

## Drew Witthuhn Impact Statement

Your Honor, my Name is Drew Witthuhn, I appreciate the time for allowing me to be here and represent my family, specifically my beautiful Sister-in-Law Manuela Witthuhn, her parents Horst and Ruth Rohrbeck, as well as her husband & my brother David.

The photograph my family and I are sharing here today represents a wonderful day in time many years ago that includes the four family members I just introduced you to. It also, sadly, reminds us all of Manuela's precious life that in February 1981 was taken so viciously and cowardly by this convict. Your Honor, My family and I struggled with the question of should we show this photograph or not, mainly to avoid the opportunity for the convict to re-live what probably is to him a fond memory but in the same instance we realized that would only be a concession for which can-not, and will not be tolerated. This convict, in this setting or any other, has earned and deserves absolutely nothing so I share this photograph with love & remembrance of and for my family and to celebrate Manuela's life rather than continue to mourn and despair over the short 28 years she was with us which is in-total thanks to the convict, who made sure she would not see 29. How proud it must be.

We are all aware of the circumstances of what and how the convict did what it did to Manuela for which it admitted & plead guilty to a few weeks ago. That day and setting reminded me of being nothing short of a total, and unconditional surrender, even while attempting to use a frail and feeble voice I'm sure it practiced to get just right from the second it was taken into custody until today, it's still making every effort to have us all believe that it might actually be a little bit human, capable and hopefully considerate of our mercy, sympathy & forgiveness which is non-applicable on all counts and as for mercy & forgiveness, for me personally I'll leave that prerogative to God.

I'll give the convict credit for one thing, at least it never broke character and by the looks of things, these proceedings are act #2. Regardless of a very bad performance, the admissions it made that day, to me, were reminiscent of a war crimes tribunal, without defense of actions or argument for innocence, for every atrocity the convict committed against so many fine people, their families and entire communities.

There were so many casualties in this war that lasted decades to conclude. Thankfully, many are still living and with us here to make their own statements of courage, strength, and survival. Also, sadly, based on the convict's ultimate cowardly & vicious actions some are not including Manuela but with what the convict may have believed were separate victories in whatever war it was waging that it is without question too much of a coward to discuss, clarify or apologize for, they all ultimately led us to be here today in unison to let this convict know that it sure as hell lost this war, and in a very big way.

I'll leave the hideous description as to what the convict physically did to Manuela to history, except to remind the court that after forcing it's way into Dave and Manuela's home & while in her sleep Manuela was literally pounced on, controlled, restrained & secured by the convict as if she was nothing more than prey to the predator. No one other than the other brave victims who survived can begin to know or try to imagine & comprehend what that moment of pure terror with the realization of what was happening to them must have been like. The convict knew, he was there every time to create & execute every single second of it.

Manuela was very petite, weighed a buck nothing and was no physical threat to anyone or anything. She was given no opportunity by the convict to try to defend herself in any way at all. Then, after that one cowardly and inhumane instant of dominance, the convict took as many minutes or hours it felt was required to viciously & cowardly violate her while ensuring that Manuela was stripped of any and all human right with final intent only to be considered in the convict's warped and inhuman sense of things as nothing more than scrap to be later removed and discarded as if she never lived at all, having absolutely no value.

Manuela was nothing more to this convict than one more kill, one more victory, one more trophy.

Soon after Manuela was murdered by the convict & buried by her parents, her husband David and the rest of our family, Horst and Ruth moved back to Germany without goodbye's or requests to keep in touch, taking only some personal belongings, photographs of Manuela, police case numbers and unanswered questions to the horrors they had been forced to endure as the only reminders of their lives in the United States. They kept breathing for a few years, which was really all they could do, not sure if they even wanted to do that, until they too passed on and if we believe as I do, were reunited with Manuela and hopefully finding peace. God knows they earned it.

After February 1981, my brother David lived in my opinion the next 27 years on borrowed time, from illness, despair, grief, anxiety, and depression which took an accumulative toll that in 2008 finally became too much for his physical body to continue to endure. Those of us who spent time and lived with him saw and experienced a steady decline of faculties initiated in no small part by the convict's inhuman selection of his wife Manuela to remove him from. Dave went on with whatever strength he could muster and display, all the while knowing there would no longer be anniversaries or the anticipation of children, grandchildren, birthdays, vacations, family holidays together or anything remotely familiar to a normal life as the convict made sure that in one instant those rights and certainties and so much more would be stolen from them both.

Your Honor, for reference I'd like to share another photo of a quiet place where Dave and the rest of us, mostly Dave alone, visited to spend time with his wife, to try and make sense of things while bleeding with grief knowing he could no longer look at, hold or protect her. He remembered their short life together that should have been allowed to grow & prosper but never would. At least he had her name

to see and read that was carved into a piece of stone so anyone who happened to walk by and look down would know Manuela was there. Dave knew and never forgot, he's the one who had to make the decision to pick where she would be placed underground never to be seen again. There were so many things he could not forget no matter how hard he tried, especially how and why she came to be there at the hands of this convict.

On top of it all Your Honor, my brother Dave had to live for years with scrutiny, suspicion, and rumors that he himself may have been involved in Manuela's death. No one should have to endure such intrusion but considering everything that was known (or unknown) at that time, any rational person could understand and sympathize with that thinking. Dave understood, said he did anyway but we'll really never know the exact toll it took on him. We all knew Dave had no ability or motivation to ever be involved in something so grotesque and inhuman. He continued to profess and educate as to his innocence until it was proven in 2001 I believe when the DNA link was identified that established one suspect in so many more sexual assaults and homicides throughout California. We all took a very long moment to finally have it understood to everyone of Dave's vindication but also with the realization that Manuela's murder was part of something that was so much larger than anyone could have ever feared or imagined.

Dave died before knowing of the convict's identification and arrest, he always knew it was coming, just a matter of when. I believe the convict knew it too, nice to think it developed a sore neck from having it's lifeless head on a swivel for so long waiting for the real cops to show up.

When the convict left It's little business cards in the form of DNA, it was because of the ability in our case, of Manuela's body's to preserve it, and Law enforcement's dedication to meticulously and thoroughly retrieve it for proper preservation and testing that ultimately helped lead them directly to this animal. Yes, it took several years but the countless law enforcement professionals who never stopped working and believing that they would one day identify then have the privilege of paying a visit to take into custody a monster in human form would once and for all finally happen. And It sure as hell did.

In Manuela's case, I believe that she, as well as all other victims and their families, simply would not allow for anything less. Collectively they helped created a drive within so many good people with one goal which was to develop a positive, overwhelming, and definite outcome for everyone involved that I'm not sure can ever be equaled. Our family, & I'm sure all others will forever be thankful and indebted to everyone who sacrificed their own lives in many ways for all of ours. That fact has never been nor will it ever be marginalized or forgotten.

Your Honor, I feel I have a unique perspective of things, from both sides of this fence as being a family member of one of the convict's murder victims I was also a very proud member of the law enforcement community. As a police officer (a real one) for nearly two decades and involved in countless incidents

and investigations, some strikingly similar to those committed by the convict I can't help but feel as I am both qualified and obligated to give an opinion as to the impact & effect the convict's very short, uneventful, cowardly and fraudulent time masquerading as a public servant had on our (and I mean all of us real cop's) community. After the convict was identified, arrested and background made known, what the real cops did in this case and proudly continue to do today by choice with unending, unwavering & undesiring of credit professionalism is simply the job they swore to do, seeking justice while hearing & absorbing consistent references to the convict as being a "Former Police Officer".

On it's face, but only through paperwork and photographs that may be a true statement but that's where the similarities to real police officers and all law enforcement professionals end. It's been discussed ad nauseum but it's certainly true that the badge and uniform this convict fraudulently put on and hid behind represented nothing more than the ski mask it put over it's face to conceal it's true identity which was only intended for one thing, to help it learn & further it's insatiable need and desire for the destruction of innocent lives. This thing was no cop Your Honor, not one day or moment could it be considered one after it raised it's cowardly Right hand but kept it's fingers crossed on the Left while repeating the oath that we real cops hold sacred. I would submit that this convict never did a selfless or worthwhile thing in it's miserable & useless life, especially while falsely representing me and my community, all members of law enforcement sworn and not, and the good people it was supposed to serve & protect. I truly feel sorry for the real cops who were in the same departments and have been forced to live with what has been placed on them by the convict's actions & affiliations. They don't deserve scrutiny and remain a vital and respected part of our community.

My wish would be for an official decree that negates and expunges all records, references & memories of any kind regarding the convict's association to law enforcement. It deserves nothing less.

Finally Your Honor, as to the convict itself, I think I speak for all concerned that regarding any remorse or apology the convict may either try to express or be internally considered, we have no expectation of ever hearing it but I personally could care less if it does or doesn't. The elements required but were WILLINGLY removed by the convict himself, that might allow for honest impact or consideration if it felt led to say anything, left the building a very long time ago. It would require humanity and a soul which in this convict's case, neither apply as somewhere back in time they both were removed, never to return.

With that being known, and to this day being very aware and understanding of what it did, within the convict I believe there is and was no desire or thought to show remorse or contemplation of actions. There is and was absolutely no desire, although it certainly had the ability to reason & decide with a positive or humanistic way that it had a choice not to perform such grotesque, sadistic and unimaginable acts. It committed every single one of them with what the court has most appropriately defined and the convict admitted to as "Malice aforethought".

From what I'm hearing now, it's all Jerry's fault. Yea, go ahead with that one but being a true fraud and coward to the end, the fact remains there is absolutely nothing good, bright or redeemable behind the convict's black & soulless eyes no matter who is in there. And when the slits finally close for the last time and it helps to save a lot of very good air that's been wasted for over 70 years now, it will certainly die alone, uncared for, loved or mourned, then finally dissolve into nothing more than a pile of former inhuman waste. A very just & eternal sentence if there ever was one to be exacted.

Your Honor, I'll end by sharing that by chance the other day I happened upon a documentary on the crimes committed by Dennis Rader, better known as The BTK serial killer from the 1970's and 80's. In an interview, a son of parents and two siblings that were murdered by BTK gave the most relevant and true statement that is so appropriate and certainly meaningful regarding Manuela and the other murder victims so with much respect what the gentleman shared was, "For this instant, after my family has been gone for almost 40 years now, they're relevant again in today's society. They existed, and the world knows they existed, and they didn't just get erased from life and swept under the carpet. They were somebody, and they were worthy of life".

Thank you for the court's time Your Honor.