



Stephen M. Wagstaffe, District Attorney
COUNTY OF SAN MATEO
Victim Services

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Victim Impact Statement

A victim impact statement is a chance for you to address the court after a defendant has been convicted of a crime. It is an opportunity to share how the crime has affected you physically, emotionally and/or financially. Your victim impact statement can be informative for the judge to hear before rendering a sentence. Ultimately, the judge is responsible for deciding the sentence, which must comply with the law.

As a victim of crime, you have the right to be heard involving the plea or sentencing of a defendant (California Constitution, Article I, Section 28(b)(8)). **If you would like the judge to know about the impact that the crime has had on you and your family before a potential plea agreement and sentence are considered, you need to complete a victim impact statement and provide it to your Victim Advocate or the Deputy District Attorney before the pre-trial hearing. If provided beforehand, the prosecutor can convey your thoughts to the judge to consider when deciding on a sentence to offer the defendant.**

At the sentencing, you may read your statement out loud or include a written statement that will be read by the judge, a probation officer, the district attorney and the defense attorney. Please be aware that the defendant has the right to read this statement as well. Additionally, your victim impact statement will become part of the public record. You should not include your address, phone number or email address on your statement. Note: Victims of certain crimes such as domestic violence and sexual assaults can remain anonymous. If this applies to you, you may sign your statement "Confidential Victim" or "Jane/John Doe".

There is no right or wrong way to write a statement. It can be formatted as an outline, letter or just paragraphs. This is an opportunity to write your thoughts and feelings down, so it doesn't have to be perfect. Attached is an outline with some questions to think about while you are writing. Alternately, you may also complete the attached form instead of writing a formal letter.

If you have any questions about this statement or need any assistance, please contact your Victim Advocate at (650) 599-7479.

Victim impact statement prompts/outline

Date

Case name

Case number (to be provided by your Victim Advocate):

Your Honor,

- I. How has this crime affected you physically (if applicable)?
 - a. Injuries/disabilities (short term, long term or permanent)
 - b. Medications
 - c. Recovery time
 - d. Ability to attend work or school
 - e. Other

- II. How has this crime affected you emotionally?
 - a. Anxiety/fear
 - b. Nightmares/increased startle response
 - c. Loss of trust/change in relationships
 - d. Loss of freedom or interest in outside activities
 - e. Ability to attend work or school
 - f. Altered your daily routines
 - g. Other

- III. How has this crime affected you financially (if applicable)?

*If you incurred financial losses, please see an advocate for help applying for Victim Compensation and/or how to obtain a restitution order

 - a. Lost wages
 - b. Medical bills or co-pays
 - c. Counseling bills
 - d. Property loss/damage
 - e. Other

- IV. What would you consider an appropriate sentence? Options include:
 - a. State prison
 - b. County jail
 - c. Probation
 - d. Other (community service, counseling, drug/alcohol treatment, restitution, no contact/restraining order, etc.)

Sincerely,

Your name

VICTIM IMPACT STATEMENT

Case name:

Case number:

Emotional/physical impact of the crime

How has this crime affected you and your family physically and emotionally?

Financial impact of the crime

How has the crime affected you and your family financially?

Sentencing recommendation

What sentence you would like to see the judge impose on the defendant (jail time, counseling, restitution, no contact/restraining order)? Add any other information that you would like the judge to know.

Name: _____

Signature: _____ Date: _____