

Nancy Seaman #520695
Women's Huron Valley Correctional Facility
March 20, 2018

Governor Rick Snyder
111 S. Capitol Avenue
Lansing, Michigan 48933

Re: Commutation Petition for Nancy Seaman #520695, submitted by the
Michigan Women's Justice & Clemency Project

Dear Governor Snyder:

My petition for commutation awaits your review. Your decision will mean the difference between a chance for me to return to society or perish in prison.

In 2004 I was convicted of first degree murder for the death of my abusive husband of 31 years, Bob Seaman, and sentenced to life imprisonment without parole. I am now 65-years-old and have been incarcerated for 14 years.

On May 10, 2004, there was joy in my heart, not murder on my mind. I had just celebrated a glorious Mother's Day, my birthday and son's graduation was just days away, and the condo I had secretly purchased to escape my abusive marriage was nearly ready. As I mentally reviewed the daily lesson plans for my fourth grade class, I entered the kitchen and found my husband waiting for me. Joy was not in his heart. Bob was brooding about the money and possessions he would lose in the divorce, and the alcohol and amphetamines in his system fueled his rage about the condo I had secretly purchased. A verbal altercation turned into a violent assault on my life and I defended myself - with unintended and deadly consequences. I was battered and bruised from the assault. The State's nurse examiner classified my injuries at the time of arrest as "defensive injuries", but it mattered little. I was charged with first degree murder. My sons lost a father to death and a mother to life imprisonment. Self-defense shouldn't be a crime, but the State of Michigan treats it as if it were. An exception in the Michigan Self-Defense Act impedes a battered woman's right to claim self-defense and use deadly force if she has or has had a relationship with her attacker, despite the fact that a 2017 CDC report states that women in the U.S. are not being killed by strangers, but by their husbands and boyfriends.

If something extraordinary must occur for commutation to be granted, then I plead with you to consider that the verdict in my case has been overturned twice on appeal (2005 and 2010). Both state and federal courts ruled that the evidence did not support the verdict and that, combined with the omission of critical Battered Woman Syndrome evidence because of ineffective assistance of counsel, resulted in an injustice that entitles me to relief from judgment. Had I been resentenced to the 12 years or less as Judge McDonald ordered when he overturned the verdict, I would already be eligible for parole and this plea for commutation would be unnecessary. However, the prosecutor's appeals reversed the court rulings, denying me any relief.

Commutation is not an act of mercy; it is a constitutional remedy designed to rectify injustice when the justice system has run its course and failed, as has happened in my case. It can be granted at any time for any number of years. I have always taken full responsibility for my actions which took my husband's life and have never used the fact that I was a battered woman to excuse my actions or poor choices. Bob was the love of my life and I cry everyday for the loss of his life and for the pain, suffering, and heartache my actions have caused to all those who loved him.

Only an expert in Battered Woman Syndrome was qualified to explain how 31 years of abuse impacted my state of mind, perception of imminent danger on that morning, and my behaviors before and after the homicide which may have appeared irrational or incomprehensible to a jury. However, Michigan law which severely limits the testimony of BWS expert witnesses denied my jury this critical evidence. My expert witness, Dr. Lenore Walker who is the foremost authority on BWS, was prohibited from connecting BWS to the facts of my case and not allowed to present a clinical diagnosis that I was a battered woman suffering from PTSD as a result of long-term battering. In a post-conviction letter, Dr. Walker wrote, "If permitted, I would have testified that Ms. Seaman had a reasonable perception of imminent danger to herself at the time she killed her husband." She further stated, "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." Both trial Judge John James McDonald and Michigan Court of Appeals Judge Karen Fort-Hood have concurred with her assessment. In 2005 the State of California passed legislation to change a similarly restrictive law. Battered women who had been denied fair trials because of the restrictions on expert testimony were allowed new trials, resentencing, or were granted commutations.

In the 1800s, killing one's husband was akin to "killing the King" and the woman was sentenced to death. In the 200 years since, not much has changed for a battered woman who kills her husband in defense of her own life and is sentenced to life imprisonment. A "life sentence" IS a death sentence. The life sentence I am serving, with no chance for parole, unfairly brands me as incorrigible, irredeemable, and unworthy of a second chance. It is a sentence indistinguishable from the life sentences given to mass murderers, serial killers, terrorists, and mobsters. But, that's not who I am.

In assessing my worthiness for commutation, I hope you will consider the totality of my life and character, not just my worst act committed on the worst day of my life. For the 52 years of my life prior to this tragedy, I was a law-abiding citizen with no criminal record and no assaultive behavior; an award-winning, dedicated teacher who made many meaningful contributions to the community; devoted wife for 31 years; loving and supportive mother of two sons; and a productive member of society. During my 14 years of incarceration, I have maintained an exemplary prison record, have remained misconduct-free, and have worked as a Law Library Clerk and GED tutor in service to my fellow prisoners. Ultimately, you will have to decide if the public interests are better served by continuing my incarceration until death or if I can be released by commutation with no threat to public safety. Former MDOC psychologist, Nels Thompson with whom I have had many therapy sessions, answered this question, "Ms. Seaman is a non-violent person who, if she were released from prison, would pose no threat of violence to the community. She would be a productive, responsible citizen." Both my brother and son have offered their stable home environments for me in which to reside if I am released from prison, and I have a strong support network of family and friends willing to ensure that I successfully reintegrate into society.

The Michigan Parole Board recently submitted to you a "no interest" recommendation on my commutation petition. They reached their decision without interviewing me, without ordering a psychological evaluation, and without holding a public hearing to allow the opinions of the community to be heard. My family, friends, and the 800 people from across this country who have signed the online petition at www.jtsadvocates.com in support of a grant of commutation to spare my life pray you will find that Parole Board decision unreasonable.

It is our hope that you will instead, based on your own judgment of the facts in my case and assessment of my character, determine that commutation would be a just outcome. Please visit the Justice Thru Storytelling website created by journalist/advocate Kelle Lynn and view the letters/video interviews with trial Judge John McDonald, federal Judge Bernard Friedman, psychologist Nels Thompson, Carol Jacobsen of the Michigan Women's Justice & Clemency Project, and Patricia Hardy who is the former mayor of Bloomfield Hills. Their advocacy message on my behalf is compelling.

There is precedent for the grant of commutation in first degree murder cases with non-parolable life sentences. Former Governor Granholm commuted the life sentences of three battered women prisoners (Doreen Washington, Linda Hamilton, and Kay Thomas). In the Kay Thomas case where her verdict was overturned on appeal like mine, her conviction was commuted after just 11 years of incarceration. All three women have successfully reintegrated into society. Please give me that same opportunity and return me to society where I can atone for my crime in a meaningful way by advocating on behalf of battered women. Let me be the success story of your administration.

Governor Snyder, my sons lost their father under the most tragic circumstances and they carry wounds from this domestic violence tragedy that cannot heal as long as they must watch their mother languish in prison until death claims my life. This is the true tragedy of battered women cases like mine. I pray you have the wisdom to recognize the injustice in my case and the courage to do what is fair and just for all those concerned. As your term as Governor of the State of Michigan comes to an end, please let compassion for battered women be your legacy.

Respectfully,



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