

## Your Victim Impact Statement

### Purpose & Content

- **To benefit and empower you, as the victim.**

*When the victim has the opportunity to confer with the prosecutor and understands the facts the court is likely to consider at sentencing, the victim has a greater opportunity to tailor their Victim Impact Statement to be relevant to the court, thus having the greatest likelihood of impacting the sentencing decision.*

- **To exercise your opportunity to speak on your own or your loved one's behalf.**

*The offender may exercise the opportunity to have witnesses give personal testimony on his/her behalf. Likewise, the Victim Impact Statement gives the victim the opportunity to be meaningfully heard.*

- **To improve the perceived 'fairness' of sentencing.**

*By sharing the impact the crime has had on your life and voicing your view on sentencing, you, as a victim, can play an essential role in the appropriate administration of justice.*

- **To explain the crime's harm to the defendant and the court.**

*By sharing the details of how the crime has impacted your life, your emotional state, social and family relationships, your concerns for safety and security, your physical condition and the types and degrees of injuries you suffered, how long the injuries lasted or are expected to last, the amount of pain and modifications to your lifestyle you experienced as a result of the crime, any medical treatment required thus far and in the future, you can ensure those in decision-making roles fully understand how the crime has affected you. Also, discuss how the crime has affected you financially through lost income from work, expenses incurred for tasks which you were previously able to do yourself, loss of property, ability to earn a living, loss of support for a dependent, funeral bills, and estimates of future costs. If you have lost a loved one, talk about your loved one and their personal characteristics and describe how the loss has affected you and your family's lives. Usually, it is acceptable to enhance your statement with pictures, video or audio. Discuss parameters with the prosecutor's office.*

- **To provide information to the sentencing body.**

*The impact of the offense is an important consideration in determining the appropriateness of a plea agreement and sentencing. Your statement can influence the court's decision and provide the court with the victim's perspective and opinion on what sentence the defendant should receive.*

Victim service professionals and advocates can help victims prepare a Victim Impact Statement. There may be parameters the prosecutor wants you to follow (for example, time limitations) and the prosecutor may wish to review your statement before you present it in court. Therefore, making contact with the prosecutor's office regarding your statement is strongly recommended.

Prosecutor's contact information is: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

The Judge deciding the case is: \_\_\_\_\_

Keep in mind that many people may have access to your victim impact statement, such as the Judge, prosecutor, defendant, defendant's attorney and other criminal justice professionals. Do not reveal any unnecessary identifying information such as your address or phone number that you do not wish to be disclosed.

To ensure that the Victim Impact Statement follows the offender through his/her incarceration and is read by the Parole Board at each parole hearing, a copy of your Victim Impact Statement should also be sent to Dept. of Corrections via one of these options:

**Department of Corrections**

**3400 Knipp Drive**

**Jefferson City, MO 65109**

**573-526-6516**

**Fax: 573-526-2574**

**Email: [victims@doc.mo.gov](mailto:victims@doc.mo.gov)**

***Include the offender's name and/or inmate number on your correspondence.***

**Section 557.041 RSMo. Plea bargain, sentencing, victim's right to appear or make statement – notice to victim.**

557.041. 1. Prior to the acceptance of a plea bargain by the court with respect to any person who has pled guilty to an offense after initially being charged with a felony, the court shall allow the victim of such offense to submit a written statement or appear before the court personally or by counsel for the purpose of making a statement. The statement shall relate solely to the facts of the case and any personal injuries or financial loss incurred by the victim. A member of the immediate family of the victim may appear personally or by counsel to make a statement if the victim has died or is otherwise unable to appear as a result of the offense committed by the defendant.

2. At the time of sentencing of any person who has pled guilty or been found guilty of a felony offense, the victim of such offense may appear before the court personally or by counsel for the purpose of making a statement or may submit a written statement. The statement shall relate solely to the facts of the case and any personal injuries or financial loss incurred by the victim. A member of the immediate family of the victim may appear personally or by counsel to make a statement if the victim has died or is otherwise unable to appear as a result of the offense committed by the defendant.

3. The prosecuting attorney shall inform the victim or shall inform a member of the immediate family of the victim if the victim is dead or otherwise is unable to make a statement as a result of the offense committed by the defendant of the right to make a statement pursuant to subsections 1 and 2 of this section. If the victim or member of the immediate family supplies a stamped, self-addressed envelope, the prosecutor shall send notice of the time and location that the court will hear the guilty plea or render sentence.