

Battered woman syndrome



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Battered-women Syndrome/Battered-women Defense The Battered-women Syndrome/Battered-women can be a good thing when used appropriately. However, there is the potential for misuse of this defense. Two cases will be examined to show the pro and cons of the Battered-women Syndrome/Battered-women Defense. The first case is Francine Hughes. If any case deserved a Battered-women Defense, the Francine Hughes case did. The second case is the Betty Broderick case. Betty Broderick portrayed herself as a battered woman, but was in reality a cold-blooded killer. Both cases will show how the Battered-women Defense should or should not be used.

Francine Hughes was married to an abusive man for thirteen years. She tried to leave, even divorcing her husband. However, her ex-husband moved back in. When Francine tried to go to school, her ex-husband would rip up her books. Francine would try to go back home, to the Department of Human Services, and even the police. No one could or would help. Finally, after her ex-husband raped her, Francine set his bed on fire. Francine was not verbally abused, but beaten, raped, and put in the hospital over and over for thirteen years. When she went to trial her defense was the Battered-woman Defense. A jury found her not guilty by reason of insanity.

Francines case generated much interest in the United States, with the focus on domestic violence (Westervelt, 102). The book and movie *The Burning Bed* caused Americans to stop and think about abused women for the first time. This story happened in the late 1970s, with the book coming out in the early 1980s. At that time battered women needed a defense for protecting themselves from abusive spouses. Yet, as the 1980s wore on, the Battered-woman Defense started to be misused. Betty Broderick definitely misused

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this defense.

Betty Broderick was not a battered woman, but a scorned one. It began when her husband, Dan, began an affair with his secretary. Betty felt that the deception was mental abuse. Finally, Bettys husband left her for his secretary. After a nasty legal battle, wherein she felt ganged up on, because Dan was an attorney, Betty was left with nothing. She had left her four children on Dans doorstep, so he could understand how she felt. It backfired. Dan kept the children. However, the courts did order him to pay \$16, 000 a month, plus insurance and other bills. Betty in the meantime started breaking into Dans home and vandalizing it. The final straw was when Dan married his secretary. Betty stole her daughters keys, let herself into Dans house, and killed him and his wife, Linda.

Upon Bettys arrest, she used the Battered-women Defense. She was allowed to use this defense, though no one ever saw Dan hit Betty. She even admitted that he did not physically abuse her. Betty was the one who threw things at Dan. She was the one who rammed her Suburban into his home. Betty was the one who broke in to his home and vandalized things. Yet at trial she was able to use the Battered-wife Defense. It almost worked. The first jury was hung. She finally was convicted of murder and sent to jail. The travesty was by using the Battered-wife Defense, Betty drug Dan and Lindas names through the mud. This case should never have been tried under this defense. In the second trial, the judge did limit the amount of testimony for Battered-wife Defense. She should have never been able to claim to be battered, when she clearly was not.

The Battered-wife Defense is good for truly abused women. Women that have tried every avenue of escape, with murder as their last option. This

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defense should be allowed by women who are seeking revenge, money, or to get rid of their spouse. It all depends on how this defense is used.

References

McNulty, F. (1989). *The Burning Bed*. USA: Avon Books.

Taubman, B. (2004). *Hell Hath No Fury: A True Story of Wealth and Passion, Love and Envy, and a Woman Driven to the Ultimate Revenge*. USA: St. Martins True Crime.

Westervelt, S. D. (1999). *Shifting the Blame: How Victimization Became a Criminal Defense*.

USA: Rutgers University Press.