

Victim Impact Statement

Submitted by: Maria Mitousis

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Date of Offence: July 3, 2015

Name of Offender: Guido P. Amsel

City where incident occurred: Winnipeg, MB

I never imagined that I would be in this place, writing about how my life has been impacted by crime. Until now, my part in our justice system had been defined by my role as lawyer, not as victim. Writing about the impact of Mr. Amsel's crime has been far more challenging than I expected. It is intrusive and deeply personal. But because I have the capacity to be here, because I am an officer of this Court, and because my voice and perspective have a place in all of this, I have chosen to prepare a statement. I have followed the four-part form provided to me in structuring my victim impact statement.

Emotional Impact

In the three years and three months (to the day) that have passed between the crime and this sentencing hearing, my single focus has been to return to my ordinary life and to reclaim who I was before. It has been a long process and through this experience, I have seen the best and the worst of people.

The best – first responders, hospital and medical staff, police investigators and crown attorneys - for their diligence and professionalism. The community at large who shared messages of support and who voiced anger and outrage at the violence of Mr. Amsel's acts. Journalists who covered this from the beginning and gave perspectives that included stories of generosity and recovery. My friends and colleagues in the legal community across Canada who stood by me then and who are still here now. All these

people have had a positive impact on me; they helped me remain optimistic and encouraged through this otherwise horrific experience. What impacts me, and weighs on me, is knowing that there are many out there who do not have the supports I do and for whom being the victim of a crime is devastating.

I have also come face-to-face with the worst in people, if I contemplate why Mr. Amsel did what he did to me, to the others, and why he chose to put so many members of the public at risk by mailing explosive devices. I have concluded that his deliberate, carefully thought out plan to cause pain, fear and chaos are the actions of a coward. It pains me that my life has intersected with someone who, by his own selfishness, arrogance and need to exert power over others, chose violence to leave his mark. I was sheltered from that before. I was one of the lucky ones for whom violence had been peripheral in life. I have now seen how easily one can become a victim and how personal safety and security are not to be assumed.

There are also the online trolls I was exposed to, those who suggested that I was complicit or even deserving of what happened to me because of what I do for a living. Those are voices best to be ignored but try as you might you cannot tune them out completely. This is the extent of the attention I will give them here.

Physical Impact

I am generally an optimistic and resilient person. I seek out the positive lessons in negative experiences. But I have been tasked, in preparing this statement, to focus on those questions that, as a rule, I choose not to think about.

How has this experience impacted me physically? I wear the scars from the explosion on my body and face. I am now defined in many ways by how I appear. Sometimes I see the scars and my damaged arm as a badge of strength and of survival;

sometimes they are a permanent reminder of the cruelty that one human being can inflict on another.

I wrote the first drafts of this statement using my remaining hand. My handwriting looks very different now, it reflects how I have changed. I have had to be patient. I have been humbled.

What is it like to look at the place where my right hand used to be? It shocks me each time I see it. It both intrigues and disgusts me to look at my arm and to recognize the flesh that used to be part of my left leg, which was cut away then stitched to the flesh of my right arm. I see the seams and the punctures where the needle entered and exited my body, sewing together pieces of my flesh together like a rag doll.

I can sense and "feel" my lost fingers and thumb. I can feel them clenched into a tight fist. What I would give, for just three seconds, to release the intense pressure by opening my hand and stretching it wide. That this is the best that I will feel - and that I must carry this, or worse, for the rest of my life - sits like a knot in the pit of my stomach. It is noise I will endure and, if I am not careful, it risks reminding me of what was done to me by a coward.

I recall the painful moments after I was injured. The months of wound management as the lacerations, cuts and burns healed. Open wounds we had to learn to look at, treat and dress. Nothing really prepares you for it. I recall the time my surgeon had to peel and cut from my arm flesh that was not healing, flesh that was dying and beginning to rot, as I sat with my teeth gritted in disbelief that this was my reality at that moment.

Other things I underwent: Three surgeries in the first year. Dozens of medical appointments (more than I had in my whole life to that point). Having to rely on others for simple tasks - eating, showering, and bathing. Hours of rehabilitation therapy. Hours of learning what life as an amputee had in store for me. Sometimes I worry about the future. What happens when my left hand becomes weak or arthritic due to age or overuse? How will I take care of myself? Will there be someone to help me?

These insecurities and fears intrude on my thoughts more frequently than I would like to admit. This has been an impact of this crime.

The dull, constant throbbing pain in my residual limb, reminds me each day whether I like it or not, that I took for granted the many things I was able to do without a thought. Those memories are bittersweet. But, I choose not to dwell there. It is a dark place to be for too long. I also believe that it would please the man who caused this harm to know the details of the pain and the damage that he has caused. I shall not allow him the satisfaction of that. This statement is for the Court's benefit and use. What Mr. Amsel can take from this is that, outside of this court process, I never think about him. After this is over I will forget him. He will disappear from my consciousness.

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I am back at work full time now. Each day is usually better than the last but more challenging than ever before. The three years that it has taken for this matter to proceed through Court have felt very long, but at the same time as if time has flown by. Each time the story reappears in the news cycle, I remember it all again. It again intrudes into my life and disrupts the level of normalcy that I had achieved to that point. It sets the healing back. It forces me to look backwards rather than forwards, which is where I prefer to gaze.

Financial Impact

I am grateful for the support I received from my community and through Victim Services. I know how very lucky and privileged I was to have those resources and others to draw on.

But, while I am back at work I have not returned to the level of productivity that

I enjoyed as a self-employed person prior to my injury. I hope that will improve. I have to make more time for self-care, therapy and counselling, recognizing that the nature of the work that I do demands that I be healthy both emotionally and physically. That time is costly but necessary for me. I am very mindful of the balance that I must achieve and recognize that to continue to recover I must pay attention to this and continue to allot my financial resources into those tools that assist me. The Court should know that while resources are available through Victim Services for counselling and therapy, what is available only scratches the surface for the kind of support needed by victims of violent crime to move forward. It is not just for recovery in the aftermath of a crime. The ongoing Court processes create a tremendous burden and stress on victims and survivors who must re-live these experiences and continue to heal. These services need to be acquired privately and so, yes, there has been a financial impact on me to access those.

Other Comments or Concerns:

I must speak of my family and the impact this has had on them. It is very difficult to be a bystander when a loved one suffers. There is never just one victim. And I have seen how much more visceral an effect the emotions - the anger in particular - has had on those closest to me. That has been hard for me to witness. I tend to let go of the anger and the dark thoughts as quickly as possible when they come. Seeing my loved ones struggle is difficult.

I listen and digest what others say to me about all of this. All of it impacts me. The friend who asked me if I could ever forgive. My 92-year-old grandmother who tells me painfully that the only just punishment would be for Mr. Amsel to give up his right hand. Members of the community who congratulated me after Mr. Amsel was convicted. I have had to bear the burden of how other people have experienced this

crime. These experiences have become part of my experience too. Those are things that I have struggled with as my own experience is quite different. It is burdensome. So too, are the feelings of guilt and responsibility I have for those who have been drawn into this with me, especially my workplace colleagues. I would like the Court to be aware of the emotional burden that a victim carries for others because so many are impacted in some way by the criminal act. Intentional or unintentional, the weight of other peoples' fears, pain and anger, have been passed on and are carried by me too.

How do I feel about contact with the offender? Because he is incarcerated my safety is assured. I do not give it a second thought. He is not present in my consciousness. But if Mr. Amsel were to be released to the community? I would fear for my safety and for the safety of others because of the callousness and the disregard for other people that he has demonstrated. If he were to return to the community, there would be many who would not be safe. What do I wish? I would like to see him be made accountable for what he has done. I would like him to acknowledge that the sentence he will be given is proportionate to the violent acts he committed. However, because he has failed to take responsibility, because he has denied acts that have been proven beyond a reasonable doubt that he committed, I believe that neither I, nor the community, is safe if he were to be released from custody.

Please understand that I am readily able to embrace principles of forgiveness and redemption, yet in this case, at this time, I cannot. Mr. Amsel is to blame for that. Not by what he did to me and the others, but by what he chose to do afterwards and what he continues to do. Early on he made it publicly known through his lawyer that the real wrongdoer was still at large in our city. He traded on the names of men who were wrongfully convicted – that a miscarriage of justice was about to happen – that he was just like them. Not only did that deeply offend me and anger me, it also frightened me at the time – was I really safe? And he didn't stop. He pointed to others as more likely suspects. He advanced conspiracy theories. He testified and maintained his innocence even in the

face of evidence that left no doubt that he was responsible. By doing all of this he continued to inflict harm on me and the other victims. He is solely to blame for why it is impossible for me to show him any empathy now. He showed us none, not for one moment.

This written statement is only the tip of the iceberg in terms of the many ways that the violent crimes committed by Mr. Amsel have affected me. It's all I can do at this time. His acts continue to affect me. And I expect that this is not the end of matters, and that there will be more still to endure.