



The North Carolina Post-conviction Review Commission

Hon. Jason C. Disbrow
Commission Chair

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WRITING A VICTIM IMPACT STATEMENT

What is a Victim Impact Statement?

A Victim Impact Statement is a written or oral statement presented to the Commission prior to deliberation. Many times, victims, their family members, and friends of the victim participate in both written and verbal statements. Victim Impact Statements were created as an opportunity for the Commission to hear how a criminal action has affected you and those that you love.

How to write a Victim Impact Statement

As you are preparing your impact statement, you may find that using the following questions can guide you. Remember that writing about your feelings may be very painful, so be sure to pace yourself and don't feel that you need to have it "perfect". Be gentle with yourself and take as many breaks as you need. As you are preparing your statement, you may find that the following questions can guide you:

- How did the crime affect you and your family?
- What was the emotional impact of the crime on you and your family?
- What was the financial impact on you and your family?
- Is there anything else you would like to tell the Commission?

The above guidelines do not cover the totality of the impact of crime but may be used as a starting point. Victim Impact Statements are unique to you and people have various ways of expressing how crime has affected them.

DO:

- Write simply and descriptively. Your goal is to help the Commission understand your experience. While nobody can truly understand what you are feeling, you can help others identify with your trauma by describing your feelings and actions in the wake of the crime. Using descriptive words can help people form an image of what you are saying.

DON'T:

- Don't directly express your anger toward the Commission or convicted person. Your goal is to express your hurt and pain, not to blame. Now is the time to talk about what you have been experiencing through your loss.

What happens to my Victim Impact Statement? Do I have to read it during the hearing?

Preparing and presenting an impact statement can be intimidating. If you do not think you can physically stand in front of the Commission and read your statement, have an alternate in mind beforehand. It does not matter who presents your statement as long as you have identified this person in advance. Many times, victim advocates are asked to present impact statements, and the Commission's Victim Services Coordinator can present yours. Whomever you choose to present your statement should be someone you feel comfortable expressing your words. If the Commission concludes the case should move forward to a three-judge panel, the hearing materials and transcript will be available to the public. A written statement will be listed as a handout on the North Carolina Post-conviction Review Commission website. If you choose to deliver your statement verbally, it will be recorded in the hearing transcript. If the Commission determines that there is insufficient evidence to move the case forward to a three-judge panel, the statement and transcript remain confidential and will not be accessible by the public. Though the hearing will be closed to the public when the statement is delivered, it may be subject to public disclosure. This is why it is essential to not include contact information in your statements, written or verbally.

Why write a Victim Impact Statement?

It is not mandatory that you write an impact statement. This is a right you have but not one in which you must participate. Many choose not to participate. There are several reasons why Victim Impact Statements are beneficial. The reasons stated below are just a few:

- The Commission gets to hear your side of the story. Hearing from those that are affected by the crime puts a face with an often forgotten victim.
- You have the opportunity to address the Commission about how the crime has affected you. Many find this helpful in the journey of victimization. Letting those know how they harmed you can be beneficial for emotional well-being.
- While you may have presented a Victim Impact Statement at the original trial, your perspective and experience of the crime may have changed as time passed. The impact statement can be an opportunity to convey the ways in which a crime can impact a victim for many years. Ultimately, the decision to present a Victim Impact Statement is entirely yours.

Source: Victim Support Services

<https://victimsupportservices.org/help-for-victims/victim-impact-statements/>