

# AS A VICTIM OF CRIME, MINNESOTA LAW PROVIDES YOU WITH SPECIFIC RIGHTS. KNOW YOUR RIGHTS.

## RIGHT TO BE NOTIFIED OF

- ◆ Crime victim rights.
- ◆ Prosecution process and the right to participate in it.
- ◆ Contents of any plea agreement.
- ◆ Changes in court proceeding schedule when a victim has been subpoenaed or requested to testify.
- ◆ Final disposition of the case.
- ◆ Appeals filed by the defendant, the right to attend the oral argument or hearing, and the right to be notified of the final disposition.
- ◆ Proposed sentence modifications for the offender, including the date, time, and location of the review and the right to provide input.
- ◆ Release or escape of the offender from prison or custodial institution or transfer to a lower security facility.
- ◆ Offender's petition for expungement.
- ◆ Right to request restitution.
- ◆ Right to apply for reparations.
- ◆ Information on the nearest crime victim assistance program or resource.
- ◆ Petition to civilly commit an offender, outcome of that petition, and notice of offender's possible discharge/release from civil commitment.

## RIGHT TO PROTECTION FROM HARM

- ◆ Right to a secure waiting area during court proceedings.
- ◆ Right to request that home and employment address, telephone number, and birth date be withheld in open court. Right to request that law enforcement agency withhold identity from the public.
- ◆ Protection against employer retaliation for victims and witnesses called to testify and for victims of violent crimes and their family members who take reasonable time off to attend court proceedings.
- ◆ Tampering with a witness is a crime and should be reported.

## RIGHT TO PARTICIPATE IN PROSECUTION

- ◆ Right to request a speedy trial.
- ◆ Right to provide input in a pretrial diversion decision.
- ◆ Right to object orally or in writing to a plea agreement at the plea presentation hearing.
- ◆ Right to object orally or in writing to a proposed disposition or sentence.
- ◆ Right to inform court of impact of crime orally or in writing at the sentencing hearing.
- ◆ Right to inform court at the sentencing hearing of social and economic impact of crime on persons and businesses in the community.
- ◆ Right to be present at the sentencing and plea presentation hearings.
- ◆ Right to submit statement regarding decision to discharge/release offender from civil commitment.

## RIGHT TO APPLY FOR FINANCIAL ASSISTANCE

- ◆ Victims of violent crime may apply for financial assistance (reparations) from the state if they have suffered economic loss as a result of the crime.
- ◆ Victims may request the court to order the defendant to pay restitution if the defendant is found guilty or pleads guilty.
- ◆ Victims may request that a probation violation hearing be scheduled 60 days prior to the expiration of probation if restitution has not been paid.

## DOMESTIC VIOLENCE, SEXUAL ASSAULT, AND HARASSMENT VICTIMS

- ◆ Right to be informed of prosecutor's decision to decline prosecution or dismiss case along with information about seeking a protective or harassment order at no fee.
- ◆ Protection against employer retaliation for victims to take reasonable time off to attend order for protection or harassment restraining order proceedings.
- ◆ Domestic abuse victims have ability to terminate lease without penalty or payment.
- ◆ Sexual assault victims can make confidential request for HIV testing of offender.
- ◆ Sexual assault victims do not have to pay the cost of a sexual assault examination
- ◆ Sexual assault victims may not be required to undergo a polygraph examination in order for an investigation or prosecution to proceed.

## Frequently Asked Questions

### **How can I get specific information about the case?**

Call your local law enforcement agency, prosecutor's office, or victim service provider for information.

### **What if I need financial assistance?**

You could be eligible for reparations from the State of Minnesota if you are a victim of a violent crime and have out-of-pocket costs related to medical care, counseling, a funeral, or lost wages. You could be eligible for restitution from the defendant if he/she is found guilty or enters a guilty plea.

### **What should I do if I receive a subpoena or am called to testify?**

A subpoena is a court order to appear in court. Read it very carefully. It will have instructions on whom to call for court information and location. However, if you have a scheduling conflict or have any questions, call whoever sent the subpoena. As a witness, you will receive a small fee for your time and mileage.

### **Do these rights apply when the offender is a juvenile?**

Yes.

### **How will I know when the offender gets out of jail or prison?**

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. Following conviction, victims of inmates in a county facility must make a request for notification to that facility and can also register with VINE. Victims of inmates in a Department of Corrections facility must register with the Minnesota CHOICE program for release notification.

### **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.

## Resources

### **When the offender is in custody:**

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

### **County jails and detention facilities:**

Minnesota VINE  
Victim Information and Notification Everyday  
1.877.MN4.VINE • 1.877.664.8463  
[www.vinelink.com](http://www.vinelink.com)

### **Department of Corrections (DOC):**

Minnesota CHOICE  
[www.minnesotachoice.com](http://www.minnesotachoice.com)  
DOC Victim Assistance Program 800-657-3830

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

Crime Victims Reparations Board  
651.201.7300 • 1.888.622.8799  
[ojp.dps.mn.gov](http://ojp.dps.mn.gov)

### **If you are a crime victim or witness and you believe your rights have been violated, call:**

Crime Victim Justice Unit  
651.201.7310 • 1.800.247.0390 ext. 3

## CONTACT US

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# CRIME VICTIM RIGHTS



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MINNESOTA DEPARTMENT OF PUBLIC SAFETY