

Do victim impact statements matter?

To victims?

Yes.

In some cases, a statement will directly impact the sentencing decision, especially if it distinguishes the victim from others and is delivered with appropriate emotion, reason, and insight.

Impact statements provide a public forum to be fully and independently heard.






Impact statements can validate a painful experience and help bring closure to a painful experience.

To sentencing judges?





Yes and no.

In the majority of cases, sentences are negotiated as part of a plea agreement or are mandated by legislative sentencing guidelines.

Nevertheless, impact statements:

-  Provide important information about the nature of the relationship between the victim and defendant
-  Determine what a judge may include in a no-contact order and whether to require treatment for the defendant
-  Can be used to gauge a defendant's response and help determine whether probation will be successful
-  That indicate support for a plea agreement will increase a judge's confidence in accepting the agreement
-  Can, in exceptional circumstances, directly affect the sentence handed down by a judge

What features make a persuasive impact statement?

-  A balance of emotion, reason, and insight that the court deems appropriate
-  An articulate presentation
-  A realistic understanding of the criminal justice system
-  Reasonable expectations for the sentencing outcome