



VICTIM IMPACT STATEMENT

A guide for preparing your victim impact statement in Connecticut Criminal Matters

WHAT IS THE PURPOSE OF A VICTIM IMPACT STATEMENT?

The Constitution of the State of Connecticut affords crime victims with specific rights to participate throughout the criminal justice process. Among the rights of crime victims is the right to make a statement to the court at sentencing.

The purpose of the statement is to inform the court how the crime has impacted your life and the life of your family, emotionally, physically and financially.

This statement provides input to the court as the court determines the appropriate sentence to impose on the defendant. A victim impact statement submitted to the court will become a part of the court record and the defendant's permanent file. Therefore, the statement is available to the judge, prosecutor, defense attorney, defendant, the Department of Correction, the Office of Adult Probation and the Board of Pardons and Paroles.

A victim impact statement should contain information regarding:

- The crime committed against you and the impact on you and your loved ones;
- Any concerns you have for your safety or the safety of your family;
- Any financial losses you have suffered as a result of the crime;
- Changes in your life as a result of the crime; and
- Your opinion as to the appropriate sentence, treatment and services and supervision of the defendant.

Submitting a victim impact statement does not negate your right to address the court in person. If you need assistance in the preparation of your victim impact statement, contact your Victim Services Advocate at the court.

SUGGESTIONS FOR PREPARING YOUR VICTIM IMPACT STATEMENT

Writing your victim impact statement may be difficult and overwhelming. It may be hard for you to find the words to describe the impact the crime has had on you and your family. Take your time. You may need to take several days/weeks to complete your statement. The following suggestions are merely a guide for you to help you organize your thoughts as you prepare your statement. Answer only the questions you feel are important to share and add any additional information you feel the court should know.

If you would like to share photographs or a video presentation during the sentencing hearing as part of your victim impact statement, be sure to inform the state's attorney's office, your victim services advocate and/or the court to ensure the proper equipment is available in court at the time of the sentencing.

There is no specified limit on how long your statement can be, however, to be most effective, you should try to keep your statement focused on the impact of the crime and appropriate sentence of the defendant. If you are submitting a victim impact statement AND you plan to address the court in person during the sentencing hearing, you may choose to read your statement, speak from your heart or have another person deliver your statement on your behalf. It is your choice and your right as a crime victim.

While addressing the court in person, take your time. If you are overcome by emotion, take a breath. Speak directly to the court, not the defendant. Your input is important to the court so that the court can appropriately sentence the defendant and hold the defendant accountable for the harm caused to you and your family.

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Emotional Impact:

- How has the crime affected your daily life and those close to you?
- How has the crime affected your feelings about your future and those close to you?
- How has the crime affected the way you interact with other people?
- Has the crime caused you to seek counseling or other support?
- How has the crime affected your feelings of safety and security?

Physical Impact:

- Describe the physical injuries you sustained as a result of the crime?
- How long did your injuries last or are expected to last?
- What medical treatment have you received or are expected to receive?
- How has your injuries affected your daily life?
- What barriers do you face as a result of your injuries?

Financial Impact:

- Did you lose time at work as a result of the crime?
- Did you have property damage as a result of the crime?
- Do you have medical expenses that were not covered by insurance as a result of the crime?
- Did you have property stolen that was not returned to you?
- Did you have any other expenses that resulted from the crime?
 - Were there costs associated with the crime scene clean up?
 - Did you purchase a home security system as a result of the crime?
 - Did you have to relocate as a result of the crime?
 - Did you have expenses to repair your credit?

Crime victims may apply to the Office of Victim Services (OVS) for reimbursement for certain expenses related to the crime. The Victim Compensation Program covers medical/dental expenses; funeral expenses; loss of support in homicide cases; lost wages resulting from injury; crime scene clean up; and counseling services. Reimbursement for the above-expenses is limited and may begin AFTER all other collateral sources have been exhausted. If you were reimbursed for the above-expenses through the victim compensation program, you CANNOT seek restitution from the defendant for those same expenses.

Restitution CANNOT be ordered for mental anguish or pain and suffering. You CANNOT seek restitution from the defendant for expenses you are also seeking by the filing of a civil lawsuit or small claims action.

If you are seeking restitution from the defendant, you are required to provide documentation to substantiate your loss. Examples of documentation include:

- Receipts
- Appraisals
- Photographs of stolen items
- Estimates for repair
- Denial Statement by insurance company
- Insurance deductible statement

Opinion regarding the sentence:

It is important for you to understand the consequences applicable to the defendant. Whether the defendant is accepting a plea agreement or has been convicted after a trial, you will need to know the following so that you can give your opinion regarding an appropriate sentence:

- What charges has the defendant been convicted of?
- What is the maximum incarceration exposure to the defendant?
- Will the defendant be eligible for early release?
- What is the state's attorney/prosecutor's sentence recommendation?
- Will the defendant pay any other fines/fees?

Once you understand the sentencing boundaries, consider the following:

- Do you feel a period of incarceration is appropriate?
- Do you feel the defendant should be supervised after his/her release from incarceration?
- What conditions of supervision do you feel are appropriate?
 - Community service requirement
 - Maintain full time employment or attend school
 - Mental health evaluation/counseling/treatment
 - Substance abuse evaluation/counseling/treatment
 - Anger management
 - Letter of apology
 - An order of no-contact

- Restitution for out-of-pocket expenses related to the crime
- Request a Written Order of Restitution (when no supervision is ordered)
- Request a Standing Criminal Protective Order (domestic violence, harassment, sexual assault and stalking cases)

The Office of the Victim Advocate (OVA) hopes this guide has been helpful to you. While the criminal justice system is not equipped to restore all that is lost as a result of crime, we hope that this guide has been helpful in supporting you as you prepare your victim impact statement. If you have additional questions, please contact the OVA.

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The Office of the Victim Advocate (OVA) was statutorily established in 1998 as an independent state agency charged with the promotion and protection of the constitutional and statutory rights of crime victims in Connecticut. Among its many responsibilities, the OVA provides oversight of state and private agencies, and advocacy to crime victims when a violation of their rights is at issue. In addition, as part of its advocacy efforts, the OVA conducts programs of public education on the rights of crime victims, undertakes legislative advocacy when necessary, and recommends systemic changes in state policies to ensure the proper treatment and protection of crime victims.