



Victim Impact Statement

Commonwealth of Virginia

How it is Used

This Victim Impact Statement form gives the victim or others affected by crime(s) the opportunity to express, in writing, the impact of this (these) crime(s). This may include any economic losses, the extent of any physical or psychological injuries, and any major life changes as a result of the crime(s).

A written presentence report is prepared by a probation and parole officer to assist the judge in sentencing. This report focuses on the crime, the defendant's background, and any criminal history. Upon request of the victim, the Victim Impact Statement is included as part of the presentence report and may be seen by the defendant.

Because a copy of the Victim Impact Statement must be provided to the Commonwealth's Attorney or Assistant Commonwealth's Attorney (prosecutor) and the defense attorney, at least five days in advance of sentencing, you are required to return the form prior to the sentencing date. The due date will be listed on the form. If there is no date listed, contact the local victim/witness program or the prosecutor.

If the judge does not order a presentence report, the prosecutor must, if the victim requests, submit a Victim Impact Statement to the court and defense attorney prior to sentencing.

The Victim Impact Statement can also provide information useful in determining court-ordered restitution. It may also be used by the Criminal Injuries Compensation Fund, which pays unreimbursed expenses of victims who suffer personal physical injury or death, as a result of a crime.

Although every effort will be made to collect any financial restitution ordered by the court, there are no guarantees of full payment. There are other options, such as contacting the victim/witness program, the probation and parole office, the prosecutor, and/or the clerk of court. Should all efforts fail to collect restitution, it may be advisable to discuss civil options with an attorney.

The information requested will assist in evaluating the effects of the crime(s). As part of the presentence report, it may also be considered by institutional treatment personnel.

Sections 19.2-264.4 and 19.2-295.3 of the *Code of Virginia* also allow crime victims, upon motion of the Commonwealth's Attorney, to testify at the sentencing hearing regarding the offense. Ask your Commonwealth's Attorney or victim/witness program staff for more information about this option.

Instructions

- ◆ Complete those sections that apply, and add any additional sheets.
- ◆ This document may be completed by a friend, relative, or advocate for the victim.
- ◆ Write neatly or type.
- ◆ Document/itemize financial losses, as a result of the crime.
- ◆ Sign and date the Victim Impact Statement form.

RETURN THIS FORM BY _____ TO:
(Date)

**WINCHESTER VICTIM WITNESS
24 ROUSS AVENUE SUITE 200
WINCHESTER, VA 22601**

If no agency is listed, ask the victim/witness program staff or prosecutor where to return the form or call the Crime Victim Assistance INFO-LINE at 1-888-887-3418, Monday-Friday, 9:00 AM-5:00 PM, for a referral.