



It is unlikely for defendants to be sentenced to the maximum possible sentence however please be honest and candid with your views on sentencing.

- The *maximum* penalty for a class AA Felony is: life imprisonment without parole.
- The *maximum* penalty for a class A Felony is: 20 years imprisonment, a fine of \$20,000, or both.
Other options for sentencing include:
 - 4 yr. minimum mandatory prison sentence for use of dangerous weapon, explosive, destructive device, or firearm
 - fees
 - restitution
 - probation (supervised or unsupervised)
 - treatment (substance abuse, mental health, domestic violence, anger management, sex offender)
 - amended charge (the charge is changed to a lower level felony or misdemeanor charge)
 - misdemeanor by disposition (the charge is reduced to a misdemeanor following the defendant's successful completion of the term of imprisonment – not to exceed 1 year, and probation)
 - deferred imposition (charge is removed from defendant's criminal record following successful completion of probation)
- The *maximum* penalty for a class B Felony is: 10 years imprisonment, a fine of \$20,000, or both.
Other options for sentencing include:
 - 4 yr. minimum mandatory prison sentence for use of dangerous weapon, explosive, destructive device, or firearm
 - fees
 - restitution
 - probation (supervised or unsupervised)
 - treatment (substance abuse, mental health, domestic violence, anger management, sex offender)
 - amended charge (the charge is changed to a lower level felony or misdemeanor charge)
 - misdemeanor by disposition (the charge is reduced to a misdemeanor following the defendant's successful completion of the term of imprisonment – not to exceed 1 year, and probation)
 - deferred imposition (charge is removed from defendant's criminal record following successful completion of probation)
- The *maximum* penalty for a class C Felony is: 5 years imprisonment, a fine of \$10,000, or both.
Other options for sentencing include:
 - 2 yr. minimum mandatory prison sentence for use of dangerous weapon, explosive, destructive device, or firearm
 - fees
 - restitution
 - presumptive probation – defendant automatically qualifies for probation and no jail time if crime is non-violent, not domestic violence related, and not involving firearm/dangerous weapon which would result in a minimum mandatory sentence; has no prior felony or A misdemeanor offense prior to the date of offense
 - probation (supervised or unsupervised)
 - treatment (substance abuse, mental health, domestic violence, anger management, sex offender)
 - amended charge (the charge is changed to a misdemeanor offense)
 - deferred imposition (charge is removed from defendant's criminal record following successful completion of probation)
- The *maximum* penalty for a class A Misdemeanor is: one year imprisonment, a fine of \$3,000, or both.
Other options for sentencing include:
 -
 - fees
 - restitution
 - presumptive probation – defendant automatically qualifies for probation and no jail time if crime is non-violent, not domestic violence related, and not involving firearm/dangerous weapon which would result in a minimum mandatory sentence; has no prior felony or A misdemeanor offense prior to the date of offense
 - probation (supervised or unsupervised)
 - treatment (substance abuse, mental health, domestic violence, anger management, sex offender)
 - amended charge (the charge is lowered to a B Misdemeanor offense)
 - deferred imposition (charge is removed from defendant's criminal record following successful completion of probation)
- The *maximum* penalty for a class B Misdemeanor is: 30 days imprisonment, a fine of \$1,500, or both.
Other options for sentencing include:
 - fees
 - restitution
 - probation (supervised or unsupervised)
 - treatment (substance abuse, mental health, domestic violence, anger management, sex offender)
 - deferred imposition of sentence (the charge is removed from the defendant's criminal record following successful completion of probation).

Victim Impact Statement

An Informational Guide

What is a Victim Impact Statement?

- A Victim Impact Statement is an opportunity for you to explain in your own words how a crime has affected you and the people close to you. The statement may include an explanation of the nature and extent of any physical, psychological, emotional, or economic harm or trauma suffered, and a recommendation for an appropriate sentence.

Who may complete a Victim Impact Statement?

- A Victim Impact Statement may be submitted by you and the people close to you.

How will my Victim Impact Statement be used?

- The information that you give in your statement is helpful to the Court in understanding the full effects of the crime on you. This document is filed confidentially with the Court. This statement will be shared with the defense attorney and the defendant as well as the probation officer if applicable. If an oral impact statement is given, it will be under oath and subject to cross examination by the defense attorney.

How do I complete the Victim Impact Statement?

- The Victim Impact Statement is to be written in your own words, there is no one way to complete the Victim Impact Statement. Describe the emotional and physical effects the crime has had on you, your family or those close to you.

Ideas or Consideration for Completing your Statement:

- **Emotional:**
 - Do you feel fearful, vulnerable, helpless, violated, and angry?
 - Do you feel uncomfortable or frightened in your own home?
 - Have you changed your lifestyle? Do you restrict your activities? Do you avoid going out at certain times?
 - Has the crime affected your relationship with your partner, spouse, friends, family or colleagues?
 - Has the crime affected your ability to work or study?

- **Physical:**
 - Do you have any physical discomfort or illnesses because of this crime?
 - What treatment have you received or are required to receive in the future?
 - Do you have a permanent or long term disability or injury as a result of this crime?

Is a Victim Impact Statement Required?

- No, submitting a Victim Impact Statement is completely voluntary; although it can assist with plea negotiations or sentencing.

Can someone help me with my Victim Impact Statement?

- Yes, however it is important to remember that the Victim Impact Statement should be in your own words.

Will I receive compensation for the financial impacts I describe in my Victim Impact Statement?

- See Marsy's Law Card with summary of Victim's Rights.

Where should I submit my Victim Impact Statement?

- Mail, Email, or Fax to:
 - **Ward County State's Attorney's Office**
Ward County Courthouse
315 3rd St. SE
P.O. Box 5005
Minot, ND 58701-5005
Phone - (701)857-6480
Fax - (701)857-6580
51wardsa@wardnd.com