

## **VICTIM IMPACT STATEMENT FOR CHILDREN AND THEIR PARENTS**

### **What is a Victim Impact Statement and How is It Used?**

Only you and your child can tell the court the effect this crime has had on you, your family, and those close to you. One way to do that is to fill out a victim impact statement. If the defendant pleads or is found guilty, your statement will help the judge understand what the impact of this crime has been on your child, you, and those close to you. While you have the right to fill out a statement, you do not have to fill out a statement if it will make you feel uncomfortable in any way. Filling out the victim impact statement is voluntary. [Add in applicable jurisdictions: You also have the right to speak to the judge at the time of sentencing or to present an audio or video tape describing the impact of this crime. If you would like to do so, please contact our office 10 days before the sentencing date so we can help set this up for you.]

It may be hard for you and your child to put into words the impact this crime has had on you and those close to you. However, your impact statement may help the judge in your case decide what punishment the defendant should receive and/or if the defendant will be ordered to pay you any money you have paid or owe because of this crime. When the judge makes the defendant pay the victim, it is called “restitution.” If the judge orders the defendant to pay you restitution, there is no guarantee that the defendant will be able to pay you the entire amount.

Your statement will become an official court document after it is given to the court, and will become part of the defendant’s permanent file. The judge, prosecutor and probation officer will read your statement. In addition, prison and parole officials may read it if the defendant is sentenced to a prison term. The defendant and the defendant’s attorney will be able to read what you have written. They may even be able to ask you questions about your statement in court. However, the defendant will not be able to see your address or telephone number because you are not asked to put them on your statement.

### **Where Do I Get a Victim Impact Statement and How Do I Complete It?**

Along with this sheet are two victim impact statements. The first statement is for you, the parent. It gives you a chance to tell the judge about any changes that may have happened to your child or to your family; any physical injuries or physical problems your child may have suffered; and, any money you have spent or may owe as a result of this crime.

The second statement is for your child. As a parent, you know what is best for your child. If you are uncomfortable with your child filling out a statement, don’t let your child fill it out. However, if your child wants to fill out the statement, he or she will be able to tell the judge how this crime may have changed their life. If your child would rather draw a picture, tell a story; write a poem, this is fine as well.

### **Suggestions for Parents in Completing the Victim Impact Statement**

Many parents find it helpful to arrange the impact statement by the emotional, physical or financial effects of the crime. It may be helpful to write about the emotional impact of this crime on yourself and your child. You may want to think about:

- Has this crime affected your life, your child’s life or the lives of those close to you?

- Has anything changed between your child and his or her friends, both at school or in your neighborhood?
- Has anything changed with your child's behavior or schoolwork?

If your child was physically injured, you may wish to write about the physical impact of this crime. You may want to:

- Write about the physical injuries your child received.
- Tell how long these injuries lasted or how long the injuries are expected to last.
- Write about the medical treatment or emotional counseling your child or your family has received or expects to receive in the future.

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 as accurate and complete as you can be when listing your costs because this information will be used by the prosecutor, probation officer and the judge to help them determine what restitution the defendant must pay to you, the victim.

In addition to medical or counseling bills, you may want to include any time off from work that you were not paid for as a result of this crime. For example, if you took time off from work to take your child to the doctor, therapy, or to the courthouse and your employer did not pay you for this time, you may want to ask the judge to think about these expenses when he or she decides if the defendant will owe you any restitution.

### **Helping Your Child Complete the Victim Impact Statement**

Your child will find it helpful to know that by filling out a statement, he or she can tell the judge how they “feel” about what happened. If your child is nervous or scared and does not want to complete the form, let your child know that it is okay to feel this way and let them take some time to think about what you are asking them to do and what they would like to say or draw. Your child can always fill out the form another day.

Tell your child that they are not being asked to “tell” what the defendant did, but rather how they are “feeling” about what has happened. Let your child know if they make a mistake on the statement, they can start over. Your child can write or draw as much or as little as they wish. Some children may feel that the statement must be perfect from spelling everything just right to using “big” words. Let your child know that what they are feeling is more important than spelling everything right or using big words. **This is not a test.** Let your child know there are no right or wrong answers.

If at anytime your child feels that he or she cannot fill out the form, or if you can see that your child is becoming too upset, stop and tell your child that you are proud they tried to fill out the statement, and that you understand how they feel. Let your child know that they do not have to fill out the statement unless they want to.

### **Crime Victim Compensation**

Did you know that you may be eligible for financial help from the Crime Victim Compensation Program? This program can pay victims back for certain types of out-of-pocket costs for physical or emotional injuries received as a direct result of a crime. These costs include medical bills, counseling cost, funeral bills, and 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 before you go to court.**

You will have to meet certain conditions to receive Crime Victim Compensation benefits, but you can file for benefits right after the crime has happened even if no one has been arrested. If you would like more information on the benefits, but you can file for benefits right after the crime has happened even if no one has been arrested. If you would like more information on the benefits available, or how to apply for compensation, please contact our office for assistance.

### **For Further Assistance**

No one knows better than you and your child how this crime may have changed your life. Those of us involved in your case believe that it is very important for you to help the court understand all of the ways this crime has affected you and those near you.

Thank you for taking the time to provide us with this important information.

If you need any help in completing your statement, or if we can help you to photocopy any bills or receipts you plan to submit for restitution consideration, please contact our office. We will be happy to assist you in any way we can. Please return your completed impact statements within the next 10 days to:

(place your agency contact information here)