

# The Review of Battered Women Syndrome: A Subcategory of Post-Traumatic Stress Disorder

“PERPETRATED HOMICIDE  
ARISING FROM DOMESTIC  
ABUSE”



Robert Meyer, PhD., Victoria Limón M.A., Remington Longstreth M.A., Allyson Schubert M.A., and Carrie Frost

# Outline

- ▶ Discussion of BPS, what it is and its history and use in the legal realm
- ▶ Police perspectives on BPS
- ▶ The symptoms of BPS and how to diagnose it
- ▶ Treating BPS
- ▶ BPS in self-defense cases
- ▶ Case Discussion



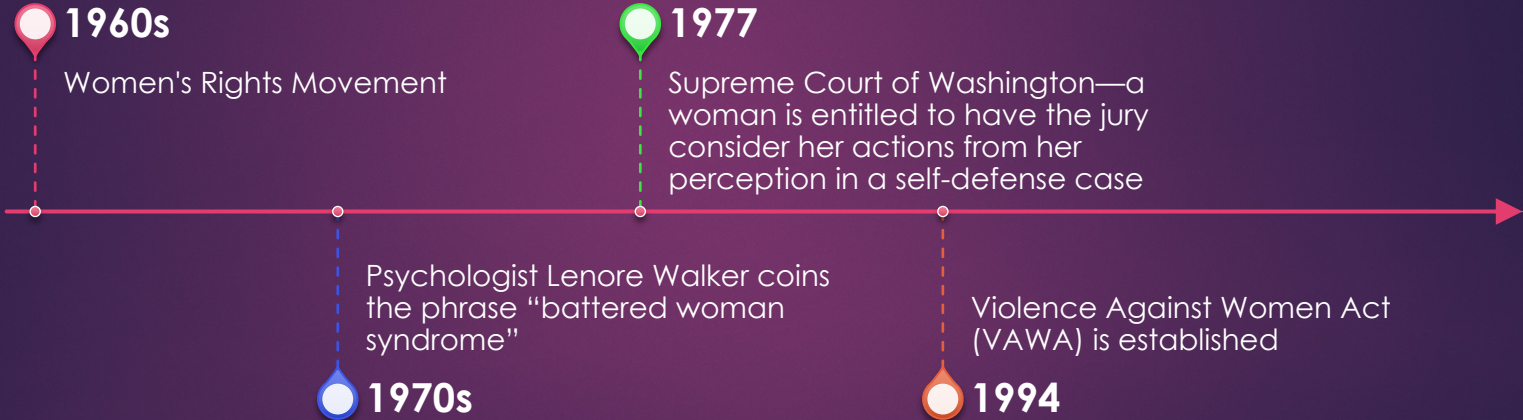
# History of BPS and its Relationship to PTSD

WHAT IS BATTERED PERSON SYNDROME (BPS)?

# What is BPS?

- ▶ 1 in 4 women and 1 in 7 men in the US will likely experience domestic violence in their lifetime
- ▶ 1 in 4 gay men and 1 in 3 bisexual men will experience physical violence, rape, or stalking by their intimate partner
- ▶ Domestic violence is best described as a pattern of abusive behavior that is exhibited by one person against their intimate partner
  - The term also broadly covers emotional, sexual, and economic abuse as well as coercion, isolation, threats, and intimidation
- ▶ BPS was originally known as “battered woman syndrome”—it is not listed in the DSM but is listed in the ICD-9 as battered person syndrome
- ▶ It's used as a defense when an abuse victim kills their abuser in response to the cumulative effects of abuse, rather than in response to a single incident

# Timeline





# Police & Battered Person Syndrome

POLICE PERSPECTIVES AND CONCERNS WHEN RESPONDING TO DOMESTIC  
VIOLENCE CALLS

## **Police Perspectives on Domestic Violence**

- ▶ Domestic Violence (DV) calls are one of the most dangerous incidents to respond to
- ▶ There is a positive correlation between DV and homicide
- ▶ DV calls may involve deadly weapons
- ▶ Zero Tolerance (No discretion)
- ▶ Liability and criminal punishment if action is not taken
- ▶ Dispatch will relay minimal or even conflicting information (telephone)

# Secure the Scene



- ▶ Personal Safety
- ▶ Safety of Parties Involved
- ▶ Preservation of Evidence

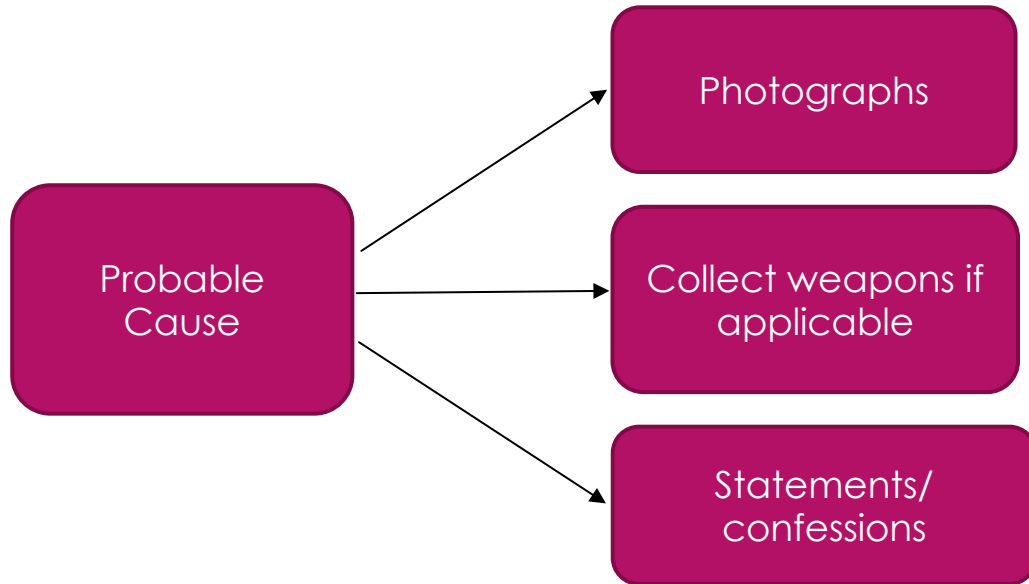


# Identification of the Primary Aggressor

- ▶ Witness Statements
- ▶ Physical Evidence
- ▶ Confessions
- ▶ Surveillance
- ▶ Canvass the area




# Construct the Case Towards PC



# Case closed?

- ▶ Criminal Defendants are innocent until proven guilty
- ▶ There are many other players involved after arrest (e.g., Judges, Lawyers, Juries, Social Workers, and Forensic Psychologists)
- ▶ Self-Defense is one legal defense
- ▶ BPS is one psychological phenomena that may have contributed to the self-defense decisions of the defendant





# The Recommended Procedures Used in Evaluation and Treatment of BPS

THE SIX GROUPS OF CRITERIA TO BE AWARE OF

# Diagnosis of Battered Person Syndrome

- ▶ Psychological condition relevant to diminished responsibility
- ▶ Identified in the ICD but not the DSM
- ▶ Considered a subspecies under the term Posttraumatic Stress Disorder (PTSD)
- ▶ What is PTSD?
- ▶ PTSD major categories
- ▶ Traumatic event can occur more than once

## Groups of Criteria found to be a part of BPS

- ▶ Intrusive recollections of the traumatic event(s)
- ▶ Hyperarousal and high levels of anxiety
- ▶ Avoidance behavior and emotional numbing
- ▶ Disrupted interpersonal relationships
- ▶ Body image distortion and/or somatic or physical complaints
- ▶ Sexual intimacy issues

## Symptoms of BPS

- ▶ Person fears for their life
- ▶ Fearful for more than 4 weeks
- ▶ Performance is affected
- ▶ Manipulation
- ▶ Dislike of their bodies
- ▶ Sexual intimacy issues
- ▶ Believes abuse is their fault
- ▶ Lack self-confidence
- ▶ Isolation

# Treating BPS

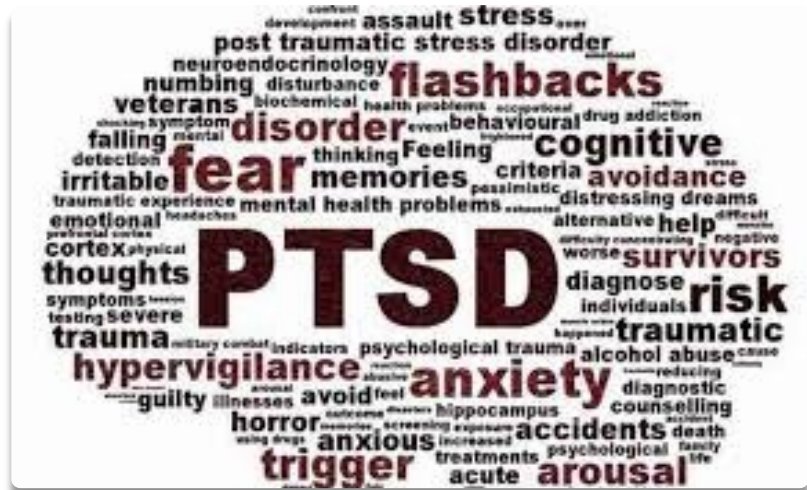


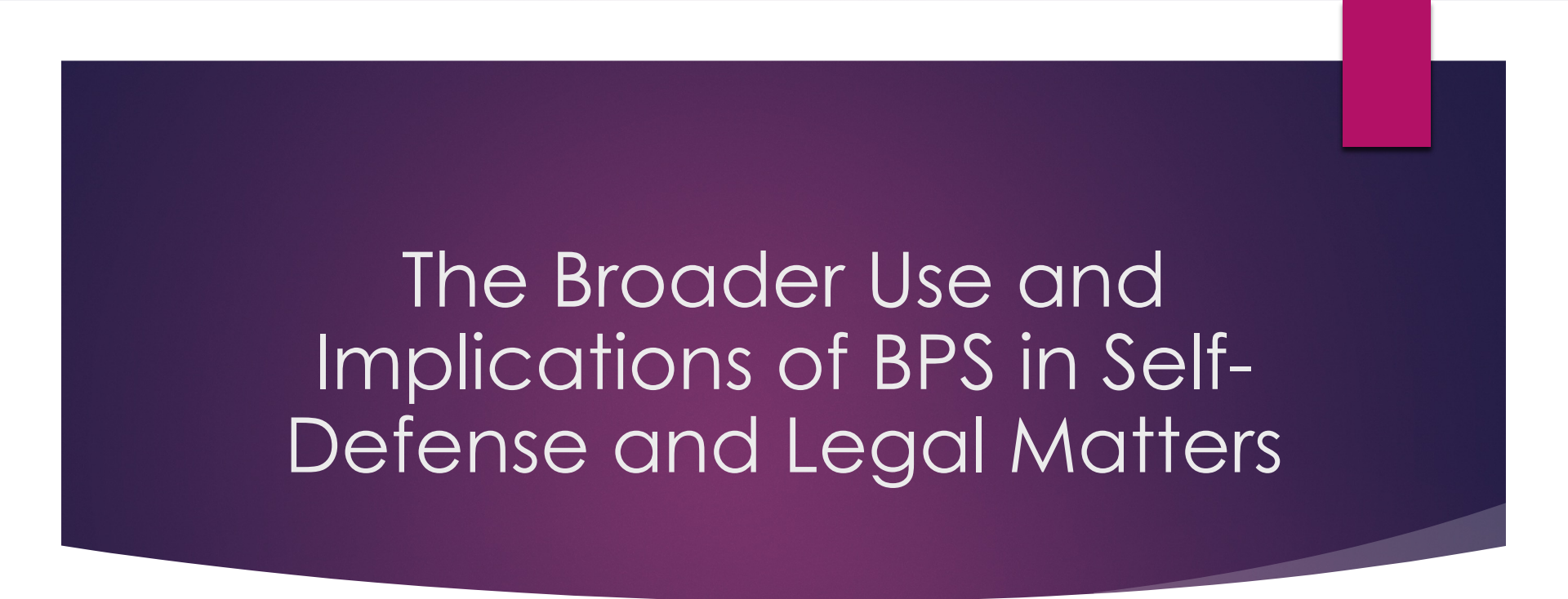
- ▶ Initial Session
  - ▶ Gather relevant history
  - ▶ Assessment of PTSD symptoms
  - ▶ Determine lethality
  - ▶ Design an escape plan
  - ▶ Assess for other diagnosable conditions
  - ▶ Standardized Testing
- ▶ Treatment
  - ▶ Goal: re-empowerment
  - ▶ Manipulation and Control Issues
  - ▶ Dissociation
  - ▶ Anger
  - ▶ Emotional and Sexual Intimacy
  - ▶ Compliance and Resentment



# Other Countries

- ▶ England
- ▶ Australia
- ▶ Canada
- ▶ New Zealand
- ▶ Scotland
- ▶ Thailand





# The Broader Use and Implications of BPS in Self- Defense and Legal Matters

A REVIEW OF LEGAL CASES THAT HAVE INVOLVED BPS AS A DEFENSE IN  
COURT

# BPS in Self-Defense and Legal Cases

- ▶ There are many types of criminal cases where BPS can be used as a legal defense:
  - ▶ Self-defense or insanity cases
  - ▶ Domestic violence cases
  - ▶ Duress defense cases
- ▶ Federal Violence Against Women Act provides numerous legal remedies
- ▶ Some examples include:
  - ▶ People vs. Hughes (1977)
  - ▶ People vs. Howard (1999)
  - ▶ People vs. Comier (2020)

# BPS in Self-Defense and Legal Cases

- ▶ An explanation of the symptoms of BPS can help juries understand when a battered person kills in self-defense
- ▶ It is important to explain how the person's fear and desperation are triggered when a new battering incident is perceived as about to occur.
- ▶ It is also helpful for forensic mental health evaluators to have copies of previous therapy records in which the person's comments about abuse and fear of the batterer are recorded, if at all available

## Case Discussion

- ▶ 21-year-old female
- ▶ July 2020: She and the father of her child were arguing outside her house when he became physical. She had a knife behind her back for protection and although she allegedly warned him that she had a knife while backing away, he continued to advance towards her and hit her in the face with his shoe. She reportedly swung her hand at him in an effort to defend herself and claimed that she didn't know she had stabbed him. He reportedly fell back and started having trouble breathing, before succumbing to his injury. Our client continuously explained that it was an accident.
- ▶ She was subsequently charged with three counts of first-degree murder

# Client Background

- ▶ Sexually and physically abused by step-father when she was 8 years old
- ▶ Extensive history of trauma including physical, sexual, and psychological abuse, as well as neglect, in the majority of her romantic relationships
- ▶ Experienced gang-related violence throughout her life
- ▶ Reported many instances in which the father of her child physically and sexually assaulted her, humiliated her when alone and even in front of others, and appeared to use forms of emotional and psychological manipulation
- ▶ Extensive history of cocaine and alcohol abuse since the age of 12—both she and the father of her child were doing drugs the night of the incident
- ▶ One previous arrest for theft and possession of a stolen vehicle

## Mental Health/ Medical History

- ▶ Previous suicidal ideation when she was 14 years of age
- ▶ Denied current thoughts of suicide
- ▶ Denied history of mental health treatment
- ▶ Experienced a major head injury at 10 years old
- ▶ Had a miscarriage as a result of physical abuse from a previous relationship
- ▶ Medications (prescribed in jail): Zoloft, Remeron (1.5 mg) for insomnia, medication for managing PTSD symptoms

# Client Evaluation

- ▶ Client endorsed average cognitive functioning, mild depressive symptoms, and PTSD symptoms
- ▶ PTSD symptoms consisted of anxiety, depression, dissociation, sexual abuse trauma, and sleep disturbances
- ▶ Presented with all the characteristics of PTSD associated with domestic violence
  - ▶ It is likely that she is experiencing severe PTSD with characteristics of BPS which may have contributed to her actions



## Clinical Conceptualization

- ▶ Our client's situation and experiences of severe abuse at the hands of the father of her child portrays the cycle of violence and learned helplessness.
- ▶ She was 7 months pregnant at the time of the murder, which may have been a significant trigger given her previous miscarriage that resulted from severe physical abuse
- ▶ The literature mentions how experiencing trauma in the form of abuse at the hands of a partner influences the development of posttraumatic stress symptoms that can be characterized by components of BPS
- ▶ Our client was very likely fearing for her life, the life of her unborn child, and this likely prompted her to take the actions she thought were best to protect herself and her child

# Conclusion

- ▶ We were careful in the language that was used because we didn't want to infer about the legal aspect of the case
- ▶ It is likely that the forensic field will see more of these battered person cases
- ▶ As forensic psychologists, our goal is to have a framework for how we approach this type of problem
- ▶ The way we write our conclusions is not to decide the ultimate legal outcome, but to provide a clinical picture of the client and her psychological presentation

# References

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