



1 West Water Street, Suite 260, St. Paul, Minnesota 55107
612.940.8090 • www.mnallianceoncrime.org

For Law Enforcement: “Payables” and Victims—The Importance of Checking the Endangerment Box

The priority initiative of the Minnesota Alliance on Crime is strengthening rights for victims. When the “endangerment box” is not checked by law enforcement in applicable vehicular offenses, victims are not afforded the rights they deserve.

The Statewide Payables List identifies those vehicular offenses for which an individual can choose to pay the listed fine rather than make a court appearance and contest the citation. If the issuing law enforcement officer checks the “endangerment box” on the citation, the “payable” or petty misdemeanor is enhanced to a misdemeanor, and the offender must appear in court. The endangerment box must be checked when the violation was committed in a manner or under circumstances so as to endanger or be likely to endanger any person or property. Since 2013, the list of payables includes careless driving citations.

Checking the endangerment box makes a difference for victims. If the box is not checked, the citation is not directed to the court, and the victim loses all rights, including the right to notice of the criminal case, the right to request restitution, and the right to give a victim impact statement.

Law enforcement agencies should train officers on which situations require checking the endangerment box. In addition, agencies should discuss the issue with their local prosecutors.

Things to keep in mind:

- The endangerment box can be checked even if there has not been a collision resulting in damage to person or property. “Endangerment” includes situations where the offense was committed in a manner likely to endanger any person or property, for example, speed in gross excess of the limit.
- Officers should consider checking the endangerment box any time there is a collision, regardless of the cited offense (e.g., careless driving, failure to yield, or failure to obey a traffic signal).
- Officers should strongly consider checking the endangerment box any time there is a death. This brings the citation to court, and the prosecutor will then have the responsibility to notify the deceased’s family of the proceedings. Not checking the box brings up the possibility that the deceased’s family will learn much later or indirectly (sometimes through the media) that the case was resolved through payment of a fine.

This small step can make a big difference! Bringing the case into court protects any rights victims may have in the case.

For technical assistance on this topic, please contact Bobbi Holtberg, executive director, at 612-940-8090, extension 101, or bobbi@mnallianceoncrime.org.

About the Minnesota Alliance on Crime

The Minnesota Alliance on Crime connects systems, service providers, and victims to advance the response for victims of all crime. MAC is a membership coalition of more than 90 crime victim service providers in Minnesota, including prosecution-based victim/witness programs, community programs, law enforcement agencies, and individuals committed to supporting crime victims. We support our membership through training, technical assistance, resources, public policy and legislative initiatives, and networking opportunities.