse (17 percent), homicides (8 percent), drunk driving (8 percent), sexual assaults (7 percent) and robberies (3 percent). Nineteen percent of all claims were the result of domestic violence. During fiscal year 2009, claims for homicide decreased significantly.

Claims for victims who were ages 1 through 17 years old constituted 22 percent of all new claims. Fifty-two percent of the victims were female and 48 percent were male. Sixty-three percent were white, 16 percent were African-American, 3 percent were American Indian, 8 percent were Hispanic or Latino, 3 percent were Asian-American, and 7 percent were unknown.

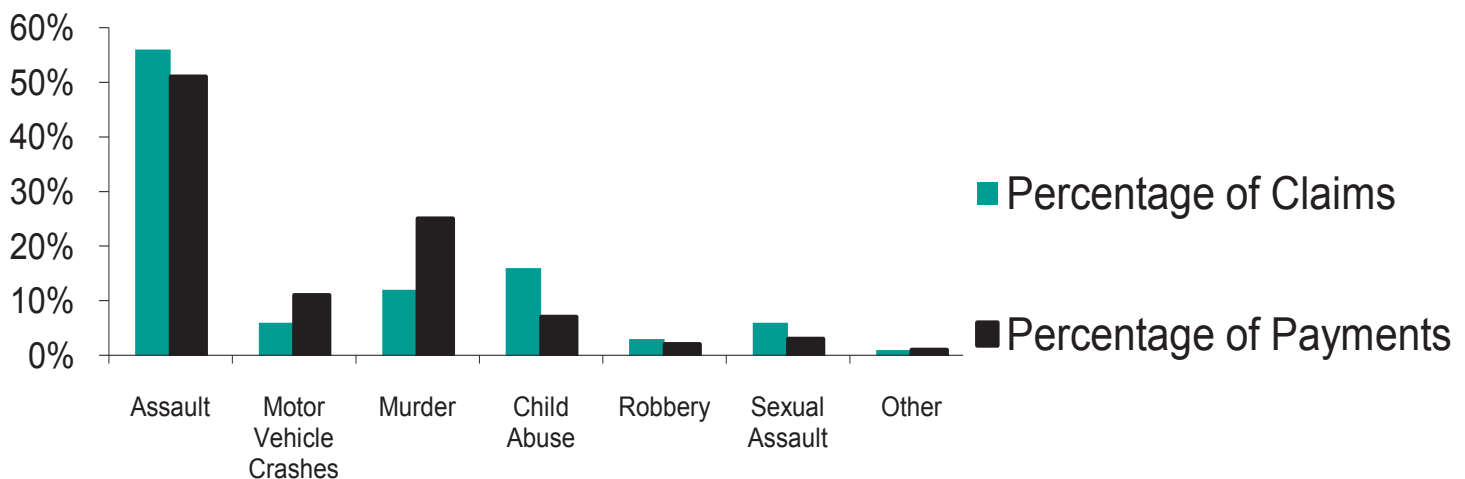
## Claimant Comment

“You have no idea how happy I am to know all my daughter’s bills will be paid. It’s nice to know there are programs to help victims like us.”

## Claims by Type of Crime

Crime Type	Number of Claims
Assault-5th Degree	143
Assault-Felony	742
Motor Vehicle Crashes	131
Kidnapping	5
Murder	124
Child Abuse	288
Robbery	58
Sexual Assault	115
Other	42
<b>TOTAL</b>	<b>1648</b>

## Claims/Payments by Crime Type



# PROGRAM FUNDING AND EXPENDITURES

## Funding Sources

In fiscal year 2009, the Board's budget consisted of \$4.7 million from state and federal sources. Fifty percent of the funding came from the state general fund appropriation.

Twenty 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.

Thirty 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 2009, over \$2.7 million in awards were approved for payment to victims or their service providers. The Board's administrative costs were \$914,000.

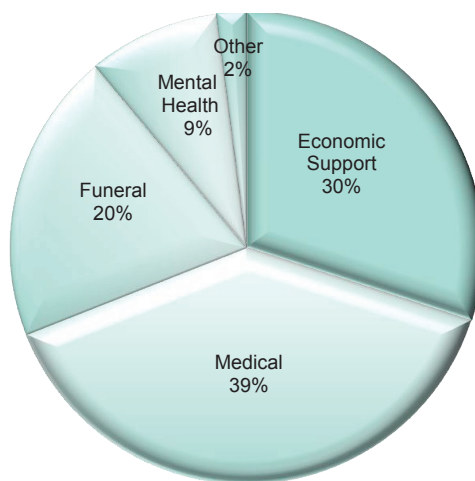
The largest category of expenses was medical care for victims which accounted for 39 percent of the reparations payments.

The second most costly type of expense was economic support which includes lost wages and loss of support to dependents of a deceased victim. Thirty percent of the Board's expenses were for economic support.

Funeral and burial expenses were the third largest category of expenditures at 20 percent.

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

Other payments, such as crime scene clean-up and accessibility remodeling, accounted for 2 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 2009, the program recovered \$443,222 in restitution. The program also received \$239,115 in unclaimed restitution monies from counties. In addition, the program recovered \$68,080 in civil awards.

The amount of inmate wages transferred from the Department of Corrections in fiscal year 2009 was \$219,331.

### Claimant Comment

"The program was a lifesaver for us. We could not possibly afford to pay for the funeral."



## OFFICE OF JUSTICE PROGRAMS

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