

# Victim Impact Statement Factsheet

A Victim Impact Statement is written or spoken testimony from a victim, entity, or business that describes the physical, psychological, emotional, and financial harm they experienced because of the crime during sentencing. The court must consider the victim impact statement as well as statements from both the prosecution and the defense when determining an offender's sentence.

## Victim Impact Statements are a Victim Right!

In Washington State, victim impact statements are defined in the [Crime Victim Bill of Rights](#) and are an essential right that provide victim's voices in the criminal justice system. Victim impact statements provide victims the opportunity to share with both the court and the offender, in their own words, how the crime has affected them.

## Who can prepare a victim impact statement?

Any person who has suffered physically or emotionally, or who has had their property damaged or financial loss, as a direct result of a crime committed against them. Generally, Victim Impact Statements may be prepared by:

- Direct victims (individuals, entities, and businesses)
- The survivors of deceased victims
- Immediate family members of victims
- Close friends and community members who have been impacted by the secondary impacts of crime may also submit statements in some cases.

Courts may limit how many victims may provide spoken testimony during a sentencing, but generally there is no limitations as to how many written statements the court may consider.

## Do I have to write a Victim Impact Statement?

No. It is not required that you write a victim impact statement. The choice is entirely yours to participate. Some of the potential benefits of writing a Victim Impact Statement are:

- The Judge will be able to hear directly from you, in your own words. It may place some perspective to the Judge that there is a real life, victim, family, community that is directly impacted by this crime.
- You have an opportunity to directly tell the judge your opinion on the recommended sentence length.
- Your statement becomes part of the record of the case.
- Some victims share that having the opportunity to share with both the court, and the offender, the impact of the crime is a helpful part of their individual healing journey.

## How to prepare a Victim Impact Statement

Preparing a victim impact statement can feel like a very intimidating and daunting task. Some individuals or entities have shared they struggle to express in words the intense trauma or impact that they have experienced as a result of a crime. Remember to pace yourself, take breaks, and resist the pressure that it needs to be "perfect". Below are some prompt questions to help guide you:

- How has the crime impacted you, your business or your family?

- *Physically* -- ex: injuries, surgeries, disfigurement, long term disability, increased cardiac distress or chronic pain, fatigue, anxiety, etc.
- *Emotionally/psychologically* – ex: Depression, panic symptoms, PTSD, Inability to concentrate, shame, guilt, terror, shock, fear, Anger or rage, grief, etc.
- *Financially* – ex: Medical Bills (hospital stays, emergency transportation, inpatient or outpatient care, medical supplies) prescriptions, loss of work or loss of job, job retraining, crime scene cleanup costs, relocation expenses, childcare, loss of or damage of personal property, loss of revenue, mental health costs, etc.
- *Broader impacts* – ex: Change in world view, spiritual impacts, community impacts etc.
- What is your recommendation for the court regarding the sentencing of this case?
  - Do you have any treatment recommendations?
  - Do you have any length of time recommendations?

Remember that these are simple prompts to help you reflect on the many ways this crime may have impacted you. This is your opportunity to describe to the court in your own words your experience.

### **How can a Victim Impact Statement be presented to the court?**

Preparing and presenting a victim impact statement before the court can be intimidating. Some individuals share that they do not feel comfortable speaking in front of the court let alone the offender. There are many different options to consider when presenting your victim impact statement to the court. Some of the options may include:

- Giving spoken testimony in open court directly to the judge.
  - You can choose to have a support person or advocate stand beside you when you share your statement
  - You may choose to hold a picture (large enough for the court to see) to demonstrate your impact.
- Choose a support person or advocate to read your statement on your behalf.
- Submitting a letter for the Judge (and defense) to review in advance of the sentencing.
  - It is important to note that any written statement is open to public disclosure and provided directly to the defense and the defendant. Please be sure *not* to include address or contact information in your statement.
  - Some victims choose to include a written statement in addition to their spoken statement that they provide during court. If you choose this option, please do not submit identical statements, the Judge will have already read any written statement in advance of the sentencing hearing.
- You may also choose to pre-record your statement on video with prior court permission. Contact your advocate in advance if you would like to pursue this option to gain permission from the court.