

*Victims of crime, and their families have the **right** to **participate** and to be heard in the criminal **justice** system through the **use** of Victim **Impact** Statements. A Victim Impact **Statement** **provides** the victim with an **opportunity** to address the **court** prior to sentencing. This opportunity **allows** victims to **personalize** the crime and **express** the impact it has had on **them** and their families. This **process** may also **aid** victims in their emotional **recovery**.*



Victim Impact Statements



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Statements Provide Evidence of Harm

Victim Impact Statements may be the only means of making offenders aware of the harm they have caused.

A Victim Impact Statement can be written or oral. It gives the victim an opportunity to provide information for the judge to consider at sentencing, and allows the victim to express the pain, anguish and financial devastation the crime has caused.

Victims have little opportunity to communicate how the crime affected them to judges and other criminal justice system personnel. A Victim Impact Statement provides the court with information which leads to appropriate sentences and suitable restitution.

Statements Provide Evidence of Harm

How is the statement presented?

According to law, the victim determines how the statement should be presented at the sentencing or disposition hearing. They may choose to:

- ▶ Present the statement in written form
- ▶ Present the statement orally to the court
- ▶ Request the prosecuting attorney or victim advocate to orally present the statement.

The Victim Impact Statement may be the victim's only opportunity to tell the judge about the crime.

Things to Include on Statement

What to include on a Victim Impact Statement:

- ▶ A brief summary of the harm or trauma suffered by the victim as a result of the crime
- ▶ A summary of the financial loss or damage suffered by the victim as a result of the crime; include a request for restitution for out-of-pocket expenses
- ▶ The victim's reactions or objections to the proposed sentence
- ▶ Jail, prison, work release privileges, community service can be addressed
- ▶ A short statement of what outcome the victim would like and their reasons, including support for, or opposition to, treatment or community service programs
- ▶ Highlights about the victim—their past accomplishments, hopes for the future and what the crime has done to these activities
- ▶ The overall effect the incident has had on the victim and family
- ▶ Do not repeat facts already presented.

Corrections Personnel Services

Minnesota victims' rights legislation requires corrections personnel to provide specific services to crime victims including:

- ▶ Notification of time and place of sentencing
- ▶ Victims' right to be present at sentencing
- ▶ Opportunity for victims to provide a personal statement to be used to determine an appropriate sentence.

When Addressing the Court

Consider the following facts when writing or speaking to the court:

- ▶ The physical injuries—temporary or permanent
- ▶ The medical or dental treatment required and any surgery, on-going therapy, etc.
- ▶ Emotional/psychological injuries suffered and outlook for future treatment
- ▶ Loss of ability to work and lost wages
- ▶ Change in lifestyle (ability to work, play, drive, forced relocation)
- ▶ Impact on family members
- ▶ Pain and emotional trauma (anxiety, nightmares, desperation)
- ▶ Your feelings about people who commit crime
- ▶ Effect of sudden death to family members, loss of hopes, dreams, companionship, financial security
- ▶ Your accomplishments, awards and activities (photos may be helpful).