

17 THE COURT: Thank you.

18 MR. HARBINSON: Your Honor, at this time the  
19 last person who will give a Victim Impact Statement is  
20 Anne Raehsler, the paternal grandmother of MacKenzie.

21 MS. RAEHSLER: Your Honor, before I give my  
22 impact statement, I have a picture of MacKenzie that I  
23 would like to give to you, and I don't know whether you  
24 would think it proper or not, but I would like it given  
25 to Mr. Merkt. I would like him to be reminded of what he

1 destroyed. This is a beautiful child.

2 THE COURT: You can hand it to Mr. Harbinson at  
3 this point, and he'll take care of it later.

4 Go ahead with your statement.

5 MS. RAEHSLER: On March 9, 1996, Brian Merkt  
6 violently took MacKenzie's life. He took her away from  
7 us forever. In her three and a half years, she brought  
8 so much joy to us with her smiles and her laughter, her  
9 playfulness and her love. Now we will forever be without  
10 that joy. Brian Merkt did that. He took more than just  
11 MacKenzie's life. He took a part of our lives, also.

12 We will never be able to see her grow into the  
13 person she could have been. We will never see her go to  
14 school. What would she have been like on a first day of  
15 kindergarten? She was bright and loving and full of  
16 life. I don't think she would have been timid about  
17 going. She probably would have been very excited.  
18 That's something we will never know because Brian Merkt  
19 took that away from us, too. We will never get to  
20 experience any of the special days in MacKenzie's life  
21 with her, her years in school, the special parties for  
22 her birthday, the holidays, watching her grow into the  
23 beautiful young woman that she could have been. We won't  
24 have any of that because of Brian Merkt.

25 I feel her loss every minute of every day. But

1 more than that, I see what Brian Merkt has done to Nicole  
2 more than anyone else. Until the day Brian Merkt  
3 murdered her sister, Nicole had never been separated from  
4 MacKenzie. They had not only been sisters; they were  
5 best friends. They were constant companions. They were  
6 together always. Now, Nicole is alone. She lives with  
7 us, so I see what Brian Merkt has done to Nicole, also.  
8 I see and I hear her nightmares. I see the loneliness  
9 when she says to me, "Grandma, I wish Brian didn't kill  
10 MacKenzie. I wish she was alive again." I see how she  
11 plays pretending MacKenzie is still there. I also see  
12 her cry because she knows that MacKenzie is gone  
13 forever. I can't explain forever to Nicole I can't take  
14 away the fear that Brian Merkt has caused in her. I can  
15 try to help her understand that Brian can't hurt her  
16 anymore because he is in jail. But I can't tell her that  
17 Brian Merkt will be in jail forever. I wish that I  
18 could. Brian Merkt's sentence should be the same  
19 sentence that he has forced on all of us. Forever.

20 THE COURT: Thank you, Ms. Raehsler.