

## WHERE/WHEN SHOULD I SUBMIT MY VICTIM IMPACT STATEMENT?

Your statement may be submitted to the Probation Office or the District Attorney's Office.

Prior to the sentencing of a defendant in a felony case, the probation officer may send a letter to you regarding restitution and submitting a Victim Impact Statement.

Your statement may also be given to the Deputy District Attorney or a Victim/Witness Consultant at the District Attorney's Office at least one week before the date of the sentencing hearing.

## HOW SHOULD I SUBMIT MY STATEMENT?

There are two ways of submitting a Victim Impact Statement to the judge in a felony case:

1. You can write and submit your Victim Impact Statement for the judge to read and consider prior to the sentencing hearing OR
2. You can write and then read your Victim Impact Statement at the sentencing hearing. Please let the Deputy District Attorney or Victim/Witness Consultant know if you would like to attend the hearing and read your Victim Impact Statement.

Despite the fact that victims cannot directly address the offender, reading your statement in court means the defendant will hear how his or her actions have impacted you and your family.

## WHAT IF MY CASE IS A MISDEMEANOR?

It is best to submit your Victim Impact Statement as soon as possible to the District Attorney's Office if the defendant has been charged with a misdemeanor. Misdemeanor cases can sometimes resolve quickly and the defendant can be sentenced immediately. Submitting your Victim Impact Statement early in the process will allow the Deputy District Attorney to submit your Victim Impact Statement to the Judge to consider before sentencing the defendant.

For further information about the Victim Impact Statement and other services, please visit the Victim/Witness Assistance page on our website at:

[www.alcoda.org/victim\\_witness](http://www.alcoda.org/victim_witness)

**Additionally, you can call us at:**

**(510) 272-6180**

or visit us at:

1401 Lakeside Drive, Suite 802  
Oakland, CA 94612



## Alameda County District Attorney's Office Victim/Witness Assistance Division



# Victim Impact Statement

## Know your rights!

**Alameda County District Attorney's Office  
Victim-Witness Assistance Division**



# Victim Impact Statement

## It is YOUR RIGHT!

A Victim Impact Statement is one of the most powerful and effective ways a victim can be heard in our criminal justice system.



## WHAT IS A VICTIM IMPACT STATEMENT?

A Victim Impact Statement is a letter to the Judge written by you, the victim, or by a family member on your behalf before the sentencing of the defendant. It provides an opportunity to communicate how your life has been changed due to the crime, and to outline the level of pain, anguish, and devastation the crime has caused.

Preparing a Victim Impact Statement is not a requirement, but a choice - one we encourage you to make. The California Constitution, Article I, Section 28(b), gives you, as the victim of a crime, the right to speak to the Judge at the sentencing of the defendant.

## Why should I write a Victim Impact Statement?

The Victim Impact Statement is your chance to be heard, to emphasize to the Judge the human cost of the crime and to express the impact it has had on you.

The impact of crime on victims is unique and personal to the victim. Many victims discover that preparing a Victim Impact Statement validates their emotions and may help the process of healing.

## HOW DO I WRITE A VICTIM IMPACT STATEMENT?

We recommend that your Victim Impact Statement focus on the impact the crime has had on you, your family and/or your loved ones. It shouldn't be too long, yet long enough to communicate how the crime has affected you. Be sure to include the following information when writing your Statement:

- Your name and /or Victim's Name
- Offender's Name
- Docket Number

The following list is meant to serve only as a guide to help you collect your thoughts. You only need to include the topics that are most relevant to your experience:

## Psychological, social & emotional impact of the crime

What are my feelings about the crime? Am I able to concentrate at work or school? Do I now have a fear of being alone? Am I depressed? Angry? Sad? Scared? Have I changed my social patterns? Do I go out and do the same things with the same people?

## Financial and economic impact

How has the crime affected me or my family financially? Did I suffer loss of income from work? Medical expenses (including counseling)? Expenses for replacement/loss of property?

## Physical injury

What physical injuries or symptoms do/did I suffer? How has this impacted my daily routine and activities? Am I able to make a living or run my household?

## Reflecting on past, present, and future

What are the lasting effects of the impact of the crime? What are my special memories of my loved one? What impact has the crime had on my family? On my future plans?

## Any additional information:

You can include any other factors or points you want the Judge to know about the defendant and the crime, such as a request for a stay away order or a treatment program for the defendant.

