

You Must Leave The State

And Stay Gone Forever

Many people think, "Oh, battered women are safe, all they have to do is leave. Well, many battered women do in fact leave and they get murdered."

Stanley, Director Family Violence program for New Hampshire
Mental Health Services

Is This Truly a Phenomenon To Be Recognized?

April 10, 2007 there was a discussion program on the cable station, Arts & Entertainment, regarding the Battered Women's Syndrome. The two legal scholars represented in the discussion were a law professor from Harvard Law School and a female prosecutor from California. They were discussing the use and misuse of the Battered Women's Syndrome defense used by attorneys in the explanation for a woman killing a man who had abused her. Mixed in with the discussion were a few previous cases where women have murdered men and used the Battered Women's Syndrome as a defense against the charge of murder. Of course the so call female serial killer from Florida was dragged into the fray. What angered me about the program is that the discussion was lopsided. It is easy to discuss how another should act when one has never been hounded, brained washed, battered or raped. It is easy to sit in an antiseptically arrayed environment and discuss how others should act. We wonder if the law professor has ever been in a boxing match, held a gun in his hand let alone been in a fight for his life. We wonder if the female prosecutor has ever been slung around a room with such force that she not only wet her panties, but wet her panties for days after the assault and wets her panties whenever a man speaks in a loud voice. We wonder if the female prosecutor had been told so many times that she is a fat slob that she not only believes she is a fat slob, but that her daughter has inherited the trait. We wonder how many assault cases involving women has she plea-bargained down to misdemeanors and how many juvenile rapists has she given probation? California is filled with rapists. Dodging a rapist on parole in California is like trying to dodge a rain drop. Surely the safeguarding of the community against rapists on parole could have been woven into the conversation. Would not the women in California be better served if the prosecutor had asked the governor to set a \$50,000 reward for the murderer of _____ and her missing son, or has the cold case squad forgotten about her, making Mrs. Laci Peterson more important? Here were two professionals that have never been near the trenches, yet they believe themselves competent to discuss a battered woman and her ability to defend herself against the charge of murder. Imagine! The discussion was disingenuous. As a rebuttal to everything they said on the broadcast, we offer you a view into the lives of 3,000 America women from across the country (from % of them were % were from Utah, and % were from Texas). These women sought help from the police, from the courts and from shelters. They obtained restraining orders, yet they were still murdered. Let no on tell you all a woman has to do is leave her home and all will be well. We believe our discussion presents a much more detailed portrayal of the violence visited upon women necessitating the need for the Battered Wife Syndrome as the defense for the abused woman.

Please read carefully because all of the women we discuss are dead. They did not survive the battering or the attack and not one of them was armed and most were murdered during a **sneak attack** (while they were sleeping). Men are trained as boys, when they played GI Joe, how to conduct a sneak attack. Please pay close attention to the probationary sentences handed down for the act of murder and in what states. Please note the mistress who helped her lover obtain a second mortgage on his wife's house. The wife did not know of the (fraudulent) mortgage and then she later ends up dead. Please note the number of ex wives that are murdered and the number of women who are murdered while attempting a divorce. As you read, please remember we are not accurately describing the injuries to the body sustained by the women. We are withholding certain information out of respect to the murdered women and their families. Nevertheless, since you know we are withholding information, ask yourself what type of person (man) committed such an act. Why should his victim

have to give up her life because she had the misfortune to marry such a person? Why should his victim have to give up her life because her fellow citizens find it easier to avoid the truth that our legal system is flawed (Sheila Caldwell – Gloria Austin)? The officers were sitting in the police station drawing up an arrest warrant when Gloria Austin was shot in the head as neighbors watched. Mrs. Austin was lying on the ground while Mr. Richard Austin proudly shot her three times.

If you were impressed by what the Harvard law professor and the district attorney had to say, let us see how impressed you are with what we have to say. Our medium is not television, it is the lives of 3000 women murdered in this country. These two professionals seem to say the woman has a remedy to her dilemma. All she has to do is leave. All she has to do is go to the police and take out a protection order. How foolish we sound when we seek to deceive. When a man says he is going to kill his wife he means it pure and simple. He is not concerned with America's legal system nor is he concerned with the police. The woman is his possession and no divorce decree, separation papers or protection order is going to keep him from his task, not even fatherhood. We asked you to read carefully because these particular cases are unique. They are unique for several reasons. We leave it to you to note the uniqueness. But do not be fooled. Do not sit at home and think that the sum total of women we discuss with this uniqueness is a finite set, they are not. The set is not finite because there are others that we have not discussed and there are other women soon to be murdered this year or the next that follow the same pattern. What you do not want is to become one of them. So read carefully.

And lastly, after reading this book we say to you not one of the 3,000 women discussed within had an opportunity to chat about the Battered Women's Syndrome on A& E.

For your information:

In her July 17, 2004 article, What is Battered Woman's Syndrome, attorney and mediator, Lori S. Rubenstein, says "To understand battered woman's syndrome, one must first understand how someone becomes a "battered woman". According to Dr. Lenore E. Walker, the nation's most prominent expert on battered women, a woman must experience at least two complete battering cycles before she can be labeled a "battered woman". The cycle has three distinct phases. First is the tension-building phase, followed by the explosion or acute battering incident, culminating in a calm, loving respite - often referred to as the honeymoon phase. Walker, L., *The Battered Woman* (1979).

It is also important to understand why battered women stay in abusive relationships. The Court in *People v. Aris*, 215 Cal App 3d 1194, 264 Cal Rptr 167, 178 (1989) stated that "battered women tend to stay in abusive relationships for a number of reasons." Among those reasons: women are still positively reinforced during the honeymoon phase; women tend to be the peacekeepers in relationships - the ones responsible for making the marriage work; adverse economic consequences; it is more dangerous to leave than to stay; prior threats by batterer to kill self, or children; or to abscond with children; lost self-esteem; and no psychological energy to leave - resulting in a learned helplessness or psychological paralysis.

"Battered woman syndrome describes a pattern of psychological and behavioral symptoms found in women living in battering relationships." *People v. Romero*, 13 Cal Rptr 2d 332, 336 (Cal App 2d Dist. 1992); See Walker, L., *The Battered Woman Syndrome* (1984) p. 95-97. There are four general characteristics of the syndrome:

1. The woman believes that the violence was her fault.
2. The woman has an inability to place the responsibility for the violence elsewhere.
3. The woman fears for her life and/or her children's lives.
4. The woman has an irrational belief that the abuser is omnipresent and omniscient.

"Battered woman's syndrome is best understood as a subgroup of what the American Psychological Association defines as Post-traumatic Stress Disorder, rather than as a form of mental illness." IX *New York Law School Journal of Human Rights* "You've Come a Long Way, Baby: The Battered Woman's

Syndrome Revisited" at 117-118; Walker, L., Terrifying Love: Why Battered Women Kill and How Society Responds (1989) at 48. See complete article at www.divorcenet.com

To understand this defense viscerally we would like for you to take a grape and place it in your left hand and take an orange and place in your right hand. Now weigh the two fruits. Take your hands and run them up and down through the air. Does not the right hand feel heavier than the left hand? Or does the right hand feel lighter than the left hand? This is the disparity of weight based on the number of women who murder men and use the Battered Women's Syndrome as a defense compared to the women who are murdered and never get a chance to use the defense. If a battered woman is to be treated like a common every day criminal, then the man who beats her should be charged with assault every time he punches her in the face and all fathers who commit incest should be charged with rape.

Excerpt: The Recidivist, Volume Four Part Two, Chapter 13, pages 284-285