

TESTIMONY BY

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SEP 13 1990

To

THE HOUSE JUDICIARY COMMITTEE
Commonwealth of Pennsylvania
Allentown, PA
September 14, 1990

REGARDING: HOUSE BILL 2513

My name is Bonnie McDonald and I am the Executive Director of Turning Point of Lehigh Valley. We serve both Lehigh and Northampton Counties. I'm here this afternoon to speak on behalf of victims of domestic violence, specifically spouse abuse victims. In the past few years, spouse abuse has gotten widespread media coverage and we have made much progress in the field of victim services. However, we still fight prejudice against battered women. We still encounter the attitude that spouse abuse is not a serious crime.

I want to stress to you that victims of domestic violence experience post-traumatic stress syndrome, we have the same nightmares, the same feelings of insecurity as victims of "stranger" crimes. If someone is choking you, as you're passing out, it really doesn't matter much to you if you know the person or not!

But afterwards, if you survive, you find out that it does seem to matter to those you have to deal with in the system. You quickly begin to realize that there is an automatic suspicion that you're going to reconcile with the person who has just tried to kill you. You are confused and afraid. You've never dealt with the criminal justice system before.

We at Turning Point believe that the requirements of this bill would greatly help victims of assault who are "personal risk victims". I note that there is definition of personal risk victim in the bill. I have my own definition. A "personal risk victim" is one whose attacker knows where she lives, knows where she works, knows what school her kids go to, knows where her parents live, and knows

her daily routine. In short, a personal risk victim can never feel safe! It's easy to get irritated when victims of domestic violence don't follow through on charges. But you must understand that pressing charges doesn't make her problem go away. It won't keep her safe, in fact it might make it worse. When someone has battered you, possibly tried to kill you, raped you, violated you in every possible way, it is very hard to even think about doing something that might make him angry. But a few brave battered women do try to pursue criminal charges. They need our support and the support of the criminal justice system every step of the way.

Let me tell you about some situations we have encountered that would have benefited from the proposed legislation. One was a 32 year old woman who had obtained a Protection Order against her husband, who she was also in the process of divorcing. He was to be serving 60 days imprisonment for statutory rape. Because he was employed, the judge ordered him to serve his sentence on weekends. She had asked to be notified of his release times, since he had threatened to "get her". He had even told people in prison of his intent to "get her". One Sunday evening, after leaving the prison, he went to her home and beat her with a board so badly that she needed 75 staples in her head and face. Her jaw was wired shut for 10 weeks. She indicated to our staff that had she known he was being released Sunday evening instead of Monday morning, she never would have returned to her home that night. The notification clause in this bill could have prevented this horrendous act. Terroristic threats almost always precede these kinds of assaults.

Another woman, age 45, was hit on the head repeatedly with a hammer while she was asleep in bed. She will have a metal plate in her head for the rest of her life and had, in fact, been pronounced dead. Miraculously she survived but not without constant anxiety over the legal technicalities. She spoke with the D.A.'s office initially but over a year has passed since the incident and she is still not aware of her rights as a victim. She reports that she still wakes up nights afraid he will somehow get released from prison. Her teen-age son refuses to leave her home alone and calls her daily now that she has returned to work part time "to make sure she is still alive".

notified, she has the right to question whether the criminal justice system is interested in her safety. A few hours notification so that she has time to go into hiding if need be, or change her locks, or vary her routines...so that she is not caught totally unaware, can make the difference between life and death for her and her children.

I've heard that wife killers are often model prisoners. They look like perfectly nice guys, the kind you'd want your daughter to marry. And believe me, anyone can suddenly find themselves in this kind of a situation. These men have a sickness that causes them to obsess on one individual, tormenting her and making her life miserable...often tracking her from state to state. Their threats and prior intimidation are almost always misdemeanors. We must expand victim notification to reach beyond felonious assaults. No one should be left to fight the battle alone simply because they married or dated the wrong person.

Wife killings are preventable homicides, precisely because there are usually prior threats and intimidation. When the criminal justice system has prior knowledge that someone is at personal risk by another, it must give the potential victims the information and notification they need in order to deal with this life threatening problem. We must give them a chance!