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Michael A. Farone
Attorney at Law
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Re: Nancy Ann Seaman
Oakland County Circuit Court
No. 2004-196916-FC
Michigan Court of Appeals No. 260816

Dear Mr. Farone:

I am writing this letter in support of Ms. Nancy Ann Seaman's Post-Conviction Motion for Directed Verdict of Acquittal, New Trial, or Evidentiary Hearing in the 6th Judicial Circuit Court in the State of Michigan. I am a clinical and forensic psychologist, holding a Diplomate in Clinical and Family Psychology, and a professor of psychology at Nova Southeastern University's Center for Psychological Studies as set forth on my attached resume. I testified in Ms. Seaman's trial where she was convicted of murder in December 2004 but my testimony was so limited that I was unable to explain issues that are critical for juries to hear in order to fairly come to a just decision.

I personally have testified in over 500 trials in various State and Federal court jurisdictions across the United States of America for almost thirty years concerning the impact of domestic violence on a battered woman's state of mind. I have conducted research, developed and implemented treatment and prevention techniques, and trained others around the world in assessment and intervention programs. I have chaired the American Psychological Association's Presidential Commission on Violence and the Family and provided testimony to Congress and other governmental agencies to assist the government in developing policies to stop violence in the family. It was my research that first introduced Battered Woman Syndrome in the courts as a way to explain why battered women who kill an abuser in self defense engage in behaviors that appear to contradict the myths that the average layperson continues to have about victims of domestic violence. Without this full explanation of what is counter-intuitive to the jurors and

Judges who must make judgments based on contradictory evidence, such as was introduced in Nancy Seaman's trial, it is difficult if not impossible to come to a fair and honest verdict.

Although I was permitted to describe my research and that of others on the psychological impact of domestic violence on a woman, I was not permitted to explain how that related directly to the behavior of Nancy Seaman when she killed her abusive husband. I did not perform a forensic psychological evaluation of Ms. Seaman as her attorneys were aware that the court was prohibited from permitting the description of the clinical evidence from being placed before the jury. Dr. Michael F. Abramsky, the psychologist who evaluated Ms. Seaman asked me to review his findings and consult on anything further that was needed. I had him administer two standardized psychological tests that measure the impact from trauma on the person's current state of mind which he did. The results of these two tests showed that Ms. Seaman's psychological state of mind was consistent with other trauma victims on whom the tests were standardized. It is my professional opinion that the results of those psychological tests would have been of assistance to the jury in supporting Ms. Seaman's claims that she was a battered woman and in fear for her life at the time she killed Mr. Seaman. They supported her high levels of anxiety and depression along with the other criteria for a diagnosis of Post Traumatic Stress Disorder. Further, the test results together with her history support her psychological ability to deny and manipulate her own reality and go on with her life as if an extraordinary traumatic event had not just occurred.

If I had been permitted, I would have testified that in my professional opinion, Ms. Seaman was a battered woman in her relationship with her husband and that she had a reasonable perception of imminent danger to herself at the time she killed him. I would also have testified why it is common in domestic violence relationships for one child to take the side of the mother and one child take the side of the father as has obviously occurred in this family. The family dynamics that occurred as a result of Nancy Seaman trying to protect both of her sons from the abusive behavior of their father helps explain some of the confusion that must have been apparent to the jurors. Despite the older son's denial of abuse in the family, which Ms. Seaman knew was detrimental to her defense, she never stopped loving and trying to protect him. Jeff idealized his father and admitted his father liked to brag about beating up people and that his visits to his parents grew less frequent in the months before the homicide because the arguments between his parents were growing more intense.

Although it is not an actual part of a trial, jurors, like other laypeople, often get waylaid by trying to figure out why a battered woman doesn't leave the relationship before it gets to murder or homicide. The answer is both multi-determined and counter-intuitive. In addition to psychological, religious, cultural and financial reasons, when there are children involved, leaving does not stop the violence. In fact, most battered women are more seriously hurt or even killed at the time of separation or attempts to leave. Ms. Seaman's purchase of a condo shortly before Mr. Seaman's final attack on her, is evidence that this occurred in the Seaman relationship. Even her son, Jeff and daughter-in-law, Nancy who helped her and agreed not to tell their father, knew that he would be enraged if he knew she was really going through with plans to leave him. As is common for batterers, he was very ambivalent about the pending divorce and its impact on him. With the tension-building, as was testified to by both sons as well as friends who knew both Nancy and Robert Seaman, it would have been consistent to expect that an explosion would

such as happened when Mr. Seaman's anger erupted when Ms. Seaman asked to borrow the SUV to help their other son, Greg move. The testimony all fit into the cycle of violence which would support Nancy Seaman's growing fears of imminent danger from Bob Seaman. Had I been permitted to so testify, I would have drawn a chart of Nancy Seaman's cycle of violence and compared it to the average battered woman's cycle demonstrating the changes in tension building and perceptions of danger through the years of living with Robert Seaman:

In addition to offering an explanation to the jurors supporting Ms. Seaman's not planning the homicide, her behavior after it occurred is also consistent with what she previously did after being battered and abused by her husband, which was to pretend it didn't happen. She rarely admitted to others that the bruises they observed were from his abuse towards her. She went on with her life as if it didn't occur and covered up the domestic violence that had occurred. Although the testimony supports the initial purchase of the hatchet as not connected to its subsequent use as a weapon, Ms. Seaman's behavior in returning the hatchet can be explained by her typical behavior in denying the violence, manipulating and covering it up. This is also true for her denials to the police and hiding the body for several days. Her own ability to deny reality is demonstrated by her then permitting the police to search the SUV by consent, without requiring a warrant. The theory of learned helplessness and how Nancy Seaman's behavior fit with it would also have been helpful in another explanation for why this behavior occurred. It is my professional opinion that the jury would have benefited from these alternative explanations to the prosecution's claims that the behavior proved premeditation and that she was not a battered woman.

In conclusion, Nancy Seaman was not the typical battered woman portrayed by the media and etched on the average person's knowledge. She was not a poor woman with limited or no resources. In fact, she lived in a nice home, had a good job as a teacher, was respected by people in the community, raised two fine sons, and lived a good life. She was angry and sometimes showed inappropriate emotional reactions in the court that the media especially Court TV commented on and in fact, dramatized as if proving her guilt. The family dynamics between the sons were not well understood and became a focus for even more national media attention. Therefore, it would be difficult for anyone untrained to understand how she fit into the battered woman syndrome and its psychological effects without detailed explanation from a psychologist who understands the impact of domestic violence on her specifically. Even the prosecutor, who admittedly has had experience in prosecuting batterers and has come in contact with many battered women, was unable to see beyond the surface to understand the psychological impact of all those years of abuse on Nancy Seaman.

If I can be of any further assistance, please do not hesitate to contact me.

Sincerely yours,



Lenore E. Walker, Ed.D., ABPP
Diplomate in Clinical Psychology