



# Edina Police Operations Manual

Policy Number  
685.00

Subject:

## NOTICE OF THE RIGHTS OF CRIME VICTIMS

Effective Date  
06/01/1993

Revised Date  
05/06/2020

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### PURPOSE:

To establish guidelines for Department members to follow when they are required to distribute a notice advising of the rights of crime victims.

### 685.01 MINNESOTA STATE STATUTES

Subd. 1 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, 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; and

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

(<http://www.revisor.leg.state.mn.us/stats/611A/01.html> 05/19/2020)

### Subd. 2 **Victim's Rights** 611A.02 **Subd. 2**

(a) The Crime Victim and Witness Advisory Council shall develop two model notices of the rights of crime victims.

(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. The notice must inform a victim of.

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(1) the victim's right to apply for reparations to cover losses, not including property losses, resulting from a violent crime and the telephone number to call to request an application;

(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 the nearest crime victim assistance program or resource; and

(5) the victim's rights, if an offender is charged, to be informed of and participate in the prosecution process, including the right to request restitution.

(6) in homicide cases, information on rights and procedures are available under sections [524.2-803](#), [524.3-614](#) and [524.3-615](#).

(c) 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.

<http://www.revisor.leg.state.mn.us/stats/611A/02.html> 05/19/2020)

**685.02****PROCEDURE**

At the time of the initial contact with a victim of a crime, officers should provide the victim with an Edina Police Department Informational Card, which contains the required statutory information regarding the rights of crime victims. Officers should consider additional services for victims who do not speak English or those who speak limited English.