

Testimony of
Ms. Earlene Eason

April 8, 2003

Mr. Chairman and Senators,

My name is Earlene Eason. I reside in Gary, Indiana. I strongly support the Crime Victims' Rights Amendment.

I would like to share with you my unfortunate experience as a crime victim after the murder of my sixteen year old son, Christopher. He was murdered on July 16, 2000. I had relocated from Minneapolis, Minnesota, to Gary, Indiana. About a year after relocating, I thought allowing him a few weeks vacation with a neighbor, Penny Jackson, back in Minneapolis would help ease Christopher's transition to a new city.

Back in Minneapolis, while on vacation, my son was killed -- murdered in a manner in which no human being deserves to die. He was shot point blank in the lower back with a sawed-off shot gun. Forensics revealed that my son was trying to run when he was grabbed by the back of the shirt and pulled back onto the barrel of the shotgun and then the trigger was pulled. The killer was a 24-year-old from El Salvador.

After my son's murder, the criminal justice system in Minneapolis treated me very badly. First, I was not informed of the death of my son by the authorities. Over thirteen hours after my son's body was found Ms. Penny Jackson called. My family and I were not told we had any rights. However we were promised, by the district attorney's office, that they would keep in touch with us about the case. This would turn out to be an empty promise.

First, the D.A. said the charge would be First Degree Murder. We only learned of the actual charges filed -- which were second-degree murder from the newspaper. Only after the press had printed and distributed the newspaper and after we had read it were we notified.

We also experienced significant financial hardship because of other failures to give us adequate notice. All of this wasted expense, which we could not afford, was due to constant trips to Minneapolis for court dates, which were frequently changed without adequate notice to me and my fiancé. My son's father, who resides in California, purchased several airline tickets, but he was never advised by the District Attorney's office of changes in court dates. He became so frustrated that he gave up on coming to any hearing due to the expense of cancelled tickets and the fear of losing his job from the disruption in his work schedule.

The first trial was a hung jury, 11 to 1 to convict. The trial took place on Oct 17, 2000. When I and other members of the family asked for another trial we were treated as invisible simpletons. Approximately 2 months later, the D.A.'s office and defense attorney decided to plea bargain. I was informed of this only after the fact; they had already agreed to the plea bargain. I was informed of the initial date for plea and sentencing dates, but there were several continuances.

We received very short notice of these changing dates, which was very disruptive to my fiancé's job. Finally, the date was set for 9-12-2001. We were going to fly to Minneapolis from Chicago. Then the airports were shut down because of 9-11. I called the District Attorney's office and asked for the proceeding to be rescheduled. The Deputy D.A. affirmatively discouraged me from attending. He believed it was more important to have a tactical advantage by getting a sentence the day after 9-11 than it was important for me, the mother of a murdered son, to attend and speak at the sentencing of my son's killer. The D.A. did not ask the court for a continuance on our behalf, even though there had been many continuances granted for other reasons, and I had never asked for a continuance before. As a result I was unable to appear in court to try to object to the plea bargain or speak at sentencing, even though it was very important to do so. My son's cold blooded killer is getting only 11 years of real time for killing my son. I feel like the D.A. and the justice system thought that this was just another African-American kid killed, and that our family didn't deserve to be treated with plain decency.

I was told I could not get restitution. This does not seem right. The Constitutional Amendment would greatly help victims efforts to get restitution.

We were assured we would get financial help for therapy and I went for as long as I could pay for it out of my own pocket, then I had to stop because I could not afford it anymore. As a result of no therapy I became physically sick and could not work. To this day we received no financial assistance for therapy.

In closing I would like to say we were treated without compassion or respect by a justice system that really didn't care. People receive more compassion for the loss of a pet than we received from the justice system for the loss of our son.

I would like to ask the Senate to hear us, to realize that we -- the victims of crime -- should not have to take this anymore. I feel powerless, but I know you have the power to vote yes on the Constitutional Amendment to keep what happened to us this from happening to any more victims. It is time for you to stand by me and for you to pass this Amendment so that people like me don't have to take this anymore. We should have had rights in this case and we had none.