

Laura's House Story

A Life Lost in a Cycle of Despair

*A battered woman's death raises question about who is to blame. Her family wants
To make sure her case does not slip through the cracks of the legal system.*

**By Dianne Klein
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Jane is spreading her snapshots on the table. They are casual, amateur reminders of how life was for her daughter, Marie.

In the first photo, Marie and her daughter, Jennifer, snuggle in an armchair, their toothy smiles radiating warmth and ease. Then there is Marie in her apartment kitchen a few years later, wearing her smile much more tightly across her face.

Finally, Marie is pictured at what has to be her last Christmas, looking over her shoulder, her lips together, barely curled up at the ends. Her eyes are dull.

It is this progression that Jane wants a visitor to see, this record of unhappiness etched in tragic hindsight, a visual diary of a battered wife.



'It was like the pattern you see in the movies, or you read about, that's the way it really was. I saw my mother bruised up one time before they were married, and I asked her what happened. She said that it was her fault that they'd gotten in a fight. Then about four to six months into the marriage, it got to be about once every two weeks, then it got to be about once every two days.'

Todd – Marie's 21 year old son



Marie, a Southern California mother of two, died at age 38. How that happened, exactly, perhaps only one man really knows. He was her second husband, Bill. He was alone with her in a vacation house when her ribs were broken one last time, when her lung collapsed, and when her head split open, spilling too much blood.

Bill told sheriff's deputies his wife hit her head on a coffee table. He told her son she bumped against a kitchen cupboard while reaching for a bottle of booze. He told paramedics she fell down the stairs, drunk.

Then he invoked his Miranda rights against self-incrimination and has not been questioned since.

Marie told the paramedics she would be fine, that her injuries were nothing really. Over the years, she had said that a lot. She did not want to go to the hospital this time either. And she would not say how she had been hurt.

On a hospital X-ray table, Marie died of respiratory arrest within what the coroner called “minutes to hours” of receiving the injuries she so readily dismissed.

Today, more that a year later, her death officially remains unresolved. For that reason, Marie, like the names of the other people mentioned here, is a pseudonym and some details of her story have been left out.

Her family, still enraged and filled with grief, fears that they may never have their day in court. To them, “unresolved” means that no one cares.

Jane, especially, is consumed by the specter of “just another battered woman” slipping through the cracks of a legal system ill-equipped and, perhaps not always willing to help.

“Why aren’t they doing anything?” she asks, desperation and anger threading through her voice. “Is it because she had alcohol in her system: Is it because she is not worthwhile? Is it because I am not a millionaire or she is not a movie star? Or is it because they don’t give a damn?”

From the start, the local Sheriff’s Department investigated Marie’s death as routine. By the time investigators realized they might have been mistaken, the district attorney’s office was lamenting that crucial evidence had been lost.

The deputy district attorney who handled the case says that if new evidence comes to light, he will prosecute, that as in all unexplained deaths, Marie’s file is not closed. But other officials, and Marie’s relatives, have their doubts. They say they have seen too many such “routine” deaths before.

Jane, a nurse by training is the first to say her daughter was an alcoholic. At the time of her death – caused by “blunt head and chest injury” in the dispassionate jargon of the autopsy – Marie’s blood-alcohol level was 0.29%, well beyond the legal definition of drunk. Marie had become addicted to prescription drugs after a serious car accident several years before. And she was addicted to the wrong kind of men.

On the morning that she died, Marie came to the end of a tragic syndrome: She was a woman who had lost nearly all vestiges of self-esteem. She was terrified of the of the man she lived with, yet paralyzed by the thought of a future on her own. She was a battered woman caught in a cycle of despair.



Jane’s favorite photograph of her daughter was taken when Marie was not quite 3, in the living room of their home, in 1950’s black and white. Marie is modeling a gingham nun dress, her smile verging on a laugh. With her daughter’s hands held toward the camera, clasped together as if in prayer, it’s easy for Jane to think of the angel who was her first-born.

Yet the idyllic image deceives. Jane had dropped out of college to raise what she and her husband hoped would be four children. Marie came “nine months and nine days” after Jane had married at 19. But because of complications, Jane nearly died giving birth.

A son arrived two years later, but the couple’s third child died, apparently of sudden infant death syndrome. Jane had a hysterectomy.

Then, after eight years of marriage Jane says she asked her husband to leave because “I didn’t feel very loved.” Marie lived with her mother, but her father remained involved in her life.

When Marie rebelled as a teenager, he sent her to a Catholic boarding school. When she was expelled for smoking, he sent her to his mother’s house in the southwest.

At the grandmother's, Marie met the man who would father her son. She returned to California, and after graduating early from high school, she gave birth to Todd when she was 17.

A single mother, Marie began working at an insurance company. At 21, she married a man her family describes as loving and kind, with a steady, blue-collar job. Her life, briefly, became more stable.

Marie's father, now a wealthy retired contractor, paid the down payment on his daughter and son-in-law's house. Their daughter, Jennifer, was born two years later.

Then Marie's car was rear ended, injuring her neck and spine, and this is when Jane says her daughter's downward spiral began. Marie became addicted to prescription drugs.

"I guess they lifted her up," Jane says. "Taking the pain medication made her feel good. I think she was afraid to go without them. And nobody tried to help her get over it."

Jane says she complained to Marie's doctor that her daughter was taking too many drugs. But when he cut her off, she turned to friends who supplied her with pills illegally. When the drugs were not available, alcohol would do.

Marie stopped working and began spending lots of time away from home, leaving her children with her husband.

"Her whole personality was changing," her mother says. "(her husband) couldn't understand her. Had I realized it – and I have a hard time dealing with this – maybe I could have done something. But she was not falling down drunk. She could maintain".

Finally, Marie walked out on her best chance for a normal life. She and her husband divorced and the children stayed with him. Her family berated her for letting a good man go and allowing him to take her kids.

At one point, Jane enrolled her daughter in a rehabilitation center. It didn't work.

Jane too was having problems. She had remarried but after three years her husband died of a heart attack. She says she turned to alcohol herself.

"I suppressed the anger and the hurt I had. I think Marie had observed me do this and thought she could do the same thing. But she wasn't strong enough. When I realized three drinks a day was too much, I stopped. She couldn't."

And, in hindsight, Jane cringes at the memory of a new boyfriend who beat her up. She wonders if that situation signaled to her daughter that such abuse was all right. Jane says she stopped seeing this man after the second beating, the time he broke her jaw.

Marie was not as good at walking out. After her divorce, she drifted, hanging out with people who would give her drugs or buy her a drink. Most of them were men.

Jane says that when Marie met them they would seem like "nice young men," but it would not be long before the beatings would start. She would show up at her mother's house with black eyes and soreness in her every move.

"I would go after these boys with venom," Jane says. "I would hunt them down. I went up to one of them, kicked in the door, and I said: 'I don't want you to ever hit my daughter again.' I kept trying to get her away. No matter what I did, she would go back. They'd have a good time, set up housekeeping and the drugs and the alcohol would start and they would smack her around."

Bill and Marie eloped to Las Vegas in 1989, shocking her family because the couple had only been seeing each other a few months.

“When I asked her why she’d married him.” She said, ‘Oh Mom, he loves me. He will take care of me. He won’t let anything happen to me.’ Jane says, “Marie desperately needed to be loved.”

Bill refused to let his wife work outside the apartment building where they lived. He still works as the manager there, doing odd jobs.

Court records show Bill, 44, is on informal probation – as he has been four other times – for drunk driving and resisting arrest. He was jailed at least three times for those crimes.

The last time he was arrested, in 1991, police hit him with their batons and called for backup before they could handcuff him. He is 6-foot-7, and police records place his weight at 250 pounds.

Bill acknowledged to family and friends that he hit his wife. But he was never arrested for that crime.

Marie’s friends and relatives say her husband would threaten her with worse if she complained. He had once ripped the phone from the wall. Still, Marie believed she could “handle things” on her own.

Sam, a college janitor and Jane’s third husband, says he and Jane would often pick Marie up after she would call, desperate, from a pay phone. He says by then, Bill would have passed out..

“She’d have black eyes; her arms would be black, her legs, and a good share of her body. Her ribs would be messed up, I’d say: ‘Why are you putting up with this?’ But she didn’t have much of any place else to go and she liked him.’

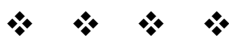
“I even talked to him and said: ‘Enough is enough.’ That you don’t go beating on women. He’d say he was sorry, that he’d had too much to drink. He’d promise that he wouldn’t do it anymore and heck, it wouldn’t be a week or two later and he’d do it again.”

By now, it seemed, most of Marie’s friends had fallen away. Her father ended their relationship because he did not approve of what she had become.

At times, Marie appeared to have given up too. And when police were called, usually it was by an outsider – a neighbor, the owner of a motel where she and her husband had stayed. Charges were never pressed.

The one time Marie did call police was a few months before she died. The police report said she complained that her husband was “drunk and pushing her around.”

But when an officer arrived at their apartment, Bill was gone and although she had fresh cuts on her hand and leg, Marie denied that he was to blame.



“Why do they keep pushing this death?” Bill says, annoyed. He had been asked if he would like to tell his version of events that led to his wife’s death. He is playing pinball at 10:30a.m. at a liquor store near his apartment.

At this store a week earlier, a private process server had handed him legal documents advising him Jane was seeking a permanent restraining order prohibiting him from harassing her and her grandchildren.

Marshals had failed to find him 10 times before. Two other private process servers declined the job saying the man was too dangerous.

Jane says she needs the order because Bill has made threatening calls and attempted to see her granddaughter at school. A judge recently extended the order for two years.

I don't want to talk now because I just woke up, and I was drinking last night," Bill says. Then he makes an appointment to talk. He cancels an hour after that.

Some of his version, however, is in official reports. He said he was asleep downstairs when he was awakened by his wife, who was "covered with blood." He said that after putting her in the shower and changing her clothes, he called 911.

But the paramedics reported finding Marie at the bottom of a six-foot flight of stairs, where her husband told them she had landed after a fall.

When deputies asked him to take a lie detector test the morning she died, Bill declined.

- The sheriff's report notes that when officers arrived at the house – nearly 12 hours after Marie was taken to the hospital—they found blood in the grooves of an upstairs coffee table and wet carpeting nearby. The report indicated that Bill had cleaned up a large puddle of blood that paramedics reported seeing on the carpet. There was no blood on the stairs.

The autopsy report says two of Marie's ribs were freshly broken, her left lung collapsed. Her head was cut in several places, the slashes angled in different directions, with the most serious cut on her right forehead. Her brain was hemorrhaging. Her lip was split.

Nearly every part of her body showed an injury of some kind, new and old. But the report concludes without answering the most crucial question of all "It is unknown how the injuries occurred," it says.

Theories, however, are rife. A funeral home worker who viewed Marie's body and who is familiar with signs of abuse took the unusual step of contacting Jane about her suspicions before the autopsy report was released.

A paramedic who treated Marie said in an interview: "I don't think she could sustain all those injuries in one fall. To have two major injuries, on different sides, it doesn't add up."

According to the autopsy and medical records, Marie did not tell paramedics, or hospital personnel, what happened. However, a deputy district attorney says the emergency room physician told him Marie said she fell down the stairs. This was not reflected on her medical chart, which describes her as "combative" and refusing medical treatment.

Bill did not accompany his wife to the hospital, where she died. Instead, he called the house's owner – the man who owns the apartments he manages – and the two cleaned up, well before officers arrived.

"The Sheriff's Department, I don't believe did enough on this, from what we received," says the Chief Deputy Coroner. "And the deputy Eve says here: 'There are suspicious circumstances in this case.'"

The Sheriff's Department will not talk publicly about the case, which detectives held for nine months before turning over to the district attorney's office. A month later, the Deputy District Attorney said his office had decided not to file charges at that time.

But the decision, he says, does not mean this office has exonerated Bill. "There is no statute of limitations on homicide," he says. The District Attorney's office stresses that to prove a crime it needs evidence that will convince a jury "beyond a reasonable doubt."

"Certainly the Sheriff's Department believed that it was an accidental death." says a chief deputy district attorney. "It was not investigated as a homicide from the very beginning." But even if they chose to investigate anew, deputies concede that crucial evidence may be gone.

In talking with Marie's friends and relatives, police and volunteers who work with battered women, words such as *syndrome* and *victim* often come up. Alcohol and drug abuse, by the abuser and the abused figure prominently too.

But the sheer number of women assaulted by the men in their lives explodes the stereotype of an uneducated, poor battered woman who is not smart enough to get out. Domestic violence is the No.1 cause of injury to American women today.

The FBI's most recent statistics show that nearly 30% of the nation's female murder victims were killed by husbands or boyfriends. A spokesman adds that the real figure is doubtlessly higher because much information about homicide victims is unknown.

Experts say domestic abuse has three phases; tension, then battering, then a honeymoon. Often, as with prisoners of war, the victim begins to identify with her abuser. As the abuse continues, the tension phase shortens, the battering worsens and the honeymoons disappear.

Todd, Marie's 21 year-old son, has seen all this happen close-up. When he speaks of his mother's death his face is filled with rage, disgust and grief.

"It was like a pattern you see in the movies, or you read about, that's the way it really was." He says. "I saw my mother bruised up one time before they were married and I asked her what happened. She said that it was her fault that they'd gotten in a fight.

" Then about four to six months into the marriage, it got to be about once every two weeks, and then it got to be about once every two days."

Todd, a recent Police Academy graduate, says he and his grandmother, with whom he and his 16 year-old sister live, had talked about helping his mother shortly before she died.

"I kind of prepared myself for (her death) all along," he says. "I would say that we were just starting, the whole family, to really admit what was going on. We were finally going to get her and have her live with us."

"She always told me she wanted me to learn from the mistakes she made in her life," says Jennifer, a high school junior. "She always told me to never marry an alcoholic and after the first time he hits you, leave."

"Ten days before she died," I said, "one more time and I'm going to get her," Jane says. "Well, we got the call, but it was when she was dead."

In their last conversation, Jane says her daughter finally talked about contacting battered women's shelters.



Today, Jane says she continues to write letters to anyone who might help her daughter's case. Mostly, Jane's entreaties are ignored. Her family says they hardly hear her laugh anymore.

Jane buried Marie in the "Graceland" section of a local cemetery because she was an Elvis fan. Her headstone describes her simply as a daughter and a mother – But nobody's wife.

A domestic abuse prevention group, with whom Jane met to seek help, hopes to finance a women's center that they will name for Marie.

Jane says she finds some comfort in that.