

# Minnesota Crime Victims Reparations Board

Annual Report

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## Minnesota Crime Victims Reparations Board Contact Information

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# LETTER FROM THE CHAIR

I am honored to present the annual report of the Minnesota Crime Victims Reparations Board for fiscal year 2016. This report covers the Board's activities from July 1, 2015, through June 30, 2016.

The Board's mission is to help victims financially during their long and difficult recovery from victimization. Since its creation in 1974, the Board has served nearly 45,000 victims. This year, the Board provided financial assistance to 1,150 victims and their family members.

During fiscal year 2016, the Board received 1,280 new applications. Thirty-two percent of the applications received were domestic violence related, and 29 percent of the new applications were submitted on behalf of a child who was victimized. A majority of the new applications resulted from assaults, child abuse, homicides, impaired driving, sexual assaults and robberies.

Throughout the past year, the Board staff processed payments very quickly to victims in need. More than \$3.2 million was paid for medical and dental care, mental health counseling, funeral and burial expenses, lost wages, and survivor benefits to victims across the state. Fifty-one percent of all applications came from residents of Hennepin or Ramsey County.

During monthly meetings, Board members worked very diligently to apply the laws and rules governing the Board, and to make fair and impartial decisions. The Board members also listened carefully to many victims and their family members who appeared in person to provide additional information about their needs.

Although 2016 is my first year as the chair of the Board, I have served as a Board member since 2011. I am honored to work with reparations director Marie Bibus, her staff, and the other members of the Board. I am proud of the vital and compassionate work they perform every day that allows individuals the ability to focus on their personal and financial recovery after finding themselves a victim of a violent crime.

**Lisa Eder, 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 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 11 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 also collect restitution and recover funds from civil lawsuits. This involves preparing and submitting legal paperwork, attending hearings, and negotiating settlements. As a result of these efforts, the recovery unit receives more than 5,000 checks annually.

## 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) Dr. Steven Kiester; Lynette Renner; Lt. Kimberly Lund, Minneapolis Police Department; Amy Christiansen, crime victim; Lisa Eder, Hennepin County Attorney's Office.

## 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 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 2016, the Board heard 51 appeals. Of those, 42 were affirmed, five were reversed or modified, and four were held over for more information. There were three new requests for administrative hearings. Two cases were settled and one order was granted in favor of the Board.

# YEAR IN REVIEW

## Claim Trends

The most notable trend during fiscal year 2016 was an increase in medical expenses. Medical expenses paid by the Board increased from \$985,165 in fiscal year 2015 to \$1,178,962 in fiscal year 2016. Expenditures for funeral services also increased significantly.

Another trend was an increase in claims involving child abuse. Twenty-seven percent of claims received were the result of child abuse compared with 24 percent during the previous year.

## Customer Service

Excellent customer service is a key performance goal. During fiscal year 2016:

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



Board Member Renner

## New Board Member

Professor Lynette Renner was appointed to the Board in March 2016. Renner is an Associate Professor at the University of Minnesota School of Social Work. Her research is focused on the effects of interpersonal violence on families, specifically intimate-partner violence and child maltreatment. She has a Ph.D. in social welfare policy from the University of Wisconsin-Madison School of Social Work, and a Masters in Social Work from the University of Kentucky College of Social Work. She is also a Licensed Independent Clinical Social Worker.

## Expanded Coverage

The Board expanded its coverage to include two new items: mileage expenses and chemical dependency treatment. Beginning July 1, 2016, chemical dependency treatment will now be covered as a type of medical expense when it is necessary due to the victimization. In addition, the Board will reimburse victims for trips to medical, dental or counseling appointments. This will help to defray the cost of traveling to obtain necessary care and treatment.

The Board also had sufficient resources to increase the payment rate for survivor benefits from \$350 per month per dependent to \$400 per month per dependent.

## Training

An important goal of the program is to ensure that all victims receive information about the availability of reparations. To that end, staff presented at regional trainings on victims' rights, reparations and victim services. Staff also provided reparations training at other venues. A total of 331 advocates and other professionals attended the reparations trainings this year.

### Claimant Comment

“ Thank you for such a wonderful program. It has helped my family a lot, knowing we're in good hands with people we trust to help us.”

# 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 he or she was 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 all applications are processed in a timely manner and applicants receive all of 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 or his/her 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, he/she 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

“ Thank you for the support you offered me in a difficult moment. Now I see and believe that there are still programs and good people who help when one most needs it.”

# 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 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

“ This program helps a lot, especially when the family has a hard time paying bills as it is.”

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



Board members Christiansen and Renner



Board members Kiester and Lund

# TRAINING AND OUTREACH

The Reparations 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.

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

During fiscal year 2016, the reparations staff conducted eleven training sessions in locations throughout the state, including Brainerd, Chaska, Duluth,

Eagan, Hutchinson, Minneapolis, Montevideo, Rochester, St. Paul and Virginia. This included reparations training sessions at the Minnesota Victim Assistance Academy and the statewide Crime and Victimization Conference.

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](http://ojp.dps.mn.gov).

## Participant Comments

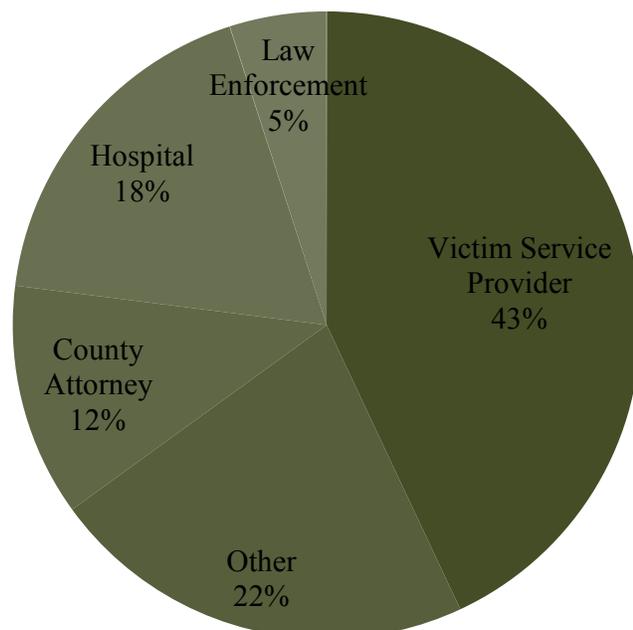
“The Reparations class was very interesting and useful. I have never received this information in the past, and now know I will be able to help many folks.”

“Great information on reparations for victims that I can use at my place of employment.”

“Provided a lot of information on requirements and behind-the-scenes process. Presenter answered questions above and beyond. She is very knowledgeable.”

## Applications by Referral Source

| Referral Source        | Number of Applications |
|------------------------|------------------------|
| County attorney        | 154                    |
| Domestic abuse program | 50                     |
| Funeral home           | 39                     |
| Hospital               | 233                    |
| Internet website       | 15                     |
| Law enforcement        | 76                     |
| Other                  | 197                    |
| Probation agent        | 11                     |
| Sexual assault program | 83                     |
| Victim/Witness program | 422                    |
| <b>TOTAL</b>           | <b>1,280</b>           |



# CLAIMS RECEIVED

The total number of applications received by the Reparations Board remained steady. In fiscal year 2016, the Board received 1,280 applications compared with 1,276 in fiscal year 2015.

The majority of applications came from victims in:

- Hennepin County (32 percent)
- Ramsey County (19 percent)
- Dakota County (7 percent)
- Anoka County (5 percent)
- Washington County (3 percent)
- Olmsted County (3 percent)

Fifty-seven percent of victims were female and 43 percent were male. Applications for victims 17-years-old or younger made up 28 percent of all new applications.

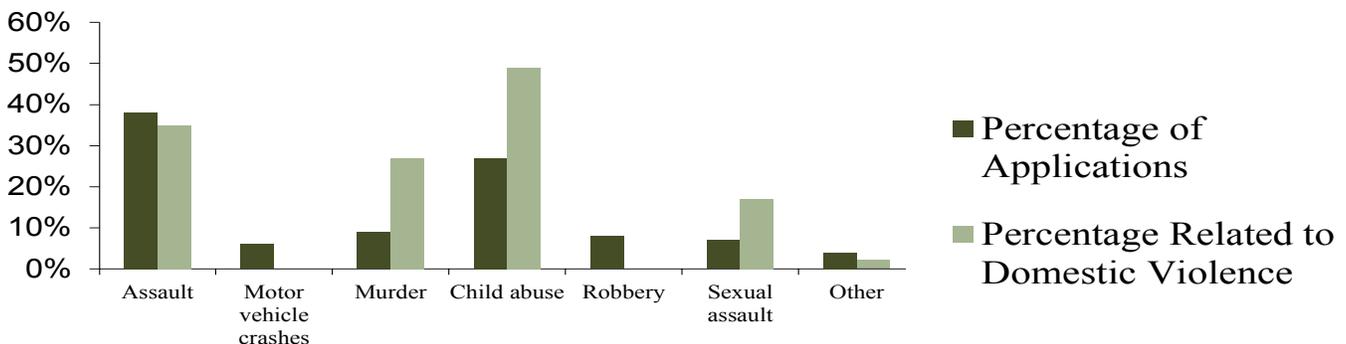
The most prevalent crime categories were assaults (38 percent), child abuse (27 percent), homicides (9 percent), sexual assaults (7 percent), robberies (8 percent) and vehicular crimes (6 percent). Applications for child abuse, robberies and vehicular crimes increased during this reporting period. Applications for assaults decreased.

## Claimant Comment

“ I am very grateful for all the help you have given me. Now I can rest easy. Thank you very much.”

| Applications by Type of Crime |                        |
|-------------------------------|------------------------|
| Crime Type                    | Number of Applications |
| Assault                       | 488                    |
| Child abuse                   | 346                    |
| Homicide                      | 111                    |
| Human trafficking             | 9                      |
| Kidnapping                    | 6                      |
| Other                         | 41                     |
| Robbery                       | 106                    |
| Sexual assault                | 90                     |
| Vehicular crimes              | 83                     |
| <b>TOTAL</b>                  | <b>1,280</b>           |

## Applications and Percent Related to Domestic Violence



# PROGRAM FUNDING AND EXPENDITURES

## Funding Sources

The Reparations 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. This revenue includes 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 2016, more than \$3.2 million was paid to reimburse victims and/or their service providers.

The largest category of expenses was medical care for victims, which accounted for 36 percent of all 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-two

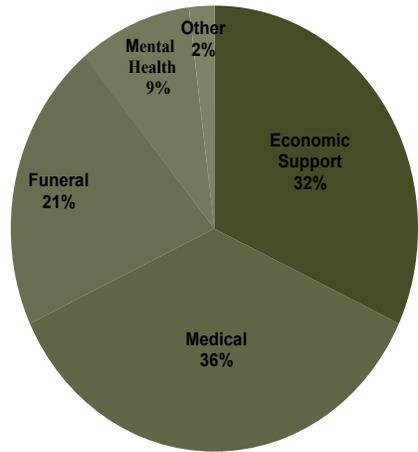
percent of the Board's expenses were for economic support.

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

Mental health care was the smallest category, making up only 9 percent of expenditures.

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

Payments by Category



## Restitution and Inmate Wage Collections

The Board is committed to holding offenders accountable for restoring victims' losses and has a fund recovery program that has been extraordinarily successful.

In fiscal year 2016, the program recovered \$527,866 in restitution. The program also received \$280,467 in unclaimed restitution monies from counties. In addition, the program recovered \$32,120 from civil awards.

The amount of inmate wages transferred from the Minnesota Department of Corrections in fiscal year 2016 was \$459,969.

## Vision for the Future

The Board's goal for 2017 is to conduct outreach to underserved populations to ensure that information about reparations is provided effectively to all victims.

The Board staff will also continue to collaborate with other DPS-OJP staff, including the tribal liaison, to plan and conduct outreach and training initiatives.

Claimant Comment

“ This is a great program for victims who lose wages because of domestic violence.”



## DEPARTMENT OF PUBLIC SAFETY OFFICE OF JUSTICE PROGRAMS

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