

Data Resources Program of the
National Institute of Justice

Data Set JU.74

**VICTIM IMPACT STATEMENTS:
THEIR EFFECTS ON COURT OUTCOMES AND
VICTIM SATISFACTION**

**Robert C. Davis
Madeline Henley
Barbara Smith**

**A User's Guide
To the Machine-Readable Files and Documentation**

146240
U.S. Department of Justice
National Institute of Justice Pts 1,2, 3

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this ~~copyrighted~~ material has been granted by

Public Domain/NIJ
U.S. Department of Justice

to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the ~~copyright~~ owner.

December 1990

Sociometrics Corporation
170 State Street, Suite 260
Los Altos, CA 94022-2812
(415) 949-3282

146240 P.1

CONTENTS OF THE DATA SET

Machine-Readable

- (1) Victim Impact Statements Data File(879 records;293 cases;90 variables)

Paper

User's Guide to the Machine-Readable Files and Documentation (this document; 18 pages)

Original Codebook (6 pages)

Original Instrument (10 pages)

Ordering Information

Machine-readable files and paper documentation can be ordered from the Data Resources Program of the National Institute of Justice, Sociometrics Corporation, 170 State Street, Suite 260, Los Altos, California 94022-2812.

Suggested Bibliographic Citation for the Data Set (All Machine-Readable Files and Paper Documentation)

Davis, R.C., Henley, M. & Smith, B. (1990). *Victim impact statements: Their effects on court outcomes and victim satisfaction* (Data Set JU.74, Cashen, J. M., & Peterson, J. L., Archivists) [machine-readable data file and documentation]. New York, NY: Victim Services Agency (Producer). Los Altos, CA: Sociometrics Corporation, Data Resources Program of the National Institute of Justice (Distributor).

Suggested Bibliographic Citation for the User's Guide Alone

Cashen, J. M., & Peterson, J. L. (1990). *Victim impact statements: Their effects on court outcomes and victim satisfaction: A user's guide to the machine-readable files and documentation* (Data Set JU.74). Los Altos, CA: Sociometrics Corporation, Data Resources Program of the National Institute of Justice.

146240
Pt. 1

Data Set JU.74

**Victim Impact Statements:
Their Effects on Court Outcomes and Victim Satisfaction**

Award No. 88-IJ-CX-0004

Original Investigators:

Robert C. Davis
Madeline Henley
Barbara Smith

Victim Services Agency
New York, New York 10007

Documentation Produced by

Jacqueline M. Cashen
James L. Peterson

Sociometrics Corporation

1st ed., 1990

Distributed by

**Data Resources Program of the
National Institute of Justice**

**Sociometrics Corporation
170 State Street, Suite 260
Los Altos, California 94022-2812
(415) 949-3282**

ACKNOWLEDGMENTS

Victim Impact Statements: Their Effects on Court Outcomes and Victim Satisfaction has been deposited at the Data Resources Program of the National Institute of Justice, Sociometrics Corporation, for public distribution, by Robert C. Davis, Madeline Henley and Barbara Smith of the Victim Services Agency, New York, New York. Data collection was funded by the National Institute of Justice under Award No.88-IJ-CX-0004. Funding for the work done by the Data Resources Program to prepare the data for public use was provided by the U. S. Office of Justice Programs under Contract No. OJP-89-C-008 to Sociometrics Corporation.

Users of the data are strongly urged to inform the Data Resources Program of any errors or discrepancies. They are further urged to bring to the attention of the Data Resources Program all problems and difficulties encountered, particularly those that may prevent effective and convenient use of the data.

All manuscripts based on data made available through the Data Resources Program should acknowledge that fact as well as cite the data set (see suggested citation format, inside front cover). Users of these data are urged to follow some adaptation of the following statement.

The data used in this publication were made available by the Data Resources Program of the National Institute of Justice, Sociometrics Corporation, 170 State Street, Suite 260, Los Altos, CA 94022-2812. The study entitled *Victim Impact Statements: Their Effects on Court Outcomes and Victim Satisfaction* was conducted by Robert C. Davis, Madeline Henley and Barbara Smith, Victim Services Agency, New York, New York 10007. Data collection was funded by the National Institute of Justice (Award No. 88-IJ-CX-0004). Funding support for preparing the revised documentation for public distribution was provided by a contract (OJP-89-C-008) between the U. S. Office of Justice Programs and Sociometrics Corporation. The original investigators, funding agency, and the Data Resources Program are not responsible for the analyses or interpretations presented here.

In order to provide funding agencies with essential information about use of archival resources and to facilitate the exchange of information about Data Resources Program participants' research activities, each user of these resources is requested to send a copy of each completed manuscript, thesis abstract, or reprint to the Data Resources Program of the National Institute of Justice, Sociometrics Corporation, 170 State Street, Suite 260, Los Altos, CA 94022-2812.

TABLE OF CONTENTS

	Page
Summary	1
General Study Overview	
Study Identification	2
Key Words	2
Purpose of the Study	2
Methods	3
Summary of Contents	4
Geographic Coverage	5
Evaluation	5
Reports and Publications	6
Specifications for Machine-Readable Files	
Available Formats	7
File Structure	7
Mainframe Orders	7
Microcomputer Orders	7
Data Completeness and Consistency Report	8
Appendix: Victim Impact Statements	12

SUMMARY

This study examined the effects of victim impact statements on sentencing decisions and on victim satisfaction with the justice system. Victims of felony crimes (robbery, non-sexual assault and burglary) were randomly assigned to one of three experimental conditions. In condition 1, victims were interviewed to assess impact, and an impact statement was written and immediately distributed to the prosecutor, defense attorney and judge on the case. In condition 2, victims were interviewed to assess impact but no statement was written. In condition 3, the control condition, no interview was conducted and no statement was written. All victims were interviewed one month after assignment to a treatment condition and again after disposition of the case to assess satisfaction with the justice system. Case data including sentences and special conditions of sentences were recorded from criminal justice files.

GENERAL STUDY OVERVIEW

Source: Davis, R. C., Henley, M. & Smith, B.(1990) *Victim Impact Statements: Their Effects on Court Outcomes and Victim Satisfaction* (Final Report to the National Institute of Justice) New York: New York: Victim Services Agency

Study Identification

Victim Impact Statements: Their Effects on Court Outcomes and Victim Satisfaction

Robert C. Davis, Madeline Henley and Barbara Smith

Victim Services Agency, New York, New York

Award No. 88-IJ-CX-0004

Key Words

Victim impact, impact statement, victim statement, victim satisfaction, sentencing decisions, victim harm.

Purpose of the Study

Much attention has been given in recent years to giving victims of crimes a more central role in criminal justice proceedings. One area of particular interest has been in making the extent of harm (psychological, physical, financial) caused a victim a factor in sentencing decisions for convicted defendants.

The purpose of this study was to assess the effects of victim impact statements on sentencing decisions and victim satisfaction with the criminal justice system. Victims were randomly assigned to one of three experimental conditions: (1) victims were interviewed, with an impact statement written and immediately distributed to the prosecutor, defense attorney and judge on the case; (2) victims were interviewed to assess impact but no statement was written; (3) a control condition in which there was no interview or statement. Subsequent interviews evaluated victims' perceptions of their role in the proceedings and their satisfaction with the outcome. The researchers also recorded data on charges filed against the defendants, (both the arraignment and final charges), sentences and special conditions of sentences.

The data address the following questions:

1. Does the opportunity to make a victim impact statement affect victim satisfaction with the criminal justice proceedings?
2. Do victim impact statements lead to sentences that better reflect harm to the victim?
3. Do victim impact statements lead to harsher sentences for defendants?
4. Do victim impact statements slow the processing of cases?

Methods

Study Design

The researchers conducted an experiment in which victims of certain kinds of crimes (robbery, physical assault or attempted homicide, and burglary) were randomly assigned to one of three treatment conditions. In the first condition, the victim was interviewed and a victim impact statement was prepared and distributed to the judge and attorneys on the case. In the second condition the victim was interviewed but no statement was prepared. In the third condition, a control condition, only the name and address of the victim were recorded. Two follow-up interviews were planned for each subject, the first to be done one month after the initial meeting, and the second after final disposition of the case. For various reasons (see discussion of sample below) follow-up interviews were not done with all victims. In addition, there were individuals originally intended to be part of the pretest who were included in the actual study; some of these individuals had their first follow-up interview three to four months after the initial one.

For the initial interviews, assistant district attorneys brought victims of selected criminal cases to meet with a Victim Services Agency caseworker. All individuals were told that the agency was interested in learning more about the experiences of crime victims. Those victims randomly assigned either to have a victim impact statement prepared about them or to be interviewed without having a victim impact statement prepared were interviewed in more detail immediately. All victims, including those in the control condition, were told that they would be contacted again at a later time. These follow-up interviews were mainly conducted by telephone, although some were done through the mail.

In the first two conditions, caseworkers interviewed victims to assess the impact of the crime on them in five areas - physical impact, property loss or damage, financial impact (e.g. lost pay or medical bills), psychological impact and behavioral impact (e.g. changes in travel routes). For cases in the first condition, the caseworker then prepared a victim impact statement for distribution to the judge and attorneys on the case. A copy of the interview itself was also given to the assistant district attorney handling the case. For cases in the second condition, the interview was conducted following the same interview schedule. However, instead of recording the descriptive responses in full, caseworkers made and recorded only numerical ratings of the responses. The numerical ratings were distributed to the assistant district attorney handling the case, but no victim impact statement was prepared. In the control condition, the initial meeting consisted only of obtaining the victim's name and address.

Follow-up interviews were conducted to assess victims' perceptions of the criminal justice system and the handling of their specific cases. Victims for whom victim impact statements had been written were also asked whether the experience of being a crime victim was continuing to have an impact on their lives. Additional data relevant to the case were gathered from court records associated with the case. These data include the charges initially filed against the defendant(s) in the case, the final charges against the defendant(s), sentences given and special conditions of sentences such as restitution or drug treatment programs.

Sources of Information

Information used in the analysis came from two different sources, the crime victims and the court records associated with their cases. The researchers interviewed victims to obtain biographical data, information on the way they were affected by the crime and their reactions to the criminal justice proceedings. Additional information on the handling of the victim impact statements and the case disposition for each case was obtained from the files kept by the district attorney's office. Further information on the criminal history of the defendants and whether the victim and defendant(s) were acquainted was gathered from unspecified sources. The researchers also conducted interviews with judges and assistant district attorneys regarding their views on victim impact statements. However, these data were not systematically coded or used in the analysis.

Sample

The subjects of the study were individuals who had testified before the grand jury at the Bronx Supreme Court, Bronx, New York, between July, 1988, and April, 1989. The eligible population for inclusion in the study was those who had been victims of robbery, physical assault or attempted homicide, or burglary. There were initially 315 people from the eligible population in the sample. (The total eligible population is not known.) Of these, 22 subjects were dropped, primarily because the cases involved were pled and sentenced on the same day. This left 293 individuals whose cases were tracked to the end of the study. They were randomly assigned to treatment conditions with the resulting distribution: 104 were in the condition in which victim impact statements were prepared; 100 were in the condition for which there was an interview only; 89 were in the control condition. Of the 293 victims, 69% were victims of robbery, 21% victims of physical assault or attempted homicide and 10% victims of burglary. Twenty percent of the victims knew the offender prior to the crime. The median age of the sample was 25 years. No information was recorded about gender of the victims or defendants.

Response Rates

The interviews involved three separate contacts with the victims. All 293 participated in an initial interview. Attempts were made to reach all 293 for each of the subsequent follow-up interviews. First follow-up interviews were obtained from 202 individuals (68.9% response). Second follow-up interviews were obtained from 157 individuals (53.6% response). The 91 people not interviewed for the first follow-up could not be reached. The 136 people not interviewed for the second follow-up either could not be reached or were not contacted for a second interview because their cases had not been completed (i.e. the defendants had not been sentenced) by mid-February, when data collection stopped. The 157 who gave second follow-up interviews includes an unknown number of victims where the case was still open. In the latter cases, a bench warrant had been issued and the defendant had failed to appear for four consecutive months. (Not all questions were asked of these subjects.) Data were gathered for all victims in the area of case information (e.g. charges, sentences and the nature of the relationship between the victim and defendant).

Dates of Data Collection

Data for the study were collected from July 1988 to February 1990.

Summary of Contents

Description of Variables

There are 90 variables in this data set. Standard demographic information (age, education, occupation) was gathered. The remaining variables fall primarily into two categories. The first category includes questions about the defendant(s) in the case. For all defendants in each case (up to six per victim) the researchers recorded information on the nature and severity of the arraignment charges and final charges, and on the sentence received. Additional information was recorded for the first and second defendants in a case. This included information on special conditions of the sentence such as a drug treatment program or restraining order. Orders to pay restitution were noted. Also recorded was information on the defendant's status with the criminal justice system, including number of prior convictions and number of open cases against the defendant. The name of the judge handling the case and information on whether the victim and defendant were acquainted were recorded. Finally, they noted whether the Victim Impact Statement appeared in the assistant district attorney's file on the case, and whether the statement had been opened.

The second category includes information about the victims' reactions to the crime and the criminal justice system. Victims were asked to assess the impact the crime had on them in terms of physical injury, financial losses, psychological effect and behavioral effect (i.e. changes in behavior resulting from the experience). They were also questioned about their experiences with the criminal justice system. The researchers inquired about

their participation in the sentencing decision, their satisfaction with the outcome, and how they felt they had been treated by various court officials. Victims were asked whether they felt that court officials had been aware of and concerned about the effect the crime had on the them. They were also asked whether victims should have a greater role in the court proceedings and whether court officials should be aware of victim impact as part of the sentencing procedure. Finally, the researchers investigated whether the victims believed that going to court was a waste of time.

Presence of Common Scales

None.

Unit of Observation

The data set is organized with the individual victim as the unit of analysis; the data on up to six defendants associated with the victim are included in the victim's data record.

Geographic Coverage

The sample was drawn from crime victims in Bronx, New York.

Evaluation

Data Quality

The data for the study have a number of problems that may limit their usefulness to others. These limitations are noted below. There are also problems with the quality of the data. Several variables have out-of-range values. In addition, the incidence of cases with over 5% missing values is significant (34% of all variables in the data set).

Checks for internal consistency showed problems as well. Three of the four checks showed cases which failed. The more important difficulty with these checks was that some could not be done because of the discrepancies in the codebook concerning out-of-range values. More detailed information on the data quality checks is available in Tables 1-6 of the "Data Completeness and Consistency Report".

[Note: Because there is no way to determine how many cases had more than one defendant, the number and relative percent of missing values for all variables referring to the second through sixth defendants cannot be calculated.]

Data Limitations

1. Gender of the victims and defendants is not recorded.
2. The codes "N/A" and "blank" are used interchangeably. It is not always clear whether a response is missing or the question is not applicable.
3. The victim impact questions include both responses that are self-rated and those that are interviewer rated. Psychological impact (RATEPSY) was usually self-rated, while the other questions were interviewer rated. Forty subjects, however, were not asked to distinguish major from minor psychological distress. They were placed in category 4 for that variable by the researchers.

4. Some judges received the victim impact statement once; others received it twice. Those who received the victim impact statement only once may have received it after the defendant's plea was entered. The interviews with judges indicated that they were very unlikely to overturn a negotiated plea. Some of the judges might have used the information in the statement in sentencing had it been available before a plea was entered. Thus the effects of victim impact statements on sentencing decisions may be underestimated.

5. The first follow-up interview was revised during data collection to include an update of the Victim Impact Statement where appropriate. The 42 subjects interviewed prior to this update were later contacted by mail to provide one. The researchers do not know whether all 42 responded to the mailed request for additional information.

6. The second follow-up interview was also revised during the study. Of the 36 who received the original version, 23 were recontacted and given the revised interview.

7. The first 45 subjects were intended to be a pretest population. Data were gathered for 20 subjects (all of whom had victim impact statements recorded and distributed), then there was a two-month break in data collection. These individuals were included in the final data set to increase the number of cases. The first 25 of the remaining subjects were not randomly assigned. All were placed in the experimental condition of having a Victim Impact Statement prepared and distributed.

8. For the variable CHARGE2S, category "9" was used to code both "violation" and "missing".

Reports and Publications

Henley, M., Davis, R. C., & Smith, B. (forthcoming). The Reactions of Prosecutors and Judges to Victim Impact Statements. *International Review of Victimology*.

SPECIFICATIONS FOR MACHINE-READABLE FILES

Available Formats

Machine-readable Archive files are available in both mainframe and microcomputer formats. Unless otherwise requested, files formatted for a mainframe computer are provided on a 9-track tape at a density of 6250 bpi, in EBCDIC recording mode with IBM Standard Labels. Files formatted for a microcomputer are provided in ASCII format on low- or high-density, 5¼" or 3½" diskettes, at the user's request.

File Structure

Data Files (1): (1) Victim demographic information.
Victim interview responses.
Defendant sentencing information

Unit: The crime victim.

Variables: 90

Cases: 293

Mainframe Orders

	Contents	LRECL	BLKSIZE	Feet of tape at 6250 bpi
File 1	Raw data file	80	32720	1.8

Microcomputer Orders

Low- and High-Density 5¼" and 3½" Diskettes

	Contents	Diskette	File Name	Bytes
File 1	Data, ASCII format	1	JU74W.DAT	59,186

DATA COMPLETENESS AND CONSISTENCY REPORT

This section presents information regarding the quality of the data in this Data Set. Tables 1 and 2 indicate the extent and location of out-of-range values, and Tables 3 through 5.2 summarize the incidence of missing data. Table 6 provides information regarding the adherence to the skip pattern of the questionnaire and consistency of the data as reflected in the logical relations between particular items. The checks in Table 6 are meant to be illustrative, and are not necessarily exhaustive.

Number of Cases: 293
 Number of Variables: 90

Table 1. Distribution of Variables by Percentage of Out-of-Range Values:

Percentage of Cases With Out-of-Range Values	Corresponding Number of Cases	Number of Variables	Percentage of Variables
0%	0	86	95.6%
> 0% to 1%	1 to 2	1	1.1%
> 1% to 3%	3 to 8	1	1.1%
> 3% to 5%	9 to 14	0	0.0%
> 5% to 10%	15 to 29	0	0.0%
> 10% to 20%	30 to 58	2	2.2%
> 20% to 40%	59 to 117	0	0.0%
> 40% to 100%	118 to 293	0	0.0%
Total		90	100.0%

Table 2. List of Variables With Out-of-Range Values

Variable Name and Label	Out-of-Range Values	Number of Cases
WHATCOND what conditions of sentence	9	6
VISIN was VIS in ADA folder	8	39
VISOPEN was VIS open	9	50
AWHATCON 2nd defendant's sentence conditions	9	2

Table 3.1. Distribution of Variables by Percentage of Missing Values: Variables Applying to All Subjects

Percentage of Cases With Missing Values	Corresponding Number of Cases	Number of Variables	Percentage of Variables
0%	0	6	15.8%
> 0% to 1%	1 to 2	5	13.2%
> 1% to 3%	3 to 8	3	7.9%
> 3% to 5%	9 to 14	0	0.0%
> 5% to 10%	15 to 29	5	13.2%
>10% to 20%	30 to 58	0	0.0%
>20% to 40%	59 to 117	10	26.3%
>40% to 100%	118 to 293	9	23.6%
Total		38	100.0%

Note. Calculations for these variables use the full sample size of 293 as a denominator.

Table 3.2. List of Variables With Over 5% Missing Values (15 Missing Values or More)

Variable Name and Label	Number of Cases
MONTH Month of initial interview	16
DAY Day of initial interview	16
YEAR Year of initial interview	16
DAY1F Day of first follow-up interview	91
INTER Interviewer - first follow-up interview	92
SPANISH Spanish interview - first follow-up interview?	92
AGE Age	78
GRADE Last grade of school completed	81
INCOME Annual income of household	89
SUPPORT Number of people supported by income	142
MONTH2F Month of second follow-up interview	137
DAY2F Day of second follow-up interview	137
YEAR2F Year of second follow-up interview	137
INTER2 Interviewer - second follow-up interview	137
SPANISH2 Spanish interview - second follow-up interview?	136
CHARGE2 Defendant's final charge	89
JUDGE Judge's name	109
OPENCASE Number of defendant's open cases	168
ACQUAINT Are victim and offender acquainted?	27
REST Was restitution awarded?	285
SPECCOND Any special conditions of sentence?	284
VISIN Was the ADA's victim impact statement in folder?	19
YEAR1F Year of first follow-up interview	91
MONTH1F Month of first follow-up interview	91

Table 4.1. Distribution of Variables by Percentage of Missing Values: Variables from the First Interview

Percentage of Cases With Missing Values	Corresponding Number of Cases	Number of Variables	Percentage of Variables
0%	0	0	0.0%
> 0% to 1%	1 to 2	0	0.0%
> 1% to 3%	3 to 6	5	100.0%
> 3% to 100%	7 to 202	0	0.0%
Total		5	100.0%

Note. These variables are part of the first follow-up interview schedule. Calculations use the number of first follow-up interviews obtained, 202, as a denominator.

Table 4.2. List of Variables With Over 5% Missing Values (11 Missing Values or More)

None.

Table 5.1. Distribution of Variables by Percentage of Missing Values: Variables from the Second Interview

Percentage of Cases With Missing Values	Corresponding Number of Cases	Number of Variables	Percentage of Variables
0%	0	0	0.0%
> 0% to 1%	1 to 1	1	7.1%
> 1% to 3%	2 to 4	4	28.6%
> 3% to 5%	5 to 7	3	21.5%
> 5% to 10%	8 to 15	4	28.6%
>10% to 20%	16 to 31	1	7.1%
>20% to 40%	32 to 62	1	7.1%
>40% to 100%	63 to 157	0	0.0%
Total		14	100.0%

Note. These variables are part of the second follow-up interview schedule. Calculations use the number of second follow-up interviews obtained, 157, as a denominator.

Table 5.2. List of Variables With Over 5% Missing Values (8 Missing Values or More)

Variable Name and Label	Number of Cases
ASKAFF Did anyone ask how the crime affected you?	12
WHOASK Who asked how the crime affected you?	15
HOWAWARE How were they made aware of the effect?	21
SATHAND Satisfied with the handling of your case?	17
PARTHOW How did you participate?	12
SHDAWARE Should officials be aware of the crime's effect?	12

Table 6. Report on Consistency Checks

Comparisons Examined	Number of Cases Passing Consistency Check	Number of Cases Failing Consistency Check	Number of Cases Not Applicable
Skip Checks			
1. VISIN "Was ADA's victim impact statement in folder? <i>compared with</i> VISOPEN "Was the ADA's victim impact statement open?	35	1	257

Note. To pass this check, in cases where the victim impact statement was reported to be in the ADA's folder, it should have been noted whether the statement was open or not.

Skip checks were also performed by comparing the following pairs of variables:

2. PARTICIP <i>compared with</i>	PARTHOW	44	11	238
3. SPECCOND <i>compared with</i>	WHATCOND	3	0	290
4. ASPECCON <i>compared with</i>	AWHATCON	0	2	291

APPENDIX A
SAMPLE VICTIM IMPACT STATEMENTS

VICTIM IMPACT STATEMENT

_____ was robbed of her pocketbook. Although the pocketbook and its contents were recovered, she had to miss two days of work as a result of the crime. _____ lost two days of pay.

Since the robbery, _____ reports being very nervous and very upset. She said, "I feel inside very nervous. I don't sleep at night. I'm up since 3am this morning, and normally I sleep eight hours through." She also said that she is frightened to go out by herself and frightened for her 14 year old son to go out. Now, _____ only goes out if she has to, and then not by herself.

* * *

When recontacted approximately one month later, _____ reported that she continues to be very nervous because of the crime. "My whole nerve system is different now," she said. In addition, _____ reiterated that she absolutely will not go out alone at night anymore.

VICTIM IMPACT STATEMENT

_____ was stabbed; he sustained a collapsed lung, a serious injury requiring a week of hospitalization. At the time of the interview, _____ reported that he still experiences pain and burning and said he might have to return to the hospital to have his stitches re-done as they may not be healing properly. Insurance will cover _____ medical costs.

The assault has significantly altered _____ daily life; he attended school for two or three days but was told that he is not yet ready and must receive at-home tutoring. Further, _____ can no longer do the same type of after-school work as he did before the assault; he now does what he termed, "light clean-up work."

Data Resources Program of the
National Institute of Justice

146240
Pt 2
Data Set JU.74

**VICTIM IMPACT STATEMENTS: THEIR EFFECTS
ON COURT OUTCOMES AND VICTIM SATISFACTION**

**Robert C. Davis
Madeline Henley
Barbara Smith**

Codebook

December 1990

**Sociometrics Corporation
170 State Street, Suite 260
Los Altos, CA 94022-2812
(415) 949-3282**

VICTIM IMPACT STATEMENT CODE BOOK

VARIABLE NAME	RECORD/COLUMNS	DESCRIPTION AND VALUES
ID	1/1-3	Victim ID number Enter #
TREAT	1/5	Treatment Group 1. VIS 2. Int. Only 3. Control
MONTH	1/7-8	Month of initial interview
DAY	1/10-11	Day of initial interview
YEAR	1/13-14	Year of initial interview
DAY1F	1/16-17	Day of first follow-up interview
INTER	1/19	Interviewer 1. A 2. B 3. By mail 4. D
SPANISH	1/21	Spanish interview? 1. Yes 2. No
WASTE1	1/23	Is coming to court a waste of time for victims? 1. Very much 3. Not really 8. N/A 2. Somewhat 4. Not at all 9. D/K
EXPRESS	1/25	Do you feel that you had a chance to express your concerns in your case to prosecutors? 1. Very much 3. Not much 8. N/A 2. Somewhat 4. No chance at all 9. D/K
UNDERSTD	1/27	Do you feel that prosecutors understand how the crime is affecting you? 1. Understands very well 3. Not really 8. N/A 2. Understands somewhat 4. Not at all 9. D/K
INTEREST	1/29	Do you feel that prosecutors are interested in how the crime is affecting you? 1. Very interested 3. Not really 8. N/A 2. Somewhat interested 4. Not at all 9. D/K
RESPECT	1/31	Do you think that prosecutors are treating you with respect and compassion? 1. Very much 3. Not really 8. N/A 2. Somewhat 4. Not at all 9. D/K
AGE	1/33-34	How old are you? Enter age
GRADE	1/36	The last grade of school you completed? 1. 8th grade or less 4. Some college 2. Some high school 5. College graduate 3. High school graduate 6. Post-graduate 7. Other

OME 1/38 What is the annual income of your household?
1. \$0-\$4,999 5. \$15,000-\$24,999
2. \$5,000-\$7,499 6. \$25,000 or more
3. \$7,500-\$9,999 7. Did not answer
4. \$10,000-\$14,999 9. D/K

SUPPORT 1/40 How many people are supported by this income?
Enter # 0-9

RATEPI 1/42 Physical injury rating
1. None 3. Much
2. Some 8. N/A

RATEIF 1/44 Immediate financial rating
1. None 3. Much
2. Some 8. N/A

RATESF 1/46 Subsequent financial rating
1. None 3. Much
2. Some 8. N/A

RATEPSY 1/48 Psychological rating
1. None 3. Much 4. For cases where vic. didn't
2. Some 8. N/A rate self & there was some effect

EBEH 1/50 Behavioral rating
1. None 3. Much
2. Some 8. N/A

MONTH2F 1/52-53 Month of second follow-up interview

DAY2F 1/55-56 Day of second follow-up interview

YEAR2F 1/58-59 Year of second follow-up interview

INTER2 1/61 Interviewer?
1. A 2. B 3. By mail 4. E or F

SPANISH2 1/63 Spanish second interview? 1. Yes 2. No

ASKAFF 1/65 Anyone in court ask how the crime affected you?
1. Yes 2. No 9. D/K

WHOASK 1/67 If yes, who?
1. VSA 3. Police/detective 8. N/A
2. ADA 4. Other 9. D/K

CONCAFF 1/69 Were court officials concerned?
1. Very 3. Not really 9. D/K
2. Somewhat 4. Not at all

REAFF 1/71 Were court officials aware when sentencing defendant?
 1. Very 3. Not really 8. N/A
 2. Somewhat 4. Not at all 9. D/K

HOWAWARE 1/73 If yes, how were they made aware?
 1. Victim Impact Statement
 2. Because I told the ADA
 3. Because I testified (grand jury)
 4. B/C of the way that I spoke/what I said (to whom, unspec)
 5. Other
 6. Talked to VSA 7. 8. N/A 9. D/K

FAIRDEC 1/75 Fair decision?
 1. Very 3. Not really 8. N/A
 2. Somewhat 4. Not at all 9. D/K

SATOUT 1/77 Satisfied with outcome?
 1. Very 3. Not really 8. N/A
 2. Somewhat 4. Not at all 9. D/K

SATHAND 1/79 Satisfied with handling of case by officials?
 1. Very 3. Not really 8. N/A
 2. Somewhat 4. Not at all 9. D/K

RTRT 2/1 Treated fairly when you went to testify?
 1. Very 3. Not really 9. D/K
 2. Somewhat 4. Not at all

PARTICIP 2/3 Did you have a chance to participate in sentencing?
 1. Much of a chance 3. Not much 8. N/A
 2. Somewhat of a chance 4. No chance 9. D/K

PARTHOW 2/5 If yes, how did you participate?
 1. VIS 3. By testifying/telling my story -
 to whom unspecified
 2. By telling ADA 4. Other
 8. N/A 9. D/K

MORESAY 2/7 Should victims have a greater say?
 1. Agree strongly 3. Don't really agree 9. D/K
 2. Agree somewhat 4. Don't agree at all

SHDAWARE 2/9 Should officials be aware of victim impact when sentencing?
 1. Very important 3. Not really important 9. D/K
 2. Somewhat important 4. Not at all important

WASTE2 2/11 Is coming to court a waste of time for victims?
 1. Very much 3. Not really 9. D/K
 2. Somewhat 4. Not at all

CHARGE1 2/13 First defendant's charge at arraignment
 1. Robbery/larceny 3. Attempted-murder
 2. Assault 4. Burglary 5. Other

CHARGE1S 2/15 First defendant's arraignment charge severity
 1. A felony 4. D felony
 2. B felony 5. E felony
 3. C felony 6. A misdemeanor 9. Violation

CHARGE2 2/17 First defendant's charge pled guilty to
 1. Robbery/larceny 4. Burglary 9. Missing
 2. Assault 5. Other
 3. Attempted murder 8. N/A

CHARGE2S 2/19 First defendant's final charge severity
 0. A or B misdemeanor (cannot determine which)
 1. A felony 5. E felony
 2. B felony 6. A misdemeanor
 3. C felony 7. B misdemeanor 9.violation
 4. D felony 8. N/A (case open, PRWO or acq.)

SENTENCE 2/21 First defendant's sentence?
 1. 1 year or less in jail 4. Probation
 2. 1+ - 3 yrs jail 5. Dismissed
 3. Conditional discharge 6. PRWO
 7. Other/ Trans Fam Ct 8. 3+ - 6 yrs jail
 9. Acquitted 0. 6+ yrs jail
 Blank = No sentence (case not adjudicated)

JUDGE 2/23-24 Name of judge? (see note below)

CONVICTS 2/26-27 # of prior convictions? Enter # 00-99

OPENCASE 2/29 # of open cases? Enter # 0-9

ACQUAINT 2/31 Were victim and offender acquainted?
 1. Yes 2. No

REST 2/33 Did the first defendant have to pay restitution?
 1. Yes 2. No

SPECCOND 2/35 Any special conditions of sentence?
 1. Yes 2. No

WHATCOND 2/37 If yes, what conditions?
 1. Drug/counseling program
 2. Stay away from victim/restraining order issued/OP
 4. 8. N/A

VISIN 2/39 Was ADA's victim impact statement in ADA folder?
 1. Yes 2. No

VISOPEN 2/41 Was it open?
 1. Yes 2. No 8. N/A

R1F	2/43-44	Year of first follow-up interview
MONTH1F	2/46-47	Month of first follow-up interview
ACHRG1	2/49	Second defendant's arraignment charge SEE CODING ABOVE
ACHRG1S	2/51	Second defendant's arraignment charge severity SEE CODING ABOVE
ACHRGE2	2/53	Second defendant's charge pled guilty to SEE CODING ABOVE
ACHRGE2S	2/55	Second defendant's final charge severity SEE CODING ABOVE
ASENTNCE	2/57	Second defendant's sentence SEE CODING ABOVE
BCHRG1	2/59	Third defendant's arraignment charge SEE CODING ABOVE
BCHRG1S	2/61	Third defendant's arraignment charge severity SEE CODING ABOVE
BCHRG2	2/63	Third defendant's charge pled guilty to SEE CODING ABOVE
BCHRG2S	2/65	Third defendant's final charge severity SEE CODING ABOVE
BSENTNCE	2/67	Third defendant's sentence SEE CODING ABOVE
CCHRG1	2/69	Fourth defendant's arraignment charge SEE CODING ABOVE
CCHRG1S	2/71	Fourth defendant's arraignment charge severity SEE CODING ABOVE
CCHRG2	2/73	Fourth defendant's charge pled guilty to SEE CODING ABOVE
CCHRG2S	2/75	Fourth defendant's final charge severity SEE CODING ABOVE
CSENTNCE	2/77	Fourth defendant's sentence SEE CODING ABOVE
DCHRG1	2/79	Fifth defendant's arraignment charge SEE CODING ABOVE
DCHRG1S	3/1	Fifth defendant's arraignment charge severity SEE CODING ABOVE

DCHARGE2	3/3	Fifth defendant's charge pled guilty to SEE CODING ABOVE
DCHARGE2S	3/5	Fifth defendant's final charge severity SEE CODING ABOVE
DSENTNCE	3/7	Fifth defendant's sentence SEE CODING ABOVE
ECHARGE1	3/9	Sixth defendant's arraignment charge SEE CODING ABOVE
ECHARGE1S	3/11	Sixth defendant's arraignment charge severity SEE CODING ABOVE
ECHARGE2	3/13	Sixth defendant's charge pled guilty to SEE CODING ABOVE
ECHARGE2S	3/15	Sixth defendant's final charge severity SEE CODING ABOVE
ESENTNCE	3/17	Sixth defendant's sentence SEE CODING ABOVE
JUDGE	3/19-20	Second defendant's judge (See note below)
ACONVICT	3/22-23	# of second defendant's prior convictions
AOPENCAS	3/25	# of second defendant's open cases
AACQUAIN	3/27	Were second offender and victim acquainted?
AREST	3/29	Did second defendant have to pay restitution?
ASPECCON	3/31	Any special conditions of sentence?
AWHATCON	3/33	What condtions?
TREAT1	3/35	Treatment Group 3. Control 4. Experimental

- Notes:
- (1) All variables except ID are in numeric format. ID is a string variable (some ID codes include the letter "A").
 - (2) For confidentiality reasons, the list of names of judges has been removed from the codebook.
 - (3) Unless specifically noted otherwise in the codebook, all blanks in the raw data represent data that is missing.

**VICTIM IMPACT STATEMENTS: THEIR EFFECTS ON
COURT OUTCOMES AND VICTIM SATISFACTION**

**Robert C. Davis
Madeline Henley
Barbara Smith**

Original Instrument

December 1990

**Sociometrics Corporation
170 State Street, Suite 260
Los Altos, CA 94022-2812
(415) 949-3282**

VICTIM IMPACT INTERVIEW

Docket #: _____

ADA: _____

PHYSICAL INJURIES

1. How extensively were you injured?

- _____ () None at all
_____ () Minor--no medical att.
_____ () ER/ doctor's treatment
_____ () Hospitalized overnight

2. Are your injuries affecting your job/daily routine?

3. Will you have to put out money for your medical expenses?

- Yes ()
No ()

4. For what treatment? _____

5. Are you receiving ongoing treatments? Describe.

PROPERTY LOSSES/DAMAGE

1. Was there any loss of property (including cash) or any damage?
Yes (stolen) () Yes (damaged) () No ()

(a) What was it? _____

(b) Was it recovered? _____

(c) Will any of the loss be replaced through insurance or other means? Yes () No () _____

2. Has the loss affected your daily routine/ lifestyle?

3. Did the property have any special significance to you?

LOSS OF TIME FROM WORK/SCHOOL

1. Has the crime caused you to miss work/school/other responsibilities?

of days: _____

2. Have you lost any pay from time missed from work?

About how much? _____

EMOTIONAL EFFECTS

1. Have you been feeling upset since the crime? Yes () No ()

IF YES: Would you say you are somewhat upset or very upset? _____

Elaboration: _____

2. Has the crime caused you to change your routines, habits or relationships with others?

Other Effects

1. Is there any other way that the crime affected you that I haven't asked you about?

CASE INFORMATION

Victim Name _____ Indictment # _____

Address: _____

_____ Phone#(s): _____

Defendant's Name(s) _____

Charges: _____

Initial _____ Final _____

Defendant's Prior Convictions:

Felonies _____ # Misdemeanors _____

Victim/Offender Relationship

_____ Immediate family _____ Acquaintance/Neighbor

_____ Romantic intimates _____ Seen in neighborhood

_____ Extended family

Case Outcome

Disposition: _____

Sentence: _____

Special Conditions: _____

Condition of VIS seal: _____ Broken _____ Unbroken

RATING

P.I.: _____ Psy.: _____

Fin. (Imm.): _____ Beh.: _____

Fin. (Subs.): _____

VICTIM IMPACT STATEMENT

Rating System

- Five Areas to be Assessed:
- A. Physical Injury
 - B. Immediate Financial Repercussions
 - C. Subsequent Financial Repercussions
 - D. Psychological Effects
 - E. Behavioral Changes

A. Physical Injury:

- NONE: (no injury).....1
- SOME: (minor: Emergency Room, bruises, scratches).....2
- SUBSTANTIAL: (hospitalization/ongoing treatment).....3

B. Immediate Financial Repercussions:

- NONE: (nothing taken/all recovered).....1
- SOME: (value unknown/value < \$500.00).....2
- SUBSTANTIAL: (value \$500.00 +)3

C. Subsequent Financial Repercussions:

- NONE:1
- SOME: (missed 1-4 days school/work to go to court or as a direct result of the crime; medical bills minor/unknown).....2
- SUBSTANTIAL: (missed 5+ days school/work; major medical bills).....3

D. Psychological Effects:

- NONE: (none reported).....1
- SOME: (minor nervousness/fear, anger, discomfort, distress).....2
- SUBSTANTIAL: (major fear, anger, discomfort, distress).....3

E. Behavioral Effects:

- NONE: (none reported).....1
- SOME: (some restriction/change of activity).....2
- SUBSTANTIAL (major restriction/change of activity).....3

VICTIM IMPACT STATEMENT PROJECT

FOLLOW-UP INTERVIEW #1

VICTIM ID#: _____ TREATMENT GROUP _____

Victim's Name: _____ :

Address: _____

Phone#: _____ Other: _____

Defendant's name: _____

Attempted: _____

Date Time Outcome

Date Time Outcome

Date Time Outcome

Date Time Outcome

Completed: _____

Date Time

Interviewer: _____

IF NOT REACHABLE BY PHONE:

Interview mailed: _____

Date

Interview received: _____

Date

VICTIM IMPACT STUDY
1ST FOLLOW-UP INTERVIEW

CASE ID# _____

DATE _____

VICTIM NAME _____

Hello, my name is _____. I work for the Victim Services Agency. We are working with the Bronx District Attorney's Office on a research project to find out how victims feel about the court process. I'd like to ask you a few questions-- it'll just take a couple of minutes or so.

1. Do you think that coming to court is just a waste of time for victims?

1. Yes--> Very much a waste of time.
2. Yes--> Somewhat a waste of time.
3. No--> Not really a waste of time.
4. No--> Not at all a waste of time.
9. DK.

2. Do you feel that you had a chance to express your concerns in your case to prosecutors?

1. Yes--> Had very much of a chance.
2. Yes--> Had somewhat of a chance.
3. No--> Did not have much of a chance.
4. No--> Had no chance at all.
9. DK.

3. Do you feel that prosecutors understand how the crime is affecting you?

1. Yes--> Understands very well.
2. Yes--> Understands somewhat.
3. No--> Doesn't really understand.
4. No--> Doesn't understand at all.
9. DK.

4. Do you feel that prosecutors are interested in how the crime is affecting you?

1. Yes--> Very interested.
2. Yes--> Somewhat interested.
3. No--> Not really interested.
4. No--> Are not interested at all.
9. DK.

5. Do you think that prosecutors are treating you with respect and compassion?

- 1. Yes-->Very much.
- 2. Yes-->Somewhat.
- 3. No-->Not really.
- 4. No-->Not at all.
- 9. DK.

I would now like to ask you several questions about your background.

6. How old are you? _____

7. What was the last grade of school you completed?

- 1. 8th grade or less.
- 2. Some High School.
- 3. High School Graduate.
- 4. Some college.
- 5. College graduate.
- 6. Post-graduate.

8. What is the annual income of your household?

- 1. \$0- \$4,999
- 2. \$5,000-\$7,499
- 3. \$7,500-\$9,999
- 4. \$10,000-\$14,999
- 5. \$15,000-\$24,999
- 6. \$25,000 or more
- 7. Did not answer
- 8. DK

9. How many people are supported by this income (include self)?

Thank you very much for talking with me. I would like to contact you again after the case is over to find out more about your experiences in the court system. How can I best contact you then?

Address: _____

Phone: _____

Additional phone (of relative): _____

Relative's name: _____

VICTIM IMPACT STUDY
2ND FOLLOW-UP INTERVIEW

Case ID# _____

Date _____

VICTIM NAME _____

Hello, my name is _____. I work for Victim Services Agency. We spoke to you in the Bronx Criminal court after you testified for the Grand Jury. ** Then about a month after that we called you and spoke to you again. Now that your case is over, I'd like to ask you a few more questions about how you feel about the outcome of your case, and about your experiences in court.

1. Did anyone in court ask you about how the crime affected you?

- 1. Yes-->If yes, WHO? _____
- 2. No
- 3. Don't know.

2. Do you think court officials were concerned about how the crime affected you?

- 1. Yes-->Very concerned.
- 2. Yes-->Somewhat concerned.
- 3. No-->Not very concerned.
- 4. No-->Not concerned at all.
- 9. Don't know.

3. Do you think that court officials on your case were aware of how the crime affected you when they sentenced the defendant?

- 1. Yes-->Very aware-----> How do you think they knew? _____
- 2. Yes-->Somewhat aware---
- 3. No-->Not very aware. _____
- 4. No-->Not aware at all.
- 9. Don't know.

4. Do you think that court officials made a fair decision in your case?

- 1. Yes-->Very fair.
- 2. Yes-->Somewhat fair.
- 3. No-->Not very fair.
- 4. No-->Not fair at all.
- Don't know.

5. Are you satisfied with the outcome of your case?

- 1. Yes-->Very satisfied.
- 2. Yes-->Somewhat satisfied.
- 3. No-->Not very satisfied.
- 4. No-->Not at all satisfied.
- 9. Don't know.

6. Overall, were you satisfied with the way your case was handled by court officials?

- 1. Yes-->Very satisfied.
- 2. Yes-->Somewhat satisfied.
- 3. No-->Not very satisfied.
- 4. No-->Not satisfied at all.
- 9. Don't know.

7. Overall, do you think you were treated fairly by court officials when you went to testify at the Grand Jury?

- 1. Yes-->Very fairly.
- 2. Yes-->Somewhat fairly.
- 3. No-->Not very fairly.
- 4. No-->Not at all fairly.
- 9. Don't know.

8. Do you feel that you had a chance to participate in deciding the sentence?

- 1. Yes-->Very much of a chance.---->HOW? _____
- 2. Yes-->Somewhat of a chance.----> _____
- 3. No-->Not much of a chance. _____
- 4. No-->No chance at all.
- 9. Don't know.

9. Do you think that victims should have a greater say in how the courts decide cases?

- 1. Yes-->Strongly agree that victims should have a greater say.
- 2. Yes-->Somewhat agree that victims should have a greater say.
- 3. No-->Don't really agree victims should have a greater say.
- 4. No-->Don't agree at all that victims should have greater say
- 9. Don't know.

10. Do you think it is important for court officials to be aware of how a crime affects the victim when they are sentencing the defendant?

1. Yes-->Very important.
2. Yes-->Somewhat important.
3. No-->Not very important.
4. No-->Not important at all.
9. Don't know.

11. So, would you say that coming to court is just a waste of time for victims?

1. Yes-->Very much a waste of time.
2. Yes-->Somewhat a waste of time.
3. No-->Not really a waste of time.
4. No-->Not at all a waste of time.
9. Don't Know.

IF YOU HAVE NOT ALREADY ANSWERED THESE NEXT QUESTIONS DURING AN EARLIER INTERVIEW, PLEASE DO SO NOW:

2. How old are you? _____

13. What is the last grade of school you have completed?

1. 8th grade or less.
2. Some high school.
3. High school graduate.
4. Some college.
5. College graduate.
6. Post-graduate.

14. What is the annual income of your family?

1. \$0- \$4,999.
2. \$5,000- \$7,499.
3. \$7,500- \$9,999.
4. \$10,000- \$14,999.
5. \$15,000- \$24,999.
6. \$25,000 or more.
7. Did not answer.
9. Don't know.

15. How many people are supported by this income, including yourself? _____

Thank you very much for answering these questions.