



Improving the Readability of Victim Registration Packets Using Plain Language and Document Design

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Introduction

The Crime Victims' Rights Act, passed in 2004, granted victims in federal criminal cases specific rights¹, among them:

- 1) the right to be reasonably protected from the accused,
- 2) the right to reasonable, accurate, and timely notice of any public court proceeding, or any parole proceeding, involving the crime or of any release or escape of the accused,
- 3) the right to be reasonably heard at any public proceeding in the district court involving release, plea, sentencing, or any parole proceeding,
- 4) the right to full and timely restitution, and
- 5) the right to be informed in a timely manner of any plea bargain or deferred prosecution agreement.

All 50 states have laws that protect the basic rights of victims in the criminal justice system, with most adopting similar provisions as the federal law.² While crime victims have increased standing in criminal proceedings through federal and state legislation addressing their rights to be notified, present, and heard at trial and in charging decisions, pleas, sentencing, and parole,³ the burden is often on victims to exercise their rights. Victims who are unaware of their rights, however, will be unable to exercise them.⁴

¹ U.S. Department of Justice (2016). *Crime Victims' Rights Act*. Retrieved from <https://www.justice.gov/usao/resources/crime-victims-rights-ombudsman/victims-rights-act>.

² National Center for Victims of Crime (n.d.). *Victim's rights*. Retrieved from <http://victimsofcrime.org/help-for-crime-victims/get-help-bulletins-for-crime-victims/victims'-rights>

³ Tobolowsky, P. M., Gaboury, M. T., Jackson, A. L., & Blackburn, A. G. (2010). *Crime victim rights and remedies* (2nd Ed.). Durham, NC: Carolina Academic Press.

⁴ Kilpatrick, D. G., Beatty, D., & Howley, S. S. (1998). *The rights of crime victims: Does legal protection make a difference?*. U.S. Department of Justice, Office of Justice Programs, National Institute of Justice.

While states have discretion on how they notify victims of their rights, usually information about victim rights and court proceedings is mailed to victims² in the form of a victim registration packet distributed by the prosecutorial office. These packets typically include 1) a cover letter with a statement of the victims' rights, 2) documents they can complete to claim some of these rights, such as restitution claim forms and victim impact statements; 3) how to register for notification about an offender's custody status through electronic systems such as the Victim Information and Notification Everyday (VINE; www.vinelink.com); and 4) brochures about state crime victim compensation programs.

Barriers to Victims Exercising Their Rights

Research literature on crime victims' experiences with, or barriers to, exercising their rights found numerous examples of victims not being notified of their rights. A study of Texas law enforcement officers found that 75% of Texas police officers failed to notify victims about state compensation program as required by law.⁵ A survey of Oregon crime victims found that 30% to 60% were denied rights to be notified of court dates, parole hearing dates, and restitution.⁶ Even in states with strong protections of victims' rights, victims are often not kept abreast of important developments in their cases and are not given the opportunity to be heard.⁴ In a focus group study with crime

⁵ Fritsch, E. J., Caeti, T. J., Tobolowsky, P. M., & Taylor, R. W. (2004). Police referrals of crime victims to compensation sources: An empirical analysis of attitudinal and structural impediments. *Police Quarterly*, 7, 372-393.

⁶ Regional Research Institute for Human Services. (2002). *Oregon crime victims' needs assessment: Final report*. Portland, OR: Oregon Department of Justice.

victims, participants reported they were not consistently informed about their rights specifically with regards to being notified about hearings and other key dates.⁷

Even when informed, victims may not be afforded their rights. A needs assessment of the victim restitution process in Iowa revealed some potential barriers to assuring victims have access to resources and benefits for which they are entitled. Hartley and McCrory⁸ conducted county level interviews with county prosecutors, victim witness coordinators (VWC), and community victim service providers in Iowa and found that a lack of victim response to contacts from the county attorney's office was a barrier to filing restitution claims. In Iowa, victims receive a registration packet from either law enforcement or the county attorney's office. These packets typically include a cover letter notifying the victim of the criminal complaint and informing them of their right to register as a crime victim, a victim impact statement form, and a restitution claim form. The victim is typically asked to return the registration packet within 10 days.

Hartley and McCrory's needs assessment found that a primary barrier to ordering victim restitution was the victim's lack of response to the registration packet. According to county attorneys and victim witness coordinators, the onus is on the victim to complete the paperwork and return it to the county attorney in a timely manner. Interviewees also noted that victim response to the registration packets varied, with domestic violence victims, across the board, being the least likely to register/return information. Larger counties tended to get lower returns of victim paperwork and few

⁷ Brickman, E. (2003). *Development of a national study of victim needs and assistance*. Retrieved from <https://www.ncjrs.gov/pdffiles1/nij/grants/195625.pdf>

⁸ Hartley, C. C., & McCrory, K. T. (2015). *Iowa Crime Victim Compensation Program restitution initiative: Needs assessment results*. Final report submitted to the Iowa Attorney General's Office, Crime Victim Assistance Division.

counties have the resources to track down victims who do not return the victim registration packet. In general, the county attorneys acknowledged that if the victim did not respond to the victim registration packets, they are unable to move forward with a restitution order on behalf of the victim.

When asked more specifically about why they thought victims did not return the packets, the attorneys and victim witness coordinators acknowledged that the victim registration packet is an “*overwhelming packet of information*” and victims “*don't even know where to start.*” The community victim service providers interviewed also reported that the communications (i.e., victim registration packets) sent to victims *are “sometimes difficult for victims to decipher as they are often written at a level higher than victims can understand without assistance.”* Victim witness coordinators admitted that they “*don't have a lot of time to walk victims through the [registration] process.*”

Readability Analysis of the Victim Registration Packets

To follow up on the interviewees assertions that the victim registration packets might be difficult for victims to decipher, Hartley and McCrory⁸ conducted a readability analysis of these packets. The Flesch and Flesch–Kincaid readability tests measure the comprehension level of English text passages using two separate tests, the Flesch Reading Ease, and the Flesch–Kincaid Grade Level. Each test is based on the number of syllables in each word in a passage of text and the number of words per sentence. The Flesch Reading Ease score ranges from 0 to 100, with higher scores indicating

greater readability and lower scores indicating more difficult passages.⁹ A score of 60 to 70 is easily understood by 13 to 15 year old high school students, whereas a score of 30 or less is best understood by college graduates.⁹ The Flesch–Kincaid Grade Level score represents a U.S. grade level.¹⁰ For example, a score of 8.0 indicates an eighth grade reading level. The average reading level in the US is estimated to be 8th grade and many are reading at levels much lower.¹¹ A grade level score of 7.0 to 8.0 is recommended for most documents. The National Institutes of Health recommend a reading level between 6th and 8th grade for consent forms in research studies¹² and other studies note that given that almost half of Americans read at or below an 8th grade level, research consents should be written at a 4th to 6th grade level.¹³

Hartley and McCrory analyzed 22 selected paragraphs from cover letters, restitution claim forms, and victim impact statement forms contained in the victim registration packet for ten counties using the Flesch and Flesch–Kincaid readability tests available in Microsoft Word. The Flesch Reading Ease scores for these 22 passages ranged from as low as 14.7 to as high of 70.2. Only five passages had a reading ease score at or above 60%. The grade level scores ranged from 8.1 to 20.6 years (which would be equivalent to a Juris Doctorate or PhD degree).

⁹ Flesch, R. (n.d.). *How to write plain English*. Retrieved from http://www.mang.canterbury.ac.nz/writing_guide/writing/flesch.shtml.

¹⁰ Kincaid J. P., Fishburne, R. P., Rogers, R. L., & Chissom, B. S. (1975). Derivation of new readability formulas (Automated Readability Index, Fog Count and Flesch Reading Ease Formula) for Navy enlisted personnel. Retrieved from <http://www.dtic.mil/dtic/tr/fulltext/u2/a006655.pdf>.

¹¹ Kutner, M., Greenberg, E., & Baer, J. (2006). *A first look at the literacy of America's adults in the 21st Century* (NCES 2006-470). National Center for Education Statistics. Retrieved from <http://files.eric.ed.gov/fulltext/ED489066.pdf>

¹² Walters, K. A., & Hamrell, M. R. (2008). Consent forms, lower reading levels, and using Flesch–Kincaid readability software. *Drug Information Journal*, 42, 385-394.

¹³ Paasche-Orlow, M. K., Taylor, H. A., & Brancati, F. L. (2003). Readability standards for informed consent forms as compared with actual readability. *The New England Journal of Medicine*, 341, 721-726.

An example of an excerpt rated as more difficult to read and comprehend addressed pecuniary damages and instructions for reporting the amount of losses suffered:

Pecuniary damages means all damages to the extent not paid by an insurer which a victim could recover against the offender in a civil action arising out of the same facts or event, except for punitive damages for pain and suffering, mental anguish, and loss of consortium. I have incurred the following monetary losses, which may include property damage, medical expenses, and loss of income, as a result of the defendant's criminal actions in the above-captioned criminal case. Polk County, Flesch Reading Ease: 16.4, Flesch–Kincaid Grade Level: 20.6

The most readable passage, which was just over an 8th grade reading level, explained the victim impact statement and provided instructions for completing the statement:

The victim impact information is being collected to provide the sentencing judge in this matter with knowledge about the impact of this crime on your life. Please print or type your answers. Feel free to elaborate on the back of this form or on another sheet of paper and attach it if you need to do so. Woodbury County, Flesch-Kincaid Reading Ease: 70.2, Flesch–Kincaid Grade Level: 8.1

Purpose of the Current Study

Hartley and McCrory's⁸ needs assessment identified that in Iowa, the primary method county attorneys use to communicate with crime victims is a victim registration packet mailed to the victims, a fair number of victims do not return these packets, and a readability analysis of the text in the victim registration packets suggests that victims may not be able to understand the information in these packets to successfully complete the required information on their own. Revising these packets with a focus on reading level and comprehension may help increase victim engagement in the registration process. Thus, the purpose of this study was to examine whether a revised victim

registration packet, compared to a county's existing packet, would increase the return rate of these packets, thereby affording victims greater access to their rights throughout the criminal justice process.

Literacy Levels among the US Population

Literacy is the ability to read, write and speak in English and compute and solve problems at levels of proficiency necessary to function on the job and in society.¹⁴ The 2003 National Assessment of Adult Literacy (NAAL) is the most recent nationwide assessment of adult literacy levels in the United States.¹⁵ The NAAL assesses three types of literacy, two of which are likely relevant to the comprehension of the kinds of content contained in victim registration packets: prose and document literacy. *Prose literacy* refers to the “knowledge and skills needed to search, comprehend, and use information from continuous texts. Prose examples include editorials, news stories, brochures, and instructional materials (p. 2).”¹⁵ *Document literacy* pertains to the “knowledge and skills needed to perform document tasks (i.e., to search, comprehend, and use information from non-continuous texts in various formats). Document examples include job applications, payroll forms, transportation schedules, maps, tables, and drug and food labels (p. 2).”¹⁵

The NAAL uses four literacy levels to categorize the proficiency of prose and document literacy: below basic, basic, intermediate and proficient.¹⁵ A *below basic*

¹⁴ Literacy Information and Communication System (n.d.). *Frequently asked questions*. Retrieved from <https://lincs.ed.gov/faq>

¹⁵ Kutner, M., Greenberg, E., Jin, Y., Boyle, B., Hsu, Y., & Dunleavy, E. (2007). *Literacy in everyday life: Results from the 2003 National Assessment of Adult Literacy* (NCES 2007-480). U.S. Department of Education. Washington, DC: National Center for Education Statistics. Retrieved from <http://files.eric.ed.gov/fulltext/ED495996.pdf>

literacy level: “indicates no more than the most simple and concrete literacy skills. Adults at this level range from being nonliterate in English to having abilities such as locating easily identifiable information in short, commonplace prose texts and locating easily identifiable information and following written instructions in simple documents (e.g., charts or forms) (p. 3).”¹⁵

A *basic* literacy level includes “skills necessary to perform simple and everyday literacy activities such as reading and understanding information in short, commonplace prose texts and reading and understanding information in simple documents (p. 3).”¹⁵ Adults at an *intermediate* literacy level have “skills necessary to perform moderately challenging literacy activities such as reading and understanding moderately dense, less commonplace prose texts and locating information in dense, complex documents and making simple inferences about the information (p. 3).”¹⁵ Finally, adults with *proficient* literacy skills are able to “perform more complex and challenging literacy activities, including reading lengthy, complex, abstract prose texts and integrating, synthesizing, and analyzing multiple pieces of information located in complex documents (p. 3).”¹⁵

Table 1 summarizes the literacy levels of adults in the US from the 2003 NAAL.¹⁵ One-third of adults in the US are literate at below basic or basic levels. When looking at literacy levels across racial and ethnic groups, Hispanics have the highest rates of below basic literacy (44% at below basic for prose literacy and 36% at below basic for document literacy) followed by African-Americans and Native Americans (see Table 2).¹⁵ The 2003 NAAL also found higher percentages of below basic prose proficiency in lower income households (less than \$10,000) compared to all other income levels.¹⁵

According to the Bureau of Justice Statistics,¹⁶ in 2005, 65.1% of victims of violent crime were ethnic and racial minorities and 40% of victims had household incomes less than \$10,000 per year. Thus, it is reasonable to assume that a substantial proportion of crime victims who interact with the criminal justice system will have literacy levels at or below only a basic level of proficiency.

Table 1: Prose and literacy rates from the 2003 NAAL¹⁵

% US adults	Prose Literacy	% US adults	Document Literacy
14%	Below basic	12%	Below basic
20%	Basic	22%	Basic
44%	Intermediate	53%	Intermediate
3%	Proficient	13%	Proficient

Table 2: Percentage of US adults below basic literacy from the 2003 NAAL¹⁵

% US adults	Prose Literacy	% US adults	Document Literacy
7%	White	8%	White
14%	Asian/PI	11%	Asian/PI
19%	American Indian	16%	American Indian
24%	Black	24%	Black
44%	Hispanic	36%	Hispanic

Plain Language: Improving the Readability of Written Documents

Research suggests that a person's education level does not accurately predict their level of reading comprehension, and in fact, many people read at several grade levels lower than their highest educational achievement.^{17,18} Readability formulas are one method for assessing the reading level of documents. The Flesch tests (Flesch-Kincaid and Flesch Reading Ease) are computerized programs built in to word

¹⁶ Truman, J. L., & Morgan, R. E. (2016, October). *Criminal victimization, 2015*. Retrieved from <https://www.bjs.gov/content/pub/pdf/cv15.pdf>

¹⁷ Hochhauser, M. (1997). Some overlooked aspects of consent form readability. *IRB: Ethics & Human Research*, 19(5), 5-9.

¹⁸ Jefford, M., & Moore, R. (2008). Improvement of informed consent and the quality of consent documents. *The Lancet Oncology*, 9(5), 485-493.

processing programs such as Microsoft Word. The formula which computes the reading grade level is based on the average length of words and sentences in a document.¹⁹ The formulas generally assume that longer words and sentences are ‘harder’ to comprehend.¹⁹ These readability formulas have been criticized, however, for not accurately measuring reading comprehension or reading ease.^{19,17,20} Critics also argue that these formulas also do not assess other factors known to increase reading comprehension such as how the text in the document is organized and designed^{17,20} or the background knowledge of the reader.¹⁷ Critics of readability formulas do suggest, however, that these formulas are useful to conduct a preliminary screening of documents²⁰ but caution against revising documents “to the formula” by simply making sentences shorter and words smaller.¹⁷ Communicating in plain language is needed to assure written documents are accessible to their intended audience.

Plain Language

President Obama signed the Plain Language Act of 2010 on October 13, 2010 which requires government agencies to use clear communication and language the public can understand.²¹ Documents written in plain language are less complex and easier to understand for everyone, including those who may have limited literacy skills such as non-native English speakers, people with low education or income levels, and

¹⁹ Agency for Healthcare Research and Quality. (2015). Tip 6. Be cautious about using readability formulas. Retrieved from <http://www.ahrq.gov/professionals/quality-patient-safety/talkingquality/resources/writing/tip6.html>

²⁰ Redish, J. C., & Selzer, J. (1985). The place of readability formulas in technical communication. *Technical Communication*, 32, 46-52.

²¹ PlainLanguage.gov (n.d.). *Plain language: It's the law*. Retrieved from <http://www.plainlanguage.gov/plLaw/index.cfm>.

older adults.²² A document is in plain language if the language, structure and design are so clear that the intended audience can easily find what they need, understand what they find, and are able to use the information to meet their needs.²³ Plain language helps people understand the information they are consuming because the writing style is clear, concise, organized and jargon free.²⁴

Experts in plain language and document design recommend a series of strategies that address the importance of having background knowledge about your audience/reader, and attending to grammatical structure and organization and design.²⁵

Background knowledge about your audience/reader. Background knowledge about your reader starts with knowing the purpose of your document and your audience.²⁵ When assessing audience and purpose, one must consider how readers will use your document and what the document is intended to communicate. It is also necessary to evaluate the intended audiences' demographics and what they may or may not already know to help select the best mix of language and design.

In the case of victim registration packets, recipients of these documents (crime victims) are likely to have limited understanding about how the court system works unless they have a legal or law enforcement background, or have interacted with the court previously. Thus, recipients are likely to be largely unfamiliar with victim registration, victim restitution or victim impact statements, or the legal language often

²² U.S. Department of Health and Human Services (n.d.). Plain language: A promising strategy for clearly communicating health information and improving health literacy. Retrieved from <https://health.gov/communication/literacy/plainlanguage/PlainLanguage.htm>.

²³ Center for Plain Language. (2017). *Five steps to plain language*. Retrieved from <http://centerforplainlanguage.org/learning-training/five-steps-plain-language/>

²⁴ Kimble, J. (2002). The elements of plain language. *Michigan Bar Journal*, 81(10), 44-55.

²⁵ Felker, D. B., Pickering, F., Charrow, V. R., Holland, V. M., & Redish, J. C. (1981). *Guidelines for document designers*. Washington, D. C.: American Institutes for Research.

contained in these documents. The purpose of these packets is to inform recipients of their rights, but more importantly, to encourage and facilitate their providing necessary information to the court to exercise these rights.

Structure and design of your document. Next it is important to consider structure of the document; for example, organizing content in chronological order, using summaries to present key information before the details, and dividing each section in equal chunks.²⁶ Subsequent to structure is design, which is the visual appearance of a document. Important design elements include ensuring that the layout and margins include enough white space to help separate different parts of the text.²⁷ Headings are also beneficial as they assist the readers in navigating the document.²⁷ Font and type size should be easy to read. There should be plenty of contrast between the text and the background and the spacing between lines and paragraphs should be at least the same as the size of the type, again to increase ease and readability of the document.²⁶

Expression and tone. When thinking about expression it is crucial to consider the tone of the document. For example, using personal pronouns, first person, and writing in a formal yet conversational manner speak more directly to the reader.²⁴ Word choice is also important. Select the simplest word that conveys the intended meaning. Plain language also avoids the use of jargon if the audience is not familiar with it, as well as explaining any technical terms that must be used in the document.²⁴

Grammatical structure techniques for improving readability. Experts in document design recommend a variety of grammatical techniques to improve the clarity

²⁶ Redish, J. C. G. (2000). What is information design?. *Technical Communication*, 47(2), 163-166.

²⁷ Schriver, K. A. (1997). *Dynamics in document design: Creating text for readers*. New York, NY: John Wiley & Sons, Inc.

and readability of documents.^{28,29,25} These techniques include attending to both grammar, and sentence and paragraph structure. Tips include the following:

- Use correct grammar, punctuation, and spelling.
- Use shorter sentences. The longer the sentence, the more readers have to concentrate, putting a greater burden on their working memory.
- Sentences should be an average of 15 to 20 words, with some longer and some shorter for variety and effect.
- Paragraphs should be kept relatively short, around 100 words per paragraph.
- Use active verbs or voice. Using active verbs shortens sentences and makes the subject or actor clear in the sentence clear.

Organization and design for improving readability. Organization and design addresses both the order of the content and the visual presentation of the material. Tips for improving organization and design include:²⁵

- Include only content necessary to conveying your message to your readers.
- Discuss general content before specific content.
- For longer documents, give an overview of the main ideas addressed in the entire document to assist the reader in understanding the whole document.
- If appropriate, put content in a time sequence.
- Use informative headings and subheadings.
- Use bulleted lists and numbered steps to make information visually accessible.
- Use a font style and size that is easy to read.

²⁸ Carr, S. (2016). Learning from linguistics: Structuring our sentences sensitively. *Bereavement Care*, 35(1), 31-35.

²⁹ DuBay, W. H. (2004). *The principles of readability*. Retrieved from <http://files.eric.ed.gov/fulltext/ED490073.pdf>

- Use white space in margins and between sections.

Research of the Effectiveness of Plain Language

Several studies have examined the effectiveness of using plain language document design strategies on users' comprehension. A study of the effectiveness of a decision aid document for patients evaluating treatment options for prostate cancer found that a plain language design was useful in helping patients reach treatment decisions, facilitated more discussions with doctors about treatment options, and increased their knowledge of the side effects of radiation therapy.³⁰ Research on the use of plain language in legal documents found that comprehension was enhanced by the use of simplified words and sentence structure.³¹ Finally, in a study comparing a conventional research consent form with an improved consent which used larger font, shorter mean sentence length, and a more casual tone through the use of first person language, researchers found that participants given the improved consent had higher comprehension scores and reported the document to be significantly more understandable than those exposed to the conventional consent form.³² Participants in the improved consent form condition also reported being significantly better informed about their rights as research participants.

³⁰ Holmes-Rovner, M., Stableford, S., Fagerlin, A., Wei, J. T., Dunn, R. L., Ohene-Frempong, J., ... & Rovner, D. R. (2005). Evidence-based patient choice: A prostate cancer decision aid in plain language. *BMC Medical Informatics and Decision Making*, 5(1), 16.

³¹ Masson, M. E., & Waldron, M. A. (1994). Comprehension of legal contracts by non-experts: Effectiveness of plain language redrafting. *Applied Cognitive Psychology*, 8(1), 67-85.

³² Wogalter, M. S. (1999). On the adequacy of legal documents: Factors that influence informed consent. *Ergonomics*, 42(4), 593-613.

Methodology

Anecdotal information from court personnel and victim advocates has raised a concern about the accessibility of the information in victim registration packets sent to crime victims from county attorneys' offices. A readability analysis of these packets suggests they may contain information presented in a way that hinders recipients' comprehension. Thus, the purpose of this exploratory study was to test whether a revised registration packet, using various recommended plain language and document design strategies, would increase recipients' completion and return of said documents, hypothesizing that crime victims receiving the revised packet would be more likely to return them than victims receiving the original packet.

Setting

The Dubuque County Attorney's office in Iowa was the setting for this study. Dubuque County is located on the eastern border of the state. According to 2016 US Census data, it has a population of 97,000 of which 93% are White.³³ The median household income is \$54,000 and 12% of residents are classified as living in poverty. The 2014 Federal crime rate for the county is 177.5 persons per 100,000 residents for violent crime and 1793.5 persons per 100,000 for property crime.³⁴

Registration Packet Revisions

As part of the victim registration packet revision process, I reviewed victim registration packets from 27 counties to identify the key content contained in these

³³ US Census Bureau (2016). *Quick facts: Dubuque County, Iowa*. Retrieved from <https://www.census.gov/quickfacts/fact/table/dubuquecountyiowa/PST045216>

³⁴ Criminal Justice Information System (2014). *Crime in the United States by metropolitan statistical area, 2014*. Retrieve from <https://ucr.fbi.gov/crime-in-the-u.s/2014/crime-in-the-u.s.-2014/tables/table-6>

packets and exemplars of effective ways of communicating this content. I then used the plain language and design strategies discussed in the literature review to revise the packet. As is standard in all victim registration packets reviewed, the original Dubuque County victim registration packet (Appendix A) contains a cover letter that explains a crime victim's rights, a restitution claim form, and a victim impact statement form. Appendix B provides an annotation of some of the key design strategies used (see Appendix C for the revised packet without annotations).

Organization and design changes. The following organization and structural design changes were made:

- Increased font size to 12 point to improve readability.
- Increased margin size on all forms.
- Created more spacing and white space, particularly in places where the recipient needs to provide written information.
- Where appropriate, indented blocks of text to offset.
- Added or bolded headings and subheadings.
- Where appropriate, put content in a sequence (first, second, third).
- Discussed or defined general content before specific content.
- Provided a summary of key points.

Grammatical structure changes. The following grammatical and sentence structure changes were made:

- Decreased the sentence length of most sentences to 15 to 20 words.
- Added additional explanation where necessary. For example:

CRIME VICTIM COMPENSATION PROGRAM: *If you have been injured and require medical treatment, counseling, or have lost wages as a result of this crime, please apply to this program (original version).*

*Second, you have the right to apply for financial assistance from the **CRIME VICTIM COMPENSATION PROGRAM** if you were a victim of a violent crime. This program can help you pay for expenses you have related to the crime. Expenses may include medical and dental bills or counseling that your insurance didn't cover. The program can also pay for wages you lost if you have been unable to work. Most importantly, this program can pay for these expenses before the defendant's criminal case is finished. You can also receive help even if the defendant is found not guilty of the crime (revised version).*

- Shortened or broke up text in to shorter paragraphs.
- Revised all sentences to use active verbs/voice and first person consistently.

Victims, upon a guilty plea have a right to restitution for any losses directly resulting from the crime (original version).

*First, if the defendant is convicted or pleads guilty in this case, you have a **RIGHT TO RESTITUTION** (revised version).*

Study Design

The study used a simple random sample design for distributing the victim registration packets in which the victim witness coordinators (VWC) alternated sending each victim either the original registration packet or the revised packet. The VWCs kept track of each case in an Excel file and recorded the following information:

- 1) Type of letter sent (original or revised)
- 2) Date the packet was sent out
- 3) Date the packet was returned
- 4) Type of charge
- 5) Type of victim (individual or business)

Packets were randomized over a three month period and the last packets distributed were tracked for seven weeks.

Data Analysis

The data analysis includes a description of the sample and bivariate comparisons of the return rates of the packets by type of packet, victim type, and charge type.

Results

Case Characteristics

The Dubuque County Victim witness coordinators distributed 234 victim registration packets to crime victims over a period of three months. The types of charges for each case were classified as either crimes against a person or property crimes (see Appendix D for a list of how charges were classified). Fifty-six percent of cases involved property crimes (n=131) and 44% were crimes against persons (n=175). The type of victim was categorized as an individual or business. Seventy-eight percent of cases involved an individual victim and 22.2% of victims were identified as a business.

Age and race data were available all the cases (property and crimes against persons) involving individual victims (n=182). The age of the victims ranged from an infant to 81 with a mean age of 35.47 (SD = 14.61). The mean age of property crime victims was significantly greater than the persons crime victims (39.60 versus 32.32; $t = 4.78, p = .001$). The majority of individual crime victims were White/non-Hispanic or White/Hispanic (81.1%)³⁵ and 18.9% of victims were African American.

The number of victims receiving either the original or the revised registration packets were evenly divided (n=117) (see Table 3). A total of 40 victims (17.1%) returned a registration packet to the county. The number of days between the date the packets

³⁵ Ethnicity data was not available.

were mailed to the return date ranged from 2 to 91 days. The mean number of days victims took to return the packet was 18.60 days and the median was 14 days.

Table 3. *Description of Cases*

Type of charges % (N)	
Crimes against persons	56% (131)
Property crimes	44% (103)
Type of victim % (N)	
Individual	77.8% (182)
Business	22.2% (52)
Age of individual crime victims M (SD) (n=173)	35.47 (14.61)
Race of individual crime victims % (N) (n=173)	
White and White/Hispanic	81.1%
African American	18.9%
Packets returned % (N)	17.1% (40)
Number of days until packet returned M (SD) (n=40)	18.60 (17.2)

Bivariate Results

Crosstabs with chi-squares were used to examine bivariate relationships between the return of the registration packets and the type of packet received, type of charges, and the type of victim (see Table 4). There were no significant differences between victims who received the original versus revised packet with regards to who returned a packet. Sixteen-percent of victims receiving the revised packet returned it as did 17.9% of victims who received the original packet ($X^2(1, N = 234) = .121, p = .728$).

When comparing the types of charges with packet return, victims in property crimes were significantly more likely to return a packet compared to victims in crimes against persons cases (23.7% versus 22.58.7%; $X^2(1, N = 234) = 9.07, p = .003$). Packet

return rates also differed by the type of victim. Individual victims were significantly less likely to return the registration packet compared to business victims (13.7% versus 28.8%; $X^2(1, N = 234) = 6.52, p = .011$).

Table 4. *Packet return by type of packet, charges, and victim*

	Not Returned % (n)	Returned % (n)
Type of packet		
Original	83.8% (98)	16.2% (19)
Revised	82.1% (96)	17.9% (21)
Type of charges**		
Crimes against persons	91.3% (94)	8.7% (9)
Property crimes	76.3% (100)	23.7% (31)
Type of victim**		
Individual	86.3% (157)	13.7% (25)
Business	71.2% (37)	28.8% (15)
Total Packets Returned	82.9% (194)	17.1% (40)

$p < .01$

Summary

This exploratory study examined whether an improved registration packet, designed to more effectively communicate written information about victims' rights, court procedures, and forms victims need to submit to exercise their rights, would lead to a higher return rate of these packets. The hypothesis that crime victims receiving the revised packet would return them at a greater rate than victims who received the original packet was not supported.

There are several potential explanations that could account for the lack of significant findings with regards to return rates. It is possible that packets distributed later were not tracked for a long enough time. However, the last packet sent out was

tracked for 52 days, the average number of days to return for those victims who did return packets was 18 days, and 95% of these victims returned their packet within 44 days.

Victims may be more likely to return their registration packet closer to the resolution of the court case. Indictable criminal cases in Iowa can take between six and 12 months to be resolved.³⁶ Victim witness coordinators did note that they are more likely to follow-up with victims as a case gets closer to sentencing so victims that return packets prior to this outreach may have some other motivation for doing so. County prosecutors in Hartley and McCrory's⁸ needs assessment study noted that victims with higher dollar losses (i.e., property crimes) or who are more indignant or outraged about their victimization were more likely to register. Victims of property crime in this study were more likely to return packets than victims of a personal crime.

Dubuque County, unlike other counties, does register victims for court hearing notifications even if the victims do not return their packets, whereas other counties require victims to request to be registered to receive notifications. It is possible fewer victims returned packets overall as a result of being informed of this procedure in the packet cover letter; although they are asked to return victim impact statements and restitution claim forms, which are not processed if they are not returned. It is also possible that some property crime victims did not have any crime related losses that were not covered by insurance, thereby negating the need to return the restitution claim forms. Victims of property crimes may also be less inclined to want to submit a victim impact statement, particularly if the perpetrator was unknown to them.

³⁶ Iowa Judicial Branch (December, 2015). *Guide to Iowa's court system*. Retrieved from <http://publications.iowa.gov/6849/1/guidetocourtsystemdec06.pdf>.

A variety of other factors could influence victims' choices to complete a victim impact statement. In a study of the characteristics of victims who were more likely to choose to deliver their impact statement in the Dutch courts, Lens, Pemberton, and Bogaerts³⁷ found that victims of violent crimes whose cases were more complex and serious and who were suffering from poorer psychological functioning as a consequence of their victimization were more likely to choose to deliver a victim impact statement in court than those who chose not to deliver a statement. The authors conclude that the impact of the crime on the victim strongly influenced their choices to deliver an impact statement.

Conclusions

Although the central hypothesis was not supported, there are some important findings that can be gleaned from the study. First, only a small number of victims (17%) returned any paperwork to the court but it is unclear if this lack of a return is the result of victims choosing not to exercise their victims' rights or if there are some other barriers to exercising their rights. It is also worrisome that few victims of personal crimes completed registration information. These victims would most benefit from restitution and compensation for crime related losses due injuries and safety protections such as offender custody notifications and protective orders.

Despite empirical support for the effectiveness of a revised registration packet on return rates, the empirical literature reviewed in this report on plain language and document design, along with Hartley and McCrory's findings about the readability levels of victim registration packets, would nonetheless support to revision of victim

³⁷ Lens, K. M., Pemberton, A., & Bogaerts, S. (2013). Heterogeneity in victim participation: A new perspective on delivering a Victim Impact Statement. *European Journal of Criminology*, 10(4), 479-495.

registration packets to improve their ability to act as a stand-alone documents for communicating important information to victims about the court process and their rights.

Appendix A

[(template_type=by_case_then_defendant)]
[(start_case_loop)]
[(start_defendant_loop)]

VICTIM ASSISTANCE PROGRAM
OFFICE OF THE COUNTY ATTORNEY
DUBUQUE COUNTY COURTHOUSE
720 CENTRAL AVENUE, DUBUQUE IOWA 52001
1-563-589-7811

[(dc_datetime)f:mmmmd,yyyy]

[(dp_full_name)c:victim;]
[(dp_fulladdr)c:victim;]

RE: Defendant: [(dp_full_name)c:Defendant;]; [(dp_full_name)c:Co-Defendant;]
C A #: [(dnum_value)c:dnum_type=File Number]
Court #: [(dnum_value)c:dnum_type=Court Number]
LE Case #: [(dnum_value)c:dnum_type=Agency Number]
Offense: [(dch_arrestcharge)f:Upper]

Dear [(dp_full_name)c:victim;name:'PL'],

The Dubuque County Attorney's Office has assigned me to assist you in the above case. I have registered you as a victim with the Clerk of Court who will provide you with information as this case progresses through the court system. You can sign up with **IowaVINE**, an information and notification service, that will provide you with current information on the incarceration status of the above listed defendant. To sign up, call **1-888-7-IAVINE** or go to www.vinelink.com. You are also welcome to contact this office with any questions you may have about the case status.

You have several rights as a registered victim. They include:

RIGHT TO RESTITUTION: Victims, upon a guilty plea have a right to restitution for any losses directly resulting from the crime. These losses are expenses you are responsible for. Any insurance deductible you are responsible for is considered restitution and should be included on the attached form and returned to this office.

CRIME VICTIM COMPENSATION PROGRAM: If you have been injured and require medical treatment, counseling, or have lost wages as a result of this crime, please apply to this program. If you have not received a brochure, please call **1-800-373-5044** to apply by phone, referring to the case information listed above.

VICTIM IMPACT STATEMENT: You have a right as a victim to tell the judge how this crime has affected you. You may address the court verbally and/or in writing using the enclosed Victim Impact Statement as a format. Please return the form if you wish to have your written statement included in the judge's file for this case. Please contact me if you'd like help writing your victim impact statement.

It is important that you respond promptly to the above items that you wish us to address regarding this case. If you have any questions please call. ***Please keep this letter***, as you may need to refer to the above information if you call about this case.

Thank you,

Holly M. Elliott, LISW
Victim/Witness Coordinator
hmelliott@dbqco.org

IN THE DISTRICT COURT OF IOWA IN AND FOR DUBUQUE COUNTY

X State of Iowa
City of

Case No. 01311[(dnum_value)c:dnum_type=Court

Number]
County of
(choose one)

Plaintiff

Vs.

VICTIM IMPACT STATEMENT
(CONFIDENTIAL DOCUMENT)

[(dp_full_name)c:Defendant;] ; [(dp_full_name)c:Co-Defendant;]

Defendant

CA NUMBER: [(dnum_value)c:dnum_type=File Number]

OFFENSE: [(dch_arrestcharge)f:Upper]

PROSECUTOR: [(dp_full_name)c:Prosecuting Attorney;]

Victim: [(dp_full_name)c:victim;]

As a victim, you have a right to address the court at the sentencing of the defendant by preparing a Victim Impact Statement. You have a right to provide this to the court orally and/or in writing. The Victim Impact Statement is optional. This is your opportunity to state what impact this crime has made on you and your family. The judge has information about the crime, but not how it has affected you. Please return your statement to this office and it will be filed in the court record for the judge to read. Upon filing this form, the defendant will have access to your Victim Impact Statement. Please indicate below if you'd like to be present for the sentencing hearing. You may use the back of this page or additional paper if needed. **Please sign your name after your statement.

I. HOW HAVE THE DEFENDANT'S ACTIONS AFFECTED YOU?

FINANCIAL/PHYSICAL IMPACT

Off work because of: ()Injuries ()Medical Care ()Counseling ()Court Appearances
Incurred: ()Property/Financial Loss ()Property Damage ()Medical Expenses ()Inconvenience

EMOTIONAL IMPACT

()Fear ()Depression ()Sleep Problems ()Concern for Safety

II. DESCRIBE ANY PHYSICAL INJURY AND TREATMENT YOU HAVE RECEIVED AS A RESULT OF THIS CRIME.

III. HAS THIS CRIME RESULTED IN COUNSELING FOR YOU OR YOUR FAMILY? DO YOU ANTICIPATE ANY IN THE FUTURE?

IV. HOW SHOULD THE JUDGE SENTENCE THE DEFENDANT IN THIS CASE?

- ()PROBATION (check one or more of the following conditions)
()Restitution owed: \$
()Fine ()Charitable Contributions ()Community Service
()Substance abuse evaluation and treatment
()First-time offender class ()Assaultive behavior class
()No Contact Order (order prohibiting offender from having contact with victim)
()Other:
()INCARCERATION (prison or jail)

COMMENTS:

Multiple horizontal lines for writing comments.

Signature Date

RESTITUTION CLAIM FORM

Defendant: [(dp_full_name)c:Defendant;]; [(dp_full_name)c:Co-Defendant;]
Court No.: [(dnum_value)c:dnum_type=Court Number] Attorney: [(dp_full_name)c:Prosecuting Attorney;]
Case No.: [(dnum_value)c:dnum_type=File Number] Offense: [(dch_arrestcharge)f:Upper]

Victim: [(dp_full_name)c:victim;]
D.O.B.: [(dp_dob)f:mm/dd/yyyy;c:victim]

We need your current address & phone number in order to make sure restitution can be mailed to you! Please make any corrections and notify us if there are changes in the future.

Current Address: [(dp_addr1)c:victim;]
[(dp_addr2)c:victim;]
[(dp_city)c:victim;], [(dp_state)c:victim;] [(dp_zip)c:victim;]
Home Phone:[(dp_homephone)c:victim] Work Phone #:[(dp_workphone)c:victim] Cell Phone #:
[(dp_cell)c:victim]
Email Address: [(dp_email)c:victim;]

Please answer only those questions that apply to you and the crime you were a victim of.

Medical Expenses

Have you had medical, dental, or counseling expenses due to this crime? If so, what is the total?
(Please attach any documentation or explain on the back of this form.) \$ _____

Will you be reimbursed by an insurance company or Title XIX for any or all medical expenses?
Amount insurance paid \$ _____
Deductible/ Copay \$ _____

Lost Wages

Have you incurred lost wages due to medical treatment or court appearances? If so, what is the total?
(Please list your employer, a contact person, and phone number on the back of this form.
Include number of hours missed as well as your hourly wage.) \$ _____

The Crime Victim Compensation Program may provide assistance with the above expenses not covered by insurance. If you have not already applied, please complete the attached brochure or call 1-800-373-5044.

Property Losses

Please itemize damaged or stolen property, as well as other financial losses you've incurred due to theft, forgery or bad checks on the back of this form. What is the total loss? \$ _____

Will you be paid by an insurance company for these losses? If so, the reimbursement equals: \$ _____

Has the defendant paid any money for your losses? If so, how much has the defendant paid? \$ _____

What are your total out of pocket expenses? (Do not include medical expenses or lost wages.)\$ _____

Is any of your property being held for evidence? [] YES [] NO
Please itemize on the back of this form.

Enclose copies of any receipts you have for losses.

Signature: _____ Date: _____

[(template_type=by_case_then_defendant)]
[(start_case_loop)]
[(start_defendant_loop)]

VICTIM ASSISTANCE PROGRAM
OFFICE OF THE COUNTY ATTORNEY
DUBUQUE COUNTY COURTHOUSE
720 CENTRAL AVENUE, DUBUQUE IOWA 52001
1-563-589-7811

[(dc_datetime)f:mmmmd,yyyy]

[(dp_full_name)c:victim;]
[(dp_fulladdr)c:victim;]

RE: Defendant: [(dp_full_name)c:Defendant;]; [(dp_full_name)c:Co-Defendant;]

CA #: [(dnum_value)c:dnum_type=File Number]
Court #: [(dnum_value)c:dnum_type=Court Number]
LE Case #: [(dnum_value)c:dnum_type=Agency Number]
Offense: [(dch_arrestcharge)f:Upper]

Dear [Name of Victim],

Explains who the sender is first and what this person does.

Wider margins to create more white space to make it easier to read.

I am the victim witness coordinator in the Dubuque County Attorney's Office. My job is to assist people who have been a victim of a crime. The person whose name is listed above as the defendant has been charged with a crime and you are listed in the reports we received as the victim of this crime.

Use personal pronouns - "registered you" - while keeping the text formal yet conversational.

Explain technical terms and concepts or ones that the reader is likely not familiar with such as "being registered."

I have already registered you as the victim of this crime. Being registered means you can find out what is happening with this case as it moves through the court system.

Create headings to assist the reader in navigating the document.

As a crime victim you have several rights.

Clear states the right in first person

First, if the defendant is convicted or pleads guilty in this case, you have a **RIGHT TO RESTITUTION**. Restitution means the defendant is ordered to pay for any losses you have because of the crime which are not covered by insurance. For the judge to be able to order restitution, you need to fill out the Restitution Claim Form included in this packet.

Keep sentences between 15-20 words on average

Second, you have the right to apply for financial assistance from the **CRIME VICTIM COMPENSATION PROGRAM** if you were a victim of a violent crime. This program can help you pay for expenses you have related to the crime. Expenses may include medical and dental bills or counseling that your insurance didn't cover. The program can

Indented to create more white space to engage the reader, allows for easy navigation of the text and highlights each right in its own paragraph.

Plain language avoids use of jargon the audience may not familiar with. When a technical term is necessary, it is explained or defined.

Active voice should be used in plain language text. Active voice also increases readability.

also pay for wages you lost if you have been unable to work. Most importantly, this program can pay for these expenses before the defendant's criminal case is finished. You can also receive help even if the defendant is found not guilty of the crime.

To find out if you can receive compensation you can call 1-800-373-5044 or go online to complete a claim at <https://www.iowaattorneygeneral.gov/for-crime-victims/crime-victim-compensation-program/>

Third, you have the right to make a **VICTIM IMPACT STATEMENT**. This statement lets you tell the Judge how this crime has affected you. The Judge will read your statement before sentencing the defendant. If you want to make a statement, you can use the Victim Impact Statement form included in this packet. You can come to court the day the defendant is sentenced to read your statement. If I can help you with your victim impact statement, please contact me.

Describe a sequence – first, second, third.

Fourth, if the defendant was put in jail at the time of the arrest or is sent to jail or prison if convicted, you have a right to be **NOTIFIED** if he or she is still in custody or has been released from jail or prison. To be notified you need to sign up with **IowaVINE**. This is a free service for people who have been a victim of a crime. You can sign up by phone at **1-888-7-IAVINE** or email at www.vinelink.com. I have included a brochure about IowaVINE.

To summarize:

Provide a summary of key points.

If you want the Judge to be able to order the defendant to pay restitution you have to fill out, sign, and return the **Restitution Claim Form**.

If you want the Judge to hear how the crime has affected you, you need to fill out, sign, and return the **Victim Impact Statement**.

The criminal court process can be extremely long and frustrating. For us to keep in touch with you during this time, we need to know how to reach you. Please let us know if phone number, mailing address, or email changes.

If I can help you fill out these forms or if you have any questions about this case, please feel free to call me at (***) ***-**** or email *****. I have enclosed a stamped envelope for you to return the forms to me.

Tone is important when considering a plain language text. This is conversational and empathic.

Sincerely,

[victim witness coordinator]

RESTITUTION CLAIM FORM

Defendant: **[(dp_full_name)c:Defendant;];**
[(dp_full_name)c:Co-Defendant;]
 Court No.: **[(dnum_value)c:dnum_type=Court Number]**

Attorney: **[(dp_full_name)c:Prosecuting Attorney;]**

Case No.: **[(dnum_value)c:dnum_type=File Number]**
 Offense: **[(dch_arrestcharge)f:Upper]**

Overall, the form has more white space, and the language throughout is simplified.

Victim: **[(dp_full_name)c:victim;]**
 D.O.B.: **[(dp_dob)f:mm/dd/yyyy;c:victim]**

Current Address: **[(dp_addr1)c:victim;]**
[(dp_addr2)c:victim;]
[(dp_city)c:victim;], [(dp_state)c:victim;] [(dp_zip)c:victim;]

Home Phone: **[(dp_homephone)c:victim]**
 Work Phone #: **[(dp_workphone)c:victim]**
 Cell Phone #: **[(dp_cell)c:victim]**
 Email Address: **[(dp_email)c:victim;]**

Provides an explanation of restitution and what the person needs to do to get an order. Also describes how it is paid.

You can use this claim form to tell the Judge about any bills, lost wages, or lost property you had because of the crime. If the defendant is found guilty, the Judge can order the defendant to pay for these losses. To order the defendant to pay, the Judge needs to know how much money you lost. You also have to provide copies of bills or receipts for these losses.

The Judge can only order the defendant to pay for any losses that happened because of the crime. You should also know that it may take some time for the defendant to pay you all the money you are owed and it is possible the defendant will not pay all the money. When the defendant pays the money, the Clerk of the Court will mail it to you. For the Clerk to be able to send you the money, they need your current address and phone number. If you move or change phone numbers in the future, you should call the Clerk's Office to let them know.

Medical Expenses

How much medical, dental, or counseling expenses do you have to pay for because of this crime? (Please attach any bills or explain the expenses on the back of this form.)

\$ _____

Simplified the language/explanation.

How much money did your insurance company, Medicaid, or Medicare pay for these expenses?

\$ _____

How much did you have to pay out of your own pocket (deductible/co-pay) for these expenses?

\$ _____

Lost Wages

Simplified the language, use of first person "money you lost"

How much money have you lost because you had to miss work because of this crime? You may have missed work because you were injured, or you had to go to doctor's or

counseling appointments, or you had to come to court?

\$ _____

How many hours of work have you missed because of this crime? _____

How much do you make per hour? _____

Name of your employer: _____

Name of your supervisor: _____ Phone number: _____

Property Losses

How much money did you lose because the defendant damaged or stole your property?

Total \$ _____

What kind of losses did you have (check all that apply)?

- () the defendant damaged my property
- () the defendant stole my property
- () the defendant stole money from me
- () the defendant forged or passed bad checks at my business

How much did you or will you receive from an insurance company for these losses?

\$ _____

How much money has the defendant paid you, if any, for your losses?

\$ _____

What are your total out of pocket expenses? (Total property losses minus money from your insurance company or the defendant)

\$ _____

Is any of your property being held for evidence? YES NO

If yes, what property is being held:

Please be sure to attach copies of any bills or receipts you have for your losses.

Signature: _____

Date: _____

The Crime Victim Compensation Program may be able to help you with some of these expenses that are not covered by insurance. If you have not already applied, you can complete the attached brochure or call 1-800-373-5044

IN THE DISTRICT COURT OF IOWA AND FOR DUBUQUE COUNTY

X State of Iowa
_____ City of _____

Case No.

01311[(dnum_value)c:dnum_type=Court Number]

_____ County of _____
(choose one)

Plaintiff

Vs.

VICTIM IMPACT STATEMENT

(CONFIDENTIAL DOCUMENT)

[(dp_full_name)c:Defendant;] ; [(dp_full_name)c:Co-Defendant;]

Defendant

CA NUMBER: [(dnum_value)c:dnum_type=File Number]

OFFENSE: [(dch_arrestcharge)f:Upper]

PROSECUTOR: [(dp_full_name)c:Prosecuting Attorney;]

Victim: [(dp_full_name)c:victim;]

Uses large font, broke up the key points about the statement in to separate paragraphs, informs victim of how the statement is used.

VICTIM IMPACT STATEMENT

As a crime victim, you have a right to speak to the court before the Judge sentences the defendant. The Judge knows about the crime the defendant committed but **not** how it has affected you. To help the Judge understand what happened to you, you can complete this Victim Impact Statement.

When you return this Victim Impact Statement, the Clerk of the Court will put it in the court file for this case. The Judge and the County Attorney will read your impact statement before the defendant is sentenced. You should also know that the defendant will be able to read your statement.

You also have the right to come to court when the defendant is sentenced to read your impact statement in front of the defendant.

After you finish filling out this form, please make sure you sign it. You may write on the back of this paper or attach another sheet of paper if you need to.

I. TELL US HOW HAVE THE DEFENDANT'S ACTIONS AFFECTED YOU?

How has the crime affected you physically (check all that apply)?

First person – speaks directly to recipient

() I was injured because of the crime. Please describe your injuries:

() I received medical or dental care because of my injuries. Please describe the care you received:

() I or my family received counseling because of how the crime affected us.

Do you think you will need counseling in the future because of the crime?

Yes No

() I have had miss work because of my injuries.

() I have had to miss work because of medical or counseling appointments or to come to court hearings.

How has the crime affected you financially (check all that apply)?

() I have medical expenses because of the crime.

() The defendant stole money or property from me.

() The defendant damaged my property.

() I have lost wages because of the crime.

() I have been inconvenienced because of the crime.

II. HOW DO YOU THINK THE JUDGE SHOULD SENTENCE THE DEFENDANT IN THIS CASE?

() The defendant should be sentenced to probation. As part the defendant's probation:

() The defendant should be ordered to pay my losses from the crime (restitution).

How much do you estimate your losses to be: \$_____

() The defendant should be made to pay a fine.

() The defendant should be ordered to give money to charity.

- The defendant should be required to do community service.
- The defendant should have to complete a substance abuse evaluation and treatment.
- The defendant should attend a first-time offender class.
- The defendant should attend an assaultive behavior class.
- The Court should order No Contact Order stating the defendant can have no contact with me.
- Other:_____

The defendant should be sent to jail or prison.

Is there anything else you would like the Judge to know before the defendant is sentenced?

THANK YOU for taking the time to fill out this victim impact statement. Please tell us what you want to do on the day the defendant is sentenced.

- I would like to come to court and read my statement.
- I would like be in court but have someone else read my statement.
- I do not want my statement read out loud. I would just like the judge to read it. But I would like be in court when the defendant is sentenced.
- I do not want to be in court when the defendant is sentenced.

Signature

Date

[(template_type=by_case_then_defendant)]
[(start_case_loop)]
[(start_defendant_loop)]

VICTIM ASSISTANCE PROGRAM
OFFICE OF THE COUNTY ATTORNEY
DUBUQUE COUNTY COURTHOUSE
720 CENTRAL AVENUE, DUBUQUE IOWA 52001
1-563-589-7811

[(dc_datetime)f:mmmmd,yyyy]

[(dp_full_name)c:victim;]
[(dp_fulladdr)c:victim;]

RE: Defendant: [(dp_full_name)c:Defendant;]; [(dp_full_name)c:Co-Defendant;]

CA #: [(dnum_value)c:dnum_type=File Number]
Court #: [(dnum_value)c:dnum_type=Court Number]
LE Case #: [(dnum_value)c:dnum_type=Agency Number]
Offense: [(dch_arrestcharge)f:Upper]

Dear [Name of Victim],

I am the victim witness coordinator in the Dubuque County Attorney’s Office. My job is to assist people who have been a victim of a crime. The person whose name is listed above as the defendant has been charged with a crime and you are listed in the reports we received as the victim of this crime.

I have already registered you as the victim of this crime. Being registered means you can find out what is happening with this case as it moves through the court system.

As a crime victim you have several rights.

First, if the defendant is convicted or pleads guilty in this case, you have a **RIGHT TO RESTITUTION**. Restitution means the defendant is ordered to pay for any losses you have because of the crime which are not covered by insurance. For the judge to be able to order restitution, you need to fill out the Restitution Claim Form included in this packet.

Second, you have the right to apply for financial assistance from the **CRIME VICTIM COMPENSATION PROGRAM** if you were a victim of a violent crime. This program can help you pay for expenses you have related to the crime. Expenses may include medical and dental bills or counseling that your insurance didn’t cover. The program can also pay for wages you lost if you have been unable to work. Most importantly, this program can pay for these expenses before the defendant’s criminal case is finished. You can also receive help even if the defendant is found not guilty of the crime.

To find out if you can receive compensation you can call 1-800-373-5044 or go online to complete a claim at <https://www.iowaattorneygeneral.gov/for-crime-victims/crime-victim-compensation-program/>

Third, you have the right to make a **VICTIM IMPACT STATEMENT**. This statement lets you tell the Judge how this crime has affected you. The Judge will read your statement before sentencing the defendant. If you want to make a statement, you can use the Victim Impact Statement form included in this packet. You can come to court the day the defendant is sentenced to read your statement. If I can help you with your victim impact statement, please contact me.

Fourth, if the defendant was put in jail at the time of the arrest or is sent to jail or prison if convicted, you have a right to be **NOTIFIED** if he or she is still in custody or has been released from jail or prison. To be notified you need to sign up with **IowaVINE**. This is a free service for people who have been a victim of a crime. You can sign up by phone at **1-888-7-IAVINE** or email at www.vinelink.com. I have included a brochure about IowaVINE.

To summarize:

1. If you want the Judge to be able to order the defendant to pay restitution you have to fill out, sign, and return the **Restitution Claim Form**.
2. If you want the Judge to hear how the crime has affected you, you need to fill out, sign, and return the **Victim Impact Statement**.

The criminal court process can be extremely long and frustrating. For us to keep in touch with you during this time, we need to know how to reach you. Please let us know if phone number, mailing address, or email changes.

If I can help you fill out these forms or if you have any questions about this case, please feel free to call me at (***) ***-**** or email *****. I have enclosed a stamped envelope for you to return the forms to me.

Sincerely,

[victim witness coordinator]

RESTITUTION CLAIM FORM

Defendant: [(dp_full_name)c:Defendant;]; [(dp_full_name)c:Co-Defendant;]
 Court No.: [(dnum_value)c:dnum_type=Court Number]
 Attorney: [(dp_full_name)c:Prosecuting Attorney;]
 Case No.: [(dnum_value)c:dnum_type=File Number]
 Offense: [(dch_arrestcharge)f:Upper]

Victim: [(dp_full_name)c:victim;]
 D.O.B.: [(dp_dob)f:mm/dd/yyyy;c:victim]

Current Address: [(dp_addr1)c:victim;]
 [(dp_addr2)c:victim;]
 [(dp_city)c:victim;], [(dp_state)c:victim;] [(dp_zip)c:victim;]

Home Phone: [(dp_homephone)c:victim]
 Work Phone #: [(dp_workphone)c:victim]
 Cell Phone #: [(dp_cell)c:victim]
 Email Address: [(dp_email)c:victim;]

You can use this claim form to tell the Judge about any bills, lost wages, or lost property you had because of the crime. If the defendant is found guilty, the Judge can order the defendant to pay for these losses. To order the defendant to pay, the Judge needs to know how much money you lost. You also have to provide copies of bills or receipts for these losses.

The Judge can only order the defendant to pay for any losses that happened because of the crime. You should also know that it may take some time for the defendant to pay you all the money you are owed and it is possible the defendant will not pay all the money. When the defendant pays the money, the Clerk of the Court will mail it to you. For the Clerk to be able to send you the money, they need your current address and phone number. If you move or change phone numbers in the future, you should call the Dubuque County Clerk's Office at 563-589-4418 to let them know.

Medical Expenses

How much medical, dental, or counseling expenses do you have to pay for because of this crime? (Please attach any bills or explain the expenses on the back of this form.)

\$ _____

How much money did your insurance company, Medicaid, or Medicare pay for these expenses?

\$ _____

How much did you have to pay out of your own pocket (deductible/co-pay) for these expenses?

\$ _____

Lost Wages

How much money have you lost because you had to miss work because of this crime? You may have missed work because you were injured, or you had to go to doctor's or

counseling appointments, or you had to come to court?

\$ _____

How many hours of work have you missed because of this crime? _____

How much do you make per hour? _____

Name of your employer: _____

Name of your supervisor: _____ Phone number: _____

Property Losses

How much money did you lose because the defendant damaged or stole your property?

Total \$ _____

What kind of losses did you have (check all that apply)?

- () the defendant damaged my property
- () the defendant stole my property
- () the defendant stole money from me
- () the defendant forged or passed bad checks at my business

How much did you or will you receive from an insurance company for these losses?

\$ _____

How much money has the defendant paid you, if any, for your losses?

\$ _____

What are your total out of pocket expenses? (Total property losses minus money from your insurance company or the defendant)

\$ _____

Is any of your property being held for evidence? YES NO

If yes, what property is being held:

Please be sure to attach copies of any bills or receipts you have for your losses.

Signature: _____

Date: _____

The Crime Victim Compensation Program may be able to help you with some of these expenses that are not covered by insurance. If you have not already applied, you can complete the attached brochure or call 1-800-373-5044

IN THE DISTRICT COURT OF IOWA AND FOR DUBUQUE COUNTY

State of Iowa

_____ City of _____

Case No.

01311[(dnum_value)c:dnum_type=Court Number]

_____ County of _____
(choose one)

Plaintiff

Vs.

VICTIM IMPACT STATEMENT

(CONFIDENTIAL DOCUMENT)

[(dp_full_name)c:Defendant;] ; [(dp_full_name)c:Co-Defendant;]

Defendant

CA NUMBER: [(dnum_value)c:dnum_type=File Number]

OFFENSE: [(dch_arrestcharge)f:Upper]

PROSECUTOR: [(dp_full_name)c:Prosecuting Attorney;]

Victim: [(dp_full_name)c:victim;]

VICTIM IMPACT STATEMENT

As a crime victim, you have a right to speak to the court before the Judge sentences the defendant. The Judge knows about the crime the defendant committed but **not** how it has affected you. To help the Judge understand what happened to you, you can complete this Victim Impact Statement.

When you return this Victim Impact Statement, the Clerk of the Court will put it in the court file for this case. The Judge and the County Attorney will review your impact statement before the defendant is sentenced. You should also know that the defendant will be able to read your statement.

You also have the right to come to court when the defendant is sentenced to read your impact statement in front of the defendant.

After you finish filling out this form, please make sure you sign it. You may write on the back of this paper or attach another sheet of paper if you need to.

I. TELL US HOW HAVE THE DEFENDANT'S ACTIONS AFFECTED YOU?

How has the crime affected you physically (check all that apply)?

() I was injured because of the crime. Please describe your injuries:

I received medical or dental care because of my injuries. Please describe the care you received:

I or my family received counseling because of how the crime affected us.

Do you think you will need counseling in the future because of the crime?

Yes No

I have had miss work because of my injuries.

I have had to miss work because of medical or counseling appointments or to come to court hearings.

How has the crime affected you financially (check all that apply)?

I have medical expenses because of the crime.

The defendant stole money or property from me.

The defendant damaged my property.

I have lost wages because of the crime.

I have been inconvenienced because of the crime.

II. HOW DO YOU THINK THE JUDGE SHOULD SENTENCE THE DEFENDANT IN THIS CASE?

The defendant should be sentenced to probation. As part the defendant's probation:

The defendant should be ordered to pay my losses from the crime (restitution).

How much do you estimate your losses to be: \$_____

The defendant should be made to pay a fine.

The defendant should be ordered to give money to charity.

The defendant should be required to do community service.

- () The defendant should have to complete a substance abuse evaluation and treatment.
- () The defendant should attend a first-time offender class.
- () The defendant should attend an assaultive behavior class.
- () The Court should order No Contact Order stating the defendant can have no contact with me.
- () Other: _____

() The defendant should be sent to jail or prison.

Please describe in your own words how the crime has affected you and your family emotionally or psychologically? What kind of changes have you had in your life because of the crime?

Please describe what being a victim of a crime has meant to you and your family?

Is there anything else you would like the Judge to know before the defendant is sentenced?

THANK YOU for taking the time to fill out this victim impact statement. Please tell us what you want to do on the day the defendant is sentenced.

- I would like to come to court and read my statement.
- I would like be in court but have someone else read my statement.
- I do not want my statement read out loud. I would just like the judge to read it. But I would like be in court when the defendant is sentenced.
- I do not want to be in court when the defendant is sentenced.

Signature

Date

Crimes Against Persons	Property Crimes
Assault Assault on Police Officer Assault w/ a Dangerous Weapon Assault w/ Injury Assault w/ Injury; Criminal Mischief 5th Assault/ Criminal Mischief 4th Attempted Murder Burglary 1 st Burg 3rd, Harassment 1st, Criminal Mischief 4th Child Endangerment Child Endangerment, Domestic Assault w/ Injury Child Endangerment/Domestic Assault Domestic Assault Domestic Assault w/ Injury Domestic Assault w/ Injury, Child Endangerment Domestic Assault w/ Injury, Criminal Mischief 4th Domestic Assault w/ Injury, Harassment Domestic Assault, Criminal Mischief 5th Domestic Assault/Child Endangerment Domestic Assault/False Imprisonment Domestic Assault/Harassment Going Armed w/ Intent Harassment 1st Harassment 1st; Assault w/ Injury Harassment 2nd Harassment 3rd Harassment/Domestic Assault w/ Injury Interference w/ Injury Kidnapping 1st Leaving the scene of a Serious Injury Accident Robbery 1st Robbery 2nd Robbery 3rd Sexual Abuse 2 nd Stalking Theft 3rd, Assault w/ Injury Willful Injury w/ Serious Injury	Arson 1st Arson 2nd Burglary 2nd Burglary 3rd Degree CM 3rd, Theft 4th, OMWOC Credit Card Fraud Criminal Mischief 2nd Criminal Mischief 2nd/Theft 2nd Criminal Mischief 3rd Criminal Mischief 4th Driving Under Revocation-Acc Driving Under Suspension Eluding; OWI Forgery Forgery/Theft 2nd Ongoing Criminal Conduct OMWOC OWI Theft 2nd Theft 2nd/Dep Adult Abuse Theft 3rd Theft 4th Theft 5th Trespass