

As a victim of crime, Minnesota provides you with important rights as your case moves through the criminal justice system.

WHEN THE CRIME IS REPORTED TO LAW ENFORCEMENT

You have the right to:

- Ask the law enforcement agency to keep your identity private in reports available to the public. Information about sexual assault and child abuse victims is automatically withheld from the public.
- Be notified of certain crime victim rights by law enforcement.
- Be provided information on the nearest crime victim assistance program or resource.
- Apply for reparations (financial compensation) for non-property losses related to a violent crime.
- In cases of violent crime and domestic abuse where an arrest has been made, be provided notice of the release of the offender along with information on the release conditions and supervising agency.
- In homicide cases, be notified of rights and procedures for protecting the deceased victim's property.

WHEN THE CASE IS PROSECUTED

You have the right to:

- Be notified of the prosecution of the case, the prosecution process, and all of your rights.
- Apply for reparations (financial compensation) for non-property losses related to a violent crime.

CRIME VICTIM DEFINED

Under Minnesota law, a crime victim is defined as a person who incurs loss or harm as a result of a crime. A victim includes the family member, guardian, or custodian of a minor, incompetent, incapacitated, or deceased person.

- Be notified of a proposed pretrial diversion referral for certain violent crimes and provide input.
- Be notified of a change in the hearing schedule if subpoenaed or asked to testify.
- Request restitution from the offender if there is a conviction.
- Be notified of the contents of a proposed plea agreement.
- Ask the prosecutor to request a speedy trial.
- Be notified of and attend the plea and sentencing hearings.
- Be present at court proceedings when the offender is a juvenile.
- Object to a proposed plea agreement at the plea hearing in writing or orally.
- If a presentence investigation is conducted, provide information about the impact of the crime and your position about the proposed disposition.
- Give a victim impact statement at the sentencing hearing in writing or orally.
- If a community member, give a community impact statement at the sentencing hearing.

Certain rights address your safety, privacy, and protection during the prosecution, including the right to:

- Be notified of a bail hearing in cases of violent crime and domestic abuse.
- A secure waiting area or safeguards against the offender and their supporters in the courthouse.
- Report witness tampering and violations of criminal no contact or civil protective orders.
- Ask that your home and employment addresses, telephone numbers, and birthdate be withheld from the offender and in open court.

- Protection against employer retaliation for you or your family member(s) for taking reasonable time off to attend hearings or to testify in cases of violent crime.
- In homicide cases, to request a court order preventing an offender from disposing of the deceased victim's property. Laws also prevent the offender from financially benefitting from the crime.

After an offender is convicted, you have a right to:

- Be notified of the outcome of the case.
- Be notified of post-conviction rights.
- Be notified of the release or escape from custody of the offender from jail or prison or transfer to a lower security facility. The victim must request this notification.
- Make a confidential request that the court order an HIV test of the offender in cases of sexual assault and some violent crimes where there has been exposure to bodily fluids during commission of the crime.
- Be notified of an appeal, the right to attend the related hearing, and the result of that appeal.
- In felony or violent crime cases, be notified of a proposed modification to the sentence, the related hearing, and the right to provide input.
- Be notified of an expungement petition and hearing and the right to make a statement orally or in writing. The victim must request this notification.
- Be notified of a petition to civilly commit the offender and the outcome of that petition. If a civil commitment is ordered, the victim can request notification for the offender's release or other change in status.

To address the financial impact of the crime, you have the right to:

- Apply for reparations (financial compensation) for non-property losses related to a violent crime.

- Request restitution from the offender for out-of-pocket expenses directly related to the crime if the offender is convicted.
- Ask the offender's probation officer to schedule a hearing if the offender fails to pay restitution.

DOMESTIC VIOLENCE, SEXUAL ASSAULT, AND STALKING VICTIMS

You have the right to:

- Be informed by the prosecutor of any decision to decline or dismiss a case along with information about seeking an order for protection or harassment restraining order at no cost.
- Terminate a lease without penalty or payment to escape a violent situation.
- If a domestic violence victim, get a free copy of the incident report the responding law enforcement agency is required to write.
- If a domestic abuse victim, ask that the prosecutor file a criminal complaint.
- If a sexual assault victim, have a confidential sexual assault exam at no cost and receive notice of rights and resources from the medical facility.
- If a sexual assault victim, choose whether to have a sexual assault kit tested, and obtain information about the status of a kit submitted for testing.
- If a sexual assault victim, refuse a polygraph exam without impacting whether the investigation or prosecution will proceed.

PROVIDING NOTICE OF RIGHTS TO VICTIMS

Law enforcement agencies are required to notify victims of certain victim rights and local resources at initial contact.

Prosecutors are required to provide a notice of rights to victims once charges have been filed.

Frequently Asked Questions

How can I find out the status of my case?

Call the main number of the law enforcement agency that took your report to find out the status of your case. If it's still under investigation, ask for the investigator's contact information so that you can make further inquiries. If your case has been presented to a prosecutor's office, ask for the name of the office and contact information so that you can make further inquiries.

How can I get a copy of the law enforcement report?

Call the law enforcement agency that took your report to ask how to request a copy of the report. Many departments have information on their website about the process. Your ability to get a full copy of the report will depend on the status of the investigation and the type of case.

Do I have the right to have charges filed or dropped?

The prosecutor decides whether to file charges against an offender. You do not have the right to have charges filed or dropped, but you can communicate your wishes to criminal justice personnel working on your case. A victim advocate in the prosecutor's office or in a community program can assist you in communicating with investigators and prosecutors who are handling your case. You can contact the Minnesota Crime Victim Support Line at 866-385-2699 for referral assistance if you don't know the contact information for your local victim assistance program or prosecutor's office.

For questions about your crime victim rights and possible violations of them, contact:

Crime Victim Justice Unit
651-201-7310
cvju.ojp@state.mn.us

Where can I get help with crime-related emergency expenses?

Contact the local victim service provider or prosecutor's office. Limited funds may be available. Contact the Minnesota Crime Victim Support Line at 866-385-2699 for referral assistance.

What is reparations (financial assistance)?

If you are a victim of a violent crime and have out-of-pocket costs related to medical care, counseling, a funeral, lost wages, or certain other expenses, you could be eligible for financial assistance from the reparations program. Call the Minnesota Crime Victims Reparations Board at 651-201-7300 during business hours to speak with reparations staff about the program and application process.

Can I attend all the hearings?

Yes. In general, criminal court proceedings involving adult defendants are open to the public. A judge may close a hearing or exclude a party under certain circumstances. Victims in cases involving juvenile offenders may attend the court proceedings.

Do crime victim rights apply when the offender is a juvenile?

Yes, the same rights apply in both adult and juvenile cases.

How will I know when the offender gets out of jail?

Prior to conviction, a county jail or detention facility must notify a victim of a violent crime of the offender's release. All victims, regardless of the crime, are strongly encouraged to register with the **VINE** (Victim Information and Notification Everyday) program to request automatic release notification. After conviction, a person must request notification of release or transfer from the facility.

Resources

When the offender is in custody:

To request notification of an inmate's release or to obtain other custody information:

County jails and detention facilities

Call the jail directly or use Minnesota VINE:
1-877-664-8463 | www.vinelink.com

Minnesota Dept. of Corrections facilities

Call the DOC Victim Assistance Program:
800-657-3830

For information on financial compensation in cases of violent crime, call:

Minnesota Crime Victims Reparations Board
651-201-7300 | 888-622-8799
ojp.dps.mn.gov

To connect with a local resource:

MN Crime Victim Support Line: 866-385-2699
(All crime victims)

Day One Crisis Line: 866-223-1111
(Domestic abuse, sexual assault, trafficking victims)

Sexual assault services: rapehelpmn.com

CONTACT US

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445 Minnesota Street, Suite 2300
St. Paul, MN 55101-1515

E-mail: dps.justiceprograms@state.mn.us

Website: ojp.dps.mn.gov

651-201-7300 Main
888-622-8799 Toll Free
651-205-4827 TTY
651-296-5787 Fax

8/21

CRIME VICTIM RIGHTS



OFFICE OF JUSTICE PROGRAMS

MINNESOTA DEPARTMENT OF PUBLIC SAFETY