

Victim impact statement given in court Jan. 24, 2011 by Crystal Harris. The man who is now her ex-husband, Shawn Harris, was sentenced for a 2008 sexual assault on her in their Carlsbad home.

We are all here today as the result of the crimes that Shawn Harris committed. These crimes have devastated not just my life, but an entire family. Spousal Rape is the ultimate act of betrayal. The very person I made vows to in front of God and the world, the very person I expected to protect me from such horrible atrocities, was the one person I ended up needing protection from. I'm still reeling from the harshness of that reality. Overnight, I went from being a married woman with an intact home for my two sons, to a single, divorced working mom with two boys who have no father. Being a single mom has been every bit as hard as I imagined it would always be, and more so. I never wanted this life. Never. It was an insult to hear the Defense say that I actually engineered this outcome as though I am living a "dream life" now. Any single mom could attest to the fact that it is unrelenting hard work.

My sons have had to deal with the loss of their dad almost the same way that children deal with the death of a parent, except they know their father is a criminal. They haven't seen their dad even once since this all happened. They were 5yrs old and 2 yrs old at the time. They are 8 and nearly 6 now. The younger one barely remembers his dad anymore. The older, autistic one has had to be in a class for "Emotionally Disturbed" children. Gratefully, we have worked through the issues, and he was mainstreamed into a regular classroom this year for the first time ever in his life. So the boys and I are trying to make it through this, but it has been hard. We have struggled, but we have all been strong, and we will make it through.

The point is, though, that we should never have been put in this position by Shawn. He is sitting here today, with no remorse and taking no responsibility, but he was the one we trusted to take care of us. He betrayed all three of us. He humiliated all three of us. My heart still breaks when I think of how this happened and how our lives came crashing apart. This isn't the way things were supposed to be for us. My boys suffer and are paying such a high price for not having a father. But having NO father is better than having a violent criminal for a father. Others in my sons' lives have stepped up to the plate and we have all done so much to make those boys' lives as great as can be, and they are thriving. But I'm telling the court today, these boys suffer for not having a father who thought of them first before committing these crimes that put their upbringing in jeopardy.

The 2 ½ years it took to get to trial have been the hardest of my life. Especially the 10 ½ months he was out on bail prior to trial. I lived in terror. I was scared every day that he would make good on his threats to kill me. Even while he was in jail prior to making bail, I had to check the Sheriff's "Who's in Jail?" website multiple times per day to make sure he hadn't somehow made bail. It was the last thing I did at night before my head hit the pillow. So even while he was in jail, I didn't really have peace. I will always be afraid that Shawn is coming to kill me...just like he promised. The threats he made against me for months prior to the rapes were so serious and so real, and never, once did he back down and tell me that he didn't really mean them. So, I take him at his word and I'm asking you, Your Honor, to protect me, and the rest of the People of the State of California, for as long as you can, and sentence Shawn to the maximum of 8 years.

Shawn did make bail on Sept 30, 2009. I went into action. I went to the gun store that day and purchased a taser to carry around with me at all times. I also left town that day with my two sons to hide out for what I thought at the time was going to be one month until the trial date of October 26, 2009. After a month of hiding out, I got word that the trial got delayed for the eighth time when Shawn hired his third attorney and I had no choice but to return home. I immediately sought a license to carry a concealed weapon. I was doing everything in my power to protect myself-and I still am. The only thing protecting me now is prison walls.

To add insult to the 2 ½ year delay of justice, suddenly Shawn started taking me to Family Court last year, even though he was not finished with his Criminal Court proceedings. The Family Court was overstepping the Criminal Court and taking away my Victim-Witness rights, and it was a huge circus. At one point, the Family Court Judge even ordered me to pay my rapist Spousal Support, even after he made a finding that Shawn had indeed raped, sodomized, and forced me to orally copulate him. He forced me to do a deposition with Shawn sitting in the room with me in violation of my Criminal Protective Order. I was forced to seek remedy in the Appeals Court in order to preserve my rights as a Victim-Witness, but I am still shocked that in the same courthouse I can be treated so differently in two different courtrooms. The Family Court is still not finished, and it's clear that Shawn intends to continue to bully and harass me in Family Court for as long as he can. As I speak right now, I'm fighting to keep my children from being forced to visit their father in prison.

I know that Victims' Rights have come a long way, but they still have a long way to go. Having gone through this process now, it has become my passion to work on getting laws passed with my local representatives because it is hard to feel like you are being victimized again and again each time you come to court and the defendant has all the rights and you have none. That weighs on victims. There is always a trial date pending just weeks away. You expect to go to trial 10 different times, and each time the rug is pulled out from under you. It wreaks havoc on your psyche. The stress is immense. This was my life for 2 ½ years. Regular people didn't believe this was even real. This sentencing hearing itself got delayed twice.

Then we get to the trial itself, and I thought I was prepared for it, but I had no idea what I was in for and how greatly I would be impacted by going through that experience. I have never before been called a "liar" in my adult life. To go through weeks and weeks of trial, and to be subject to several days on the witness stand of being called a "liar" is horrendous. I have never had my integrity questioned, ever. I have worked in my profession, as a money manager, for over 16 years, all at the same company. Every complaint, founded or unfounded, goes on my FINNRA record, and is never erased. I have not one single complaint. I am President of the local volunteer political organization, I'm a member of our local autism awareness group, I volunteer at our church, and I have served on the Site Council at our school. I believe in putting myself out there in my community and my profession. Never have I been questioned as someone whose word couldn't be trusted. I didn't expect that to happen in this trial. I guess that was naïve. I just expected to come in, tell what happened, and I expected to be believed despite whatever attacks came from the defense. I don't like how it feels to be called a liar. I want to use this setting today to say, once and for all, that I am not a liar and I didn't lie during the trial.

The loss of privacy and humiliation that comes from a crime like this is hard to describe. Spousal rape is one of the last taboo subjects in our culture today. We can talk about Spousal abuse. And we can talk about stranger rape. But we do not talk about Spousal Rape. Ever. Yet here I was in this situation where my own husband committed this ultimately humiliating and PRIVATE crime against me. I had no choice but to have strangers and family members alike hear and see things that broke their hearts. But I had to in order for justice to prevail. I am embarrassed and proud alike to be the “face” of spousal rape, if it makes the road easier for any woman following in my path.

In closing, I want to stress to the court that Shawn is dangerous to all of the people of California, not just to me or my children. The crimes he committed were heinous and brutal. Shawn has shown no remorse, no responsibility, only arrogance. In fact, he acts like a psychopath. The way he conducted himself during the trial when he testified (I’m speaking to his mannerisms here) and sat up on the witness stand with his leg crossed, leaning back in the chair, and his arm back on the chair, looking directly at the jurors, perfect strangers, and smiling and yucking it up as though they were all old friends at a party. He was lying and telling them how he and the mother of his children just loved to have rape sex in the middle of the day while his two little boys were awake and upstairs, and how it was all just one big game. A normal person does not do this. Even the Probation Sentencing Report says that Shawn believes he is entitled to Probation for this crime. Apparently, he and he alone, is so special that he deserves probation, even though that’s not an allowable sentence for this crime, just because he’s such a great guy. Really? Only a psychopath could think that and show zero remorse even after he is convicted.

And as the victim, I want to stress a point that I didn’t really get to make during the trial. His enjoyment of his crimes increased with each act. Between what occurred on March 28 and April 1, not only did the violence level increase dramatically, but his enjoyment of the crimes increased dramatically as well. Someone who can get off so much on such sexual brutality is not fit to be amongst normal society. I am deathly afraid that I will end up like one of the many thousands of domestic partners who end up murdered each year. And when you all, as a society, look at the murderers after the fact (like we always do) and say, “My God, is there something we could have done to protect us all from this monster? Why was this criminal out walking the streets after he was convicted of such a terrible crime?” Well, here we are with that chance TODAY. The answer today is “YES, we do have an opportunity to protect our society from this remorseless, convicted felon.” This is a man that has a long history of hurting women, not just me. There are 15 years of a documented pattern of escalating domestic violence here. There were promises from him that he would kill me. Promises, Your Honor. And I know you can’t lock him up forever based on the crime he is convicted of, but you have an opportunity to lock him up for eight years. That would give me a period of peace to raise my boys, to give my boys their mother while they are still little children. The longer I can put off the day when my own sons have to stand in a courtroom and deliver Victim Impact Statements of their own because their mom has been murdered, the better. I am begging you to save us all from him for as long as possible. Nothing short of the maximum sentence of eight years would be sufficient for the suffering that occurred during the crime, and after. We must be protected, Your Honor. I am begging you.