

## Appendix I

### *OVC Victim Impact: Listen and Learn DVD/Video*

#### Victim Synopses

##### **Leanna**

While Leanna and her husband were at work, their home was broken into. Virtually everything of value in the house was stolen, along with what Leanna describes as “weird stuff,” including wash rags and bratwurst from the refrigerator. No arrests were ever made.

To feel safer, Leanna describes installing a security system and buying a gun. She said, “I’ve been burglarized and thousands of people are burglarized every day, but until you actually experience (it), you do kind of downplay it because you don’t realize how it does affect you.”

##### **Alan**

At the time of his attack, Alan was a 44-year-old maintenance superintendent who had recently experienced difficult times because of family problems, but was getting his “life back together again.”

His victimization was a result of mistaken identity at one of his job’s properties, where he was severely beaten by a total stranger and knocked unconscious. The woman who owned the property saw the attack on security cameras and chased the assailant away.

Alan spent 6 days in the hospital but didn’t have medical insurance, so the doctors decided “just to let his knee heal by itself.” Upon his release, he lost his dog when the dog chased a squirrel and Alan couldn’t chase after him. Alan also suffers from short-term memory loss and is unable to hold down a steady job because of his physical injuries and depression. He has endured major financial bills.

##### **Jim**

Jim is a 45-year-old bartender and personal trainer who was assaulted and robbed by three assailants in February 1995. When he was asked to identify his assailants at a police lineup, he was unable to do so and doesn’t know what happened to them.

In addition to suffering from serious physical injuries, Jim was concerned about the impact of his victimization on his elderly parents who live in another state. Jim experienced intense fear, has problems trusting other people, and suffered financially. The Crime Victim Compensation Program in his jurisdiction was “out of money at the time.” He credits his strong social support system for helping him recover. Today, Jim is a personal trainer and has a catering business.

##### **Jee Young Ahn**

While on a spring break from college, Jee Young Ahn’s brother, Dong, was playing basketball with his Korean church youth group when the five opposing team members (all white) began racially taunting him and intentionally fouling him. While he waited for a ride home, the same basketball players plus 10 others showed up shouting more racial slurs, and brutally kicked and beat Dong on his head, face, and back. He didn’t have medical insurance and refused to go to the hospital. Instead, he waited in his sister’s apartment until she took him to the hospital.

The district attorney, who wasn’t aware of the extent of Dong’s injuries, treated the case as a “gang fight.” Because “he didn’t seek treatment and he didn’t have sufficient English skills to verbalize what he was going through or what had happened, the police report was drafted. . . .against him.” Ahn credits a victim advocate for helping to make a strong case and for getting Crime Victim Compensation to cover more than \$6,000 in medical bills. Ahn’s and Dong’s parents live in Korea and did not want their son to testify “for fear of retaliation.” Now they call daily to make sure their children are safe.

Three of the youth, who were thought to have done the most damage to Dong were prosecuted for aggravated assault. The district attorney stated that there “were some hate crime components,” but the assault was not prosecuted as a hate crime. The family “didn’t want them to go through jail time because. . .we thought maybe counseling or therapy would help them better.” Those assailants were sentenced to probation.

### **Teri**

Teri’s 16-year-old son Anthony, unbeknownst to her, joined a gang because he was “getting beat up all the time.” In January 1997, the gang members (ages 17–27) beat Anthony, put him in a trash can, and rolled him down an embankment. When Anthony regained consciousness and tried to walk up the hill, the gang leader ordered him to be killed. The gang member who kicked Anthony to death also stole his shoes and was wearing them when arrested.

Teri describes the defendants as “cruel. . .insensitive. . .only concerned about plea bargaining...they have no concept of what they had done. . .the crime they committed. . .his death meant nothing really to them.” The trial took 13 months. The murderers were sentenced to a range of 7 to 30 years. Teri says she plans to attend the parole hearings of all of the murderers.

### **Debbie**

In March 1989, Debbie was brutally raped and robbed by a stranger at home while her police officer husband, Rob, slept upstairs. Debbie’s attacker was identified through a “cold hit” in her state’s DNA database of convicted felons. Her attacker had abducted and robbed two other women. Six-and-a-half years after the rape occurred—years in which Debbie describes constant fear and emotional turmoil—the arrest was made. DNA evidence was a new technology at the time, and the district attorney was “scared to death of the case. He wanted me to drop the rape charge and just go for robbery and abduction. I didn’t care about the \$30 he took from me.” A new district attorney came on board and successfully prosecuted the case after approximately 3 years. The rapist was sentenced to two life sentences plus 25 years, with no chance of parole.

In the decade following her rape, Debbie became an outspoken advocate for rape victims and is credited with helping to pass the “Debbie Smith Act” within the Federal “Justice for All Act” passed by Congress in 2004. The Act authorizes funding to eliminate the backlog of DNA evidence collection; provides support for sexual assault forensic examiners; and provides funding to train law enforcement officers in the use of DNA technology. Today, Debbie is a national spokesperson for rape victims through her H-E-A-R-T foundation (Hope Exists After Rape Trauma). In 2005, Debbie received the “Special Courage Award” from OVC.

### **Nia**

Nia is a 28-year-old office worker and aspiring filmmaker. She was molested by her best friend’s older brother (7 years older than her) when she was between 5 and 7 years old, but never told anyone about her victimization until she was a senior in high school. The offender’s family is very close to Nia’s family. Nia is on her “third round of therapy now.”

### **Ron**

Ron, age 43, and his siblings were victims of chronic physical, emotional, and sexual child abuse and neglect at the hands of their mother and uncle. Today Ron is estranged from his siblings, whom he describes as “violent” and “scary.” He says, “I’ve invented my own family, and I love them and they love me. . .and that’s a wonderful thing, especially for someone who’s coming from this kind of darkness. . .” He has become an advocate for children, volunteers at his local children’s hospital, and expresses a desire to “help with any part of our culture to help us wake up and wise up to honor our children.”

### **Rebel**

Rebel is a 36-year-old victim of domestic violence. Although Rebel says that her ex-husband was “not physically abusive,” he threw things at her; restrained her whenever she tried to call the police; and drove recklessly with her in the car for “the

shock and the scare factor.” He was also controlling, emotionally, financially and sexually abusive, “degrading and demoralizing,” and isolated Rebel from her family, friends, and church. When they separated, and she filed a “protection from abuse” order, he became enraged.

He monitored her whereabouts at all times, didn’t let her talk on the phone, and threatened to have her killed. Rebel realized she was a victim when the hospital where she worked became a pilot site for screening for cases of domestic violence. Rebel took the training program, read the six screening questions, and said, “Holy smokes, this is me! This is my life.”

The impact of domestic violence on Rebel included fear, panic attacks, sleep disorders, self-blame, and difficulty with social relationships and intimacy. She takes extreme precautions to ensure that her ex-husband cannot find her. Rebel attends a support group for battered women and now speaks out publicly about her victimization and the issue of domestic violence.

### **Kimberly**

When Kimberly was 16, she was in a major car accident that left her paralyzed from the neck down. A few years later, while in college, she married a young man who abused her verbally, physically, and emotionally. When her family and the university intervened to help her get out of this relationship, Kim pressed charges against her husband.

When the initial case went to trial a year later, Kim “went into the courtroom with the utmost confidence that the person who did this to me would be punished for what he did.” After a 5-day trial in 1990 in which the defense attorney portrayed Kim as “a woman with a severe disability that no other man would ever want or love,” and explained away her multiple broken bones as a result of Kim “just (falling) out of her wheelchair,” the jury found her husband not guilty.

Kim says, “That was completely devastating for me. I felt re-victimized only this time by the system.” Kim chose not to testify at the trial involving the second charge, and the court proceeded without her. Her batterer pleaded “no contest” and was sentenced to 2 years of probation, counseling, and a \$10,000 fine. Kim says, “That didn’t feel like any justice to me.”

In 1996, after Kim had completed her master’s degree in social work, she was the victim of an armed gang rape and burglary in her apartment, during which the rapists threatened to kill her. There was an investigation, but nobody was ever apprehended. Kim filed a civil suit against her apartment complex because no security was around when she was assaulted. The attorneys asked her questions such as, “If you’re paralyzed, how do you know you were raped? How do you know you were penetrated?” Kim describes the experience as “so humiliating and degrading” that she chose to settle out of court, and says, “So I felt like, once again, I was victimized. . . .by the justice system.”

Kim now works for a disability services program within a domestic violence center and helps develop services for victims with disabilities, including counseling, prevention and intervention in the community, and training. She says, “It is not only my life’s work, it is my life.” In 2002, Kimberly received the Special Courage Award from OVC.

### **Cindi**

In 1979, Cindi and her 5-month-old daughter, Laura, were hit by a repeat drunk driver. Laura became the Nation’s youngest quadriplegic and later died at the age of 7. Her mother, Cindi, endured treatment for multiple physical injuries.

Cindi says this tragedy “broke my family up” and describes feeling a hatred that “was just unbearable for the man who hit me.” Twenty years after the drunk driving crash, Cindi initiated a personal meeting with the offender that lasted 3 hours. He listened quietly and, when asked, told her about his life, including that he had been sober for 10 years, and was “praying that I would forgive him, and he asked me to forgive him.” Cindi said, “I can’t. I won’t forgive you. I don’t forgive you now, and I don’t think I’ll ever forgive you.” She said that she “thought that would...make me feel better and it didn’t.” So she met with him again, and offered her personal forgiveness.

In 1982, Cindi cofounded Mothers Against Drunk Driving (MADD), considered one of the Nation’s most effective victim services organizations.

### **Peggy**

Peggy's only son, Joey, was a senior at the University of Pittsburgh. He was a 4.0 student; president of both his senior and junior classes; and worked two jobs to help support himself. He was also very close to his 15-year-old sister.

Joey was murdered in September 2000 when the ex-boyfriend of a neighbor set fire to the building, which had no smoke detectors. Three days after Joey's funeral, Peggy learned he was a victim of arson. The detectives told Peggy that he "was truly an innocent victim." Peggy said, "I worried so much about getting in there to clean that apartment. Why didn't I think to check the smoke detectors or whether he had a fire escape?"

At the sentencing phase, the offender said that "he couldn't apologize, but he would pray for us." He was convicted of second-degree murder and sentenced to with life without parole.

### **Myrtle**

In July 2000, Nanette, who had multiple sclerosis, was trying to stop an argument between two girls when she was stabbed in the neck and aorta. She bled to death. A police officer at the scene drew his gun on the girl who killed Nanette to make her drop the knife.

When Nanette was killed, her mother, Myrtle, an elderly widow had just been released from a lengthy hospital stay following a hit-and-run crash in March that resulted in a broken wrist and leg, broken ribs, and serious infections. The murderer was "rude" during the trial, and "acted as if she didn't care." She received a 10-year prison sentence, with 3 years in a mental institution. Myrtle says she participated in the videotaping because "maybe I could help someone else, and that's what I'd like to do."

### **Amy**

Amy is 40 years old and owns a bookstore. Her sister, Jill, had been "traveling a really bad road" and Amy convinced her to move closer to the family for support. Jill (whom Amy describes as "soulful" and "compassionate") lived in an old converted apartment house for 2 months before she was murdered. The man who killed Jill lived downstairs. He cut her cable line; threw the circuit breakers so that when she returned to her apartment at 1 a.m., it was in total darkness. He beat and raped Jill for 6 hours before brutally murdering her. Amy's husband, John, a firefighter, found Jill's body, which was "completely unidentifiable."

Four months after Jill's murder, her mother committed suicide, her father started having heart attacks (and had to miss the entire trial), her older sister became agoraphobic, and her brother became a "full-blown alcoholic." Her other sister began having problems with her son because "she was too busy mourning and trying to deal with her grief." Amy, who had been a victim of acquaintance rape while in college, had to quit her job as a hairdresser because she had "problems having physical contact with her clients." She recalled, "All of it came back, big and ugly."

Amy now suffers from sleep disturbances, an eating disorder, clinical depression, stomach problems, dermatitis, and jaw and back problems. She doesn't "really have friends anymore" because of "a tremendous feeling of being alone in the world." Her husband, John, has been faced with "not being able to keep Jill safe, and trying to keep me safe." He suffers from symptoms that sound like posttraumatic stress disorder.

The murderer was initially found guilty of first-degree murder and rape and was sentenced to the death penalty, plus 60 years. When the death penalty was overturned on appeal to a life sentence, Amy and her family "made the choice not to pursue another sentencing phase."