

# LOCAL NEWS

Detroit Free Press

## SECTION B

Obituaries, Page 7  
Michigan Dateline, Page 7  
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# Battered-wife defense OK'd

*Appeals court allows experts to testify about syndrome*

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LANSING — People who claim they at their abusive spouses in self-defense are entitled to use battered wife syndrome as part of their defense, the state Court of Appeals said Tuesday.

The court, saying that most other states allow such evidence, used the case of a Mt. Clemens woman who shot her husband of 50 years to set guidelines for allowing expert testimony on the syndrome.

Quoting from an Ohio court decision, the appeals court described the

syndrome: Victims are often financially dependent on their abusers, believe they are to blame for the abuse or fear violent reprisal if they try to leave. They go through cycles that begin with minor abuse, escalate into greater brutality and end with the abuser pleading to be forgiven and promising to change. But after a respite, the violence resumes.

Many victims feel their only options are enduring the abuse, striking back or committing suicide, the court said.

Tuesday's 3-0 ruling said defendants can call expert witnesses to testify about the syndrome to judges

and juries. But the court overturned a lower-court ruling which would have let an expert testify that a specific defendant suffered from the syndrome or that it was the reason for retaliation against the abuser.

"Instead of the expert saying it, the jury will just have to reach that conclusion on its own," said attorney Dan O'Neil, who represents Geraldine Wilson, the woman in the case.

Gail Rodwan of the state Appellate Defenders Office said the syndrome helps explain why battered women

See ABUSE, Page 2B

## Findings on abuse

National studies have found:

- About 4 million women are battered each year by a male partner.
- About 1,500 women are killed each year by a male partner.

The Philadelphia-based National Clearinghouse for the Defense of Battered Women said courts in most states have recognized battered-spouse syndrome as legitimate evidence for about 10 years.