

Victim Awareness: Reading, Analyzing, and Writing Victim Impact Statements

By Bridget M. Marshall, Ph.D., University of Massachusetts Lowell

This curriculum kit was created as a part of the National-Scope Demonstration Project to Integrate Crime Victims' Issues into University and College Curricula. The project is funded by a grant from the Office for Victims of Crime (OVC, a component of the Office of Justice Programs within the U.S. Department of Justice) to achieve the project goals of increasing the numbers of students exposed to information about crime victims and interested in working with crime victims, and thereby improve the future provision of services to crime victims.

Purpose

To teach students how crime impacts victims and how victims may respond by using the Declaration of Independence as a starting point and then through reading, writing, and discussion of victim impact statements. It is a creative way for professors to delve into the course material without requiring any major restructuring of their syllabus.

Learning Objectives

After completing this curriculum kit, students should be able to:

- List possible victim responses to victimization.
- Describe reactions from others that a victim might experience.
- Plan a way to respond to a victim.
- Assess the impact of crime on a variety of victims.
- Contrast victim impacts in different kinds of victimization.
- Compare a historical document and situation to a contemporary one.
- Write with clarity to appeal to an audience.
- Select appropriate details to make a compelling case.

Time Required

Completion of the curriculum kit materials and assignments will require 70 to 95 minutes of class time. The suggested structure is as follows:

- 20 minutes: Introduction of topic and assignment.
- 50 to 75 minutes: Full class period to discuss assignments.

Required Materials

- The Declaration of Independence: Ideally, prior to using this curriculum kit, students have read the Declaration for class (at least once), have already participated in an in-class discussion of the Declaration and/or completed other writing assignments about it. Free access to the Declaration of Independence is provided online through the National Archives at: <http://www.archives.gov/exhibits/charters/declaration.html>
- A selection of victim impact statements: Faculty may use those provided, selections of their own, or a combination of the two. Many of the included readings are actual victim impact statements from court cases, but others (i.e., Chrisner, Parker, and Pescherine) are articles that cover similar topics.

Suggested Courses

Although this curriculum kit was initially piloted in an introductory level undergraduate college writing course, it is also suitable for courses in English (such as a course in argumentative writing), political science, history, and criminal justice.

Directory of Materials

Faculty Materials

1. *Victim Awareness* Faculty Guide
2. *Victim Awareness* PowerPoint presentation

Student Materials

1. Student Readings
 - i. Jane Mosher Victim Impact Statement
 - ii. MADDvocate – A Healing Impact
 - iii. MADDvocate – I Knew Before I Was Told

**Post-Secondary Education:
Integrating Crime Victims' Issues Into College and University Curricula**

- iv. MADDvocate – Shattering of the Soul
 - v. MADDvocate – Trial and Consequences
 - vi. Madoff Victim Impact Statements – Ronnie Sue and Dominic
 - vii. Madoff Victim Impact Statements – Norma Hill
 - viii. Madoff Victim Impact Statements – Carla Hirschhorn
 - ix. Madoff Victim Impact Statements – Caren Low
 - x. Remembering Michael
2. National Resources for Crime Victims Handout

Introduction and a Note to Faculty

The purpose of this curriculum kit is to provide college students with an awareness and understanding of victim issues by utilizing victim impact statements. This curriculum kit uses the Declaration of Independence as a starting point and then through reading, writing, and discussion of victim impact statements, students learn how crime impacts victims and how victims may respond.

Students read the Declaration of Independence and a selection of victim impact statements, write their own victim impact statements, and then both are discussed in class.

This Faculty Guide includes guidance on implementing the curriculum kit, including recommended best practices for the readings, paper assignment, and related discussion. The larger curriculum kit includes the student materials (assignment and readings), as well as supplementary materials to provide faculty with guidance on teaching about victimization and responding to any student disclosures, as well as additional background knowledge.

Please review all materials thoroughly prior to use.

This curriculum kit includes a student handout of National Resources for Crime Victims. The handout is reprinted at the end of this curriculum kit.

Curriculum Kit Background

The Declaration of Independence explains that we all have “certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.” This assignment asks students to consider what happens when those rights are violated.

**Post-Secondary Education:
Integrating Crime Victims' Issues Into College and University Curricula**

It also asks students to engage with the particular rhetorical methods that the Declaration uses to achieve its goals. The assignment is meant to get students thinking about both the content and the form of the Declaration.

The Declaration first establishes basic ideas about how the world should work, then shows that these commonly held precepts (life, liberty) have been violated by an offender (the British), and then establishes what will be done about these violations (independence, war).

Here's where we make a connection that in some sense, we might view the Declaration as a kind of formal, community victim impact statement. It establishes that a wrong has been committed, details the nature and specifics of those wrongs, and makes a statement about what will be done next. Individual victim impact statements follow a similar general format. Victim impact statements are written or oral statements about the impact a crime has had on a victim, and are made by the victim or a family member/guardian (in the case of homicide victims, minor victims, and incompetent/incapacitated victims).

The purpose of victim impact statements is to allow victim participation in the criminal justice process and to communicate to those in the criminal justice system how the crime has impacted victims so that impact can be considered in imposing sanctions on offenders. Victim impact statements are most frequently delivered as a part of sentencing hearings (after conviction but before sentencing), but are also used in parole hearings.

If you would like additional information on criminal victimization and its impact, please refer to the *Teaching About Criminal Victimization: Guidelines for Faculty*, located in the Faculty Involvement section.

Best Practices for Using the Curriculum Kit

A suggested structure for implementing this curriculum kit is outlined below. Options for both the written assignment and assigned reading materials are also presented below. Faculty may make their selection based on their own preference and/or knowledge of their students.

Lesson Plan

1. Class 1: Introduction of the topic and assignment.
2. Introduce the assignment by handing out the assigned reading. Explain/discuss victim impact statements, as well as the purpose of this project and provide some guidance for students on sensitive approaches to talking in the classroom about victimization (see *Teaching About Criminal Victimization: Guidelines for Faculty*). Also take time to prepare students for the potential that they will have an emotional response to the readings (see the Framing Material section of the *Teaching About Criminal Victimization: Guidelines for Faculty* for suggestions). This is estimated to need approximately 20 minutes of class time.

**Post-Secondary Education:
Integrating Crime Victims' Issues Into College and University Curricula**

Note to Faculty:

Faculty may select all or a portion of the provided Victim Impact Statement readings for their students. If not all of the readings are selected, it is suggested that the students be given an array of at least three of these statements so that they can trace the rhetorical moves that the statements make. Similarly, if faculty want to use their own, outside choices for Victim Impact Statements, it is suggested that at least three are selected for inclusion.

Note to Faculty:

Faculty can expand the length and depth of this curriculum kit, if desired, by discussing as a part of Class 1 the nature, extent, and impact of criminal victimization.

3. Students complete the reading at home and write in response to the assignment as described.
4. Class 2: Discussion of Assignments. Ask students to talk about what was most compelling in the victim impact statements, and for them to compare and contrast the different statements with the Declaration. It may be easier to start with the packet of readings rather than students' own statements. The first part of the discussion could be as a full class or in small groups. For example, faculty could have students break into groups with each group focused on one statement, and then have each group report back to a full class discussion.

Assuming faculty (and students) are comfortable with this, it would be valuable to have students talk about their own statements too. Students can share their writing assignment in small groups or with partners (as decided by faculty). They could pass their papers around, or talk through/read them aloud to one another. They may feel more comfortable swapping with just one other student whom they know, or they may prefer the anonymity of just passing around to the full class.

Faculty may also offer students some anonymity by instructing them not to put their names on their papers for the in-class session. Small group work ideally would lead up to a full class discussion of what was discovered from the readings and from the writing assignment. These various discussions would likely take an entire class meeting.

Class 1: Introduction of the Topic and Assignment

The two options for writing assignments are described below, along with some suggested prompts and a note about possible responses from students. Option 1 could get a bit personal, although it doesn't have to in an especially difficult way (see suggested examples). Option 2 is more "fun" in that it asks for more imaginative writing. Faculty could offer the students a choice of either option or could require them to do only option 2. It is not advised to require students to do only Option 1 – students should not be forced to disclose victimization.

Option 1. Victim Impact Statement

Note to Faculty:

Some students who have been victims of crime may have difficulty publicly sharing their experience or how it impacted them. The examples suggested here provide students with the option to write about victimization in the broad terms that everyone experiences. That said, it is entirely possible that a student has been the victim of a crime and will write about it. Faculty should be prepared for this possibility, and think about how this might be dealt with in the classroom. Please reference *Teaching about Criminal Victimization: Guidelines for Faculty* for suggestions and guidance.

For this option, students will write their own victim impact statements. We want to stress that by “victim” in this case, we don’t mean to imply that they need to write about a crime (violent or otherwise), but rather, consider **some injustice, large or small**, that they could address through writing. We do want them to choose an issue that has actually affected them (not something made up). This need not be an entirely serious injustice, although they are welcome to address a serious issue, too.

Faculty may want to add some of their own examples to this section to help students consider this through a broad lens that will (hopefully) lead them to topics that are both something that they care about, and something about which they can be comfortable talking and writing.

Some possibilities of injustices/wrongs that may be suggested to students are:

- Something of yours was stolen from your dorm or vehicle.
- Someone assumed your identity online without your permission.
- A classroom or university policy that is unfair to you or to a group.
- A policy or rule in your home or residence hall that is unfair to you or a group.

Alternately (or even additionally) students might also consider the various communities of which they are a part (the University, their hometowns, any religious or cultural groups) and consider the impact that an event has had on them as a part of the community. Some examples:

- Graffiti or vandalism on your campus.
- Plagiarism by fellow students.
- Use of racist, sexist, or homophobic language.
- An environmental or industrial accident that impacted your community/environment.

**Post-Secondary Education:
Integrating Crime Victims' Issues Into College and University Curricula**

Again, we want to stress that we're using the term "victim" here broadly. It doesn't mean that they have to have been physically injured (although perhaps that may be the case). Mental and emotional components are an equally significant part of this. We're looking for statements that are as precise and clear as possible. Details and specifics will make their stories compelling.

Note to Faculty:

Please be sure to let students know that they will be sharing these statements with their classmates and with you so that this does not come as a surprise during the next class session.

Option 2. Imaginative Victim Impact Statement, 1776

For this version of the activity, students will write an imagined victim impact statement from the position of the colonists prior to the Declaration of Independence. Using the specific wrongs detailed in the Declaration, students need to imagine what it would be like to actually live under the conditions the colonists endured. Students must read the Declaration closely for details, but then they will need to imagine what day-to-day life would be like under these general conditions.

Reading the sample victim impact statements should help make it clear how important a specific, individual story can be. While the Declaration names the general problems, it lacks the personal details. To make a comparison to the contemporary victim impact statements, consider the ones in the Bernie Madoff case.

While we may know (from the news) that these events happened, and that Madoff and company swindled thousands of people, the details of individual victims – the kinds of losses they experienced on a personal level and how those losses have impacted them and those around them – are so much more compelling than just a recounting of the general case.

Encourage students to imagine being a specific person for this part of the activity – they might even give themselves "colonial" names. If they are feeling creative, they could try out colonial-sounding language, or they could write in contemporary language and tone. Using the specifics of the Declaration, they should write from the perspective of a real person who has been the victim of one or more of the British violations against the American colonists.

Class 2: Discussion of Assignments

Faculty vary in style in leading discussion, but the questions below have been provided to help guide discussion related to these readings and assignments. They have been designed to help students focus on productive discussion regarding victims and victimization, instead of becoming mired down in what is commonly referred to as “victim-blaming.” The questions also reinforce the skill development of rhetorical knowledge and critical thinking.

Questions To Follow Up on the Reading Assignment

- What specific passages in these documents stood out to you in your reading? What about those passages got your attention? Why? [Students should share specific quotes.]
- Create a list of victim responses and reactions: What did they say, do, and feel? Which reactions were consistent across more than one story? Which were unique? Which reactions surprised you?
- How did those around the victim (such as family, friends, co-workers, police) respond to the victimization? How do you feel about their responses?
- What kind of assistance and resources has this victim had been provided? How have these resources helped (or not)? What assistance and resources might he/she need?
- What might you say to respond to this victim?
- Why should we read this? What value is there in reading such a statement? What value is there in writing such a statement?

Questions To Follow Up on the Writing Assignment

- How did you start writing this piece? What did you change or revise? Why?
- What do you think is the strongest or most effective part of your own statement or that of a classmate? Why?
- What connections can you make between your statement (or that of a classmate) and one of the assigned readings?
- For Option 2, what specific elements of the Declaration did you use as you imagined your colonial victim figure? Why did you choose to respond to those elements?

Evaluating Student Performance

There are several ways faculty might go about evaluating the student writing turned in for this assignment. The simplest option would be simply giving credit for completion – a “check” or other notation indicates that the student did the assignment. A “check plus” may be given for students who complete the assignment with extra effort or engagement. The assignment is designed here to be a short (one- to two-page, double-spaced) writing assignment; alternatively it could be developed into a longer essay of faculty’s choosing, making this part of the assignment a first draft.

If faculty prefer using rubrics, he/she might include the following with the assignment. This is optional, and depends upon his/her own grading preference and practices. The rubric includes columns indicating “Excellent,” “Good,” and “Needs Work.” If a numeric system, or more or fewer categories are preferred, this rubric can be adapted and adjusted to faculty’s own design.

Victim Impact Statement Grading Rubric	Needs Work	Good	Excellent
1. Writing includes specific details and description to make a compelling case.			
2. Writing shows an understanding of the purpose and rhetorical style of the victim impact statement.			
3. Writing is clear and free of grammatical errors.			

**Post-Secondary Education:
Integrating Crime Victims' Issues Into College and University Curricula**

Readings

Chrisner, Michelle. (2003, Summer). I Knew Before I Was Told. MADDvocate, p.23. Irving, TX: MADD.

McAlley, Nancy. (2009, Summer). Victim Impact Statement for Jane Mosher-Buyno. Survivors of Homicide Newsletter, Wethersfield, CT: Survivors of Homicide, Inc. of Connecticut.

Parker, Michelle. (2003, Summer). A Healing Impact. MADDvocate, pp.12-13. Irving, TX: MADD.

Parker, Michelle. (2004, Summer). Shattering of the Soul. MADDvocate, p.12-15. Irving, TX: MADD.

Parker, Michelle. (2006, Spring). Trials and Consequences. MADDvocate, p.14-18. Irving, TX: MADD.

Pescherine, Lynn. (2006, September/October). Remembering Michael. The Penn Stater, p.11.

Victim Impact Statements, United States v. Madoff, 09 Cr. 213 (S.D.N.Y. June 15, 2009). Letter from Ronnie Sue and Dominic Ambrosino to Judge Chin (June 8, 2009)

Victim Impact Statements, United States v. Madoff, 09 Cr. 213 (S.D.N.Y. June 15, 2009). Letter from Norma Hill to Judge Chin (June 2, 2009)

Victim Impact Statements, United States v. Madoff, 09 Cr. 213 (S.D.N.Y. June 15, 2009). Letter from Carla R. Hirschhorn to Judge Chin (June 1, 2009)

Victim Impact Statements, United States v. Madoff, 09 Cr. 213 (S.D.N.Y. June 15, 2009). Letter from Caren Low to Judge Chin (June 10, 2009)

References

Marshall, B. (2013). "Victim awareness: Reading, analyzing, and writing victim impact statements." Lowell, MA: University of Massachusetts Lowell.

National Resources for Crime Victims

Crime victims and those who know them or work with them can face a number of issues for which support can be helpful. Listed below are a number of national resources. Other places to look for support can be Employee Assistance Programs (EAPs) at work, campus resources for college students, and state victim assistance programs.

Victims of Crime

The National Center for Victims of Crime

www.victimsofcrime.org/help-for-crime-victims

National Organization for Victim Assistance

800-TRY-NOVA

www.trynova.org/

Office for Victims of Crime Directory of Crime Victims Services

<http://ovc.ncjrs.gov/findvictimservices/>

Child Abuse

Stop It Now! (sexual abuse)

888-PREVENT

www.stopitnow.org/

Clery Center for Security on Campus

Office: (484) 580-8754

www.clerycenter.org/

Drunk Driving

MADD Victim/Survivor Helpline

877-MADD-HELP (623-3435)

www.madd.org/victim-services/

Elder Abuse

National Center on Elder Abuse
800-677-1116 (M-F, 9 a.m. – 8 p.m.)
www.ncea.aoa.gov

Homicide

National Organization of Parents Of Murdered Children
888-818-POMC
www.pomc.com/

Identity Theft

Federal Trade Commission's Identity Theft Hotline
877-ID-THEFT (438-4338)
www.consumer.ftc.gov/features/feature-0014-identity-theft

Identity Theft Resource Center Victim Assistance Center.
888-400-5530
www.idtheftcenter.org/v_resources/v_intro.shtml

Intimate Partner Violence and Family Violence

National Domestic Violence Hotline
800-799-SAFE (7233)
www.ndvh.org/

Sexual Violence

RAINN National Sexual Assault Hotline
800-656-HOPE (4673)
[.http://online.rainn.org/](http://online.rainn.org/) (online hotline)