

# UINTAH COUNTY ATTORNEY'S OFFICE

641 East 300 South, Suite 200, Vernal, UT 84078

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**G. Mark Thomas**, County Attorney  
**Jaymon J. Thomas**, Chief Deputy Criminal Division



The Uintah County Attorney's Office Victim Assistance Program is committed to helping crime victims by providing services and support to people in our county who have been affected by crime. We are sorry that you were victimized by the actions of the Defendant and are grateful for your participation in the criminal justice process. Your involvement and input are vital to promoting individual and community safety and to holding your offender accountable for the harm caused.

One of your most important rights as a victim of crime is the opportunity to tell the Court how you have been affected by the crime -- emotionally, physically and financially. Completing a "Victim Impact Statement" ensures that your voice is heard during the criminal justice process and will provide the Court with valuable information that can be used to hold the offender accountable and to promote safety for you and for our community.

We are grateful for your continuing support to the criminal justice process. If you have any questions about completing your Victim Rights Notification Form or your Victim Impact Statement, please contact Marla at (435) 781-5434.

Sincerely,

**Marla Cox**  
Uintah County Victim Advocate

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**UINTAH COUNTY ATTORNEY'S OFFICE  
VICTIM ASSISTANCE PROGRAM  
VICTIM RIGHTS NOTIFICATION FORM**

By law, a victim of a crime who is a natural person, has the right to request to receive the following from the Uintah County Attorney's Office:

- Opportunity to talk with the prosecutor before a plea, a dismissal, or a trial; AND
- Notification of the following court proceedings:
  - **Arraignment** = hearing where Defendant enters plea of guilty or not guilty;
  - **Bail Hearing / Conditions of Pretrial Release** = hearing where Court decides if Defendant will be released and, if so, under what conditions;
  - **Preliminary Hearing** = hearing before a Judge to determine whether there is a probable cause for a Defendant to stand trial;
  - **Disposition Hearing** = any hearing where Defendant pleads guilty or charges are dismissed;
  - **Trial** = trial of Defendant by Judge or Jury;
  - **Sentencing** = hearing where the Court decides the punishment of Defendant;
  - **Parole Hearing / Release from Confinement** = hearing where Court or Board sets conditions of probation, parole from prison, or release from jail.

**To complete the notification form, please follow these steps:**

1. Determine who is to exercise your rights as a victim. You must check **ONLY ONE** of the boxes and provide the name of the person if the person is someone different than the victim.
2. Fill in the mailing address and other contact information for the person who is to receive notification.
3. Sign the form, print your name, and return within 10 days of receipt to:

**Uintah County Attorney's Office**

Attn: Marla Cox

Uintah County Victim Advocate

641 East 300 South, Suite 200

Vernal, Utah 84078

**VICTIM RIGHTS NOTIFICATION FORM**

*Filing out this form is voluntary. Please return this form to our office at your earliest convenience.*

Name of Victim: \_\_\_\_\_  
Name of Defendant: \_\_\_\_\_  
Court Case No.: \_\_\_\_\_

**STEP ONE:**

Identify who will receive the notifications. CHECK ONLY ONE.

- I am the victim. I am requesting to exercise my rights (as outlined below).
- The victim is incapacitated (severely disabled or deceased). I, \_\_\_\_\_, have been designated as the family member to exercise the victim's rights.
- The victim is a minor child. I, \_\_\_\_\_, am the parent / guardian of the child victim. I am requesting to exercise the rights on behalf of the child victim.

**STEP TWO:**

Provide a mailing address for the person designated above to receive notification.

Street Address: \_\_\_\_\_ Apt: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**STEP THREE:**

Provide other contact information.

PHONE - Cell: \_\_\_\_\_ Home: \_\_\_\_\_ Work: \_\_\_\_\_  
Email: \_\_\_\_\_ Preferred Contact Method: \_\_\_\_\_

**STEP FOUR:**

Choose what involvement you would like to have in the case. CHECK ANY THAT APPLY.

- Notify me of all important court hearings and dispositions.
- Only notify me of any conviction and sentence.
- I would like to address the Court at appropriate hearings.
- I would like to talk with the prosecuting attorney.
- I do not wish to be notified of any court proceedings or disposition.

**STEP FIVE:**

Let us know what other rights you would like to exercise. CHECK ANY THAT APPLY.

- Right to be treated with dignity, respect, courtesy, and sensitivity - UCA § 77-37-1
- Right to be free from threats and intimidation - UCA § 77-37-3(1)(a)
- Right to be informed and assisted - UCA § 77-37-3(1)(b)
- Right to an explanation of the legal proceedings & plea negotiations - UCA § 77-37-3(1)(c)
- Right to seek restitution and reparations for your losses - UCA § 77-37-3(1)(e)
- Right to return of personal property after prosecution - UCA § 77-37-3(1)(f)

- Right to reasonable employer intercession services - UCA § 77-37-3(1)(g)
- Right to a speedy resolution of your case - UCA § 77-37-3(1)(h) & UCA § 77-38-7
- Right to notice of all important criminal justice proceedings - UCA § 77-37-3(1)(i)
- Right to be present in the courtroom for all important hearings - UCA § 77-38-4(1)(a)
- Right to be heard at any hearings regarding arraignment, disposition, release (excluding at initial appearance), sentence (including modification), and parole - UCA § 77-38-4(1)(b)
- Right to submit a written statement in any action on appeal related to that crime - UCA § 77-38-4(1)(c)
- Right to privacy - UCA § 77-38-6
- Right to object to an expungement petition - UCA § 77-38-14
- Right to have victim impact statement presented to the Court for sentencing if a presentence investigation is ordered - UCA § 77-18-1(5)

**IF YOU ARE THE VICTIM OF A SEXUAL OFFENSE:**

- Right to request HIV testing (voluntary for yourself and mandatory for the alleged sexual offender) - UCA § 77-37-3(1)(j)(i)
- Right to be informed whether a DNA profile was obtained from the case evidence - UCA § 77-37-3(1)(j)(ii)
- Right to be informed whether a DNA profile from the case evidence has been entered into the Utah Combined DNA Index System - UCA § 77-37-3(1)(j)(iii)
- Right to be informed about a match between a DNA profile from the case evidence and a DNA profile contained in the Utah Combined DNA Index System, provided that disclosure would not impede or compromise an ongoing investigation - UCA § 77-37-3(1)(j)(iv)
- Right to designate a person of your choosing to act as a recipient of the DNA profile info - UCA § 77-37-3(1)(j)(v)

**IF YOU ARE / REPRESENT A CHILD VICTIM:**

- Right to have the process conducted in the most effective and least traumatic, intrusive, and intimidating manner - UCA § 77-37-1(2)
- Right to protection from physical and emotional abuse during involvement with the criminal justice process - UCA § 77-37-4(1)
- Right not to be questioned, in any manner, nor to have allegations made, implying responsibility for inappropriate behavior adults commit against them - UCA § 77-37-4(2)
- Right to have interviews related to criminal prosecution kept to a minimum and conducted in an age-appropriate way - UCA § 77-37-4(3)
- Right to be informed of available community resources to assist you - UCA § 77-37-4(4)
- Right to keep confidential interviews recorded at the CJC - UCA § 77-37-4(5)

**STEP SIX:**

Sign and Return the form.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

## **VICTIM IMPACT STATEMENT FREQUENTLY ASKED QUESTIONS**

### **What is a Victim Impact Statement and how is it used?**

A Victim Impact Statement provides an opportunity for your voice to be heard by our criminal justice system. When completed, it is an important document that describes how the crime has affected you and your loved ones and provides input into how the court can best hold the offender accountable for the harm caused.

As a crime victim, you have the opportunity to use this Victim Impact Statement to describe how this crime affected you and others close to you. This statement has space for you to:

- Describe the crime
- Describe its physical, emotional, and financial effects on you and your loved ones
- Discuss and concerns you may have about your safety and security
- Address any changes in your life you may have experienced since the crime occurred
- Offer suggestions for a resolution that is fair
- Provide information that assist in the Court in making the offender take responsibility for actions that caused you harm and loss.

If the Defendant is convicted, your Victim Impact Statement will help the Court understand how this crime has affected you and those close to you. Whether you fill out the Victim Impact Statement or not, you have the right to speak to the Court at sentencing. If you would like to do so, please contact our office so we can assist you with your statement to the Court.

### **Is filling out the Victim Impact Statement mandatory?**

**No, you do not have to fill out a Victim Impact Statement.** Whether or not you choose to submit a Victim Impact Statement is a decision made by you and your family. It is a voluntary right that you have as a victim of crime. Know that the Victim Impact Statement is helpful to the Court when deciding what sentence, the Defendant should receive. It will also tell the Court about any money the Defendant may have to reimburse you for expenses or losses you have incurred because of this crime. This is called restitution. Please understand that even if the Court orders the Defendant to pay you restitution, there is no guarantee that the Defendant will be able to pay the entire amount. However, a court order for the full amount of your losses is important should you choose to pursue civil remedies for all the financial losses associated with this crime.

### **If I fill out the Victim Impact Statement, do I have to go to court?**

Filling out the Victim Impact Statement does not mean that you will have to go to court. In the event that you are needed as a witness in this case, you will be notified by subpoena that you are being required to appear in court and to testify in a criminal case. This process is separate of the voluntary Victim Impact Statement and serves an entirely different process.

### **How do I complete the Victim Impact Statement?**

The following suggestions are offered as a guide. Please answer as many questions as you wish. If you need more space, you can use additional pages and simply attach them to the form when you return it. If there is information that you feel is important, but is not addressed in the Victim Impact Statement, please include that information in any way you feel is appropriate.

Only you know how to best describe the effects this crime has had on you and those close to you. We realize it may be difficult to describe in words how this crime has affected you, your family

and friends. Your input is vital to determining a sentence that is fair and just and holding the offender accountable for the harm s/he caused you. The questions that follow are designed to help you and your family to complete this important process.

Some victims have found it helpful to write a rough draft of their statement before completing the final statement.

**Emotional Impact:** If you would like to tell the court about the emotional impact of this crime, you may wish to consider:

- How this crime has affected your lifestyle or those close to you
- How your feelings about yourself or your life have changed since the crime
- How your ability to relate to others has changed
- Any counseling or other support you have obtained to help you cope

**Physical Impact:** If you or your family members were injured, you may wish to tell the court about the physical impact of this crime by considering:

- The specific physical injuries you or members of your family suffered
- How long your injuries lasted or how long they are expected to last
- Any medical treatment you have received or expect to receive in the future
- How your physical injuries have affected your lifestyle (i.e. ability to work, play, live, etc.)

**Financial Impact:** It is very important for the court to understand how this crime has affected your ability to earn a living and how it has affected you financially. If you have paid or owe any money for bills because of this crime, please fill out the financial impact section of the statement. It is important to be accurate and complete as possible when listing your costs. This information is used in Court to determine what restitution the Defendant must pay you.

### **What is Crime Victim Reparations (CVR) and how can they help?**

If you are a victim of crime involving violence or resulting in personal injury, you may be able to receive financial help from the Utah Crime Victim Reparations Fund. This program can pay you back for certain out-of-pocket expenses for physical or emotional injuries received as a direct result of a crime. These expenses may include: medical bills, counseling costs, funeral expenses, lost wages, and support. This is not the same as restitution. You may be able to receive money to help you with some of your medical bills even before you go to court. You can file for benefits immediately following the crime even if no arrest has been made.

### **Who can help me fill out the Victim Impact Statement?**

Please return your completed Victim Impact statement to our office at your earliest convenience. If you have any questions while writing your Victim Impact Statement or if you would like to speak to the Court at sentencing, please contact our office so we can assist in setting this up for you. If we can assist you in any way at all, contact Marla Cox at (435) 781-5434.

**VICTIM IMPACT STATEMENT**

*Filing out this form is voluntary. If you choose to fill out the form, you do not have to complete every section. You can fill in this form or you can write your statement in your own way using whatever method you feel most comfortable with. **If you wish to provide any Victim Impact Statement, please deliver it to our office at your earliest convenience.***

Name of Victim: \_\_\_\_\_  
Name of Defendant: \_\_\_\_\_  
Court Case No.: \_\_\_\_\_

**Physical Impact:**

*You can describe injuries you received, treatment you may have had, and ongoing physical effects. If you have additional information, such as a doctor report or photographs, you can attach it to this form.*

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**Emotional Impact:**

*You can describe psychological or emotional effects the crime has caused you. If you have additional information, such as reports from a psychologist or counselor, you can attach it to this form.*

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**Financial Impact:**

*You can describe loss of wages or income or other expenses incurred as a result of the crime. If you have additional information, such as pay stubs, you can attach it to this form.*

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**Property Damage / Property Loss:**

*You can describe damage to any of your property. You can describe any loss of property that has not been recovered. If you have additional information, you can attach it to this form.*

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**Other Relevant Information:**

*You can describe how your life has changed as a result of the crime. You can describe anything else you want to tell the Court that has not been included in other sections. If you have additional information, you can attach it to this form.*

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**Sentence Input:**

*You can include what you would like the Court to order the Defendant to do, such as go to prison/jail, pay fines, pay restitution, have no contact with you, attend counseling, etc.*

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Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Please send any Victim Impact Statement and additional materials (if any) to:

**Uintah County Attorney's Office**  
Attn: Marla Cox  
641 East 300 South, Suite 200  
Vernal, Utah 84078