

Sandy and Jane: the Invisible and Imperiled Victims of Sam and Joe
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Sandy, age 22, and Jane, age 19, were 13 and 10 when Sam and Joe mutilated their mother and attempted to take her life. These children were also the intended victims of Sam and Joe; the brothers intended to leave them without a mother. This was a planned, symbolic homicide attempt.

On one of the happiest days of her childhood, the day of Sandy's graduation from 8th grade, Sam and Joe assaulted her mother, Sarah. Sarah was listed as dead on arrival at the hospital; that she survived was a medical miracle. Sarah had asked Sam for a divorce, and he had promised to leave the family home immediately after graduation. His departure was eagerly anticipated by mother and daughters because Sam had terrorized the entire family over the course of the marriage and had attempted to isolate the children from their mother. This day was to have been a day of family restoration and healing. Instead, it turned into the worst nightmare of any child's life.

The children were asleep in their beds at the time the assault occurred. Although the children did not witness the scalping and stabbing, they were profoundly and permanently effected by the attack. They were not allowed to visit their mother for more than a week after the assault because of her grave medical condition and because the disfigurement from the assault would have been too terrifying for the children. The impact of this homicide attempt -- a horrific assault to penalize their mother for seeking to end a marriage that had brutalized her -- is profound. Immediately after the unsuccessful homicide attempt, the girls were emotionally paralyzed with fear and chronic, undifferentiated anxiety. It took 3 years for them to get to a place where they could manage night terrors and begin to resume childhood. After years of anguish and insecurity about being even temporarily outside of their mother's presence, the only setting where they could safely manage their anxiety and fear, the girls have begun to re-invest in life in the community. To this day, however, Sandy is very afraid of the dark and becomes faint and ill when hearing unidentified sounds in the night.

Moreover, these young women live in constant, acute fear that their mother will be killed by Sam (or a third party at his direction) because he has a reputation for killing those who cross him. It is commonly believed that Sam killed his first wife and his brother-in-law when he concluded that their conduct had grievously wronged him. Beyond this, Jane and Sandy live in terror that Sam or his agent will execute either or both of them to punish Sarah for cooperating in the prosecution that resulted in their incarceration.

The adjustment and well-being of these young women is fragile. Sandy is now finishing her work for a teaching certificate, having completed college last year. Jane is in her second year of college. Sandy lives with her mother. Jane lives in a dormitory at a local college and spends significant time with her mother and sister. Both girls remain very close to their mother. They need security, stability and safety. They cannot achieve these without their mother. The attempted homicide arrested their emotional and personal development for several years. Thus, they require the nurturing of their mother to a much greater extent than their peers. The loss of their mother to a successful homicide attempt would devastate them.

Relocation at the present time to avoid such a homicide would greatly disrupt their lives and might destroy the fragile thread that keeps these young women moving through recovery from the impact of the mutilating and homicidal assaults of Sam and Joe.

Research data on children of battered women reveal that the responses of these girls to the assault on their mother and the previous criminal conduct inflicted upon her by Sam is predictable and appropriate. They need time and safety to consolidate the gains they have made and to finish maturation to adulthood free of the paralyzing fear that their mother will be taken from them.

Data also reveal that their fears are reasonable. Most fatal violence against children by parents and step-parents occurs in the context of domestic violence. Data suggest that fathers and stepfathers begin to target children with abuse only after they have established a pattern of abusing mothers and when they conclude that assaults on children will enable them to gain control over their wives/female partners or will provide a vehicle for retaliation against wives/mothers who have resisted the demands of perpetrators or who are seeking to terminate relationships with perpetrators. 80% of child fatalities are perpetrated by fathers and step-fathers. There was a 36% increase in homicides of children in the family between 1985 and 1989.

Paroling Sam and Joe at this time will inflict irreparable harm on these young women even if Sam does not pursue homicidal retaliation against their mother. Time is the greatest gift that can be given to these girls. They need at least 3 more years. Then they can relocate. They will have established professions and families. They can proceed with life outside of Anywhere, USA. To leave now would disrupt their whole social network which is vital to their continued recovery and movement towards independent, competent adulthood.

The interests of these young women must be considered in evaluating whether Sam and Joe should be paroled. Both men have inflicted irreparable harm upon these young women and that harm can only be mitigated by continuing their incarceration until Sandy and Jane have finished or completed the transition to adulthood. The interests of these young women must be considered above and beyond, but in concert with, the interests of their mother, Sarah, in assessing whether the interests of justice would be served by keeping Sam and Joe incarcerated by denying parole at this time. It is our position that justice will only be served by denying parole to Sam and Joe at this time.

(Citation for the research cited in this paper will be furnished upon request.)

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