

VICTIM IMPACT STATEMENT

Defendant(s): _____

Case #: _____

System Id # _____

Assistant State Attorney: _____

VICTIM INFORMATION
(Please return both pages of this form)

Name: _____ Date of birth: _____

Address: _____

Phone#: _____ Alt Phone#: _____

INJURY CLAIM (medical/psychological)

1) Were you physically injured as a result of this incident: Yes ___ No ___ If yes, describe injuries:

2) Did you incur any medical or counseling expenses? Yes ___ No ___

List the name and address of the person or facility which provided you with treatment and the amount you were charged. Please attach copies of your bills.

	Amount
A) _____	\$ _____
B) _____	\$ _____
C) _____	\$ _____

3) Were any of these bills covered by insurance? Yes ___ No ___ Claim # _____

4) Name and address of insurance company: _____

_____ Zip code _____ Phone #: _____

5) How much did your insurance company pay toward your medical bills? \$ _____

6) What is the amount you were required to pay after insurance paid their portion? \$ _____

7) Did you miss work due to injuries you sustained from this defendant? Yes ___ No ___

8) What are the total wages you lost during the period you were unable to work? \$ _____ *(You must attach a statement from your physician indicating the days you were unable to work and a statement from your employer indicating the amount of wages you lost during that period of time.)*

9) **YOUR TOTAL MEDICAL RESTITUTION CLAIM IS \$ _____**

PROPERTY LOSS OR DAMAGE CLAIM

YOU MUST INCLUDE COPIES OF ESTIMATES, RECEIPTS, BILLS OR OTHER FORM OF DOCUMENTATION TO SUPPORT YOUR CLAIM.

1) Did you sustain any property loss or damage? YES _____ NO _____

2) List any items that were stolen and not returned to you by law enforcement. (Do not list items that are held in evidence by law enforcement.)

Item	\$ Value of Item
_____	_____
_____	_____
_____	_____
_____	_____

3) List any items which were returned to you but are damaged. If law enforcement is holding some of your property which was recovered but it is damaged, please list it:

Item	\$ Repair or Replacement Costs
_____	_____
_____	_____
_____	_____
_____	_____

4) Was any of your property covered by insurance? YES _____ NO _____ Claim # _____

5) Name and address of your insurance company: _____

_____ Zip code _____ Phone # of insurance company: _____

Amount paid by insurance \$ _____

6) **What is the amount you were required to pay after insurance paid their portion?** _____

7) **YOUR TOTAL PROPERTY RESTITUTION CLAIM IS \$** _____

YOU CAN ONLY SEEK RESTITUTION FOR WHAT WAS ACTUALLY TAKEN FROM YOU OR DAMAGED BECAUSE OF THIS DEFENDANT'S CRIMINAL ACTIONS.

AS A CRIME VICTIM, YOU HAVE THE RIGHT:

- To assert your rights as provided by law or the State Constitution. The victim of a crime and the State Attorney, with consent of the victim, have standing to assert the rights of a crime victim which are provided by law or s. 16 (b) Art. 1 of the State Constitution.
- To information concerning services available to victims of adult and juvenile crime.
- To information regarding the availability of funds through the Florida Crime Victim Compensation Program, when applicable. 1-800-226-6667
- To information about community based treatment programs, crisis intervention services, counseling and social service programs.
- To information about the stages in the criminal or juvenile justice process which are of significance to the victim and how such information can be obtained.
- To be informed, to be present and to be heard when relevant, at all crucial stages of a criminal or juvenile proceeding, to the extent that right does not interfere with the constitutional rights of the accused.
- To be informed and to submit written statements at all crucial stages of the criminal, juvenile justice and post conviction relief proceedings, if the victim is incarcerated.
- To the prompt and timely disposition of the case, to the extent that this right does not interfere with the constitutional rights of the accused.
- To information concerning the steps available to law enforcement and the State Attorney to protect the victim or witnesses from intimidation.
- To be notified as soon as possible, by the agency scheduling your appearance in a criminal or juvenile justice proceeding, of any change in scheduling which will effect your appearance.
- To receive notification of the arrest, the release of the accused or modification of the release conditions, including work release, community control and the proceedings in the prosecution or petition for delinquency of the accused.
- To be consulted by the State Attorney in order to obtain the views of the victim or family about: the release of the accused pending a judicial proceeding, plea agreements, participation in pretrial diversion programs and the sentencing of the accused, in those felony and juvenile cases that involved physical or emotional injury or trauma.
- To have your property returned to you as soon as possible after the investigation and or prosecution is completed unless there is a compelling reason for retaining it.
- To have your employers, creditors, or school informed that your cooperation with criminal prosecution might cause absences or financial hardship.
- To request restitution and be notified if restitution is ordered by the court and to receive information regarding the victims right to enforce the court's order.
- To submit an oral or written Victim Impact Statement describing how the crime affected you and or your family.
- The State Attorney's Office shall assist in the preparation of such statement if necessary.
- To have any special needs accommodated as is practicable. (For instance: physical handicaps, parking or translator services.)
- To receive a victim's rights information card or brochure which explains your rights as a crime victim and services available to you.
- To be notified if the offender escapes from a state correctional facility, county jail, juvenile detention or involuntary commitment facility.
- To have a victim advocate present during deposition of the victim.
- To not be required to attend depositions in a correctional facility. (This is applicable to victims who are not incarcerated.)
- To request that the State Attorney permit the victim to review a copy of the pre-sentence investigation report prior to the sentencing hearing, for adults and youthful offenders, if one was completed.
- To request that the courtroom be cleared of spectators if you testify about a sexual offense. The court may not grant this request as it may conflict with the defendant's right to an open trial, however you have the right to make the request.
- To request, for specific crimes, an exemption prohibiting the disclosure of information to the public which reveals the victim's home and work phone numbers, addresses, and personal assets not otherwise held confidential under the Public Records Law.
- To request that a person charged with an offense which involves the transmission of body fluids, be tested for the HIV virus and to be informed of the results of such test.
- To request that the offender be required to attend a different school than the victim or the siblings of the victim. (under certain circumstances)
- To information regarding the address confidentiality program if you are the victim of Domestic Violence.
- To be advised that information gained by the victim regarding any case handled in juvenile court must not be revealed to any outside party except as is reasonably necessary to pursue legal remedies.
- To be notified that the victim or next of kin of the victim may not be excluded from any portion of any hearing, trial or proceeding based solely on the fact that such person is subpoenaed to testify unless the court determines that such person's presence is prejudicial.
- The right of a victim of a sexual offense to request the presence of a victim advocate during the forensic medical examination. An advocate from a certified rape crisis center shall be permitted to attend any forensic medical examination.
- No law enforcement officer, prosecuting attorney or governmental official shall ask or require a victim of a sexual offense to submit to a polygraph examination or other truth-telling device as a condition of the allegation.