

Victim Impact Statements

What Is It?

Victim impact statements are written or oral information from crime victims, in their own words, about how a crime has affected them. All 50 states allow victim impact statements at some phase of the sentencing process. Most states permit them at parole hearings, and victim impact information is generally included in the pre-sentencing report presented to the judge.

Purpose: The purpose of victim impact statements is to allow crime victims, during the decision-making process on sentencing or parole, to describe to the court or parole board the impact of the crime. A judge may use information from these statements to help determine an offender's sentence; a parole board may use such information to help decide whether to grant a parole and what conditions to impose in releasing an offender. A few states allow victim impact information to be introduced at bail, pre-trial release, or plea bargain hearings.

Victim impact statements may provide information about damage to victims that would otherwise have been unavailable to courts or parole boards. Victims are often not called to testify in court, and if they testify, they must respond to narrow, specific questions. Victim impact statements are often the victims' only opportunity to participate in the criminal justice process or to confront the offenders who have harmed them. Many victims report that making such statements improves their satisfaction with the criminal justice process and helps them recover from the crime.

Contents: Victim impact statements may include descriptions of:

- Physical damage caused by the crime.
- Emotional damage caused by the crime.
- Financial costs to the victim from the crime.
- Medical or psychological treatments required by the victim or his or her family.
- The need for restitution (court-ordered funds that the offender pays the victim for crime-related expenses).
- The victim's views on the crime or the offender (in some states).
- The victim's views on an appropriate sentence (in some states).

Other Important Facts:

- **Statement Formats:** Most states allow victims to present oral or written statements. Some states allow victims to record impact statements on videotape, audiotape, or other electronic means, particularly for use at parole hearings. In some states, child victims may submit drawings to describe how the crime affected them.
- **Role in Deliberations:** Some states require judges or parole boards to consider victim impact statements in their deliberations. Others simply allow victims to make statements with no additional requirement for judges or parole boards.

- **Defendants' Rights:** Defendants are usually allowed to challenge the accuracy of the facts presented in victim impact statements.

If You Are a Victim

How You May Feel: You may have mixed feelings about making a victim impact statement. You may welcome the opportunity to tell the judge or parole hearing officer how the crime affected your life. Yet you may be anxious because you don't know how to prepare an impact statement or you don't want to bring back bad memories by describing how the crime has hurt you.

What You Can Do: Victims are often relieved to know that victim advocates in their communities can help them make decisions about victim impact statements. Victim advocates in your local district attorney's office or victim service agency can offer you information about your state's policies and procedures on victim impact statements. They can help you weigh the benefits of submitting a statement, and they can help you prepare and submit your victim impact statement. (To learn more about your state's approach to victim impact statements and the "right to be heard," visit www.victimlaw.info.)

Resources

The National Crime Victim Helpline (**1-800-FYI-CALL**) can give you basic information about victim impact statements and help you find victim advocates in your area. Services are free and confidential.

National Crime Victim Helpline

1-800-FYI-CALL (1-800-394-2255)

1-800-211-7996 TTY

8:30 a.m. – 8:30 p.m. ET weekdays

Or visit: **Help for Crime Victims:** www.ncvc.org/victimassistance

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