

Minnesota Crime Victims Reparations Board ANNUAL REPORT



**DEPARTMENT OF PUBLIC SAFETY
OFFICE OF JUSTICE PROGRAMS**

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LETTER FROM THE CHAIRMAN

I am honored to present the annual report of the Minnesota Crime Victims Reparations Board for fiscal year 2013. This report covers the board's activities from July 1, 2012 through June 30, 2013.

For 39 years, the Reparations Board has served as an important safety net for victims of crime throughout Minnesota. When a violent crime occurs, the board responds quickly and offers comprehensive benefits to meet the needs of victims. This year, the board provided financial assistance to 1,200 victims and/or their family members.



During fiscal year 2013, the reparations staff worked diligently to process payments to victims in need. Over \$2.9 million was paid for medical and dental care, mental health counseling, funeral and burial expenses, lost wages, and loss of support. Financial assistance was provided to victims from every geographic area of the state.

At its monthly meetings, the board members reviewed claims, and made decisions fairly and impartially in accordance with the laws and rules governing the board. Members personally reviewed 219 claims and heard 34 appeals. This year, the board also voted to increase coverage for family members who are caring for a severely injured victim, as well as the lost wage benefit for family members of deceased victims. The board received positive comments from several victim advocates who described how additional benefits will assist family members of victims as they recover from the emotional and financial effects of violent crime.

In May 2013, the board welcomed a new member, Ellyn Rapaport. Ms. Rapaport is an attorney and brings a victim's perspective to the board's deliberations.

The board strives to provide the best possible service, and I believe we've made a significant contribution to help victims in the healing process. It has been a pleasure to work in collaboration with our board members, as well as Reparations Director Marie Bibus and her dedicated staff, to provide an important service to crime victims in Minnesota.

Robert Goodell, Chairman
Minnesota Crime Victims Reparation Board

PROGRAM OVERVIEW

History

The first victim compensation programs were created during the 1960s to help victims of crime 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 39 years, more than 40,990 victims of crime have applied for assistance. The mission of the program has remained constant 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. Staff members approve claims and process payments.

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 crime. The board members' terms are four years in length, and they may serve more than one term.



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

Board Responsibilities

The board ensures that funds are distributed in accordance with the Minnesota Crime Victims Reparations Act, Minnesota Statutes Section 611A.51 to 611A.67 and Minn. Rules 3050.0100 to 3050.4100. The board reviews approximately 15 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 2013, the board heard 34 appeals. Of those, 16 were affirmed, 14 were reversed and paid, and four were held over for more information. There were eight requests for administrative hearings. Pre-hearing conferences were held in all eight cases, and orders were granted in favor of the board in three cases. Three claims were settled.

YEAR IN REVIEW

Claim Trends

The most notable trend during fiscal year 2013 was a significant increase in claims related to homicides. There were 143 claims submitted by family members of homicide victims, compared to 106 during the previous year. This resulted in an increase in expenditures for items such as funeral and burial costs, and loss-of-support benefits for dependents.

Overall, the total number of claims received by the Crime Victims Reparations Board decreased slightly. The board received 1,490 new claims during fiscal year 2013, compared to 1,555 claims in fiscal year 2012. This decrease was primarily due to a lower number of claims for assaults.

The most prevalent crimes were homicides, assaults, child sexual abuse, impaired driving, sexual assaults and robberies. Twenty-nine percent of the claims received were the result of domestic violence which continues to be a persistent problem in our communities.

Changes in Coverage

During fiscal year 2013, the board had sufficient financial resources to increase the rate for dental expenses to 90%, effective July 2013.

Proposed Rules

The board also approved rule changes to expand coverage for family members of victims of violent crime. This will increase the maximum benefit paid to families caring for a severely injured victim from \$2,000 to \$5,000. Also, the maximum benefit timeline for lost wages for certain family members of a deceased victim increased from one week to six weeks. The new rules will take effect in 2014.

Customer Service

The board staff always strives to be responsive, caring and compassionate. Service quality is measured through a regular survey of recipients. During fiscal year 2013, 89 percent of survey respondents gave staff an overall service rating of *Very Good* or *Good*. Ninety-one percent of recipients said they were satisfied with the amount of benefits received.

Processing Time

During fiscal year 2013, 90 percent of recipients indicated that benefits were paid in a timely manner. The average processing time was 110 days from the time a claim was received to the first payment made to the applicant. This was faster than the previous year's average of 125 days.

Outreach and Training

Most crime victims are referred for reparations by county attorneys, victim/witness assistance programs, hospitals or law enforcement. The reparations staff conducts training sessions to inform service providers and other professionals about reparations. This year, training was provided for several programs including Sexual Offense Services, Hands of Hope, County Attorney Offices in Stearns County and Le Sueur County, the MN Indian Women's Resource Center, and the Southwest Crisis Center. All participants stated they appreciated receiving information about reparations so they can provide better services to crime victims.

Claimant Comment

"I am very grateful for the financial assistance you provided for me plus the supportive concern during the tragic loss."

APPLICATION PROCESS

Intake

The application process begins when the board receives a claim form 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 determine whether the claim meets the program's eligibility requirements.

Award Process

If the applicant clearly meets 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

"Thank you for being so efficient, kind, compassionate and very helpful."

After the amount of the award is determined, an award notice and explanation of benefits is sent to the victim. After the award notice is mailed, a check is sent to the victim or his/her providers. In many cases, funds are paid via electronic 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 with an explanation of the board's decision.

Appeals Process

An applicant who is dissatisfied with the board's actions on a claim may submit an appeal letter. After the board hears an appeal, the applicant who is still dissatisfied with the board's decision may 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 be 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 pays only 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 usually covered at a reduced rate. 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 counseling for the victim, up to \$7,500. Counseling benefits 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-wage benefits are available for immediate family members.
- Survivor benefits for dependents of a deceased victim.
- Payment for childcare or professional household services to replace services previously provided by the victim.

Claimant Comment

“The staff was extremely helpful during this difficult time. My family would like to extend our sincere thanks.”



Board members Eckman and Lund



Board members Rapaport 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 was provided during the 2012 Minnesota Victim Assistance Academy, and at the 2013 Office of Justice Programs annual conference. The staff also responded 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 2013, the reparations staff conducted nine training sessions at a variety of locations throughout the state, including Brainerd, LeCenter, Little Falls, 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 some materials may be downloaded from the Department of Public Safety Office of Justice Programs website at ojp.dps.mn.gov.

Participant Comments

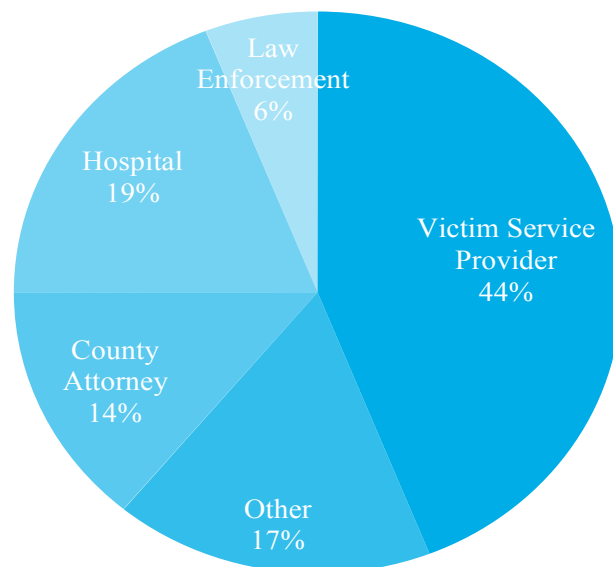
“Every time we have a presentation on reparations, I learn something new that I didn't know.”

“I went through training a couple years ago, and I was in need of a refresher.”

“Great information and a great resource for people who need help.”

Claims by Referral Source

Referral Source	Number of Claims
County Attorney	209
Domestic Abuse Program	61
Funeral Home	32
Hospital	287
Internet Website	8
Other	213
Law Enforcement	85
Probation Agent	5
Sexual Assault Program	62
Victim/Witness Program	528
TOTAL	1,490



CLAIMS RECEIVED

In fiscal year 2013, the Reparations Board received 1,490 claims statewide. The majority of claims came from victims in the following counties: Hennepin (27 percent), Ramsey (19 percent), Dakota (5 percent), Anoka (5 percent), Stearns (4 percent), Washington (3 percent) and Olmsted (3 percent).

Claims decreased from fiscal year 2012 to fiscal year 2013 in the following counties: Anoka, Chisago, Dakota, Faribault, Hennepin, Isanti, Kandiyohi, Martin, Nobles, Ramsey, Steele, Waseca, Winona and Wright. In contrast, claims increased in Becker, Blue Earth, Clay, Itasca, Le Sueur, Sherburne and Watonwan.

The most prevalent crime categories were assaults (43 percent), child abuse (27 percent), homicides (10 percent), impaired driving (7 percent), sexual assaults

(6 percent) and robberies (5 percent). The number of claims for homicides and sexual assaults increased compared to the previous year.

Fifty-five percent of victims were female and 45 percent were male. Claims for victims 17 years old or younger constituted 29 percent of all new claims.

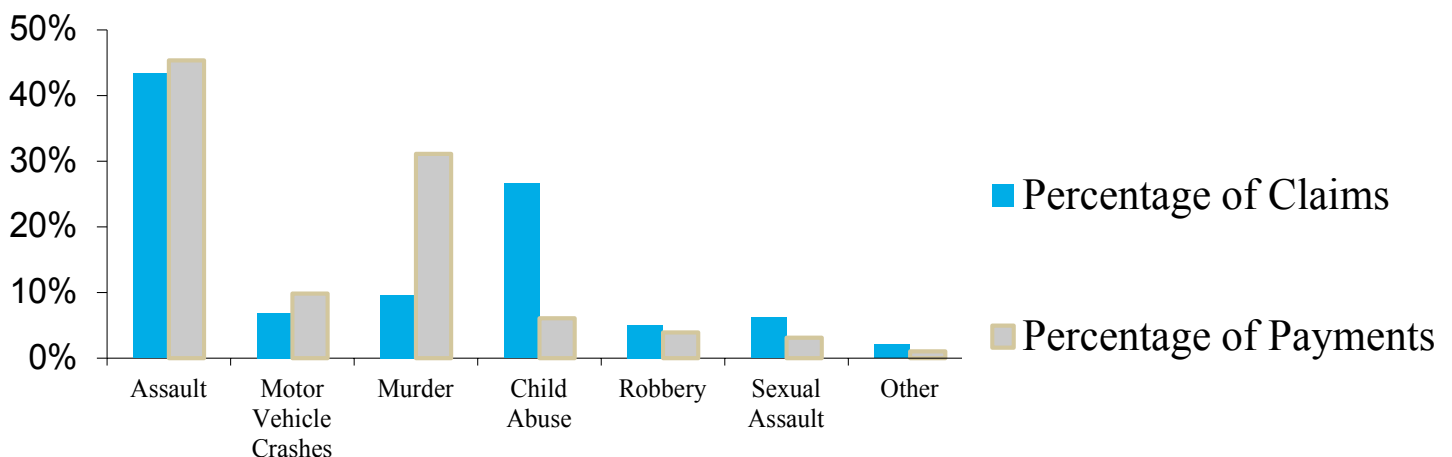
Claimant Comment

“I thank everyone involved with my case. This is a great program.”

Claims by Type of Crime

Crime Type	Number of Claims
Assault-5th Degree	146
Assault-Felony	499
Motor Vehicle Crashes	102
Kidnapping	7
Murder	143
Child Abuse	396
Robbery	75
Sexual Assault	92
Other	30
TOTAL	1,490

Claims and Payments by Crime Type



PROGRAM FUNDING AND EXPENDITURES

Funding Sources

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

Forty-nine 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.

Twenty-one 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.

Expenditures

In fiscal year 2013, more than \$2.9 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 40 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-six percent

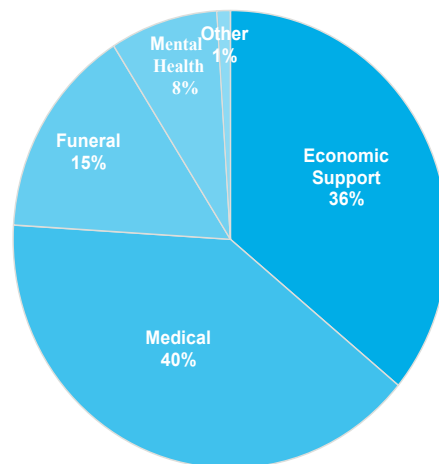
of the board's expenses were for economic support.

Funeral and burial expenses were the third largest category of expenditures at 15 percent.

Mental health care was the smallest category, comprising only 8 percent of expenditures.

Other payments, such as crime scene cleanup and accessibility remodeling, accounted for 1 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 2013, the program recovered \$426,142 in restitution. The program also received \$128,912 in unclaimed restitution monies from counties. In addition, the program recovered \$79,029 from civil awards.

The amount of inmate wages transferred from the Minnesota Department of Corrections in fiscal year 2013 was \$338,567.

Vision for the Future

The board's vision is that all victims should have meaningful access to information about reparations. During 2014, the board is planning to work with victim service programs to distribute more reparations applications and brochures. For more information or to schedule a training session, please contact the Reparations Board at 651-201-7300.

Claimant Comment

"I am very appreciative there is a program like this. It was easy to just send my bills in."