

Crime Victim Rights in Minnesota

Minnesota law provides crime victims and witnesses with specific rights.

Right to be notified of:

- Victims' rights.
 - Prosecution process and the right to participate.
 - Content of any plea bargain agreements.
 - Changes in court appearances 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.
 - Sentence modifications for the offender, including the date, time and location of the review.
 - Release, transfer or escape of the offender from prison or custodial institution.
 - Offender's petition for expungement.
 - Information on the nearest crime victim assistance program or resource.
 - Petition to civilly commit offender, outcome of that petition, and notice of offender's possible discharge/release from civil commitment.
- *Victims may request restitution and have the right to apply for reparations.*

Right to protection from harm

- Right to secure a waiting area during court proceedings.
 - Right to request address and other information be withheld in open court.
 - Right to request law enforcement to withhold victim's identity from the public.
 - Right to confidential request for HIV testing of offender in sexual assault cases.
- *Tampering with a witness is a crime and should be reported.*
- *Employers may not discipline or dismiss victims or witnesses who are called to testify in court. They may not retaliate against victims of heinous crimes and their family members wishing to take reasonable time off to attend court proceedings.*

Right to participate in prosecution

- Right to request a speedy trial.
- Right to provide input in a pre-trial diversion decision.
- Right to object orally or in writing to a proposed disposition or sentence.
- Right to object orally or in writing to a plea agreement at the hearing.

- 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 of community.
- Right to be present at the sentencing and plea presentation hearings.
- Right to submit statement regarding decision to discharge/release an offender from civil commitment.

Right to apply for financial assistance

- Victims of violent crime may be eligible for financial assistance (reparations) from the state if they have suffered economic loss as a result of the crime. Economic loss includes out-of-pocket costs related to medical counseling, funeral costs or lost wages.
- Victims may request the court to order the defendant to pay restitution if the defendant is found guilty or pleads guilty to the crime.
- 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 or harassment victims:

- Have the right to be informed of decision by the prosecutor to decline prosecution or dismiss case, accompanied by information about seeking a protective or harassment order at no fee.
- Have protection against employer retaliation for victims to take reasonable time off to attend order for protection or harassment restraining order proceedings.

