

INFORMATION REGARDING YOUR VICTIM IMPACT STATEMENT

No one knows better than you how this crime may have impacted you, your business, customers and employees. 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.

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 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 so 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 7th St SE, Box 1, Cedar Rapids, IA 52401

NORTHERN DISTRICT OF IOWA

United States) Docket No. 18-CR-02034
vs.)
Randall Constant) Declaration of Victim Losses

Please attach any relevant documentation supporting your claim(s)
Attach additional sheets as necessary.

A. Damages

- 1. List the total amount of loss.

\$ amount. Please attach documentation that supports this amount.

- 2. List miscellaneous expenses (type and amount) such as attorney fees, etc. (Please keep in mind that not all of these costs are reimbursable as restitution.)

B. Reimbursements

- 1. Have you been compensated by insurance or another source with respect to all or a portion of my losses? Yes or No (circle one)
2. If you have received compensation, how much have you received? \$
3. Have you received compensation for your entire loss? Yes or No (circle one)
4. Please provide the name and address of the person or company you received compensation from along with any claim or policy number.

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

United States v. Randall Constant

Docket No. 18-CR-02034

VICTIM IMPACT/FINANCIAL STATEMENT

IF YOU NEED ADDITIONAL SPACE TO ANSWER ANY QUESTIONS, PLEASE USE ADDITIONAL PAGES AS NEEDED AND ATTACH THEM TO THIS STATEMENT.

1. Have you or anyone on your company's behalf initiated any civil action against any party as a result of this offense? ()YES / ()NO. If yes, list the case name, docket number and court jurisdiction and address.

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

3. 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.

4. Have you or your company initiated bankruptcy as a result of this crime? ()YES / ()NO. If yes, please state the case name, court location, docket number, and status of the case.

5. If you, your company or any employees have suffered any other expenses or harm as a result of this crime, please list them below. Include such items as property damage, counseling, medical bills, etc. Please be specific and attach copies of receipts if possible. You may also discuss the emotional impact of the crime on yourself, any employees, or have your employees submit additional letters describing the impact of the crime on each of them. (Use additional pages if needed.)

United States v. Randall Constant

Docket No. *18-CR-02034*

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

Print Name: _____

Company: _____

Signature: _____

Date: _____

If you 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 or your company in the future. Thank You!

Permanent Address: _____

Phone Number: _____

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

Tax ID Number: _____

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

Return to: U.S. Attorney's Office, Attn: VWC, 111 7th Avenue SE, Box 1, Cedar Rapids, IA 52401.

Thank you!