CHAPTER 611A

CRIME VICTIMS: RIGHTS, PROGRAMS, AGENCIES

DEFINITIONS AND GENERAL PROVISIONS

611A.01 DEFINITIONS.
611A.015 SCOPE OF VICTIMS' RIGHTS.
611A.02 NOTIFICATION OF VICTIM SERVICES AND VICTIMS' RIGHTS.
611A.021 NOTICE OF RIGHT TO REQUEST WITHHOLDING OF CERTAIN PUBLIC DATA.
611A.03 PLEA AGREEMENTS; NOTIFICATION.
611A.0301 RIGHT TO SUBMIT STATEMENT AT PLEA PRESENTATION HEARING.
611A.031 VICTIM INPUT REGARDING PRETRIAL DIVERSION.
611A.0311 DOMESTIC ABUSE PROSECUTIONS PLAN AND PROCEDURES.
611A.0315 VICTIM NOTIFICATION; DOMESTIC ASSAULT; CRIMINAL SEXUAL CONDUCT; HARASSMENT; STALKING.
611A.033 SPEEDY TRIAL; NOTICE OF HEARINGS AND SCHEDULE CHANGE.
611A.034 SEPARATE WAITING AREAS IN COURTHOUSE.
611A.035 CONFIDENTIALITY OF VICTIM'S ADDRESS.
611A.036 PROHIBITION AGAINST EMPLOYER RETALIATION.
611A.037 PRESENTENCE INVESTIGATION; VICTIM IMPACT; NOTICE.
611A.038 RIGHT TO SUBMIT STATEMENT AT SENTENCING.
611A.039 RIGHT TO NOTICE OF FINAL DISPOSITION OF CRIMINAL CASE.
611A.0392 NOTICE TO COMMUNITY CRIME PREVENTION GROUP.
611A.0393 CRIME ALERTS; ACCESS FOR PERSON WITH A DISABILITY.
611A.0395 RIGHT TO INFORMATION REGARDING DEFENDANT'S APPEAL.
611A.04 ORDER OF RESTITUTION.
611A.045 PROCEDURE FOR ISSUING ORDER OF RESTITUTION.
611A.046 VICTIM'S RIGHT TO REQUEST PROBATION REVIEW HEARING.
611A.05 PENALTIES NO BAR TO CIVIL REMEDIES.
611A.06 RIGHT TO NOTICES; RELEASE; END OF CONFINEMENT REVIEW PROCESS; EXPUNGEMENT; ESCAPE.

ELECTRONIC MONITORING

611A.07 ELECTRONIC MONITORING TO PROTECT DOMESTIC ABUSE VICTIMS; STANDARDS.

BARRING PERPETRATOR RECOVERY

611A.08 BARRING PERPETRATORS OF CRIMES FROM RECOVERING FOR INJURIES SUSTAINED DURING CRIMINAL CONDUCT.

DOMESTIC VIOLENCE AND SEXUAL ASSAULT

611A.19 TESTING SEX OFFENDER FOR HUMAN IMMUNODEFICIENCY VIRUS.
611A.20 NOTICE OF RISK OF SEXUALLY TRANSMITTED DISEASE.
611A.201 DIRECTOR OF PREVENTION OF DOMESTIC VIOLENCE AND SEXUAL ASSAULT.
611A.203 DOMESTIC FATALITY REVIEW TEAMS.
611A.211 PROGRAMS FOR VICTIMS OF SEXUAL ASSAULT.
611A.212 PROGRAMS FOR SEXUAL ASSAULT PRIMARY PREVENTION.
611A.26 POLYGRAPH EXAMINATIONS; CRIMINAL SEXUAL CONDUCT COMPLAINTS; LIMITATIONS.
611A.27 VICTIM RIGHTS TO SEXUAL ASSAULT EVIDENCE INFORMATION.
611A.31 DEFINITIONS.
611A.32 DOMESTIC ABUSE PROGRAMS.
611A.33 DUTIES OF COMMISSIONER.
611A.345 DIRECTOR RECOMMENDATIONS.
611A.35 DOMESTIC ABUSE PROGRAM DIRECTOR.
611A.37 DEFINITIONS.
611A.371 PROGRAM OPERATION.
611A.372 DUTIES OF DIRECTOR.
611A.373 PAYMENTS.

CRIME VICTIM PROGRAMS

611A.45 PROGRAMS FOR VICTIMS OF CRIME.
611A.46 CLASSIFICATION OF DATA.

CRIME VICTIMS REIMBURSEMENT

611A.51 TITLE.
611A.52 DEFINITIONS.
611A.53 REIMBURSEMENT AWARDS; ELIGIBILITY.
611A.54 AMOUNT OF REIMBURSEMENT.
611A.55 CRIME VICTIMS REIMBURSEMENT BOARD.
611A.56 POWERS AND DUTIES OF BOARD.
611A.57 DETERMINATION OF CLAIMS.
611A.58 ATTORNEY FEES; LIMITATION FOR REPRESENTATION BEFORE BOARD.
611A.60 REIMBURSEMENT; HOW PAID.
611A.61 SUBROGATION.
611A.612 CRIME VICTIMS ACCOUNT.
611A.62 MEDICAL PRIVILEGE.
611A.63 ENFORCEMENT OF BOARD'S ORDERS.
611A.64 DEPARTMENT OF CORRECTIONS; RESTITUTION.
611A.65 USE OF RECORD OF CLAIM; EVIDENCE.
611A.66 LAW ENFORCEMENT AGENCIES; DUTY TO INFORM VICTIMS OF RIGHT TO FILE CLAIM.
611A.67 FRAUDULENT CLAIMS; PENALTY.

611A.675 FUND FOR EMERGENCY NEEDS OF CRIME VICTIMS.
611A.68 LIMITING COMMERCIAL EXPLOITATION OF CRIMES; PAYMENT OF VICTIMS.
CRIME VICTIM OVERSIGHT ACT
611A.72 CITATION.
611A.73 DEFINITIONS.
611A.74 CRIME VICTIMS; RIGHTS; COMPLAINTS.
VICTIM SERVICES TELEPHONE LINE
611A.76 CRIME VICTIM SERVICES TELEPHONE LINE.
MEDIATION PROGRAMS
611A.77 MEDIATION PROGRAMS FOR CRIME VICTIMS AND OFFENDERS.
RESTORATIVE JUSTICE PROGRAMS
611A.775 RESTORATIVE JUSTICE PROGRAMS.
CIVIL DAMAGES FOR BIAS OFFENSES
611A.79 CIVIL DAMAGES FOR BIAS OFFENSES.
ACTIONS INVOLVING COERCION INTO PROSTITUTION
611A.80 DEFINITIONS.
611A.81 CAUSE OF ACTION FOR COERCION FOR USE IN PROSTITUTION.
611A.82 ACTS NOT DEFENSES.
611A.83 EVIDENCE.
611A.84 STATUTE OF LIMITATIONS.
611A.85 OTHER REMEDIES PRESERVED.
611A.86 DOUBLE RECOVERY PROHIBITED.
611A.87 AWARD OF COSTS.
611A.88 NO AVOIDANCE OF LIABILITY.
CHILD ABUSE VICTIMS; VIDEOTAPE
611A.90 RELEASE OF RECORDINGS OF CHILD ABUSE VICTIMS.
CRIME VICTIM CERTIFICATION
611A.95 CERTIFICATIONS FOR VICTIMS OF CRIMES.

DEFINITIONS AND GENERAL PROVISIONS

611A.01 DEFINITIONS.

For the purposes of sections 611A.01 to 611A.06:

(a) "Crime" means conduct that is prohibited by local ordinance and results in bodily harm to an individual; or conduct that is included within the definition of "crime" in section 609.02, subdivision 1, or would be included within that definition but for the fact that (1) the person engaging in the conduct lacked capacity to commit the crime under the laws of this state, or (2) the act was alleged or found to have been committed by a juvenile.

(b) "Victim" means a natural person who incurs loss or harm as a result of a crime, including a good faith effort to prevent a crime, and for purposes of sections 611A.04 and 611A.045, also includes (1) a corporation that incurs loss or harm as a result of a crime, (2) a government entity that incurs loss or harm as a result of a crime, and (3) any other entity authorized to receive restitution under section 609.10 or 609.125. The term "victim" includes the family members, guardian, conservator, or custodian of a minor, incompetent, incapacitated, or deceased person. In a case where the prosecutor finds that the number of family members makes it impracticable to accord all of the family members the rights described in sections 611A.02 to 611A.0395, the prosecutor shall establish a reasonable procedure to give effect to those rights. The procedure may not limit the number of victim impact statements submitted to the court under section 611A.038. The term "victim" does not include the person charged with or alleged to have committed the crime.

(c) "Juvenile" has the same meaning as given to the term "child" in section 260B.007, subdivision 3.

History: *1983 c 262 art 1 s 1; 1987 c 254 s 10; 1988 c 649 s 1; 1995 c 226 art 7 s 8; 1996 c 408 art 7 s 5; 1997 c 239 art 7 s 19; 1999 c 139 art 4 s 2; 2005 c 136 art 8 s 22; 2020 c 86 art 1 s 40*

611A.015 SCOPE OF VICTIMS' RIGHTS.

The rights afforded to crime victims in sections 611A.01 to 611A.06 are applicable to adult criminal cases, juvenile delinquency proceedings, juvenile traffic proceedings involving driving under the influence

of alcohol or drugs, and proceedings involving any other act committed by a juvenile that would be a crime as defined in section 609.02, if committed by an adult.

History: *1993 c 326 art 6 s 6*

611A.02 NOTIFICATION OF VICTIM SERVICES AND VICTIMS' RIGHTS.

Subdivision 1. MS 2012 [Repealed, 2014 c 212 art 1 s 15]

Subd. 2. **Victims' rights.** (a) The Office of Justice Programs in the Department of Public Safety shall update the model notices of the rights of crime victims required to be distributed under this section and section 629.341.

(b) The initial notice of the rights of crime victims must be distributed by a peace officer to each victim, as defined in section 611A.01, at the time of initial contact with the victim at the scene or when the victim makes a report. The notice, which may be distributed as a document or electronically, must inform a victim of:

(1) the victim's right to apply to the Minnesota Crime Victims Reimbursement Program to cover losses, not including property losses, resulting from a violent crime and information on how to apply;

(2) the victim's right to request that the law enforcement agency withhold public access to data revealing the victim's identity under section 13.82, subdivision 17, paragraph (d);

(3) the additional rights of domestic abuse victims as described in section 629.341;

(4) information on statewide crime victim help lines, the state address confidentiality program, and the nearest crime victim assistance program or resource; and

(5) the right to be notified if an offender is charged, to participate in the prosecution process, and to request restitution upon conviction.

(c) A supplemental notice must be distributed by law enforcement agencies in homicide cases and must include resources and information specific to homicide victims and information on rights and procedures available under sections 524.2-803, 524.3-614, and 524.3-615.

(d) A supplemental notice of the rights of crime victims must be distributed by the city or county attorney's office to each victim within a reasonable time after the offender is charged or petitioned. This notice must inform a victim of all the rights of crime victims under this chapter.

Subd. 3. **Notice of rights of victims in juvenile court.** A supplemental notice shall be distributed by the prosecutor's office to each victim of an offense committed by a juvenile within a reasonable time after the petition is filed. This notice must notify the victim of:

(1) the rights of victims in the juvenile court;

(2) when a juvenile matter is public;

(3) the procedures to be followed in juvenile court proceedings;

(4) the right to attend certain juvenile court proceedings;

(5) the information related to the juvenile case that is available to victims; and

(6) other relevant matters.

History: *1983 c 262 art 1 s 2; 1988 c 649 s 2; 1991 c 170 s 3; 1992 c 464 art 1 s 50; 1993 c 326 art 6 s 7; 1994 c 576 s 53; 1999 c 227 s 22; 2013 c 94 s 4; 2013 c 125 art 1 s 88; 2014 c 212 art 1 s 5,6; 2025 c 35 art 6 s 2*

611A.021 NOTICE OF RIGHT TO REQUEST WITHHOLDING OF CERTAIN PUBLIC DATA.

A victim has a right under section 13.82, subdivision 17, clause (d), to request a law enforcement agency to withhold public access to data revealing the victim's identity.

History: *1990 c 579 s 7; 1999 c 227 s 22*

611A.03 PLEA AGREEMENTS; NOTIFICATION.

Subdivision 1. **Plea agreements; notification of victim.** Prior to the entry of the factual basis for a plea pursuant to a plea agreement recommendation, a prosecuting attorney shall make a reasonable and good faith effort to inform the victim of:

(1) the contents of the plea agreement recommendation, including the amount of time recommended for the defendant to serve in jail or prison if the court accepts the agreement;

(2) the right to be present at the sentencing hearing, to be present at the hearing during which the plea is presented to the court, and to express at the plea hearing orally or in writing, at the victim's option, any objection to the agreement or to the proposed disposition. If the victim is not present when the court considers the recommendation, but has communicated objections to the prosecuting attorney, the prosecuting attorney shall make these objections known to the court; and

(3) the eligibility for automatic expungement pursuant to section 609A.015 of any offense pleaded to or dismissed as part of the plea agreement.

Subd. 2. **Notification duties.** A prosecuting attorney satisfies the requirements of subdivision 1 by notifying:

(1) the victim's legal guardian or guardian ad litem; or

(2) the three victims the prosecuting attorney believes to have suffered the most, if there are more than three victims of the offense.

Subd. 3. MS 1986 [Repealed, 1988 c 649 s 5]

Subd. 4. **Plea hearing.** At the hearing during which the plea is presented to the court, the court shall ask the prosecutor if the victim has been notified of the plea agreement recommendation pursuant to this section; has been notified of the plea hearing; and if the victim wishes to express their objections to the plea agreement orally, in writing, or through the prosecutor.

History: *1983 c 262 art 1 s 3; 1986 c 351 s 18; 1986 c 444; 1Sp1986 c 3 art 1 s 76; 1989 c 190 s 3; 1992 c 571 art 5 s 4; 2003 c 116 s 4; 2023 c 52 art 7 s 20; 2026 c 97 art 1 s 26,27*

611A.0301 RIGHT TO SUBMIT STATEMENT AT PLEA PRESENTATION HEARING.

A victim has the rights described in section 611A.03, subdivision 1, clause (2), at a plea presentation hearing.

History: *2003 c 116 s 5*

611A.031 VICTIM INPUT REGARDING PRETRIAL DIVERSION.

A prosecutor shall make every reasonable effort to notify and seek input from the victim prior to referring a person into a pretrial diversion program in lieu of prosecution for a violation of sections 609.185, 609.19, 609.195, 609.20, 609.205, 609.221, 609.222, 609.223, 609.224, 609.2242, 609.24, 609.245, 609.247, 609.25, 609.255, 609.342, 609.343, 609.344, 609.345, 609.365, 609.498, 609.561, 609.582, subdivision 1, 609.687, 609.713, and 609.749.

History: *1986 c 463 s 6; 1987 c 331 s 10; 1993 c 326 art 2 s 25; 1995 c 259 art 3 s 20; 2023 c 52 art 20 s 28*

611A.0311 DOMESTIC ABUSE PROSECUTIONS PLAN AND PROCEDURES.

Subdivision 1. **Definitions.** (a) "Domestic abuse" has the meaning given in section 518B.01, subdivision 2.

(b) "Domestic abuse case" means a prosecution for:

(1) a crime that involves domestic abuse;

(2) violation of a condition of release following an arrest for a crime that involves domestic abuse;

(3) violation of a domestic abuse order for protection issued pursuant to section 518B.01;

(4) violation of a harassment restraining order issued pursuant to section 609.748 committed against a family or household member by a family or household member;

(5) harassment or stalking within the meaning of section 609.749 committed against a family or household member by a family or household member; or

(6) violation of a domestic abuse no contact order issued pursuant to section 629.75.

Subd. 2. **Contents of plan.** Each county and city attorney shall develop and implement a written plan to expedite and improve the efficiency and just disposition of domestic abuse cases brought to the prosecuting authority. Domestic abuse advocates, law enforcement officials, and other interested members of the public must have an opportunity to assist in the development or adaptation of the plans in each jurisdiction. The commissioner shall make the plan and related training and technical assistance available to all city and county attorneys. All plans must state goals and contain policies and procedures to address the following matters:

(1) early assignment of a trial prosecutor who has the responsibility of handling the domestic abuse case through disposition, whenever feasible, or, where applicable, probation revocation; and early contact between the trial prosecutor and the victim;

(2) procedures to facilitate the earliest possible contact between the prosecutor's office and the victim for the purpose of acquainting the victim with the criminal justice process, the use of subpoenas, the victim's role as a witness in the prosecution, and the domestic abuse or victim services that are available;

(3) procedures to coordinate the trial prosecutor's efforts with those of the domestic abuse advocate or victim advocate, where available, and to facilitate the early provision of advocacy services to the victim;

(4) procedures to encourage the prosecution of all domestic abuse cases where a crime can be proven;

(5) methods that will be used to identify, gather, and preserve evidence in addition to the victim's in-court testimony that will enhance the ability to prosecute a case when a victim is reluctant to assist, including but not limited to physical evidence of the victim's injury, evidence relating to the scene of the crime, eyewitness testimony, and statements of the victim made at or near the time of the injury;

(6) procedures for educating local law enforcement agencies about the contents of the plan and their role in assisting with its implementation;

(7) the use for subpoenas to victims and witnesses, where appropriate;

(8) procedures for annual review of the plan to evaluate whether it is meeting its goals effectively and whether improvements are needed; and

(9) a timetable for implementation.

Subd. 3. MS 2012 [Repealed, 2014 c 212 art 1 s 15]

History: *1990 c 583 s 5; 1992 c 571 art 6 s 18,19; 2014 c 212 art 1 s 7; 2026 c 97 art 7 s 4*

611A.0315 VICTIM NOTIFICATION; DOMESTIC ASSAULT; CRIMINAL SEXUAL CONDUCT; HARASSMENT; STALKING.

Subdivision 1. **Notice of decision not to prosecute.** (a) A prosecutor shall make every reasonable effort to notify a victim of domestic assault; a criminal sexual conduct offense; harassment or stalking; or a violation of an order for protection, domestic abuse no contact order, or harassment restraining order that the prosecutor has decided to decline prosecution of the case or to dismiss the criminal charges filed against the defendant. Efforts to notify the victim should include, in order of priority: (1) contacting the victim or a person designated by the victim by telephone; and (2) contacting the victim by email or mail. If a suspect is still in custody, a telephone or email notification attempt shall be made before the suspect is released from custody.

(b) Whenever a prosecutor dismisses criminal charges against a person accused of domestic assault, a criminal sexual conduct offense, harassment or stalking, a violation of an order for protection, or a violation of a harassment restraining order, a record shall be made of the specific reasons for the dismissal. If the dismissal is due to the unavailability of the witness, the prosecutor shall indicate the specific reason that the witness is unavailable.

(c) Whenever a prosecutor notifies a victim of domestic assault, criminal sexual conduct, or harassment or stalking under this section, the prosecutor shall also inform the victim of the method and benefits of seeking an order for protection under section 518B.01 or a restraining order under section 609.748 and that the victim may seek an order without paying a fee.

Subd. 2. **Definitions.** For the purposes of this section, the following terms have the meanings given.

(a) "Assault" has the meaning given it in section 609.02, subdivision 10.

(b) "Domestic assault" means an assault committed by the actor against a family or household member.

(c) "Family or household member" has the meaning given it in section 518B.01, subdivision 2.

(d) "Harassment" or "stalking" means a violation of section 609.749.

(e) "Criminal sexual conduct offense" means a violation of sections 609.342 to 609.3453.

(f) "Violation of an order for protection" has the meaning given in section 518B.01, subdivision 14.

(g) "Violation of a harassment restraining order" has the meaning given in section 609.748, subdivision 6.

History: *1988 c 638 s 4; 1990 c 583 s 6; 1993 c 326 art 2 s 26; 2006 c 260 art 3 s 23; 2009 c 59 art 2 s 1; 2013 c 34 s 3; 1Sp2019 c 5 art 2 s 29; 2025 c 35 art 6 s 3*

611A.032 MS 1994 [Repealed, 1995 c 186 s 102]

611A.033 SPEEDY TRIAL; NOTICE OF HEARINGS AND SCHEDULE CHANGE.

(a) A victim has the right to request that the prosecutor make a demand under rule 11.09 of the Rules of Criminal Procedure that the trial be commenced within 60 days of the demand. The prosecutor shall make reasonable efforts to comply with the victim's request.

(b) A prosecutor shall make reasonable efforts to provide to a victim the date and time of the sentencing hearing and the hearing during which the plea is to be presented to the court.

(c) A prosecutor shall make reasonable efforts to provide advance notice of any change in the schedule of the court proceedings to a victim who has been subpoenaed or requested to testify.

(d) In a criminal proceeding in which a vulnerable adult, as defined in section 609.232, subdivision 11, is a victim, the state may move the court for a speedy trial. The court, after consideration of the age and health of the victim, may grant a speedy trial. The motion may be filed and served with the complaint or any time after the complaint is filed and served.

History: *1986 c 435 s 12; 2009 c 119 s 10; 2011 c 76 art 3 s 2; 2023 c 52 art 5 s 49*

611A.034 SEPARATE WAITING AREAS IN COURTHOUSE.

The court shall provide a waiting area for victims during court proceedings which is separate from the waiting area used by the defendant, the defendant's relatives, and defense witnesses, if such a waiting area is available and its use is practical. If a separate waiting area for victims is not available or practical, the court shall provide other safeguards to minimize the victim's contact with the defendant, the defendant's relatives, and defense witnesses during court proceedings, such as increased bailiff surveillance and victim escorts.

History: *1986 c 435 s 13; 1992 c 571 art 5 s 5*

611A.035 CONFIDENTIALITY OF VICTIM'S ADDRESS.

Subdivision 1. **Discretion of prosecutor not to disclose.** (a) A prosecutor may elect not to disclose a victim's or witness's home or employment address, telephone number, or date of birth if the prosecutor certifies to the trial court that:

(1) the defendant or respondent has been charged with or alleged to have committed a crime;

(2) the nondisclosure is needed to address the victim's or witness's concerns about safety or security; and

(3) the victim's or witness's home or employment address, telephone number, or date of birth is not relevant to the prosecution's case.

(b) If such a certification is made, the prosecutor must make a motion with proper notice for the court's permission to continue to withhold this information. The court shall either:

(1) order the information disclosed to defense counsel, but order it not disclosed to the defendant; or

(2) order the prosecutor to contact the victim or witness to arrange a confidential meeting between defense counsel, or defense counsel's agent, and the victim or witness, at a neutral location, if the victim or witness consents to a meeting.

This subdivision shall not be construed to compel a victim or witness to give any statement to or attend any meeting with defense counsel or defense counsel's agent.

Subd. 2. **Witness testimony in court.** No victim or witness providing testimony in court proceedings may be compelled to state a home or employment address, telephone number, or the date of birth of the victim or witness on the record in open court unless the court finds that the testimony would be relevant evidence.

History: *1986 c 444; 1986 c 463 s 8; 1987 c 331 s 11; 1997 c 239 art 7 s 20; 1999 c 79 s 1*

611A.036 PROHIBITION AGAINST EMPLOYER RETALIATION.

Subdivision 1. **Victim or witness.** An employer must allow a victim or witness, who is subpoenaed or requested by the prosecutor to attend court for the purpose of giving testimony, reasonable time off from work to attend criminal proceedings related to the victim's case.

Subd. 2. **Victim's spouse or immediate family members.** An employer must allow a victim of a violent crime, as well as the victim's spouse or immediate family members, reasonable time off from work to attend criminal proceedings related to the victim's case.

Subd. 3. **Prohibited acts.** An employer shall not discharge, discipline, threaten, otherwise discriminate against, or penalize an employee regarding the employee's compensation, terms, conditions, location, or privileges of employment, because the employee took reasonable time off from work to attend a criminal proceeding pursuant to this section.

Subd. 4. **Verification; confidentiality.** An employee who is absent from the workplace shall give 48 hours' advance notice to the employer, unless impracticable or an emergency prevents the employee from doing so. Upon request of the employer, the employee shall provide verification that supports the employee's reason for being absent from the workplace. All information related to the employee's leave pursuant to this section shall be kept confidential by the employer.

Subd. 5. **Penalty.** An employer who violates this section is guilty of a misdemeanor and may be punished for contempt of court. In addition, the court shall order the employer to offer job reinstatement to any employee discharged from employment in violation of this section, and to pay the employee back wages as appropriate.

Subd. 6. **Civil action.** In addition to any remedies otherwise provided by law, an employee injured by a violation of this section may bring a civil action for recovery for damages, together with costs and disbursements, including reasonable attorneys fees, and may receive such injunctive and other equitable relief, including reinstatement, as determined by the court.

Subd. 7. **Definition.** As used in this section, "violent crime" means a violation or attempt to violate any of the following: section 609.185 (murder in the first degree); 609.19 (murder in the second degree); 609.195 (murder in the third degree); 609.20 (manslaughter in the first degree); 609.205 (manslaughter in the second degree); 609.2112, 609.2113, or 609.2114 (criminal vehicular homicide or injury); 609.221 (assault in the first degree); 609.222 (assault in the second degree); 609.223 (assault in the third degree); 609.2231 (assault

in the fourth degree); 609.2241 (knowing transfer of communicable disease); 609.2242 (domestic assault); 609.2245 (female genital mutilation); 609.2247 (domestic assault by strangulation); 609.228 (great bodily harm caused by distribution of drugs); 609.23 (mistreatment of persons confined); 609.231 (mistreatment of residents or patients); 609.2325 (criminal abuse); 609.233 (criminal neglect); 609.235 (use of drugs to injure or facilitate crime); 609.24 (simple robbery); 609.245 (aggravated robbery); 609.247 (carjacking); 609.25 (kidnapping); 609.255 (false imprisonment); 609.265 (abduction); 609.2661 (murder of an unborn child in the first degree); 609.2662 (murder of an unborn child in the second degree); 609.2663 (murder of an unborn child in the third degree); 609.2664 (manslaughter of an unborn child in the first degree); 609.2665 (manslaughter of an unborn child in the second degree); 609.267 (assault of an unborn child in the first degree); 609.2671 (assault of an unborn child in the second degree); 609.2672 (assault of an unborn child in the third degree); 609.268 (injury or death of an unborn child in commission of a crime); 609.282 (labor trafficking); 609.322 (solicitation, inducement, and promotion of prostitution; sex trafficking); 609.342 (criminal sexual conduct in the first degree); 609.343 (criminal sexual conduct in the second degree); 609.344 (criminal sexual conduct in the third degree); 609.345 (criminal sexual conduct in the fourth degree); 609.3451 (criminal sexual conduct in the fifth degree); 609.3453 (criminal sexual predatory conduct); 609.3458 (sexual extortion); 609.352 (solicitation of children to engage in sexual conduct); 609.377 (malicious punishment of a child); 609.378 (neglect or endangerment of a child); 609.561, subdivision 1 (arson in the first degree; dwelling); 609.582, subdivision 1, paragraph (a) or (c) (burglary in the first degree; occupied dwelling or involving an assault); 609.66, subdivision 1e, paragraph (b) (drive-by shooting; firing at or toward a person, or an occupied building or motor vehicle); 609.749, subdivision 2 (harassment); or 609.749, subdivision 5 (stalking); or Minnesota Statutes 2012, section 609.21.

History: *1986 c 463 s 9; 1994 c 636 art 7 s 1; 2005 c 136 art 8 s 23; 2007 c 54 art 4 s 5,6; 2009 c 137 s 10; 2013 c 34 s 4; 1Sp2019 c 5 art 2 s 29; 1Sp2021 c 11 art 4 s 31; 2023 c 52 art 20 s 29; 2026 c 97 art 1 s 28*

611A.037 PRESENTENCE INVESTIGATION; VICTIM IMPACT; NOTICE.

Subdivision 1. **Victim impact statement.** A presentence investigation report prepared under section 609.115 shall include the following information relating to victims:

(1) a summary of the damages or harm and any other problems generated by the criminal occurrence;

(2) a concise statement of what disposition the victim deems appropriate for the defendant or juvenile court respondent, including reasons given, if any, by the victim in support of the victim's opinion; and

(3) an attachment to the report, consisting of the victim's written objections, if any, to the proposed disposition if the victim provides the officer conducting the presentence investigation with this written material within a reasonable time prior to the disposition.

Subd. 2. **Notice to victim.** The officer conducting a presentence or predispositional investigation shall make reasonable and good faith efforts to assure that the victim of that crime is provided with the following information by contacting the victim or assuring that another public or private agency has contacted the victim: (1) the charge or juvenile court petition to which the defendant has been convicted or pleaded guilty, or the juvenile respondent has admitted in court or has been found to have committed by the juvenile court, and of any plea agreement between the prosecution and the defense counsel; (2) the victim's right to request restitution pursuant to section 611A.04; (3) the time and place of the sentencing or juvenile court disposition and the victim's right to be present; and (4) the victim's right to object in writing to the court, prior to the time of sentencing or juvenile court disposition, to the proposed sentence or juvenile dispositional alternative, or to the terms of the proposed plea agreement. To assist the victim in making a recommendation under

clause (4), the officer shall provide the victim with information about the court's options for sentencing and other dispositions. Failure of the officer to comply with this subdivision does not give any rights or grounds for postconviction or postjuvenile disposition relief to the defendant or juvenile court respondent, nor does it entitle a defendant or a juvenile court respondent to withdraw a plea of guilty.

History: *1987 c 331 s 12; 1998 c 396 s 7*

611A.038 RIGHT TO SUBMIT STATEMENT AT SENTENCING.

(a) A victim has the right to submit an impact statement to the court at the time of sentencing or disposition hearing. The impact statement may be presented to the court orally or in writing, at the victim's option. If the victim requests, the prosecutor or the prosecutor's designee must orally present the statement to the court. Statements may include the following, subject to reasonable limitations as to time and length:

(1) a summary of the harm or trauma suffered by the victim as a result of the crime;

(2) a summary of the economic loss or damage suffered by the victim as a result of the crime; and

(3) a victim's reaction to the proposed sentence or disposition.

(b) At the sentencing or disposition hearing, the court shall ask the prosecutor if the victim has been notified of the hearing, if the victim is in court, and if the victim wishes to submit a victim impact statement orally, in writing, or through the prosecutor or the prosecutor's designee.

(c) A representative of the community affected by the crime may submit an impact statement in the same manner that a victim may as provided in paragraph (a). This impact statement shall describe the adverse social or economic effects the offense has had on persons residing and businesses operating in the community where the offense occurred.

(d) If the court permits the defendant or anyone speaking on the defendant's behalf to present a statement to the court, the court shall limit the response to factual issues which are relevant to sentencing.

(e) Nothing in this section shall be construed to extend the defendant's right to address the court under section 631.20.

History: *1988 c 649 s 3; 1989 c 290 art 2 s 16; 1997 c 239 art 7 s 21; 2026 c 97 art 1 s 29*

611A.0385 MS 2020 [Repealed, 1Sp2021 c 11 art 6 s 7]

611A.039 RIGHT TO NOTICE OF FINAL DISPOSITION OF CRIMINAL CASE.

Subdivision 1. **Notice required.** (a) Except as otherwise provided in subdivision 2, within 15 working days after a conviction, acquittal, or dismissal in a criminal case in which there is an identifiable crime victim, the prosecutor shall make reasonable good faith efforts to provide to each affected crime victim oral or written notice of the final disposition of the case, of the victim rights under section 611A.06, and of the eligibility of the offense for automatic expungement under section 609A.015 of any offense that was dismissed or for which the defendant was convicted or acquitted. When the court is considering modifying the sentence for a felony or a crime of violence or an attempted crime of violence, the prosecutor shall make a reasonable and good faith effort to notify the victim of the crime. The notice must include:

(1) the date and approximate time of the review;

(2) the location where the review will occur;

(3) the name and telephone number of a person to contact for additional information; and

(4) a statement that the victim may provide input to the court concerning the sentence modification.

(b) The Office of Justice Programs in the Department of Public Safety shall develop and update a model notice of postconviction rights under this subdivision and section 611A.06.

(c) As used in this section:

(1) "crime of violence" has the meaning given in section 624.712, subdivision 5, and also includes violations of section 609.3458, gross misdemeanor violations of section 609.224, and nonfelony violations of sections 518B.01, 609.2231, 609.3451, 609.748, and 609.749; and

(2) "victim" has the meaning given in section 611A.01, paragraph (b).

Subd. 2. **Exception.** If a prosecutor contacts an identifiable crime victim in advance of the final case disposition, either orally or in writing, and notifies the victim of the victim's right to request information on the final disposition of the case, the prosecutor shall only be required to provide the notice described in subdivision 1 to those victims who have indicated in advance their desire to be notified of the final case disposition.

History: *1991 c 170 s 4; 1997 c 239 art 7 s 22; 1Sp2021 c 11 art 4 s 31; art 6 s 5; 2023 c 52 art 5 s 50; 2024 c 123 art 2 s 6; 2026 c 97 art 1 s 30*

611A.0392 NOTICE TO COMMUNITY CRIME PREVENTION GROUP.

Subdivision 1. **Definitions.** (a) As used in this section, the following terms have the meanings given them.

(b) "Cities of the first class" has the meaning given in section 410.01.

(c) "Community crime prevention group" means a community group focused on community safety and crime prevention that:

(1) meets regularly for the purpose of discussing community safety and patrolling community neighborhoods for criminal activity;

(2) is previously designated by the local law enforcement agency as a community crime prevention group; and

(3) interacts regularly with the police regarding community safety issues.

Subd. 2. **Notice.** (a) A law enforcement agency that is responsible for arresting individuals who commit crimes within cities of the first class shall make reasonable efforts to disclose certain information in a timely manner to the designated leader of a community crime prevention group that has reported criminal activity, excluding petty misdemeanors, to law enforcement. The law enforcement agency shall make reasonable efforts to disclose information on the final outcome of the investigation into the criminal activity including, but not limited to, where appropriate, the decision to arrest or not arrest the person and whether the matter was referred to a prosecuting authority. If the matter is referred to a prosecuting authority, the law enforcement agency must notify the prosecuting authority of the community crime prevention group's request for notice under this subdivision.

(b) A prosecuting authority who is responsible for filing charges against or prosecuting a person arrested for a criminal offense in cities of the first class shall make reasonable efforts to disclose certain information

in a timely manner to the designated leader of a community crime prevention group that has reported specific criminal activity to law enforcement. The prosecuting authority shall make reasonable efforts to disclose information on the final outcome of the criminal proceeding that resulted from the arrest including, but not limited to, where appropriate, the decision to dismiss or not file charges against the arrested person.

(c) A community crime prevention group that would like to receive written or Internet notice under this subdivision must request the law enforcement agency and the prosecuting authority where the specific alleged criminal conduct occurred to provide notice to the community crime prevention group leader. The community crime prevention group must provide the law enforcement agency with the name, address, and telephone number of the community crime prevention group leader and the preferred method of communication.

History: *1Sp2003 c 2 art 8 s 17*

611A.0393 CRIME ALERTS; ACCESS FOR PERSON WITH A DISABILITY.

If a law enforcement agency provides a crime alert to citizens within its jurisdiction, the alerts and any accompanying documents must be in a form that a disabled person can access with commercially available text-based screen reader software. Any contact information provided by a citizen requesting a crime alert is private data on individuals as defined in section 13.02.

History: *2009 c 22 s 2*

611A.0395 RIGHT TO INFORMATION REGARDING DEFENDANT'S APPEAL.

Subdivision 1. **Prosecuting attorney to notify victims.** (a) The prosecuting attorney shall make a reasonable and good faith effort to provide to each affected victim oral or written notice of a pending appeal. This notice must be provided within 30 days of filing of the respondent's brief. The notice must contain a brief explanation of the contested issues or a copy of the brief, an explanation of the applicable process, information about scheduled oral arguments or hearings, a statement that the victim and the victim's family may attend the argument or hearing, and the name and telephone number of a person that may be contacted for additional information.

(b) In a criminal case in which there is an identifiable crime victim, within 15 working days of a final decision on an appeal, the prosecuting attorney shall make a reasonable and good faith effort to provide to each affected victim oral or written notice of the decision. This notice must include a brief explanation of what effect, if any, the decision has upon the judgment of the trial court and the name and telephone number of a person that may be contacted for additional information.

Subd. 2. **Exception.** The notices described in subdivision 1 do not have to be given to victims who have previously indicated a desire not to be notified.

History: *1997 c 239 art 7 s 23*

611A.04 ORDER OF RESTITUTION.

Subdivision 1. **Request; decision.** (a) A victim of a crime has the right to receive restitution as part of the disposition of a criminal charge or juvenile delinquency proceeding against the offender if the offender is convicted or found delinquent. The court, or a person or agency designated by the court, shall request information from the victim to determine the amount of restitution owed. The court or its designee shall obtain the information from the victim in affidavit form or by other competent evidence. Information submitted relating to restitution must describe the items or elements of loss, itemize the total dollar amounts

of restitution claimed, and specify the reasons justifying these amounts, if restitution is in the form of money or property. A request for restitution may include, but is not limited to, any out-of-pocket losses resulting from the crime, including medical and therapy costs, replacement of wages and services, expenses incurred to return a child who was a victim of a crime under section 609.26 to the child's parents or lawful custodian, and funeral expenses. An actual or prospective civil action involving the alleged crime shall not be used by the court as a basis to deny a victim's right to obtain court-ordered restitution under this section. In order to be considered at the sentencing or dispositional hearing, all information regarding restitution must be received by the court administrator of the appropriate court at least three business days before the sentencing or dispositional hearing. The court administrator shall provide copies of this request to the prosecutor and the offender or the offender's attorney at least 24 hours before the sentencing or dispositional hearing. The issue of restitution is reserved or the sentencing or dispositional hearing or hearing on the restitution request may be continued if the victim's affidavit or other competent evidence submitted by the victim is not received in time. At the sentencing or dispositional hearing, the court shall give the offender an opportunity to respond to specific items of restitution and their dollar amounts in accordance with the procedures established in section 611A.045, subdivision 3.

(b) The court may amend or issue an order of restitution after the sentencing or dispositional hearing if:

(1) the offender is on probation, committed to the commissioner of corrections, or on supervised release;

(2) sufficient evidence of a right to restitution has been submitted; and

(3) the true extent of the victim's loss or the loss of the Crime Victims Reimbursement Board was not known at the time of the sentencing or dispositional hearing, or hearing on the restitution request.

If the court holds a hearing on the restitution request, the court must notify the offender, the offender's attorney, the victim, the prosecutor, and the Crime Victims Reimbursement Board at least five business days before the hearing. The court's restitution decision is governed by this section and section 611A.045.

(c) The court shall grant or deny restitution or partial restitution and shall state on the record its reasons for its decision on restitution if information relating to restitution has been presented. If the court grants partial restitution it shall also specify the full amount of restitution that may be docketed as a civil judgment under subdivision 3. The court may not require that the victim waive or otherwise forfeit any rights or causes of action as a condition of granting restitution or partial restitution. In the case of a defendant who is on probation, the court may not refuse to enforce an order for restitution solely on the grounds that the order has been docketed as a civil judgment.

Subd. 1a. **Crime board request.** The Crime Victims Reimbursement Board may request restitution on behalf of a victim by filing a copy of orders of the board, if any, which detail any amounts paid by the board to the victim. The board may file the payment order with the court administrator or with the person or agency the court has designated to obtain information relating to restitution. The board shall submit the payment order not less than three business days after it is issued by the board. The court administrator shall provide copies of the payment order to the prosecutor and the offender or the offender's attorney within 48 hours of receiving it from the board or at least 24 hours before the sentencing or dispositional hearing, whichever is earlier. By operation of law, the issue of restitution is reserved if the payment order is not received at least three days before the sentencing or dispositional hearing. The filing of a payment order for reimbursement with the court administrator shall also serve as a request for restitution by the victim. The restitution requested by the board may be considered to be both on its own behalf and on behalf of the victim. If the board has not paid reimbursement to the victim or on the victim's behalf, reimbursement may be made directly to the

victim. If the board has paid reimbursement to the victim or on the victim's behalf, the court shall order restitution payments to be made directly to the board.

Subd. 1b. **Affidavit of disclosure.** An offender who has been ordered by the court to make restitution in an amount of $500 or more shall file an affidavit of financial disclosure with the correctional agency responsible for investigating the financial resources of the offender on request of the agency. The commissioner of corrections shall prescribe what financial information the affidavit must contain.

Subd. 2. **Procedures.** The offender shall make restitution payments to the court administrator of the county, municipal, or district court of the county in which the restitution is to be paid. The court administrator shall disburse restitution in incremental payments and may not keep a restitution payment for longer than 30 days; except that the court administrator is not required to disburse a restitution payment that is under $10 unless the payment would fulfill the offender's restitution obligation. The court administrator shall keep records of the amount of restitution ordered in each case, any change made to the restitution order, and the amount of restitution actually paid by the offender. The court administrator shall forward the data collected to the state court administrator who shall compile the data and make it available to the supreme court and the legislature upon request.

Subd. 3. **Effect of order for restitution.** An order of restitution may be enforced by any person named in the order to receive the restitution, or by the Crime Victims Reimbursement Board in the same manner as a judgment in a civil action. Any order for restitution in favor of a victim shall also operate as an order for restitution in favor of the Crime Victims Reimbursement Board, if the board has paid reimbursement to the victim or on the victim's behalf. Filing fees for docketing an order of restitution as a civil judgment are waived for any victim named in the restitution order. An order of restitution shall be docketed as a civil judgment, in the name of any person named in the order and in the name of the Crime Victims Reimbursement Board, by the court administrator of the district court in the county in which the order of restitution was entered. Notwithstanding section 541.04 or any other law or rule to the contrary, an order of restitution docketed as a civil judgment does not expire until satisfied or otherwise discharged pursuant to a court order. The court administrator also shall notify the commissioner of revenue of the restitution debt in the manner provided in chapter 270A, the Revenue Recapture Act. A juvenile court is not required to appoint a guardian ad litem for a juvenile offender before docketing a restitution order. Interest shall accrue on the unpaid balance of the judgment as provided in section 549.09. Whether the order of restitution has been docketed or not, it is a debt that is not dischargeable in bankruptcy. A decision for or against restitution in any criminal or juvenile proceeding is not a bar to any civil action by the victim or by the state pursuant to section 611A.61 against the offender. The offender shall be given credit, in any order for judgment in favor of a victim in a civil action, for any restitution paid to the victim for the same injuries for which the judgment is awarded.

Subd. 4. **Payment of restitution.** When the court orders the payment of restitution and the payment of a fine, fees, surcharges, or other financial obligations, the court administrator shall apply any payments to the restitution obligation before applying payments to the fine, fees, surcharges, or other financial obligations, unless otherwise ordered by the court.

Subd. 5. **Unclaimed restitution payments.** Restitution payments held by the court for a victim that remain unclaimed by the victim for more than three years shall be deposited in the crime victims account created in section 611A.612.

At the time the deposit is made, the court shall record the name and last known address of the victim and the amount being deposited, and shall forward the data to the Crime Victims Reimbursement Board.

Subd. 6. **Estate of victim.** If a victim dies before or after a request for restitution is made or an order for restitution is issued, the personal representative of the victim's estate may request or enforce an order for restitution on behalf of the victim. If a personal representative is not appointed and no application is pending, an heir of the victim may file an affidavit to request or enforce an order for restitution pursuant to this subdivision. Appointment of a personal representative does not affect the right of other victims, as defined in section 611A.01, to request an order for restitution on their behalf.

History: *1983 c 262 art 1 s 4,6; 1985 c 110 s 1; 1986 c 463 s 10; 1Sp1986 c 3 art 1 s 82; 1987 c 244 s 2; 1987 c 254 s 11; 1989 c 21 s 4-6; 1990 c 579 s 8; 1991 c 211 s 1; 1992 c 571 art 5 s 6,7; 1993 c 326 art 6 s 8-10; 1994 c 636 art 7 s 3; 1995 c 226 art 7 s 9; 1996 c 408 art 7 s 6-8; 1997 c 239 art 7 s 24; 1999 c 136 s 1; 2013 c 39 s 1; 2014 c 204 s 11; 2023 c 52 art 5 s 79; 2026 c 71 s 4*

611A.045 PROCEDURE FOR ISSUING ORDER OF RESTITUTION.

Subdivision 1. **Criteria.** (a) The court, in determining whether to order restitution and the amount of the restitution, shall consider the following factors:

(1) the amount of economic loss sustained by the victim as a result of the offense; and

(2) the income, resources, and obligations of the defendant.

(b) If there is more than one victim of a crime, the court shall give priority to victims who are not governmental entities when ordering restitution.

Subd. 2. **Presentence investigation.** The presentence investigation report made pursuant to section 609.115, subdivision 1, must contain information pertaining to the factors set forth in subdivision 1.

Subd. 2a. **Payment structure.** The court shall include in every restitution order a provision requiring a payment schedule or structure. The court may assign the responsibility for developing the schedule or structure to the court administrator, a probation officer, or another designated person. The person who develops the payment schedule or structure shall consider relevant information supplied by the defendant. If the defendant is placed on supervised probation, the payment schedule or structure must be incorporated into the probation agreement and must provide that the obligation to pay restitution continues throughout the term of probation. If the defendant is not placed on probation, the structure or schedule must provide that the obligation to pay restitution begins no later than 60 days after the restitution order is issued.

Subd. 3. **Dispute; evidentiary burden; procedures.** (a) At the sentencing, dispositional hearing, or hearing on the restitution request, the offender shall have the burden to produce evidence if the offender intends to challenge the amount of restitution or specific items of restitution or their dollar amounts. This burden of production must include a detailed sworn affidavit of the offender setting forth all challenges to the restitution or items of restitution, and specifying all reasons justifying dollar amounts of restitution which differ from the amounts requested by the victim or victims. The affidavit must be served on the prosecuting attorney and the court at least five business days before the hearing. A dispute as to the proper amount or type of restitution must be resolved by the court by the preponderance of the evidence. The burden of demonstrating the amount of loss sustained by a victim as a result of the offense and the appropriateness of a particular type of restitution is on the prosecution.

(b) An offender may challenge restitution, but must do so by requesting a hearing within 30 days of receiving written notification of the amount of restitution requested, or within 30 days of sentencing,

whichever is later. The hearing request must be made in writing and filed with the court administrator. A defendant may not challenge restitution after the 30-day time period has passed.

History: *1985 c 110 s 2; 1989 c 21 s 7; 1994 c 636 art 7 s 4; 1997 c 239 art 7 s 25; 1999 c 38 s 1; 2014 c 245 s 2*

611A.046 VICTIM'S RIGHT TO REQUEST PROBATION REVIEW HEARING.

A victim has the right to ask the offender's probation officer to request a probation review hearing if the offender fails to pay restitution as required in a restitution order.

History: *1989 c 21 s 8*

611A.05 PENALTIES NO BAR TO CIVIL REMEDIES.

The provision in any law for a penalty or forfeiture for its violation shall not be construed to deprive an injured person of the right to recover from the offender damages sustained by reason of the violation of such law.

History: *1941 c 492 s 23; 1983 c 262 art 1 s 6*

611A.06 RIGHT TO NOTICES; RELEASE; END OF CONFINEMENT REVIEW PROCESS; EXPUNGEMENT; ESCAPE.

Subdivision 1. **Notice of release required.** (a) The commissioner of corrections or other custodial authority shall make a good faith effort to notify the victim that the offender is to be released from imprisonment or incarceration, including release on extended furlough and for work release and release from a juvenile correctional facility, or if the offender's custody status is reduced. These notices shall only be provided to victims who have submitted a written request for notification to the head of the county correctional facility in which the offender is confined, or if committed to the Department of Corrections, submitted a written request for this notice to the commissioner of corrections or electronic request through the Department of Corrections electronic victim notification system. The good faith effort to notify the victim must occur prior to the offender's release or when the offender's custody status is reduced. For a victim of a felony crime against the person for which the offender was sentenced to imprisonment for more than 18 months, the good faith effort to notify the victim must occur 60 days before the offender's release.

(b) The Direct Care and Treatment executive board shall make a good faith effort to notify the victim in writing that the offender is to be released from confinement in a facility due to incompetency, mental illness, or mental deficiency, or commitment under section 253B.18 or chapter 253D if the victim has submitted a written request for notification to the executive director of the facility in which the individual is confined.

Subd. 1a. **Notice of expungement required.** The prosecuting authority with jurisdiction over an offense for which expungement is being sought shall make a good faith effort to notify a victim that the expungement is being sought if: (1) the victim has mailed to the prosecuting authority with jurisdiction over an offense for which expungement is being sought a written request for this notice, or (2) the victim has indicated on a request for notice of expungement submitted under subdivision 1 a desire to be notified in the event the offender seeks an expungement for the offense.

A copy of any written request for a notice of expungement request received by the commissioner of corrections or other custodial authority shall be forwarded to the prosecutorial authority with jurisdiction over the offense to which the notice relates. The prosecutorial authority complies with this section upon

mailing a copy of an expungement petition relating to the notice to the address which the victim has most recently provided in writing.

Subd. 2. **Contents of notice.** The notice given to a victim of a crime against a person must include the conditions governing the offender's release, and either the identity of the corrections agent who will be supervising the offender's release or a means to identify the court services agency that will be supervising the offender's release. The commissioner or other custodial authority complies with this section upon mailing the notice of impending release to the victim at the address which the victim has most recently provided to the commissioner or authority in writing, or by providing electronic notice to the victim who requested this notice through the Department of Corrections electronic victim notification system.

Subd. 2a. **Notice of end-of-confinement review committee process and opportunity to provide input.** If an individual scheduled to be released from imprisonment is subject to an end-of-confinement review under section 244.052, the commissioner of corrections shall make a good faith effort to notify the victim of the end-of-confinement review process and that the victim has a right to submit written input for consideration at the end-of-confinement review hearing. The victim has a continuing right to submit input if the end-of-confinement review committee receives a request to reassess the individual's assigned risk level. These notices shall only be provided to victims who have submitted a written request for this notice to the commissioner of corrections or an electronic request through the Department of Corrections electronic victim notification system. The good faith effort to notify the victim must occur before the offender's end-of-confinement review hearing and provide sufficient time for the input to be considered in the end-of-confinement determination.

Subd. 3. **Notice of escape.** If an offender escapes from imprisonment or incarceration, including from release on extended furlough or work release, or from any facility described in subdivision 1, the commissioner or other custodial authority shall make all reasonable efforts to notify a victim who has requested notice of the offender's release under subdivision 1 within six hours after discovering the escape and shall also make reasonable efforts to notify the victim within 24 hours after the offender is apprehended.

Subd. 3a. **Offender location.** The commissioner of corrections or the commissioner's designee may disclose to the victim of an offender notification of the city and five-digit zip code of the offender's residency upon release from a Department of Corrections facility, unless the commissioner or the commissioner's designee reasonably believes that disclosure of the city or zip code of the offender's residency creates a risk to the victim, offender, or public safety.

Subd. 3b. **Notice of submission of apology letter.** (a) The commissioner of corrections or other custodial authority shall make a good faith effort to notify the victim that the offender has submitted a letter of apology. Notices shall only be provided to victims who have submitted a written request for notification to the head of the county correctional facility in which the offender is confined, or if committed to the Department of Corrections, submitted a written request for the notice to the commissioner of corrections or an electronic request through the Department of Corrections electronic victim notification system. The good faith effort to notify the victim must occur within 90 days of the filing of the apology letter.

(b) Upon request, the commissioner of corrections or other custodial authority shall notify the Board of Pardons, the Clemency Review Commission, or a court that the offender submitted a letter of apology.

(c) The content of a letter of apology submitted by an offender is private data on individuals, as defined in section 13.02, subdivision 12, or nonpublic data, as defined in section 13.02, subdivision 9, except that the letter may be provided to the intended recipient upon request.

Subd. 4. **Private data.** All identifying information regarding the victim, including the victim's request and the notice provided by the commissioner or custodial authority, is classified as private data on individuals as defined in section 13.02, subdivision 12, and is accessible only to the victim.

Subd. 5. **Definition.** As used in this section, "crime against the person" means a crime listed in section 611A.031.

History: *1983 c 262 art 1 s 5; 1986 c 444; 1986 c 445 s 4; 1986 c 463 s 11; 1987 c 224 s 3; 1988 c 649 s 4; 1989 c 190 s 4; 1990 c 579 s 9; 1991 c 170 s 5; 1993 c 326 art 6 s 11; art 13 s 35; 1994 c 636 art 7 s 5; 1Sp1994 c 1 art 2 s 33; 2001 c 209 s 7; 2012 c 155 s 8,9; 2013 c 49 s 22; 2014 c 312 art 6 s 5; 1Sp2021 c 11 art 6 s 6; 2024 c 79 art 10 s 3; 2024 c 123 art 2 s 7; art 8 s 24; 2025 c 35 art 6 s 4*

ELECTRONIC MONITORING

611A.07 ELECTRONIC MONITORING TO PROTECT DOMESTIC ABUSE VICTIMS; STANDARDS.

Subdivision 1. **Generally.** The commissioner of corrections, after considering the recommendations of the Advisory Council on Battered Women and Domestic Abuse and the Sexual Assault Advisory Council, and in collaboration with the commissioner of public safety, shall adopt standards governing electronic monitoring devices used to protect victims of domestic abuse. In developing proposed standards, the commissioner shall consider the experience of the courts in the Tenth Judicial District in the use of the devices to protect victims of domestic abuse. These standards shall promote the safety of the victim and shall include measures to avoid the disparate use of the device with communities of color, product standards, monitoring agency standards, and victim disclosure standards.

Subd. 2. MS 1994 [Repealed, 1996 c 310 s 1]

History: *1992 c 571 art 6 s 20; 2000 c 445 art 2 s 9*

BARRING PERPETRATOR RECOVERY

611A.08 BARRING PERPETRATORS OF CRIMES FROM RECOVERING FOR INJURIES SUSTAINED DURING CRIMINAL CONDUCT.

Subdivision 1. **Definitions.** As used in this section:

(1) "perpetrator" means a person who has engaged in criminal conduct and includes a person convicted of a crime;

(2) "victim" means a person who was the object of another's criminal conduct and includes a person at the scene of an emergency who gives reasonable assistance to another person who is exposed to or has suffered grave physical harm;

(3) "course of criminal conduct" includes the acts or omissions of a victim in resisting criminal conduct; and

(4) "convicted" includes a finding of guilt, whether or not the adjudication of guilt is stayed or executed, an unwithdrawn judicial admission of guilt or guilty plea, a no contest plea, a judgment of conviction, an adjudication as a delinquent child, an admission to a juvenile delinquency petition, or a disposition as an extended jurisdiction juvenile.

Subd. 2. **Perpetrator's assumption of risk.** A perpetrator assumes the risk of loss, injury, or death resulting from or arising out of a course of criminal conduct involving a violent crime, as defined in this section, engaged in by the perpetrator or an accomplice, as defined in section 609.05, and the crime victim is immune from and not liable for any civil damages as a result of acts or omissions of the victim if the victim used reasonable force as authorized in section 609.06 or 609.065.

Subd. 3. **Evidence.** Notwithstanding other evidence which the victim may adduce relating to the perpetrator's conviction of the violent crime involving the parties to the civil action, a certified copy of: a guilty plea; a court judgment of guilt; a court record of conviction as specified in section 599.24, 599.25, or 609.041; an adjudication as a delinquent child; or a disposition as an extended jurisdiction juvenile pursuant to section 260B.130 is conclusive proof of the perpetrator's assumption of the risk.

Subd. 4. **Attorney fees to victim.** If the perpetrator does not prevail in a civil action that is subject to this section, the court may award reasonable expenses, including attorney's fees and disbursements, to the victim.

Subd. 5. **Stay of civil action.** Except to the extent needed to preserve evidence, any civil action in which the defense set forth in subdivision 1 or 2 is raised shall be stayed by the court on the motion of the defendant during the pendency of any criminal action against the plaintiff based on the alleged violent crime.

Subd. 6. **Violent crime; definition.** For purposes of this section, "violent crime" means an offense named in sections 609.185; 609.19; 609.195; 609.20; 609.205; 609.221; 609.222; 609.223; 609.2231; 609.24; 609.245; 609.247; 609.25; 609.255; 609.342; 609.343; 609.344; 609.345; 609.3458; 609.561; 609.562; 609.563; and 609.582, or an attempt to commit any of these offenses. "Violent crime" includes crimes in other states or jurisdictions which would have been within the definition set forth in this subdivision if they had been committed in this state.

History: *1995 c 226 art 6 s 15; 1999 c 139 art 4 s 2; 1Sp2021 c 11 art 4 s 31; 2023 c 52 art 20 s 30*

DOMESTIC VIOLENCE AND SEXUAL ASSAULT

611A.19 TESTING SEX OFFENDER FOR HUMAN IMMUNODEFICIENCY VIRUS.

Subdivision 1. **Testing on request of victim.** (a) Upon the request or with the consent of the victim, the prosecutor shall make a motion in camera and the sentencing court shall issue an order requiring an adult convicted of or a juvenile adjudicated delinquent for violating section 609.342 (criminal sexual conduct in the first degree), 609.343 (criminal sexual conduct in the second degree), 609.344 (criminal sexual conduct in the third degree), 609.345 (criminal sexual conduct in the fourth degree), 609.3458 (sexual extortion), or any other violent crime, as defined in section 609.1095, to submit to testing to determine the presence of human immunodeficiency virus (HIV) antibody if:

(1) the crime involved sexual penetration, however slight, as defined in section 609.341, subdivision 12; or

(2) evidence exists that the broken skin or mucous membrane of the victim was exposed to or had contact with the offender's semen or blood during the commission of the crime in a manner which has been demonstrated epidemiologically to transmit the human immunodeficiency virus (HIV).

(b) When the court orders an offender to submit to testing under paragraph (a), the court shall order that the test be performed by an appropriate health professional who is trained to provide the counseling described in section 144.7414, and that no reference to the test, the motion requesting the test, the test order, or the

test results may appear in the criminal record or be maintained in any record of the court or court services, except in the medical record maintained by the Department of Corrections.

(c) The order shall include the name and contact information of the victim's choice of health care provider.

Subd. 2. **Disclosure of test results.** The date and results of a test performed under subdivision 1 are private data as defined in section 13.02, subdivision 12, when maintained by a person subject to chapter 13, or may be released only with the subject's consent, if maintained by a person not subject to chapter 13. The results are available, on request, to the victim or, if the victim is a minor, to the victim's parent or guardian and positive test results shall be reported to the commissioner of health. Unless the subject of the test is an inmate at a state correctional facility, any test results given to a victim or victim's parent or guardian shall be provided by a health professional who is trained to provide the counseling described in section 144.7414. If the subject of the test is an inmate at a state correctional facility, test results shall be given by the Department of Corrections' medical director to the victim's health care provider who shall give the results to the victim or victim's parent or guardian. Data regarding administration and results of the test are not accessible to any other person for any purpose and shall not be maintained in any record of the court or court services or any other record. After the test results are given to the victim or the victim's parent or guardian, data on the test must be removed from any medical data or health records maintained under sections 13.384 or 144.291 to 144.298 and destroyed, except for those medical records maintained by the Department of Corrections.

History: *1992 c 569 s 27; 1994 c 636 art 7 s 6; 1995 c 226 art 7 s 10; 1998 c 367 art 6 s 15; 1999 c 227 s 22; 2000 c 422 s 53,54; 2001 c 202 s 16; 2001 c 210 s 27; 2005 c 136 art 8 s 24; 2007 c 147 art 10 s 15; 1Sp2021 c 11 art 4 s 31*

611A.20 NOTICE OF RISK OF SEXUALLY TRANSMITTED DISEASE.

Subdivision 1. **Notice required.** A hospital shall give a written notice about sexually transmitted diseases to a person receiving medical services in the hospital who reports or evidences a sexual assault or other unwanted sexual contact or sexual penetration. When appropriate, the notice must be given to the parent or guardian of the victim.

Subd. 2. **Contents of notice.** The commissioners of public safety and corrections, in consultation with sexual assault victim advocates and health care professionals, shall develop the notice required by subdivision 1. The notice must inform the victim of:

(1) the risk of contracting sexually transmitted diseases as a result of a sexual assault;

(2) the symptoms of sexually transmitted diseases;

(3) recommendations for periodic testing for the diseases, where appropriate;

(4) locations where confidential testing is done and the extent of the confidentiality provided;

(5) information necessary to make an informed decision whether to request a test of the offender under section 611A.19; and

(6) other medically relevant information.

History: *1990 c 436 s 1; 1992 c 569 s 28*

611A.201 DIRECTOR OF PREVENTION OF DOMESTIC VIOLENCE AND SEXUAL ASSAULT.

Subdivision 1. **Appointment of director.** The executive director of the Office of Justice Programs in the Department of Public Safety shall appoint a person to serve as director of domestic violence and sexual assault prevention in the office. The director must have experience in domestic violence and sexual assault prevention issues. The director serves at the executive director's pleasure in the unclassified service. The executive director may appoint, supervise, discipline, and discharge employees to assist the director in carrying out the director's responsibilities under this section.

Subd. 2. **Director's responsibilities.** The director shall have the following duties:

(1) advocate for the rights of victims of domestic violence and sexual assault;

(2) increase public education and visibility about the prevention of domestic violence and sexual assault;

(3) encourage accountability regarding domestic violence and sexual assault at all levels of the system, and develop recommendations to improve accountability when the system fails;

(4) support prosecution and civil litigation efforts regarding domestic violence and sexual assault at the federal and state levels;

(5) study issues involving domestic violence and sexual assault as they pertain to both men and women and present findings and recommendations resulting from these studies to all branches of government;

(6) initiate policy changes regarding domestic violence and sexual assault at all levels of government;

(7) coordinate existing resources and promote coordinated and immediate community responses to better serve victims of domestic violence and sexual assault;

(8) build partnerships among law enforcement, prosecutors, defenders, advocates, and courts to reduce the occurrence of domestic violence and sexual assault;

(9) encourage and support the efforts of health care providers, mental health experts, employers, educators, clergy members, and others, in raising awareness of and addressing how to prevent domestic violence and sexual assault;

(10) coordinate and maximize the use of federal, state, and local resources available to prevent domestic violence and sexual assault and leverage more resources through grants and private funding; and

(11) serve as a liaison between the executive director of the Office of Justice Programs in the Department of Public Safety and the commissioner of health with regard to the Department of Health's sexual violence prevention program funded by federal block grants, and oversee how this money is spent.

Subd. 3. MS 2006 [Repealed, 2007 c 13 art 2 s 14]

Subd. 4. **Annual report.** By January 15 of each year, the director shall report to the governor and the legislature on matters within the director's jurisdiction. In addition to other issues deemed relevant by the director, the report may include recommendations for changes in policies and laws relating to domestic violence and sexual assault prevention.

Subd. 5. **Other responsibilities.** In addition to those described in this section, the executive director of the office may assign other appropriate responsibilities to the director.

History: *2000 c 368 s 1; 1Sp2001 c 8 art 10 s 17; 2013 c 125 art 1 s 89-91*

611A.202 MS 2004 [Expired]

611A.203 DOMESTIC FATALITY REVIEW TEAMS.

Subdivision 1. **Domestic fatality review teams; purpose.** A judicial district may establish a domestic fatality review team to review domestic violence deaths that have occurred in the district. The team may review cases in which prosecution has been completed or the prosecutorial authority has decided not to pursue the case. The purpose of the review team is to assess domestic violence deaths in order to develop recommendations for policies and protocols for community prevention and intervention initiatives to reduce and eliminate the incidence of domestic violence and resulting fatalities.

Subd. 2. **Definition of domestic violence death.** "Domestic violence death" means a homicide or suicide under any of the following circumstances:

(1) the alleged perpetrator and victim resided together at any time;

(2) the alleged perpetrator and victim have a child in common, regardless of whether they were married or lived together at any time;

(3) the alleged perpetrator and victim were married, separated, or divorced;

(4) the alleged perpetrator and victim had a sexual relationship or a significant romantic relationship;

(5) the alleged perpetrator had been harassing or stalking the victim;

(6) the homicide victim lived in the same household, was present in the workplace of, was in proximity of, or was related by blood or affinity to a victim who experienced or was threatened with domestic abuse by the alleged perpetrator;

(7) the victim or the perpetrator was a child of a person in a relationship that is described within this definition; or

(8) any other circumstances that the domestic fatality review team decides fall within the parameters of its mission.

"Domestic violence death" must be interpreted broadly to give the domestic fatality review team discretion to review fatalities that have occurred both directly and peripherally to domestic relationships.

Subd. 3. **Membership.** (a) The chief judge, in consultation with the family violence coordinating council, shall appoint the members of the domestic fatality review team. Membership must reflect a commitment to diversity and relevant professional experience. The review team members must include:

(1) the medical examiner;

(2) a judicial court officer (judge or referee);

(3) a county and city attorney and a public defender;

(4) the county sheriff and a peace officer;

(5) a representative from family court services and the Department of Corrections;

(6) a physician familiar with domestic violence issues;

(7) a representative from district court administration and the domestic abuse service center;

(8) a public citizen representative or a representative from a civic organization;

(9) a mental health professional; and

(10) domestic violence advocates or shelter workers.

(b) There must be at least three domestic violence advocates or shelter workers on the domestic fatality review team. No two members may represent the same agency. Members representing advocates or shelters must be selected by the advocacy community. At least one position must be designated for a minority representative and one position must rotate in order to include an advocate from the community in which the fatality under review took place.

(c) The domestic fatality review team may also invite other relevant persons to serve on an ad hoc basis and participate as full members of the review team for a particular review. These persons may include, but are not limited to:

(1) individuals with particular expertise that would be helpful to the review panel; or

(2) representatives of organizations or agencies that had contact with or provided services to the homicide victim, or to the alleged perpetrator, a victim who experienced or was threatened with domestic abuse by the alleged perpetrator, or a family member of one of those individuals.

Subd. 4. **Duties; access to data.** (a) The domestic fatality review team shall collect, review, and analyze death certificates and death data, including investigative reports, medical and counseling records, victim service records, employment records, child abuse reports, or other information concerning domestic violence deaths, survivor interviews and surveys, and other information deemed by the team as necessary and appropriate concerning the causes and manner of domestic violence deaths.

(b) The review team has access to the following not public data, as defined in section 13.02, subdivision 8a, relating to a case being reviewed by the team: inactive law enforcement investigative data under section 13.82; autopsy records and coroner or medical examiner investigative data under section 13.83; hospital, public health, or other medical records of the victim under section 13.384; records under section 13.46, created by social service agencies that provided services to the victim, the alleged perpetrator, or another victim who experienced or was threatened with domestic abuse by the perpetrator; and child maltreatment records under chapter 260E, relating to the victim or a family or household member of the victim. Access to medical records under this paragraph also includes records governed by sections 144.291 to 144.298. The review team has access to corrections and detention data as provided in section 13.85.

(c) As part of any review, the domestic fatality review team may compel the production of other records by applying to the district court for a subpoena, which will be effective throughout the state according to the Rules of Civil Procedure.

Subd. 5. **Confidentiality; data privacy.** A person attending a domestic fatality review team meeting may not disclose what transpired at the meeting, except to carry out the purposes of the review team or as otherwise provided in this subdivision. The review team may disclose the names of the victims in the cases it reviewed. The proceedings and records of the review team are confidential data as defined in section 13.02, subdivision 3, or protected nonpublic data as defined in section 13.02, subdivision 13, regardless of their classification in the hands of the person who provided the data, and are not subject to discovery or introduction into evidence in a civil or criminal action against a professional, the state, or a county agency, arising out of the matters the team is reviewing. Information, documents, and records otherwise available from other sources are not immune from discovery or use in a civil or criminal action solely because they were presented during proceedings of the review team. This section does not limit a person who presented information

before the review team or who is a member of the panel from testifying about matters within the person's knowledge. However, in a civil or criminal proceeding, a person may not be questioned about the person's good faith presentation of information to the review team or opinions formed by the person as a result of the review team meetings.

Subd. 6. **Immunity.** Members of the domestic fatality advisory board, members of the domestic fatality review team, and members of each review panel, as well as their agents or employees, are immune from claims and are not subject to any suits, liability, damages, or any other recourse, civil or criminal, arising from any act, proceeding, decision, or determination undertaken or performed or recommendation made by the domestic fatality review team, provided they acted in good faith and without malice in carrying out their responsibilities. Good faith is presumed until proven otherwise and the complainant has the burden of proving malice or a lack of good faith. No organization, institution, or person furnishing information, data, testimony, reports, or records to the domestic fatality review team as part of an investigation is civilly or criminally liable or subject to any other recourse for providing the information.

Subd. 7. **Evaluation and report.** (a) Each domestic fatality review team shall develop a system for evaluating the effectiveness of its program and shall focus on identifiable goals and outcomes. An evaluation must include data components as well as input from individuals involved in the review process.

(b) Each fatality review team shall issue an annual report to the chairs and ranking minority members of the senate and house of representatives committees with jurisdiction over public safety issues. The report must consist of the written aggregate recommendations of the domestic fatality review team without reference to specific cases. The report must be available upon request and distributed to the governor, attorney general, supreme court, county board, and district court.

History: *2009 c 59 art 2 s 2; 2013 c 82 s 37; 1Sp2019 c 5 art 2 s 29; 1Sp2020 c 2 art 8 s 142*

611A.21 MS 2012 [Repealed, 2014 c 212 art 1 s 15]

611A.211 PROGRAMS FOR VICTIMS OF SEXUAL ASSAULT.

Subdivision 1. **Grants.** The commissioner of public safety shall award grants to programs which provide support services or emergency shelter and housing supports as defined by section 611A.31 to victims of sexual assault. The commissioner shall also award grants for training, technical assistance, and the development and implementation of education programs to increase public awareness of the causes of sexual assault, the solutions to preventing and ending sexual assault, and the problems faced by sexual assault victims.

Subd. 2. **Applications.** Any public or private nonprofit agency may apply to the commissioner for a grant to provide services to victims of sexual assault. The application shall be submitted in a form approved by the commissioner.

Subd. 3. **Duties of grantees.** Every public or private nonprofit agency which receives a grant to provide services to victims of sexual assault shall comply with rules of the commissioner related to the administration of the grant programs.

Subd. 4. **Sexual assault.** For the purposes of this section, "sexual assault" means any violation of sections 609.342 to 609.3453.

History: *2014 c 212 art 1 s 8; 2023 c 52 art 5 s 51*

611A.212 PROGRAMS FOR SEXUAL ASSAULT PRIMARY PREVENTION.

Subdivision 1. **Grants.** The commissioner of public safety shall award grants for statewide organizations to provide subgrants, support, resources, and technical assistance to sexual assault programs that provide sexual assault primary prevention services to prevent initial perpetration or victimization of sexual assault.

Subd. 2. **Applications.** Any public or private nonprofit agency may apply to the commissioner for a grant. The commissioner may give preference to applications from an agency receiving a grant from the programs for victims of sexual assault under section 611A.211. The application shall be submitted in a form approved by the commissioner.

Subd. 3. **Duties of grantees.** Every public or private nonprofit agency that receives a grant to provide sexual assault primary prevention services shall comply with rules of the commissioner related to the administration of the grant programs.

Subd. 4. **Sexual assault.** For the purpose of this section, "sexual assault" means a violation of sections 609.342 to 609.3453.

History: *2015 c 65 art 1 s 20; 2024 c 123 art 2 s 8*

611A.22 MS 2012 [Repealed, 2014 c 212 art 1 s 15]

611A.221 MS 2012 [Repealed, 2014 c 212 art 1 s 15]

611A.23 MS 1994 [Repealed, 1996 c 310 s 1]

611A.24 MS 1986 [Repealed, 1985 c 262 s 7]

611A.25 Subdivision 1. MS 2006 [Repealed, 2007 c 133 art 2 s 13]

Subd. 2. MS 2006 [Repealed, 2007 c 133 art 2 s 13]

Subd. 3. MS 2006 [Repealed, 2007 c 133 art 2 s 13]

Subd. 4. MS 1991 Supp [Repealed, 1991 c 272 s 20; 2007 c 133 art 2 s 13]

Subd. 5. MS 2006 [Repealed, 2007 c 133 art 2 s 13]

611A.26 POLYGRAPH EXAMINATIONS; CRIMINAL SEXUAL CONDUCT COMPLAINTS; LIMITATIONS.

Subdivision 1. **Polygraph prohibition.** No law enforcement agency or prosecutor shall require that a complainant of a criminal sexual conduct or sex trafficking offense submit to a polygraph examination as part of or a condition to proceeding with the investigation, charging, or prosecution of such offense.

Subd. 2. **Law enforcement inquiry.** A law enforcement agency or prosecutor may not ask that a complainant of a criminal sexual conduct offense submit to a polygraph examination as part of the investigation, charging, or prosecution of such offense unless the complainant has been referred to, and had the opportunity to exercise the option of consulting with a sexual assault counselor as defined in section 595.02, subdivision 1, paragraph (k).

Subd. 3. **Informed consent requirement.** At the request of the complainant, a law enforcement agency may conduct a polygraph examination of the complainant only with the complainant's written, informed consent as provided in this subdivision.

Subd. 4. **Informed consent.** To consent to a polygraph, a complainant must be informed in writing that:

(1) the taking of the polygraph examination is voluntary and solely at the victim's request;

(2) a law enforcement agency or prosecutor may not ask or require that the complainant submit to a polygraph examination;

(3) the results of the examination are not admissible in court; and

(4) the complainant's refusal to take a polygraph examination may not be used as a basis by the law enforcement agency or prosecutor not to investigate, charge, or prosecute the offender.

Subd. 5. **Polygraph refusal.** A complainant's refusal to submit to a polygraph examination shall not prevent the investigation, charging, or prosecution of the offense.

Subd. 6. **Definitions.** For the purposes of this section, the following terms have the meanings given.

(a) "Criminal sexual conduct" means a violation of section 609.342, 609.343, 609.344, 609.345, 609.3451, or 609.3458.

(b) "Sex trafficking" means a violation of section 609.322.

(c) "Complainant" means a person reporting to have been subjected to criminal sexual conduct or sex trafficking.

(d) "Polygraph examination" means any mechanical or electrical instrument or device of any type used or allegedly used to examine, test, or question individuals for the purpose of determining truthfulness.

History: *2007 c 54 art 4 s 7; 2015 c 65 art 6 s 18,19; 1Sp2021 c 11 art 4 s 31*

611A.27 VICTIM RIGHTS TO SEXUAL ASSAULT EVIDENCE INFORMATION.

Subdivision 1. **Access to law enforcement data.** (a) Upon written request from the victim or victim's designee as described in subdivision 2, the investigating law enforcement agency shall release the following active investigative data, as defined in section 13.82, subdivision 7, to a victim of sexual assault about a submitted sexual assault examination kit, as defined in section 299C.106, subdivision 1, paragraph (g):

(1) the date that a sexual assault examination kit was submitted to a forensic laboratory, as defined in section 299C.157, subdivision 1, clause (2), and the date that the agency received notice of the results of that testing; and

(2) whether a DNA profile was obtained from the testing.

(b) The agency may refuse the request under paragraph (a) if the release of that data will interfere with the investigation.

Subd. 2. **Responding to a victim request for data.** No later than January 1, 2019, each law enforcement agency shall adopt policies and procedures subject to section 13.82, subdivision 7, to provide investigative data under this section that includes but is not limited to the following requirements:

(1) agency identification of a representative or representatives to respond to requests for data from sexual assault victims and to serve as a liaison between the agency and the forensic laboratory;

(2) agency response to inquiries within 30 days of receipt, unless the agency declines to provide the information under subdivision 1, paragraph (b);

(3) the sexual assault victim can designate another person to request information on the victim's behalf by providing written authorization to the agency except that an agency can decline to provide the information under subdivision 1, paragraph (b); and

(4) agency development of a procedure that allows a sexual assault victim to contact the agency representative to request that a restricted kit as defined in section 299C.106, subdivision 1, paragraph (e), be reclassified as an unrestricted kit as defined in section 299C.106, subdivision 1, paragraph (h), if the restricted kit is in the possession of the agency.

History: *2018 c 160 s 3*

611A.31 DEFINITIONS.

Subdivision 1. **Scope.** For the purposes of sections 611A.31 to 611A.35, the following terms have the meanings given.

Subd. 2. **Domestic abuse victim.** "Domestic abuse victim" means a person who is being or has been victimized by domestic abuse as defined in section 518B.01, subdivision 2.

Subd. 3. **Emergency shelter services.** "Emergency shelter services" include, but are not limited to, secure crisis shelters for domestic abuse victims and housing networks for domestic abuse victims.

Subd. 3a. **Housing supports.** "Housing supports" means services and supports used to enable victims to secure and maintain transitional and permanent housing placement. Housing supports include but are not limited to rental assistance and financial assistance to maintain housing stability. Transitional housing placements may take place in communal living, clustered site or scattered site programs, or other transitional housing models.

Subd. 4. **Support services.** "Support services" include, but are not limited to, advocacy services, legal services, counseling services, transportation services, child care services, and 24 hour information and referral services.

Subd. 5. **Commissioner.** "Commissioner" means the commissioner of the Department of Public Safety or a designee.

History: *1977 c 428 s 1; 1983 c 262 art 1 s 6; 1986 c 444; 1991 c 272 s 8; 1995 c 226 art 7 s 11; 2015 c 65 art 3 s 21; 2023 c 52 art 5 s 52-54; 2026 c 97 art 1 s 31*

611A.32 DOMESTIC ABUSE PROGRAMS.

Subdivision 1. **Grants awarded.** The commissioner shall award grants to programs which provide emergency shelter services, housing supports, and support services to domestic abuse victims and their children. The commissioner shall also award grants for training, technical assistance, and for the development and implementation of education programs to increase public awareness of the causes of domestic abuse, the solutions to preventing and ending domestic violence, and the problems faced by domestic abuse victims. Grants shall be awarded in a manner that ensures that they are equitably distributed to programs serving metropolitan and nonmetropolitan populations.

Subd. 1a. **Program for American Indian domestic abuse victims.** The commissioner shall establish at least one program under this section to provide emergency shelter services and support services to American Indian domestic abuse victims and their children. The commissioner shall grant continuing operating expenses to the program established under this subdivision in the same manner as operating expenses are granted to programs established under subdivision 1.

Subd. 2. **Applications.** Any public or private nonprofit agency may apply to the commissioner for a grant to provide emergency shelter services, housing supports, support services, and one or more of these services and supports to domestic abuse victims and their children. The application shall be submitted in a form approved by the commissioner by rule adopted under chapter 14 and shall include:

(1) a proposal for the provision of emergency shelter services, housing supports, support services, and one or more of these services and supports for domestic abuse victims and their children;

(2) a proposed budget;

(3) the agency's overall operating budget, including documentation on the retention of financial reserves and availability of additional funding sources;

(4) evidence of an ability to integrate into the proposed program the uniform method of data collection and program evaluation established under section 611A.33;

(5) evidence of an ability to represent the interests of domestic abuse victims and their children to local law enforcement agencies and courts, county welfare agencies, and local boards or departments of health;

(6) evidence of an ability to do outreach to unserved and underserved populations and to provide culturally and linguistically appropriate services; and

(7) any other content the commissioner may require by rule adopted under chapter 14.

Programs which have been approved for grants in prior years may submit materials which indicate changes in items listed in clauses (1) to (7), in order to qualify for renewal funding. Nothing in this subdivision may be construed to require programs to submit complete applications for each year of renewal funding.

Subd. 3. **Duties of grantees.** Every public or private nonprofit agency which receives a grant to provide emergency shelter services, housing supports, or support services to domestic abuse victims shall comply with all rules of the commissioner related to the administration of the programs.

Subd. 4. MS 1990 [Repealed, 1991 c 272 s 20]

Subd. 5. **Classification of data collected by grantees.** Personal history information and other information collected, used or maintained by a grantee from which the identity or location of any victim of domestic abuse may be determined is private data on individuals, as defined in section 13.02, subdivision 12, and the grantee shall maintain the data in accordance with the provisions of chapter 13.

History: *1977 c 428 s 2; 1978 c 732 s 1-3; 1981 c 311 s 39; 1Sp1981 c 4 art 1 s 14; 1982 c 545 s 24; 1983 c 262 art 1 s 6; 1988 c 689 art 2 s 237; 1991 c 272 s 9,10; 1992 c 571 art 6 s 21; 2000 c 445 art 2 s 10-13; 2010 c 215 art 11 s 17; 2014 c 286 art 6 s 3; 2023 c 52 art 5 s 55*

611A.33 DUTIES OF COMMISSIONER.

The commissioner shall:

(1) review applications for and award grants to a program pursuant to section 611A.32, subdivision 1;

(2) appoint a program director to perform the duties set forth in section 611A.35;

(3) design and implement a uniform method of collecting data on domestic abuse victims to be used to evaluate the programs funded under section 611A.32;

(4) provide technical aid to applicants in the development of grant requests and provide technical aid to programs in meeting the data collection requirements established by the commissioner; and

(5) adopt, under chapter 14, all rules necessary to implement the provisions of sections 611A.31 to 611A.35.

History: *1977 c 428 s 3; 1978 c 732 s 4; 1983 c 262 art 1 s 6; 1991 c 272 s 11; 2000 c 445 art 2 s 14; 2014 c 286 art 6 s 4; 2015 c 65 art 3 s 22*

611A.34 MS 2012 [Repealed, 2014 c 286 art 6 s 9]

611A.345 DIRECTOR RECOMMENDATIONS.

The commissioner shall consider the domestic abuse program director's recommendations before awarding grants or adopting policies regarding the planning, development, data collection, rulemaking, funding or evaluation of programs and services for domestic abuse victims funded under section 611A.32. Before taking action on matters related to programs and services for domestic abuse victims and their children, except day-to-day administrative operations, the commissioner shall notify the domestic abuse program director of the intended action. Notification of grant award decisions shall be given to the domestic abuse program director in time to allow the director to request reconsideration.

History: *1991 c 272 s 13; 2000 c 445 art 2 s 18; 2014 c 286 art 6 s 5; 2026 c 97 art 1 s 33*

611A.35 DOMESTIC ABUSE PROGRAM DIRECTOR.

The commissioner shall appoint a program director. The program director shall administer the funds appropriated for sections 611A.31 to 611A.35 and perform other duties related to domestic abuse programs as the commissioner may assign. The program director shall serve at the pleasure of the commissioner in the unclassified service.

History: *1977 c 428 s 5; 1983 c 262 art 1 s 6; 1986 c 444; 1991 c 272 s 14; 2000 c 445 art 2 s 19; 2014 c 286 art 6 s 6; 2015 c 65 art 3 s 23; 2026 c 97 art 1 s 33*

611A.36 MS 2012 [Repealed, 2014 c 212 art 1 s 15]

611A.361 Subdivision 1. MS 2006 [Repealed, 2007 c 133 art 2 s 13]

Subd. 2. MS 2006 [Repealed, 2007 c 133 art 2 s 13]

Subd. 3. MS 2006 [Repealed, 2007 c 133 art 2 s 13]

Subd. 4. MS 1991 Supp [Repealed, 1991 c 272 s 20; 2007 c 133 art 2 s 13]

611A.362 [Renumbered 119A.20]

611A.363 [Renumbered 119A.21]

611A.364 [Renumbered 119A.22]

611A.365 [Renumbered 119A.23]

611A.37 DEFINITIONS.

Subdivision 1. **Scope.** For purposes of sections 611A.371 to 611A.373, the terms defined have the meanings given them unless otherwise provided or indicated by the context.

Subd. 2. **Director.** "Director" means the director of the Office of Justice Programs in the Department of Public Safety or a designee.

Subd. 3. **Office.** "Office" means the Office of Justice Programs in the Department of Public Safety.

Subd. 4. **Shelter facility.** "Shelter facility" means a secure crisis shelter, housing network, safe home, or other facility operated by a nonprofit organization and designated by the center for the purpose of providing food, lodging, safety, and 24-hour coverage for domestic abuse victims and their children.

Subd. 5. **Designated shelter facility.** "Designated shelter facility" means a facility that has applied to, and been approved by, the Office of Justice Programs to provide shelter and services to domestic abuse victims and their children.

Subd. 6. MS 2002 [Repealed, 2002 c 220 art 7 s 33]

Subd. 7. MS 2002 [Repealed, 2002 c 220 art 7 s 33]

Subd. 8. **Domestic abuse victim.** "Domestic abuse victim" has the meaning given in section 611A.31, subdivision 2.

History: *2000 c 445 art 2 s 22; 2013 c 125 art 1 s 92,93; 2014 c 212 art 1 s 9; 2026 c 88 art 1 s 221; 2026 c 97 art 1 s 33*

611A.371 PROGRAM OPERATION.

Subdivision 1. **Purpose.** The purpose of the grant program is to provide reimbursement in a timely, efficient manner to local programs for the reasonable and necessary costs of providing domestic abuse victims and their children with food, lodging, and safety. Grant funding may not be used for other purposes.

Subd. 2. **Nondiscrimination.** Designated shelter facilities are prohibited from discriminating against a domestic abuse victim or their children on the basis of race, color, creed, religion, national origin, marital status, status with regard to public assistance, disability, or sexual orientation.

Subd. 3. **Data.** Personal history information collected, used, or maintained by a designated shelter facility from which the identity or location of any domestic abuse victim may be determined is private data on individuals, as defined in section 13.02, subdivision 12, and the facility shall maintain the data in accordance with the provisions of chapter 13.

History: *2000 c 445 art 2 s 23; 2002 c 220 art 7 s 16; 2026 c 97 art 1 s 33*

611A.372 DUTIES OF DIRECTOR.

In addition to any other duties imposed by law, the director, with the approval of the commissioner of public safety, shall:

(1) supervise the administration of grant payments to designated shelter facilities;

(2) collect data on shelter facilities;

(3) conduct an annual evaluation of the grant program;

(4) report to the governor and the legislature on the need for emergency secure shelter;

(5) develop an application process for shelter facilities to follow in seeking reimbursement under the grant program; and

(6) adopt rules to implement and administer sections 611A.37 to 611A.373.

History: *2000 c 445 art 2 s 24; 2001 c 152 s 1; 2002 c 220 art 7 s 17; 2026 c 88 art 1 s 222*

611A.373 PAYMENTS.

Subdivision 1. **Payment.** Payments to designated shelter facilities must be in the form of a grant. Designated shelter facilities may submit requests for payment monthly based on their expenses. The process for the submission of payments and for the submission of requests may be established by the director. Upon approval of the request for payment by the office, payments shall be made directly to designated shelter facilities from grant funds on behalf of women and their children who reside in the shelter facility. Payments made to a designated shelter facility must not exceed the grant amount for that facility unless approved by the director. These payments must not affect the eligibility of individuals who reside in shelter facilities for public assistance benefits, except when required by federal law or regulation.

Subd. 2. **Reserve grant amount.** The office shall calculate the grant amount for each designated shelter facility. This calculation may be based upon program type, average occupancy rates, and licensed capacity limits. The total of all grant amounts shall not exceed the legislative appropriation.

Subd. 3. **Accountability.** Shelter facilities must comply with reporting requirements and any other measures imposed by the Office of Justice Programs in the Department of Public Safety to improve accountability and program outcomes including, but not limited to, information on all restricted or unrestricted fund balances.

History: *2000 c 445 art 2 s 25; 2002 c 220 art 7 s 18; 2013 c 125 art 1 s 94*

611A.375 MS 2002 [Repealed, 2002 c 220 art 7 s 33]

CRIME VICTIM PROGRAMS

611A.41 MS 2012 [Repealed, 2014 c 212 art 1 s 15]

611A.42 MS 1994 [Repealed, 1996 c 310 s 1]

611A.43 MS 2012 [Repealed, 2014 c 212 art 1 s 15]

611A.44 MS 1994 [Repealed, 1996 c 310 s 1]

611A.45 PROGRAMS FOR VICTIMS OF CRIME.

Subdivision 1. **Grants.** The commissioner of public safety shall award grants to programs which provide support services to victims of crime.

Subd. 2. **Applications.** Any public or private nonprofit agency may apply to the commissioner for a grant to provide services to victims of crime. The application shall be submitted in a form approved by the commissioner.

Subd. 3. **Duties of grantees.** Every public or private nonprofit agency which receives a grant to provide services to victims of crime shall comply with rules of the commissioner related to the administration of the grant programs.

History: *2014 c 212 art 1 s 10*

611A.46 CLASSIFICATION OF DATA.

(a) Personal history information and other information collected, used, and maintained by an Office of Justice Programs in the Department of Public Safety grantee from which the identity and location of any crime victim may be determined are private data on individuals as defined in section 13.02, subdivision 12, and the grantee shall maintain the data in accordance with the provisions of chapter 13.

(b) Personal history data and other information collected, used, and maintained by the Office of Justice Programs in the Department of Public Safety from which the identity and location of any victim may be determined are private data on individuals as defined in section 13.02, subdivision 12.

(c) Internal auditing data shall be classified as provided by section 13.392.

History: *2001 c 202 s 17; 2013 c 125 art 1 s 95*

CRIME VICTIMS REIMBURSEMENT

611A.51 TITLE.

Sections 611A.51 to 611A.68 shall be known as the "Minnesota Crime Victims Reimbursement Act."

History: *1974 c 463 s 1; 1983 c 262 art 1 s 6; 1995 c 226 art 7 s 25; 2023 c 52 art 5 s 56*

611A.52 DEFINITIONS.

Subdivision 1. **Terms.** For the purposes of sections 611A.51 to 611A.68, the following terms shall have the meanings given them.

Subd. 2. **Accomplice.** "Accomplice" means any person who would be held criminally liable for the crime of another pursuant to section 609.05.

Subd. 3. **Board.** "Board" means the Crime Victims Reimbursement Board established by section 611A.55.

Subd. 4. **Claimant.** "Claimant" means a person entitled to apply for reimbursement pursuant to sections 611A.51 to 611A.68.

Subd. 5. **Collateral source.** "Collateral source" means a source of benefits or advantages for economic loss otherwise reimbursable under sections 611A.51 to 611A.68 which the victim or claimant has received, or which is readily available to the victim, from:

(1) the offender;

(2) the government of the United States or any agency thereof, a state or any of its political subdivisions, or an instrumentality of two or more states, unless the law providing for the benefits or advantages makes them excess or secondary to benefits under sections 611A.51 to 611A.68;

(3) Social Security, Medicare, and Medicaid;

(4) state required temporary nonoccupational disability insurance;

(5) workers' compensation;

(6) wage continuation programs of any employer;

(7) proceeds of a contract of insurance payable to the victim for economic loss sustained because of the crime;

(8) a contract providing prepaid hospital and other health care services, or benefits for disability; or

(9) proceeds of a lawsuit brought as a result of the crime.

The term does not include a life insurance contract or benefits from any private source provided as a voluntary donation or gift.

Subd. 6. **Crime.** (a) "Crime" means conduct that:

(1) occurs or is attempted anywhere within the geographical boundaries of this state, including Indian reservations and other trust lands;

(2) poses a substantial threat of personal injury or death; and

(3) is included within the definition of "crime" in section 609.02, subdivision 1, or would be included within that definition but for the fact that (i) the person engaging in the conduct lacked capacity to commit the crime under the laws of this state; or (ii) the act was alleged or found to have been committed by a juvenile.

(b) A crime occurs whether or not any person is prosecuted or convicted but the conviction of a person whose acts give rise to the claim is conclusive evidence that a crime was committed unless an application for rehearing, appeal, or petition for certiorari is pending or a new trial or rehearing has been ordered.

(c) "Crime" does not include an act involving the operation of a motor vehicle, aircraft, or watercraft that results in injury or death, except that a crime includes any of the following:

(1) injury or death intentionally inflicted through the use of a motor vehicle, aircraft, or watercraft;

(2) injury or death caused by a driver in violation of section 169.09, subdivision 1; 169A.20; 609.2112; 609.2113; or 609.2114; or Minnesota Statutes 2012, section 609.21; and

(3) injury or death caused by a driver of a motor vehicle in the immediate act of fleeing the scene of a crime in which the driver knowingly and willingly participated.

(d) Notwithstanding paragraph (a), "crime" includes an act of international terrorism as defined in United States Code, title 18, section 2331, committed outside of the United States against a resident of this state.

Subd. 7. **Dependent.** "Dependent" means any person who was dependent upon a deceased victim for support at the time of the crime.

Subd. 8. **Economic loss.** (a) "Economic loss" means actual economic detriment incurred as a direct result of injury or death.

(b) In the case of injury the term is limited to:

(1) reasonable expenses incurred for necessary medical, chiropractic, hospital, rehabilitative, and dental products, services, or accommodations, including ambulance services, drugs, appliances, and prosthetic devices;

(2) reasonable expenses associated with recreational therapy where a claimant has suffered amputation of a limb;

(3) reasonable expenses incurred for psychological or psychiatric products, services, or accommodations, not to exceed an amount to be set by the board, where the nature of the injury or the circumstances of the crime are such that the treatment is necessary to the rehabilitation of the victim;

(4) loss of income that the victim would have earned had the victim not been injured;

(5) reasonable expenses incurred for substitute child care or household services to replace those the victim or claimant would have performed had the victim or the claimant's child not been injured. As used in this clause, "child care services" means services provided by facilities licensed under and in compliance with either Minnesota Rules, parts 9502.0315 to 9502.0445, or 9503.0005 to 9503.0170, or exempted from licensing requirements pursuant to section 245A.03. Licensed facilities must be paid at a rate not to exceed their standard rate of payment. Facilities exempted from licensing requirements must be paid at a rate not to exceed $3 an hour per child for daytime child care or $4 an hour per child for evening child care;

(6) reasonable expenses actually incurred to return a child who was a victim of a crime under section 609.25 or 609.26 to the child's parents or lawful custodian. These expenses are limited to transportation costs, meals, and lodging from the time the child was located until the child was returned home; and

(7) the claimant's moving expenses, storage fees, and phone and utility installation fees, up to a maximum of $1,000 per claim, if the move is necessary due to a reasonable fear of danger related to the crime for which the claim was filed.

(c) In the case of death the term is limited to:

(1) reasonable expenses actually incurred for funeral, burial, or cremation, not to exceed an amount to be determined by the board on the first day of each fiscal year;

(2) reasonable expenses for medical, chiropractic, hospital, rehabilitative, psychological and psychiatric services, products or accommodations which were incurred prior to the victim's death and for which the victim's survivors or estate are liable;

(3) loss of support, including contributions of money, products or goods, but excluding services which the victim would have supplied to dependents if the victim had lived; and

(4) reasonable expenses incurred for substitute child care and household services to replace those which the victim or claimant would have performed for the benefit of dependents if the victim or the claimant's child had lived.

Claims for loss of support for minor children made under clause (3) must be paid for three years or until the child reaches 18 years old, whichever is the shorter period. After three years, if the child is younger than 18 years old a claim for loss of support may be resubmitted to the board, and the board staff shall evaluate the claim giving consideration to the child's financial need and to the availability of funds to the board. Claims for loss of support for a spouse made under clause (3) shall also be reviewed at least once every three years. The board staff shall evaluate the claim giving consideration to the spouse's financial need and to the availability of funds to the board.

Claims for substitute child care services made under clause (4) must be limited to the actual care that the deceased victim would have provided to enable surviving family members to pursue economic, educational, and other activities other than recreational activities.

Subd. 9. **Injury.** "Injury" means actual bodily harm including pregnancy and emotional trauma.

Subd. 10. **Victim.** "Victim" means a person who suffers personal injury or death as a direct result of:

(1) a crime;

(2) the good faith effort of any person to prevent a crime; or

(3) the good faith effort of any person to apprehend a person suspected of engaging in a crime.

History: *1974 c 463 s 2; 1975 c 359 s 23; 1983 c 262 art 1 s 6; 1Sp1985 c 4 s 10; 1986 c 444; 1986 c 463 s 12; 1987 c 244 s 3; 1987 c 333 s 22; 1988 c 638 s 5; 1989 c 264 s 3; 1990 c 371 s 1; 1990 c 579 s 10; 1992 c 571 art 5 s 8; 1993 c 326 art 6 s 12-14; 1994 c 636 art 7 s 7; 1995 c 226 art 7 s 25; 1997 c 239 art 7 s 28,29; 1999 c 136 s 2; 2000 c 478 art 2 s 7; 2014 c 180 s 9; 2016 c 158 art 1 s 207; 2023 c 52 art 5 s 57-59; 2024 c 123 art 2 s 9*

611A.53 REIMBURSEMENT AWARDS; ELIGIBILITY.

Subdivision 1. **Generally.** Except as provided in subdivisions 1a and 2, the following persons shall be entitled to reimbursement upon a showing by a preponderance of the evidence that the requirements for reimbursement have been met:

(1) a victim who has incurred economic loss;

(2) a dependent who has incurred economic loss;

(3) the estate of a deceased victim if the estate has incurred economic loss;

(4) any other person who has incurred economic loss by purchasing any of the products, services, and accommodations described in section 611A.52, subdivision 8, for a victim;

(5) the guardian, guardian ad litem, conservator or authorized agent of any of these persons.

Subd. 1a. **Providers; limitations.** No hospital, medical organization, health care provider, or other entity that is not an individual may qualify for reimbursement under subdivision 1, clause (4). If a hospital, medical organization, health care provider, or other entity that is not an individual qualifies for reimbursement under subdivision 1, clause (5), because it is a guardian, guardian ad litem, conservator, or authorized agent, any reimbursement to which it is entitled must be made payable solely or jointly to the victim, if alive, or to the victim's estate or successors, if the victim is deceased.

Subd. 1b. **Minnesota residents injured elsewhere.** (a) A Minnesota resident who is the victim of a crime committed outside the geographical boundaries of this state but who otherwise meets the requirements of this section shall have the same rights under this chapter as if the crime had occurred within this state upon a showing that the state, territory, United States possession, country, or political subdivision of a country in which the crime occurred does not have a crime victims reimbursement law covering the resident's injury or death.

(b) Notwithstanding paragraph (a), a Minnesota resident who is the victim of a crime involving international terrorism who otherwise meets the requirements of this section has the same rights under this chapter as if the crime had occurred within this state regardless of where the crime occurred or whether the jurisdiction has a crime victims reimbursement law.

Subd. 2. **Limitations on awards.** No reimbursement shall be awarded to a claimant otherwise eligible if:

(1) the crime was not reported to the police within 30 days of its occurrence or, if it could not reasonably have been reported within that period, within 30 days of the time when a report could reasonably have been

made. A victim of criminal sexual conduct in the first, second, third, or fourth degree who does not report the crime within 30 days of its occurrence is deemed to have been unable to have reported it within that period;

(2) the victim or claimant failed or refused to cooperate fully with the police and other law enforcement officials. Cooperation is determined through law enforcement reports, prosecutor records, or corroboration memorialized in a signed document submitted by a victim service, counseling, or medical professional involved in the case;

(3) the victim or claimant was the offender or an accomplice of the offender or an award to the claimant would unjustly benefit the offender or an accomplice;

(4) the victim or claimant was in the act of committing a crime at the time the injury occurred;

(5) no claim was filed with the board within three years of victim's injury or death; except that (i) if the claimant was unable to file a claim within that period, then the claim can be made within three years of the time when a claim could have been filed; and (ii) if the victim's injury or death was not reasonably discoverable within three years of the injury or death, then the claim can be made within three years of the time when the injury or death is reasonably discoverable. The following circumstances do not render a claimant unable to file a claim for the purposes of this clause: (A) lack of knowledge of the existence of the Minnesota Crime Victims Reimbursement Act, (B) the failure of a law enforcement agency to provide information or assistance to a potential claimant under section 611A.66, (C) the incompetency of the claimant if the claimant's affairs were being managed during that period by a guardian, guardian ad litem, conservator, authorized agent, or parent, or (D) the fact that the claimant is not of the age of majority; or

(6) the claim is less than $50.

The limitations contained in clauses (1) and (6) do not apply to victims of child abuse. In those cases the three-year limitation period commences running with the report of the crime to the police.

History: *1974 c 463 s 3; 1975 c 246 s 1; 1976 c 2 s 119; 1976 c 193 s 1; 1983 c 262 art 1 s 6; 1Sp1985 c 4 s 11; 1986 c 463 s 13-15; 1987 c 244 s 4; 1989 c 209 art 1 s 46; 1989 c 264 s 4; 1990 c 579 s 11; 1994 c 636 art 7 s 8; 1995 c 226 art 7 s 12; 1997 c 239 art 7 s 30; 1999 c 136 s 3; 2005 c 136 art 8 s 25; 2023 c 52 art 5 s 60,79*

611A.54 AMOUNT OF REIMBURSEMENT.

Reimbursement shall equal economic loss except that:

(1) reimbursement shall be reduced to the extent that economic loss is recouped from a collateral source or collateral sources. Where compensation is readily available to a claimant from a collateral source, the claimant must take reasonable steps to recoup from the collateral source before claiming reimbursement;

(2) reimbursement shall be denied or reduced to the extent, if any, that the board deems reasonable because of the contributory misconduct of the claimant or of a victim through whom the claimant claims. Contributory misconduct does not include current or past affiliation with any particular group; and

(3) reimbursement paid to all claimants suffering economic loss as the result of the injury or death of any one victim shall not exceed $50,000.

No employer may deny an employee an award of benefits based on the employee's eligibility or potential eligibility for reimbursement.

History: *1974 c 463 s 4; 1977 c 356 s 1; 1983 c 262 art 1 s 6; 1Sp1985 c 4 s 12; 1986 c 444; 1986 c 463 s 16; 1989 c 264 s 5; 2023 c 52 art 5 s 61*

611A.55 CRIME VICTIMS REIMBURSEMENT BOARD.

Subdivision 1. **Creation of board.** There is created in the Department of Public Safety, for budgetary and administrative purposes, the Crime Victims Reimbursement Board, which shall consist of five members appointed by the commissioner of public safety. One of the members shall be designated as chair by the commissioner of public safety and serve as such at the commissioner's pleasure. At least one member shall be a medical or osteopathic physician licensed to practice in this state, and at least one member shall be a victim, as defined in section 611A.01.

Subd. 2. **Membership, terms and compensation.** The membership terms, compensation, removal of members, and filling of vacancies on the board shall be as provided in section 15.0575.

Subd. 3. **Part-time service.** Members of the board shall serve part time.

History: *1974 c 463 s 5; 1976 c 134 s 64,65; 1983 c 262 art 1 s 6; 1983 c 305 s 23; 1984 c 531 s 7; 1Sp1985 c 4 s 13,14; 1986 c 444; 2007 c 13 art 1 s 17,18; 2023 c 52 art 5 s 62*

611A.56 POWERS AND DUTIES OF BOARD.

Subdivision 1. **Duties.** In addition to carrying out any duties specified elsewhere in sections 611A.51 to 611A.68 or in other law, the board shall:

(1) provide all claimants with an opportunity for hearing pursuant to chapter 14;

(2) adopt rules to implement and administer sections 611A.51 to 611A.68, including rules governing the method of practice and procedure before the board, prescribing the manner in which applications for reimbursement shall be made, and providing for discovery proceedings;

(3) publicize widely the availability of reimbursement and the method of making claims; and

(4) prepare and transmit annually to the governor and the commissioner of public safety a report of its activities including the number of claims awarded, a brief description of the facts in each case, the amount of reimbursement awarded, and a statistical summary of claims and awards made and denied.

Subd. 2. **Powers.** In addition to exercising any powers specified elsewhere in sections 611A.51 to 611A.68 or other law, the board upon its own motion or the motion of a claimant or the attorney general may:

(1) issue subpoenas for the appearance of witnesses and the production of books, records, and other documents;

(2) administer oaths and affirmations and cause to be taken affidavits and depositions within and without this state;

(3) take notice of judicially cognizable facts and general, technical, and scientific facts within their specialized knowledge;

(4) order a mental or physical examination of a victim or an autopsy of a deceased victim provided that notice is given to the person to be examined and that the claimant and the attorney general receive copies of any resulting report;

(5) suspend or postpone the proceedings on a claim if a criminal prosecution arising out of the incident which is the basis of the claim has been commenced or is imminent;

(6) request from prosecuting attorneys and law enforcement officers investigations and data to enable the board to perform its duties under sections 611A.51 to 611A.68;

(7) grant emergency reimbursement pending the final determination of a claim if it is one with respect to which an award will probably be made and undue hardship will result to the claimant if immediate payment is not made; and

(8) reconsider any decision granting or denying reimbursement or determining their amount.

History: *1974 c 463 s 6; 1982 c 424 s 130; 1983 c 262 art 1 s 6; 1Sp1985 c 4 s 15; 1986 c 463 s 17; 1988 c 638 s 6; 1997 c 7 art 2 s 64; 2023 c 52 art 5 s 63*

611A.57 DETERMINATION OF CLAIMS.

Subdivision 1. MS 1992 [Repealed, 1993 c 326 art 6 s 26]

Subd. 2. **Investigation.** The board staff shall examine the papers filed in support of the claim and cause an investigation to be conducted into the validity of a claim to the extent that an investigation is necessary.

Subd. 3. **Claim decision.** The board executive director may decide the claim in favor of a claimant in the amount claimed on the basis of the papers filed in support of it and the report of the investigation of such claim. If unable to decide the claim upon the basis of the papers and any report of investigation, the board executive director shall discuss the matter with other members of the board present at a board meeting. After discussion the board shall vote on whether to grant or deny the claim or whether further investigation is necessary. A decision granting or denying the claim shall then be issued by the executive director.

Subd. 4. **Written decision.** The written decision granting or denying a claim shall be filed with the board, and a copy shall be provided to the claimant.

Subd. 5. **Reconsideration.** The claimant may, within 30 days after receiving the decision of the board, apply for reconsideration before the entire board. Upon request for reconsideration, the board shall reexamine all information filed by the claimant, including any new information the claimant provides, and all information obtained by investigation. The board may also conduct additional examination into the validity of the claim. Upon reconsideration, the board may affirm, modify, or reverse the prior ruling. A claimant denied reimbursement upon reconsideration is entitled to a contested case hearing within the meaning of chapter 14.

Subd. 6. **Data.** Claims for reimbursement and supporting documents and reports are investigative data and subject to the provisions of section 13.39 until the claim is paid, denied, withdrawn, or abandoned. Following the payment, denial, withdrawal, or abandonment of a claim, the claim and supporting documents and reports are private data on individuals as defined in section 13.02, subdivision 12; provided that the board may forward any reimbursement claim forms, supporting documents, and reports to local law enforcement authorities for purposes of implementing section 611A.67.

History: *1974 c 463 s 7; 1983 c 262 art 1 s 6; 1986 c 444; 1986 c 463 s 18; 1987 c 244 s 5; 1990 c 579 s 12; 1993 c 326 art 6 s 15-17; 2023 c 52 art 5 s 64,65*

611A.58 ATTORNEY FEES; LIMITATION FOR REPRESENTATION BEFORE BOARD.

The board may limit the fee charged by any attorney for representing a claimant before the board.

History: *1975 c 246 s 2; 1983 c 262 art 1 s 6*

611A.59 MS 1986 [Repealed, 1987 c 244 s 8]

611A.60 REIMBURSEMENT; HOW PAID.

Reimbursement may be awarded in a lump sum or in installments in the discretion of the board. The amount of any emergency award shall be deducted from the final award, if a lump sum, or prorated over a period of time if the final award is made in installments. Reimbursement is exempt from execution or attachment except by persons who have supplied services, products or accommodations to the victim as a result of the injury or death which is the basis of the claim. The board, in its discretion may order that all or part of the reimbursement awarded be paid directly to these suppliers.

History: *1974 c 463 s 9; 1983 c 262 art 1 s 6; 2023 c 52 art 5 s 66*

611A.61 SUBROGATION.

Subdivision 1. **Subrogation rights of state.** The state shall be subrogated, to the extent of reimbursement awarded, to all the claimant's rights to recover benefits or advantages for economic loss from a source which is or, if readily available to the victim or claimant would be, a collateral source. Nothing in this section shall limit the claimant's right to bring a cause of action to recover for other damages.

Subd. 2. **Duty of claimant to assist.** A claimant who receives reimbursement must agree to assist the state in pursuing any subrogation rights arising out of the claim. The board may require a claimant to agree to represent the state's subrogation interests if the claimant brings a cause of action for damages arising out of the crime or occurrence for which the board has awarded reimbursement. An attorney who represents the state's subrogation interests pursuant to the client's agreement with the board is entitled to reasonable attorney's fees not to exceed one-third of the amount recovered on behalf of the state.

Subd. 3. MS 1994 [Repealed, 1995 c 226 art 7 s 26]

History: *1974 c 463 s 10; 1979 c 173 s 1; 1983 c 262 art 1 s 6; 1986 c 463 s 19; 1987 c 358 s 127; 1989 c 335 art 4 s 101; 2023 c 52 art 5 s 67*

611A.612 CRIME VICTIMS ACCOUNT.

A crime victim account is established as a special account in the state treasury. Amounts collected by the state under section 611A.61, paid to the Crime Victims Reimbursement Board under section 611A.04, subdivision 1a, or amounts deposited by the court under section 611A.04, subdivision 5, shall be credited to this account. Money credited to this account is annually appropriated to the Department of Public Safety for use for crime victim reimbursement under sections 611A.51 to 611A.67.

History: *1995 c 226 art 7 s 13; 1999 c 136 s 4; 2023 c 52 art 5 s 68*

611A.62 MEDICAL PRIVILEGE.

There is no privilege as to communication or records relevant to an issue of the physical, mental, or emotional condition of the claimant or victim in a proceeding under sections 611A.51 to 611A.56 in which

that condition is an issue. Nothing contained in this section shall be interpreted to abridge the attorney-client privilege.

History: *1974 c 463 s 11; 1983 c 262 art 1 s 6*

611A.63 ENFORCEMENT OF BOARD'S ORDERS.

If a person refuses to comply with an order of the board or asserts a privilege to withhold or suppress evidence relevant to a claim, the board may make any just order including denial of the claim, but may not find the person in contempt. If necessary to carry out any of its powers and duties, the board may petition the district court for an appropriate order, but the court may not find a person in contempt for refusal to submit to a mental or physical examination.

History: *1974 c 463 s 12; 1983 c 262 art 1 s 6*

611A.64 DEPARTMENT OF CORRECTIONS; RESTITUTION.

The Department of Corrections may, as a means of assisting in the rehabilitation of persons committed to their care, establish programs and procedures whereby such persons may contribute toward restitution of those persons injured as a consequence of their criminal acts.

History: *1974 c 463 s 13; 1983 c 262 art 1 s 6*

611A.65 USE OF RECORD OF CLAIM; EVIDENCE.

Neither a record of the proceedings on a claim, a decision of the board, nor the fact that an award has been made or denied shall be admissible as evidence in any criminal or civil action against the alleged offender, except an action by the state on its subrogation claim.

History: *1974 c 463 s 14; 1979 c 173 s 2; 1983 c 262 art 1 s 6*

611A.66 LAW ENFORCEMENT AGENCIES; DUTY TO INFORM VICTIMS OF RIGHT TO FILE CLAIM.

All law enforcement agencies investigating crimes shall provide victims with notice of their right to apply for reimbursement with the telephone number and website information to obtain an application form.

Law enforcement agencies shall assist the board in performing its duties under sections 611A.51 to 611A.68. Law enforcement agencies within ten days after receiving a request from the board shall supply the board with requested reports, notwithstanding any provisions to the contrary in chapter 13, and including reports otherwise maintained as confidential or not open to inspection under section 260B.171 or 260C.171. All data released to the board retains the data classification that it had in the possession of the law enforcement agency.

History: *1974 c 463 s 15; 1983 c 262 art 1 s 6; 1987 c 244 s 6; 1993 c 326 art 6 s 18; 1995 c 266 art 7 s 25; 1999 c 139 art 4 s 2; 2023 c 52 art 5 s 69*

611A.67 FRAUDULENT CLAIMS; PENALTY.

Any person who knowingly makes a false claim under sections 611A.51 to 611A.68 is guilty of a gross misdemeanor.

History: *1974 c 463 s 16; 1983 c 262 art 1 s 6; 1988 c 638 s 7*

611A.675 FUND FOR EMERGENCY NEEDS OF CRIME VICTIMS.

Subdivision 1. **Grants authorized.** The commissioner of public safety shall make grants to prosecutors and victim assistance programs for the purpose of providing emergency assistance to victims. As used in this section, "emergency assistance" includes but is not limited to:

(1) replacement of necessary property that was lost, damaged, or stolen as a result of the crime;

(2) purchase and installation of necessary home security devices;

(3) transportation to locations related to the victim's needs as a victim, such as medical facilities and facilities of the criminal justice system;

(4) cleanup of the crime scene;

(5) reimbursement for reasonable travel and living expenses the victim incurred to attend court proceedings that were held at a location other than the place where the crime occurred due to a change of venue; and

(6) reimbursement of towing and storage fees incurred due to impoundment of a recovered stolen vehicle.

Subd. 2. **Application for grants.** (a) A city or county attorney's office or victim assistance program may apply to the commissioner of public safety for a grant for any of the purposes described in subdivision 1 or for any other emergency assistance purpose approved by the commissioner. The application must be on forms and pursuant to procedures developed by the commissioner. The application must describe the type or types of intended emergency assistance, estimate the amount of money required, and include any other information deemed necessary by the commissioner.

(b) A city or county attorney's office or victim assistance program that applies for a grant for the purpose described in subdivision 1, clause (6), must make the application on a separate form and pursuant to procedures developed by the commissioner. The application must estimate the amount of money required for reimbursement costs, estimate the amount of money required for administrative costs, and include any other information deemed necessary by the commissioner. An applicant may not spend in any fiscal year more than five percent of the grant awarded for administrative costs.

Subd. 2a. **Awards; limitations.** (a) No award may be granted under subdivision 1, clause (6), to a victim that fails to provide proof of insurance stating that security had been provided for the vehicle at the time the vehicle was stolen. As used in this paragraph, "proof of insurance" has the meaning given it in section 169.791, subdivision 1, paragraph (g).

(b) An award paid to a victim under subdivision 1, clause (6), shall compensate the victim for actual costs incurred but shall not exceed $300.

Subd. 3. **Reporting by local agencies required.** A city or county attorney's office or victim assistance program that receives a grant under this section shall file an annual report with the commissioner of public safety itemizing the expenditures made during the preceding year, the purpose of those expenditures, and the ultimate disposition, if any, of each assisted victim's criminal case.

Subd. 4. **Report to legislature.** By February 1, 2008, the commissioner of public safety shall report to the chairs and ranking members of the senate and house of representatives committees and divisions having jurisdiction over criminal justice policy and funding on the implementation, use, and administration of the grant programs created under this section.

History: *1995 c 226 art 7 s 14; 1997 c 239 art 7 s 31; 2007 c 54 art 4 s 8-12*

611A.68 LIMITING COMMERCIAL EXPLOITATION OF CRIMES; PAYMENT OF VICTIMS.

Subdivision 1. **Definition.** For purposes of this section, the following terms have the meanings given them in this subdivision.

(a) "Contract" means an agreement regarding, in whole or in part, (1) the reenactment of an offender's crime by way of a movie, book, newspaper or magazine article, radio or television presentation, or live or recorded entertainment of any kind, or (2) the expression of the offender's thoughts, feelings, opinions, or emotions about the crime.

(b) "Crime" means an offense which is a felony under the laws of Minnesota or that would have been a felony if committed in Minnesota, and includes an offense committed or attempted on an Indian reservation or other trust land.

(c) "Offender" means a person convicted of a crime or found not guilty of a crime by reason of insanity.

(d) "Person" includes persons, corporations, partnerships, and other legal entities.

Subd. 2. MS 1986 [Repealed, 1988 c 638 s 17]

Subd. 2a. **Notice and payment of proceeds to board required.** A person that enters into a contract with an offender convicted in this state, and a person that enters into a contract in this state with an offender convicted in this state or elsewhere within the United States, must comply with this section if the person enters into the contract during the ten years after the offender is convicted of a crime or found not guilty by reason of insanity. If an offender is imprisoned or committed to an institution following the conviction or finding of not guilty by reason of insanity, the ten-year period begins on the date of the offender's release. A person subject to this section must notify the Crime Victims Reimbursement Board of the existence of the contract immediately upon its formation, and pay over to the board money owed to the offender or the offender's representatives by virtue of the contract according to the following proportions:

(1) if the crime occurred in this state, the person shall pay to the board 100 percent of the money owed under the contract;

(2) if the crime occurred in another jurisdiction having a law applicable to the contract which is substantially similar to this section, this section does not apply, and the person must not pay to the board any of the money owed under the contract; and

(3) in all other cases, the person shall pay to the board that percentage of money owed under the contract which can fairly be attributed to commerce in this state with respect to the subject matter of the contract.

Subd. 3. **Victim notification.** When the board receives a payment pursuant to this section, it shall attempt to notify any known victims of the crime and shall publish a notice of that fact in a newspaper having general circulation in the county where the crime was committed. The expenses of notification shall be paid from the amount received for that case.

Subd. 4. **Deductions.** When the board has made reimbursement payments to or on behalf of a victim of the offender's crime pursuant to sections 611A.51 to 611A.68, it shall deduct the amount of the reimbursement award from any payment received under this section by virtue of the offender's contract unless the board has already been reimbursed for the award from another collateral source.

Subd. 4a. **Offender's minor dependent claims.** Immediately after money is deposited with the board under this section, the board may allocate up to ten percent of any money remaining after a deduction is made under subdivision 4 for the benefit of the offender's dependent minor children. The board shall then

retain the funds allocated until a claim is made by the dependent minor children or their representative. Upon receiving a claim, the board shall disburse the allocated funds to the dependent minor children if it is shown by clear and convincing evidence that the funds will not be used in a way that benefits the offender.

Subd. 4b. **Claims by victims of offender's crime.** A victim of a crime committed by the offender and the estate of a deceased victim of a crime committed by the offender may submit the following claims for reimbursement and damages to the board to be paid from money received by virtue of the offender's contract:

(1) claims for reimbursement to which the victim is entitled under sections 611A.51 to 611A.68 and for which the victim has not yet received an award from the board;

(2) claims for reimbursement to which the victim would have been entitled under sections 611A.51 to 611A.68, but for the $50,000 maximum limit contained in section 611A.54, clause (3); and

(3) claims for other uncompensated damages suffered by the victim as a result of the offender's crime including, but not limited to, damages for pain and suffering.

The victim must file the claim within five years of the date on which the board received payment under this section. The board shall determine the victim's claim in accordance with the procedures contained in sections 611A.57 to 611A.63. An award made by the board under this subdivision must be paid from the money received by virtue of the offender's contract that remains after a deduction or allocation, if any, has been made under subdivision 4 or 4a.

Subd. 4c. **Claims by other crime victims.** The board may use money received by virtue of an offender's contract for the purpose of paying reimbursement awarded to victims of other crimes pursuant to sections 611A.51 to 611A.68 under the following circumstances:

(1) money remain after deductions and allocations have been made under subdivisions 4 and 4a, and claims have been paid under subdivision 4b; or

(2) no claim is filed under subdivision 4b within five years of the date on which the board received payment under this section.

None of this money may be used for purposes other than reimbursement.

Subd. 5. MS 1986 [Repealed, 1988 c 638 s 17]

Subd. 6. **Payments for costs of defense.** Notwithstanding any other provision of this section, the board shall make payments to an offender from the account of amounts received with reference to that offender upon the order of a court of competent jurisdiction after a showing by that offender that the money shall be used for the reasonable costs of defense in the appeal of a criminal conviction or in proceedings pursuant to this section.

Subd. 7. **Deposit of money in state treasury.** All money received by the board pursuant to this section shall be deposited in the state treasury, credited to a special account, and are appropriated to the board for the purposes of this section. Money in the special account may be invested pursuant to section 11A.25. When so invested, any interest or profit shall accrue to, and any loss be borne by, the special account. The board shall allocate money in the special account to each case pursuant to this section.

Subd. 8. **Penalty.** (a) A person who willfully fails to notify the board of the existence of a contract as required by this section is guilty of a gross misdemeanor.

(b) Except as otherwise provided in paragraph (a), any person or offender who takes any action, whether by way of execution of a power of attorney, creation of corporate or trust entities or otherwise, to defeat the purpose of this section is guilty of a misdemeanor.

History: *1979 c 234 s 1; 1980 c 607 art 14 s 46; 1983 c 262 art 1 s 6; 1986 c 444; 1988 c 638 s 8-15; 1995 c 226 art 7 s 25; 2023 c 52 art 5 s 70-73*

611A.70 MS 2004 [Expired]

611A.71 MS 2004 [Expired]

CRIME VICTIM OVERSIGHT ACT

611A.72 CITATION.

Sections 611A.72 to 611A.74 may be cited as the "Crime Victim Oversight Act."

History: *1Sp1985 c 4 s 18; 2002 c 220 art 7 s 19*

611A.73 DEFINITIONS.

Subdivision 1. **Definitions.** The definitions in this section apply to this section and section 611A.74.

Subd. 2. **Appropriate authority.** "Appropriate authority" includes anyone who is the subject of a complaint under sections 611A.72 to 611A.74 to the commissioner or anyone within the agency who is in a supervisory position with regard to one who is the subject of a complaint under sections 611A.72 to 611A.74.

Subd. 3. **Elements of the criminal justice system.** "Elements of the criminal justice system" refers to prosecuting attorneys and members of their staff; peace officers; probation and corrections officers; city, state, and county officials involved in the criminal justice system; and does not include the judiciary.

Subd. 4. **Victim.** "Victim" has the meaning given in section 611A.01, paragraph (b).

Subd. 5. **Victim assistance program.** "Victim assistance program" refers to any entity which provides or claims to provide services and assistance to victims on a regular, ongoing basis.

Subd. 6. **Commissioner.** "Commissioner" means the commissioner of public safety.

History: *1Sp1985 c 4 s 19; 1995 c 226 art 7 s 16; 2002 c 220 art 7 s 20,21; 2024 c 123 art 2 s 10*

611A.74 CRIME VICTIMS; RIGHTS; COMPLAINTS.

Subdivision 1. **Authority.** The commissioner shall have the authority under sections 611A.72 to 611A.74 to investigate decisions, acts, and other matters of the criminal justice system so as to promote the highest attainable standards of competence, efficiency, and justice for crime victims in the criminal justice system.

Subd. 1a. MS 2000 [Repealed, 2002 c 220 art 7 s 33]

Subd. 2. **Duties.** The commissioner may investigate complaints concerning possible violation of the rights of crime victims or witnesses provided under this chapter, the delivery of victim services by victim assistance programs, the administration of the crime victims reimbursement act, and other complaints of mistreatment by elements of the criminal justice system or victim assistance programs. The commissioner shall act as a liaison, when the commissioner deems necessary, between agencies, either in the criminal

justice system or in victim assistance programs, and victims and witnesses. The commissioner may be concerned with activities that strengthen procedures and practices which lessen the risk that objectionable administrative acts will occur. The commissioner must answer questions concerning the criminal justice system and victim services put to the commissioner by victims and witnesses in accordance with the commissioner's knowledge of the facts or law, unless the information is otherwise restricted. The commissioner shall establish a procedure for referral to the crime victim crisis centers, the Crime Victims Reimbursement Board, and other victim assistance programs when services are requested by crime victims or deemed necessary by the commissioner.

The commissioner's files are confidential data as defined in section 13.02, subdivision 3, during the course of an investigation or while the files are active. Upon completion of the investigation or when the files are placed on inactive status, they are private data on individuals as defined in section 13.02, subdivision 12.

Subd. 3. **Powers.** The commissioner has those powers necessary to carry out the duties set out in subdivision 2, including:

(a) The commissioner may investigate, with or without a complaint, any action of an element of the criminal justice system or a victim assistance program included in subdivision 2.

(b) The commissioner may request and shall be given access to information and assistance the commissioner considers necessary for the discharge of responsibilities. The commissioner may inspect, examine, and be provided copies of records and documents of all elements of the criminal justice system and victim assistance programs. The commissioner may request and shall be given access to police reports pertaining to juveniles and juvenile delinquency petitions, notwithstanding section 260B.171 or 260C.171. Any information received by the commissioner retains its data classification under chapter 13 while in the commissioner's possession. Juvenile records obtained under this subdivision may not be released to any person.

(c) The commissioner may prescribe the methods by which complaints are to be made, received, and acted upon; may determine the scope and manner of investigations to be made; and subject to the requirements of sections 611A.72 to 611A.74, may determine the form, frequency, and distribution of commissioner conclusions, recommendations, and proposals.

(d) After completing investigation of a complaint, the commissioner shall inform in writing the complainant, the investigated person or entity, and other appropriate authorities of the action taken. If the complaint involved the conduct of an element of the criminal justice system in relation to a criminal or civil proceeding, the commissioner's findings shall be forwarded to the court in which the proceeding occurred.

(e) Before announcing a conclusion or recommendation that expressly or impliedly criticizes an administrative agency or any person, the commissioner shall consult with that agency or person.

Subd. 4. **No compelled testimony.** Neither the commissioner nor any member of the commissioner's staff may be compelled to testify or produce evidence in any judicial or administrative proceeding with respect to matters involving the exercise of official duties under sections 611A.72 to 611A.74 except as may be necessary to enforce the provisions of this section.

Subd. 5. **Recommendations.** (a) On finding a complaint valid after duly considering the complaint and whatever material the commissioner deems pertinent, the commissioner may recommend action to the appropriate authority.

(b) If the commissioner makes a recommendation to an appropriate authority for action, the authority shall, within a reasonable time period, but not more than 30 days, inform the commissioner about the action taken or the reasons for not complying with the recommendation.

(c) The commissioner may publish conclusions and suggestions by transmitting them to the governor, the legislature or any of its committees, the press, and others who may be concerned. When publishing an opinion adverse to an administrative agency, the commissioner shall include any statement the administrative agency may have made to the commissioner by way of explaining its past difficulties or its present rejection of the commissioner's proposals.

Subd. 6. **Reports.** In addition to whatever reports the commissioner may make from time to time, the commissioner shall biennially report to the legislature and to the governor concerning the exercise of the commissioner's functions under sections 611A.72 to 611A.74 during the preceding biennium. The biennial report is due on or before the beginning of the legislative session following the end of the biennium.

History: *1Sp1985 c 4 s 20; 1986 c 444; 1987 c 244 s 7; 1988 c 638 s 16; 1990 c 583 s 8,9; 1995 c 226 art 7 s 17; 1997 c 239 art 7 s 34-36; 1998 c 254 art 1 s 105; 1999 c 139 art 4 s 2; 1Sp2001 c 8 art 5 s 14; 2002 c 220 art 7 s 22-27; 2023 c 52 art 5 s 79*

611A.75 MS 1996 [Repealed, 1997 c 7 art 2 s 67]

VICTIM SERVICES TELEPHONE LINE

611A.76 CRIME VICTIM SERVICES TELEPHONE LINE.

The commissioner of public safety shall fund at least one statewide toll-free 24-hour telephone line for the purpose of providing crime victims with referrals for victim services and resources.

History: *1992 c 571 art 5 s 9; 2014 c 212 art 1 s 11*

MEDIATION PROGRAMS

611A.77 MEDIATION PROGRAMS FOR CRIME VICTIMS AND OFFENDERS.

Subdivision 1. **Grants.** The executive director of the Office of Justice Programs in the Department of Public Safety shall award grants to nonprofit organizations to create or expand mediation programs for crime victims and offenders. For purposes of this section, "offender" means an adult charged with a nonviolent crime or a juvenile who has been referred to a mediation program before or after a petition for delinquency has been filed in connection with a nonviolent offense, and "nonviolent crime" and "nonviolent offense" exclude any offense in which the victim is a family or household member, as defined in section 518B.01, subdivision 2.

Subd. 2. **Programs.** The executive director of the Office of Justice Programs in the Department of Public Safety shall award grants to further the following goals:

(1) to expand existing mediation programs for crime victims and juvenile offenders to also include adult offenders;

(2) to initiate victim-offender mediation programs in areas that have no victim-offender mediation programs;

(3) to expand the opportunities for crime victims to be involved in the criminal justice process;

(4) to evaluate the effectiveness of victim-offender mediation programs in reducing recidivism and encouraging the payment of court-ordered restitution; and

(5) to evaluate the satisfaction of victims who participate in the mediation programs.

Subd. 3. **Mediator qualifications.** The executive director of the Office of Justice Programs in the Department of Public Safety shall establish criteria to ensure that mediators participating in the program are qualified.

Subd. 4. **Match required.** A nonprofit organization may not receive a grant under this section unless the group has raised a matching amount from other sources.

History: *1992 c 571 art 5 s 10; 1994 c 576 s 54; 1999 c 216 art 6 s 18; 2013 c 125 art 1 s 96-98*

RESTORATIVE JUSTICE PROGRAMS

611A.775 RESTORATIVE JUSTICE PROGRAMS.

A community-based organization, in collaboration with a local governmental unit, may establish a restorative justice program. A restorative justice program is a program that provides forums where certain individuals charged with or petitioned for having committed an offense meet with the victim, if appropriate; the victim's family members or other supportive persons, if appropriate; the offender's family members or other supportive persons, if appropriate; a law enforcement official or prosecutor when appropriate; other criminal justice system professionals when appropriate; and members of the community, in order to:

(1) discuss the impact of the offense on the victim and the community;

(2) provide support to the victim and methods for reintegrating the victim into community life;

(3) assign an appropriate sanction to the offender; and

(4) provide methods for reintegrating the offender into community life.

History: *1998 c 367 art 2 s 25*

611A.78 MS 2012 [Repealed, 2014 c 212 art 1 s 15]

CIVIL DAMAGES FOR BIAS OFFENSES

611A.79 CIVIL DAMAGES FOR BIAS OFFENSES.

Subdivision 1. **Definition.** For purposes of this section, "bias offense" means conduct that would constitute a crime and was committed because of the victim's or another's actual or perceived race, color, religion, sex, sexual orientation, disability as defined in section 363A.03, age, or national origin.

Subd. 2. **Cause of action; damages and fees injunction.** A person who is damaged by a bias offense has a civil cause of action against the person who committed the offense. The plaintiff is entitled to recover the greater of:

(1) $500; or

(2) actual general and special damages, including damages for emotional distress.

A plaintiff also may obtain punitive damages as provided in sections 549.191 and 549.20 or an injunction or other appropriate relief.

Subd. 3. **Relation to criminal proceeding; burden of proof.** A person may bring an action under this section regardless of the existence or outcome of criminal proceedings involving the bias offense that is the basis for the action. The burden of proof in an action under this section is preponderance of the evidence.

Subd. 4. **Parental liability.** Section 540.18 applies to actions under this section, except that:

(1) the parent or guardian is liable for all types of damages awarded under this section in an amount not exceeding $5,000; and

(2) the parent or guardian is not liable if the parent or guardian made reasonable efforts to exercise control over the minor's behavior.

Subd. 5. **Trial; limitation period.** (a) The right to trial by jury is preserved in an action brought under this section.

(b) An action under this section must be commenced not later than six years after the cause of action arises.

Subd. 6. **Other rights preserved.** The remedies under this section do not affect any rights or remedies of the plaintiff under other law.

History: *1996 c 468 s 1*

ACTIONS INVOLVING COERCION INTO PROSTITUTION

611A.80 DEFINITIONS.

Subdivision 1. **General.** The definitions in this section apply to sections 611A.80 to 611A.88.

Subd. 2. **Coerce.** "Coerce" means to use or threaten to use any form of domination, restraint, or control for the purpose of causing an individual to engage in or remain in prostitution or to relinquish earnings derived from prostitution. Coercion exists if the totality of the circumstances establish the existence of domination, restraint, or control that would have the reasonably foreseeable effect of causing an individual to engage in or remain in prostitution or to relinquish earnings from prostitution. Evidence of coercion may include, but is not limited to:

(1) physical force or actual or implied threats of physical force;

(2) physical or mental torture;

(3) implicitly or explicitly leading an individual to believe that the individual will be protected from violence or arrest;

(4) kidnapping;

(5) defining the terms of an individual's employment or working conditions in a manner that can foreseeably lead to the individual's use in prostitution;

(6) blackmail;

(7) extortion or claims of indebtedness;

(8) threat of legal complaint or report of delinquency;

(9) threat to interfere with parental rights or responsibilities, whether by judicial or administrative action or otherwise;

(10) promise of legal benefit, such as posting bail, procuring an attorney, protecting from arrest, or promising unionization;

(11) promise of financial rewards;

(12) promise of marriage;

(13) restraining speech or communication with others, such as exploiting a language difference, or interfering with the use of mail, telephone, or money;

(14) isolating an individual from others;

(15) exploiting a condition of developmental disability, cognitive limitation, affective disorder, or substance dependency;

(16) taking advantage of lack of intervention by child protection;

(17) exploiting victimization by previous sexual abuse or battering;

(18) exploiting pornographic performance;

(19) interfering with opportunities for education or skills training;

(20) destroying property;

(21) restraining movement;

(22) exploiting HIV status, particularly where the defendant's previous coercion led to the HIV exposure; or

(23) exploiting needs for food, shelter, safety, affection, or intimate or marital relationships.

Subd. 3. **Promotes the prostitution of an individual.** "Promotes the prostitution of an individual" has the meaning given in section 609.321, subdivision 7.

Subd. 4. **Prostitution.** "Prostitution" has the meaning given in section 609.321, subdivision 9.

History: *1994 c 624 s 1*

611A.81 CAUSE OF ACTION FOR COERCION FOR USE IN PROSTITUTION.

Subdivision 1. **Cause of action created.** (a) An individual has a cause of action against a person who:

(1) coerced the individual into prostitution;

(2) coerced the individual to remain in prostitution;

(3) used coercion to collect or receive any of the individual's earnings derived from prostitution; or

(4) hired, offered to hire, or agreed to hire the individual to engage in prostitution, knowing or having reason to believe that the individual was coerced into or coerced to remain in prostitution by another person.

For purposes of clauses (1) and (2), money payment by a patron, as defined in section 609.321, subdivision 4, is not coercion under section 611A.80, subdivision 2, clause (5) or (11), or exploiting needs for food or shelter under section 611A.80, subdivision 2, clause (23).

Clause (3) does not apply to minor children who are dependent on the individual and who may have benefited from or been supported by the individual's earnings derived from prostitution.

(b) An individual has a cause of action against a person who did the following while the individual was a minor:

(1) solicited or induced the individual to practice prostitution;

(2) promoted the prostitution of the individual;

(3) collected or received the individual's earnings derived from prostitution; or

(4) hired, offered to hire, or agreed to hire the individual to engage in prostitution.

Mistake as to age is not a defense to an action under this paragraph.

Subd. 2. **Damages.** A person against whom a cause of action may be maintained under subdivision 1 is liable for the following damages that resulted from the plaintiff's being used in prostitution or to which the plaintiff's use in prostitution proximately contributed:

(1) economic loss, including damage, destruction, or loss of use of personal property; loss of past or future income or earning capacity; and income, profits, or money owed to the plaintiff from contracts with the person; and

(2) damages for death as may be allowed under section 573.02, personal injury, disease, and mental and emotional harm, including medical, rehabilitation, and burial expenses; and pain and suffering, including physical impairment.

History: *1994 c 624 s 2*

611A.82 ACTS NOT DEFENSES.

None of the following shall alone or jointly be a sufficient defense to an action under section 611A.81:

(1) the plaintiff consented to engage in acts of prostitution;

(2) the plaintiff was paid or otherwise compensated for acts of prostitution;

(3) the plaintiff engaged in acts of prostitution prior to any involvement with the defendant;

(4) the plaintiff apparently initiated involvement with the defendant;

(5) the plaintiff made no attempt to escape, flee, or otherwise terminate contact with the defendant;

(6) the defendant had not engaged in prior acts of prostitution with the plaintiff;

(7) as a condition of employment, the defendant required the plaintiff to agree not to engage in prostitution; or

(8) the defendant's place of business was posted with signs prohibiting prostitution or prostitution-related activities.

History: *1994 c 624 s 3*

611A.83 EVIDENCE.

Subdivision 1. **Use in other proceedings.** In the course of litigation under section 611A.81, any transaction about which a plaintiff testifies or produces evidence does not subject the plaintiff to criminal prosecution or any penalty or forfeiture. Any testimony or evidence, documentary or otherwise, or information directly or indirectly derived from that testimony or evidence that is given or produced by a plaintiff or a witness for a plaintiff may not be used against that person in any other investigation or proceeding, other than a criminal investigation or proceeding for perjury committed while giving the testimony or producing the evidence.

Subd. 2. **Convictions.** Evidence of convictions for prostitution or prostitution-related offenses is inadmissible in a proceeding brought under section 611A.81 for purposes of attacking the plaintiff's credibility. If the court admits evidence of prior convictions for purposes permitted under Minnesota Rules of Evidence, rule 404(b) with respect to motive, opportunity, intent, preparation, plan, knowledge, identity, or absence of mistake or accident, the fact finder may consider the evidence solely for those purposes and shall disregard details offered to prove any fact that is not relevant.

History: *1994 c 624 s 4*

611A.84 STATUTE OF LIMITATIONS.

An action for damages under section 611A.81 must be commenced not later than six years after the cause of action arises, except that the running of the limitation period is suspended during the time that coercion as defined in section 611A.80 continues, or as otherwise provided by section 541.13 or 541.15.

History: *1994 c 624 s 5*

611A.85 OTHER REMEDIES PRESERVED.

Sections 611A.80 to 611A.88 do not affect the right of any person to bring an action or use any remedy available under other law, including common law, to recover damages arising out of the use of the individual in prostitution or the coercion incident to the individual being used in prostitution; nor do sections 611A.80 to 611A.88 limit or restrict the liability of any person under other law.

History: *1994 c 624 s 6*

611A.86 DOUBLE RECOVERY PROHIBITED.

A person who recovers damages under sections 611A.80 to 611A.88 may not recover the same costs or damages under any other law. A person who recovers damages under any other law may not recover for the same costs or damages under sections 611A.80 to 611A.88.

History: *1994 c 624 s 7*

611A.87 AWARD OF COSTS.

Upon motion of a prevailing party in an action under sections 611A.80 to 611A.88, the court may award costs, disbursements, and reasonable attorney fees and witness fees to the party.

History: *1994 c 624 s 8*

611A.88 NO AVOIDANCE OF LIABILITY.

No person may avoid liability under sections 611A.80 to 611A.88 by means of any conveyance of any right, title, or interest in real property, or by any indemnification, hold harmless agreement, or similar agreement that purports to show consent of the plaintiff.

History: *1994 c 624 s 9*

CHILD ABUSE VICTIMS; VIDEOTAPE

611A.90 RELEASE OF RECORDINGS OF CHILD ABUSE VICTIMS.

Subdivision 1. **Definitions.** For purposes of this section, "physical abuse" and "sexual abuse" have the meanings given in section 260E.03, except that abuse is not limited to acts by a person responsible for the child's care or in a significant relationship with the child or position of authority.

Subd. 2. **Court order required.** (a) A custodian of a recording of a child victim or alleged victim alleging, explaining, denying, or describing an act of physical or sexual abuse as part of an investigation or evaluation of the abuse may not release a copy of the recording without a court order, notwithstanding that the subject has consented to the release of the recording or that the release is authorized under law.

(b) The court order may govern the purposes for which the recording may be used, reproduction, release to other persons, retention and return of copies, and other requirements reasonably necessary for protection of the privacy and best interests of the child.

Subd. 3. **Petition.** An individual subject of data, as defined in section 13.02, or a patient, as defined in sections 144.291 to 144.298, who is seeking a copy of a recording governed by this section may petition the district court in the county where the alleged abuse took place or where the custodian of the recording resides for an order releasing a copy of the recording under subdivision 2. Nothing in this section establishes a right to obtain access to a recording by any other person nor limits a right of a person to obtain access if access is otherwise authorized by law or pursuant to discovery in a court proceeding.

History: *1995 c 259 art 4 s 6; 2007 c 147 art 10 s 15; 1Sp2020 c 2 art 8 s 143; 2025 c 35 art 5 s 16*

CRIME VICTIM CERTIFICATION

611A.95 CERTIFICATIONS FOR VICTIMS OF CRIMES.

Subdivision 1. **Definitions.** For purposes of this section, the following terms have the meanings given:

(1) "certifying entity" means a state or local law enforcement agency;

(2) "criminal activity" means qualifying criminal activity pursuant to section 101(a)(15)(U)(iii) of the Immigration and Nationality Act, as amended through June 1, 2021, and includes the attempt, conspiracy, or solicitation to commit such crimes; and

(3) "certification" means any certification or statement required by federal immigration law, as amended through June 1, 2021, including but not limited to the information required by United States Code, title 8, section 1184(p), and United States Code, title 8, section 1184(o), including current United States Citizenship and Immigration Services Form I-918, Supplement B, and United States Citizenship and Immigration Services Form I-914, Supplement B, and any substantively similar successor forms.

Subd. 2. **Certification process.** (a) A certifying entity shall process a certification requested by a victim of criminal activity or a representative of the victim, including the victim's attorney, family member, or domestic violence or sexual assault violence advocate, within the time period prescribed in paragraph (b).

(b) A certifying entity shall process the certification within 90 days of request, unless the victim is in removal proceedings, in which case the certification shall be processed within 14 days of request. Requests for expedited certification must be affirmatively raised at the time of the request.

(c) An active investigation, the filing of charges, or a prosecution or conviction are not required for the victim of criminal activity to request and obtain the certification, provided that the certifying entity initiated an investigation and the victim cooperated in it.

Subd. 3. **Certifying entity; designate agent.** (a) The head of a certifying entity shall designate an agent to perform the following responsibilities:

(1) timely process requests for certification;

(2) provide outreach to victims of criminal activity to inform them of the entity's certification process; and

(3) keep a written or electronic record of all certification requests and responses.

(b) All certifying entities shall implement a language access protocol for non-English-speaking victims of criminal activity.

Subd. 4. **Disclosure prohibited; data classification.** (a) A certifying entity is prohibited from disclosing the immigration status of a victim of criminal activity, except to comply with federal law or legal process, or if authorized by the victim of criminal activity or representative requesting the certification.

(b) Data provided to a certifying entity under this section is classified as private data pursuant to section 13.02, subdivision 12.

History: *1Sp2021 c 11 art 3 s 34*