

CRIME VICTIM JUSTICE UNIT BIENNIAL REPORT 2015-16

APRIL 2017



OFFICE OF JUSTICE PROGRAMS

MINNESOTA DEPARTMENT OF PUBLIC SAFETY

CVJU OVERVIEW

The Crime Victim Justice Unit (CVJU) is a victim rights compliance office that seeks to ensure that crime victims in Minnesota are treated appropriately and that their statutory rights are upheld. The CVJU investigates decisions, acts and other matters of the criminal justice system so as to promote the highest attainable standards of competence, efficiency and justice for crime victims.

The CVJU is required to provide a biennial report to the governor and legislature regarding its activities. This report provides an overview of the CVJU and its work since becoming part of the Minnesota Department of Public Safety (DPS), highlighting the cases and activities during 2013-16.

About the CVJU

The CVJU has its roots in the Office of Crime Victims Ombudsman (OCVO), which was created in 1985 with the mission to investigate complaints of statutory victim rights violations and victim mistreatment. In 2003, as part of a statewide reorganization, OCVO's responsibilities were assumed by the CVJU, a unit of the Office of Justice Programs (OJP) in DPS.

The CVJU derives its authority specifically from Minnesota Statutes section 611A.74, which gives the CVJU, through the commissioner of public safety, broad powers to investigate elements of the criminal justice system, including law enforcement agencies, prosecutors, probation departments and court administration, as well as victim advocacy programs.

Although Minnesota's compliance effort no longer carries the title of ombudsman, it operates under the same principles. That is, the CVJU provides an avenue of redress for citizens to complain about their government. When

conducting investigations into victim complaints, the CVJU takes a neutral role. The CVJU is not an advocate for the victim or a defender of bureaucracy, but is an advocate for fairness in the system. When the CVJU does uncover problems, it does not take a punitive stance, but rather seeks to work with an agency to find solutions.

Minnesota was at the forefront of the victim rights movement when OCVO opened its doors in 1986, and remains so as one of a handful of states in the country with an organized victim rights compliance effort. Although Minnesota does not have a constitutional amendment (unlike 36 other states), it has a strong statutory scheme designed to protect victims and to provide meaningful participation in the criminal justice process. In addition, the statutory investigatory authority underlying the CVJU ensures that those protections are not in name only, but carry weight within the criminal justice system.

Assisting Victims and Investigating Complaints

The entryway to the CVJU for most victims is a telephone call. The CVJU staff handles calls from victims seeking help with a wide range of problems, including difficulty getting information about a case, concerns about how the investigation was conducted, rude or inappropriate treatment by criminal justice professionals, struggles getting calls returned, objections to charges filed, or seemingly arbitrary decisions made in their case.

The CVJU handles these telephone inquiries in several different ways. Sometimes, victims just need basic information about the criminal justice system, the prosecution process and their rights as victims, or they need a referral to the appropriate local advocate, agency or criminal justice professional. At other times, victims are confused about what is happening in their case or are having difficulty connecting with the right person at an agency. In these situations, a few clarifying questions and a few calls by a CVJU investigator to gather information are usually all that is needed to help a victim along.

Crime Victim Justice Unit
Office of Justice Programs
Minnesota Department of Public Safety
445 Minnesota Street, Suite 2300 | St. Paul, MN 55101
651-201-7310 | 800-247-0390 ext 3 | ojp.dps.mn.gov

Continued to next page

CVJU Overview continued from previous page

The CVJU provides guidance to victims on how to try to resolve problems on their own and encourages victims to use the established complaint procedures of individual administrative agencies before filing a complaint. Often, when victims are apprised of their rights and given strategies for effectively communicating their concerns or complaints, they are able to prompt a satisfactory response without any intervention from the CVJU. When appropriate and with the victim's permission, the CVJU will sometimes relay the victim's complaint to the appropriate person or unit within the agency in question, summarizing the key issues and requesting that the agency respond directly back to the victim.

For those victims who raise concerns that cannot be resolved quickly over the telephone or handled by referring them to appropriate resources, the CVJU will open a formal case, either as an investigation or as an intensive assist. The CVJU is careful to screen complaints and only open a formal investigation when the matter comes under its authority and there is a likelihood that the CVJU inquiry can lead to a conclusive result. In those situations in which a significant time has passed since the concerning actions or behavior, or no information is available to assist in assessing the complaint, the CVJU may choose to not to open a complaint.

The CVJU only substantiates a complaint if sufficient evidence exists to demonstrate that the subject agency acted inappropriately or the action complained about rose to the level of victim mistreatment. In the majority of cases, the CVJU investigation does not lead to a finding that the complaint is substantiated. However, statutory rights violations sometimes occur. Sometimes the errors made are not deliberate, but rather result from inadvertence, lack of training or lack of information or resources. Other times, an investigation reveals that, despite an understanding of their obligations, the agency made little effort to establish and follow routine procedures to ensure compliance with victim rights. Whenever a complaint is substantiated, the CVJU provides recommendations on how to prevent future violations of victim rights.

Even in those cases where a complaint is not substantiated, the CVJU investigation sometimes reveals troublesome

practices. In those cases, the CVJU makes suggestions to agencies for improving their policies and procedures to ensure the best treatment for victims possible.

Along with their primary complaints, victims often complain about the manner in which they were treated. Victims routinely report rude treatment by criminal justice professionals, such as not returning calls; using victim-blaming language; or responding to victim concerns or questions dismissively, defensively or derogatorily. Although these complaints are hard to substantiate, the CVJU relays them to the subject agency and reiterates the need for respectful treatment of the victims they encounter. In those situations where communication has broken down between the victim and subject agency, the CVJU attempts to forge a more constructive relationship between the victim and the subject agency, thereby providing some relief to the victim.

The CVJU seeks to be a resource victims can turn to when they feel the criminal justice system has failed them. Sometimes, the CVJU can reassure victims that their experience is not unique, that their rights have been upheld, and that their case is progressing in a typical fashion. Other times we confirm that their sense of injustice with what has occurred is justified. Most importantly, the CVJU takes the time to listen to victims' concerns and frustrations as they face the criminal justice system's limitations in addressing their victimization.

Continued to next page

From the Commissioner

The Crime Victim Justice Unit exists to ensure that victims' rights are upheld and that they are treated with honesty, dignity and the respect that they deserve. These are our guiding principles as we work with victims across the state of Minnesota.

Commissioner Ramona Dohman
Minnesota Department of Public Safety

CVJU Overview continued from previous page

Assisting Criminal Justice Professionals

Victim advocates and criminal justice professionals routinely contact the CVJU for information and technical assistance. They may be looking for help in identifying a particular statutory right and its corresponding obligation, or they may be seeking a sounding board to talk through a problem encountered by or with a victim. Victim advocates, in particular, call the CVJU to strategize about how to assert victim rights and protect victims as they help them navigate the criminal justice system. Criminal justice system insiders and outsiders alike refer victims with complaints to the CVJU for an informal second opinion or to launch a formal investigation.

Increasing Awareness

The CVJU works to improve awareness of crime victim rights and the treatment of crime victims by disseminating public awareness materials; assisting law enforcement agencies with updating their victim information cards; surveying criminal justice professionals; developing crime victim brochures and materials; and providing training on crime victim rights to victim service, social service and criminal justice professionals.

In addition, the staff has responsibility for the oversight of the Minnesota VINE program (the statewide automatic victim notification program); assisting with the planning and execution of the Minnesota Victim Assistance Academy, OJP Conference on Crime and Victimization and Crime Victim Rights Week events; monitoring crime victim-related legislation; and participating on numerous taskforces, committees and workgroups, such as the Human Trafficking Task Force and the State Council for the Interstate Compact for Adult Offender Supervision.

The Importance of Victims in the Criminal Justice System

Our criminal justice system depends on victims coming forward, reporting crimes and cooperating throughout the investigation and prosecution process. Rather than encountering a system that fosters this crucial participation, some victims in Minnesota report that they face a system that discourages it. Treating crime victims with respect and dignity is key to victim participation in the process and,

correspondingly, holding offenders accountable. We know that victims who are given the information they need are more likely to understand and accept the outcome of their case. Victims who are treated with dignity and common courtesy are more likely to respect the system and the professionals in that system and victims whose rights are complied with are more likely to feel heard and satisfied with the criminal justice process.

Minnesota should continue to strive to be a place where crime victim rights are meaningful, and where victim needs are considered at every turn, not just when it is convenient.

CVJU Vision

The Crime Victim Justice Unit strives to achieve just, fair, and equitable treatment of crime victims and witnesses by providing a process to question the actions of criminal justice agencies and victim assistance programs in the state of Minnesota. The CVJU has the authority to investigate decisions, acts, and other matters of the criminal justice system so as to promote the highest attainable standards of competence, efficiency, and justice for crime victims. The actions of the CVJU are guided by impartiality, confidentiality, and respect for all parties.

CVJU Mission

The CVJU works to:

- Ensure compliance with crime victim rights legislation.
- Prevent mistreatment of crime victims by criminal justice agencies.
- Provide information and referrals to victims and criminal justice professionals.
- Amend practices that are unjust, discriminatory, oppressive, or unfair.
- Improve attitudes of criminal justice employees toward crime victims.
- Increase public awareness regarding the rights of crime victims.
- Encourage crime victims to assert their rights.
- Provide crime victims a forum to question the actions of criminal justice agencies and victim assistance programs.

CVJU STATISTICS

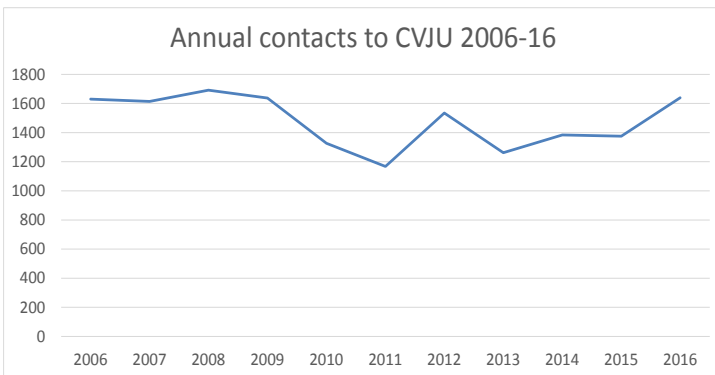
The CVJU tracks statistics related to its case activity as well as contacts. The following is a summary of the CVJU’s activity for the past 10 years, highlighting the activity in 2013-14 and 2015-16.

Inquiries to the CVJU

The CVJU tracks its contacts with victims seeking our services, members of the public, offenders seeking information and referral, and criminal justice and advocacy professionals seeking technical assistance. The average number of contacts is 1,466 per year over the past three years.

The majority of CVJU contacts in 2013-16 were with victims (61 percent), followed by criminal justice professionals and victim advocates (29 percent), the public (7 percent), and offenders (3 percent).

Opening a Case



A case is opened for each victim whose concerns cannot be easily addressed without a more formal inquiry. The victim initiates this process by filling out a complaint form describing the problem and providing authorization for the CVJU to investigate the complaint.

The CVJU opened 48 new cases in 2015-16, and 61 new cases in 2013-14 that required either intensive assistance or full investigations. Because open cases carry over from the prior year, 78 cases were actually open at some time during 2015-16, and 97 in 2012-13. These cases are in addition to the many instances of informal assistance that did not warrant opening a case file. Of the 109 new cases opened between 2012 and 2016, 56 percent were intensive assists, and 44 percent were investigations.

How the Victim Found Out About the CVJU

Consistent with trends during the last 10 years, the most common way victims found out about the CVJU was through victim service providers. In 2013-16, 33 percent of victims who submitted complaint forms reported being referred by victim service providers. The next most common referral sources were the Minnesota Attorney General’s Office (9 percent) and the OJP Website (14 percent).

Location

The CVJU is contacted by victims from all over the state, with the majority of formal complaints (51 percent) concerning agencies in the seven-county Minneapolis-St. Paul metropolitan area. Forty-one percent of all complaints came from agencies in the four most populous counties in the state — Hennepin, Ramsey, Dakota and St. Louis.

Crime Type

The vast majority of cases opened from 2013 through 2016 (83 percent) involved crimes against a person. Of these, 58 percent involved assault, and 18 percent involved criminal sexual conduct.

Subject of the Complaint

The majority of the subject agencies in formal investigations from 2013-2016 were either prosecutors’ offices (55 percent) or law enforcement agencies (39 percent). This is generally consistent with the trend over the past 10 years, as shown below.

Subject of the Complaint 2006-2016	Percent
County Attorney	38%
Police	29%
Sheriff	13%
City Attorney	17%
Other	3%
Total	100%

Types of Complaints

The CVJU investigates complaints of alleged victim mistreatment and violations of statutory rights. Mistreatment occurs when a public body fails to act in accordance with its mission or responsibilities. It includes situations of unreasonable delay, rude or improper treatment, refusal to take a crime report, inadequate

Continued to next page

CVJU Statistics continued from previous page

investigation, failure to prosecute, and abuse of discretion. Statutory rights for victims, which are found in Minnesota Statutes chapter 611A and elsewhere, include notices at various stages of the criminal case process, opportunities to participate in the prosecution process, notice of release of an inmate, and financial compensation for losses related to the crime.

Of the investigations that progressed through final determination in 2013-16, 51 percent involved some type of victim mistreatment, and 49 percent alleged statutory rights violations. The analysis does not include those cases where the complainant withdrew the complaint after it was opened or the case was converted from an investigation to an “assist.”

Complaints 2013-2016	Percent
Not provided required notice	24%
Inadequate investigation	16%
Other mistreatment	14%
No victim impact statement	9%
Not able to participate	8%
Other statutory rights violations	8%
Failure to prosecute	7%
Poor communication	6%
Inappropriate plea agreement	4%
Rude/inappropriate treatment	4%
Total	100%

Result of an Investigation

As a result of an investigation into a victim’s specific complaints of mistreatment or statutory rights violations, the CVJU determines for each complaint whether it is substantiated, unsubstantiated, or unfounded. An unsubstantiated complaint is one in which the evidence is insufficient to establish that the alleged act or omission occurred. An unfounded complaint is one in which the CVJU determines that the allegation is either false, inherently improbable based on the evidence, or does not

constitute a violation. When a complaint is unfounded, the agency or individual is exonerated.

Of those investigations that progressed to a final determination and findings between 2013 and 2016, 63 percent of the complaints were determined to be unsubstantiated, 36 percent were determined to be substantiated, and one percent were unfounded. The following chart summarizes the rate of substantiation by complaint type in investigations since 2006.

2006-16 Cases	Complaint Type			
	Victim Mistreatment	%	Rights Violation	%
Unsubstantiated	178	92%	168	65%
Substantiated	12	6%	84	32%
Unfounded	3	2%	8	3%
Total	193	100%	260	100%

At the conclusion of an investigation, the CVJU prepares either a written findings reports or a letter that includes a detailed outline of the complaints and the assessment by the CVJU investigator. When a specific complaint is substantiated, the CVJU includes recommendations to the subject agency on how to improve its services to victims. For example, the CVJU may recommend establishing new policies or procedures, training staff, or meeting with the victim. The agency has a chance to respond to the recommendations before the findings report is shared with the complainant. The response from the agency to these recommendations is communicated to the victim along with the findings report.

In cases in which the complaint is unsubstantiated, the CVJU will often address troubling issues or circumstances with the subject agency that were identified during the investigation, including problems not identified by the complainant. In those cases, the CVJU makes suggestions to the subject agency to improve the way it works with victims and ensure that victim rights are upheld.

Case Management System

The CVJU maintains its case statistics through a database called “Complaint Tracker,” developed in 2009 by the Department of Public Safety Office of Technology Support Services. This system replaced the outdated Ombudsman Case Management System, which had been in place since 2000. In addition, since 2004, the CVJU has systematically tracked contacts with victims, the public, offenders, and criminal justice professionals.

ACTIVITIES AND TRENDS

The Daily Work of the CVJU

As part of our everyday contact with victims, the CVJU works to counter unrealistic expectations by explaining standard agency processes and policies, the flow of a criminal prosecution, and the discretion afforded agencies in their work. For example, many victims feel that a law enforcement agency is conducting a deficient investigation if fingerprints or DNA samples are not collected, all persons connected to the case are not questioned, a suspect does not undergo a lie detector test, or the investigator does not use the aggressive strategies portrayed in popular television crime dramas. Similarly, many victims feel that the prosecutor's office has not done its job if every possible crime is not charged, the prosecutor enters into a plea agreement with the defendant, or the defendant does not receive a jail sentence, even in cases with relatively minor offenses. For a victim already dealing with the aftermath of a crime, the discovery that not all cases are investigated or prosecuted is hard to accept. So the CVJU works to provide a realistic explanation for decisions being made and dispel any unwarranted suspicions about improper motives or inappropriate behavior on the part of criminal justice professionals.

It is common for the CVJU to get a call from a victim who has already made numerous inquiries to other agencies. These victims are often frustrated by what they see as getting the runaround or brush-off from people they feel should be able to help them. During these calls, the goal is often to identify the caller's issues and sometimes prioritize them in order to help the person understand available options and practical next steps. The CVJU's aim is to make appropriate referrals to the proper agency or resource to avoid further frustration. A positive outcome of these calls is when victims, initially angry and dissatisfied with the criminal justice system, have more realistic expectations and effective strategies for advocating for their rights and resolving their grievances.

Victim Rights Compliance by Prosecutors

From the work of the CVJU, it is clear that prosecutors' offices vary in their approach to fulfilling their statutory obligations to crime victims. Most offices have well-established policies and procedures in place to ensure timely notifications to victims, support for victims throughout the prosecution process, and appropriate opportunities

to confer as required by the statutes. Other offices have little knowledge of their crime victim rights obligations. The end result is that cases get settled without any victim involvement or input.

The CVJU routinely receives calls from victims who are devastated to learn that the criminal case has concluded without their involvement. The case may have been resolved before they were notified that charges were filed, or they may not have been provided with proper notifications during the prosecution in order to assert their rights, or the victim may have been present in the court but faced challenges in asserting their rights while there. Upset victims contact the CVJU about their rights being violated and are frustrated to learn there are no opportunities for "do-overs." In the situation where the victim was not able to make a restitution request, there are some avenues for seeking restitution after sentencing. The process of accepting late requests varies greatly across the state.

The CVJU recognizes the challenges to providing victims with all of their rights, particularly in misdemeanor cases that tend to get prosecuted in shorter time frames. Prosecutors have large caseloads to manage, and there is

Continued to next page

From CVJU Complainants

"I just wanted to thank you so much for your help and support over the past year, you have been incredible."

"Thank you for all of your help and thoughtfulness throughout this long and difficult process. Although we know there were a lot of bad experiences through the criminal justice system for me through this process, it truly meant a lot and made it better knowing I had good people like you fighting in my corner and providing incredible support—so thank you."

"Thanks so much for your support and just taking the time to read my emails and respond. You won't believe it, but you are the one that has kept me fighting and I can never repay you for it."

Activities and trends continued from previous page

pressure within the courtroom to dispose of cases and move the calendar along. Even so, this need for expediency should not come at the expense of crime victim rights. In reviewing complaints in these situations, the CVJU considers whether the office has standard procedures in place and whether the prosecutor had at least made a good-faith effort to comply with the statutory obligations. The CVJU encourages offices to consider and implement creative ways to satisfy their obligations given the constraints they face. For example, the CVJU encourages prosecutors to notify victims immediately when charges are filed, to share early on a general idea of what a proposed plea might look like, and to provide good information about the realities of case processing. This might include explaining how cases are typically processed, how court hearings can be transformed without advance notice, what to do if they wish to attend a court hearing, and the practical limitations to contacting victims from court.

The extent to which crime victim rights are upheld in misdemeanor prosecution depends in great part on how this function is set up within a jurisdiction. In general, misdemeanor prosecution is the responsibility of the city in which the crime occurs. Many cities, especially those in the rural parts of the state, enter into agreements with the county attorney's office to do their misdemeanor prosecution. A handful of larger cities have their own prosecution offices. The large remainder of cities contract with private law firms to perform this function. Typically the contracts contain little or no mention of the contracted prosecutor's statutory responsibilities.

When the Crime is Not a "Person Crime"

The CVJU routinely responds to requests for assistance from victims of crimes that involve money and property, such as property damage, theft, burglary, financial exploitation, identity theft, and fraud. Although these crimes are often regarded as less serious than "person crimes," the CVJU staff hears firsthand about the tremendous emotional and financial toll they take on victims.

Many of these crimes involve financial exploitation of the elderly, especially while a family member has been given the power of attorney over an aging parent. Unfortunately,

establishing the exploitation can be an uphill battle for law enforcement or adult protection investigators. Investigations are typically tedious and time consuming because of the complicated and sometimes voluminous financial documents involved, sorting out confusing financial transactions, and scrutinizing the assertions of enriched family members that the questionable transactions were wanted or approved by the elder. Elders commonly have cognitive impairments that limit their ability to recall the transactions and/or refute the family member's claims.

When identity theft victims call the CVJU line, staff can help them with their immediate needs, such as explaining how to identify the extent of the harm and how to place a credit fraud alert with the consumer reporting agencies. Staff can explain to victims what the road to repair and recovery looks like, a road that might include challenging the transactions listed on their credit report, contacting financial institutions, and disputing debts reported by collection agencies. And staff can identify when an issue is going to require the assistance of an attorney and refer the victim to local legal resources. The OJP website contains a page devoted to identity theft, with basic guidance on what to do upon initial discovery of identity theft. The Minnesota Identity Theft Toolkit is designed to walk victims through the necessary steps of recovery and repair and provide resources on how to prevent identity theft.

Victims of identity theft, scams and fraud often face added frustrations when reporting the crime to the police, discovering that many law enforcement agencies do not have the resources or expertise to investigate these types of cases. Frequently, the evidence indicates that the perpetrator is beyond their reach, such as in a different state or county. Many victims of fraudsters engaged in construction scams or phony eBay and Craigslist posts, for example, find that their situation is considered a "civil matter," and so it will not be pursued by law enforcement.

For victims of criminal identity theft, the path to recovery is especially difficult. In criminal identity theft situations, an imposter has been arrested and/or convicted under the victim's name. Victims may first learn of the situation when they get picked up on a warrant related to a criminal case they know nothing about. To clear up his or her record, the victim must go through the "questioned identity process"

Continued to next page

Activities and trends continued from previous page

available through the Bureau of Criminal Apprehension. However, even after criminal identity theft is confirmed through that process, problems for the victim persist because the victim's name remains as an alias to the true offender convicted of the crime, leading to the constant possibility of being stopped, and even arrested, before the identity issue is again sorted out. In addition, the false record may have already been distributed to background check companies, impacting housing and employment opportunities. The toll on these victims can remain long after the criminal identity theft is identified.

Auto theft is a common type of crime, with particular hardships depending on the victim and his or her circumstances, as well as the actions by law enforcement agencies. Some victims find out their car has been recovered and is in an impound lot, but they cannot afford to pay the towing and impound fees. Some victims pay impound fees for the time a car is held as evidence by the law enforcement agency, unaware that they can request to get the fee for that period waived. And some victims are not provided timely notice by law enforcement that their car has been recovered, so that by the time they do get notice, the accrued impound fees exceed the value of the car.

These "non-person" types of crimes can affect victims significantly, both financially and emotionally. Victims of auto theft may lose their job because they no longer have transportation. Victims of burglary or property damage can

lose their sense of security, particularly if they live alone or are elderly. Victims of identity theft may face significant legal costs to repair the harm, along with a damaged credit rating. Victims of elder financial exploitation may feel ashamed and saddened at the betrayal by a trusted family member and face an inability to pay their bills due to their depleted funds. Scammers of all types entice victims out of their money, with no goods or services in return and no chance of recovery. This often results in significant hardships for those victims and their families.

Given the challenges these victims encounter, the CVJU acts as a resource for victims to talk through their issues, provides emotional support, and offers suggestions and resources to start them on the path to recovery. Victims are often reassured to know that they are not to blame for their victimization, that they are not alone, and that emergency funds might be available to address their immediate financial needs. The CVJU serves as the frontline for many of these callers and can help them assess their immediate next steps and their long-term path to recovery.

For more than 30 years, the CVJU has played an important role in raising awareness about the existence and importance of crime victim rights in Minnesota. Through its training and outreach efforts, and in enforcing compliance of those rights through its investigatory capacity, the CVJU is making a difference. From connecting victims who call the helpline, to providing the appropriate resources, to educating them about their rights and how best to assert them, to formally investigating their complaints of statutory violations or victim mistreatment, the CVJU seeks to uplift victims, amplify their voices, and bring changes to the criminal justice system to ensure a justice system for all.

From Subject Agencies

"From the perspective of a supervisor, I appreciate having the expertise to draw from and the outside looking at our operations with an eye toward improvement."

"Investigator was thorough, open, honest, willing to look at both sides of issue."

"The letter sent to our department by [the investigator] was important to our staff and department members involved who take great pride in their work. Thank you for that!"

"Worthwhile experience, reinforced our practices, improved court administrative practices and ultimately assisted victim."

OJP SUPPORT FOR CRIME VICTIMS IN MINNESOTA

SUPPORT FOR CRIME VICTIMS

Financial assistance: The state provides financial compensation to victims of violent crime through the Crime Victims Reparations Board and financial assistance to victims with emergency needs through an Emergency Fund Grant Program. Individual victim service providers and prosecutors' offices often have direct client assistance funds for their own clientele.

Supporting victim services: Minnesota provides grants to 157 victim service organizations across the state, including programs addressing the needs of victims of domestic abuse, sexual assault, child abuse, and sex trafficking, as well as other crimes such as homicide, financial crimes and identity theft.

Victim Service Provider Directory: The Office of Justice Programs (OJP) website (ojp.dps.mn.gov) includes a directory of government and nonprofit organizations in Minnesota that serve crime victims.

Victim Information and Notification Everyday (VINE) service: The CVJU oversees the VINE program, a statewide automated system designed to provide offender information and release notices to victims and others. Information regarding the VINE service and promotional and training materials is available on the OJP Website.

End of Confinement Review Hearings: OJP provides funding to the Minnesota Department of Corrections victim assistance staff attending End of Confinement Review Committee hearings. Having victim representatives at these hearings is required under Minnesota's Predatory Offender Community Notification law. These representatives are critical to providing the victim's perspective in the proceeding.

Information: OJP has developed a number of crime victim brochures – many translated into Spanish, Somali and Hmong – that cover topics such as victim rights, coping with victimization, tips for testifying, the juvenile court process, and victim impact statements. Frequently requested publications, also available online, are “Collecting Restitution” and the CVJU’s “How Do I Get a Copy of My Police Report?” Printed materials can be ordered at no cost from OJP, and all materials are also available on the Professional Resources page of the OJP Website.

SUPPORT FOR VICTIM ADVOCATES AND CRIMINAL JUSTICE PROFESSIONALS

OJP is committed to improving crime victim services statewide and works with victim advocates and criminal justice professionals on many fronts.

OJP provides training to victim advocates and criminal justice professionals on victim rights and other pertinent topics, including victim notification (VINE), cultural competency, best practices and nonprofit financial management. In 2016, OJP staff trained more than 1,000 people through webinars and in-person trainings. CVJU and reparations staff conduct regional trainings on crime victim rights, reparations and post-conviction advocacy. The annual OJP Conference on Crime and Victimization, now in its 28th year, offers a wide range of speakers and workshops and this year drew more than 350 multi-disciplinary attendees. The Minnesota Victim Assistance Academy, which is also a critical component of OJP training efforts, has trained 40 victim services and criminal justice professionals in 2016.

The CVJU has developed a number of important resources for criminal justice professionals, including “Minnesota Crime Victim Rights: Reference Guide for Criminal Justice Agencies and Professionals,” sample prosecution letters, and templates for crime victim rights brochures in adult and juvenile court. For victim advocates, the CVJU has developed materials, such as its “Post-Conviction Check List: A Guide for Advocates,” and the CVJU annually updates the “Crime Victim Rights Information Guide” (known as the “Blue Book”), first published in 1993.

Minnesota Crime Victim Rights Publications

“Minnesota Crime Victim Rights: Reference Guide for Criminal Justice Professionals,” Crime Victim Justice Unit, Office of Justice Programs, Minnesota Department of Public Safety (rev. July 2012).

“Minnesota Crime Victim Rights Information Guide,” Office of Justice Programs, Minnesota Department of Public Safety (rev. May 2016).

“Crime Victim Laws in Minnesota: An Overview, Information Brief,” Minnesota House of Representatives Research Department, Pirius, R. and Zollar, J. (rev. March 2013).

VICTIM INFORMATION AND NOTIFICATION EVERYDAY

Minnesota's automated victim notification system

About VINE

VINE (Victim Information and Notification Everyday) is an automated system that provides victims with information and release notification on offenders housed in county jails and detention facilities. This system provides “real time” information to crime victims regarding the status of the offender and serves as a useful tool for victim service professionals, law enforcement, and other allied professionals.

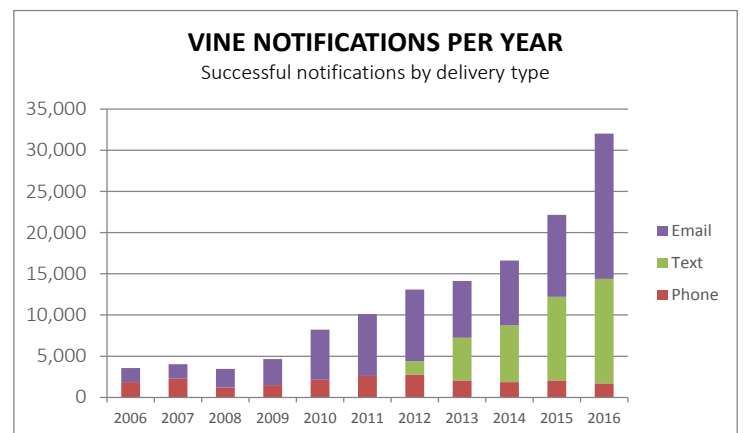
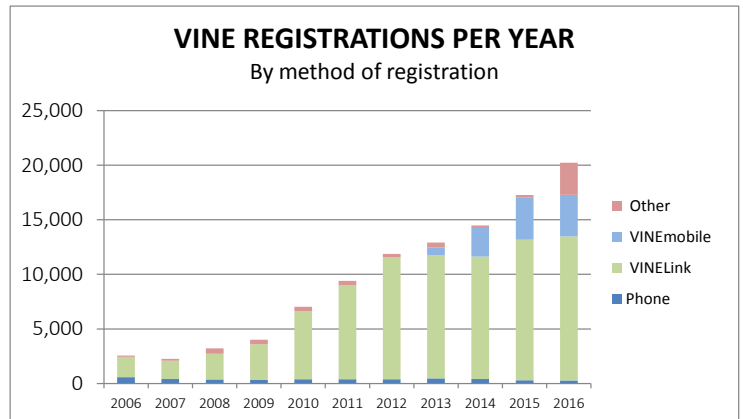
Victims can access the VINE system through a toll-free number, the VINELink website, or the two related mobile applications (VINEMobile and MobilePatrol) to find offender information and request release notification. Notification of a change in custody status can be delivered by phone, email, or text message. Phone and email notifications can be delivered in English, Spanish, Somali, and Hmong, and TTY notifications are available.

Minnesota launched VINE in 2002. Nearly all Minnesota county jails are connected to VINE, and for those counties without jails, most send their inmates to counties that are connected to the system. In all, VINE tracks 99 percent of all Minnesota jail inmates. Since 2010, victim notification related to Department of Corrections inmates is done through the Minnesota CHOICE service.

VINE Usage

The use of Minnesota VINE to get information and receive notification has increased steadily since its launch. This is attributable to the increased awareness of VINELink, the launch of VINEMobile, and the expansion of notification options to include text messaging.

Since 2011, both the number of individuals registering for notification and the number of notifications going out to those registrants doubled. In addition, the VINE service is heavily used just to get offender status information. Over the past five years, there have been more than 28,000 searches for offenders through the VINE telephone service, one million searches through the two mobile applications, and three million online searches through VINELink.



From VINE users

“This is a wonderful tool. I got notice of my ex-husband’s release right away and was able to act fast and pick up my daughter from school before he did—avoiding a potentially dangerous situation for her.”

“This is absolutely the best customer service there is on the web right now. Awesome website. Thank you!”

“Great tool for crime victims and those who track offenders. Thank you!”

LANDMARKS IN MINNESOTA VICTIM RIGHTS AND SERVICES

1971 First rape crisis program is established in Minneapolis, and first battered women's shelter opens in St. Paul.

1974 Crime Victims Reparations Board is created to provide financial compensation to victims of violent crimes.

1976 First prosecutor-based victim assistance program is established in the St. Louis County Attorney's Office in Duluth.

1983 First law providing comprehensive crime victim rights, including notification and participation in the criminal justice process (Minnesota Statutes chapter 611A or "the Crime Victim Bill of Rights") is passed.

1984 Governor-appointed task force holds public hearings in seven cities across the state to air public concerns and determine needs of crime victims. Testimony taken from victims and victim service providers results in a clear mandate for a voice in the criminal justice system.

1985 Legislature enacts Minnesota Statutes sections 611A.72-74 establishing the Office of Crime Victims Ombudsman (OCVO), the first victim rights compliance office in the nation.

1986 Legislature adds a number of rights to chapter 611A, including the rights to increased participation, to obtain a civil judgment to satisfy a restitution order, and to be free from potentially adverse effects of participation. In May, OCVO officially opens as the first crime victim ombudsman's office in the nation.

1988 Right to give a victim impact statement becomes law. Crime victim rights statute amended to include specific provisions related to domestic violence cases.

1990 Legislature enhances legal protections for victims of harassment, including the right to keep their identities confidential in certain government records.

1991 Legislature amends chapter 611A to require that prosecutors make reasonable efforts to notify victims of final case dispositions and that custodial authorities notify victims, on request, if an offender escapes from confinement or is transferred to a less secure correctional facility.

1993 Legislature makes the following changes affecting crime victims: Law enforcement agencies are required to make reasonable efforts to notify victims of motor vehicle thefts when vehicles are recovered and how to retrieve them; procedures for giving crime victims written notification of their rights are streamlined; minor prosecution witnesses are allowed to have a supportive person in the courtroom during their testimony in any criminal case involving a violent crime.

1996 Legislature expands victim notification rights to require notice of bail hearings to victims of domestic violence and harassment.

1997 Minnesota's sex offender registration law is enhanced to provide community notification of sex offenders convicted of an offense requiring registration and released from prison after January 1, 1997.

1999 Legislature enhances confidentiality of personal information for crime victims and witnesses and limits an offender's right to challenge a restitution order.

2000 Changes are enacted to the sex offender registration statute to better track sex offenders (Katie's Law). Domestic abuse no-contact orders are established and law enforcement officers are given warrantless arrest authority for misdemeanor violations of domestic abuse no-contact orders.

2001 Legislature enacts law requiring prosecutors to notify victims who have so requested to be notified of expungement proceedings and gives victims the right to be present and submit a statement at the expungement hearing.

2002 Legislature clarifies that the costs for sexual assault exams are the responsibility of the county in which the alleged offense occurred and that payment is not dependent on the victim reporting the alleged offense to law enforcement.

2003 The victim's right to give oral or written objections is extended to plea hearings. OCVO is renamed the Crime Victim Justice Unit and incorporated into the Office of Justice Programs as part of a statewide reorganization.

2004 Grounds for extending an order for protection are amended to include situations when the respondent is incarcerated and about to be released or has recently been released from incarceration.

2005 Definition of "victim" is expanded to include family members of a minor, incompetent, incapacitated, or deceased person. Additional protection is given to victims against employer retaliation for taking time off to attend order for protection or criminal proceedings.

2006 Safe at Home, an address confidentiality program for domestic abuse victims, is established.

2007 Domestic abuse victims are accorded the right to terminate their rental lease without penalty or liability.

2007 Sexual assault victims cannot be required to take a polygraph examination in order for a case to be investigated or prosecuted.

2008 Process established for domestic abuse victims to get an order for protection extended for up to 50 years.