



FAMILY VIOLENCE IS A COMPLEX SOCIAL PHENOMENA. UNFORTUNATELY, THERE IS A SCARCITY OF INFORMATION ON THE CONNECTIONS BETWEEN DOMESTIC VIOLENCE AND CRIMINAL JUSTICE. STEPS PLANS TO RESEARCH, ANALYZE, AND DEVELOP PROGRAMS BRINGING TOGETHER THOSE WHO ARE WORKING IN THESE TWO AREAS. WITH THIS, THE FIRST ISSUE OF OUR NEWSLETTER, WE ARE BEGINNING THE SHARING OF THIS INFORMATION, AND WILL CONTINUE QUARTERLY.

## WHAT IS STEPS ?

SERVICES  
TRAINING  
EDUCATION  
PREVENTION  
SELF-HELP

STEPS to End Family Violence is a new family program of the Edwin Gould Services for Children. It was started to increase the linkage between the domestic violence and criminal justice fields.

STEPS is working with women who are victims and survivors of family violence, who have then resorted to violence themselves against their abuser. It is providing comprehensive court intervention services to women arraigned on homicide charges.

STEPS works with criminal justice groups, and with community groups and agencies to develop an understanding of domestic violence.

It is developing educational tools, such as workshops, newsletters, forums, and conferences, to influence public policy, develop strategies for intervention, and affect the criminal justice response.

An active library is maintained of research, news, and activities in the domestic violence/criminal justice arena, to be shared with a concerned community.

STEPS is working towards making training programs accessible to criminal justice professionals and other service providers on the domestic violence/criminal justice issues.

## PRISON HEARINGS

Women, victims of family violence, and convicted of homicide, had a unique opportunity to share their stories with the public in September, 1985. A hearing was held at Bedford Hills Correctional Facility in New York on the connection between domestic violence and incarcerated women. It was co-sponsored by the New York State Division for Women, the Governor's Commission on Domestic Violence, and the Department of Correctional Services, in cooperation with the New York State Coalition Against Domestic Violence and Prisoner Legal Services.

The hearing was a direct result of a meeting between the Women's Division and the Inmate Liaison Committee at Bedford, called to discuss issues of concern to women and children. It quickly became apparent that violence and abuse were a common thread for many of the women. It was agreed that by recounting their experiences, they could alert other victims of abuse to the need to seek help before the cycle of violence ended in incarceration.

The Bedford Hills administration, under the supervision of Superintendent Elaine Lord, supported the idea of a hearing, the first in the country to examine the relationship between family violence and crime, and to be held inside a correctional facility. All concerned inmates were invited to participate. Twelve women volunteered to testify before a blue ribbon panel of New York State Commissioners, members of

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# ONE WOMAN'S STORY

by Jean Gross

( The author is presently serving a sentence at Bedford Hills Correctional Facility for Women. She sent us this article to share with you.)

Wife abuse is one aspect of family/domestic violence that, until recent times, has remained a carefully guarded secret by involved families, and, if not virtually ignored by the general public, has been grossly underrated. This injustice has been so carefully guarded, so well hidden under society's carpet, that even today its many-faceted surface has been barely scratched.

In the wee, small hours of December 1, 1984, a scene was being enacted that was not at all unique. A drunken, abusive spouse, an exchange of angry words, blows, ( from the abuser,) an illegal handgun, and a trigger was pulled in fear and desperation.

A life was taken. There was no premeditation, no intent to kill, only the mindless activity of a trapped, desperate woman pushed past the breaking point. Perhaps it was destiny that one should survive this age-old drama, to be allowed to tell the story of one woman's journey into hell: the Criminal Justice System.

December 2, 1984, my journey began. After calling the police, I was arrested and read my rights (rights I neither heard nor understood.) I was then booked, the charge Murder 2. Dazed and in shock, I was appointed an 18B lawyer by the Court. After calling me an actress, simply because I cried, he left me to be carted off to Riker's Island Prison with an impossible bail of \$100,000, to await thirty agonizing, fear-filled days before my arraignment. I was to have a total of three such lawyers before my ordeal was over, including one attorney I paid, and whom a "one of a kind" judge fired. After delays innumerable postponements, and twenty-one months of sheer agony, the judicial system at last decided that I was a menace to society, placing me in a maximum security prison, Bedford Hills, for a sentence of no less than four years, nor more than twelve.

At sentencing, I breathed an audible sigh of relief. I had by this time been so psychologically battered that I was simply glad it was all over.

One of the problems I faced throughout this nightmarish ordeal was a breakdown in my immediate family. One son attempted suicide, another turned to crack. The list seems endless. The long months of court battling, and the uncertainty of my outcome, took its toll on all of us, especially my children. I watched a loving, close family disintegrate, powerless to prevent it from happening.

Legal problems included a total lack of communication between my attorney and me, and the male chauvinist attitudes of both judge and attorney. They seemed to view me as some rare species. Nothing was specifically said, but the implication was that it is okay for male to abuse female, but if one frightened, trapped female decides to fight back, the burden of guilt is automatically placed on her. She is guilty of causing her own abuse. Therefore sympathy is reversed, and given to the alleged victim, the Abuser.

The most crucial problem I have had to face is ignorance, including my own, - the total lack of education on the part of the general public about battered women. Women who are beaten so badly, both psychologically and physically, that their minds snap, and they react to violence with violence. This reaction is not understood by the judicial system. Such actions are termed inappropriate and unjustifiable. This makes a strong defense and an impartial ruling non-existent and impossible. This is a very real problem women face who are arrested for violence.

## BIAS IN THE COURTS

The New York Task Force on Women in the Courts was set up by Judge Lawrence Cooke in May, 1984. Its task was to "examine the courts and identify gender bias, and, if found, make recommendations for its alleviation."

The report, released in March, 1986, concluded that gender bias against litigants, attorneys, and court employees is a pervasive problem with serious consequences. Women were often denied equal justice, equal treatment, and equal opportunity. It was found that cultural stereotypes of women's role in marriage and society distorted the court's application of law. Women, with significant frequency, had to endure a climate of condescension, indifference, and hostility.

When women are poor, or economically dependent, their problems are compounded. They must often go through the system alone, without any support. Problems are magnified by some judges' and attorneys' belief that complaints by women are the result of overwrought imaginations and hypersensitivities.

Women's underclass status in the courts is reflected by their limited access, denied credibility, and the fact that they face a judiciary underinformed about matters integral to many women's welfare.

This lack of information particularly affects areas of law that involve women's claims: domestic violence, rape, post-divorce division of assets, spousal and child support, and custody. In

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### TAKING STEPS

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## PRISON cont.

the Governor's Cabinet, New York State Legislators, the New York Secretary of State, and invited guests and members of the press. Of the twelve, ten were imprisoned for killing abusive men. For six hours they shared the abuse in their lives in the hope of making people more sensitive to, and aware of, the enormous tragedy of domestic violence. Despite the different backgrounds and circumstances, a common theme ran through the stories. Isolation, fear of ridicule from family and friends, shame, loss of self-respect, a wanting to believe the abuser's promise to end the beatings. Many did not know they had a right to a different kind of treatment. Others did not know how to get help. People they turned to told them there was no way out. Others who sought help found that the system did not work on their behalf. Their complaints were not taken seriously, punishment for their assailants was ineffective, orders of protection were useless, and, when they reacted to the violence, pleas of self-defense were not accepted.

The women urged that there be increased and more effective programs, as well as education to recognize and deal with abuse, and outreach to make abused women understand they are not alone.

They were particularly concerned with the effects of family violence on children who have witnessed or experienced the violence. Their own children were receiving no counseling or support services to deal with this.

Those listening to the testimony left Bedford Hills deeply moved, and promising to take action on the concerns which had been expressed. The Governor, in his State of the State message, particularly called for action to be taken to address the links between domestic violence and crime.

Since those hearings, several groups have been working to develop remedies for the concerns the women shared. A report will be issued shortly with their recommendations, and with action steps which can be taken.

We will be bringing you those recommendations in the next issue.

each of these areas, cultural myths about the role of women, and expectations of appropriate modes of behavior, cloud considerations that are highly relevant to the decision making process. Women are sometimes treated as annoying children, or as sexual objects, creating an inhospitable court environment. Decision making is marred when the results reached consciously or unconsciously reflect not the merits of the case, or the spirit of the law to be applied, but prejudiced views of sex roles and characteristics, e.g., women's claims are not serious, or women are subordinate to men in the marital relationship.

Among the many findings of the Task Force were: domestic violence is a problem of dramatic proportions for the women of New York State; the Family Court Act and the Criminal Procedure Law already provide an adequate framework for providing relief to victims of domestic violence; judges and other court professionals are too often underinformed about the nature of domestic violence and the characteristics of victims and offenders; victim's access to the courts is limited by their being dissuaded by law enforcement officials from proceeding in courts, and by having their claims trivialized or ignored; victims are often presumed to have provoked the attack; and, some judges are unwilling to remove a batterer from the home, forcing mothers and children to live in shelters.

Our next issue will reflect what action is being taken on these findings.

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## STEPS cont

In the future, STEPS hopes to offer a full array of services to families caught in the spiral of violence. This would include legal referrals, social service assistance in housing, child care, employment training, and counseling, and education on methods of prevention and intervention.

STEPS has been developed by Sister Mary Nerney, who has been working with women in the criminal justice system since 1971. It is a family program of the Edwin Gould Services for Children.

Sommerville, Massachusetts

Pamela Nigro Dunn appeared before Judge Paul Heffernan in March, '86 requesting a restraining order and police protection from her husband. The judge told her she was wasting the court's time, that her fears of Mr Dunn were unfounded, and that she should act more like an adult. A restraining order was granted, but police protection refused. In August, Mrs Dunn's body was found in the town dump, severely beaten, strangled, and shot in the abdomen. Police reported that she had been abducted by her estranged husband. He has since been indicted for first degree murder. The Judge's courtroom behavior is now being reviewed.

San Juan, Puerto Rico

On October 9, 1986, Maria Luisa Mendez Avila ended five years of extreme physical abuse from her husband, Jorge Molina Rodriguez, a police detective. Often beaten senseless, this time he also shot at her, missing. He left the home, promising that she would die when he returned. She took his gun to hide it, and, when he came back, swinging a piece of wood, she shot him dead.

In November the court dismissed murder charges against her. This was seen as a breakthrough in a system that has considered domestic violence a family affair.

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### WE NEED YOUR HELP

STEPS to End Family Violence needs your help to carry out its program. As a new program, it needs your ideas, information about research, activities, and problems in your area, names of people who would be interested in the domestic violence/criminal justice link, and suggestions for new directions.

It also needs your financial support to achieve its goals. Contributions can be sent to STEPS to End Family Violence, 110 East 107 Street, New York, 10029. Checks should be made out Edwin Gould Services for Children.

With your help, we will be able to work towards greater justice.