

# AFTER A HOMICIDE

HELP WHEN A FAMILY  
MEMBER IS A VICTIM  
OF HOMICIDE.



OFFICE OF JUSTICE PROGRAMS

MINNESOTA DEPARTMENT OF PUBLIC SAFETY

## CRIME VICTIMS HAVE RIGHTS

Under Minnesota law, a family member, guardian, or custodian of a deceased victim is considered a "crime victim" and is entitled to statutory crime victim rights.

Victims have a right to apply for financial assistance (reparations) from the state if they have suffered economic loss as a result of the crime.

Victims and witnesses have the right to request that the investigating law enforcement agency withhold their identity from the public.

In the event of prosecution, victims have the right to:

- Be informed of and participate in the prosecution process.
- Request the court to order the defendant to pay restitution if the defendant is found guilty or pleads guilty.
- A secure waiting area during court proceedings.
- Protection against employer retaliation for victims and witnesses called to testify and for victims of violent crimes and their family members who take reasonable time off to attend court proceedings.
- Be present at the sentencing and plea presentation hearings.
- Object orally or in writing to a plea agreement at the plea presentation hearing.
- Object orally or in writing to a proposed disposition or sentence.
- Inform the court of the impact of crime orally or in writing at the sentencing hearing.

### In cases of homicide

Under Minnesota law, a person who intentionally and feloniously kills another is prevented from benefitting from a will, insurance policy, or contractual agreement as a result of the death of the victim.

Upon request to the court by a personal representative, special administrator, or an interested person, the court may issue a protective order preventing a murder defendant from selling, destroying, or otherwise disposing of property belonging to the deceased victim.

*If you are a crime victim or witness and have questions about your rights or believe they have been violated, call the **Crime Victim Justice Unit** 651.201.7310 • 1.800.247.0390 ext. 3*

## COMMON QUESTIONS

### ***Will the police call me?***

The investigator with the law enforcement agency in charge of the case may contact you with regular updates, or you may need to find out from that agency who to contact with questions or for updates.

### ***Will someone let me know if charges are filed?***

If charges are filed against the offender, the county attorney's office responsible for prosecuting the case will notify you and any other victims, typically in writing, and provide a notice of crime victim rights. To ensure that the county attorney has your contact information, contact the county attorney's office.

### ***How will I find out what is happening with the case after charges are filed?***

Many counties have a victim witness coordinator or advocate who is there to provide information about the case and assistance and support to victims throughout the prosecution process.

### ***Will I have to go to court?***

If you are a witness to the crime or have knowledge about the crime that will be needed for the prosecution, you may be subpoenaed to testify at the trial. A subpoena is a court order requiring you to go to court. You only have to go to court if you have been subpoenaed to testify.

### ***Can I attend all the hearings?***

Yes. In general, criminal court proceedings involving adult defendants are open to the public. A judge may close a hearing or exclude a victim or witness under certain circumstances. Victims in cases involving juvenile offenders may attend the court proceedings.

### ***Do I get to see the police report?***

While the case is being investigated and during the prosecution, the investigative report is confidential and will not be released. A victim can make a request to the prosecutor to see the investigative report, but the prosecutor can decide not to release it. After the prosecution has concluded, the investigative file is public and the victim can obtain a copy.

### ***How do I get a copy of the medical examiner's report?***

The representative of the deceased victim's estate and the deceased victim's family members can obtain a copy of the medical examiner's report by making a request to that office.

## THE ROAD AHEAD

The violent, unexpected death of a family member or intimate partner is one of the most traumatic experiences a person can face and prompts a wide range of emotional reactions. Victims may find that the normal grief one would experience after losing a loved one is further complicated by the trauma or stigma of the crime, as well as any criminal prosecution that follows.

There is no right or wrong way to feel when someone close is murdered or killed. Victims may feel overwhelmed with shock, disbelief, anger, sadness, fear, guilt, and worry with an intensity never experienced before, or they may feel emotionally numb. Such feelings are normal in the days, weeks, and months following a homicide, and working through these emotions and coming to terms with the loss can be a slow and challenging process. Accepting support from others and reaching out for additional support from those who have gone through this experience as well as professional counselors can often help in managing these emotions.

The criminal justice process following a homicide may be confusing, frustrating, and traumatic for victims, especially as they often feel they have little control over it. Investigations do not always lead to arrests, prosecutions do not always lead to convictions, and convictions do not always lead to sentences reflective of the harm done. While many victims yearn for a swift resolution of their case, the reality is that homicide cases often take many months or even years to conclude.

While media attention can sometimes be welcome, it is not uncommon for family members to feel re-victimized if the media fails to respect boundaries, reports inaccurate information, portrays the victim in a negative light, or overlooks reporting the crime altogether. Victim assistance professionals or the investigator assigned to the case can suggest ways to deal with such media issues.

*People who have not personally experienced the sudden and violent loss of a family member or partner may never fully understand the painful reality and consequences of this type of victimization. Often, homicide victims experience many difficult emotions and, in some cases, they may be so traumatized that it can be challenging to care for themselves and resume their daily activities. It is important for victims to know that they are not alone and that resources and support are available.*

## FINANCIAL ASSISTANCE

The Minnesota Crime Victims Reparations Board can help ease the financial burdens faced by family members as a result of a violent crime. If someone in your family was killed in a homicide, you may be eligible for financial assistance for expenses related to the crime or the loss of income due to the death of the person supporting the family.

The **Reparations Board** can pay for the following expenses:

- Funeral and burial or cremation expenses
- Crime scene cleanup
- Counseling services
- Loss of support
- Lost wages
- Child care
- Medical costs

A claim for benefits can be made by:

- A family member or dependent of the deceased victim, or the estate of the deceased victim.
- A person that paid for some of the services for a surviving victim.
- The guardian, guardian ad litem, conservator, or authorized agent of a surviving victim.
- Witnesses to the crime.

The Reparations Board can pay for expenses that were not covered by health or automobile insurance or other sources of funding (not including life insurance). Eligibility is not based on income, and there are limits on some benefits.

Contact the Reparations Board to request a claim form or to ask questions about benefits. Information and claim forms are also available on the OJP Website.

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

## RESOURCES

### Finding support

Many homicide victims find it helpful to talk to other survivors who can relate to their experience. For information about survivor support groups in your area, please contact:

**Parents of Murdered Children**  
651.484.0336

**Survivor Resources**  
St. Paul 651-66-5674 | Minneapolis 612-673-3951  
After hours: 612-961-4770 | 612-325-9655  
Crisis response, emotional support, and support groups for adults, children, and teens.

**Mothers Against Drunk Driving**  
651-523-0802 or 800-487-6233

### Victim assistance

If you need help finding the name and number of your local victim assistance program, please contact the Office of Justice Programs: 651-201-7310, ext. 3 or 800-247-0390 ext. 3.

### When the offender is in custody

To find out if the offender is in custody, or to request notification of an inmate's change in custody status, including transfer or release, use the Minnesota VINE service.

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

If the offender is sentenced to prison, you can request to be notified of changes in custody status, including transfer or release, and to get information about the offender through the **Minnesota CHOICE** service. In addition, the Minnesota Department of Corrections (DOC) Victim Assistance and Restorative Justice Program provides assistance to victims of offenders sentenced to a DOC facility.

**651-361-7200 or 800-657-3830**  
**[www.mnnesotachoice.com](http://www.mnnesotachoice.com)**

CASE NUMBER: \_\_\_\_\_

BADGE NUMBER: \_\_\_\_\_