

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.
- Be provided information on the nearest crime victim assistance program or resource.
- Apply for reimbursement (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 and the prosecution process.
- Apply for reimbursement (financial compensation) for non-property losses related to a violent crime.
- Be notified of a proposed pretrial diversion referral for certain violent crimes and provide input.

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.

- Be present at court proceedings when the person who committed the crime is a juvenile.
- Be notified of a change in the hearing schedule if subpoenaed or asked to testify.
- Request restitution from the defendant 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.
- Object to a proposed plea agreement at the plea hearing in writing or orally, or request the prosecutor convey your objections.
- Be notified of the eligibility for automatic expungement of offenses in the case, including those dismissed or for which the defendant was convicted or acquitted.
- 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 defendant 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 person from jail or prison or transfer to a lower security facility. You must request this notification.
- Make a confidential request that the court order an HIV test of the defendant 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 the five-digit zip code of the incarcerated person's residence upon or after release from a DOC facility.
- Be notified of an expungement petition and hearing and the right to make a statement orally or in writing. You must request this notification.
- Be notified of a petition to civilly commit the individual and the outcome of that petition. If a civil commitment is ordered, you can request notification for the person's release or other change in status.

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

- Apply for reimbursement (financial compensation) for non-property losses related to a violent crime.
- Request the defendant be ordered to pay restitution for you out-of-pocket expenses directly related to the crime if the defendant is convicted.
- Ask the probation officer to schedule a hearing if the person ordered to pay restitution fails to do so.

DOMESTIC VIOLENCE, SEXUAL ASSAULT, HARASSMENT AND STALKING VICTIMS

You have the right to:

- Be informed 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.
- If a sexual assault victim, have a confidential sexual assault exam at no cost..
- If a sexual assault victim, choose whether to have a sexual assault kit tested, and, if submitted, obtain information about its status.
- If a sexual assault victim, refuse a polygraph exam without impacting whether the investigation or prosecution will proceed.

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, conservator, or custodian of a minor, incompetent, incapacitated, or deceased person.

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 the case. If it's still open or under investigation, ask for the investigator's contact information so that you can make further inquiries. If the 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
Online inquiry portal on the OJP website

What is the reimbursement program?

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 **Minnesota Crime Victims Reimbursement Program**. Call 651-201-7300 during business hours to speak with reimbursement staff about the program and application process. The reimbursement program does not cover property loss.

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 limit access to the hearing 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?

Before conviction, a county jail or detention facility must notify a victim of domestic abuse or violent crime of the offender's release. All victims, regardless of the crime, are encouraged to register with the **VINE** service to request an automatic notification of change in custody status..

After conviction, victims must make a request to be notified of custody status changes. If the person is in jail, make the request to the jail facility. For person in a Minnesota Department of Corrections facility, contact the Victim Services and Restorative Justice Program to register with the **Haven** service. The VINE service is also available for jail release notifications after the person has been convicted.

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 Services and Restorative Justice Program to register with Haven:

800-657-3830 | 651-361-7250
victimassistance.doc@state.mn.us

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

Minnesota Crime Victims Reimbursement Program
651-201-7300 | 888-622-8799
dps.justiceprograms@state.mn.us
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, dayoneservices.org
(Domestic abuse, sexual assault, stalking, and trafficking victims)

Sexual assault services directory

mncasa.org/find-help/

Contact Us

Office of Justice Programs
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
651-296-5787 Fax

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CRIME VICTIM RIGHTS



OFFICE OF JUSTICE PROGRAMS
MINNESOTA DEPARTMENT OF PUBLIC SAFETY