

Victim Impact Statement - 1493189

I met Daniel Chen on February 23, 2014. I was out with friends, and a boy I liked, but my night would take an unimaginable turn.

I don't have many memories of walking home, or of meeting Mr. Chen. My first clear memory with him is of lying on the ground, in the dirt. I was too afraid to move. I was vaguely aware of people near me, and I knew I didn't want them to notice me. But they did, because next I remember fists. I tried to protect myself but I couldn't, and I just got hit again and again and again. Everything hurt. I begged them to stop, and said I would do what they wanted if they would just stop.

Cut to the sexual assaults. I remember those too vividly. Trauma is funny – it impairs your brain's ability to record memory in an organized way. My therapist described it to me as a messy desk.

Normally, you have a notebook and a pen, and your notes are organized and comprehensive and make sense. But trauma is like post-it notes all over a messy desk in different colors and the wrong order and some things are missing and some things are in bold. A lot of my night got lost - like the transition from several people hitting me and talking amongst themselves to leaving just Chen assaulting me. But those bits and pieces are real, and accurate, and I remember the feeling of the rapes vividly. My fists were clenched so tightly in the dirt that later doctors had to cut the rings I was wearing off my swollen fingers. I remember begging him to let me go. I said I wouldn't tell anyone, said I just wanted to go home, told him he didn't need to do this. I told myself I just needed to bear one more minute. Then one more minute. Then one more minute. Eventually, he finished.

I walked past him as I headed home, and I remember feeling confused at his expression. I remembered his face, but honestly felt it must have been in some part made up. He didn't seem panicked or scared. He didn't even seem phased. He just looked a little bemused as he watched me walk away.

I walked slowly and deliberately toward home. I didn't want to panic him and make him change his mind. Once I made it to the cross walk, and saw the entrance to my street, I decided I could make it and I ran for my life. I knew once I started running I'd need to make it home before he could catch up to me, in case I spooked him, so I didn't stop until I got to my apartment. I had realized at some point that I didn't have my phone, so I walked in and I went to my housemate's room and asked her for help. I believe she panicked next, understandably, and called 911, but to be honest I don't really remember much. I was too numb and exhausted and my whole body ached. I went to the restroom and it wasn't until washing my hands that I saw my face in the mirror and the fear returned. I was unrecognizable, so bruised and swollen that I remember thinking he had taken my face. I remember trying to wash it off, look presentable for the paramedics. I remember walking out to my housemate very upset, on the phone with 911, trying to get me help.

I'm told I gave the paramedics a hard time, and if they happen to see or hear this statement, I so apologize. My next sharp memory is in the ER, talking to the doctor, insisting on a rape kit. I went

through a cycle of crying, waiting, trying to give Officer Miller my statement, and asking for a rape

kit. They told me my family was on my way. They told me my housemate was in the waiting room with a friend. I demanded a rape kit.

A few hours later, when I was deemed well enough, I was wheeled down to the little cottage over the road from the hospital to have my rape kit. The rape kit is an experience in itself. The nurse has to video every inch of your body, including inside of you. Then you answer question after question. What did you hear? What did you see? Where did he punch you? Did he penetrate you with anything else? The nurse was very direct; at the time I was unsure why she left the room, why she was so reticent, but I understand now that she was just keeping it as professional as possible. I am so grateful to her and to the doctors and Officer Miller for keeping everything as efficient and professional as possible, because I don't think I could have made it through that morning with any sort of composure otherwise.

When the interview was finished, the nurse let me know my dad and my little sister had arrived to take me home, and that they were with several of my friends in the waiting room. I didn't want anyone else to see me until I had showered off, but I let my dad come back to see me. He hugged me as tightly as he could without hurting me, and I felt safe for a second. But I couldn't help but imagine what I must look like, how heartbreaking that moment must have been, for a father to come and see his broken and degraded little girl. He didn't let on if it hurt, but my heart broke for him.

I slept on my little sister's lap for the drive home. I didn't have my phone, but I used Facebook on my Dad's to contact some of my friends from school. I talked to the boy I liked, who just kept apologizing over and over that he couldn't prevent it. My heart broke for him, and for my roommate, and for my little sister who stroked my hair and whispered it would be okay. I felt shattered and tired and I so badly wanted to convince everyone that everything was okay. But in trying to think of something comforting to say, I would remember exactly how not okay everything was, and the horror of what had happened to me would wash over me and I would fall apart again. We all read these horrible stories in the news, and feel sad for the girl in them. I really cannot put words to the despair that you feel when you are forced to remember, over and over, that that girl crying in the dirt was you, and that there's nothing you can do to change that. Not for your family, or your friends, or yourself.

The rest of my recovery is less of a television hospital show and more a dull ache and a slow steady crawl toward feeling whole again. My injuries included, if I remember correctly, a broken nose, a burst ear drum, a chipped eye socket, and severe bruising and swelling of my face and skull, upper body, and hands and wrists. I had PTSD, and have it still, and I began to see a therapist who specialized in trauma. I became somewhat agoraphobic; I had medical appointments were daily. I attempted to study for my final exams; somewhat unrealistically, but I felt fueled by anger and by the knot of horror in the pit of my stomach. I could not go more than two or three hours without sleeping, and was constantly on the verge of panic attacks. In spite of all of this, I became determined to return to Santa Barbara to finish school. It wasn't as much bravery or strength as a fierce determination to try to

make things normal again. I knew I had changed; I was now the girl in the dirt, and I would always be the girl in the dirt. But I was scared to give anything else about myself up to that night. I told my parents I couldn't let them take anything else from me. I explained to everyone that I had a support system at school, and that I wouldn't feel any better anywhere else. I have absolutely no idea how much of that was really true, but I needed something to move toward, I needed a piece of my old self to cling to. And I have always been a student.

When I did eventually return to Santa Barbara, I found myself uncomfortable in crowded classrooms. We knew the men involved that night might be students, and I was constantly afraid they would be the next row over. Even if I managed to dismiss that fear, I was anxious I would have a panic attack in the middle of a crowded row of students and be unable to leave. I became unable to leave the house without anti-anxiety medication, and I had to let many of my professors know my situation to explain my poor attendance and anxious demeanor. I was in weekly one-on-one therapy and weekly group therapy with other survivors of sexual assault, and dropped to 12 units of classes and my grades suffered. At work, my bosses were kind enough to schedule my shifts in the daytime, because I wouldn't walk around in the dark.

I continued working with the police, attending walk-throughs of the crime scene and photo line-ups and multiple interviews and statements. I lived in endless fear of triggers, something so small as a cold breeze or dirt on my hands could send me back to kneeling in that dirt, and his degradation of my body. I lived very near the crime scene, and I couldn't walk past it or even look toward it without falling into panic. Three months to the day after my assault, a horrifying school shooting destroyed any foundation I had managed to rebuild, and I sank into a very deep depression. For me, depression felt like an empty, lonely exhaustion. I remember feeling so horrible and dirty that I could not continue to put one foot in front of the other. I stopped in the middle of streets and wondered if I would find the energy to move if a car came.

But as low and painful as this time was, I continued trying to live. The women in my group therapy showed me strength and courage, and so many friends in Isla Vista and loved ones at home expressed love and support for me. My mother drove down to visit me every few weeks, staying on my couch, and I got an emotional support dog that means more to me than I can express. And as I watched our little college town come together to survive Elliot Rodger, I learned how to survive Daniel Chen. In February 2016, almost exactly two years later, I got a call from my advocate to let me know they had caught him.

I have a difficult time speaking fully to the pain and despair I have felt and still feel, because I, and so many others, have put unimaginable time and effort and love into my healing. I also can't stand

showing to these people, who have been through so much pain just because they love me, that my pain continues. I still have days where I cannot bear to be in crowds or in public, and I must report the herpes I received from him on every doctor's form. There are days when I am still the girl in the dirt, and I can't have them hurt for her any more.

But it is also hard because, in truth, I have also come incredibly far. I, unlike many survivors, came home to a house full of family and dear friends who were at my side day in and day out, even if I just cried and slept. Friends flew in from other schools to sit with me those few weeks I was at home and tell me they hurt with me, and I wasn't alone. Some family friends organized a response from my community; children from the local elementary school made me streamers of hearts telling me not to be sad, and I was beautiful, and to feel better. I have a box filled with cards and notes and messages received from best friends and from total strangers. It was the most extraordinary show of human kindness and compassion and generosity that I have ever seen, and it fueled me. It told me in no uncertain terms that as crappy as that night was, and as crappy as I might feel now, I had far too much to live for to waste it being Daniel Chen's victim. I learned to survive, and to be more, because even if sometimes I didn't want to I would hurt too many people if I stopped.

So now here we are. I've told you my story, and now I have to ask for a just punishment for you, Daniel, the man who shattered me.

In my angriest moments, I think of my parents, waking up in sweats from dreams of their battered baby girl. I think of my little sister spending her 16th birthday on the couch with me while I cried. I think of my best friends and the boy, and all the pain and fear and rage they have had to live with in the wake of that night. I wish I could lock you up and throw away the key. I hope you never even see a probation court.

In my most prideful moments, I try to grant you the benefit of the doubt. It isn't lost on me that that is how to feel whole and good; that mercy and compassion are the goal. I think about your parents and whatever remnants of your life still believe in you and your ability to be more than your decision that night.

But the truth is that this was not one decision. You decided to bring enough condoms to rape me multiple times. You decided to lay every punch and every blow and you decided to hide for years and lie to your family and say nothing and let the others go free. You made so many decisions and you made them all wrong.

From my experience with you, Daniel Chen, I don't believe that you are capable of rehabilitating. And I have to fight for the women you might meet in 36 years, the women you could hurt next, the women your friends could be hurting now. I have to think of their parents and siblings and friends, and of all the people who will feel so scared and hurt and lost and pissed off because of your decisions. I must ask the parole court you will see in thirty years to keep you out of society for as long as they are able

I don't know you. It is among the greatest reliefs in my life that I need never really know you. But I was there with you that night, and I saw what you hide from the world, and there are some things only God or a higher power can forgive.

To this courtroom, to the judge and DAs office and the police officers who fought tirelessly with me, I thank you so much for your time, and for helping me prove that sometimes the bad guy loses.

To my loved ones, and my support team, I thank you for your endless love and patience and faith. You made it clear, in no uncertain terms, that I am someone worth being, even when it hurts, even on days when I don't want to be me.

To any other interpersonal violence survivors paying attention to my story or my case, I wish for you to find peace and healing. Not many of us have the chance to fight this fight, and I hope you can celebrate with me that at least we got this one.

I also want to share two with you two truths of life as a survivor, as I see it at least. First, that it is much easier to feel compassion for someone else than for yourself. Do your best to show yourself the kindness and patience you would show your dearest friend. With time, you will be okay again. Second, being a survivor is now a part of who you are. It is infuriating and unfair and you did not choose this, but it is an objective truth. But just because it is a part of you does not mean that it is everything you are. Give survivor some small piece of your identity; find a way to own it, and save the rest of yourself for you. Be a friend or a student or a sibling; be everything you always wanted to be. Once you own this moment, as heartbreaking as it is, you get the rest of your life back.

To the Chen family, may peace be with you. I'm so sorry that we are all here today, and for the pain I am sure you feel.

And finally to you, Daniel, [#]goodbye, and good luck, and may you please choose better next time.

You know, when I originally wrote this, I said goodbye & goodluck. But I'm hoping I never see you again & that means this is my only chance to say this.

You suck. You suck alot. I'm sorry that that isn't elegantly worded, but this is my time. You need to do better.

I don't think you particularly care about me or my family, or the law apparently. But you have parents

who dropped hundreds of thousands on your defense attorneys, so maybe you care about them. ~~For the~~ This person that you are right now isn't working for anybody, it's not even working for you. And in about 40 years, you're gonna get another chance. So maybe for your family, maybe just for yourself, you need to figure out how to be more than... this.

Because this is ...

pathetic, honestly.

Do better.

Thank you all so much for your time today.