

**MINNESOTA
CRIME VICTIMS
REPARATIONS
BOARD**

**2019/2020
COMBINED
ANNUAL REPORT**



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LETTER FROM THE CHAIR

As chair of the Minnesota Crime Victims Reparations Board, I am pleased to present this report on behalf of the Board members and staff of the Crime Victims Reparations Program. This report covers activities from July 1, 2018 through June 30, 2020 or fiscal years 2019 and 2020.

The Minnesota Crime Victims Reparations Board is a state program that was established by the Legislature in 1974 to help victims with their financial losses and aid in their recovery from a violent crime. Our mission is to reduce the economic impact of violent crime on victims and their families by providing direct financial assistance and to hold criminal offenders accountable for the costs of crime through improved collection of restitution and civil awards.



In fiscal years 2019 and 2020, the Board received 1,577 and 1,453 new applications, respectively. The majority of the new applications resulted from assaults, child abuse, homicides and sexual assaults. Approximately one-third of the applications received were related to domestic violence. Over \$3.5 million was paid in each fiscal year for medical and dental care, mental health counseling, funeral and burial expenses, lost wages, and survivor benefits. Financial assistance was provided to victims across all geographic areas of the state.

The past two years have brought some changes of note. In December 2018, we gave a heartfelt goodbye to Marie Bibus, who was the director of the Crime Victims Reparations Program and dedicated over 30 years of service. In April 2019, we gave a warm welcome to Gina Washington, who became the new director of the Crime Victims Reparations Program. In September 2019, we said goodbye to two Board members (Lisa Eder and Kim Lund) and welcomed two others (Charolotte Anne and Bruce Folkens). Finally, in March 2020, all staff began teleworking due to the COVID-19 pandemic. The Board has also been meeting remotely since March. We are happy to report that none of these changes in personnel or work environment have altered the staff's or Board's ability to complete their tasks. The Board meets on a monthly basis to review a portion of new claims and listen to and have dialogues with victims and/or their family members who appear in person to share the crime's impact on their lives, while applying the laws and rules that govern the Board in an impartial manner.

I have had the honor to serve on the Board since April 2016 and became chair of the Board in September 2019. Throughout my four years, I have witnessed the tremendous dedication and tireless efforts of Reparations Program staff members as they gather information, process applications, and advocate for people whose lives have been altered by the crime they've experienced. I have taken part in the review of applications and engaged in discussions with other Board members as we work to uphold the purpose of the program while maximizing its benefits to those who have been victims of crime in our state. In addition to program staff and Board members, I express my gratitude for the assistance provided by victim advocates, law enforcement officers, prosecuting attorneys and countless other professionals who aid the Board in meeting its objectives. The success of the Crime Victims Reparations Program is the result of the combined efforts of countless individuals who tirelessly work to support individuals and families who have experienced a violent crime. We hope the financial assistance provided to victims and families is beneficial to their healing process.

Lynette M. Renner, Chair
Minnesota Crime Victims Reparations Board

PROGRAM OVERVIEW

History

The first victim compensation programs were created in the 1960s to help victims of crime cope with their resulting financial losses. Today, every state and many other countries have programs that provide reimbursement to crime victims.

The Crime Victims Reparations Act was passed by the Minnesota 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 financial help to assist in their recovery.

Staff

There are currently 12 full-time reparations staff who work in the Minnesota Department of Public Safety Office of Justice Programs (DPS-OJP).

Staff members set up incoming claims, gather documentation, approve and deny claims, and process payments.

Staff members also collect restitution and recover funds from civil lawsuits. This involves preparing and submitting legal paperwork, attending hearings, and negotiating settlements.

Board Members

The 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): Amy Christiansen, crime victim; Dr. Steven Kiester, physician.

Not pictured: Lynette Renner, professor; Bruce Folkens, Charlotte Anne.

Board Responsibilities

The Board ensures that funds are distributed in accordance with the Minnesota Crime Victims Reparations Act, Minnesota Statutes, sections 611A.51 to 611A.67, and Minnesota rules 3050.0100 to 3050.4100. In addition, the Board develops policies and rules regarding eligibility and coverage and determines payment rates.

Appeals

In fiscal year 2019, the Board heard 51 appeals. Of those, 29 were affirmed, 21 were reversed or modified, and one was held over for more information.

In fiscal year 2020, the Board heard 21 appeals. Of those, 12 were affirmed, 8 were reversed, and one was held over for more information.

YEAR IN REVIEW

Claim Trends

The total number of claims received by the Crime Victims Reparations Board decreased slightly. The Board received 1,577 new claims during fiscal year 2019 and 1,453 claims in fiscal year 2020, compared to 1,607 new claims in fiscal year 2018.

The most notable claim trend during fiscal year 2020 was a significant increase in claims related to homicides. There were 164 claims submitted by family members of homicide victims, compared to 121 the previous year.

Customer Service

The Board always strives to provide excellent customer service. During fiscal year 2020:

- Ninety-four percent of recipients gave the program a service rating of “very good” or “good.”
- Eighty-eight percent of recipients said they were satisfied with the amount of benefits received.
- Eighty-three percent of respondents indicated that benefits were paid in a timely manner.



New Director

In April 2019, Gina Washington became the new Director of the Crime Victims Reparations Program. She has been a licensed attorney for over 24 years, and has worked in private practice representing parties in criminal, child maltreatment, probate and family law cases. Additionally, she served as a state employee for over 15 years, working primarily at the Minnesota Department of Human Services in the child foster care program and licensing areas. She managed the Minnesota Office of Mental Health Practice and coordinated and conducted statewide investigations alleging sexual misconduct, and Code of Ethics and Mental Health Client Bill of Rights violations by unlicensed mental health providers in Minnesota. She has served on the Board of the Ombudsman for Families, African American community-specific for over nine years.

New Board Members

Two new members joined the Board in September 2019: Bruce Folkens and Charlotte Anne. Bruce Folkens worked for the Minneapolis Police Department for more than 32 years. He became intimately aware of the impact that violent crime had on victims and believed joining the Board was a good way to have a positive impact on the victims of violence.

Charlotte Anne has been volunteering and working as an advocate in Minnesota since 2014. She applied to join the Board because she wanted to bring hope and make a difference in all crime victim survivors' lives.

Claimant Comment

“ Thank you for assisting our family during this very stressful time.”

APPLICATION PROCESS

Intake

The application process begins when the Board receives an application form from the victim or a family member. 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 eligibility.

Payment Process

If the applicant clearly meets eligibility requirements, billing information and other documentation are gathered from service providers to determine the amount of the victim's losses. If the victim missed work because they were disabled, the employer and a physician are asked to provide information about the victim's lost wages and disability status. Staff members work to ensure that all applications are processed in a timely manner and applicants receive all the benefits due them.

After the amount of the payment is determined, a payment notice and explanation of benefits is sent to the victim. A check is then sent to the victim and/or their service providers within two weeks. 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 application is forwarded to the Board for review. The Board meets monthly to review and vote on the eligibility and benefit levels of questionable applications. If an application 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 has the right to submit an appeal letter. If an applicant is still dissatisfied with the Board's appeal decision, they 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 sexual 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.

Claimant Comment

“This program is very important and useful. The staff members are really cooperative, respectful and helped me.”

PROGRAM COVERAGE

The 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 when paid directly to the provider. Total benefits paid may not exceed \$50,000.

Benefits are available for the following expenses:

- Medical and dental costs, including hospital and clinic fees, ambulance service, prescriptions, chiropractic care, physical therapy, chemical dependency treatment and accessibility remodeling.
- Mental health counseling for the victim up to \$7,500. Counseling benefits are also available 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 \$7,500, 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.

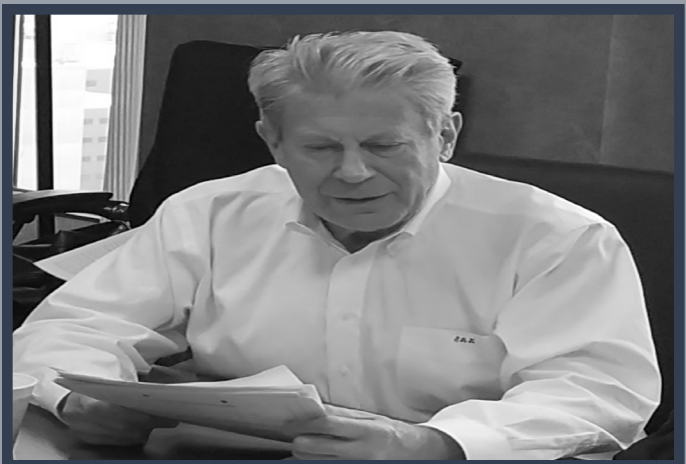
Claimant Comment

“ Thank you. It has been a nightmare. However, this program alleviated some of the burden.”

- Survivor benefits for dependents of a deceased victim.
- Payment for childcare or professional home health care to replace services previously provided by the victim.
- Reimbursement for transportation costs to health care appointments.



Board members Christiansen and Renner



Board member Kiester

TRAINING AND OUTREACH

The Board has a training 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 program awareness, including training sessions, a website and distribution of informational materials at community resource fairs.

Most crime victims are referred to the Board by victim-witness assistance programs, hospitals, county attorneys or law enforcement. Staff members provide training and information to those professionals who assist crime victims with their claims.

During fiscal year 2019 and 2020, the reparations staff conducted five training sessions each year in locations throughout the state,

including Bemidji, Minnetonka, Owatonna, St. Paul and web-based. These included reparations training sessions at the annual Minnesota Victim Assistance Academy.

The reparations program has a variety of brochures, handbooks and posters available. Law enforcement agencies, county attorneys and victim service professionals may request materials by submitting an order form. The order form and copies of most program materials, including the application form, may be downloaded from the DPS-OJP website at ojp.dps.mn.gov.

Participant Comments

“The presentation on reparations was so informative. Very helpful to my work!”

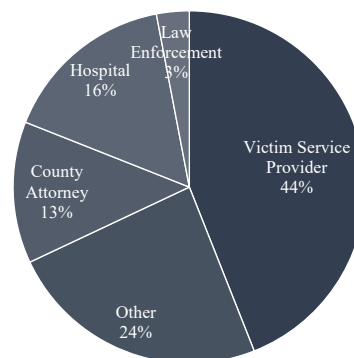
“I've attended the same presentation before but it amazes me how I still learn so much.”

“I feel like I could confidently guide a client through the reparations process after this presentation.”

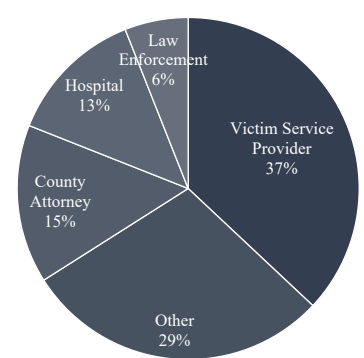
Applications by Referral Source

Referral Source	Number of Applications	
	2019	2020
County attorney	211	221
Domestic abuse program	76	55
Funeral home	32	35
Hospital	257	188
Internet website	29	29
Law enforcement	44	86
Probation agent	6	1
Sexual assault program	105	75
Unknown	312	358
Victim/Witness program	505	405
TOTAL	1,577	1,453

2019



2020



CLAIMS RECEIVED

In fiscal year 2019, the Board received 1,577 applications, and in fiscal year 2020, the Board received 1,453 applications.

The majority of applications came from victims in:

- Hennepin County
- Ramsey County
- Dakota County
- Anoka County
- Stearns County

In fiscal year 2019, 64 percent of victims were female and 36 percent were male. In fiscal year 2020, 59 percent were female and 41 percent were male. Applications for victims 17 years old or younger made up 21 percent of all new applications in fiscal year 2019 and 24 percent in fiscal year 2020.

The most prevalent crime categories were assaults, child abuse, homicides, sexual assaults, robberies and vehicular crimes. Applications for human trafficking, child abuse, robberies and vehicular crimes increased during this reporting period.

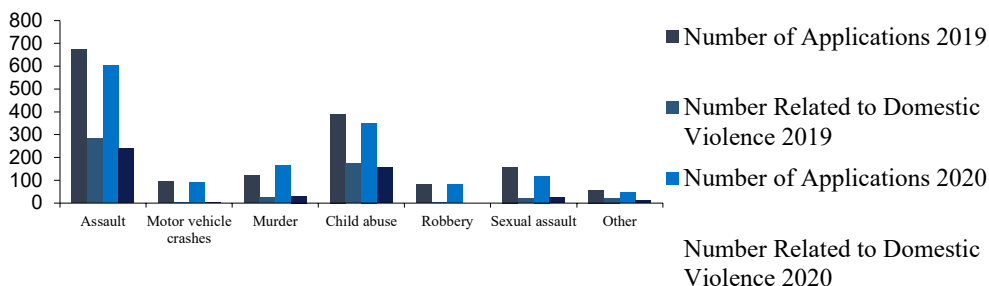
Claimant Comment

“ This is a great organization. I felt compassion, respected, and that I had a voice. Thank you so much.”

Applications by Type of Crime

Crime Type	Number of Applications	
	2019	2020
Assault	674	604
Child abuse	391	351
Homicide	121	164
Human trafficking	2	2
Kidnapping	5	6
Other	51	38
Robbery	80	81
Sexual assault	158	118
Vehicular crimes	95	89
TOTAL	1,577	1,453

Applications and Number Related to Domestic Violence



PROGRAM FUNDING AND EXPENDITURES

Funding Sources

The Board receives its funding from a number of sources. The primary source of funding is an appropriation from the state's general fund.

Another significant funding source is an annual U.S. Department of Justice, Office for Victims of Crime grant.

The Board also collects special revenue. As required by law, this revenue includes:

- Restitution payments from offenders who were court-ordered to make payments as part of their criminal sentence.
- Unclaimed restitution funds held by counties for three years that remain unclaimed.
- Funds recovered from civil awards.
- Inmate wage deductions that are made by the Minnesota Department of Corrections.

Expenditures

In each fiscal year, more than \$3.5 million was paid to reimburse victims and/or their service providers.

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

percent and 36 percent of the Board's expenses were for economic support.

The second largest category of expenses was medical care for victims, which accounted for 28 percent and 32 percent of all reparations payments.

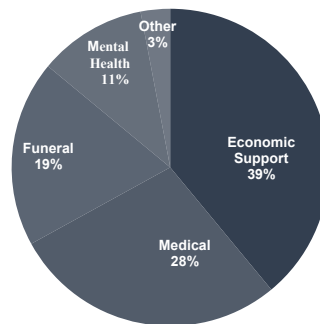
Funeral and burial expenses were the third largest category of expenditures at 19 percent and 21 percent.

Mental health care was the fourth largest category, making up 10 percent of expenditures.

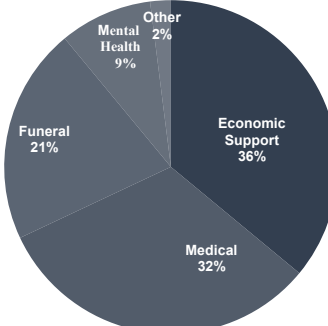
Other payments, such as crime scene cleanup and transportation, accounted for 3 percent and 2 percent of expenditures.



2019



2020



Restitution and Inmate Wage Collections

The Board is committed to holding offenders accountable for restoring victims' losses and has a fund recovery program as directed by state laws.

In fiscal year 2019, the program recovered \$564,000 in restitution. The program also received \$197,000 in unclaimed restitution monies from counties. In addition, the program recovered \$53,000 from civil awards.

In fiscal year 2020, the program recovered \$494,000 in restitution. The program also received \$265,000 in unclaimed restitution monies from counties. In addition, the program recovered \$47,000 from civil awards.

The amount of inmate wages transferred from the Minnesota Department of Corrections in fiscal year 2019 was \$457,114 and \$368,073 in fiscal year 2020.

Vision for the Future

The Board's goal for 2021 is to conduct more outreach to underserved populations to ensure that information about reparations is provided effectively to all.



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