

3050.0750 BOARD DETERMINATION OF FULL COOPERATION.

Subpart 1. **Board finding of full cooperation.** The board, in determining whether a victim or claimant has fully cooperated with law enforcement and prosecutorial authorities, shall consider items A and B as necessary for an affirmative finding.

A. The victim or claimant, or, in the case of a minor, the parent or guardian of the victim or claimant, must have made a reasonable effort to comply with any specific and direct requests that law enforcement professionals made a reasonable effort to communicate to them.

B. The victim or claimant, or, in the case of a minor, the parent or guardian of the victim or claimant, must have cooperated from the time the crime was reported, during the entire time the investigation remains active, and through all prosecution proceedings.

Subp. 2. **Ability to cooperate.** The board may not deny benefits on the basis that the victim or claimant did not fully cooperate unless the board finds that the victim or claimant was able to cooperate at the time the cooperation was requested. In determining whether a victim or claimant was able to cooperate, the board shall consider physical or mental impairments or disabilities that might have affected the victim or claimant's ability to respond to the requests.

Statutory Authority: *MS s 611A.56*

History: *16 SR 2025; 23 SR 519*

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