

VICTIM IMPACT STATEMENT UPDATE

IMPORTANT INFORMATION FOR THE FAMILIES OF VICTIMS OF THE STATION FIRE

The sentencing hearing for Defendant Daniel Biechele has been set for May 8, 2006. As you may be aware, the Probation Office, the Office of the Attorney General, and the Rhode Island Victims' Advocacy & Support Center have been making a widespread effort to reach individuals who have been affected by a death of a family member as a result of the Station nightclub fire in order to determine whether those family members would like to submit an impact statement detailing the nature of their loss. The following provisions allow the Court to consider victim impact when sentencing the Defendant:

R.I. Const. Art. I, Section 23

“Rights of victims of crime – A victim of crime shall, as a matter of right, be treated by agents of the state with dignity, respect and sensitivity during all phases of the criminal justice process. ... Before sentencing, a victim shall have the right to address the court regarding the impact which the perpetrator's conduct has had upon the victim.”

Victim's Bill of Rights

Rhode Island Gen. Laws §§ 12-28-1 through 13 provide the specific avenues in which a victim can submit impact to the Court. This Chapter also extends the right to submit written statements to family members of victims and members of the community, and allows a family member of each deceased victim to directly address the Court.

As a person entitled to make an impact statement, you should be aware of the following avenues for recording victim impact:

- **Probation Office** A member of the Probation Office has probably contacted you by now to let you know that you can make a written statement which the Probation Department will submit to the Court on your behalf. Additionally, a member of Probation can conduct a face-to-face or phone interview with you and record the impact expressed in the interview. The Probation Department will make their best effort to schedule an interview at a time and place convenient to you.
- **Attorney General's Office** You can communicate your impact to the Court through the Attorney General's Office. To pursue this avenue, please contact Ana Giron in the Victim Services Unit at (401) 274-4400, x 2285.
- **Oral Statement** You may also be eligible to address the Court directly through an oral impact statement prior to the sentencing of the Defendant.

Those considering the third option should be aware that the statements will be given in open court. A television camera may be placed in the courtroom and may broadcast these statements to the public, so that those who cannot attend the proceeding will still have an opportunity to be fully informed.

The Court realizes that a variety of strong emotions could arise when recounting the impact of the death of a loved one. As such, the Court urges participants who wish to present oral impact statements directly to the Court to carefully prepare in advance of the presentation. To aid in preparation, the Court offers the following observations:

- **Content of Oral Impact Presentations** Victim impact presentations should focus on how the death has impacted your life and the life of those close to you. Feelings and opinions about the deceased and the unique qualities of the deceased are relevant information that can be considered by the Court. Opinions about the character of the Defendant and a specific recommendation as to the length of the Defendant's sentence cannot be included in oral impact presentations. To help the Court focus on the appropriate aspects of your oral impact statement, please limit your presentation accordingly.
- **Manner of Presentation** If you choose to directly address the Court, please remember that the oral impact statements will be presented during a court proceeding. As such, the Court must maintain an orderly courtroom decorum at all times. The Court must require that you only address the Judge with your statement and must also strictly prohibit any public demonstrations such as placards, pictures, signs, or other displays of objects during the presentation of oral impact statements and for the entire length of the court session. The Court may later issue a time limit for presentations if one is necessary due to the number of individuals who wish to address the Court.

The Court sincerely hopes you utilize the avenues provided for in the statute to record your impact. Victim impact information is valuable to the Court because it provides a unique perspective of the impact of the crime based on the personal experience of those who had a special relationship with the deceased. When the Court fashions a sentence for the Defendant, it will consider the victim impact information that has been submitted.

Due Date for Submission of Statements

Due to the number of victims involved in the Station fire tragedy, the Court needs ample time before the sentencing date to consider the information in the written statements. The Court also needs to determine the number of oral statements that will be presented so that a firm date or dates can be set to hear that information, allowing those who need to travel adequate time to make accommodations. The Court respectfully asks that all victim impact statements and requests to present oral statements be made by **April 17, 2006**. If you have not made a victim impact statement yet, or specified your desire to make an oral impact statement, please contact one of the following Probation and Parole staff members: **Donna Broccoli (401) 462-0382, Gloria Ladow (401) 462-0466, and Teresa Smith (401) 462-1517**. You may also contact **Anne Marie D'Alessio** of the **Rhode Island Victims' Advocacy & Support Center** at **(401) 943-9226** for additional support and assistance.