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## Introduction

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## INTRODUCTION

JOHN AMMANN\*

The boy was about twelve years old when his mother called him into his parents' bedroom. He sat on the bed next to his mother for what he thought was one of the talks about the "birds and the bees." In a way it was.

His parents and teachers had already talked to him about the "facts of life." This talk was about respecting women. In that conversation, which that boy, now forty-five years old, remembers today, his mother told him that respecting women meant a lot of things. One thing it meant was that a man would never hit, strike, or even poke at a woman, *even in fun*. She explained that little things grow into big things. A poke in the ribs when play-fighting can turn into a choke around the neck to harm or gain control.

The boy never struck a girl. The man has never struck a woman. Not even in fun.

This true vignette highlights the best tool for battling domestic violence – prevention. But not every boy has a caring parent who talks about respect or sets an example of nonviolence. Thus, we must face the crisis of domestic violence as a terrible reality.

Nationally, nearly one in every three women will experience at least one physical assault by a partner during her adulthood.<sup>1</sup> Most of these women do not report the crime.<sup>2</sup> More than a third of the women seeking treatment for injuries in hospital emergency rooms are there because of injuries inflicted by a current or former intimate partner.<sup>3</sup> The Missouri Coalition Against Domestic Violence ("MCADV") is the leading agency in Missouri attacking this problem. The Coalition and its member agencies educated over 137,000

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\* Director, Legal Clinic, Saint Louis University School of Law, and Associate Professor of Law. I wish to congratulate John M. Challis and the entire board and staff of the *Saint Louis University Public Law Review* for their dedication in presenting a wonderful Symposium and this edition of the *Public Law Review*. Their work on behalf of the women and children who are victimized by domestic violence will serve us for many years to come thanks to this edition. For more information about the work of the Saint Louis University Clinics, please visit <http://law.slu.edu/clinics/>.

1. National Coalition Against Domestic Violence, *Domestic Violence Facts*, available at [www.ncadv.org/publicpolicy/pdfs/domestic\\_violence\\_facts\\_2003.pdf](http://www.ncadv.org/publicpolicy/pdfs/domestic_violence_facts_2003.pdf) (last visited January 12, 2004).

2. *Id.*

3. *Id.*

people about domestic violence and its effects during a recent twelve-month period.<sup>4</sup> The agencies handled almost 70,000 hotline calls from domestic abuse victims that year.<sup>5</sup> Coalition member programs helped almost 14,000 people obtain orders of protection in a year's time.<sup>6</sup> Meanwhile, the Coalition works to support more than a dozen women who are incarcerated for having killed their abusive spouse or boyfriend.

The work of MCADV is evidence that addressing the problem of domestic violence requires work on every aspect of the problem, including preventive education, legal assistance to obtain court orders of protection, support services, and at the ultimate end of the spectrum, clemency for the victims who must kill to survive.

This edition of the *Saint Louis University Public Law Review* relies on some noted scholars to study all of these aspects of the crisis through the lens of the legal system. However, this edition is not presented to provide an analysis of statistics. The student editors present this issue to help in the effort to prevent domestic violence and to bring attention to its effects.

Victims of domestic violence face a chronic condition, with continuous harm. We study it because today there is a child struggling to stay awake in school because last night she could not sleep for hearing her father slapping her mother in the other room. We study domestic violence because there is a woman who will not go to her own mother's seventieth birthday party because she cannot think of any more good stories to explain away her latest black eye. We study domestic violence because a ten year old boy had to become a man too early in order to protect his mother from his father. We study domestic violence because a woman should not have to spend a night in a shelter with her children.

These are the reasons we must respond to the crisis: not because of the statistics, but because of the women who are hurt, the boys and girls who suffer. But we must recognize that the response by the legal system to domestic violence is not limited to helping victims obtain orders of protection. The old adage that "an order of protection cannot stop a bullet" is cited all too often by attorneys and judges. Attorney advocates must continue to use the legal tools which are available, but with an understanding that law students, lawyers, and judges can play a much larger role in addressing all aspects of the crisis.

All four law schools in Missouri have made significant commitments to addressing all aspects of the domestic violence problem. The legal clinics at

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4. MISSOURI COALITION AGAINST DOMESTIC VIOLENCE, SUMMARY OF SERVICES PROVIDED BY MCADV MEMBER PROGRAMS IN 2002, at 2 (Aug. 28, 2003), available at [www.mocadv.org/resources/importantdocs/importantdocuments.aspx](http://www.mocadv.org/resources/importantdocs/importantdocuments.aspx).

5. *Id.*

6. *Id.*

the University of Missouri-Columbia, the University of Missouri-Kansas City, Saint Louis University, and Washington University in St. Louis have devoted valuable resources to this issue by committing time of law students and faculty in this field. Much of their work is supported by MCADV. The clinics are providing education to women and young people about the warning signs of domestic violence. Students and faculty go into schools and community centers to teach, not just about the legal system's role, but prevention. Students volunteer with domestic violence shelters. The schools are also providing direct legal assistance to victims of domestic violence by obtaining judicial remedies in family courts.

Currently, in a project unparalleled in the country, all the Missouri law schools are collaborating to represent eleven women convicted of killing their abusive spouse or boyfriend. This effort is detailed in one of the articles in this edition of the *Public Law Review*.<sup>7</sup> The Missouri Battered Women's Clemency Project is evidence that law professors, law students, and lawyers can make a difference at all points in the domestic violence continuum.

The efforts of the law schools have helped educate the public, have provided direct service to thousands of families, and have resulted in the training of dozens of young people who are becoming lawyers with the experience and sensitivity to address the problem in the community where they will begin their careers.

These students have learned that, ultimately, perpetrators of domestic violence are seeking control of their victims. Understanding the issue of control will inform their efforts in the areas of prevention, education, treatment, services, legal proceedings, and clemency petitions. The legal profession must be involved in all stages and aspects of the crisis, keeping in mind that addressing the need to control pervades every cell of the monster.

The boy who tells his girlfriend he does not like what she is wearing and that she should go back in the house to change may be the same boy a year from now who throws her up against the locker in school because she gave in to his control in the past. That same girl's name might be on a clemency petition years later.

Little things grow into big things, as my mother taught me when I was twelve.

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7. Bridget Romero et al., *The Missouri Battered Women's Clemency Coalition: A Collaborative Effort in Justice for Eleven Missouri Women*, 23 ST. LOUIS U. PUB. L. REV. 193 (2004).

