



Legalines

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Message from the Editor

Welcome to this first issue of *Legalines* our online quarterly newsletter which can also be downloaded as a PDF file. In keeping with our mandate to provide information and education in the pursuit of justice, we will be using this newsletter primarily to focus on legal issues affecting the Linden community, initiatives and interventions to promote access to justice, and crime prevention strategies and techniques. We will also keep you informed about the services we provide, and how you can participate in the initiatives we are undertaking to help children in our community who are victims of domestic and sexual violence, and those who have been orphaned by crime.

In this issue of *Legalines* we focus on the problem of domestic violence which has plagued our community from time immemorial, and has increased both in severity and prevalence in recent years. It is time for all of us to do what we can to help end domestic violence. We provide information to promote understanding of the pathology of this particular type of violence, and the measures that can be implemented by all of us to help end it.

The role of men as the primary perpetrators of this type of senseless violence cannot be overstated, and we use the domestic violence power and control wheel to highlight the various ways in which women can be manipulated, dominated and victimized in their intimate relationships. Finally, we try to shed light on the many factors that could prevent battered women from taking affirmative action to put an end to their suffering. We also provide women, who are primarily the victims of physical and sexual violence from strangers, with self-defense tips and strategies in order to protect themselves in the event of an attack.

We would like to take this opportunity to solicit articles from persons in the community and elsewhere, who wish to contribute to the discourse on crime and justice. Please write to us and send your contributions, as well as ideas for future issues.

Joan Ward-Mars
Editor

In This Issue:

- Learn how to help end domestic violence.
- Self-defense tips that everyone should know.
- Learn to identify the ways that victims are dominated and controlled by their abusers.
- Reasons why we should not ask "why do battered women stay?"
- Information about a support group for vulnerable children.

Help End Domestic Violence

Domestic violence is a pattern of abusive and controlling behaviors that some individuals use against their intimate partners or former partners.

Domestic violence, or battering, has been a serious problem around the world for centuries. It affects members of every community regardless of economic or social status, ethnic background, marital status, age, or physical ability. While battering can occur in any relationship, the vast majority of victims are women abused by male partners or ex-partners.

To stop domestic violence, we all need to work together. The following are some things that you can do to help:

Help a friend who is being abused. Let her know that the abuse is not her fault, listen to her, help her to identify resources and options, empower her to make choices for her safety, and provide nonjudgemental support and an opportunity for her to seek your support again.

Support your local domestic violence program. Most hotlines, advocacy groups or shelter organizations could benefit from your time, financial support or other donations. Call them to find out how to help in your area.

Speak up about abuse. Let abusers know their behavior is wrong and encourage them to get help. If you see abuse, call the police—doing nothing can make the abuse worse and even deadly.

Educate yourself and others. Call your local domestic violence program to schedule informational workshops for your workplace, community group, or church. Encourage schools to include abuse prevention as part of their curricula.

Set an example. Make a commitment to work for equality and ending violence in all of its forms. Model non-violent and respectful behavior through your everyday actions.

It is likely that you know women who are battered. They may be your friends and family members, your neighbors or co-workers. Domestic violence takes its toll on our communities as well—contributing to other forms of violence and suffering, burdening us with huge medical and criminal justice costs, and decreasing workplace productivity.

Knowing the Facts

- Domestic violence is a social problem. It is rooted in social values that place importance on people having power over others, and allow violence against women and other groups to occur without punishment.
- Battering is not caused by using drugs or alcohol, mental illness, being "provoked," stress, or poor anger control. Batterers choose to be abusive.
- There are many barriers for battered women seeking to escape abuse including: fear of injury; shame and self-blame; lack of money, resources, and support; social pressures to keep their family together and other cultural taboos.
- Battering can have many effects on victims such as: lowered self-confidence, physical illness and disability, difficulty trusting self/others, and poverty. Despite these effects, battered women find many creative and courageous ways to survive and protect themselves and their children.

There is no simple way to identify or describe batterers. Often they are well-respected members of their communities.

Self-Defense Tips

NO ONE has a right to be within 5 feet of you unless you want them to be there. Defend your personal space!

ASSAULT is not just a physical attack—it can be verbal as well. You don't have to be touched to be assaulted.

Create distance and get away from your attacker. Never try to be the hero—RUN AWAY!

If you are assaulted in any way, and you must defend yourself, you will feel fear. It is normal to feel afraid. Your fear is a great weapon—it helps you produce adrenaline, which gives you great physical strength and minimizes the pain you might feel.

Non-Physical Self-Defensive Tactics and Skills

1. **Remain calm.** Easier said than done! Remember to breathe and weigh your options.
2. **Keep distance to a MINIMUM of 5 feet.** (This is during the fight. Never let anyone closer than 8 feet without preparing to defend yourself.)
3. **Attract attention.** Scream, yell, and do whatever you can to draw attention to your situation. When attacked, avoid using helpless/submissive phrases such as "Help me!" or "Please don't!" Instead, use language that is strong/assertive:
 - "Stop!"
 - "Get back!"
 - "Go away!"
 - "Don't touch me!"
 - "Police!" or "Fire!"
 Be sure to avoid using any inflammatory remarks such as "Beat it, a**hole!" or "F**k you!"
4. **Be resourceful.** Try lying or misleading the assailant.

Make a mental decision to fight. Flip that mental switch that means you'll do ANYTHING to protect yourself and those you love.

Physical Self-Defensive Tactics and Skills

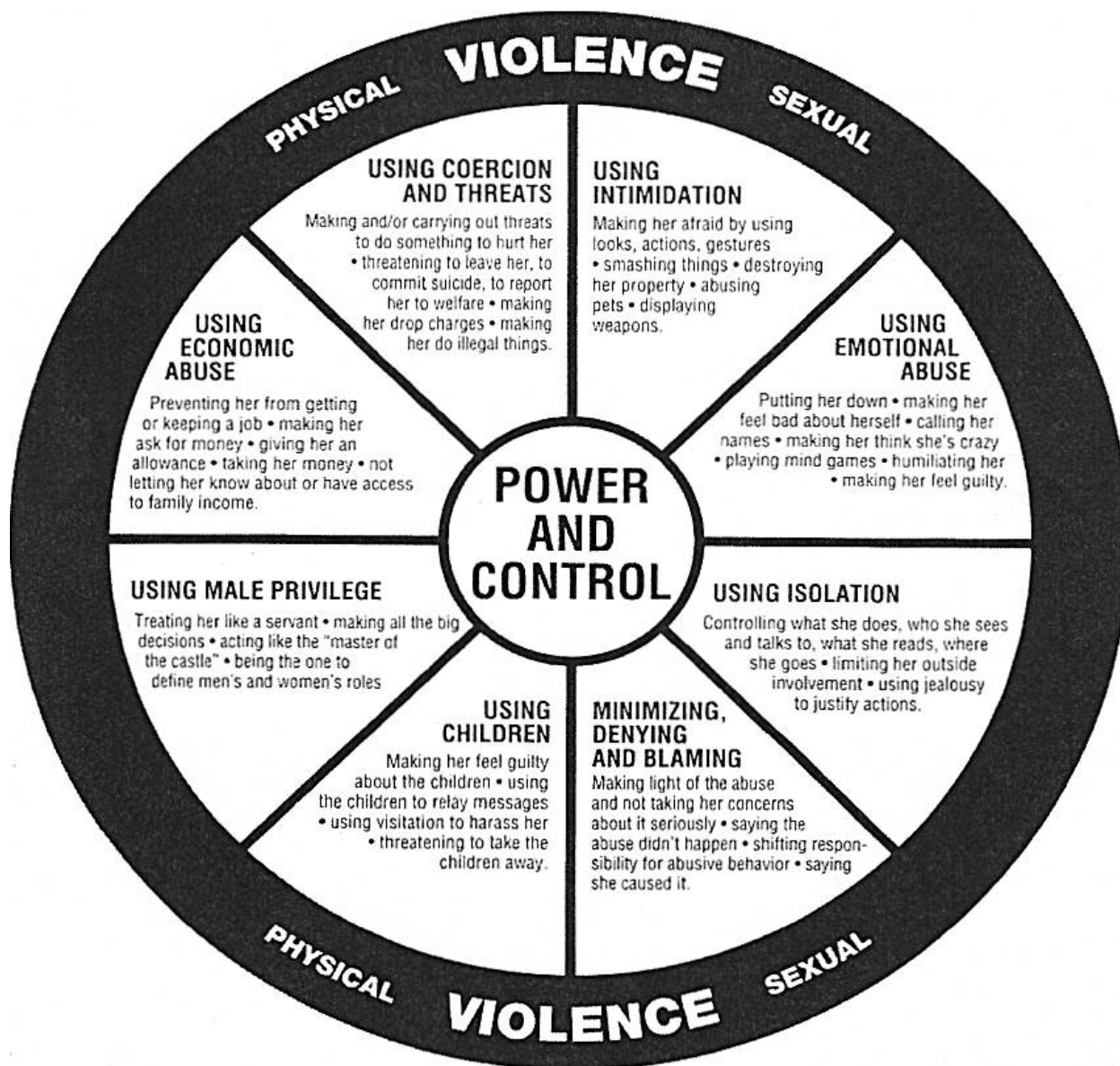
1. **The ground is your FRIEND!** It's there to catch you if you fall.
2. **You don't have to get up to defend yourself.** Pivot your hip or butt, and kick with your feet.
3. **Strike with your hands, but don't use your knuckles**—DON'T PUNCH!
4. **Strike with your Elbows, Knees, and Feet.**
5. **Break the hold!** Don't allow someone to hold on to you. Pull against the thumb or "drop and turn."

If the attacker demands your purse, jewelry, etc. give it up; it's not worth your life. BUT, don't just hand it over—throw it one direction and run the other. Create distance and escape!

Learn and practice awareness. LOOK and LISTEN to what is going on around you. Know your environment before you enter it. If you don't feel safe, get someone to go with you. It's better to be safe than sorry - and better paranoid than dead!

If an attacker has a gun and you are not under his control, ALWAYS RUN! The attacker will only hit you (a running target) 4 in 100 times; even then, it mostly likely WILL NOT be a vital organ. RUN!

Domestic Violence Power and Control Wheel



Much of what we know about domestic violence has been condensed into what is called the "Power and Control Wheel." The Power and Control Wheel identifies eight common tactics used in domestic violence relationships. When looking at the wheel, it is important to remember that all of these tactics are "held together" by the "rim" of physical and sexual violence. We find that when batterers are no longer able to maintain power and control over their partner through the use of verbal and emotional abuse, they resort to using physical and sexual violence. Often through our conversation with survivors they identify that their partners have sexually assaulted them and also used other forms of physical violence against them. It is important to keep in mind the impact this has on the person.

Just using one of these tactics by itself, without physical or sexual violence, or threat of, usually does not mean the person is in a domestic violence relationship. People in relationships get into arguments and/or disagree over money or how to do something; they may raise their voice and say things that are mean and hurtful, call each other names, or storm out of the room slamming doors because they are mad. This does not mean the person is a batterer! A batterer uses more than one

tactic, creates a pattern of control and power over time and employs physical and/or sexual abuse as a way to control his/her partner.

It is also important to remember that not every one of these tactics is used in every domestic violence situation. Some batterers use one tactic, some use all of them.

USING COERCION AND THREATS: Batterers exert power and control over their partners by threatening them and/or coercing them to do what the batterer wants them to do.

Examples:

- A batterer might threaten to kill a survivor, the children, and/or the family.
- A batterer might threaten divorce; leaving the survivor with "nothing."
- A batterer might threaten to report their partner to Child Protective Services.
- A batterer may use immigration status as a means to maintain power and control over his/her partner.

USING ECONOMIC ABUSE: Batterers often wield complete dominion and control over the couples' finances.

Examples:

- The male batterer may prevent his partner from getting or keeping a job, force her to ask for an "allowance," or prevent her from having access to the couple's money by removing her name from the bank accounts.
- One batterer would examine the receipts every time his wife got home from the grocery store. He would make sure that she spent exactly the amount of money he had given her and he would count the change she gave back to him. As a part of her safety plan, the survivor would buy meat every week. She would show him the receipts and then divide the meat up. She would return a pound or so each week and pocket the money. Eventually, she had enough money for a bus ticket out of town.

USING MALE PRIVILEGE: Batterers may use male privilege in their relationships.

Examples:

- They may have one set of rules for themselves and another for their partner.
- Batterers may decide that it is okay for them to go out with their friends after work and stay out late, but in reverse, it would not be okay for her to go out with her friends like that.
- Batterers may treat their partner like a servant. "I wear the pants" in the relationship or set forth the rules of how men and women should behave.
- Batterers often make statements like: "Wives stay home and cook while men go out and earn the money" or "Wives must obey their husbands."
- Batterers also engage in "rule making" in the relationship (i.e. "You cannot leave the relationship until I am finished with you.").

Within any relationship if there is a power imbalance you will see privilege used.

USING CHILDREN: When a survivor has children, the batterer often uses them against her. While they are living together, he might make her feel guilty for wanting a career and using day care. He might threaten to take the children from her. Batterers who have dual citizenship or who are originally from another country often use this threat. After separation, he might use the children to relay messages to her or use visitation as a tool for harassment.

Examples:

- A common threat used by batterers is the threat to "hire the best attorney in town and get full custody of the children," thus preventing the survivor from seeing her children except during visitation.
- Threaten to run away with the children.
- Whenever the children misbehave or get into any trouble, he will turn it around to be her fault and say things like "if you were a better mother" or "a better parent."

MINIMALIZING, DENYING, AND BLAMING: Batterers often minimize their actions, blame their partner for what happened, or deny that the abuse ever happened.

Examples:

- They may tell the survivor that she is "crazy" or that this sort of behavior happens in "every" home.
- He tells her he does not know what she is talking about, he never hit her.
- "You made me do this to you!"
- "If you had only cooked spaghetti/not cooked spaghetti, cleaned the house/not cleaned the house, etc., then I would not have had to do this to you."

USING ISOLATION: Batterers frequently isolate their partners. There are numerous ways in which a batterer can do this. He might monitor her phone conversations as well as where she is going or where she has been. He may control whom she talks to, the classes she takes, or the books she reads.

Examples:

- Batterers sometimes prevent survivors from going to visit her friends and family or other activities by beating her before she is supposed to leave.
- He takes the phone with him when he leaves.
- He disables her car so she cannot leave.
- He has the children monitor where she goes and who she talks to.
- He moves the family to an area where she has no friends or family and then limit her ability to visit with them.

USING EMOTIONAL ABUSE: One of the most common tactics used by batterers is emotional abuse. Emotional abuse takes many forms: put-downs, name-calling, playing mind games, making a survivor feel guilty, humiliation.

Examples:

- Batterers often tell survivors he would not have had to hit her if she was not such a bad person or that no one will love her like he does.
- The batterer tells her to "go ahead and leave; you're so ugly, no one else will want you."
- The batterer keeps her up all night screaming and badgering her: she becomes so sleep deprived that she has a hard time thinking clearly.
- Threatening that he is going to leave the relationship.
- He plays mind games by hiding something (i.e. her keys) so she will look for it where she last saw it or always puts it and cannot find it. Then she looks in that place again and finds it because he has put it back. He then tells her she is crazy and that it is "all in her head."

USING INTIMIDATION: Batterers also intimidate survivors by using a variety of tactics. He might destroy her property, abuse pets, or smash breakable objects. The batterer can often use his height and girth to intimidate his partner.

Examples:

- Batterers may kill or threaten to kill a family pet.
- During an argument in the kitchen he might slam the cupboard doors next to her or punch the wall next to her.
- He gets in her face to yell at her, he is so close that he spits on her, and has a crazed look in his eyes; his facial features are very intense.
- He pins her against the wall, a door, a piece of furniture, etc.

- He tells her how easy it would be to kill her while she is sleeping.
- He points out an article in the newspaper regarding a homicide that may or may not have been domestic violence, telling her how he could do the same thing to her.

REMEMBER—BATTERING IS NOT: Arguing, Fighting, Disagreeing, Displaying Assertiveness, Self-Defense.

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Why "WHY DO BATTERED WOMEN STAY?" is the WRONG QUESTION

"It is very tempting to take the side of the perpetrator. All the perpetrator asks is that the bystander does nothing. He appeals to the universal desire to see, hear, and speak no evil. The victim, on the contrary, asks the bystander to share burden of pain. The victim demands action, engagement, and remembering." (Judith Herman, Trauma and Recovery)

We are often asked why do battered women stay. This is the wrong question.

The questions we should be asking are:

- Why do assailants terrorize and torture their partners?
- Why do men beat women?
- Why does the community allow the battering to continue?
- How do many, many women overcome incredible obstacles and achieve safety and nonviolence for themselves and their children?
- Why do women leave?
- When do women leave?
- How can we be helpful to women in the process of leaving?
- Which specific counseling and support methods are helpful to women and which are not?

Unfortunately, when people attempt to understand domestic violence, they often start by scrutinizing and evaluating the survivor. This practice avoids looking at the behaviour and intentions of the perpetrator of the violence, and it fails to hold the perpetrator responsible for his actions. It also misses the essential task of examining the ways in which our culture condones, supports, and gives permission for battering. ***In our victim-blaming society, we assume that it is the victim's responsibility to not be victimized, rather than the perpetrator's responsibility to not use violence.***

People believe that if battered women REALLY wanted to leave they could just get up and go, and that the violence would end if they left. In reality, a survivor's decision to leave a relationship greatly increases the danger of severe injury or death for the survivor. Most homicides occur after women have left and the assailants realize that they are gone for good. Many people overlook the environmental barriers that prevent women from leaving and too often focus on the psychological "characteristics" of women instead.

- Many battered women do leave. Shelters are usually full.
- Some battered stay for only a short period. Some battered women leave immediately after the first assault and never return.
- Almost all battered women try to leave at some point.
- For battered women who leave, the violence may just be beginning. Batterers escalate their violence when a woman tries to leave, shows signs of independence, or has left.

We believe there are two broad categories of barriers that battered women face:

1. **Personal:** those barriers created by the specific tactics the perpetrator is using to maintain power and control. These barriers are usually the unique pattern of behavior that most effectively controls the responses of the survivor. However, many of the tactics are commonly used. The threat of physical and sexual violence is the ultimate threat but it is important to remember that violence is only one of the factors restricting a survivor's choices.
2. **Systemic:** those societal and cultural barriers that minimize a survivor's options. There are ways that our culture and institutions make it very difficult for a survivor to become independent. Some systems often work to maintain a woman's unequal status, which forces women to remain in harmful situations. The perpetuation of victim-blaming practices can pressure women to stay in abusive relationships. Options are limited and non-judgemental support is not always given.

The following are examples of PERSONAL BARRIERS to leaving the relationship:

HOPE AND LOVE

Battered women (sometimes) stay for varying lengths of time because they love the assailant, and very much hope that he will change his behavior. **All women want the violence to end; many do not want the relationship to end.**

This is often one of the hardest phenomena for people who have not been battered to understand. However, many people have been in difficult relationships or jobs they knew that they should leave, but either could not or needed time to be able to depart.

The assailant usually tells his partner that he will change, that the violence was a one-time event, and this strengthens her hope.

Assailants can also seem romantic and charming. They can behave very well, and oftentimes do so until they begin to lose control of their partner's actions—then they use a variety of coercive methods up to and including physical force to get what they want and bring their partners back under control. Their ability to mask their abusive behavior at certain times also keeps hope alive for the survivor.

Love is glorified in our culture. Popular songs and movies perpetually reinforce the idea that love is the most important thing in life, and that people should do anything for love. This is particularly reinforced for women.

Women may love their partners, and at the same time hate their violence and abusive actions. A helpful comment when working with a survivor is to point out that the woman does not have to stop loving her assailant in order to leave.

EMOTIONAL ABUSE

Emotional abuse exists in almost all relationships where physical violence exists. The assailant will use very derogatory, often sexual names. Insults and names like "cunt," "bitch," and "whore" are common. He will employ knowledge gained in an intimate relationship to attack the woman's spirit and sense of her own value. The constant barrage of verbal abuse wears down the woman's resistance, making it more difficult for her to leave.

SEXUAL VIOLENCE

Rape, sexual abuse, and sexual humiliation are common in battering relationships. This is another tactic habitually practiced by hostage takers and those who run concentration camps. Because sexuality is such a potentially intimate and sacred experience, sexual abuse and domination are particularly degrading to the spirit and weakens the capacity to resist.

HURTING PETS

Abuse and murder of pets—particularly those special to the woman—is not unusual. A survivor may not leave because she cannot take her pet, and knows that her pet will be killed if left alone with the batterer.

DELIBERATE AND SYSTEMATIC ISOLATION FROM SUPPORT

People who are in trouble need support. The invaluable resources of family, friends, co-workers, and professionals are most essential to aid in weathering the crisis and supporting them in their decisions.

Assailants commonly force their partner to account for every minute of their time. One assailant marked the tires of his girlfriend's car to monitor her use of it. Another nailed the windows shut and put a lock on the outside of the door. Many take car keys, disable cars, and unplug or break telephones.

Assailants methodically drive friends and family away. Sometimes this is accomplished through overt threats or physical attacks; sometimes they make life thoroughly unpleasant for anyone with the nerve to be around them. Many assailants are extremely jealous and possessive. They constantly accuse their partners of affairs and sexual advances. They demand that their partner speak to no one, which is enforced by harsh infidelity accusations upon each interaction.

There may be friends and family who believe the myths about battering. Doubts and judgements conveyed by friends and family members may actually contribute to battering situations based on increased isolation and reduced outside support.

LONLINESS AND GRIEF

Some women may be troubled about making it on their own, and about being lonely. When they leave, they may endure feelings of grief and loss. Frequently, leaving a batterer means abandoning friends, family, neighborhoods, and a community. Some women are forced to assume an alias and disappear from society in order to live without an assailant's constant harassment. Although the survivor may no longer be in the relationship, survivors are forced to live a life of isolation and fear in order to survive.

CHILDREN

Battered women fear that their partner will get custody of the children—and abusive men will often make repeated threats to take the children, through legal and illegal means. It is not uncommon for batterers to go to extremes to keep their children.

Sometimes survivors reason that they will sacrifice themselves for their children—so that their children can have a father, or so that their children will be able to go to good schools, live in a safe neighborhood, and have financial security. Women may not believe that they are capable of supporting their children on their own. It is not likely that batterers will provide adequate or consistent financial support for their children, and most women must weigh this reality when deciding if it is the right time to leave.

BELIEVING WHAT THEIR ASSAILANT IS TELLING THEM

When someone hears the same statements repeated constantly, and when they have been isolated from support that could counteract these statements, they become easy to believe. Assailants will often say things such as:

- "You're crazy and stupid. No one will believe you."
- "You're the one that's sick. You need help. You're hysterical."
- "I know the judge; he won't put me in jail."
- "The police will never arrest me."
- "It's not serious. You're not really battered."
- "If you leave, I'll get custody because you'll have abandoned me and the kids."
- "If you leave me, no one else will ever want you. You will be alone for the rest of your life."
- "If you leave, I'll find you and kill you. I'll kill your family, your kids, and your pets. You'll never escape me. If I can't have you, no one will."

Assailants deliberately supply their partners with false information in order to keep them in the relationship. They may sabotage their partner's attempt to use the civil or criminal justice system by giving false information about the process. At the same time, assailants often play on their partners' concern for their well-being. A common ploy is to tell their partner that if they are prosecuted they will spend long years in prison.

When no one believes a battered woman, when her assailant isn't arrested, when she is criticized and scrutinized, when he gets custody of the children, and when he tracks her down and tries to kill her—she believes what he says. Why? Because his predictions too often turn out to be true.

FEAR OF DYING

Battered women are in real danger. A batterer's violence behavior can be lethal. This is particularly true when a woman is leaving or has left the relationship; the majority of women killed by their batterers are killed at this time. When the assailant feels he can no longer maintain power and control over her and keep her in the relationship, he is more likely to escalate to murder. Often, a batterer will repeat the threat that if she leaves, he will kill her. He has made good on many of his other threats, so she has every reason to believe that he will this time, too.

The following are examples of **SYSTEMATIC BARRIERS** to leaving the relationship:

THERE IS NO PLACE FOR THEM TO GO

Shelters do not exist everywhere. They are often full. Their funding is in constant danger, and they are vulnerable to attacks from groups that decide they are "destroying the family" or are "anti-male." Housing is a major roadblock to leaving the relationship.

Most women cannot find or afford safe housing. They become stuck in emergency shelters, unable to find a place to live. Women with children face discrimination in the rental market, whether or not they have been battered. Landlords are reluctant to rent to formerly battered women, believing that their assailant will show up and cause property damage or physical harm.

SOME BATTERED WOMEN STAY BECAUSE THEY BELIEVE WHAT MOST PEOPLE IN OUR SOCIETY THINK ABOUT BATTERED WOMEN

They may believe inaccurate things such as:

- Alcohol and other drug use causes battering.
- Battered women imagine, exaggerate, deliberately fabricate, or initiate the violence.
- Battered women are co-dependent, or enable the assailant.
- Battered women somehow provoke or are to blame for the violence; if the woman would change the battering would stop.
- It is the woman's fault if the battering does not stop; if it does not stop, she is not trying hard enough.
- All battered women come from poor, uneducated, or minority backgrounds.
- Their partner just has a problem controlling his anger, or that stress or unemployment problems have caused the battering.

If the people a survivor goes to for help (family, friends, or professionals) believe these myths, they might (for example) suggest to the woman that she help her partner reduce his stress or find a job or stop making him angry. If the woman repeatedly hears these things, and believes she is provoking his violence, she will work on pacifying him. These strategies will not work, the violence will continue, the woman will stay in the relationship longer, and it will be harder for her to escape.

SEXISM (UNEQUAL TREATMENT OF WOMEN)

According to Barbara Hart, "The most likely predictor of whether a battered woman will permanently separate from her abuser is whether she has the economic resources to survive without him."

Economic justice for women is an essential part of deconstructing the dominant paradigm that maintains battering situations. Economic and wage discrimination contribute to the continued unequal socio-economic status of women, which perpetuates economic dependence on men and forces women to remain in harmful situations. When asking why women choose to remain in battering situations, it is important to remember the systematic methods that maintain women's unequal status in terms of wage, employment, and access to affordable childcare.

Oftentimes, batterers prevent survivors from accessing employment all together. Leaving may mean looking for a job with little or no work history behind her. The assailant may have purposefully damaged her employment record through continued harassment, or contributed to excessive tardiness or absences.

The quality of employment offered to battered women is another factor contributing to economic injustice disproportionately faced by women. If employment is available, it is often part-time, in a dangerous or sexist environment, and offers little opportunity for attaining positions of leadership. All too often, battered women are forced to take low-wage jobs that offer little or no benefits. If she has children, this wage may not be sufficient to support herself, let alone her children. This means that women are expected to be able to maintain a home for their children while working long hours to receive minimum wage, no health benefits, and no child care.

Child care is a serious problem for women entering the work force. It is expensive and not usually covered by employers, especially in part-time or minimum wage employment. In addition, accessing affordable child care may mean traveling long distances that are geographically inaccessible and this causes additional stress. This is assuming one has access to transportation. Imagine having to leave at 5 a.m. (three hours earlier than you need to be at work) with your children ready to ride the bus. This includes a long morning of bus trips to the other side of town to drop one child off at day care, then travel back to drop the other child off at school, and then hope that the bus is on time for you to make it to work.

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Support Group for Vulnerable Children

The Linden Legal Aid Centre has recently established a support group for children who are victims of domestic or sexual violence, and children who have been orphaned by crime. All persons and organizations wishing to assist in this endeavour can visit the Centre at the top floor of the Christianburg Magistrate's Court Building, Burnham Drive, Wismar, Linden or contact the Centre at telephone number (592) 442-1751.

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