

Victims Bill of Rights

Victims of federal crimes are accorded certain rights under the law. Those rights include —

1. The right to be treated with fairness and respect;
2. The right to be reasonably protected from the accused;
3. The right to be notified of court proceedings;
4. The right to be present at all public court proceedings unless the court determines that the victim's testimony would be materially affected if he or she heard other trial testimony;
5. The right to confer with government attorneys assigned to the case;
6. The right to be heard at any public proceeding in the district court involving release, plea, or sentencing;
7. The right to proceedings free from unreasonable delay;
8. The right to restitution, if applicable; and
9. The right to information about the offender's conviction, sentencing, imprisonment, and release.



Service Directory

For further victim service information, call the Community Relations Division of the U.S. Attorney's Office at 612-664-5600. Or, visit the Office website at www.usdoj.gov/usao/mn.

Listed below are additional resources for victims in Indian Country —

Red Lake Tribal Police

(218) 679-3315

Federal Bureau of Investigation — Bemidji

(218) 751-0610

Nett Lake Police Department

(218) 757-3237

Federal Bureau of Investigation — Duluth

(218) 722-3341

Red Lake Family & Children Services

(218) 679-2122

Sexual Assault Program of Beltrami — Cass and Hubbard counties

1-800-708-2727 or (218) 751-9496

Bois Forte Human Services

(218) 757-0111

St. Louis County Social Services

Virginia — (218) 749-7128

Duluth — (218) 726-2012

Victim Services

Under

Federal Law

Restitution

In federal court, a convicted offender may be ordered to reimburse victims for financial losses incurred due to the offender's crime. This reimbursement is called "restitution," and it may be ordered for lost income, property damage, counseling, medical expenses, and funeral costs.

To determine the amount of restitution to be ordered, the U.S. Probation Office gathers financial loss information from victims prior to sentencing. Often this information is obtained by having the victims complete a "Victim Impact Statement."

At sentencing, the judge then enters an "Order for Restitution," directing the offender to reimburse victims for some or all of the offense-related financial losses. Compliance with the Order for Restitution automatically becomes a condition of the offender's probation or supervised release.

However, even before the offender is released from prison, he or she is encouraged to begin repaying restitution by participating in the Inmate Financial Responsibility Program. Through this program, a percentage of the inmate's prison wages is applied to his or her restitution obligations.

Violent Crime Assistance

A person who has been physically or emotionally injured as a result of a crime may be eligible for financial assistance through the Minnesota Crime Victims Reparations Board.

To qualify for assistance —

1. The victim must have reported the crime to the police within 30 days of its occurrence, except in cases of sexual assault or child abuse, wherein reporting must have taken place prior to the filing of any claim for financial assistance;
2. The victim must have cooperated with police and prosecutors, including agreeing to pursue charges against the suspect;
3. The victim must have submitted the claim for financial assistance to the Reparation's Board within two years from the date the crime was first reported to police; and
4. The victim must not have directly contributed to the injuries through his or her own misconduct.

Collection

The agents in the Financial Litigation Unit (FLU) at the U.S. Attorney's Office assist victims in collecting court-ordered restitution by filing "liens" against all real estate they find is owned by the convicted offender. Then, if that property is ever sold, the outstanding restitution balance can be collected.

Covered Expenses

Covered expenses may include —

- » Funeral expenses up to \$5,000;
- » Medical costs;
- » Mental health costs;
- » Lost wages; and
- » Loss of financial support.

Expenses not covered include —

- » Property or money stolen or damaged;
- » Personal property related to case investigations or court proceedings;
- » Costs covered by other sources, such as insurance companies or government assistance programs;
- » Payment for pain and suffering; and
- » Claims where out-of-pocket losses are less than \$50 or more than \$50,000.

Victims or their families must complete and submit a claim form to the Minnesota Crime Victims Reparations Board. To obtain a claim form, contact the Board at 651-201-7300 (metro area) or 1-888-622-8799 (outside metro). It takes approximately four months for most claims to be processed.