

SECOND CHANCES

We are a society that believes in second chances. Our nation, built on a foundation of Christian values, embraces the belief that redemption is always possible. Our society grants second chances to immigrant "dreamers" who illegally and surreptitiously cross our borders. There is rehab and rehabilitation for alcoholics and drug addicts, rescue for wayward animals, and even second chances for rogue terrorist nations. But, for battered women like me who have killed their abuser in defense of their own lives, there are no second chances in the State of Michigan.

As is common in many battered women cases, the final assault on my life and resulting homicide of my abuser occurred as I was attempting to peacefully leave the abusive relationship - the most dangerous time for a battered woman, according to psychologists. Women who have killed their husbands in response to battering have historically been subject to a "tradition of disfavor" and are perceived to deserve harsher treatment under the law and in fact do. Statistics have shown that battered women defendants receive higher conviction rates and longer sentences than all others charged with homicide. When prosecutors pursue first degree murder charges against battered women who acted in what they believed to be lawful self-defense and Michigan law mandates a sentence of "life in prison with no chance of parole", it brands these battered women as irredeemable, incapable of salvation, and unworthy of a second chance to ever return to society and atone for their crime in some constructive way.

Such a cruel judgment ignores the fact that these battered women are not incorrigible criminals, but rather women who lived lives as devoted wives; loving mothers; and law-abiding, productive members

of society before the scourge of domestic violence destroyed their lives and the tragedy of their crime befell their families. To impose such severe penalties in cases like these ignores the fact that there may have been mitigating circumstances related to the crime that were never given adequate consideration at trial because of Michigan law which severely limits the presentation of Battered Woman Syndrome expert witness testimony. It ignores the reality of the systemic prejudice in Michigan's self-defense law that has imposed restrictions which diminish a battered woman's ability to claim self-defense if she has or had a dating relationship with the individual, shared a child in common, or is a resident or former resident of the same household, or when there has been a prior history of domestic violence. And, it ignores the fact that a mandatory life sentence usurps a judge's discretion to impose a lesser sentence than the law mandates, in the interests of justice. All of these issues had a significant impact in my case.

A life sentence for a battered woman who killed her abuser to save her own life is the cruelest of all fates because she is now condemned to live the rest of her life in an even more abusive environment than the one from which she escaped. There is nothing more inhumane than a life sentence. A prisoner condemned to death dies quickly and but once, but a "lifer" dies slowly day-by-day from harsh prison conditions; poor nutrition; inadequate healthcare; verbal, physical, and emotional abuse; loneliness; despair; and the heartbreak of a shattered family. It is a slow death "by a thousand cuts", leaving a battered woman to wish that her abuser had just killed her.

All of us have done something in our lives that we wish could be undone. None of us deserves to have our entire life measured by the worst act committed on the worst day of our life. Commutation is an imperfect tool for rectifying the injustice resulting from wrongful convictions or the oversentencing of battered women convicted of crimes they committed only to survive but for battered women like me, it is our last remaining hope.

Please be the voice of compassion that advocates on behalf of battered women. By signing the online petition in support of my commutation effort or writing to the Michigan Parole Board or Governor, you will give battered women like me and our families a second chance at life.

Nancy Seaman