

## INFORMATION REGARDING YOUR VICTIM IMPACT STATEMENT

No one knows better than you how this crime may have changed your life. Those of us involved in your case believe that it is very helpful if you can assist the Court in understanding all the ways this crime has affected you and those close to you. Sharing this information in a Victim Impact Statement and/or addressing the Judge at sentencing can be a very effective way of doing this. Your statement (or a summary of it) will become a formal part of the court record and, as such, can be seen by the defendant and his or her attorney.

We recognize that the Victim Impact Form itself is impersonal. However, when completed in your own words, your feelings will help personalize the impact of this particular crime on your life and that of your family and friends.

The Judge may also be considering the matter of restitution in the criminal case. Restitution is a Judge's order that a defendant make payment to you as the victim, for your actual financial losses resulting from the crime. The Judge may use this information in deciding what amount, if any, of restitution is appropriate for each victim. However, there is no guarantee that the court will order restitution nor that defendant will be able to pay any amount even if it is ordered by the Judge. Restitution orders in criminal cases are independent of, and different from, monetary awards in civil cases.

### **EXPLANATION OF LOSSES SUBJECT TO RESTITUTION**

- In the case of an offense resulting in bodily injury to a victim, the court may order payment of an amount equal to the cost of necessary medical and related professional services and devices relating to physical, psychiatric, and psychological care, including non-medical care and treatment rendered in accordance with a method of healing recognized by the law of the place of treatment; payment of an amount equal to the cost of necessary physical and occupational therapy and rehabilitation; and reimbursement to the victim of their lost wages as a result of such an offense.
- In an offense resulting in damage to or loss or destruction of property of a victim of the offense, the court may order the return of the property to the owner of the property or someone designated by the owner; or if return of the property is impossible, impractical, or inadequate, the court may order payment of an amount equal to the greater of the value of the property on the date of the damage, loss, or destruction, or the value of the property on the date of sentencing, less the value (as of the date the property is returned) or any part of the property that is returned.
- In any case, the Court may order reimbursement to the victim for necessary child care, transportation, and other expense related to participation in the investigation or prosecution of the offense or attendance at proceedings related to the offense may also be order as restitution.
- In the case of an offense resulting in bodily injury that also results in the death of a victim, the court may order payment of an amount equal to the cost of funeral and related expenses.
- If a victim has received compensation from insurance or any other source with respect to a loss, the court shall order that restitution be paid to the person who provided or is obligated to provide the compensation but the restitution order shall provide that all restitution of victims required by the order be paid to the victims before any restitution is paid to a provider of compensation.
- In any case, if the victim (or a victim's representative) consents, the court may order the defendant to make restitution in services in lieu of money or to make restitution to a person or organization designated by the victim or the victim's representative.
- In cases of fraud, the Court may order restitution in an amount equal to each victim's actual losses, usually the value of the principal or property fraudulently obtained. In most cases, attorney fees and tax penalties are not included in restitution. In limited circumstance, auditing costs accrued by the victim to determine loss may be ordered.
- In addition, the victim may, at any time, assign the victim's interest in restitution payment to the Crime Victim Fund in the U.S. Treasury without in any way impairing the obligation of the defendant to make such payments.

***If you are unsure what you can claim as restitution, please contact the Victim Witness Coordinator at the U.S. Attorney's Office. Also, feel free to contact a private attorney for legal advice***

Please complete and return your statement within the as soon as possible. It will then be forwarded to the probation officer. **Again, it is very important that this information be returned within the next ten days, if possible.**

***Return to: U.S. Attorney's Office, Attn: VWC, 111 7<sup>th</sup> Ave SE, Box 1, Cedar Rapids, IA 52401.***

**VICTIM IMPACT STATEMENT**

***United States v. Randall Constant***

Court Docket 18-CR-02034

**Form Completed by** *(if completed on behalf of someone else, please include that name)*

IF YOU NEED MORE SPACE TO ANSWER ANY OF THE FOLLOWING QUESTIONS, PLEASE FEEL FREE TO USE AS MANY PAGES AS YOU NEED, AND ATTACH THEM TO THE VICTIM IMPACT STATEMENT. THANK YOU.

Have you experienced any of the following reactions to the crime: PLEASE REALIZE THESE ARE NORMAL REACTIONS TO A TRAUMATIC EVENT.

\_\_\_ Anger; \_\_\_ Anxiety; \_\_\_ Fear; \_\_\_ Grief; \_\_\_ Guilt; \_\_\_ Numb; \_\_\_ Sleep Loss; \_\_\_ Nightmares; \_\_\_ Appetite Change; \_\_\_ Unsafe; \_\_\_ Trouble Concentrating; \_\_\_ Easily startled; \_\_\_ Forgetfulness; \_\_\_ Depression; \_\_\_ Chronic Fatigue; \_\_\_ Repeated Memory of Crime; \_\_\_ Fear the Defendant Will Return; \_\_\_ Uncontrolled Crying

How have you and members of your family been physically affected by this crime?

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How have you and members of your family been emotionally affected by this crime?

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Have you or members of your family received counseling or therapy as a result of this crime? (\_\_\_)YES / (\_\_\_)NO. Please explain. Do you wish future counseling to assist you and/or your family's recovery?

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Do you relate to people differently since the crime? Please explain.

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Have your feelings about yourself and society changed since the crime? Please explain.

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How has the crime affected you and your family's lifestyle?

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How has the crime impacted you and your family financially?

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Do you feel the defendant is or will be a threat to you, your family or the community?  
(\_\_\_\_)YES / (\_\_\_\_)NO. Please explain.

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Please describe any other feelings you have had in response to the crime which you would like to share with the Judge. These may be either feelings you felt immediately after the crime, or those that you still feel.

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What else would you like the Judge to know about the defendant, the victim, or your family?

Have you filed a civil suit against the defendant? (\_\_\_\_)YES / (\_\_\_\_)NO. If yes, list the case name, court location, and docket number.

Have you received any money or assets from the defendant as a result of any civil litigation? (\_\_\_\_)YES / (\_\_\_\_)NO. If yes, how much?

Are you aware of any assets of the defendant? (\_\_\_\_)YES / (\_\_\_\_)NO. If yes, please list what the asset is and the date that you learned of the asset.

I declare that the above information is true and correct to the best of my ability.

Print Name: \_\_\_\_\_

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**Form Completed by** *(if completed on behalf of someone else, please include that name)*

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**If you (1) would like to receive notification from the U.S. Department of Justice about the status of this case and/or (2) are requesting monetary restitution, please provide the following information. This information will NOT be forwarded to the defendant. This information will assist us in ensuring that we can locate you if you should move. Thank You!**

Permanent Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone Number: \_\_\_\_\_

\* \* \* \_ \* \* \_

\_\_\_\_\_  
(last 4 digits) Social Security Number

\_\_\_\_\_  
Date of Birth

If you wish for your restitution payment to be mailed to a different address, please list it below:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please list any additional contact information that you believe would be helpful in locating you.

***Return to: U.S. Attorney's Office, Attn: VWC, 111 7<sup>th</sup> Ave SE, Box 1, Cedar Rapids, IA 52401.***

***Thank you.***

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF IOWA**

United States )  
vs. ) Docket: **18-CR-02034**  
Randall Constant ) **Declaration of Victim**  
**Losses**  
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I am a victim in the above-referenced case and I believe I am entitled to restitution in the total amount of \$\_\_\_\_\_. My specific losses as a result of this offense are summarized as follows: **Please attach any relevant documentation supporting your claim(s)-attach an additional sheet if necessary.**

**A. Damages** (please refer to the cover sheet, contact the US Attorney's Office or consult a private attorney to determine what you may claim as damages for restitution purposes.)

1. List property lost, destroyed, or damaged and its value.
2. List medical expenses, counseling expenses, and/or out of pocket costs for funeral expenses.
3. Lost income or wages related to this crime or criminal proceedings.
4. List miscellaneous expenses (type and amount) such as child care/transportation costs during court appearances, investigative costs, etc.

**B. Reimbursements**

1. I \_\_\_ have \_\_\_ have not applied for state victim compensation as a result of a physical injury, loss of life, or threat by the offender.
2. I \_\_\_ have \_\_\_ have not been compensated by insurance or another source with respect to all or a portion of my losses in the amount of \$ \_\_\_\_\_.

The name and address of my insurance company and the claim number for this loss are as follows:

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746, and under the laws of the United States of America that the foregoing is true and correct.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date