

2) DID THIS CRIME RESULT IN PHYSICAL INJURY? IF SO, PLEASE STATE THE NATURE AND THE EXTENT OF THE INJURIES.

I was taken from the Russell Cave Road location to the Georgetown Community Hospital via ambulance. They treated the bloody scratches on my body, more concentrated on my breasts. Every joint on the right side of my body was sprained and several had to be wrapped. I was unable to walk or use my right arm for several days without assistance. I had to learn to brush my teeth and hair with my left hand because I was unable to use my right arm for several weeks. The cuts, swelling and bruises healed within a week or so but the damage done to my right arm, from the violent jerking me back in the car several times, caused nerve damage to my right arm and neck which still exist even 5 years later.

3) DID THIS CRIME RESULT IN ANY DAMAGE, LOSS OR DESTRUCTION OF PROPERTY?

Yes. There was damage to the inside of my car. The struggle with the knife broke my radio and CD player. The dashboard had knife marks in it and some of the knobs on the dash board were broken. I had to continue to make payments on the car and insure it for one year because the Commonwealth Attorney office did not allow me to take it to the crime lab for inspection until on or about April 20<sup>th</sup> 2007. I could not sell it or trade it in until after the crime lab inspected it. I did eventually trade it in for a reduced value due to the broken radio, CD player and the need for the dash board to be replaced.

4) PLEASE DESCRIBE THE EMOTIONAL IMPACT THAT THE CRIME HAS HAD UPON THE VICTIM AND THE VICTIM'S FAMILY.

This question is not very easy to answer for me. As for my family, they have written letters that I have included. I have also included a letter from my Dad, who passed away two years ago this month, as this was something that was never far from his thoughts as evidenced by what happened the last time he was in the hospital; a few months before my dad's death he suddenly became ill while at work and was rushed to the hospital. I arrived shortly after he did. When I approached his bed, dad was still in and out of consciousness - when he saw me he immediately began talking about my being kidnapped. He was frustrated that he could not protect me and was concerned for me. I tried to calm him down as his health was at high risk but he was only thinking of me and my safety. His accidental and untimely death occurred a few months later. I hate it that my precious Father, who was a warrior of a man and always protected his family, spent the last few years of his life in great fear that someday this man would be out of prison to rape and murder his daughter. I have always been a daddy's girl and have been sick to know that what happened to me hurt my Father even more than it hurt me. He wanted nothing more than to ensure that I would never have to be scared again. I am furious that Frankie Covington stole peace of mind from my Father so much so that even in the end of his life that was all he could think about. My Mom, almost 75 years old, now lives alone and prays for me daily that I will not have to die at the hands of a monster like Frankie Covington. Mom always tries to be strong and positive but she too has been a fighter and warrior wanting to make sure that I was safe. My brother, sister and husband have all written letters asking you to give us peace in our family and the hope for normalcy.

As for me, it is challenging to put in to words all that I have experienced, or even part of it, as a result of what the Frank Covington did. I am writing this in my living room on March 8, 2011, almost 5 years after the incident. Even tonight I had a strong physical reaction to something most people would handle quite normally. I was driving back from Cincinnati and got lost somewhere off the interstate. I kept getting turned around, it felt like I was out in the country and I couldn't seem to get back to the interstate. I noticed, only about 10 minutes in to being lost, that I was gripping the steering wheel, teeth clenched and very upset. I thought I was going to have to pull over because I started to cry. Although it is normal for most people to become frustrated while lost and trying to get home my emotions were from fear. Fear that I didn't know where I was, it was dark, my cell wasn't working well and I didn't have a weapon with me. I had to literally talk to myself and reassure myself that I was safe and fine, my doors were locked and nobody could hurt me.

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It is as if my life has now been divided in to 2 segments; my life before the attack and my life after. They are very different lives. After much hard work, prayer and time passing I have realized that I will never have my old life back but rather, I'll have to make the best of my life now. I have tried to use what I have experienced for some good. I think I now love deeper and appreciate my family and friends more. I am grateful for a good night of sleep as it has taken several years to be able to sleep peacefully. I am very hopeful that when sentencing is over that I can experience a deeper level of healing and move toward a peaceful life again. I don't think it will be as confident and peaceful as it was before but significantly more peaceful.

I have benefitted by gaining a new dependence on God. I mean a truly vulnerable- I can't make it through the day without your help – kind of a relationship with God. I have spent a lot of time reading the Old Testament and finding myself drawn to the stories of God fighting for the Israelites when they have been attacked by their enemies. I LOVE how He goes ahead of them and fights their battles for them. I have memorized many scriptures and recited those in my head during times of overwhelming fear. Because life had become so difficult I found myself spending a lot of time reading the Word of God. When it takes all the strength you have to move through the day performing perfunctory tasks you can easily become exhausted and overwhelmed. You stop dreaming and just focus on what step you have to take next. I had to look to God to give me peace and rest in the midst of all the chaos.

I have done other things to try to feel safe since the attack. I met with several counselors trying to find someone with experience to help with the trauma. I found one two months after the attack and have met with her on and off for the past 5 years. I have attached a letter from her to this statement. I completed classes and received my license to carry a concealed weapon within the first two weeks of the attack. I purchased a gun to keep with me at all times. I spent time at the gun range learning how to shoot and handle a gun. I studied self-defense and quickly obtained a yellow belt. I replaced the windows, doors, locks in my home.

Living with this attack and the stress of enduring protracted litigation has been like a doctor telling you that you are healthy right now – but that at any moment you may die a horrible, painful, humiliating and brutal death. Living with something, that is completely outside of your control or influence, hanging over your head is a constant source of stress.

#### 5) HAS THE VICTIMIZATION AFFECTED YOUR EMPLOYMENT?

Yes. In 2007, my primary care physician advised me to withdraw from the more stressful cases and take more time off work. I followed her advice. In preparation for the recent trial I withdrew from several cases and also declined to take new clients knowing that I would not be able to work on certain cases to my best ability.

I also had great difficulty returning to work one week later. I would leave work early for more than a year because I didn't want to be there at 5:00pm. Even to this date, if I work late I make sure I am locked in and I am on the phone with someone and have a gun in my purse when I leave the building.

#### 6) HAS THE VICTIMIZATION AFFECTED YOUR LIFESTYLE OR THAT OF YOUR FAMILY?

As discussed above and in the many letters I have attached, the attack has touched every part of my life, including preventing me from becoming a Mother. My home will not be deemed a safe one until sentencing is over and I will not pass a home study until I can provide a safe home. In addition, all the things I did each day have forever been altered because of the underlying current of fear. I know the legal system cannot restore me to the way I was prior to the attack, or make up for the years I have lost waiting to become a Mom, but this Court can give me time to heal and start a family. You can give me time to create a new life that is not clouded by fear of the Defendant. The longer he is incarcerated the more normal my life can become.

My parents, family and friends have suffered throughout this as well. They know in their hearts that the Defendant intended to rape and murder me and there is absolutely nothing to reassure them that his intentions will have changed upon his release.

#### ADDITIONAL COMMENTS:

The Defendant has never shown signs of rehabilitation. This conviction is his 10<sup>th</sup> felony conviction. He has either been in jail, prison, awaiting trial, or committing crimes for the past 27 years. He is beyond rehabilitation and should spend the remainder of his life behind bars in order to protect me, his unidentified future victims, and even himself. He clearly has no ability to function in society. He only waited 6 days after his release from prison to purchase and abuse illegal drugs, come to my office with a knife strapped to his ankle with a plan formulated and a route mapped out to kidnap me, rape me and

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It is my understanding that the sentencing guidelines that our legislature created to govern the persistent felony offender (PFO) status state that if a previously convicted felon is convicted of committing a subsequent felony within 3- 5 years of the prior felony then he/she must be sentenced under the PFO to a harsher sentence. Our legislature felt so strongly that if a felon were to commit an additional felony years after their release then they must be very dangerous and their sentence must be enhanced. Frank Covington did not wait one year to commit another felony. He did not wait one month to commit another felony. He did not even wait one week to commit another felony. He waited only 6 days.

It is like I have been treading water for 5 years. Now I finally get to come up for air and I really don't know what is waiting for me. I have been surprised at the level of anger I have felt since the end of the trial. I am angry that this career criminal, with 9 prior felonies, had the opportunity to be released from prison to torment me. Why was he on the street? Is he going to get that chance again? If so when? When he is 60, 70 or 80? Just because he is older doesn't mean he is any less dangerous. Remember that as he ages I age too and will be less able to defend myself if he does get out on parole.

On February 22, 2011 I believe the Defendant called my cell phone. This was after the guilt phase of the trial was complete and the jury was deliberating. I received two phone calls from inmate call service telling me that an inmate was attempting to call me. The previous day while I was on the stand my cell phone was stated in open court off the 911 tape recorded call. During the call the 911 operator had me repeat my cell phone number. After the trial my brother told me to change my number because he saw the Defendant writing down my cell phone number as it was being repeated. The next day I received two calls during the jury deliberation. I cannot imagine it to be a coincidence. It is just another example of how the Defendant chose to violate boundaries that society demands exist. This should not have surprised me as the one thing the Defendant has proven to me, this Court, and any objective observer, is that he is not interested in modifying his behavior or being rehabilitated in any way. His behavior is beyond my comprehension. He is obviously never going to be anything other than a drain on society, a plague to those who unfortunately encounter him and a pariah feeding off the weak or unsuspecting. He is a predator and in 2006 I became his prey. Only by God's grace and mercy did I survive.

Although I believe there is the potential for good in most people, I do not believe the same for the Defendant. He has spent the last 27 years proving that he has forgone his humanity and is morally bankrupt. He is without remorse and completely unable to see his role in the crimes he commits. This is exemplified in his interview with the lead detective the Defendant states he wants to charge me with kidnapping him! During the kidnapping said he was doing this because of the years he spent in jail. He believes that his being in jail is somehow my fault instead of a direct result of his history or pre-meditated, criminal, evil acts. These facts alone preclude any hope of rehabilitation.

Unfortunately, neither one of our lives will ever be the same because of his well thought out plan to kidnap me. He chose this path, I did not. I have tried, even in a small sense, to live a life that made a difference hoping to somehow help make the world a better place. On the other hand, the Defendant has lived a life that has contributed to the pain, degradation and suffering of society. He has been a terrorists his entire life, and barring an act of God and genuine remorse on his part, and always will be. I do believe that God created everyone with the capacity for good but it is evident that the Defendant has chosen to act on his deviant, prurient desires in an effort to satisfy his flesh at all costs. He chooses to ignore, or maybe never even consider, the effects his actions will inevitably have on others.

The Defendant has put me in a prison of my own for the past 5 years and killed a part of me that I pray I will have back one day. Right now I am currently serving a life sentence of my own and I think it only fair that the man who forced this upon me have to serve the same. I beg you to sentence him to life, and wherever possible in the court file request the parole board, that Frank Covington never be released from prison under any circumstance. Please consider that the minute he is released from prison and his sentence ends then mine begins. Please do not sentence me to live my life in a prison.

I appreciate your thoughtful consideration of this extremely important matter.

Sharon R. Muse

