



## Crafting Your Victim Impact Statement: A Guide to Telling Your Truth

**Disclaimer:** Before you proceed with using this guide, please take a moment to read the following important information:

*This document is provided as a resource to support individuals preparing to write a victim impact statement. It is intended for informational purposes only and does not constitute legal advice. While every effort has been made to ensure the accuracy and effectiveness of the information provided, the content is offered without any guarantee as to its applicability or accuracy in specific circumstances.*

*Individuals are encouraged to consult with a qualified legal professional for personal legal advice and to ensure that any victim impact statement or related submissions comply with current laws and court requirements. This guide does not replace the need for professional legal consultation and should not be used as a basis for any legal claims or actions.*

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This guide is crafted to empower you, the reader, who may be facing the daunting task of writing a victim impact statement. Whether words flow easily for you or the thought of expressing your experience feels overwhelming, this document aims to support and guide you through the process.

Here, you'll find practical tips, emotional support, and a sample letter to help you articulate the impact of a crime on your life.

### Understanding the Role of Your Statement

A victim impact statement is a written or oral statement presented during the sentencing phase of a criminal trial, following a guilty verdict. It's an opportunity for victims to describe the emotional, physical, and financial effects the crime has had on their lives. This statement is your voice in the courtroom and can play a significant role in the sentencing decision.

### The Right to Speak

If the offender in your case is convicted, you have the right to submit a victim impact statement. This powerful document allows you to participate in the judicial process, ensuring your experiences are heard and considered. Be mindful that once you submit your statement, it becomes part of the official case file,



## Writing Tips

- **Write from the First Person:** Immerse yourself back into those difficult times to share your story authentically. This isn't just recounting events; it's about letting the judge see the world through your eyes. Remember, for many judges, this will be the first time they hear directly from you rather than through the filter of legal documents or third parties.
- **Tell Your Truth:** Often, this is your first opportunity to speak in your own words in front of the judge. Until this point, perhaps only the prosecutor has a full grasp of your experience, and it's not until the trial that all the details of your case are shared. Use this chance to tell your story and convey all the emotions you've felt. It can be painful to relive these experiences, but it also presents a crucial opportunity for the judge to understand the depth of what you've endured.
- **Catalog Your Emotions:** Begin by listing each emotional response or psychological effect the experience has brought you—fear, confusion, withdrawal, mistrust, depression, PTSD, trauma, etc. Expand on each of these responses, providing context and detail. This will help you organize your thoughts and weave them into a narrative that powerfully conveys your journey.
- **Organizing Your Thoughts:** It can be helpful to use journal entries or personal records arranged in chronological order. These can include journal entries documenting your victimized experiences, the toll of the legal process, emotional responses, and the path to healing. Such as, notes on medical procedures, therapy sessions, the effects on children and family, and the economic impact of the crime. Consider printing and physically rearranging these notes to better see the timeline and how events unfolded.
- **Conveying Your Message to the Defendant Indirectly:** While most courtrooms do not allow you to address the defendant directly, use your statement as a chance to articulate the impact of their actions. This indirect address can be a powerful way to express the pain and the consequences of their behavior.
- **Take Breaks as Needed:** Writing a victim impact statement can be an emotionally taxing journey. It's vital to prioritize your well-being throughout this process, so please, take breaks as needed. There's no requirement to complete it in one sitting; allow yourself days, even weeks, to thoroughly articulate your thoughts. This process is not solely about crafting a compelling narrative—it's equally a period of personal reflection and self-care during a challenging recount.  
**Planning:** Please be mindful that impact statements typically need to be submitted to the prosecutor one to two weeks before your court date. Plan accordingly to give yourself ample time for reflection, writing, and any revisions that might be necessary.



## Writing Tips Cont.

- **Empower Yourself Through Your Words:** Use this moment to reclaim your voice and your power. Writing a victim impact statement offers a unique opportunity to stand up in a formal setting and speak your truth. It's about transforming your narrative from one of victimhood to one of strength and resilience. This is your time to assert control over how your story is told, to ensure that the court understands the full impact of the crime on your life. It's not just recounting facts; it's about conveying the emotional depth and personal changes that resulted from the incident. Let your words reflect your journey from pain to empowerment, showing that while experience is a part of you, it does not define you. Embrace this opportunity to make your voice heard loud and clear—it's a powerful step towards healing and justice.

## **Additional Suggestions:**

- **Conveying the Impact Factually and Emotionally:** While it's vital to express how the crime affected you, aim to balance factual description with emotional expression. Detail the impact in practical terms—how the crime altered your daily life, your sense of security, or your outlook on the future. It's important to convey the gravity of your emotions but try to do so without letting the statement become overly emotional. This can make your narrative more compelling and easier for the court to understand.
- **Steer Clear of Revenge:** It's natural to harbor intense feelings about the offender and the crime. However, focus your statement on the personal aftermath rather than on revenge or punishment. The court is interested in understanding the impact on you to better judge the crime's consequences, not necessarily to hear about the retribution you seek. Avoid discussing what you wish would happen to the perpetrator, as this can detract from the effectiveness of your statement.
- **Perception of the Offender:** If relevant and comfortable for you, share your thoughts on the type of person the offender has shown themselves to be, especially regarding remorse or lack thereof. For instance, if you believe their actions demonstrate a lack of remorse, this observation could be a powerful addition to your statement, as it speaks to the character of the offender and the potential risk they pose.
- **Expressing Your Fears:** Addressing your fears can be a potent component of your impact statement. Speak to any ongoing fears you have about the offender being on the street again and how the prospect of their release affects you. This can underscore the lasting impact of the crime and the need for a sentence that reflects both justice and your need for safety.



## Additional Suggestions Cont.:

- **Articulating Desired Outcomes and Justice:** When crafting your victim impact statement, it's important to consider what you hope to achieve through the sentencing process. This part of your statement can be used to express your views on what would constitute justice in your case. It is not only about reflecting on the past but also about looking forward and stating your needs for the feeling that justice has been served.
  - **Requesting Restitution:** If applicable, this is also the section where you can specify if you are seeking restitution. Restitution can cover anything from medical bills, therapy costs, lost wages, to other expenses incurred as a result of the crime. Clearly articulate any financial reparations you believe are necessary to help mend the material damages inflicted upon you and your family.
  - **Express Your Sentencing Preferences:** If you have specific expectations for the sentencing itself, such as the imposition of a particular penalty or type of sentence, this is where you can outline them thoughtfully. **While the decision ultimately rests with the judge, expressing your perspective can be an important part of your advocacy as a victim.**
  - **Conclusion of Your Wishes:** End this section by reaffirming your need for these outcomes to feel that justice has been adequately served. Your requests are seen as part of your healing journey, rather than as punitive demands.
- **Using Visual Aids to Enhance Your Statement:** Visual aids can significantly amplify the impact of your victim impact statement. Consider incorporating photographs of your injuries or other visual representations of the crime's impact to provide a powerful visual context to accompany your spoken or written words. For example, displaying images on poster boards during the delivery of your statement can ensure that the physical evidence of your injuries is visible and not overlooked or forgotten amidst the legal proceedings.

When choosing to use visual aids, it's important to ensure they are presented respectfully and are directly relevant to illustrate your points. Always check with your legal advisor or the court to confirm that such materials are permissible and appropriate for use in the courtroom.

- **Seek Feedback:** Before finalizing your statement, consider having it reviewed by someone who can provide constructive feedback, ideally someone with a strong writing background, however even if it's a family member or friend, it would be nice to have a 2nd pair of eyes review it. This can ensure that your message is clear and impactful.
- **Delivering Your Statement:** When it's time to read your statement, either to yourself, a loved one, or in court, hearing the words aloud can be a cathartic experience. It allows you to process your emotions and to practice delivering your message with the poise and clarity it deserves.



## Embracing Your Journey of Healing and Empowerment

Being victimized initiates a journey of healing and growth, and writing a victim impact statement is a pivotal step along that path. This process is more than a formality—it's an opportunity to reclaim your voice and affirm your rights within the judicial system. If you have the chance to give a statement, I highly recommend seizing it. Don't let feelings of being overwhelmed or stepping outside your comfort zone deter you. Use this moment to stand in your power.

I understand that it can be daunting, but remember, it is your right to speak up. Using your voice in this way can significantly aid in your healing process. It allows you not just to be heard but to actively participate in seeking justice for yourself and potentially preventing future harm to others. Embrace this opportunity—it is yours, and it is powerful!

Marica Phipps-Johnson  
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**Battered Not Broken, Inc**



## Sample Victim Impact Statement

*(Note: The following sample statement is a fictional example created to illustrate how to apply the guidelines discussed in this guide.)*

### Victim Impact Statement

[Your Name]

[Date]

### Address to the Court:

The Honorable [Judge's Full Name]

[Name of Court]

[Court Address]

[City, State, ZIP Code]

**RE: State of [State] vs. [Defendant's Name]**

Dear Judge [Judge's Last Name],

**Introduction:** My name is [Your Full Name], and I am the victim in this case. I am presenting this impact statement to convey the profound effects that [Defendant's Name]'s actions have had on my life and my family's well-being.

**Description of the Crime:** On [Date of the Crime], I was subjected to [specific crime, e.g., "an assault and burglary"] by [Defendant's Name]. This incident has left an indelible mark on my life, shaking the foundation of safety and security that my family and I once enjoyed.

**Impact on My Life:** The emotional and physical toll has been immense. I have faced [describe specific emotional impacts, e.g., "severe anxiety and sleeplessness"], and the financial strain from medical and therapy bills has been substantial. The sense of normalcy we once took for granted has been irrevocably altered. [Specify additional impact...]

**Future Concerns:** The fear of what the future holds looms large in our daily lives. The possibility of [Defendant's Name] being free again is a constant source of anxiety, affecting not just me but also my children ( if applicable ) , who are now wary and fearful even in their own home. [Specify additional concerns...]

**Sentencing Recommendations:** Given the severity and lasting impact of this crime, I respectfully request that the court consider a sentence that reflects the gravity of these acts. [Specify any desired sentence, e.g., "A substantial period of incarceration is necessary..."]

**Request for Restitution:** Additionally, I seek restitution for the economic hardships imposed by this crime, including [list specific financial impacts], which are essential for our continued recovery and stability. OR I do not seek restitution.

**Conclusion:** Thank you for allowing me the opportunity to voice the consequences of this crime. This statement is a crucial step in my healing process, and your understanding and consideration of these impacts are deeply appreciated.

Sincerely,

[Your Signature (if sending a hard copy)]

[Your Printed Name]