

Commentary on Websdale

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The following is the fictionalized account of a discussion between the founder of a fatality review team and certain members of that team. Any personal history or characteristics attached to the members of the team has been fabricated. The discussion involves the founder (F), a probation officer (PO), a prosecutor (P), a victim advocate (V), and a judge (J).

F: I've invited you here to discuss a very thought-provoking paper I've just read. It's written by Neil Websdale. It's a fictionalized account of a discussion between a researcher and a battered woman about fatality review teams. I'm interested in getting your thoughts about some of the comments made by the battered woman. Many are quite critical of the structure and process used by many teams.

In a weak moment I agreed that I'd write a commentary on Websdale's piece for *Violence Against Women*, so I'll use your comments to accomplish that task.

P: Wow, I'm impressed.

F: Don't be, they're not paying me a cent.

PO: Do you want our thoughts based on what we know about review teams in general, or do you want us to comment from the perspective of our own team?

F: I think it's best that we limit our comments to what we know best—our own team.

Let's start with this: The battered woman criticizes the teams for not considering deaths in a broader historical context of race and ethnicity, for not including in our reports references to "historical oppression and the complex compromises faced by women from all historical nooks and crannies" (Websdale, 2005, p. 1189).

AUTHOR'S NOTE: My intent in writing this commentary was to expand on the issues with which review teams grapple when deciding whether to add an identified battered woman to their team. The commentary was written by me alone, as founder of the review team, and is not necessarily reflective of the views of my team.

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P: I'm not sure we've done a good job of including it in our reports, but I know we've worked hard to consider cases from a cultural perspective.

J: Yes, the presentation we had from members of the Somali community was incredibly informative and was very helpful in understanding the dynamics of that case.

F: So why do you think it is that we haven't tackled the historical and cultural issues in a bigger way?

PO: It feels pretty overwhelming. We look at these cases with an eye to the things that we have the ability to improve. I don't think that as a team, we're prepared to take on racism or even the root causes of violence. That's a job for our elected officials and other social service agencies whose mission is specifically that. We're doing something no other agency is doing. We have very limited resources. If we go beyond our existing focus, I'm afraid we'll get distracted and accomplish nothing.

V: I agree. Our team members have been terrific when it comes to pushing for and implementing changes that will lead to an improved response to domestic violence. The significant increase in numbers of domestics charged as gross misdemeanors and felonies is due to our work as is the increase in pursuit of perpetrators who are gone when the police arrive. And I'm amazed at all of the things the hospital has done.

F: Okay, let's move on. The issue of greatest significance to the battered woman in Websdale's piece is the role battered women play on fatality review teams. When she asks the researcher how many battered women sit regularly on review teams, he tells her that they sit on only a handful of teams. He further states, "In some cases, members of the teams may have been battered in the past, but they are present on the teams in some other capacity" (Websdale, 2005 p. 1191).

Before we go ahead and talk about this, let me give you a little more information about their discussion. The battered woman is told that most teams that have battered women on them appoint the battered woman, to which she responds, "You know, the honchos appoint and we are grateful to be included. Hardly grassroots. It is still history from the top down" (Websdale, 2005, p. 1191). She goes on to say,

Battered women are experts, but they are often not perceived as "professionals." In part, their lack of professional standing stems from their battering and their usually impoverished backgrounds. We know there are professional women who have been battered or who are being battered. Some of these women are involved in fatality review. But more commonly teams do not include battered women. Their exclusion from these teams tells me the teams are not really about grassroots

democracy. I see the current review team organization as a hierarchy of credibility with battered women at the bottom or, indeed, nowhere to be seen. In a sense the teams are a bit like an ol' boys club of experts who report on what battered women need without really asking them their opinion. (Websdale, 2005, p. 1192)

So what's your reaction to this? This is something we've discussed quite often. As of yet, we don't have anyone on our team labeled as a battered woman.

- V: You know, don't you, that we have several people on our team who are victims of domestic violence. They simply don't identify as such. There are other members who have immediate family members who are victims.
- F: I'm not surprised. It seems logical that having a direct experience with domestic violence would make you more inclined to be interested in participating in something like this.
- P: Maybe we should just ask everyone on the team what his or her personal experience with domestic violence has been?
- V: I don't think that would be fair. People have their own reasons for identifying as a survivor or not. And don't assume it's based on shame. I know in one instance, the woman's abuser went on to get help and is well known in the community. They now have a respectful relationship, and she doesn't want to cause him harm.
- J: It troubles me that the battered woman referred to in this piece simply dismisses the experience of being battered by anyone who is a professional. So who is an authentic battered woman, and how do we find her?
- P: Right. How many times must she have been battered? Does she need to be a victim of a felony or is a misdemeanor okay? Does she need to have had an order for protection? Must she have stayed in a shelter? Should she live in the city or the suburbs?
- V: I've worked with many professionals who are victims of domestic violence. A college degree doesn't make you feel any safer when your life is in danger.
- PO: It would seem a little weird to me to have three or four women introduced to our team as "the battered women." We don't have the people of color on our team introduce themselves by saying, "Hi, I'm the Black man."
- J: I remember being on a racial bias committee in law school. Those of us who were White kept deferring to the people of color on the committee. Finally, one of them took us to task and told us that we had stopped thinking, and unless we started to think on our own instead of deferring to them all the time, we would never solve the issue. I'd worry about the same thing here. We'd either defer to the battered women to avoid having to work through issues ourselves,

or we'd defer to them because we'd worry about offending them if we didn't agree with them.

P: I find myself wondering what we would gain. What would it fix? Every one of our cases has been unique from the others. Even if we had several women on the team who were willing to label themselves as battered women, each victim's experience is dramatically different. The very fact that they are alive, and the women in our cases are not, tells us that their experiences differ.

F: Did you guys happen to watch *The West Wing* last night?

[Nodding of heads; some yes, some no]

For those of you who are not addicted to the show like I am, there's this former congressman running for president, Nick Santos, and he's Latino. He's campaigning in the primary in California and the state legislature has just passed a bill making it unlawful for illegal immigrants to get driver's licenses.

Hang in there with me; I'm about to make a point with this.

The governor's in a tough spot because if he signs the bill, he loses the support of the Latino community, and if he vetoes it, he looks soft on issues of crime and terrorism. The governor wants Santos to denounce the bill because that way he'll have a chance to hide behind the comments of a presidential candidate. But Santos won't come out against the bill, even though he thinks it's an abomination. He says that a Latino coming out against a bill that hurts Latinos does not have the same impact as a White man—i.e., the governor—doing so.

I think this may apply to fatality review teams as well. The message we send may be heard a little louder because we don't identify exclusively with battered women. People discount your message when it's what they expect you to say. It's the unexpected that gets their attention. When police call for improvements in the police department and prosecutors say that cases are not correctly identified for charging, it gets people's attention. The release of our first report made front-page headlines, and our most recent release was also widely covered. Sadly, I doubt whether that would have been the case if it was yet another battered woman criticizing the justice system.

Our only agenda is to figure out what may have prevented the death in each of our cases and to make certain we and others learn from it so that these tragedies can be prevented in the future. We go wherever that leads us.

Our team is made up of good people who donate many hours of their time, often working nights and weekends to make up for the time they miss at their real jobs in order to attend review team meetings. Unfeeling bureaucrats they are not. We've had to spend time at team meetings to process emotions. Some team members

have gone to the site of the homicide for reasons they can't explain. Although our team make-up and our process may not be perfect, we've worked diligently to come up with meaningful recommendations and have a good record of implementing changes that even battered women would approve of.

P: Didn't you say that the researcher wrote both his part and that of the battered woman?

F: Yes, he did.

P: Sounds like he's feeling a little guilty. Maybe there's a support group for domestic violence researchers.

F: If there were one, I doubt he'd attend.

REFERENCE

- Websdale, N. (2005). R & B: A conversation between a researcher and a battered woman about domestic violence fatality review. *Violence Against Women, 11*, 1186-1200.