

93205

M-1

CRIME
RECORDS
INDEX
SYSTEM

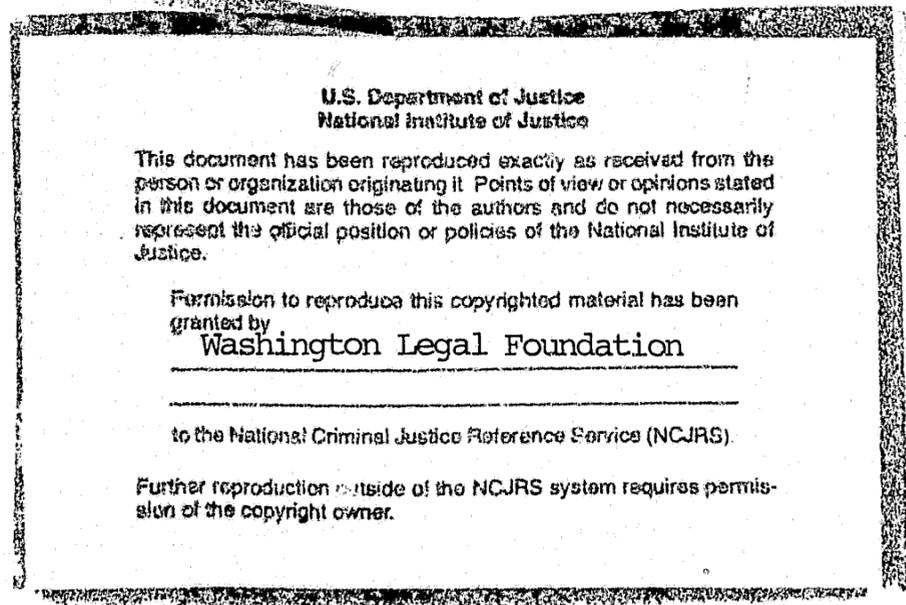
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 01/10/01 BY 60322 UCBAW/STP

Microfilm Edition 1980

This Crime Victims Impact Statement Manual is prepared and distributed by the Washington Legal Foundation to State and Federal Judges and Prosecutors in all 50 States and the District of Columbia. The purpose of this manual is to help develop a system whereby the victim of crime participates in a constructive manner in the sentencing process of a criminal case.

The Washington Legal Foundation, a nonprofit public interest legal center with 80,000 members nationwide, has been a pioneer in the field of crime victims' rights. Besides the preparation of this manual, WLF has provided legal assistance to victims to enable them to file civil actions against the criminals and third parties for damages suffered by the victim. WLF has also submitted proposals with the United States Parole Commission, that, if adopted, would require victim compensation as one of the conditions for parole. WLF also has participated in many programs concerning victims' rights as part of WLF's commitment to educate the public on this important issue.

We encourage users of this manual to submit comments and suggestions to the Foundation on the use of the Victim Impact Statement as well as on other crime victims' rights issues.



The text which follows may be reprinted in whole or in part if credit is given. Please send one copy to the Washington Legal Foundation.

©1981 Washington Legal Foundation, Washington, D.C.

INTRODUCTION

A violent crime now occurs every 24 seconds somewhere in the United States. Every 23 minutes, a murder is committed. A woman is raped every 6 minutes. There's a robbery every 58 seconds, and an aggravated assault every 48 seconds.

The striking truth about crime is that we are all vulnerable to its random selection, and becoming increasingly vulnerable as America's crime clock continues to tick at a faster rate, with violent crime increasing 11% in 1980.

There has been much written and spoken of the pervasive fear of violent crime which threatens the American way of life. The Chief Justice of the U.S. Supreme Court has recently and poignantly spoken out on the subject of violent crime, noting the "reign of terror" which has made Americans "hostages within the borders of our own self-styled, enlightened, civilized country."

Fighting violent crime has been declared a high priority of the Reagan Administration's Justice Department.

The Washington Legal Foundation believes the **victim** of violent crime should be given the highest priority in America's continuing struggle to deal with the issue of violent crime.

The diligent efforts of progressive criminologists, jurists and legislators over the past two decades have borne fruit. Caught up on providing social justice for the criminal offender, the American taxpayer has been footing the bill for the millions of dollars being spent on programs for criminal offender-oriented rehabilitation and court reform. We now offer criminal offenders every conceivable right and legal service interpreted to be due them under the law.

Law enforcement officials, the courts and the entire criminal justice system have focused their efforts on the rights of the accused, providing to the offender "massive safeguards" in the words of Chief Justice Warren Burger.

Unfortunately, no one has made such a zealous effort on behalf of the innocent victims of crime, who have become the forgotten factor in the criminal justice equation.

For far too long, the words "Criminal Justice" have been interpreted to mean "Justice for the Criminal." We have forgotten that for every crime, there is at least one victim.

The initial shock and dismay felt by the victim of a violent crime is exacerbated by a criminal justice system that seems to care more for the offender than the victim. Perhaps the saddest commentary on America's criminal justice system is that the victim of a violent crime is not only victimized by the crime itself, but he or she can expect to be re-victimized again and again by an archaic process which is supposed to administer justice, to right the wrong the victim has experienced.

The process by which our society prosecutes the criminal is based on the theory of the law that the government itself, "society", is the victim of crime. The very manner in which criminal cases are titled provides an indication of the victim's status. No matter how severe the crime committed and the injury suffered by the victim, it is the State vs. Criminal, not Victim vs. Criminal. The victim of violent crime finds that he has become, at best, merely the State's witness in **their case**, a piece of evidence, his status collectivized by society.

The semantics of criminal prosecution would not be significant if the issue were merely one of how we title our court cases. However, the criminal justice system has failed to recognize that every person who commits a criminal act not only violates the law, but also violates a person. The victim of violent crime learns firsthand that America's law enforcement mechanisms are geared to apprehending, prosecuting, and allegedly punishing those who criminally offend society. In the process, the victim is neglected, his rights as an injured person subrogated.

As if it isn't bad enough that the victim of crime has been relegated to an observer status in the prosecution of the offender, the crime victim is further denied the right to even observe. It is well recognized that the crime victim does not even receive complete and timely information regarding the status of the case, from arrest on through to prosecution, plea bargaining, and sentencing, if any.

It is no wonder the victim feels detached from the criminal justice system.

The Washington Legal Foundation proposes that Courts throughout the United States can and should assist in im-

proving the rights of the victims of violent crime by establishing a system whereby the victim participates in a constructive manner in the sentencing process of a criminal case.

The Sentencing Process

In all states, criminal procedure laws require a pre-sentence investigation prior to the imposition of a sentence upon a defendant who has been found guilty. The primary focus of the investigation, which is usually conducted and presented to the court by a probation or corrections officer, is on the person to be sentenced, the criminal. The particular areas of pre-sentence investigation include the past delinquencies of the criminal, his employment history, family background, economic status, education and personal habits.

In theory, the court weighs these factors with the circumstances of the criminal offense to determine a just and proper sentence. The investigation report may also include a recommendation of an appropriate sentence. Although a judge is not bound by the report's findings and recommendation, he usually shows deference to the reporting officer's judgment. Thus, the pre-sentence investigation and report is an important element in the judge's decision on an appropriate sentence, including whether the offender should be released on probation or confined to prison, and, if imprisoned, the duration of the jail term.

It seems, then, that this is a crucial juncture along the road to justice, and it is exactly at this juncture that the victim's views should be considered. The use of a Victim Impact Statement provides a mechanism by which the crime victim may directly participate in the sentencing process.

What is a Victim Impact Statement?

Simply put, a Victim Impact Statement is a tool to be used by prosecutors and judges in an effort to make the criminal justice system more accountable to the victims of violent crime.

The "Statement" itself is a questionnaire intended to be voluntarily completed by the crime victim and included in

the information provided to the Court prior to the imposition of sentencing.

The answers to questions included in the Victim Impact Statement will provide the Court with the physical, psychological and economic effects which the crime has had on the victim and his or her family. The information is provided directly by the victim, who has an opportunity to also set forth his attitude and concerns as the victim of a violent crime.

The Washington Legal Foundation recognizes that the weight which the Court places on a Victim Impact Statement will depend on the particular circumstances of each case, taken on an individual basis. In no way does the Washington Legal Foundation wish to suggest that the Court should be necessarily bound by the contents of the Victim Impact Statement. Rather, the Victim Impact Statement is meant to provide the Court with additional assistance in the discretionary exercise of its sentencing powers.

At the same time, the solicitation of a Victim Impact Statement will demonstrate to the crime victim that the criminal justice system is concerned with the victim's plight.

CONCLUSION

This Victim Impact Statement Manual includes not only a sample Victim Impact Statement, but a thorough analysis of all State laws that relate to the input by the victim in the criminal justice system. The Foundation hopes that the information provided in this Manual will serve as a catalyst to advance the rights of all victims of violent crime.

The Foundation strongly suggests that members of the public and citizens' groups encourage their local judges and prosecutors to utilize Victim Impact Statements in the sentencing process. With a concerted effort by all concerned, we hope to advance the rights of victims and their families as well as to reduce the occurrences of violent criminal activity.

VICTIM IMPACT STATEMENT

STATE VS. _____

CASE # _____

SENTENCING DATE _____

TO ASSIST THE COURT IN ITS EFFORT TO WEIGH ALL FACTORS PRIOR TO IMPOSING SENTENCE, WE REQUEST YOUR *VOLUNTARY* COOPERATION IN COMPLETING THIS FORM. THIS STATEMENT IS INTENDED TO BE SUBMITTED TO THE JUDGE IMPOSING SENTENCE HEREIN.

NAME OF VICTIM: _____

ADDRESS: _____
STREET CITY STATE ZIP CODE

DATE OF BIRTH: _____

1. Please describe the nature of the incident in which you were involved.

2. As a result of this incident, were you physically injured? _____
If yes, please describe the extent of your injuries.

3. Did you require medical treatment for the injuries sustained? _____

If yes, please describe the treatment received and the length of time treatment was or is required.

4. Amount of expenses incurred to date as a result of medical treatment received:

\$ _____

Anticipated expenses:

\$ _____

5. Were you psychologically injured as a result of this incident? _____
If yes, please describe the psychological impact which the incident has had on you.

6. Have you received any counselling or therapy as a result of this incident? _____
If yes, please describe the length of time you have been or will be undergoing counselling or therapy, and the type of treatment you have received.

7. Amount of expenses incurred to date as a result of counselling or therapy received:

\$ _____

8. Has this incident affected your ability to earn a living? _____
If yes, please describe your employment, and specify how and to what extent your ability to earn a living has been affected, days lost from work, etc.

9. Have you incurred any other expenses or losses as a result of this incident? _____
If yes, please describe.

10. Did insurance cover any of the expenses you have incurred as a result of this incident?
If yes, please specify the amount and nature of any reimbursement.

11. Has this incident in any way affected your lifestyle or your family's lifestyle? _____
If yes, please explain.

12. Are there any other residual effects of this incident which are now being experienced by you or members of your family?

13. Please describe what being the victim of crime has meant to you and to your family.

14. What are your feelings about the criminal justice system? Have your feelings changed as a result of this incident? Please explain.

15. Do you have any thoughts or suggestions on the sentence which the Court should impose herein? Please explain, indicating whether you favor imprisonment.

THIS FORM IS SUBSCRIBED AND AFFIRMED BY THE VICTIM AS TRUE UNDER THE PENALTIES OF PERJURY. THE INFORMATION AND THOUGHTS YOU HAVE PROVIDED ARE VERY MUCH APPRECIATED.

DATE: _____

SIGNATURE

STATE LAWS AND THEIR APPLICATION TO THE USE OF A VICTIM IMPACT STATEMENT

No state explicitly denies the right of the victim to be considered during the pre-sentence investigation and mentioned in the pre-sentence report. Only four states--Indiana, Connecticut, Illinois and Kansas--have statutes that explicitly require a statement from or concerning the victim in the pre-sentencing report. The text of these statutes is contained later in this publication.

Indiana provides an exemplary procedure for consideration of the victim in the sentencing process. The State of Indiana provides that a pre-sentence report **must** include any written statements submitted to the prosecuting attorney by the victim, and any written statements submitted to the probation officer by a victim. This concern for the victim, whom the law defines as "a person who has suffered harm as a result of an offense", was enacted by the Indiana Legislature in 1978. The statute also provides that if no written statements are submitted to the probation officer, the probation officer **must** certify to the Court that an attempt was made to contact the victim, and that if the victim was contacted, the probation officer offered to accept the victim's written statement or to reduce the victim's oral statements to writing concerning the sentence, including the acceptance of any recommendation, i.e., the victim has a say in the plea bargaining process.

The Connecticut and Kansas statutes call for an inquiry into the attitude of the complainant or victim, or in the case of the victim's death, the victim's immediate family.

The Illinois statute requires the pre-sentence report to set forth the effect of the crime upon the victim, as well as any sentencing scheme that would allow the victim to be compensated by his offender. Illinois is noteworthy in that it is the only state in the union which statutorily calls upon the probation officer to devise a restitutive scheme for the benefit of the victim.

The Oregon rules of criminal procedure allow for a post-conviction hearing to determine if an aggravation or mitigation of punishment is warranted. A victim may appear at this

hearing and state his views for aggravating or mitigating the punishment, but the focus of the Oregon pre-sentencing report is primarily on the defendant.

The Minnesota statute alludes to the victim when it requires an account of "... the circumstances of the offense and harm caused thereby to others and to the community", but does not specifically mention or require anything of the nature of a victim impact statement, although it is clear that such a statement would not be unwelcomed.

Although most of the remaining state statutes are defendant-specific, there is room for a victim impact statement in nearly all of them. There are roughly three categories in which the remaining statutes are divided (with some overlap). The first category includes those statutes that **require** the gathering of information with respect to the circumstances attending the commission of the offense. On the surface, this would simply require the reporting officer to describe the nature of the offense. It seems, however, that the consequent or resultant circumstances of the offense can be included here; that is, a victim impact statement describing the effects of the crime on the victim and the victim's attitude toward sentencing, would seem to fall within the purview of the statutes having this requirement. Sixteen state statutes contain this requirement or one with language similar to it.

The second category includes those statutes that **allow** the reporting officer to include in his report any matter which he deems relevant to the question of sentence or those that allow the report to contain any information the court orders to be included. Thirteen states have statutes that contain this or similar language. Under these rules the reporting officer and the court are allowed a good deal of latitude in determining the contents of the report. If they deem it proper, they may include a victim impact statement.

The remaining sixteen statutes are predominantly defendant oriented, **with no mention of the victim**. Thirteen of those statutes simply require a pre-sentence investigation prior to the announcement of sentence with no specific guidelines, or are worded loosely enough to allow a victim impact statement. Four states--Alaska, Delaware, Missouri

and Utah--have specific guidelines that clearly exclude the victim. Additional or revised language would be required to allow such a statement in those states.

INDIANA

35-50-1A-10 SCOPE OF PRESENTENCE INVESTIGATION AND REPORT--SOLICITATION OF VICTIM'S STATEMENTS,--(a) The presentence investigation consists of the gathering of information with respect to the circumstances attending the commission of the offense, the convicted person's history of delinquency or criminality, social history, employment history, family situation, economic status, education and personal habits. Such investigation may also include any other matter which the probation officer conducting the investigation deems relevant to the question of sentence, and must include:

- (1) Any matters the court directs to be included;
- (2) Any written statements submitted to the prosecuting attorney by a victim under IC 35-5-6 (35-5-6-1 --35-5-6-5); and
- (3) Any written statements submitted to the probation officer by a victim.

(b) If there are no written statements submitted to the probation officer, he shall certify to the court:

- (1) That he has attempted to contact the victim; and
- (2) That, if he has contacted the victim, he has offered to accept the written statements of the victim, or to reduce his oral statements to writing, concerning the sentence, including the acceptance of any recommendation.

(c) As used in this section, the terms "recommendation" and "victim" have the meanings set out in IC 35-5-6-1. [IC 35-4.1-4-10, as added by Acts 1973, P.L. 325, §4, p. 1750; 1978, P.L. 146, §5, p. 1331.]

35-5-6-1. DEFINITIONS.--AS USED IN THIS CHAPTER:

(a) "Prosecutor" means prosecuting attorney or deputy prosecuting attorney.

(b) "Recommendation" means a proposal by the prosecutor to a court that:

- (1) A charge be dismissed; or
- (2) A defendant, if he pleads guilty to a charge, receive less than the maximum penalty permitted by law.

(c) "Victim" means a person who has suffered harm as a result of an offense. [IC 35-5-6-1, as added by Acts 1975, P.L. 332, §1, p. 1768; 1978, P.L. 146, §1, p. 1331.]

35-5-6-1.5. NOTICE TO VICTIM OF PROSECUTOR'S RECOMMENDATION,--(a) In making a recommendation on a felony charge, a prosecutor must:

- (1) Inform the victim that he has entered into discussions with defense counsel or the court concerning a recommendation;
- (2) Inform the victim of the contents of the recommendation before it is filed; and
- (3) Notify the victim so that he might be present when the court considers the recommendation.

(b) A court may consider a recommendation on a felony charge only if the prosecutor has complied with this section. [IC 35-5-6-1.5, as added by Acts 1978, P.L. 146, §2, p. 1331.]

CONNECTICUT

§ 54-109. WHEN INVESTIGATION OF DEFENDANT REQUIRED

No defendant convicted of a crime, other than a capital felony, the punishment for which may include imprisonment for more than one year, shall be sentenced, or his case otherwise disposed of, until a written report of investigation by a probation officer has been presented to and considered by the court, if (1) the defendant is so convicted for the first time in this state or (2) his record, as shown by the prosecuting official, discloses a conviction obtained prior to three years from the finding of guilty in the present prosecution; but any court may, in its discretion, order a presentence investigation for a defendant convicted of any crime or offense other than a capital felony. Whenever an investigation is required, the probation officer shall promptly inquire into the circumstances of the offense, the attitude of the complainant or victim, or of the immediate family where possible in

cases of homicide, and the criminal record, social history and present condition of the defendant. All local and state police agencies shall furnish to the probation officer and restitution specialist such criminal records as the probation officer and restitution specialist may request. When in the opinion of the court or the investigating authority it is desirable, such investigation shall include a physical and mental examination of the defendant. If the defendant is committed to any institution, the investigating agency shall send the reports of such investigation to the institution at the time of commitment. (1976, P.A. 76-336, §6; 1978, P.A. 78-188, §5, eff. July 1, 1978.)

KANSAS

62-2238. PRESENTENCE INVESTIGATIONS UPON REQUEST OF DISTRICT COURT; PROCEDURE. Whenever a defendant is convicted of a crime or offense, the court before whom the conviction is had may request a presentence investigation by a probation officer. Whenever an investigation is requested, the probation officer shall promptly inquire into the circumstances of the offense; the attitude of the complainant or victim, and of the victim's immediate family, where possible, in cases of homicide; and the criminal record, social history, and present condition of the defendant. All local and state police agencies shall furnish to the probation officer such criminal records as the probation officer may request. Where in the opinion of the court it is desirable, the investigation shall include a physical and mental examination of the defendant. If a defendant is committed to any institution, the investigating agency shall send a report of its investigation to the institution at the time of commitment. [L. 1957, ch. 331, §13; July 1.]

ILLINOIS

§ 1005-3-2. PRESENTENCE REPORT

- (a) The presentence report shall set forth:
- (1) the defendant's history of delinquency or criminality, physical and mental history and condition, family situation

and background, economic status, education, occupation and personal habits;

(2) information about special resources within the community which might be available to assist the defendant's rehabilitation, including treatment centers, residential facilities, vocational training services, correctional manpower programs, employment opportunities, special educational programs, alcohol and drug abuse programming, psychiatric and marriage counseling, and other programs and facilities which could aid the defendant's successful reintegration into society;

(3) the effect the offense committed has had upon the victim or victims thereof, and any compensatory benefit that various sentencing alternatives would confer on such victim or victims;

(4) information concerning the defendant's status since arrest, including his record if released on his own recognizance, or the defendant's achievement record if released on a conditional pre-trial supervision program;

(5) when appropriate, a plan, based upon the personal, economic and social adjustment needs of the defendant, utilizing public and private community resources as an alternative to institutional sentencing; and

(6) any other matters that the investigatory officer deems relevant or the court directs to be included.

(b) The investigation shall include a physical and mental examination of the defendant when so ordered by the court. If the court determines that such an examination should be made, it shall issue an order that the defendant submit to examination at such time and place as designated by the court and that such examination be conducted by a physician, psychologist or psychiatrist designated by the court. Such an examination may be conducted in a court clinic if so ordered by the court. The cost of such examination shall be paid by the county in which the trial is held.

(c) Nothing in this Section shall cause the defendant to be held without bail or to have his bail revoked for the purpose of preparing the presentence report or making an examination. Amended by P.A. 80-1099, §3, eff. Feb. 1, 1978.

**CATEGORIES OF STATE LAWS RELATING
TO VICTIM INPUT ON SENTENCING**

- Category I** : Statutes which specifically mention or allude to the victim.
- Category II** : Statutes requiring the gathering of information with respect to the circumstances of the crime.
- Category III** : Statutes allowing the reporting officer to include, or the Court to order, any matter considered relevant to the issue of sentencing.
- Category IV** : Statutes which merely call for a pre-sentence investigation.
- Category V** : Statutes which are defendant-specific and would require revised language in order to implement a Victim Impact Statement.

STATE	STATUTE	CATEGORY
Alabama	Ala. Stat. Ann. Tit. 42 §21	II
Alaska	Alaska Stat., Crim. §12.55.085	V
Arizona	Ariz. Revised Stat. Ann., Rules of Crim. Pro. 26.4	IV
Arkansas	Ark. Stat. Ann. 43-2335	III
California	Cal. Govt. Code Ann., Penal §1203	II
Colorado	Col. Rev. Stat., §16-11-102	IV
Connecticut	Conn. Gen. Stat. Ann. §54-109	I & II
Delaware	Del. Code Ann. §11.4331	V
Florida	Fla. Stat. Ann. §921.231	II
Georgia	Ga. Code Ann. §27-2710	IV
Hawaii	Hawaii Rev. Stat. §806.73	IV
Idaho	Idaho Code Ann. §20-220	II
Illinois	Ill. Ann. Stat. §38:105-3-2	I
Indiana	Ind. Stat. Ann. §35-50-1A-10 §35-5-6-1.5	I, II, III

STATE	STATUTE	CATEGORY
Iowa	Iowa Code, Title 295 §16	IV
Kansas	Kan. Stat. Ann. Tit. 62 §21-4604	I
Kentucky	Ken. Rev. Stat. Ann. §532.050	II & III
Louisiana	La. Stat. Ann. Crim. Pro. Article 875	III
Maine	Maine Rev. Stat. Ann. Tit. 34 §1552	IV
Maryland	Md. Ann. Code Art. 41 §124	IV
Massachusetts	Mass. Am. Laws Crim. Pro. Rules 28(d)	III
Michigan	Mich. Stat. Ann. §28.1144	II
Minnesota	Minn. Stat. §609.115	I & II
Mississippi	Miss. Code Ann. §47-7-33	IV
Missouri	Missouri Rev. Stat. §549.245	V
Montana	Mon. Rev. Code Ann. Tit. §2203-05	IV
Nebraska	Neb. Rev. Stat. §29-2261	III
Nevada	Nev. Rev. Stat. Ann. §176-135	IV
New Hampshire	N.H. Rev. Stat. Ann. §651.4	IV
New Jersey	N.J. Stat. Ann. Tit. 2C:44-6	III
New Mexico	N.M. Stat. Ann. §31-21-9	IV
New York	N.Y. Ann. Stat. §390-30 (McKinney's)	II & III
North Carolina	N.C. Gen. Stat. §15A-1332	II
North Dakota	N.D. Century Code Ann. Rules of Crim. Pro. 32(c) [2]	III
Ohio	Ohio Rev. Code. Ann. §2951.03	II
Oklahoma	Oklahoma Stat. Ann. Tit. 22§982	II
Oregon	Oregon Rev. Stat. §137.090 §137.530	I & II
Pennsylvania	Penn. Con. Stat. Ann. §1332	II & III
Rhode Island	R.I. Gen. Laws Rules of Crim. Proc. 32(c)	II & III
South Carolina	S.C. Code of Laws §24-21-420	II
South Dakota	S.D. Codified Laws §23A-27-6	III
Tennessee	Tenn. Code Ann. §40-2904	II
Texas	Tex. Stat. Ann. Art. 42.12-4	II
Utah	Utah Code Ann. §76-3-404	V
Vermont	Vt. Stat. Ann. Crim. Pro. Rules 32(c) [2]	IV
Virginia	Va. Code Ann. §19.2-299	III
Washington	Wash. Rev. Code Ann. §9.95.031	II
West Virginia	W. Va. Code §6-2-12.7	III
Wisconsin	Wisc. Stats. §972.15	IV
Wyoming	Wyoming Stat. Ann. §7-13-302	II & IV

WASHINGTON LEGAL FOUNDATION

The Washington Legal Foundation was established in 1977 as a non-partisan public interest law institution organized to engage in litigation and the administrative process in matters affecting the broad public interest. An independent nationwide corporation not associated or affiliated with any other organization, the Foundation devotes a substantial portion of its resources to defending individual rights, aiding victims of violent crimes, challenging regulations which impede a free market economy, and supporting a strong national defense and internal security.

The Foundation is classified as a Section 501(c)(3) organization under the Internal Revenue Code of 1954. It is further classified as a "nonprofit" (i.e., "public") foundation under Section 170(b)(1)(A)(vi) and under Section 509(A)(2) of the Code. Individuals, corporations, companies, associations, and foundations are eligible to support the work of the Foundation through tax-deductible gifts. Background material will be provided to substantiate tax-deductibility. The Foundation neither solicits nor accepts government funding or court awarded (taxpayers') fees for its operations.

Additional information about any of the Foundation's programs and litigation may be obtained by contacting the Washington Legal Foundation, 1612 K Street, N.W., Suite 502 Washington, D.C. 20006. Tel. (202) 857-0240.

VICTIMS RIGHTS WEEK, 1981

**BY THE PRESIDENT OF THE UNITED STATES OF
AMERICA**

A PROCLAMATION

For too long, the victims of crime have been the forgotten persons of our criminal justice system. Rarely do we give victims the help they need or the attention they deserve. Yet the protection of our citizens — to guard them from becoming victims — is the primary purpose of our penal laws. Thus, each new victim personally represents an instance in which our system has failed to prevent crime. Lack of concern for victims compounds that failure.

Statistics reported by the Federal Bureau of Investigation and other law enforcement agencies indicate that crime continues to be a very serious national problem. But statistics cannot express the human tragedy of crime felt by those who are its victims. Only victims truly know the trauma crime can produce. They have lived it and will not soon forget it. At times, whole families are entirely disrupted — physically, financially and emotionally. Lengthy and complex judicial processes add to the victim's burden. Such experiences foster disillusionment and, ultimately, the belief that our system cannot protect us. As a Nation, we can ill afford this loss of faith on the part of innocent citizens who have been victimized by crimes.

We need a renewed emphasis on, and an enhanced sensitivity to, the rights of victims. These rights should be a central concern of those who participate in the criminal justice system, and it is time all of us paid greater heed to the plight of victims.

Ronald Reagan
April 8, 1981

THE WASHINGTON LEGAL FOUNDATION
1612 K Street, N.W.
Washington, D.C. 20006

END