

## Crime Victims' Rights Amendment

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U.S. Senate Judiciary Committee

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Honorable Chairman Hatch and Honorable Committee Members:

Our only son is dead because of a weak and a crime-forgiving criminal justice system. We are one of the hardest hit crime victim families in the Nation, but we are just one family, out of hundreds of thousands. We continue to be deeply saddened by the four September 11th terrorists attacks. It is beyond belief to realize that every ten weeks there are as many people murdered right here in America as were killed in all four of those horrible attacks.

Our son, Scott, was strangled, by two repeat felons, and thrown from an airplane into the Pacific Ocean. Sadly, we never even found his body.

My brother, my only sibling, auto racing legend Mickey Thompson and his wife Trudy were shot to death as they were simply leaving their home on their way to work in the morning. For any family to deal with murder, is near impossible. But, to allow the American justice system to add additional pain is intolerable and shameful.

Since the American Revolution, our family has fought in every major war, for equality and freedom. We have worked hard, contributed greatly and never asked for a hand out from anyone. My family believes the U.S. Constitution was written to protect, balance and establish justice, yes establish justice. And, that is true, it does establish justice, unless, or until you have the misfortune of becoming a victim of crime. There has been tremendous pain to our family and expanding that grief, the moment we became victims of crime, our rights were ignored in favor of the killers. That means, a murderer or a rapist has rights not afforded to honest victims, all because we, the victim, are not mentioned in our U.S. Constitution.

My husband and I were not permitted to be in the courtroom during three trials for the men who murdered our son. We were forced to sit in the hall. Yet, the killers, along with all their party, were inside the courtroom portraying a family unit. We were not allowed to be heard, yet the killer's family members were able to testify in front of the jury, proclaiming the goodness of the defendants. We were not notified of a hearing before the court. Therefore, no one was there to represent, Scott, our murdered son. Yet in full force, forty members of the killer's group were present.

The murder case was then overturned, there was to be another trial, the killer was released, without consideration or concern for our safety, and we learned of all this through the media. I called the Attorney General's prosecutor on our case and asked why she hadn't bothered calling or notifying us regarding the appeal. Her answer was demeaning, but typical. She said: "We never notify the victims, they simply don't understand." However, we knew the true reason, unlike the killer's defense, she was not required, by constitutional right, to notify us — we were only the Mom and Dad of the murdered victim, his next of kin!

We were obligated to pay \$2,000.00 to get our Son's car out of storage, after it had been impounded and stored by the police for evidence. I could go on and on. But, I can guarantee you, the treatment that we, and thousands of other victims received, is the product of others before us doing nothing and hopefully you are not willing to continue that pattern.

You rarely hear from people like me, because victims are too devastated to talk. We receive no financial help to inform and expose the true reality of the victim's world, nor do we have attorneys representing us. Like today, we pay our way, in our well-meaning effort to improve the justice system, so others will not be forced to endure the injustice. And, unlike the defense attorney's associations we are unable to contribute to the policy makers or legislators. Victims are forced to fend for themselves. Our only asset is the honesty and integrity of good Americans asking for a fair and balanced justice system.

Senators, what we victims fail to understand, is how, in this great Nation, we have allowed the violent criminals to have more rights than honest, law-abiding good American citizen, who, through no fault of their own, have become victims of violent crime. I'm certain this is not what the Founders of this great nation and the authors of our Constitution intended and it needs to be corrected immediately. At a huge cost to taxpayers, and my families personal life, we have continued to be in the court system for 21 straight years, with no right for a speedy trial and there is no end in sight.

We ask you to move forward rapidly with the proposed Constitutional Amendment that will protect and give the same rights to crime victims, as those afforded to accused criminals. The amendment we seek does not take away rights from the criminal.

It is appalling that a vicious murderer has more rights than law-abiding American citizens. Unfortunately, the justice system has been broken and it needs to be fixed — now. The reality is that law abiding citizens are forced to suffer tremendous additional pain and mistreatment because of a system that fails to take into account that crime victims should be protected, not punished. The system is upside down, we overly protect and coddle the criminal, all at great expense to law abiding Americans, not exactly what the authors of our great United States Constitution intended. Obviously, the Constitution was written prior to underhanded defense attorneys defending their client, at all cost and by any means, often eliminating the ultimate goal — the finding of truth.

I was just an average American mom, with my family being my top priority. I had the privilege of marrying a wonderful man. I took my children to dance lessons and football practice, I was PTA president, with my life revolving around my children. But like many others, I wore blinders and went about my life, without ever realizing the devastation violent crime could cause in the lives of good citizens, for ever. My father was a police officer, and like most families, we believed in the American dream. But, that dream turned into a terrible nightmare, which all too many have experienced. Victims are living the never-ending grief and torment brought on, first; by an act of violent crime, and then; expanded by inequities within our criminal justice system. That just isn't right.

I am only one person, but I represent the stories of hundreds of thousands of good, hard working, law abiding citizens, who, through no fault of their own, have become victims of violent crime. To bring this into perspective, remember there are about 23,000 murders each year in America. That's murders, add to that rapes, robbery, child molestation, domestic violence and all the other violent crimes. Multiply that by the impact on family and friends of the crime victims.

Senators, there are millions of Americans who need your help, millions of good people.

The Council On Crime In American, recently released a bipartisan task force report of Violent crime in America for 1993, the financial cost to our nation, for those crimes, was about \$426 billion. And yet, we pamper and favor the criminals who are the cause of financial ruin and emotional distress for our nation, not quite what our American citizens desire!

I've had to muster up some pretty strong determination to speak here today, and I apologize if I have a little trouble telling my story. I am deeply wounded and it is extremely difficult for any of us, who wear the scars of violent crime, to share that pain and our circumstances. But I'm certainly going to try. I am extremely proud of my family, our strength, courage, dignity and our integrity. However, our status in the community did not change the cruel treatment we received from the criminal justice system.

Senators, I don't have to tell you how we felt then, or how I feel right now just talking about it. But I share this experience with you today, because something is terribly wrong with that sort of mentality, that reeks of disrespect, total disregard, and a complete lack of compassion. Just because we have become the brunt of violent crime, that does not make us second class citizens, we are still part of America and we should be protected by our constitution.

You see, it is not we, who do not understand. It is our law makers who must understand that we have a justice system which has fallen off track. A justice system which now permits insensitive decisions that, forever, negatively impact and influence the lives of devastated, but honest, law-abiding citizens.

Many believe, crime victims are important enough to be included in the Constitution of this great country, just like the criminals who have murdered our loved ones. I don't believe in giving an advantage to any segment, but it is ludicrous that our legislators have given such a great advantage to murderers and other violent criminals.

I ask you to think, try to relate, and yet, I truly hope that you here today are never forced to fully understand our feelings, through your own personal experience.

We who have lived the tortures of being crime victims, but who have also had the privilege to live our lives as honorable Americans, are simply asking to have the same level of constitutional rights as the criminal, no more — no less, that seems more than fair doesn't it?

Senators, you are responsible for all the American people who need protection under the Federal Constitution. States look to the Federal Government for leadership in areas affecting criminal justice. Give them clear and fair direction, make this amendment that will be sensitive to an entire Nation's needs.

This is not a partisan issue, it is simply the right thing to do. In talking with thousands of crime victims, I have never heard of a perpetrator who first asked their victim if they were a Democrat or Republican before they committed their crime. It is important you do the same, making this a non-partisan issue, as you lead the vote on this constitutional amendment.

We do allow great rights for criminals with tremendous sacrifice to victims. Another painful example: My nightmares include the question of how our son actually met his death. Did he become

unconscious from strangulation, or was he alive when they threw him out of the airplane? Did he feel the fall, try to swim and drown or was he dead when he left the airplane or did it kill him when he hit the water? It is the killers right to keep this information silent! It is my burden to never know the answer. Don't tell me it is too much to ask that victims are allowed to attend criminal proceedings.

Mr. Chairman and Senators, thank you for all you do. May God bless you and help you to make the right decision for all the American people.