

A SURVIVAL MANUAL FOR BATTERED WOMEN

52570

MARYLAND COMMISSION FOR WOMEN

INTRODUCTION

WHO IS AN ABUSED WOMAN?

According to legal experts, assault by a spouse is the least reported crime in the country. A woman is abused when she receives deliberate and repeated physical injury or threats to do bodily harm from a person with whom she is involved in a primary relationship (married, separated, or divorced couple; a couple living together; and boyfriend-girlfriend relationship). Abused women may come from any age, race, ethnic, religious or socio-economic group. Often there is a family history of violence such as spouse or child abuse. Abusers may have low self-esteem and be unable to express themselves verbally. Often abusers are frustrated by conditions outside the home and they take out their frustrations on their wives.

Wife abuse is not a new phenomenon. Husbands once felt they had the right to beat their wives because they considered their wives to be property. Fortunately, by the 1890's most states had laws prohibiting a husband from assaulting his wife. Even today, however, many women feel their husbands have the right to abuse them and that they have to put up with it. Many women feel shame and guilt when they are threatened and abused. However, no one deserves to be abused.

SOME IMPORTANT FACTS

- ... Every year more information becomes available about the degree of violence in the family. This information challenges the myth of the family as a peaceful haven.
- ... The F.B.I. reports that more police are killed in the line of duty answering family complaints than answering complaints of any other crime.
- ... Two-thirds to three-fourths of all assaults occur between relatives, friends, or acquaintances according to law enforcement estimates.
- ... Murder of one family member by another accounts for one-quarter to one-third of all homicides according to F.B.I. Uniform Reports.
- ... A recent national survey estimates that out of the 47 million couples living together in the United States, an estimated 1.7 million spouses have experienced violence involving the use of a knife or gun, and over two million have experienced one spouse beating up the other.



WHAT CAN YOU DO WHEN YOUR MATE ABUSES
OR THREATENS YOU?

There is probably nothing you can say or do to make an abuser stop. Insulting or belittling will probably increase the anger. So will fighting back.

- (1) Try to remain calm and leave the scene as soon as possible. Go to a neighbor, relative or friend to seek temporary shelter. (A list of shelters for abused women appears on the last pages of this booklet.)
- (2) If you are seriously injured, seek medical attention immediately.
- (3) If you are not seriously injured, you should still see a doctor as soon as is practical. You may have injuries that are not obvious. A doctor can help with emotional upset too. Be sure you tell the doctor how the injuries occurred.
- (4) There are two legal alternatives to dealing with the problem: criminal proceedings and civil action.

CRIMINAL PROCEEDINGS

Criminal proceedings are started by calling the police. Calling the police is a drastic step . . . ASSAULT IS A CRIME! You're asking the most visible department responsible for maintaining public order to come between you and your mate. You must be prepared to follow through with your complaint. If you call only to threaten or scare your mate, he will see through it and try to get away with it again. The police may not take you seriously either.

WHEN THE POLICE ARRIVE

- (1) Tell the officer the facts in a calm, firm manner. One of two things may occur at that time. The police will take a complaint report or they may arrest your mate right away. The officer can arrest your mate if an assault occurs in the officer's presence or if your mate has committed a felonious assault (that is, an assault with a deadly weapon or an assault with intent to murder) even though it wasn't in the officer's presence.
- (2) State the acts committed by your mate and the injuries you received.
- (3) Limit yourself to what actually occurred. Do not go into details about your marriage relationship unless they relate to the incident at hand - like previous attacks.
- (4) Make certain the officer fills out a complaint report. The police officer has a duty to complete a complaint report. Write down the complaint report number for your record.



- (5) You may want to go further and file a criminal complaint. A criminal complaint means that if the official feels that there is probable cause, either a warrant for your mate's arrest or a summons for him to appear in court will be issued. Ask the officer where you must go to obtain the warrant or summons from a Court Commissioner or State's Attorney. If you believe you are in immediate danger, request that the officer have your mate arrested rather than summoned.

You should only file a criminal complaint if you intend to follow through with a trial.

- (6) The Commissioner or State's Attorney might try to talk you out of pressing charges. You might be told that your mate will go to jail. Usually the court orders unsupervised probation. In some counties the State's Attorney issues a letter of warning or calls in your mate for a conference. Ask about these possibilities. Remember, your safety is important.
- (7) If your mate is arrested, he will appear before a commissioner who will usually release him on his own recognizance. This means that he can return home. If you fear him, find shelter where you will be safe. (A list of shelters for abused women appears on the last pages of this booklet.)
- (8) If the state decides to prosecute, in most cases your spouse will be issued a summons to appear in court. The trial will be a criminal proceeding in which the State prosecutes and you - the victim - are the witness.

- (9) You have the right to refuse to testify against your mate. However, you still must go to court on the day of the trial. Of course, if you refuse, the prosecutor will be very reluctant to prosecute on any future complaint you may have.
- (10) At the trial you will be sworn, called to take the stand and asked to testify about the incident. You should be prepared for questions from the defense attorney who will try to shake your testimony. Your case can be dismissed if it's just your word against your mate's. Take a witness if at all possible.
- (11) If your spouse is found guilty, he will be sentenced. Whether jail is probable depends on the nature of the assault as well as whether it is his first offense. If he is not incarcerated, he will be free to return to the family home, possibly on probation. In some counties, the judge may require counseling for the abusing spouse.

NOTE: A criminal proceeding is not part of a divorce or separate maintenance action, and criminal proceedings do vary from county to county.

Throughout the entire proceeding, the police, public officials or counselors may not take you seriously. Don't be discouraged. Keep trying. ASSAULT IS A CRIME!

CIVIL ACTION

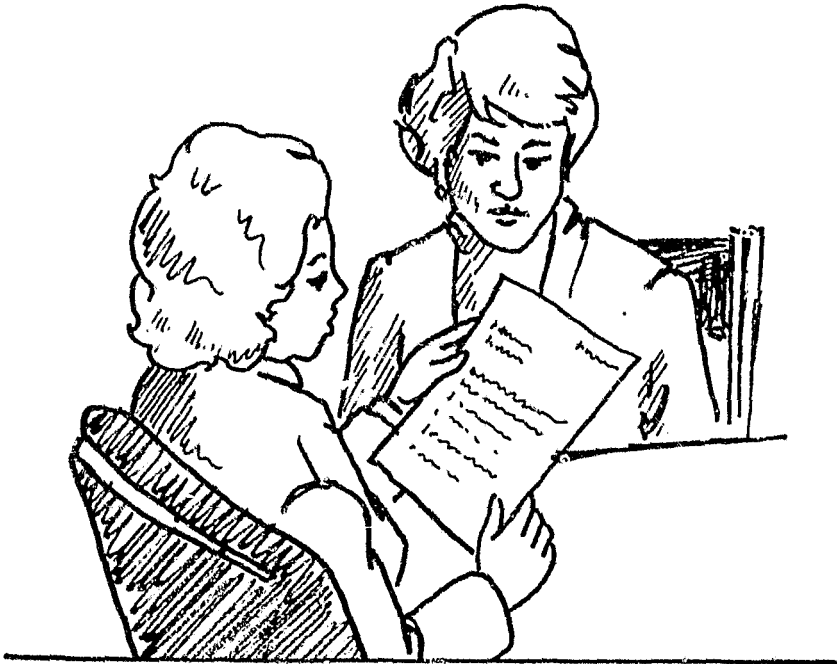
In addition to criminal proceedings, you may decide to file a civil action in equity.

- (1) Seek legal counsel.
- (2) There are a number of different ways to proceed. Ask an attorney about a separation agreement, a partial divorce, a permanent divorce, separate maintenance without a divorce and an injunction.
- (3) An attorney is obligated by the Canons of Ethics of the Legal Profession to discuss the possibility of reconciliation.
- (4) In Maryland, physical abuse can be grounds for a partial divorce, i.e., a legal action wherein a couple's separation is supervised by the Court. It allows those persons who do not want their marriage dissolved, but wish to legalize their living apart, a period of time to work out a course of action.
- (5) The attorney-client relationship is based on trust and confidence. Find out who suits you. Obtain a written fee arrangement. But remember, the attorney is a legal advisor. Don't expect emotional support. Hard questions will be asked. It doesn't mean that the attorney doesn't believe you. All the facts are needed to properly represent you.
- (6) Should you decide to file for divorce, it is important that you have sufficient evidence to prove to the Court that the abuse occurred. Such evidence can be a witness to the occurrence or someone who saw you immediately after it happened.

WHAT DO YOU DO AFTER THE CRISIS IS OVER -
THE NEXT MORNING?

Your mate will apologize and tell you this will never happen again. This may be true.

- (1) In any case, tell someone else. Don't let shame and fear keep you from confiding in a close relative, friend or neighbor. If it's a secret, it will remain a problem neither you nor your mate has to face.
- (2) Try to obtain some counseling for both you and your mate.
- (3) You might want to move away from him, whether it is for a short or an indefinite period of time.
- (4) You should investigate possible actions to take should another attack occur.



OTHER SERVICES WHICH MAY HELP YOU

The local department of social services may be able to provide a variety of services and financial assistance. Ask about emergency assistance and a legal service contract. Contact the Intake Specialist for an interview.

AGENCIES/GROUPS PROVIDING BATTERED SPOUSE SERVICES

BALTIMORE CITY

Maryland Commission for Women
1100 N. Eutaw Street
Baltimore, MD 21201
383-5608
Service(s): Information and referral.

House of Ruth, Baltimore
2402 N. Calvert Street
Baltimore, MD 21218
889-RUTH
Service(s): Shelter; auxiliary services.

Violence Clinic
University Hospital
645 W. Redwood Street
Baltimore, MD 21201
528-6475 (9AM - 5PM)
Service(s): Evaluation & group therapy for violent persons; group therapy for couples.

W.P. Carter Mental Health Center
630 W. Fayette Street
Baltimore, MD 21201
837-7676 (24 hr. phone and walk-in service)
Service(s): Emergency counseling; crisis intervention and referral.

Battered Women Together
837-7676
Service(s): Peer counseling; mutual support and self help.

ALLEGANY COUNTY

Women's Refuge
Cumberland, MD 21502
777-1509 (8:30AM-4:30PM, taped after hours)
Service(s): Emergency shelter; counseling.

ANNE ARUNDEL COUNTY

Commission for Women
Annapolis, MD 21401
224-1301
Service(s): Information and referral.

YWCA Women's Center
167 Duke of Gloucester St.
Annapolis, MD 21401
268-4393
Service(s): Counseling; information & referral.

Emergency Hotline
263-0330

BALTIMORE COUNTY

Commission for Women
Towson, MD 21204
494-3404 or 494-2450
Service(s): Information and referral.

Coordinator
Services to Abused Persons
123 Court House
Towson, MD 21204
494-2036
Service(s): Information and referral.

CARROLL COUNTY

Maryland Children's Aid
& Family Services
22 N. Court Street
Westminster, MD 21157
876-1233
Service(s): Emergency
shelter; counseling.

Dept. of Social Services
95 Carroll Street
Westminster, MD 21157
876-2190
Service(s): Emergency
shelter; counseling;
auxiliary services.

CHARLES COUNTY

Family Abuse Center
LaPlata, MD 20646
645-0001 (24 hr. hotline)
Service(s): Emergency
shelter; counseling; in-
formation and referral.
(Serves Southern MD,
including Southern P.G.
County.)

FREDERICK COUNTY

Task Force on Battered
Women
c/o Route 6, Box 55
Frederick, MD 21701
Service(s): Information
and referral.

HARFORD COUNTY

Commission for Women
Aberdeen, MD 21001
272-0660
Service(s): Information
and referral.

HOWARD COUNTY

CASA (Citizens Against
Spousal Assault)
Columbia, MD 21045
997-CASA (24 hr. helpline)
Service(s): Counseling;
support group; emergency
shelter; information and
referral.

MONTGOMERY COUNTY

Commission for Women
Rockville, MD 20850
279-8346
Service(s): Information
and referral.

Abused Persons Program
5630 Fishers Lane
Rockville, MD 20852
279-1331 (24 hr. hotline)
Service(s): Emergency
shelter; crisis counseling;
family counseling; groups
for women; auxiliary ser-
vices; information and
referral.

Passage Crisis
8500 Colesville Road
Silver Spring, MD
589-8608
Service(s): Counseling;
emergency shelter; in-
formation and referral.

Legal Services Corp. of
Prince George's County
8901 Annapolis Road
Lanham, MD 20801
459-1688
Service(s): Legal coun-
seling; information and
referral.

PRINCE GEORGE'S COUNTY

Commission for Women
Upper Marlboro, MD 20870
952-3383
Service(s): Information
and referral.

Dept. of Social Services
Service Intake
6515 Belcrest Road
Hyattsville, MD
927-4600, Ext. 425-428
669-8605 (24 hr. hotline)
Service(s): Counseling;
emergency shelter; aux-
iliary services; infor-
mation and referral.

Family Service of Prince
George's County
7580 Annapolis Road
Lanham, MD 20801
459-2121
Service(s): Counseling;
information and referral.

Hidden Entrance Crisis
Service
4321 Hartwick Road
Suite 412
College Park, MD 20740
864-3310
Service(s): Crisis coun-
seling; information and
referral.

ST. MARY'S COUNTY

Walden Counseling Center
Box 224
California, MD 20619
863-6661 (24 hr. hotline)
Service(s): Counseling;
information and referral.

WASHINGTON COUNTY

CASA (Citizens Assisting
& Sheltering the Abused)
101 Summit Avenue
Hagerstown, MD 21740
797-4161
Service(s): Emergency
shelter; auxiliary services.

Helpline
791-2600 (24 hr. hotline)

ADDITIONAL RESOURCES



MARYLAND COMMISSION FOR WOMEN

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