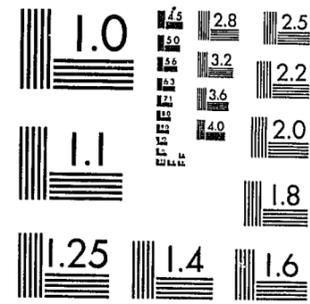


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Lethal Incidents in Battering Relationships
Between Adult Intimates

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ACQUISITIONS

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A key issue for those who work with abused women or couples engaged in a battering relationship is the danger of lethality, or the potential for family conflicts to result in the death of a man, woman, or child. In this paper I will attempt to do three things: (1) give a brief review of the literature on the incidence of battering and homicide between adult intimates, (2) report some initial findings on the battering syndrome from an NIMH study of 400 battered women, and (3) make some general observations on high-risk factors in abusive relationships, drawn from my work with Walker & Associates conducting evaluations of women who are charged with the deaths of their batterer.

Richard Gelles has estimated that physical force between spouses occurs in over one-half of American marriages (Gelles, Note 1). In a study of 80 couples, he found that over half had used physical force in disagreements and one-quarter did so regularly (Gelles, 1974). Murray Straus found that during a one-year survey, more than one out of six couples had a violent episode, and during the duration of a marriage, 28% reported violence (Straus, Note 2). In 1971, 50% of the calls received by the San Francisco police department were family disturbance calls, and approximately 70% of the assault cases seen in Boston at the Boston City Hospital were women who had been assaulted in their own homes by family members (Barnett, Pittman, Ragan, & Salus, 1980). Roger Langley and Richard Levy estimated that more than 28 million women in the United States would become victims of beatings by their husbands or lovers (Langley & Levy, 1977).

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The 1978 FBI Uniform Crime Report indicated that approximately one-fourth of all homicides in the United States also occur within the family. Marvin Wolfgang, in his study of homicides in Philadelphia, found that 25% of the murders occurred within the family and in one-half of those, the victim was killed by a spouse (Wolfgang, 1978). In his sample, Wolfgang found that women were more likely to be the victims than the offenders. Women were killed by men in 87% of the femicide cases; 51% of the women were killed by family members and 21% by husbands or lovers. Of the 100 husband-wife slayings, 53 victims were wives and 47 were husbands. This constituted 41% of all the women killed in his sample, but the number of homicides perpetrated by wives accounted for only 11% of the men killed in the sample. Wolfgang also reported that in 6% of the slayings of women, the murders were considered to be victim-precipitated, compared with 31% of the slayings of men which were considered to be precipitated by the victim (Bowker, 1978; Wolfgang, 1958; Wolfgang, 1967).

Battered women seem to recognize the potential for lethality in their relationships. At the Battered Women Research Center we interviewed 400 battered women, gathering details on their perceptions of their relationship with the batterer. Almost all of these women (92%) thought that the batterer could or would kill them, and 87% of the women believed that if someone were to die during a battering, it would be them. About 45% said they could never kill the batterer, no matter what the circumstances, while 55% thought they could possibly kill him under some circumstances. Only 11% said they had actually tried to kill their batterer.

Insert Table 1 about here

INTER-SPOUSE HOMICIDE

Inter-spouse homicide is usually characterized by an intense level of involvement between the victim and the assailant, and by the degree to which their two lives are often enmeshed. Lethal acts in an intimate relationship are rarely totally unexpected. In most cases, there is a prior history of abusive behavior, and verbal threats by the victim or the perpetrator of further violence or even death. In Chimbos' study of Canadian spousal homicides, 70% reported prior incidents of repeated physical abuse, and 83% reported a physical fight within four months of the fatal incident. Consistent with the findings of other researchers, most wives who killed their husbands had been physically battered by

them in the past. Over 50% of the survivors reported threats to kill made by either the offender or the victim, prior to the fatal incident. In many cases, the threat had occurred many times before and finally it was the threatened party who could no longer stand the abuse (Chimbos, 1978).

Several factors are present in the life histories of individuals where an abusive relationship ends in the death of one or both partners. Many report having seen abuse between their own parents when they were children and report themselves as having experienced severe physical punishment or rejection by their parents or guardians in childhood. This seems to lead, especially with males, to an adoption of physical violence as a means of solving their own personal disputes and frustrations as adults (Chimbos, 1978; Totman, 1978).

In their abusive relationship with their mate, survivors report circumstances which indicate a high degree of social isolation from neighbors and activities outside the home. (Gelles has noted that violent families are characterized by isolation, which then cuts them off from the support networks of the community which might otherwise provide them with alternatives for dealing with the stress of their domestic situation.) Survivors also report a lack of communication with their partner, especially around conflict issues, which left them feeling isolated and cut off within the relationship (Chimbos, 1978; Gelles, Note 1; Totman, 1978). Interestingly, respondents to Chimbos' study did not perceive the stress of having children to care for, or outside pressures from work or other situations as having a direct or major impact on the process which led up to the fatal incident (Chimbos, 1978).

HIGH RISK FACTORS

In our work at Walker & Associates, with women who have been charged with the death of their batterer, we have identified several 'high-risk factors' which seem to increase the potential for lethality in abusive relationships. As was mentioned previously, threats made by either the batterer or the battered woman are important in assessing the risks to the individuals involved. In our research sample, over half (57%) of the women reported that the batterer had threatened to kill someone else, and 50% reported that the batterer had threatened

to commit suicide. Only 11% of the women said that they had ever threatened to kill anyone, but over one-third (36%) reported that they had threatened suicide at some time and many told us about their suicide attempts. The threats of the batterer, particularly, appear to be quite fluid: a man threatening suicide may suddenly turn on the woman and kill her, while a man threatening the woman's life may kill himself instead (Jens, Note 3). Murder-suicides, where the batterer kills the woman and then himself, also occur, and threats of this were commonly reported.

In our study of battering, we also found that both the frequency and the severity of the abuse escalated over time. Two-thirds (66%) of the women said that the batterings became more frequent, 65% said that the physical abuse worsened, and 73% reported that the psychological abuse became more severe. In interviewing over 400 battered women, we found that they tended to understate the violence and avoid giving details of the incidents. Clinicians must become skilled at drawing out such details in order to have an accurate picture of the violence and the pattern of abuse. It is often helpful to contrast the initial incidents of violence with more recent incidents, so the clinician can assess the potential for lethality and help the client recognize that the violence is increasing.

Insert Table 2 about here

The presence of weapons in the home also seems to increase the potential for a lethal incident to occur. In our study we found that only a small percentage of the women reported being threatened with or having a weapon used against them (ranging from 5% to 11% over the four incidents for which this question was asked). However, a review of the homicide cases for which we have been consultants indicates that in the majority of those cases, the batterer seemed fascinated with weapons and frequently threatened the woman with a weapon during abusive incidents. In some cases, the woman eventually killed her batterer with the same weapon that had been used to threaten her.

Alcohol, however, does not seem to be a causal factor in either battering or intimate homicide. Our research showed that, though 67% of the batterers were reported to have become intoxicated

once a week or more, during the battering incidents reported by the women less than 50% were thought to have been under the influence of alcohol. Thus drinking may be a facilitator of abusive behavior, and an offender may even become intoxicated in order to escalate or excuse the aggression, but drinking does not appear to cause the battering. These findings are also supported by those of Chimbos (1978).

Insert Table 3 about here

A high-risk factor which seems to particularly affect the woman is any physical or sexual assault that the batterer inflicts on the children, or his repeated sexual abuse of her. In our research study, 59% reported that they had been sexually abused by the batterer, and 53% said that the batterer also abused the children, physically and/or sexually. A survey of our files indicates that, in a number of our homicide cases, the woman killed the batterer within a short time of finding out that he had sexually assaulted a teenage daughter, or after incidents of abuse involving a very small child.

Insert Table 4 about here

We also found that a change in the pattern of the relationship often preceded the lethal incident. A three-stage cycle has been proposed in abusive relationships, consisting of a period of tension-building, the acute battering incident, and a phase of loving contrition, which may follow the abuse by the batterer (Walker, 1979). In relationships in which the abuse culminates in the death of one of the partners, however, the tension-building phase seems to remain constant toward the end of the relationship, whether or not loving contrition occurs. In such an atmosphere of increasing tension, an apparently trivial incident can trigger a confrontation which results in death.

LEAVING AN ABUSIVE RELATIONSHIP

Probably the most-asked question about abused women is, "Why don't they just leave?" Often, women hope for a favorable change,

especially during the loving contrition phase when the man is affectionate and sorry; they are ashamed to let others find out what has been occurring within the relationship; they stay for the sake of the children, if the man is not abusing them. There are three other factors, however, affecting why women stay: (1) the shock reaction of the victim to the abuse, (2) fear of retaliation by the batterer if they do leave, and (3) the practical problems in effecting the separation.

A battered woman said,

After a beating, I just stay home for a few days. I look terrible...Where would I go, looking that way? And I can't stop crying, shaking;...sometimes I throw up...All the fear I didn't have time to feel during the beating comes back then. I just can't think straight then, let alone make plans to change my whole life!

As I discussed in an earlier paper, the reactions of battered women are similar to those of other victims, including victims of natural disasters, war, and crime. Like other victims (male or female), battered women show emotional reactions which include depression and denial, shock, anxiety, fear, and passivity as a post-reaction to the trauma (Browne, Note 4). They also seem to develop survival, rather than escape skills. For a woman who has been with a batterer over a period of time, the alternative of escape often seems more dangerous than staying. Battered women rightly fear that if they leave against their mate's wishes, he may find them and injure or even kill them in retaliation. Our interviewers found that the women frequently reported such threats against leaving: many women were told that they would never leave alive, or that he would find and punish them if they did get away. A frequent phrase seemed to be, "If I can't have you, no one will". (The seriousness of these threats is demonstrated by the number of stories in the news about men who have killed their estranged wives or lovers.)

Even if the woman moves away to escape him, the batterer is often able to trace her through her family and friends. One woman, charged with the death of her husband, said,

I knew if I ran, he would find me. He tracked down his first wife with only her social security number. Can you imagine what it would be like to go through life, knowing that a man who intends to kill you may be just around the corner?

If a woman is forced to move to a new city or state, away from her source of income and away from family and friends--especially if she is moving children with her--these alternatives become more and more

difficult to accomplish. Leaving the batterer and living in constant fear of reprisal or death is often more intolerable for these women than remaining with him, despite their fears of further harm.

If the woman does decide to leave him, it is most important that she make her plans--and her escape--before he is aware of her intent. The point at which she attempts to separate from him is often the time of greatest risk for both partners (Barnett, et al., 1980). Tanay, in his chapter called "Until death do us part", discussed such a situation in which the threat of 'abandonment' was so devastating that the man decided to kill, rather than to let the partner walk away from him (1976). Women frequently tell us that the batterer said she was going to "destroy him"--deliberately ruin his life and everything he had, and had worked for--when she asked (or begged) to leave. Sometimes, if the batterer becomes angry and threatening the women themselves will kill at this point, in a last desperate attempt to escape.

HELP SEEKING BEHAVIORS

Many abused women, realizing the danger they are in, do seek help from the police and from mental health service providers. Unfortunately, they often meet with a lack of understanding, both of the dynamics of violent intimate relationships and of the difficulties they face in escaping. A battered woman has some very legitimate fears if she seeks police intervention. Many abused women are afraid to call the police for help because they know it will enrage their mate and put them at even greater risk. And police are sometimes inadequately trained to deal effectively with a battering situation. In 90% of the spouse slayings studied by Wolfgang, the police had had previous disturbance calls, but had done nothing in most cases beyond preventing immediate physical injury (Wolfgang, 1978). In Kansas City during a year's period, in 85% of the domestic assault/homicide cases the police had previously responded to at least one call; in one-half the cases, they had responded to five calls ("Monograph on Services", 1980).

If the police do intervene and arrest the batterer, the woman must be prepared for his anger when he is released, and may need to change her place of residence to protect herself from future reprisals. In a 1977 study done at the Women's Correctional Center in Chicago, all of the 53 women serving time for convictions in the deaths of their batter-

ing mates had reportedly called the police for help five to six times prior to the lethal incident. Over half claimed that when their men were arrested, the beatings became even worse after their release (Lindsey, 1978).

If the woman decides to press charges against the batterer, she may also find that she is subtly discouraged from doing so. Prosecutors protest that such cases can be a waste of time because battered women so frequently drop the charges, although there are no present data to show that battered women in fact drop charges more often than do any other complainants who know their assailants. And assault cases between married couples often are not taken as seriously as those between strangers. In a 1971 study of assault cases in Washington D. C., it was found that three-fourths of the nonmarital assault charges resulted in a guilty plea or a trial, whereas only one-sixth of the husband-wife cases resulted in a plea or trial (Field & Field, 1973). A battered woman often seeks out every legal recourse open to her, to no avail.

In a murder case for which we did an evaluation, the woman had been separated from the batterer for two years and was divorcing him, yet he continued to harass her. He broke into her home, destroyed her property, poured acid into her car motor, and bragged to others about how he was going to kill her. He attacked and severely injured her at work, so she finally took a leave of absence from her job. She had unlisted phone numbers, but he always got them. He would call her and say, "I know you're running...but you might as well face it, because you're going to have to stop, one day." She repeatedly called the police for protection, but they only came out on those occasions after he had broken in. She left her house and hid in different apartments, and sent her children to live with a babysitter to protect them, but he always found her and once he kidnapped her infant son. She obtained a restraining order and several warrants, but these were never enforced. Many of her requests were simply not processed at all.

After his death, the DA's office admitted that "her complaints were not taken seriously down here". The Head Deputy said that he didn't send some of her warrants on for evaluation because he only sent those he thought "were really important". And the Hearing Officer, who

finally approves warrants for delivery, said that he hadn't approved some of hers because they "didn't have time to look into everything", he "wasn't a marriage counselor", and "some of these things just work themselves out, anyway". Her desperate requests for protection were being winnowed out at every step of the process.

One afternoon, minutes after she had terminated a threatening phone call from him, her estranged husband broke down the front door shouting, "Get the gun, you bitch, 'cause I'm going to kill you and the baby". As he came at her, he saw she had gotten the handgun from the kitchen. She begged him, "Don't come up on me, now...Please, don't come up on me..." Still he advanced toward her, menacing, shouting, "Shoot me, shoot me, bitch!" She shot and killed him, and was immediately arrested and charged with his murder. After our evaluation, the DA's office concluded that the shooting was justifiable homicide in self-defense and dropped the charges. The result was still tragedy.

IN SUMMARY, service providers need to be aware, not only of the various alternatives available to battered women, but of the dangers inherent in these alternatives, so that they can assist the woman in planning adequate protection for herself and her family if she does decide to separate from the batterer and/or become involved in litigation against him. And they need to realistically advise the woman of the risks involved if she decides not to leave him. If a battered woman comes to you for help:

- Interview the woman in detail about the abuse, her perceptions of the relationship, and her fears.
- Look for high-risk factors and assess the potential for lethality. Take any threats that she reports very seriously. Look for escalation of violence, for child abuse and/or incest, for sexual abuse of the woman herself, and for any significant changes in the pattern of the relationship.
- Discuss the possibility for escape and the legal alternatives available to the woman, realistically. If she decides to initiate legal action against the batterer, advise her of what to expect and work with her in advance to plan for her protection against possible reprisals. Prepare yourself to be a legal witness, if that becomes necessary, by documenting her help-seeking efforts and the history of abuse.

- If the woman has severely injured or killed her batterer and is charged with a crime, expert witness testimony and evaluation is available, based on research findings from studies of other abused women. Such testimony is proving effective in court.

Because of the increasing levels of tension and desperation, in both the woman and the man, an ongoing abusive relationship can quickly explode into violence which results in death. The fears of a battered woman should never be discounted. Her sense that "something terrible may happen" is often justified.

ADDENDUM

There has been a recent tendency of some theorists to express concern over the supposedly marked increase in the number of arrests of women during the last decade, and to attempt to draw a parallel between this increase and the women's movement. The suggestion is that increased assertiveness in women will lead to the commission of higher incidence and more violent types of crimes by women. Statistics have been given which indicated, for instance, an alarming 108% increase in the number of women arrested from 1960 to 1974, compared with a 23% increase in the number of men arrested during that same period. These statistics were used, however, without citing the low absolute numbers of female arrests when compared with the number of males arrested. A very impressive rate of increase can be achieved whenever the base figure is quite small. The 1975 FBI Uniform Crime Report indicated that women made up only 10.7% of the total number of arrests in 1960, and comprised 16.9% of the total arrests in 1974, an increase of 6.2%.

In addressing the question of whether the crimes of women offenders are becoming more violent, it should be noted that the bulk of the increases in arrests of women came in the property crime categories, primarily in larceny and fraud. Thus the increase was in economic crimes, rather than in crimes against persons. And in committing economic crimes, women usually act in the company of other persons, most frequently males. The proportion of violent crimes, such as murder and assault, which are committed by women remains at about 10%, and this figure has not increased significantly in the last twenty years (Adler, 1979; Crites, 1976; Jones, 1980).

Regarding the concern that the women's movement will have the effect of increasing both the frequency and violence of the crimes committed by women, Jane Totman has suggested that, since a

....contributing factor to homicide might be a perceived lack of viable alternatives to an overwhelming and entrapping personal life situation....an outgrowth of the women's movement could be the development and awareness of (more) useful alternatives to present female life styles." (Totman, 1978).

....and thus the effect on violent crimes committed by women might actually be to decrease their frequency.

Reference Notes

1. Gelles, R. J. The other side of the family: Conjugal violence. Unpublished dissertation, University of New Hampshire, Durham, 1973.
2. Straus, M. A. National survey of domestic violence: Some preliminary findings and implications for future research. Prepared for hearings on "Research into Domestic Violence". U.S. House of Representatives Subcommittee on Domestic and International Scientific Planning, Analysis and Cooperation. February 14, 1978.
3. Jens, K. S. Assessing lethality in marital violence. Paper presented at the Annual Colorado Mental Health Conference, Keystone, Colorado, September 1979.
4. Browne, A. Comparison of victim's reactions across traumas. Paper presented at the meeting of the Rocky Mountain Psychological Association, Tucson, April 1980.

REFERENCES

- Adler, F. & Simon, R. J. The criminology of deviant women. Boston: Houghton Mifflin Company, 1979.
- Barnett, E. R., Pittman, C. B., Tegan, C. K., & Salus, M. K. Family violence: Intervention strategies. DHHS Publication No. (OHDS) 80-30258. Washington, D.C.: U.S. Government Printing Office, 1980.
- Bowker, L. H. Women, crime, and the criminal justice system. Lexington, Mass.: Lexington Books, 1978.
- Chimbos, P. D. Marital violence: A study of interspouse homicide. San Francisco: R & E Research Associates, Inc., 1978.
- Crites, L. (Ed.) The female offender. Lexington, Mass.: Lexington Books, 1976.
- F.B.I. Uniform Crime Report, 1974.
- F.B.I. Uniform Crime Report, 1978.
- Field, M. H. & Field, H. F. Marital violence and the criminal process: Neither justice nor peace. Social Science Review, June 1973, 47.
- Gelles, R. J. The violent home: A study of physical aggression between husbands and wives. Beverly Hills: Sage, 1974.
- Jones, A. Women who kill. New York: Holt, Rinehart & Winston, 1980.
- Langley, R. & Levy, R. C. Wife beating: The silent crisis. New York: Pocket Books, 1977.
- Lindsey, K. When battered women strike back: Murder or self-defense? Viva, September 1978, p.p. 58-59; 91-94.
- A monograph on services to battered women. DHHS Publication No. (OHDS) 79-05708. Washington, D.C.: U.S. Government Printing Office, 1980.
- Tanay, E. The murderers. Indianapolis/New York: The Bobbs-Merrill Company, Inc., 1976.
- Totman, J. The murderess: A psychosocial study of criminal homicide. San Francisco: R & E Research Associates, Inc., 1978.
- Walker, L. E. The battered woman. New York: Harper & Row, 1979.
- Wolfgang, M. E. Patterns in criminal homicide. Philadelphia: University of Pennsylvania Press, 1958.
- Wolfgang, M. E. (Ed.) Studies in homicide. New York: Harper & Row, 1967.
- Wolfgang, M. E. Violence in the family. In I. L. Kutash (Ed.), Perspectives on murder and aggression. San Francisco: Jossey-Bass, 1978.

TABLE 1

WOMEN'S REPORT ON LETHALITY
IN THE BATTERING RELATIONSHIP

PERCEPTION OF LETHALITY

Belief in man's ability to kill woman	92%
Belief in own ability to kill man	55%
Most likely to die during a battering	
Predict man	6%
Predict woman (self)	87%
Predict other	7%

THREATS

Man's threat to kill someone else	57%
Man's threat to kill self	50%
Woman's threat to kill someone	11%
Woman's threat to kill self	36%

ACTUAL ATTEMPTS

Woman's attempting to kill man	11%
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TABLE 2

WOMEN'S REPORT OF PATTERN
OF ABUSE OVER TIME

	Decrease	Increase	Same	Other Pattern
Frequency of abuse	12%	66%	5%	16%
Physical aspect of abuse	12%	65%	15%	8%
Psychological aspect of abuse	7%	73%	15%	5%
Length of time of abusive incidents	8%	37%	---	55%

TABLE 3

WOMEN'S REPORT OF BATTERER'S
USE OF ALCOHOL

FREQUENCY OF INTOXICATION

Never	10%
Rarely	23%
Frequently	67%

ALCOHOL USE DURING BATTERING INCIDENTS

First battering incident
Second battering incident
Worst battering incident
Last battering incident
before interview

	Yes	No	Unsure
First battering incident	50%	46%	4%
Second battering incident	52%	46%	2%
Worst battering incident	56%	42%	2%
Last battering incident before interview	53%	42%	5%

TABLE 4

WOMEN'S REPORT ON SEXUAL ASSAULT
AND CHILD ABUSE

ABUSE OF CHILDREN

Man's abuse of children	53%
Woman's abuse of children	28%

SEXUAL ABUSE OF WOMAN

Woman raped by batterer	59%
Woman raped in non-battering relationship	7%
Woman asked to perform unusual sexual acts by batterer	41%
Woman asked to perform unusual sexual acts by nonbatterer	5%

END