

## NEWS FROM STEPS

On April 17, 1989 STEPS honored some wonderful people at our Second Annual Awards party held at Hunter College. The Family Violence Program at Bedford Hills Prison was one of our awardees, and well deserved the award for their innovative self-help program for women who are currently incarcerated. They have developed support groups for battered women survivors, and also for incest survivors. These services are unique and a model for other women in prison.

Our other awardee was Michael Dowd, a lawyer who has successfully defended several battered women. His expertise has enabled battered women defendants to explain their victimization to the court and have this considered in their cases. We are proud of our awardees and we are glad to highlight their efforts. Not only that, parties are fun, and they give us a chance to meet other concerned people.

Sr. Mary Nerney was a participant on the HOME SHOW on ABC TV with Leslie Brown and her attorney, Margaret Byrne, in February. Leslie had recently been released from prison by the Governor of Illinois. We received numerous requests for assistance, and for referral information because of this show.

During March Sr. Mary with Beverly Banks, one of our clients who was not indicted by the grand jury, and Thea DuBow, one of the original members of the Bedford Hills Family Violence Program, were on "PEOPLE ARE TALKING" TV Program.

Each of these public appearances lets us know how much help is needed, and how our unique program is opening new avenues in public awareness of the problems of battered women, and especially battered women who fight back.

During the past few months we have given many workshops and talks to diverse groups in our efforts to help people understand the complex issues of family violence. This we have done in addition to our "everyday" work of counseling, court advocacy, and support groups.

We are pleased to report that two of our workshops recently have been requested by police and parole divisions. When the police want to learn more about handling family violence situations, we have hope!

From January to May, we have worked with 50 women! We have surprised ourselves with these numbers. With our small staff, this is a real accomplishment.

## From Arrest to Indictment

V.S.A (Victims Services Agency) telephones to tell us that Elizabeth I. has been arrested last night and will be arraigned for the murder of her husband. She is being held in the Court holding area for arraignment. V.S.A. has made an appointment for me to meet her in the court pens. I arrive, I show my ID and am admitted. I pass through the smelly, crowded cell block to the interview room. A corrections officer brings Elizabeth in and we sit at a table facing each other. I introduce myself to her. I explain to her the purpose of my visit and ask her if she had been assigned to a lawyer. After trying to get some of the particulars of the case, an assessment is made to determine the direction the advocacy would take. She is frightened and upset by separation from her family, she feels isolated and in shock from the incident. These are some of the things that have to be dealt with as part of the plan for advocacy.

In exploring her history we discover that battering,--physical, emotional and psychological,--has played a large role in her 10 years of marriage. It is therefore important that battering become an issue in the process of her defense. V.S.A. had worked with her in the past so their documentation is crucial in this case. The V.S.A. staff looks up the order of protection Elizabeth had a year ago. She had believed her abuser's story about being sorry, and so had not renewed the order of protection. However, there are several Police records on file with V.S.A. These will be given to her lawyer.

During the next few weeks, the V.S.A. staff person and I will talk several times to make sure we both have the same information, and that it is as complete as possible.

Contact is made with her court appointed lawyer, to see what plans are being made for her defense. STEPS works with NYU Law School Clinic who provide students who assist attorneys in the defense of battered women. If the attorney is willing to work with the law students. There are two wonderful and dedicated students available to assist the lawyer in the preparation of this case. The Law Clinic sometimes assists in the investigation and provides background information on the defense of battered women for legal briefs and other Court documentation.

At arraignment, the lawyer tells the Court about

## Here's something YOU can do:

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The United States Constitution has a handy clause in it: All trials are open to the public. It is not considered a fair trial if it is conducted in secret. At least in New York, hearings in the Family Courts are confidential, and in cases before the Family Courts the public is generally excluded. However, for all criminal trials, and generally for civil trials, the public is expected to ensure justice by attending trials. This is an opportunity for you, a member of the public.

How important is justice to you? Is it worth a day away from work? Is it worth your rearranging your daily schedules so you can spend a day in court? We have found that when the answer is "yes," when the public is interested in justice, the conduct of the court is more caring, more honest, better serves the ends of justice. A simple thing like being sure that a translator is available for a defendant who doesn't speak English or whose English is limited will be more likely to occur if there are people in the court who are not partisans of the defendant or prosecutor. In fact, if you do assume partisanship for one of the parties, that too, helps assure that a more balanced hearing is conducted.

We hope you will try to be present in the court for trials of battered women, but your time will not be wasted no matter who is on trial for what. It requires that you go to the courthouse and look at the calendar. In New York City Courts that in itself is a learned skill. There are so many cases on the dockets each day and the information on the calendar is so meagre that unless you happen to know the name or names of the contenders you may not know what cause of action is on trial. However, with a little attention, with some patience, you can learn, and you will be helping to ensure justice for whoever is on trial for whatever cause.

If you have a lawyer in your circle it can be easier to learn to read the calendar, to select the case worth your attention.

We know from trials like that of Joel Steinberg or the "yuppie" trial of Robert Chambers (who killed Jennifer Levin) that many people can arrange to be in the courts if there is sufficient publicity, sex or scandal being publicized about the participants. We also know that observers in the court can help encourage justice even in cases that do not involve the rich or glamorous.

We know from our own presence in the courtrooms how often the hearing is affected by the presence of a member of the public. If two of you can go together you will make a larger impression, and you can compare notes outside later and learn a lot about how justice is rendered.

Then let us know about your efforts.

## A Good National Resource

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The National Clearinghouse on Battered Women's Self-Defense, 125 S. 9th Street, Suite 302, Philadelphia, Pa. 19107 (215) 351-0010.

The Clearinghouse is designed to provide critical assistance and support to battered women who have killed or assaulted their abusers while attempting to protect themselves and/or their children from brutal and life-threatening violence. The Clearinghouse will enhance the quality of legal representation and personal support to battered women defendants by building bridges and alliances between the battered women's movement, the criminal defense bar, and social scientists who have developed expertise in the area of domestic violence.

You can help build the base of information and support by adding the information gathered in your area. The Clearinghouse has prepared an information form which they would appreciate your using to accumulate information for the use of workers with battered women. They assure us of confidentiality and that they will not be contacting women directly for interviews. Please write to them to obtain the model of their form, so that you can reproduce it for your use and forwarding the information to them.

The Clearinghouse also has an excellent Resource Library. Ask them for a listing of their materials. They also provide technical assistance to attorneys, advocates, battered women and expert witnesses. This is a wonderful resource for all of us!

The Clearinghouse is also helping to coordinate a national network of advocates for battered women in prison. Again, contact them if you wish to be part of this new beginning. All of us at STEPS are glad the Clearinghouse is there, and are pleased with the beginning efforts of the National Network.

### FREEBIE

We can offer a paper prepared by The New York Coalition of Battered Women Advocates: "Position Paper on Child Welfare" which explores some of the relationships between wife abuse and child abuse, and some of the long term results of family violence. This is a particularly valuable paper because it also suggests remedies and the social changes that will be needed if we are to improve the conditions of family life for both women and children. Write us and ask for it.

# Mujeres Golpeadas

**Señora Directora:**

EL trágico destino de Alica Muñiz no fue ni es ni será la única tragedia de esta clase en nuestro país. Nos guste o no, tenemos que admitir que existen en nuestro medio innumerables mujeres que sufren las agresiones físicas y psíquicas por parte de sus maridos o compañeros

Estoy casi segura que cada uno de nosotros conoce por lo menos una de ellas. Estas pobres víctimas tienen que soportar la violencia sin poder defenderse o evitarla. Qué puede hacer, por ejemplo, una madre con hijos de corta edad, aunque quisiera abandonar su hogar convertido en un infierno? ¿Dónde podría refugiarse?

Con qué mantener a sus hijos, si depende de lo que gane el marido? Si en su desesperación se dirige a la Policía, ésta a menudo se niega

a intervenir, porque se trata de un "asunto familiar", y si aceptan renunciar a su denuncia, qué pasa con el marido?

A lo sumo lo tendrán demorado un corto tiempo y él volverá a casa más enfurecido aún.

El flagelo de la violencia doméstica no distingue entre familias humildes y encumbradas.

Se encuentra por doquier. Pero no se lo menciona porque vivimos en un ambiente donde regentea un machismo omnipotente.

Además protege a los victimarios el conocido lema del "no te metas".

Últimamente se han abierto algunos centros que asisten a la "mujer golpeada". Son poco conocidos, debido a la falta de divulgación por los medios de comunicación masiva.

Pero ellos no pueden tampoco brindar una ayuda comparable a la que se brinda en Europa y en los EE.UU., donde existen casas de refugio para mujeres castigadas y sus hijos. Allí les ofrecen ayuda moral y económica hasta que puedan valerse por sí mismas. Cuántas mujeres, que logran sobrevivir a los castigos feroces, quedan lisiadas o mutiladas de por vida? Por qué no se hace una encuesta en las guardias hospitalarias sobre todas las mujeres que se atienden allí porque han sufrido un "accidente casero"? Los médicos conocen la verdad y se callan. Y cuántas mujeres hay que ni siquiera a requerir asistencia médica?

No es hora de tomar conciencia y actuar?

Edith S. de Hendel- Capital Federal .

NdR: Se agradecerá que las entidades que amparan a las mujeres golpeadas escriban a esta sección para dar a conocer sus obras.

**An English précis of the above:**

CLARIN Buenos Aires, Argentina, Friday, March 11, 1988.

This is a letter written to a news editor after the tragic death of a woman named Alicia Muniz, who suffered physical abuse and finally death at the hands of her husband. The woman who writes asks that society recognize that domestic violence is larger than a household issue. It is a societal problem. She questions what could a woman with young children do in order to escape a home that has become a living hell? How would she support her children when she is economically dependent on her husband. In desperation she may call the police, who would most likely consider it a "family problem" or if they decide to make an arrest, what happens next? Often the husband upon his release becomes angrier and returns to the home only to abuse the family again.

In this society domestic violence does not distinguish between the poor and the rich. It is found wherever there are people. It is never mentioned because we live in a society where there is high regard for "Machismo." The right to use force on your wife is protected by those who say "don't interfere" in household disputes.

Lately there have been some centers that assist "battered women" but these services are limited. These programs cannot offer the extreme help as those in Europe or the United States, where shelters exist for battered women and their children, providing shelter, safety, counseling as well as economic assistance until they can stand on their own.

How many women have survived these punishments without having suffered disabilities or mutilations for life? Why not make a survey in the hospital emergency rooms of all the women who seek medical care because of "accidents in the home?" The doctors know the truth but prefer to be silent. There is a need to be attuned to the signs pointing to battering particularly by medical personnel. Many women seek attention in emergency rooms but often doctors fail to probe sufficiently into the causes of these reported "accidents in the home" and so these women return to their homes for more beatings and to hospitals for more treatment. Doctors and other medical personnel need their consciousness raised to the cries for help, physically as well as preventively to stop further abuse. And how many more women prefer not to seek medical assistance because of their fears?

Isn't it time to raise consciousness and take action!

Edith S. de Hendel - Capital Federal

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the abuse this woman experienced. The lawyer also attempts to have her released on her own recognizance (ROR). This sometimes works. If not bail is requested in the amount possible for her family. Sometimes this works.

However, in this case, Elizabeth is unable to meet the \$50,000 bail that has been set for her so she is sent to a cell on Rikers Island. Since she is not a substance abuser and has family and roots in the community STEPS tries to secure funds for her bail or at most a bail reduction. In conjunction with her attorney a bail application is submitted to the Court. If this is acceptable the woman is released and she can return to her children and her home if it is a safe place. At times the trauma and emotional stresses associated with the prior residence are such that alternative housing is needed. STEPS intervenes to assist with housing whether with a battered woman's short term residence, or a drug abuse treatment program.

Elizabeth's attorney informs the Court that she will testify before the grand jury which is going to meet to consider an indictment of murder or manslaughter. Her attorney prepares Elizabeth for her testimony. The attorney also gathers the information from V.S.A. and from the investigation that the law students did. This is also prepared for the grand jury. I counsel Elizabeth about her fears of telling her story to the District Attorney, and the grand jury, and not being understood.

The day arrives. I go to Court with Elizabeth, and give her a few reassuring words but I am just as nervous as she is. It is over within an hour and we now have a day to wait. I jump each time the phone rings, but the next afternoon her lawyer calls to say that the decision of the grand jury is not to indict Elizabeth. The papers are being sent to Rikers Island, and I go to meet her. I make several phone calls to let people know the good news, and breathe a sigh a relief for Elizabeth. She can now come to our weekly support groups and begin to put the pieces of her life back together.

by Sol Rosa and Staff

**END OF PART ONE**

In our next issue we will continue our story with what usually happens after indictment. Women are usually indicted, and indicted with the highest charges possible without consideration of their victimization. So we will discuss the trial, or plea bargain, and how that occurs. Since we unfortunately do not meet most of our clients right at the point of arrest as in the above story, we do not have the advantage of encouraging the defendant and lawyer to go to the grand jury.

This story is a success because of the cooperative work with V.S.A. In 100% of the cases when we have worked with the staff of V.S.A. from the day of arrest, none of the women have been indicted. We are very pleased with this record.

**IMPORTANT NUMBERS**

**DOMESTIC VIOLENCE HOTLINES**

**NEW YORK:**

In English: 1-800-942 6906

In Spanish: 1-800-942-6908

National:

1-800-333-SAFE

**STAFF**

Sr. Mary Nerney, CND.....Director

Sr. Andrea Dixon, SC.....Court Advocate/Counselor

Sol Rosa.....Court Advocate/Counselor

Rita Madera.....Court Advocate/Counselor

Ruth Imbesi.....Administrative Assistant

and a lot of help from our friends

**TAKING STEPS**

Published by STEPS To End Family Violence, a family program of Edwin Gould Services for Children.

Board President: Jon Rehnberg

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This newsletter is provided free to you. But we need contributions to continue our work. Won't you please help - or give us information about grants we could receive. Send questions or information, contributions toward our work (money orders or checks) payable to Edwin Gould Services/STEPS to:

104 East 107 Street, New York NY 10029

212-876-0367

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