

## **Victim Impact Statements**

The victim impact statement (VIS) is one of the most effective means to communicate the "voice of the victim" throughout the criminal and juvenile justice systems. The use of VIS was initiated in 1976 by then-Chief Probation Officer James Rowland of Fresno County (CA), who felt that victims had valuable information they could provide to courts prior to sentencing.

A VIS is a victim's description of how the crime affected their life and the lives of their loved ones. The VIS provides the court and paroling authorities with vital information relevant to the short- and long-term psychological, physical, and financial effects of a crime on the victim and on others around them. The VIS can be delivered by victims orally (by "allocution"), in writing, or in audiotape or videotape formats.

VIS are commonly used by courts as part of pre-sentence investigations and at sentencing, and by paroling authorities as part of pre-parole investigations, parole release, and revocations. The use of VIS is a restorative practice that can assist in holding offenders accountable for their criminal or delinquent actions, promote community safety by providing important information relevant to decisions affecting case disposition, and involve victims in a meaningful way in what may be one of the most significant events of their lives. VIS are appropriate not only for individual victims, but for entire neighborhoods that are detrimentally affected by chronic drug or gang activities (called "community impact statements").

### **Goals**

The goals of VIS are to:

- Document crucial information about the actual crime that may not be evident from plea agreements, dispositions, sentencing, or offenders' correctional case files, and that can serve to hold offenders accountable for the actual crimes they committed.
- Provide a format for victims -- including victims who may have special obstacles to accessing the systems such as child victims, victims with disabilities, and non-English speaking victims -- to present information to and participate in the criminal and juvenile justice systems.

### **Implementation**

The systematic use of VIS requires the involvement of and coordination among key criminal and juvenile justice officials. For VIS to be an effective tool:

- *Prosecutors* need to inform victims of their right to submit a VIS;
- *Probation officials* need to practice due diligence in locating victims and documenting relevant VIS information as part of their pre-sentence investigations;
- *Corrections officials* need to maintain records of the VIS from the sentencing phase in a confidential section of the offender's file for review by paroling authorities, and notify victims of any rights they might have relevant to VIS input at parole hearings; and
- *Parole boards* should have policies that encourage the use of VIS by crime victims, both for parole hearings and parole revocation proceedings.

In many jurisdictions, victims are given printed forms describing the type of information that is most important to include in VIS. Often victim service and criminal justice professionals assist victims in filling out VIS forms. This guidance can help victims to include complete, pertinent

information, and is particularly beneficial for victims who have had little or no prior interactions with the criminal or juvenile justice systems.

### **Lessons Learned**

Many victims report that VIS increased their satisfaction with the entire criminal justice system. Research by Mothers Against Drunk Driving (MADD, 1994) found that 66 percent of victims were satisfied with the criminal justice system if they were given the opportunity to present *written* VIS, and 62 percent of victims were satisfied with the criminal justice system if they were given the opportunity to present *oral* VIS. Victim dissatisfaction with the criminal justice system increased to 75 percent when they were *not* allowed to submit written VIS, and to 78 percent when they were *not* allowed to present oral VIS.

A rich body of research concludes that two factors increase victims' overall satisfaction with the justice system and reduce victim trauma: (1) being taken seriously and being believed; and (2) being informed and involved in key justice proceedings related to their cases. VIS provide opportunities to fulfill both of these key elements that help victims reconstruct their lives in the aftermath of a crime.

### **For More Information**

A comprehensive guidebook to the implementation of VIS, *Impact Statements: A Victim's Right to Speak, A Nation's Responsibility to Listen*, published by the National Victim Center, MADD, and the American Prosecutor's Research Institute in 1994, is available from the Office for Victims of Crime Resource Center by calling 1-800-627-6872. You may also contact Laura Federline or Susan Laurence at the Office for Victims of Crime, U.S. Department of Justice, at 202-307-5983.

This *Restorative Justice Fact Sheet* is presented by a partnership among the Office of Justice Programs, National Institute of Justice, Office for Victims of Crime, National Institute of Corrections, and Office of Juvenile Justice and Delinquency Prevention, all within the U.S. Department of Justice.