

# TOM NICARICO STATEMENT



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People v. Brian Dugan  
05 CF 3491

### Victim Impact Statement

Tom Nicarico

The initial impact of this horrific crime upon me was a combination of grief, emptiness, fear and the painful empathy for what Jeanine endured. It seemed very unnatural for the youngest member of our family to be suddenly gone. Jeanine was just beginning to blossom into life. The horrible circumstances surrounding her death ... her being taken from our locked home, the ravaging of her small body, even that she was missing for days before she was found ... resulted in feelings of helplessness and dread which, for me, developed a life of their own.

However as time has passed, while these are no longer 24-hour-a-day feelings or thoughts, their depth has not been diluted. They do not wait to be prompted by court proceedings or media releases in order to spring into my mind, uninvited and on their own. Events as simple as a passing, giggling little brown-haired girl can suddenly open the gates of intense feelings ranging from nostalgia to absolute dread.

This crime has affected me, my family, the families of our friends, and many others both within and outside our community. No longer is it safe to leave doors unlocked ... as was the custom of many at the time of this crime. No longer is it safe to leave even responsible children alone and unprotected. No longer is the boogey man a fairy tale. He is for real! He

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came to the Nicarico house in February 1983. Indeed, nightmares are not just for the Nicarico family, they exist for many others too ... even to this day. This knowledge alone ... of the fear and anxiety generated by the crimes against Jeanine ... is a source of deep personal anguish.

The single most troubling aspect of this crime for me, the one that I personally have the most difficulty coping with, is what happened to her on that Friday ... Jeanine's violent kidnapping and horrific assault, culminating in a brutal bludgeoning. It was not a single blow to the head. She was struck a second, a third, a fourth and a fifth time! These images, especially those of her sexual assault, tear open my heart. Wasn't she safe within the sanctuary of our home? That wooden door was no protection. Where was her father when she needed him? Where was the family's provider and protector? I was unable to help her; I did not keep her safe. Could I now even assure the safety of her surviving sisters, Chris and Kathy?

When thinking about the effects of this crime on Jeanine, my wife, my children, family and friends, I have experienced feelings ranging from profound sadness to anger, to helplessness, and even to fear ... fear for my other loved ones.

Notwithstanding the foregoing and a flourishing personal cynicism, I remain resolved not to allow this tragedy to destroy or further erode my family's sense of wellbeing, trust and general concern for others. Despite the pain and anguish from this tragedy, our family recognizes the boundless compassion and support that we have received from family, friends, community, and even strangers. Because of this understanding, our family has been able to pursue generally normal lives. We have built bridges over the chasms in our hearts even though those chasms are sometimes overflowing with tears. We're determined not to allow the evil done to Jeanine to also rape and bury us.

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Tom Nicarico