

ANNUAL REPORT Fiscal Year 2011



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 2011. This report covers the board's activities for the period from July 1, 2010 through June 30, 2011.



The Reparations Board is a critical service for victims of violent crime. The financial impact of violent crime is devastating, and without the board's quick response, many victims would be unable to obtain the medical care and other important services they need in a timely manner. The financial help provided to victims and their families takes a great burden off their shoulders during their time of crisis.

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 \$2.5 million dollars was awarded to 1,200 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 geographic areas of the state.

During fiscal year 2011, the Reparations Board received 1,647 new claims. In 32 percent of new claims, the victim was less than 17 years old. A majority of new claims resulted from assaults, homicides, child abuse, robberies, sexual assaults or impaired driving. Also, 26 percent of the claims received were related to domestic violence.

Throughout the year, the board heard from many victims who described how reparations would make a real difference in their recovery from the physical, emotional and financial effects of violent crime. At its monthly meetings, board members reviewed claims, and made decisions fairly and impartially in accordance with the laws and rules governing the board. The board reviewed 328 claims, and heard 49 appeals.

The board always strives for excellence, and I believe we made a significant and positive contribution to help victims on their road to recovery. 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 crucial service 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 37 years, over 38,000 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 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; Dr. Philip Eckman; Raichel Brown, crime victim; Robert Goodell, Anoka County Attorney's Office; 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 is also 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 2011, the board heard 49 appeals. Of those, 27 were affirmed, nine were modified, five were reversed and paid, and eight were held over for more information. There were eight contested cases in which claimants requested administrative hearings. Four cases were settled at pre-hearing conferences. Four cases were pending at the end of the fiscal year.

YEAR IN REVIEW

Claim Trends

The number of claims received by the Crime Victims Reparations Board remained steady. The board received 1,647 new claims during fiscal year 2011, compared to 1,670 new claims in fiscal year 2010.

The most prevalent violent crimes were assaults, child sexual abuse, homicides, impaired driving, sexual assaults and robberies. Over 25 percent of the claims received were the result of domestic violence.

During the past few years, claims for child sexual abuse increased significantly. This increase was partially due to improved outreach to programs serving victims of child sexual abuse.

Processing Time

The board is keenly aware of the importance of speedy processing of payments to victims. One of the board's primary goals is to process claims within three months.

During fiscal year 2011, processing time was an average of 110 days from the time a claim was received to the first payment made to the applicant.

Reparations Board

The Reparations Board reviewed 328 claims in fiscal year 2011, compared to 281 claims in fiscal year 2010. There was a decrease in the number of appeals from 61 in fiscal year 2010 to 49 in fiscal year 2011.

In January 2011, a new member, Lisa Eder, was appointed to the board. Eder has worked in crime victims services for over 25 years, and is currently a manager in the Hennepin County Attorney's Victims Services Division.

Customer Service

The board always strives to provide quality service to victims. This is measured through a regular survey of recipients. During fiscal year 2011, 97 percent of survey respondents gave staff an overall service rating of Very Good, Good or Fair. Ninety-two percent of recipients said they were satisfied with the amount of benefits received.

Outreach and Training

The Reparations Board redoubled its efforts this year to educate victim service providers and other criminal justice professionals about reparations. Fifteen training sessions were completed in various locations around the state. Trainings were held at several domestic violence shelters and sexual assault programs. Staff also conducted a presentation at an event for advocates who assist victims of impaired driving, sponsored by Mothers Against Drunk Driving. All participants stated they appreciated receiving this important information.

Referrals

Another notable trend during fiscal year 2011 was an increase in claims from victims who were referred to reparations by hospitals. Twenty-three percent of victims were referred by hospital staff, making hospitals the second largest referral source after crime victims programs. Fifty-two percent of all reparations claimants were referred by victim advocates and county attorneys.

Claimant Comment

"I think what your group does for people in my shoes is awesome."

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 that all applications are processed in a timely manner, and that applicants receive all of the benefits due to them.

Claimant Comment

"I appreciate you were there for me in my crisis. Things like that are difficult enough without the financial worries that go with them."

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 are also available for counseling for immediate family members of the victim and witnesses to a violent crime.
- Crime scene cleanup 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.
- Survivor benefits for dependents of a deceased victim.
- Childcare or professional household services to replace services previously provided by the victim.

Claimant Comment

“Thank you for such support and peace of mind.”



Board members Eckman and Lund



Board members Eder 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 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 2011, the reparations staff conducted 15 training sessions at a variety of locations throughout the state, including Chaska, Gaylord, Grand Marais, Mankato, Milaca, St. Cloud, St. Paul, Minneapolis, Red Wing, Two Harbors, Walker and Willmar.

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.

Participant Comments

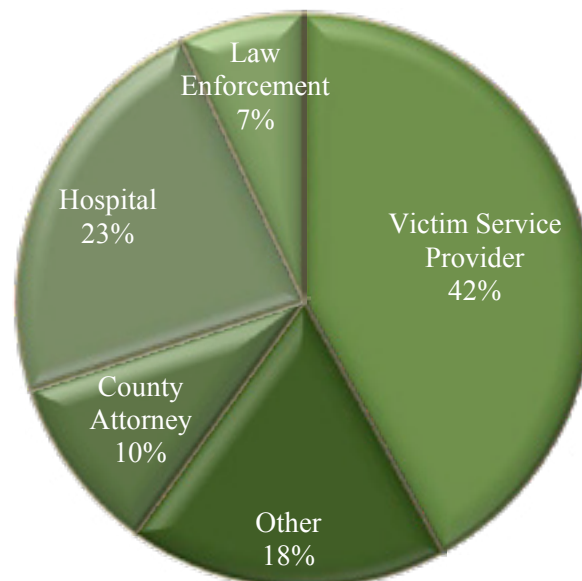
“As more information is obtained, the greater we become at advocating on behalf of victims of violence.”

“It reminded me how important this information is to victims.”

“Hope you come back again every year to keep this information on the front burner for our residents.”

Claims by Referral Source

Referral Source	Number of Claims
County Attorney	165
Domestic Abuse Program	65
Funeral Home	32
Hospital	383
Internet Website	10
Other	235
Law Enforcement	112
Probation Agent	9
Sexual Assault Program	61
Victim/Witness Program	575
TOTAL	1,647



PROGRAM FUNDING AND EXPENDITURES

Funding Sources

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

Fifteen 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.

Over 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 2011, over \$2.5 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 42 percent of the reparation payments.

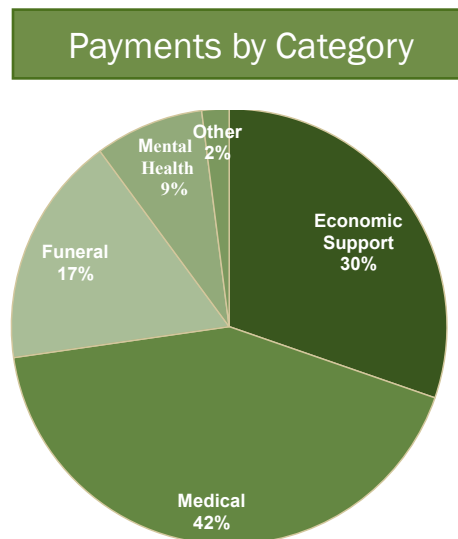
The second largest category of expenses was economic support, which included lost wages and survivor benefits to dependents of a deceased victim. Thirty percent

of the board's expenses were for economic support.

Funeral and burial expenses were the third largest category of expenditures at 17 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 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 2011, the program recovered \$411,900 in restitution. The program also received \$290,600 in unclaimed restitution monies from counties. In addition, the program recovered \$82,600 in civil awards.

The amount of inmate wages transferred from the Minnesota Department of Corrections in fiscal year 2011 was \$276,000.

Claimant Comment

“This is a very good program that helps with family needs after a real rough time.”

CLAIMS RECEIVED

In fiscal year 2011, the Reparations Board received 1,647 claims from all geographic areas of the state. The majority of claims were from victims in the following counties: Hennepin (25 percent), Ramsey (18 percent), Dakota (7 percent), Anoka (6 percent), Stearns (3 percent), Washington (3 percent) and Olmsted (3 percent).

Claims decreased in the following counties: Beltrami, Benton, Chisago, Hennepin, Houston, Olmsted, Otter Tail, St. Louis, Stearns, Washington and Wright. However, there were significant increases in claims submitted from several counties including Anoka, Carlton, Carver, Dakota, Goodhue, Hubbard, Le Sueur, Mahnommen, Mille Lacs, Morrison, Ramsey and Scott.

The most prevalent crime categories were assaults (46

percent), child abuse (28 percent), homicides (7 percent), impaired driving (7 percent), sexual assaults (6 percent) and robberies (4 percent).

Fifty-three percent of the victims were female and 47 percent were male. Claims for victims who were ages 1 through 17 years old constituted 32 percent of all new claims.

Claimant Comment

“I am pleased with the reparations program and so glad they were able to help me out. This is a great program.”

Claims by Type of Crime	
Crime Type	Number of Claims
Assault-5th Degree	190
Assault-Felony	560
Motor Vehicle Crashes	116
Kidnapping	8
Murder	119
Child Abuse	464
Robbery	63
Sexual Assault	91
Other	36
TOTAL	1,647

Claims and Payments by Crime Type

