

Information & Resources For Victims of Crime



MADD Victim Services
800/487-6233
www.maddmn.org



An Important Message for Victims of Crime

We Care. We may be able to help. The packet of information you are reading was compiled for you as a public service from the *Victim Services Department of Mothers Against Drunk Driving*. Chances are that if you are reading this information you, a loved one or significant person in your life has been adversely affected by someone who chose to drink and drive.

The mission of *Mothers Against Drunk Driving* is to *stop drunk driving, support the victims of this violent crime and prevent underage drinking*. Victim services are the heart of MADD's mission.

For over twenty years *MADD* has been a premier victim service agency leading the way for victims rights across the nation. As the predominant voice of victims *MADD* has worked diligently on behalf of victims, families and communities affected by alcohol-related crashes. *MADD* also is diligently working on behalf of children who are endangered by being placed in vehicles with drunk drivers.

Certified MADD Advocates are available across Minnesota to bring *Hope, Help and Healing* to victims, families and communities. For further information on victim rights, financial assistance for crime victims through the Minnesota Crime Victims Reparations Program or other free and confidential help through *MADD Victim Services*, please feel free to contact us toll free at 800/487-6233 now or in the future for free and confidential assistance.

MADD Minnesota
800/487-6233
www.maddmn.org

We'll remember you[®]



Information on MADD Advocates

Mothers Against Drunk Driving (MADD) is the largest victim service organization in the world. MADD Victim Services works on behalf of victims, families and loved ones. Many of MADD's advocates have been personally touched by the thoughtless and criminal actions of drunk drivers.

Victim services also provides countless hours of professional expertise to allied service providers such as law enforcement, clergy, prosecutors and crime/witness advocates.

MADD advocates are thoroughly trained and evaluated before being certified as a MADD Victim Advocate. MADD advocates undergo comprehensive training in a wide variety of victim issues before being certified.

The core curriculum for MADD victim advocates includes but is not limited to: Victim Rights Law, Crime Victim Reparations Programs, Criminal and Civil Justice Systems, Sentencing Guidelines, Victim Impact Statements, Crime Victims and the Media, Probation/Parole/Restitution Issues, Prosecution Issues, Law Enforcement considerations in a DUI/DWI arrest.

Certified MADD advocates also receive comprehensive training in Supportive Techniques, Support Group Fundamentals, Advocacy for injured crash victims and advocacy for families and loved ones for fatally injured crash victims.

Before becoming certified each advocate completes a community needs assessment for the county or chapter area they will be working in. This ensures that only the best and most appropriate referrals can be made to resources in your own community or surrounding area.

MADD advocates and chapters are constantly at work for victims, families and communities. MADD is constantly conducting outreach and community education activities across Minnesota. Through these activities MADD is able to continuously update their referral resources and networking capabilities all of which result in providing comprehensive victim resource referrals.

MADD certified advocates are provided opportunities for ongoing training throughout their career with MADD.

Because MADD is actively seeking ways to expand victim outreach, opportunities are frequently available across the state for those interested in becoming a certified MADD Advocate. If you or someone you know may be interested in becoming a certified MADD Advocate now or in the future please contact the State Victim Services Coordinator toll free at 800/487-6233.

Financial Assistance for Victims of Violent Crime

Minnesota Crime Victims Reparations Program

The purpose of the crime victims reparations program is to reduce the economic impact of violent crime on victims and their families by providing direct financial assistance while striving to hold offenders accountable for the costs of their crimes. *All fifty states have some type of crime victim reparations program. Programs and benefits vary from state to state.*

A victim of violent crime or a person filing a claim petition on behalf of a victim of violent crime must file the claim in the state where the crime occurred. If your crime occurred outside of Minnesota and you are a Minnesota resident call the State Victim Services Coordinator at 800/487-6233 for special assistance.

Where do these funds come from?

A significant portion of the funds that make up the reparations program come from fines paid by federal offenders, a small portion of the funds come from the monies appropriated by the Minnesota legislature. These funds are subject to change at any time either by congress or the legislature.

What is the claim amount?

Presently the claim limits in Minnesota are a minimum loss of \$50.00 per claim. Currently the maximum amount of reparations available per victim per claim is \$50,000.00. The State of Minnesota

determines the actual amount to be paid on any *approved claim*. Specific services may have reimbursement caps or special procedures. In example, all expenses must be submitted to the victims insurance first. All funding sources must be exhausted before submitting individual bills.

If I think this would help, how long do victims have to apply?

Eligible victims of violent crime, who incurred injury, as a result of a violent crime should file a reparations claim immediately to protect their rights. Presently, in Minnesota, the claim must be filed within three (3) years. The crime must have been reported to the police within 30 days. If a claim is not filed within the time limits, the victim or person filing on behalf of an injured or deceased victim may be barred from submitting the claim at a later date. Therefore it is important to protect the victims's rights by filing the claim as quickly as possible.

There are no exceptions for circumstances where the victim/claimant did not know that reparations existed, victim was incompetent but a parent or guardian was managing their affairs, or where the victim was a minor at the time. Similarly the statute of limitations applies when law enforcement or the county attorney does not inform a victim of reparations even though they are required by law to do so.

If I or a loved one is a victim of crime, what crimes are covered?

In Minnesota the reparations program covers the following violent crimes:

1. Homicide
2. Assault
3. Family and Domestic Violence
4. Sexual Assault
5. Child Abuse
6. Robbery
7. Arson (excluding property losses)
8. DWI/DUI, Hit & Run and CVO
9. Kidnapping
10. Harassment & Stalking

Who is eligible to apply for assistance?

Eligible Claimants Include:

- Victim-person who suffered personal injury or death as a direct result of a violent crime
- Family member of a deceased victim
- Family members of an injured victim
- Person who discovers the body of a victim
- Witness to a violent crime

What type of help is available through the reparations program?

Typically covered benefits include:

1. Ambulance
2. Hospital/physician
3. Dental Care
4. Prescriptions

5. Mental Health Counseling
6. Funeral Expenses
7. Lost Wages
8. Loss of Support
9. Return of Abducted Child
10. Substitute Child Care
11. Accessibility
12. Household Services
13. Crime Scene Clean up

Can you tell me more about Wage Loss benefits?

Wage loss for eligible claimants is generally processed as follows:

- Victim-maximum of 52 weeks
- Homicide survivors (parents, spouse, minor child) maximum of 52 weeks
- Homicide survivors (siblings, adult children, grandparents) maximum 1 week
- Family members to provide care to injured victim— maximum \$2000.00
- Maximum 40 hours per week, no allowance for overtime or second jobs
- Sick, Holiday, and vacation must be exhausted first
- Self employed-based on previous year tax returns

My loved one was killed. Are there any benefits for survivors?

The crime victim reparations program provides for additional benefits for survivors in cases involving a death from *Homicide, Drunk Driving, Hit & Run, and Criminal Vehicular Homicide.*

Generally a family member, a dependent of the deceased victim or

the estate of the victim may file the reparations claim. A person who paid for some of the services for the deceased victim, guardians (Guardian ad litem) and conservators or other authorized agents of the victim or their dependents may also file a claim.

Many of the same types of benefits available to an injured victim also apply when dealing with survivor claims.

Additionally, up to **\$7,500.00** may be paid for **funeral expenses**. This would include funeral services, cemetery costs, and transportation of the body, headstone and the direct cost for the funeral and preparation of the body. Up to \$1,000.00 of this amount may be used for transportation for the family to attend the funeral.

Loss of Support benefits may be available to replace a portion of the victim's financial contribution to the family. **Wage Loss** benefits may be available to replace a portion of wage loss incurred by homicide survivors. The amount and duration of wage loss benefits varies upon the relationship of the claimant to the deceased victim. **Crime Scene Cleanup** cost may also be available. *All benefit determinations are made by the Minnesota Crime Victim Reparations Board and staff.*

What papers would be needed to file for loss of support?

It is suggested that the following information be put together for the person filing the claim:

1. Tax returns for the deceased
2. W-2 forms for the deceased and spouse
3. Birth certificates
4. Social Security Information
5. For Minor children, birth certificates and social security numbers
6. If the deceased is divorced and a child support obligation exists, a copy of the court order showing the support obligation will be needed.

The reparations board may ask for additional information at any time.

How do I obtain a claim form?

You may obtain a claim form from any *certified* MADD Advocate, your local MADD chapter, or by calling the State Victim Services Coordinator at 800/487-6233. *A copy of the claim form has also been provided in this booklet*

What else do I need to do?

- Complete the claim form
- Retain a copy for your records
- Provide a copy to your attorney
- Submit the claim to the state for processing
- Follow-up to make sure it has been received

Special "Emergency Funds" May Be Available.

Special "Emergency Funds" may be available to victims. Please call the Minnesota Office of Justice Programs at 888/622-8799 for assistance.

Minnesota Victim Rights Law

In Minnesota, victims have certain key rights under the law. As a family member, clergy, law enforcement, attorney or medical professional, one of the most valuable things you can do for your client or loved one is to provide them with information on victim rights, the Minnesota's crime victim reparations program as well as refer them to a certified MADD Victim Advocate who can assist them throughout the process.

To locate a certified MADD Advocate in your area call your local MADD Chapter listed in your area telephone directory. You may also locate the nearest MADD chapter through MADD's online Minnesota chapter locator at www.maddmn.org.

For Greater Minnesota or to locate a certified MADD Advocate in another state please call the State Victim Services Coordinator at the MADD Minnesota State Office toll free at 800/487-6233. You may also locate any MADD chapter in the United States through the chapter locator at www.madd.org. Referrals are free and services are confidential.

Minnesota Victim Rights Law is contained in Chapter 611A of Minnesota Statutes.

You may obtain a copy of the law at your local library, from your personal attorney, the county victim witness coordinator located in your county attorney's office, or your local certified MADD advocate.

Copies of current Minnesota Laws or Minnesota Rules are available on the Legislative web site:

<http://www.leg.state.mn.us>.

Please consult your personal attorney for any legal interpretation or advice.

Generally speaking these rights include but are not limited to the following:

RIGHT to be notified of:

- ✓ Your rights as a crime victim
- ✓ Right to file a reparations claim
- ✓ Any pending appeals by the defendant, including the right to attend the oral argument or hearing
- ✓ Content of any plea bargain offer or agreements
- ✓ Changes in court schedules
- ✓ Final disposition in the criminal case
- ✓ Transfer, release or escape of the offender from prison or custodial institution, including the apprehension of an escaped offender
- ✓ The offender's petition for expungement

- ✓ Decision not to prosecute a domestic assault or harassment case
- ✓ Sentence modifications for the offender, including the date, time and location of the review

RIGHT to participate in the prosecution:

- ✓ Submit a Victim Impact Statement
- ✓ Right to inform court at the sentencing hearing of the social and economic impact of crime on persons and businesses in the community
- ✓ Right to inform the court of impact of crime at the sentencing hearing
- ✓ Right to provide input in pre-trial diversion decisions
- ✓ Right to request a speedy trial
- ✓ Right to bring a supportive person to court
- ✓ Object to a plea agreement
- ✓ Provide written objection to sentence
- ✓ Right to request a probation review hearing
- ✓ Right to attend the sentencing hearing
- ✓ Right to object to a plea agreement

- ✓ Right to object to proposed disposition or sentence

RIGHT to protection from harm:

- ✓ Tampering with a witness is a crime and should be reported
- ✓ Right to request address is withheld in open court
- ✓ Employers may not discipline or dismiss victims or witnesses who are called to testify
- ✓ Victims have the right to a secure waiting area during court
- ✓ Right to request law enforcement withhold their identity from the public

RIGHT to apply for financial assistance:

- ✓ Victims may be eligible for financial assistance from the state if they have suffered direct economic loss as a result of a violent crime
- ✓ Victims have the right to appeal any adverse reparations claim decision
- ✓ Victims may request the court to order the defendant to pay restitution

Finding Minnesota Law Online

Disclaimer: Citations to Minn. Stat. are provided as a general guidepost. Actual legal authorities may change at any time by Legislative actions. Information provided here is for educational purposes only and does not constitute the practice of law. Consult your personal attorney for any legal advice.

For resources on selecting a personal attorney contact your local MADD Chapter or the MADD Minnesota State Office.

Copies of current Minnesota Laws or Minnesota Rules are available on the Minnesota State Legislature web site: <http://www.leg.state.mn.us>. Upon entering the official web site select the section entitled *Statutes, Session Laws and Rules*. Please consult your personal attorney for any legal interpretation or advice.

Select the appropriate section for your search. If you would like to search for a current Minnesota Law, you would select the section entitled *Current Minnesota Statutes (2003 edition)*. Within that section you will find various categories to further refine your search.

The most commonly used methods are to *retrieve an entire chapter* or *retrieve a section*. If you select the *entire chapter* option the entire body of law for that chapter will be made available for viewing. This method is helpful if you would like to read the *entire body of law* for the selected chapter.

If you want only to review a *specific section* of law, or a particular citation of statute the *retrieve a section* option should be utilized. In either case, the searcher is required to enter either the chapter number or the section number within the box provided.

Next click on the GO button. Your selection will be retrieved and displayed on your computer screen for viewing or printing.

Chapters Commonly of Concern To Victims or Their Families

Legal Topic	Statute Chapter
Victim Rights	611A
Rights of Accused	611
DWI	169A
Criminal Code	609
Data Practices	13
Liquor	340,340A
Crime Victims Reparations	299B
Dept. Public Safety	299A
Criminal Sentences and related	244
Dept. Corrections	241,242,243
Minnesota Human Rights Act	363A
Criminal Offenders, rehabilitation	364
Drug/Alcohol Treatment and related	254,254A, 254B
Child Protection	260C

The Minnesota Law is complicated matter.

Please consult with your personal attorney for any legal advice or interpretation.

In criminal matters, questions related to the criminal case should be directed to the prosecuting attorney for any explanation.

MINNESOTA CRIME VICTIMS REPARATIONS CLAIM FORM

INSTRUCTIONS: PLEASE FILL OUT ALL SECTIONS OF THE FORM THAT APPLY TO YOU. PLEASE PRINT CLEARLY. **BE SURE TO SIGN THE FORM ON PAGE 4 AND RETURN IT TO THE REPARATIONS BOARD AT THE ADDRESS BELOW.** IF YOU NEED HELP FILLING OUT THE CLAIM FORM, CALL OUR OFFICE. **NOTIFY US RIGHT AWAY IF YOU CHANGE YOUR ADDRESS OR TELEPHONE NUMBER.**

Crime Victims Reparations Board
445 Minnesota Street, Suite 2300
St. Paul, MN 55101-1515

1.888.622.8799 ☉ LOCAL #: 651.282.6256 ☉ FAX #:651.296.5787 ☉ TDD#: 651.205.4827

DATE RECEIVED:

CLAIM NUMBER:

Section 1. Victim Information

The victim is the person who was injured or killed as the result of the violent crime. (If there was more than one victim, please complete a separate claim form for each victim.)

Victim's Name (last, first & mi):			Social Security #: / /
Date of Birth: (mo/day/year)	Gender : <input type="checkbox"/> Female <input type="checkbox"/> Male	Race:	Is the victim deceased? <input type="checkbox"/> No <input type="checkbox"/> Yes
Street Address: (including Apt #)	City:	State:	Zip Code:
Home Telephone Number: ()	Work Telephone Number: () ext.:	E – Mail Address:	

Section 2. Claimant Information

The claimant is the person with expenses that resulted directly from the crime, **such as the parent(s) or guardian of a minor victim OR the survivor of a deceased victim.** If there are more claimants, use additional sheets.

Claimant's Name (last, first & mi):		Social Security #: / /	Date of Birth: / /
Street Address: (including Apt #)	City:	State:	Zip Code: Gender : <input type="checkbox"/> Female <input type="checkbox"/> Male
Home Telephone Number: ()	Work Telephone Number: () ext.:	Relationship to the Victim: (Spouse, parents, etc.)	

Section 3. Information about the Crime

The following section gives us important information about the crime; please fill out this section completely.

Date of Crime: / /	Type of Crime:	County Where Crime Occurred:		
Date reported to police: / /	Crime reported to: (name of police agency)	Police Case Number:	Investigating Officer's name:	
Domestic Violence: Was the person who caused the injury the victim's spouse, former spouse, intimate partner, former partner, a relative, family member or a resident of the same household? <input type="checkbox"/> Yes <input type="checkbox"/> No				

Please tell us what happened. Describe the crime, and the injuries (either physical or emotional) that the victim received as a result of the crime. Attach additional pages if necessary.

Section 4. Referral Source

Please tell us how you learned of the reparations program.

<input type="checkbox"/> County Attorney/Prosecutor	<input type="checkbox"/> Hospital	<input type="checkbox"/> Sexual Assault Program
<input type="checkbox"/> Crime Victims Reparations Board	<input type="checkbox"/> Other (Friend or Relative)	<input type="checkbox"/> Social Services, Cleric or School
<input type="checkbox"/> Domestic Abuse Program/Shelter	<input type="checkbox"/> Police	<input type="checkbox"/> Other State Agency
<input type="checkbox"/> Funeral Director	<input type="checkbox"/> Probation Agent	<input type="checkbox"/> Victim/Witness Assistance Program
	<input type="checkbox"/> Poster/Brochure/Media	<input type="checkbox"/> Website

Section 5. Restitution and Recovery Information

Complete this section, providing all information you currently have available.

Name of Offender(s) if known (last, first & mi):		Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female	Offender's Date of Birth: / /
Has the offender been charged? <input type="checkbox"/> Yes <input type="checkbox"/> No	Who is prosecuting the case? (name of office)	What are the charges?	
Did the court order the offender to pay restitution? <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, what amount? \$	Name of probation officer & telephone #:	
Do you have a private attorney helping you with this claim, or with filing a civil lawsuit or collecting insurance? <input type="checkbox"/> Yes <input type="checkbox"/> No		Name, Address, and Phone Number of Your Attorney:	
If your claim relates to a car accident, is there any auto insurance company providing coverage? <input type="checkbox"/> Yes <input type="checkbox"/> No		Name & Address of Insurance Company:	

Section 6. Other Sources of Payment

You must fill out this section. If you have any other source to pay your expenses you must submit your expenses to that source. For example, if you have health insurance, bills for the cost of medical treatment or mental health counseling must be sent to your health insurance provider. Please send us copies of the explanation of benefits form that you receive from your insurance provider. Reparations may pay for your deductible or co-payments.

Do you have health insurance, an HMO or worker's compensation? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please list the name and address of insurance company: <hr/> <hr/> <hr/>	Are you receiving any benefits from the government? (Social Security, General Assistance, Medicaid, GAMC Medical Assistance, Veteran's Benefits.) <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please list name and address of benefit program: <hr/> <hr/> <hr/>
Policy #:	Group #:

Section 7. Medical, Dental and Mental Health Counseling Expenses

List the names and addresses of doctors, hospitals, counselors and dentists that treated the victim. If you have bills, send us copies with the claim form. If you have insurance, attach copies of the explanation of benefits received to date. **Be sure to write the names of your providers of service on the informed consent to release information form on page 4.** Please list any additional medical, dental or counseling expenses on a separate sheet.

Name of Provider: <input type="checkbox"/> Medical <input type="checkbox"/> Dental <input type="checkbox"/> Counseling	Street Address:	City:	State:	Zip Code
Name of Provider: <input type="checkbox"/> Medical <input type="checkbox"/> Dental <input type="checkbox"/> Counseling	Street Address:	City:	State:	Zip Code
Name of Provider: <input type="checkbox"/> Medical <input type="checkbox"/> Dental <input type="checkbox"/> Counseling	Street Address:	City:	State:	Zip Code

Section 8. Loss of Income

If you lost income because you were unable to work due to a physical or mental injury from the crime, you may receive payment for your losses. If you had more than one job, list your other employers and time lost on a separate sheet. If you were unemployed at the time of the crime or you did not lose any income, go to section 9. If you were self-employed, please send us copies of your current and previous year's federal income tax returns.

Name of Employee:	Job Title:	Net Hourly Wage:
Name of Employer/Business:	Employer/Business address:	Supervisor's Name & Phone #:
Was any of your lost income covered by insurance, sick leave or vacation leave? <input type="checkbox"/> Yes <input type="checkbox"/> No	Days lost from work: From: To:	Has the victim returned to work?: <input type="checkbox"/> Yes <input type="checkbox"/> No –If yes, date returned:

Section 9. Funeral Expenses and Loss of Support

This section is for claims involving a death. Fill out the name and address of the funeral home that provided the funeral and burial services. Enclose any itemized bills and receipts you have showing payment for any of the services.

Name of Funeral Home / Cemetery:	Address: (City, State and Zip Code)	Telephone Number:
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TRANSPORTATION EXPENSES TO ATTEND FUNERAL – Please attach receipts for airfare or other transportation.
LOSS OF SUPPORT – Persons who were financially dependent upon the deceased victim for support may be eligible for a Loss of Support award. On a separate sheet, please list the name(s) of those persons (for example, children under the age of 18 and spouse), the dates of birth, social security account numbers, addresses and the relationship of the dependent(s) to the deceased victim. Also, enclose copies of the following documents with your claim form: 1) the victim's most recent federal tax return and W-2's; birth certificates for the children; and 3) social security award notice. If you wish, you may send us your claim now, and provide these documents at a later time.
GRIEF COUNSELING – Use Section 7 to list the name of the counseling clinic.
LOST WAGES – Use Section 8 to list your employer and other information about lost wages.

Section 10. Other Expenses

There are several other expenses covered by the Reparations Board. **If you have paid for any of the expenses listed below, please attach a separate sheet describing who performed the services, dates of service, the cost of the services and enclose receipts for any payments that you made.**

<input type="checkbox"/> HOUSEHOLD SERVICES - Services that the victim cannot perform because of the crime.	<input type="checkbox"/> CHILDCARE – Childcare that the victim was unable to provide for the child because of the crime.
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THIS PAGE MUST BE COMPLETED IN FULL.

Section 11. Assignment of Subrogation Rights

I agree that the Board is subrogated to the extent of reparations awarded, and to all my rights to recover benefits for economic loss from another source. I assign such rights to the Board so that they may protect their subrogation interest. I agree to inform the Board in writing if I pursue a civil suit or receive any restitution moneys related to the crime.

Section 12. Informed Consent to Release Information

I, _____ Date of Birth _____, consent to the release of all patient health care records, including reports of alcohol or drug abuse and psychiatric treatment to the Minnesota Crime Victims Reparations Board from the following providers of medical and mental health treatment services:

1.	2.	3.
4.	5.	6.

- For the time period : _____ to _____.
- The purpose of this Consent to Release Information is to obtain medical and mental health treatment information to determine the victims' eligibility for benefits under the MN Crime Victims Reparations Act and the continued right to receive benefits.

I authorize any law enforcement agency, employer, insurance company, social service agency, victim advocacy program, county, state or federal prosecutor's office, or any other federal, state or local government agency to release all records and information that the Board determines will help in deciding my eligibility or level of benefits in this claim.

I authorize the Minnesota Crime Victims Board to release private and confidential data about my claim to the court administrator, prosecutor, any officers of the court and probation & parole officials for the purpose of assessing the economic impact of the crime upon me and for determining the amount of restitution to be paid by the offender.

I also authorize the Minnesota Crime Victims Board to release private and confidential data about my claim to the persons listed below (parent, spouse, friend, attorney or any person that you authorize to check the status of your claim for you).

Contact Name: Relationship to you:	Contact Name: Relationship to you:
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- I agree that any reparations awarded may be paid directly to the provider of the service on my behalf.
- I understand that my refusal to provide information or not to allow access to information needed to analyze my claim may result in the denial of reparations.
- This consent will remain in effect for one year from the date of my signature. I understand that I may cancel this consent at any time by submitting a written notification to the Board.
- **A photocopy of this consent form may be accepted as the original.**

I have read and understand the statements in sections 11 and 12 above. The information I have given on this claim form is true and correct to the best of my knowledge.

Signature :	Date Signed:
Printed Name:	

The Minnesota Court System

Types of Cases

Court cases are generally divided into two types of cases, *criminal* cases and *civil* cases. Minnesota also has two specialty courts that deal with specific areas of law. Minnesota Specialty courts are Worker's Compensation Court of Appeals and the Minnesota Tax Court.

Victims of crime and their families may be involved in the criminal court case, a civil court case, or both depending upon their individual circumstances.

In criminal court, are those cases in which the defendant also known as the accused if convicted risks imprisonment, fines or a combination of both. Cases in criminal court are prosecuting by the prosecuting attorney. In most cases the prosecuting attorney is the county attorney or assistant county attorney for the county in which the court hears the case. In some instances, the prosecuting attorney may be employed by a statutory city to prosecute cases on behalf of the statutory city or municipality.

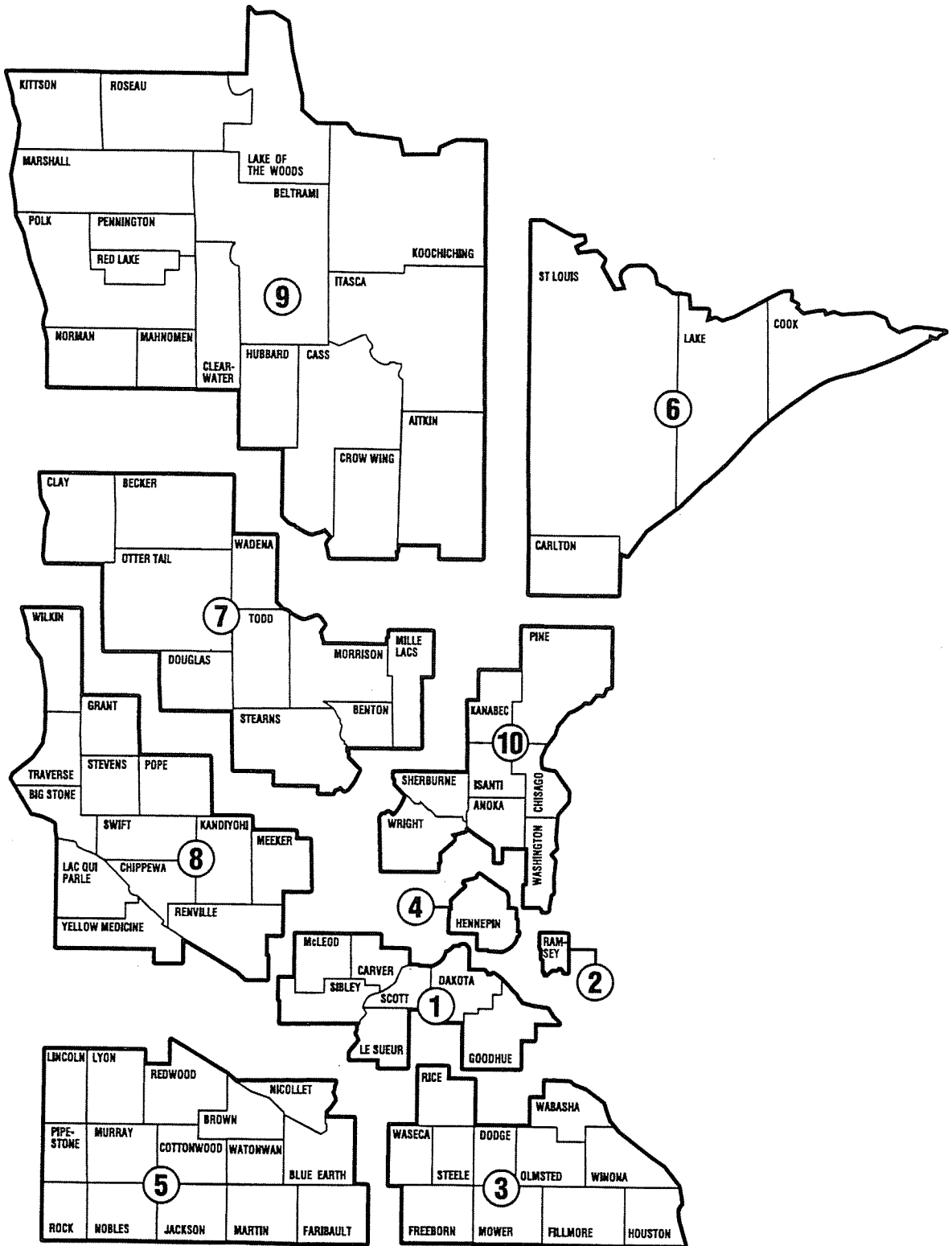
It is the sole responsibility of the prosecuting attorney to determine which criminal charges, *if any*, are pursued. The prosecutor does not represent the victim or the victim's family. Rather, the prosecutor represents the State of Minnesota and society in general.

Criminal cases may involve charges for drunk driving, driving after revocation, driving without insurance, criminal vehicular operation resulting in death, criminal vehicular operation resulting in injury, hit and run, fleeing a police office, child endangerment, test refusal, serving alcohol to an obviously impaired individual, serving alcohol to a minor, assault, murder, staking, violation of a restraining order, obstruction of justice and a wide variety of other charges.

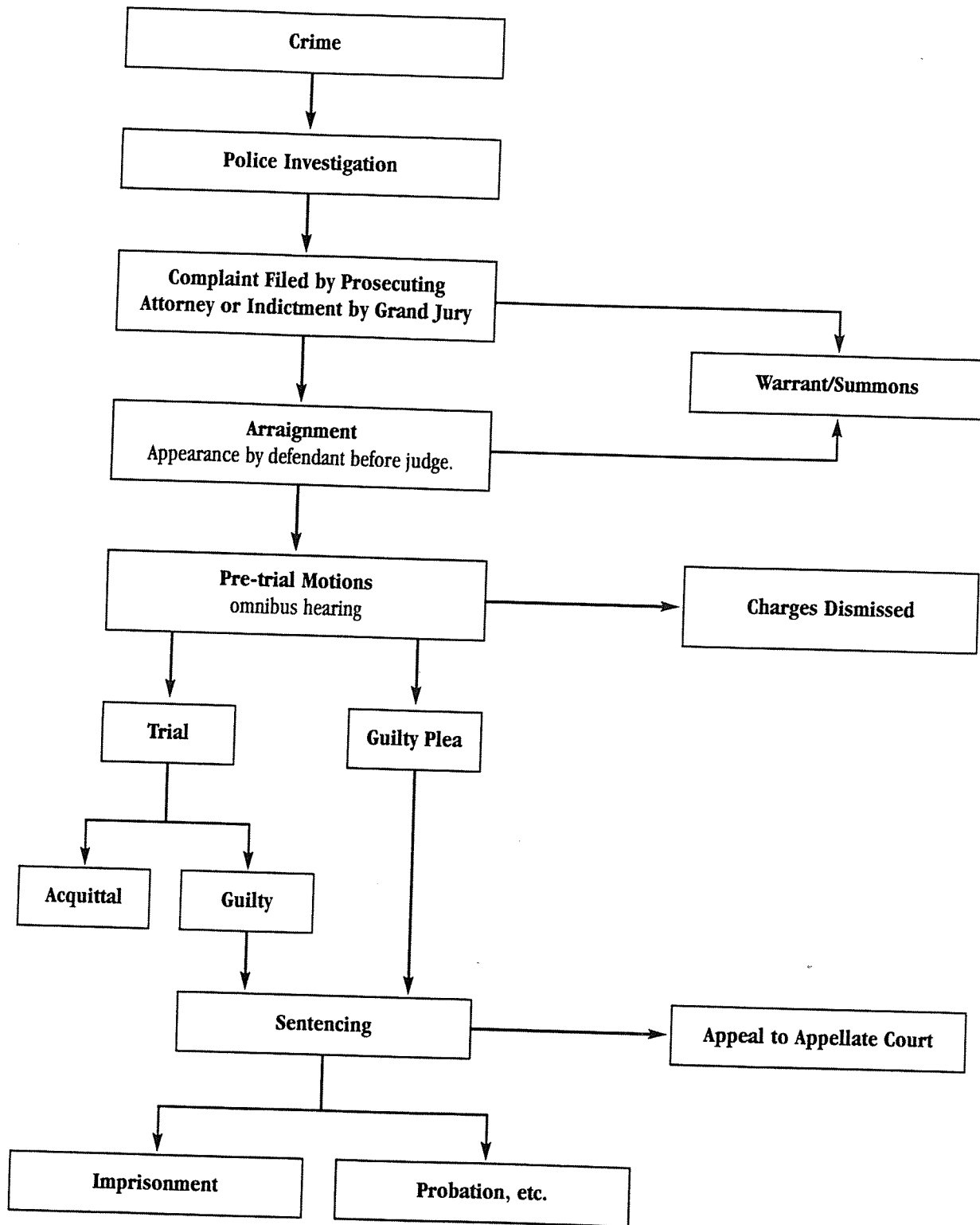
Because each criminal act alleged to be done is a separate violation of the criminal code, each behavioral act is charged in the criminal complaint.

Civil cases are those in which the defendant does not risk imprisonment, but does face financial or other penalties if found legally responsible. Civil cases may include claims against the alleged impaired driver, dram shop, other third parties who supplied alcohol or drugs to the driver and/or insurance companies providing for monetary damages for loss of life-also called wrongful death, personal injury, property damage and other expenses directly attributable to the crash.

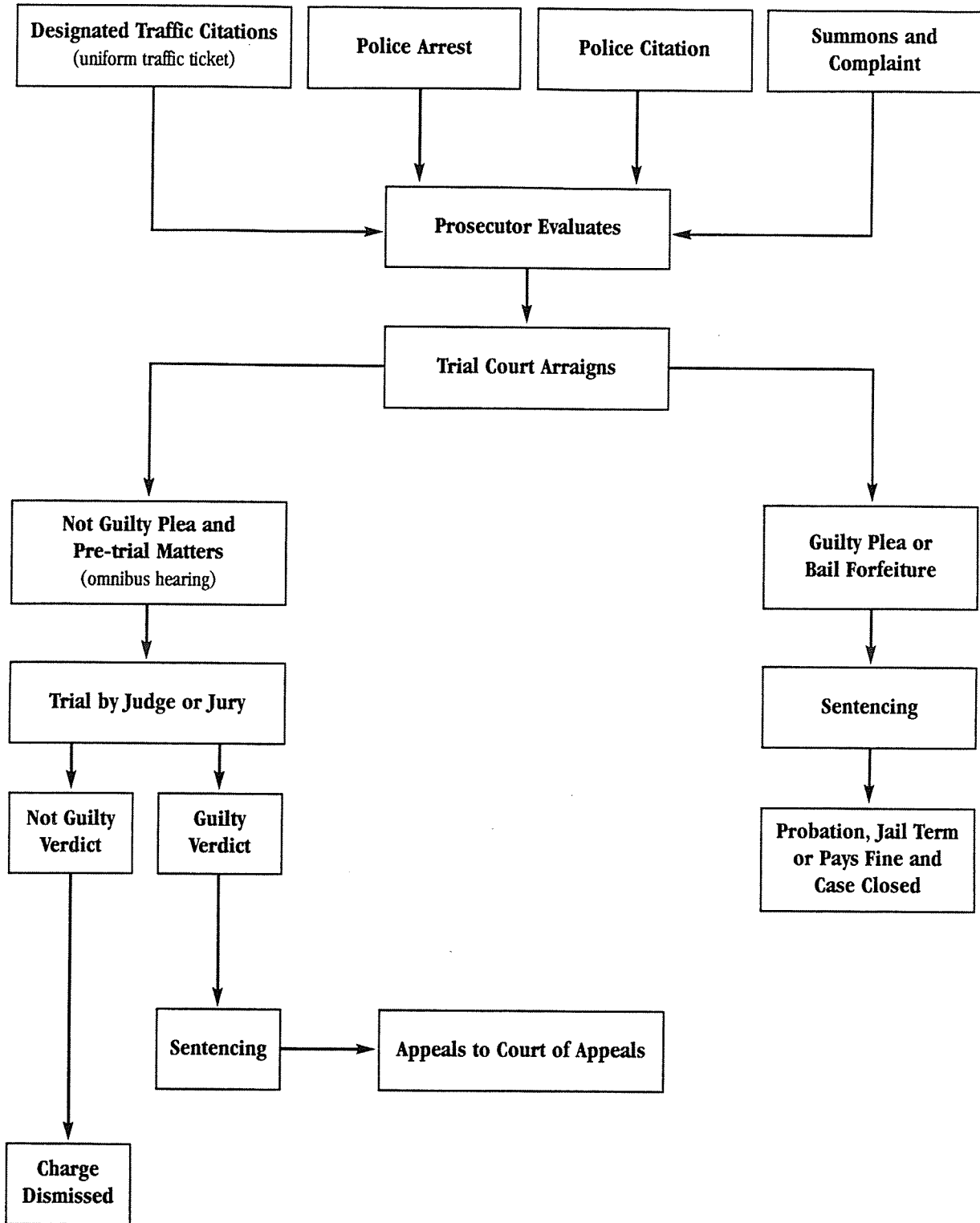
Map of the Ten Judicial Districts



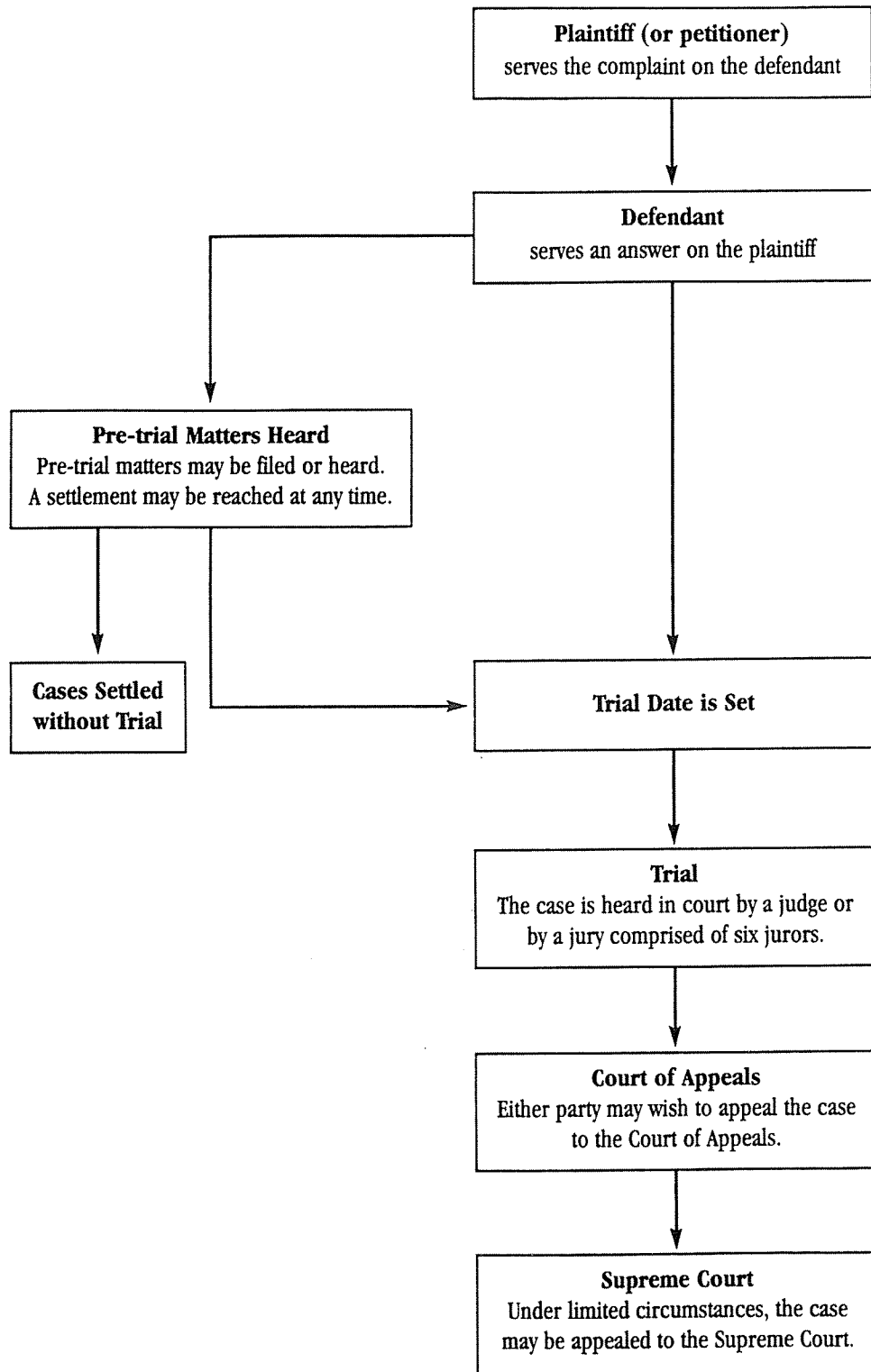
Felony Case Process



Misdemeanor Case Process

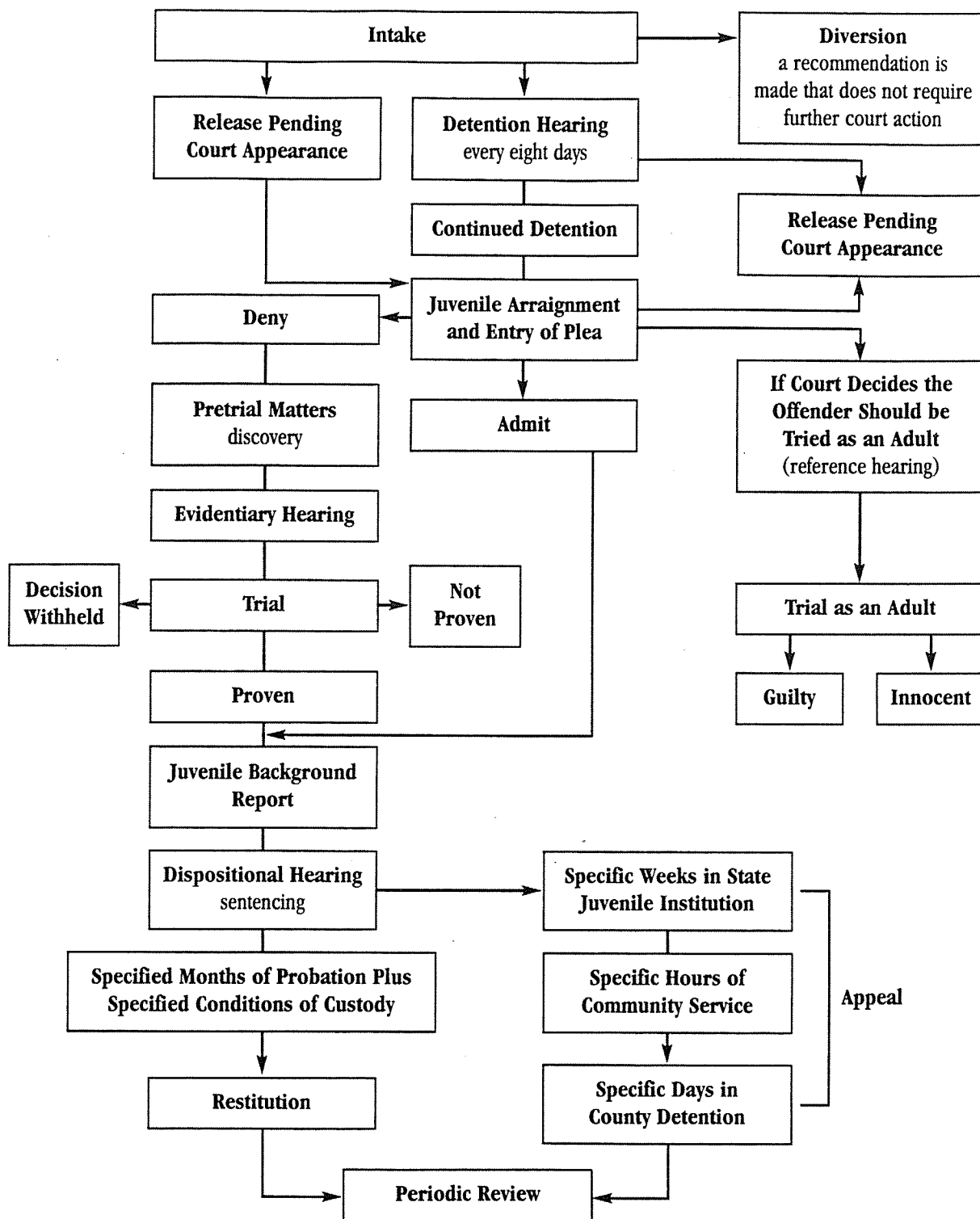


Civil Case Process



Juvenile Court Procedure

Offender only — does not apply to cases of adoption, child abuse or other issues related to social services



Criminal Court Case Information

Retain this information for your records

Crash Date	
Crash Location	
MADD Victim Services	Phone: 800/487-6233
MN Reparations Claims Unit	Phone: 888/622-8799
Investigating Agency (Main)	Phone:
Investigating Officer/Agency	Phone:
Reconstruction Investigator	Phone:
Police File/Case #	
Prosecuting Attorney	Phone:
County Attorney Advocate	Phone:
Clerk of Court	Phone:
Court File/Case #	
Probation/Court Services	Phone:

Offender Name	
Offender Date of Birth	Offender OID #
Blood Alcohol Level	
Illegal Drug Present if applicable	
Original Charges	
Amended Charges	
Plea Charges	
Sentence	
Correctional Facility	Phone:
Release Date	
Restitution Amount	Ordered \$ Paid \$
Probation Officer	Phone:
Release Conditions	

Notes

Obtaining a Copy of the Police Report

You may request a copy of the police report/crash report from the law enforcement agency that handled the crash. Under Minnesota law you will be required to complete an agency request form and may be required to pay a fee for the copy or expenses related in providing the report to you. The cost of copies for reports is provided for in Minnesota law. Under the *Minnesota Governmental Data Practices Act* certain information may be withheld or redacted from the report you are given. Be sure to request any or all-supplemental reports. If the crash is being reconstructed, at some point in time there will be a separate reconstruction report. The reconstruction report would have to be requested directly from the agency that conducted the reconstruction of the crash.

Contacting the Prosecutor

Once your case has been referred to the prosecutor's office, you will receive a letter from the prosecutor's office. In many cases you will receive the name and number for the Crime Victim Witness Coordinator in the County Attorney's Office. The role of the Victim Witness Coordinator is to work with you throughout the criminal justice process. This person will be your liaison to the prosecutor and provide court accompaniment during the trial process upon request. Upon occasion you may wish to speak directly with the prosecutor. When contacting the prosecutor's office, identify yourself and provide the date of crash and offenders name. If the prosecutor is not available ask to have the call returned and state the nature of the information your are seeking. When speaking with the prosecutor, be sure to have all of your information compiled, a list of specific questions or concerns, be clear and concise.

Defendants Driving Record Information

Driving Record Information on alleged offender is protected under either state or federal law or both. Minnesota DWI/DUI law is very complicated. Under the law prior offenses can be used to enhance current offenses. The prosecutor will review the prior driving record of the alleged offender to determine what charges *if any* will be filed. If you have questions about the driving record of the alleged offender those questions must be directed to the prosecuting attorney.

Minnesota Sentencing Guidelines Commission

Minnesota presently uses a Sentencing Guidelines Grid, which prescribes recommended sentences based on the severity level of the offense and prior criminal history scores. This means that although the law may specify a maximum number of days for imprisonment, fines and or both, only a specified or recommended amount of the sentence will result in actual imprisonment *if any*. The grid also allows for departures at the discretion of the sentencing judge.

Civil Court Case Information

Retain this information for your records

Crash Date	
Crash Location	County:
MADD Victim Services	Phone: 800/487-6233
MN Reparations Claims Unit	Phone: 888/622-8799
Personal Attorney	Phone:
Secretary	Phone:
Paralegal	Phone:
Attorney File #	
Insurance Company- Auto	Phone:
Insurance Claim#	
Claim Adjuster	
Insurance Company- Health	Phone:
Insurance Claim #	
Claim Adjuster	

Defendant Name		
Defendant Date of Birth		
Third Party Defendant Name/s		
Defendant's Attorney		
Personal Injury	Court Case #	
Wrongful Death	Court Case #	
Dram Shop	Court Case #	
Social Host	Court Case #	
Clerk of Court	Phone:	
Verdict/ Decision		
Judgment Amount	Ordered \$	Paid \$

Notes

Other MADD Resources

Available Upon Request

Code	✓	Victim Service Product
8010		Selecting a Civil Attorney
8037		Someone You Know Drinks & Drives
8136		Drunk Driving: An Unacknowledged Form of Child Endangerment
8018		Victim Information Pamphlet- <i>Definitions Legal Terms</i>
8048		Don't Call Me Lucky-
8123		Your Grief, You're Not Going Crazy
8019		Financial Recovery After Drunk Driving
8110		Straight Talk About Death for Teenagers
8125		Closed Head Injury
8052		We Hurt Too-
8128		Men and Mourning
8021		Will It Always Feel This Way
8193		Unique Grief
2016		You're Not Alone
8132		Monday Morning
8105		Helping Children Cope With Death
8136		Impaired Drivers/Child Passengers
8007		Picking Up Financial Pieces #1
8008		Picking Up Financial Pieces # 2
8009		Picking Up Financial Pieces # 3
8143		Victim Impact Statement Workbook

Four ways to obtain these resources:

1. Publications may be requested from any local MADD Chapter
2. Publications may be requested from any *Certified* MADD Advocate
3. Publications may be requested from the State Victim Services Coordinator by calling 800/487-6233
4. Publications may be viewed or downloaded online at www.madd.org

Note: Spanish versions for many of the publications are also available.

Other Help for Victims of Crime

Agency Name	Number
MADD Minnesota	800/487-6233
MN Crime Victims Reparations Board	651/282-6256
MN Council on Disability	651/296-6785
Elder Care Rights Alliance	800/893-4055
Deaf/Hearing- CSD of Minnesota	651/297-6700
Battered Women's Legal Advocacy Project	800/313-2666
Chicanos Latinos Unidos en Servicios	651/292-0117
Center for Victims of Torture	612/436-4892
MN Coalition Against Sexual Assault	612/313-2797
Minnesota General Crime Victim's Coalition	952/941-2515
National Center Victims of Crime	800/FYI-CALL
National Fraud Information Hotline	800/876-7060
MN Indian Women's Resource Center	612/728-2033
Bureau of Indian Affairs Child Abuse Hotline	800/633-5155
Childhelp USA National Hotline	800/4-A-CHILD
Family Violence Prevention Resource Center	800/313-1310
Women of Nations (Shelter)	651/251-1601
National Center Missing & Exploited Children	800/-843-5678
National Children's Alliance	800/239-9950
Day One Center (To Locate Shelter Space)	866/223-1111
Victim Intervention Project- St. Paul	651/266-5674
Parents of Murdered Children-National	800/729-6686
Parents of Murdered Children-Minnesota	651/484-0336
Intercultural Mutual Assistance Association	507/289-5960
Breaking Free	651/645-6557
MN Dept. Corrections	651/642-0200
MN Dept. Human Services	651/296-6117
MN Dept. Human Rights	651/296-5663
MN Dept. Public Safety	651/296-6025
MN Attorney General's Office	651/296-3353
MN Insurance Commissioner's Office	651/296-7107
MN Lawyers Responsibility Board	651/296-3952
MN Board Judicial Standards	651/296-3999

Online Resource Links for Victims

Resource Name	Web Address	Comments
American Psychological Association	www.apa.org	Professional resources on mental health issues
American Red Cross	www.redcross.org	Information on programs of the Red Cross
Attorney Referral Service	www.mnfindalawyer.com	Minnesota attorney referral service and related resource links
Concerns of Police Survivors	www.nationalcops.org	Resources for families of peace officers killed on duty
Direct Ability	www.directability.com	Guide to resources for persons with disabilities. Links to services, disability related products
Grief Loss & Recovery	www.grieflossrecovery.com	Links to grief support resources throughout the world.
Lawyer's Professional Responsibility Board	www.courts.state.mn.us/lprb	Information on complaints filed against attorneys
MADD Minnesota	www.maddmn.org	Printable versions of MADD victim services brochures and resource links.
MADD National	www.madd.org	Access to MADD Victim Services nationwide
Minnesota Attorney General's Office	www.ag.state.mn.us	Office of the Attorney General
Minnesota Board of Judicial Standards	www.bjs.state.mn.us	Information on filing complaints against a judge.
MN Fallen Firefighters Memorial Association	www.mffma.org	Resources for families of fire firefighters killed on duty.

MN Legislature	www.leg.state.mn.us	Home page of the Minnesota Legislature, access to current Minnesota laws, pending legislation and links to MN State agencies.
MN Police and Peace Officers Assn.	www.mppoa.com	Online law enforcement agency directory
MN Council on Disability	www.disability.state.mn.us	Disability resources
MN Dept. of Commerce	www.commerce.state.mn.us	Insurance Commissioner, Enforcement Division for complaints against insurance carriers.
MN Dept. of Corrections	www.corr.state.mn.us www.doc.state.mn.us	Information on inmate location, offender look-up database, links to correctional facilities, Minnesota counties, and other valuable resources.
MN Dept. of Human Services	www.dhs.state.mn.us	Minnesota's Human Services programs and links to resources such as Minnesota Care.
MN Office of Justice Programs	www.ojp.state.mn.us	Information on state services for crime victims.
MN Reparations Board	www.ojp.state.mn.us/mccvs/FinancialHelp/index.htm	Reparations claim forms etc. Financial assistance for victims of crime.
MN Sentencing Guidelines Commission	www.msgc.state.mn.us	Minnesota's Sentencing Guidelines Data, sentencing grid, and sentencing commentaries.
MN State Bar Association	www.mnbar.org	Minnesota State Bar Association and links

National Center for Victims of Crime	www.ncvc.org	Information from the National Center for Victims of Crime
National Center of PTSD	www.ncptsd.org	Information and resources on Post Traumatic Stress Disorder
Parents of Murdered Children	www.pomc.org	Resources for families and friend of homicide victims.
Social Security Administration	www.ssa.gov	Information on Social Security programs: Supplemental Security, Social Security Disability, and Survivor's Benefits
VINE	www.ojp.state.mn.us/mccvs/VINEa.htm	Victim Information & Notification on Offender Status

VINE Program Information

VINE is a toll-free 24-hour computer-based service that provides confidential information and notification to victims about offender custody location, court dates, release dates and related items. Victims and their families can use VINE to locate information, register for notification and receive notification calls from VINE 24 hours a day, 365 days a year. The Minnesota VINE service monitors offenders in the custody of the Minnesota Department of Corrections and county jails.

To register for VINE services dial 877-MN-4-VINE (877-664-8463) and follow the directions. Support is available from a live representative for those needing assistance. You will be directed to select a four digit Personal Identification Number (PIN). Write your PIN in a safe place. Do not share your PIN. You will be required to give your PIN to VINE when it calls you. The process of entering your PIN after you have received the message notification lets the VINE system know that you received the notification.

For further information on VINE ask your victim advocate or call the Minnesota Office of Justice Programs at 877/247-0390. You may also access VINE online at www.ojp.state.mn.us/mccvs/VINEa.htm

