

16 MR. HARBINSON: Your Honor, we have two other
17 persons that are going to give Victim Impact Statements.
18 The next individual will be Katherine Herdahl, the
19 maternal grandmother of MacKenzie.

20 KATHERINE HERDAHL: On March 9, 1996, around
21 4:15, the phone rang. It's a call that any grandparents,
22 parents or anyone can never forget happened. It's Tina.
23 I have to get to Minneapolis Children's Hospital right
24 away. It's MacKenzie. She has been air-lifted there and
25 we don't know if she is going to make it.

1 One minute you're on your way home from work
2 thinking about what you want to do that evening. The
3 next, at the hospital pacing for hours, watching, praying
4 as a lifeless child just lays there not moving, crying.
5 There is nothing. She just lies there with no smiles,
6 tears, laughs, movement. Just a lifeless little body
7 hooked up to a lot of machines.

8 On Sunday, March 10, it's time to make a
9 decision. The doctors have told us MacKenzie's brain
10 dead and she is not going to come around. We gather
11 around her bed, say our last good-byes, tell her how much
12 we love her and then it's time, and she is gone. She
13 will never laugh, smile, give hugs and kisses, tell her
14 Mommy how much she loves her, play with her sister, talk
15 to grandma. We'll never be able to hold her ever again.

16 Next week is like a bad dram. There's funeral
17 arrangements, flowers, food, people to call, no sleep for
18 anyone. Finally we are over the funeral. We have also
19 had news people coming to our house. Tina and Nicole
20 come to live with us. They need a place to go so they
21 come to our home. We all try to adapt. Losing
22 MacKenzie, having our lives turned upside down. Work is
23 missed, schedules are changed. I need to adjust.
24 Amanda, Tina's sister, needs to adjust, and it still has
25 affected her today.

1 Things start going a little better, then we get
2 the call that Brian is out on bail. Now, what can happen
3 next? Next few weeks, Nicole's paternal grandparents
4 file a custody suit to take Nicole away from Tina. After
5 several days in court, it happens. Nicole is placed
6 there. We have no visits unless they are supervised.
7 Don't talk to Nicole about MacKenzie. We have lost
8 another child from this. No more overnight visits.
9 Fourth of July, MacKenzie's birthday. We visit her at
10 the cemetery. We miss Nicole's first day of school, her
11 birthday, Halloween, Thanksgiving, Christmas, New Year's,
12 Valentine's Day and Easter and visits to great grandma's
13 house to see all the cousins they loved to play with.

14 It's fall now. Tina has a baby. She puts that
15 baby up for adoption. She needs to get her life back
16 together. All -- now we have a third loss. All these
17 losses due to one person, Brian Merkt, and what he did on
18 March 9.

19 It has been over a year now, but it seems like
20 just yesterday. Going through the defendant's testimony
21 at the trial, attorneys questioning doctors, watching
22 Brian free to come and go as he pleases. The hours
23 waiting for the verdict from the jury. Are we prepared
24 for what we are about to hear? I don't think anyone
25 could be. Did that jury come up with the right verdict?

1 Only MacKenzie and God can answer that. She will never
2 be able to tell us. We can visit her and talk to her in
3 a peaceful country cemetery and wonder what would she be
4 like today?

5 So many lives have been affected by this one
6 senseless act. Ours will never be the same. Brian not
7 only took the life of our little MacKenzie, but he also
8 took everyone who knew and loved her. There's not a long
9 enough sentence that Brian could get for what he has done
10 and all we have now are memories. We will never have
11 MacKenzie back. Brian doesn't deserve his freedom back.

12 Think about MacKenzie, Brian, as you have a lot
13 of time on your hands. Think about the baby you could
14 have had with Tina. Think about how much you miss your
15 family, only some day you can see yours again. MacKenzie
16 can never come to see us again. We just have memories.

17 THE COURT: Thank you.