



NATIONAL CRIME VICTIM LAW INSTITUTE

PROTECTING, ENFORCING & ADVANCING VICTIMS' RIGHTS

The following pages contain three redacted sample victim impact statements that were given by victims in connection with actual criminal proceedings. NCVLI has included these sample statements to assist victims and victims' rights practitioners as they work to draft written victim impact statements in connection with current cases.

The samples provided are for reference only and are designed to assist in thinking about victim impact statements. Please do not feel constrained by the limited information provided. Victim impact statements are presented in a wide range of tones, using a wide range of mediums, and covering a wide range of topics. These samples represent a snapshot of what three victims chose to say.

The information below is educational and intended for informational purposes only. It does not constitute legal advice, nor does it substitute for legal advice. Jurisdictions have different requirements and limitations regarding victim impact statements, and before relying on any of the information contained in these sample impact statements, an attorney must perform an independent review of the law in the relevant jurisdiction(s). Any information provided is not intended to apply to a specific legal entity, individual or case. NCVLI does not warrant, express or implied, any information it may provide, nor is it creating an attorney-client relationship with the recipient.

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Victim Impact Statement of Amy – the Victim in the Misty Series

I am a 19 year old girl and I am a victim of child sex abuse and child pornography. I am still discovering all the ways that the abuse and exploitation I suffer has hurt me, has set my life on the wrong course, and destroyed the normal childhood, teenage years, and early adulthood that every one deserves.

My uncle started to abuse me when I was only 4 years old. He used what I now know are the common ways that abusers get their victims ready for abuse and keep them silent: he told me that I was special, that he loved me, and that we had our own “special secrets.” Since he lived close to our house, my mother and father didn’t suspect anything when I walked over there to spend time with him.

At first he showed me pornographic movies and then he started doing things to me. I remember that he put his finger in my vagina and that it hurt a lot. I remember that he tried to have sex with me and that it hurt even more. I remember telling him that it hurt. I remember that much of the time I was with him I did not have clothes on and that sometimes he made me dress up in lingerie. And I remember the pictures.

After the abuse he would take me to buy my favorite snack which was beef jerky. Even now when I eat beef jerky I get feelings of panic, guilt, and humiliation. It’s like I can never get away from what happened to me.

At the time I was confused and knew it was wrong and that I didn’t like it, but I also thought it was wrong for me to tell anything bad about my uncle who said he loved me and bought me things I liked. He even let me ride on his motorcycle. Now I will never ride on a motorcycle again. The memories are too upsetting.

There is a lot I don’t remember, but now I can’t forget because the disgusting images of what he did to me are still out there on the internet. For a long time I practiced putting the terrible memories away in my mind. Thinking about it is still really painful. Sometimes I just go into staring spells when I am caught thinking about what happened and not paying any attention to my surroundings.

Every day of my life I live in constant fear that someone will see my pictures and recognize me and that I will be humiliated all over again. It hurts me to know someone is looking at them—at me—when I was just a little girl being abused for the camera. I did not choose to be there, but now I am there forever in pictures that people are using to do sick things. I want it all erased. I want it all stopped. But I am powerless to stop it just like I was powerless to stop my uncle.

When they first discovered what my uncle did, I went to therapy and thought I was getting over this. I was very wrong. My full understanding of what happened to me has only gotten clearer as I have gotten older. My life and my feelings are worse now because the crime has never really stopped and will never really stop.

It is hard to describe what it feels like to know that at any moment, anywhere, someone is looking at pictures of me as a little girl being abused by my uncle and is getting some kind of sick enjoyment from it. It's like I am being abused over and over and over again.

I find myself unable to do the simple things that other teenagers handle easily. I do not have a driver's license. Every time I say I am going to do it, I don't. I can't plan well. My mind skips out on me when I think about moving forward with my life. I have been trying to get a job, but I just keep avoiding things. Forgetting is the thing I do best since I was forced as a little girl to live a double life and "forget" what was happening to me. Before I realize it, I miss interviews or other things that will help me get a job.

– 2 – Sometimes things remind me of the abuse and I don't even realize it until it is too late. For example, I failed anatomy in high school. I simply could not think about the body because of what happened to me. The same thing happened in college. I went to a psychology class where we watched a video about child abuse. Without even realizing why, I just stopped going to class. I failed my freshman year of college and moved back home.

It's easy for me to block out my feelings and avoid things that make me uncomfortable. I don't know when I will be ready to go back to college because I have huge problems with avoiding anything that makes me uncomfortable or reminds me of my abuse.

I am always scared that people can look at me and tell that I am a victim of sex abuse because my abuse is a public fact. I am worried that when my friends are on the internet they are going to come across my pictures and it fills me with shame and embarrassment.

I am humiliated and ashamed that there are pictures of me doing horrible things with my uncle. Everywhere I go I feel judged. Am I the kind of person who does this? Is there something wrong with me? Is there something sickening and disgusting about who I am?

I am embarrassed to tell anyone what happened to me because I'm afraid they will judge me and blame me for it. I live in a small town and I think that if one person knows then everyone will know. I am just living in fear of the day someone sees those awful pictures of me and then "the secret" about me will be out. It's like my life is on hold for that day and I am frozen in time waiting. I know those disgusting pictures of me are stuck in time and are there forever for everyone to see.

I had terrible nightmares for a long long time. I would wake up sweating and crying and go to my parents for comfort. Now I still get flashbacks sometimes. There are thoughts in my head that are memories of the things that my uncle did to me. My heart will start racing and I will feel sweaty and then a stronger picture will pop up in my head and I have to leave the situation I am in. I have heard the voice of my uncle in my mind still talking to me saying, "don't tell, don't tell, don't tell." Thinking and knowing that

the pictures of all this are still out there just makes it worse. It's like I can't escape from the abuse, now or ever.

Because I've had so many bad dreams, I find it hard to sleep when it's dark. I like to keep the lights on thinking that will protect me from bad dreams. I hate scary movies and sometimes have nightmares for days.

Sometimes I have unreasonable fears that prevent me from doing the normal things that other kids do. My friend once asked me to go with her and her uncle to an amusement park. I could not get it out of my head that I would be abused. In the end I just couldn't go. I kept wondering if my friend's uncle had seen my pictures. Did he know me? Did he know what I did? Is that why he invited me to the amusement park?

Trust is a very hard thing for me and often people just make me uncomfortable. I had to quit a job I had as a waitress because there was a guy who I thought was always staring at me. I couldn't stop thinking, did he recognize me? Did he see my pictures somewhere? I was simply too uncomfortable to keep working there.

I have trouble saying "no" to people since I learned at a young age that I really don't have control over what's happening to me. I am trying to learn to get better at this because I know that not saying "no" makes it easier for someone to hurt me again.

Because of the way my uncle bribed me to perform sex acts on camera, I have trouble taking gifts from anyone. I always feel that people will expect something from me if they give me a present. This makes it difficult in my relationship with friends.

I want to have children someday, but it frightens me terribly to think about how I could keep them safe. Who could I possibly trust? Their teacher? Their coach? I don't know if I could ever trust anyone with my children. And what if my children and their friends see my pictures on the internet? How could I ever explain to them what happened to me?

I am very confused about what love is. My uncle said he loved me and I wanted that love. But I know now that what he did to me is not love. But how will I be able to tell in the future if it is real love or just another person trying to exploit and use me?

The truth is, I am being exploited and used every day and every night somewhere in the world by someone. How can I ever get over this when the crime that is happening to me will never end? How can I get over this when the shameful abuse I suffered is out there forever and being enjoyed by sick people?

I am horrified by the thought that other children will probably be abused because of my pictures. Will someone show my pictures to other kids, like my uncle did to me, then tell them what to do? Will they see me and think it's okay for them to do the same thing? Will some sick person see my picture and then get the idea to do the same thing to another little girl? These thoughts make me sad and scared. I blame myself a lot for what

happened. I know I was so little, but why didn't I know better? Why didn't I stop my uncle? Maybe if I had stopped it there wouldn't be so many pictures out there that I can never take back or erase. I feel like now I have to live with it forever and that it's all my fault.

I feel like I am unworthy of anything and a failure. What have I been good for except to be used by others over and over again. That's one of the reasons I haven't been able to get a job or stay in school. I'm tired of disappointing myself. I've already had enough disappointment for a lifetime and just don't want any more failure. To me this brings back all the terrible feelings and shame of abuse and exploitation.

Sometimes I deal with my feelings by trying to forget everything by drinking too much. I know this isn't good, but my humiliation and angry feelings are there with me all the time and sometimes I just need a way to make them go away for awhile.

I feel like I have always had to live a double life. First I had to lie about what my uncle was doing to me. Then I had to act like it didn't happen because it was too embarrassing. Now I always know that there is another "little me" being seen on the internet by other abusers. I don't want to be there, but I am. I wish I could go back in time and stop my uncle from taking those pictures, but I can't.

Even though I am scared that I will be abused or hurt again because I am making this victim impact statement, I want the court and judge to know about me and what I have suffered and what my life is like. What happened to me hasn't gone away. It will never go away. I am a real victim of child pornography and it effects me every day and everywhere I go.

Please think about me and think about my life when you sentence this person to prison. Why should this person, who is continuing my abuse, be free when I am not free?

Sample Victim Impact Statement #2

I am BRAVE! I am a VICTIM who has stood up to Domestic Violence!

I. INTRODUCTION

- Your honor, my name is XXX.
- I currently just completed my Spring Semester at XXX
- I am currently employed with XXX
- The Defendant and I were engaged in an on and off relationship since XXX
- From that relationship I have Mothered 3 children XXX of which the Defendant, XXX, has also fathered

I AM HERE SO THAT THE FULL IMPACT OF THE CRIME IS BROUGHT TO YOUR ATTENTION YOUR HONOR.

II. HISTORY OF ABUSE

- Due to the long history of abuse and this incident that has brought us to court today, I would like the plea vacated so that the Defendant, XXX, may answer to the Domestic Violence charge.
- I don't believe that the plea here holds him accountable for what he has done
- I have feared and continue to fear for my life because of the Defendant, XXX's unpredictable behavior.
- This fear stems from a long history of Domestic Violence.
- My children and I have been endured hurt and pain for many years from incidents that included:
 - ✓ *Being thrown around and forcefully held against my will*
 - ✓ *Kicked with steel toe boots*
 - ✓ *Called derogatory names over and over*
 - ✓ *Going down the freeway at high speeds & him trying to push me out*
 - ✓ *Had my vehicle keys, wallet, money, cell phone taken by him over and over*
 - ✓ *Has destroyed the children and I's property on numerous occasions*
 - ✓ *He has also been economically abusive and I've had to seek food from the food bank*
 - ✓ *He has charged at me & his fists stopped one inch from my face.*
 - ✓ *He has attacked me where I had to seek medical attention & iv acquire x-rays to learn of how physically damaging this abuse has been*
- This incident that occurred on XXX, has been very damaging to my children and I.
- My children has been present and witness to most of these incidents because his behavior is very unpredictable.

I AM ASKING YOUR HONOR, THAT THE PLEA BE VACCATED SO THAT HE MAY BE HELD ACCOUNTABLE FOR HIS ACTIONS AND ANSWER TO THE DOMESTIC VIOLENCE CHARGE.

III. IF PLEAS IS NOT VACCATED, to protect me and my children the sentence MUST include:

A. A NO CONTACT order for me and my children as part of the probation.

- My children and I need this time to continue to heal from the long history of Domestic Violence and most recently the incident that brought us here today.
- My children and I continue to have nightmares and we are currently attending counseling.
 - ✓ My X year old daughter/son wakes in the middle of the night crying saying, "My dad hurt me again, I never thought my dad would do this to me. I thought my dad loved me."
 - ✓ My X year old, feels that s/he has been let down because the man whose supposed to support and teach him/her is nothing like the person s/he wants to be.
 - ✓ When my X year old sees me crying s/he says, "Mom did dad hurt you again?" That's always his/her first question.
 - ✓ The damage it has caused me is an everyday struggle. It has been emotionally, psychologically, physically and financially damaging. It has affected our everyday living and my education in particular. I've had to withdraw from classes because I was unable to focus because I was being abused. I've had to make several doctor's visits because of the illnesses and physical damage related to Domestic Violence as well.

A NO CONTACT order for myself and my children would further protect us and help us heal after the long history of Domestic Violence

B. In Addition Your Honor, probation must include:

- Restitution for myself and my children
- This crime has left us displaced
- The Defendant should be ordered to pay Restitution so we may be whole again:
- The Defendant and I had a mutual agreement, it allowed our children and I to live in a stable environment here in XXX so that I may attend XXX as a full time student to complete the XXX program. I supported his career on the road and I asked him to support mine, he agreed.
- We entered into a lease and moved in to a home on XXX and he said not to worry about anything that it would be taken care of.
- This day in XXX was an upheaval and left us displaced. Our lease was broken and I had to seek funds to move out and pay for storage.
- My children and I need this restitution to get us back on our feet.
- Our total living expenses at XXX totaled about \$XXX per month and Restitution should be in this amount for the duration of his probation.
- Probations must also include \$XXX immediately so that we may get a place to call home.

As mother, we always want the best for our children, our children never ask to be born into a Domestic violence.

SUPERIOR COURT OF THE STATE OF BLANK
COUNTY OF BLANK

-----X
STATE

v.

Index No. #####

DEFENDANT

-----X

VICTIM IMPACT STATEMENT OF VICTIM

STATE OF BLANK)
 ss:
COUNTY OF BLANK)

Victim, being duly sworn, deposes and says:¹

At first when I was told I would be able to speak my mind as to what my thoughts would be on the effects of what happened and what this person should receive as a time to serve I knew exactly what to say, but when you begin putting pen to paper you get lost. We all know what this person has done. He took away my innocence, the child that was left inside and destroyed her. No matter how many times I tried to pull back the pieces, he was always there ready to pull at the thread holding me together. He tore my family apart, he tore [specific family members] apart, so that we would be alone and afraid.

But I am proof today that I am not afraid anymore. I am opening my mouth and letting words fill this air. Defendant deserves to serve the longest amount of time possible due to his [crimes]. I feel that will allow us to not have to worry about him on the streets while we try to mend the wounds and heal the burns left on our minds and on our family. By the time he gets let out, I want for me and my family to be nowhere for him to find us. I want for us by then to have moved on with our lives. I know that will take time. But I want it to be time he is in prison.

¹ Note that many jurisdictions do not require victim impact statements to be made under oath.

I don't want another child to go through what I and my [other family member] have gone through because not only does what happened affect the person but it affects the family. After doing something like that how can you call yourself a human being? If I am able to keep him off the streets, if I am able to get one more terrible person or thing out of people's homes, away from children, I can sleep at night knowing I'm safe as well as someone else.

Trust me when I say this: if I could have, I would have spoken sooner. If I had been as strong as I am today, maybe I could have spared myself the pain I went through. If he gets the time I hope that alone makes up for the time I stood silent for my pain. But as for my [family member's] pain and my family's, I think there is no time in the world that can be given that can make up for the damage that was done. But I will be happy and take what I can get out of this unfortunate event. I hope that my words are taken into consideration. I would greatly appreciate it.

Victim

Subscribed and Sworn to me before this
day of Month, Year

NOTARY PUBLIC