

## **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 any 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 assists 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 of 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.