

A Different Kind of Heroism

Orinda attorney still in a race to end domestic violence

By Laurie Snyder



Attorney Nadia Costa has built up her physical and mental stamina by running ultra-marathon races - but in the documentary film "Crime After Crime," the battle to free a wrongfully imprisoned inmate proves even more challenging. Photo provided

Heroes come in all shapes and sizes: Tough guy firefighters who stomp out hellish flames. Seventh grade girls who battle breast cancer by organizing community walk-a-thons. Elderly men awarded Purple Hearts decades ago for acts of bravery on battlefields half a world away.

Most, like Orinda attorney Nadia Costa, think of themselves as regular people. A subject of "Crime After Crime," the acclaimed and inspiring documentary which premiered at Sundance 2010, Costa was one of two Cal law school grads who provided pro bono representation for Deborah Peagler, a domestic violence survivor pressured into pleading guilty to first degree murder in 1983 by prosecutors concerned more with scoring a conviction than serving justice.

Forced into prostitution at age 15, Peagler was tortured for years by a handsome, charismatic man who also threatened her mom and abused her daughter. When police failed to intervene despite repeated appeals, she and her mother desperately turned to local gang members. Instead of just scaring him off as Peagler's mother had asked, though, the pair killed the pimp. Prosecutors withheld evidence and painted Peagler as one who murdered for money in order to compel her to accept a plea.

No trial. No compassion. Just 25 years to life.

And then, along came Costa. The soft spoken woman, who spent her days advising landowners and governments about zoning matters, took up the case 20 years after Peagler was sent away. "Before I was a lawyer, I was a social worker for Children's Protective Services, and basically worked with families dealing with the kind of violence that Debbie and her girls suffered," she explains. Costa and fellow legal eagle, Joshua Safran, joined forces to free Peagler with the help of a California law enacted in 2002, which

enables battered women to seek redress when courts fail to consider evidence of abuse.

A staggering 80 percent of women in jail today experienced domestic violence, rape or other abuse prior to incarceration, according to the UC Berkeley law school's website. "The criminal justice system tends to ignore women's victimization for years. Then, when these women realize they're on their own and fight back against their abusers, they're typically charged with first-degree murder - regardless of whether there's any evidence of premeditation," says Cal professor Nancy Lemon.

"When I met Nadia ... I remember thinking, 'She's looking at me like I'm a human being, like she understands. She isn't looking at me in judgment,'" says Peagler during the film. Costa and Safran couldn't tell Peagler that she'd ever be free - but did tell her that she was worth fighting for.

We can all do that, says Costa, by letting family, friends and neighbors know that their lives matter, that we're there for them however and whenever they need us to be, and that using bullying and violence to solve problems is never acceptable - period. When we see it happening, we need to speak up and let the abusers know that we're going to deal with it - as a community. "Abuse just doesn't happen in South Central L.A. to young black women," emphasizes Costa. "It happens everywhere."

Even in safe, affluent towns.

In December 2012, this reporter learned that a former classmate had been gunned down by her husband while playing the organ in church. A beloved small town elementary school music teacher for more than 30 years, she was the last person anyone could imagine being hurt by a spouse.

There tends to be the ability, observes Costa, to avoid dealing with the problem in small town America.

Child abuse and domestic violence are reported more frequently in larger cities because there is more involvement with public agencies. And in wealthier communities, neighbors may simply not believe what their eyes are telling them.

"When somebody has a black eye in Oakland," the assumption is domestic violence. In Lamorinda, the best guess is that the wife fell

down the stairs or that the nanny walked into a door. Victims are often pressured to make excuses or hide injuries through treatment by private physicians.

Lamorindans will be given an important chance to change this and lend support to neighbors Oct. 2. A wine and cheese reception at 6:30 p.m. will be held at the Orinda Library Auditorium,

prior to a screening of "Crime After Crime." A question and answer session with Costa, Safran and ABC7 News Anchor, Cheryl Jennings, will follow. Tickets are \$20 each; proceeds will benefit prevention and response services at STAND! For Families Free of Violence:

www.eventbrite.com/event/8097781683.

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Is My Friend or Neighbor Being Abused?

Does someone you know:

- Embarrass her partner with put-downs?
- Prevent his wife from working and make all of the decisions for her, controlling whom she talks to, what she does, and where she goes?
- Seem nervous around his wife, caregiver or child, cringing or moving away when the other adult is behaving in an angry manner?
- Cancel visits with friends, coworkers or family in order to avoid displeasing her boyfriend?
- Take control of a spouse's or parent's funds, keeping that adult homebound by requiring her to ask for access to Social Security checks or other money?
- Call his or her partner a "bad parent," and threaten to take away or hurt the children?
- Threaten to commit suicide or harm the family pet?
- Destroy property or use guns, knives or other weapons to intimidate?
- Verbally abuse teachers or others in the community?
- Shove, slap, choke, hit, or threaten to kill a girlfriend or wife?
- Make excuses for a black eye, fingerprints on an arm or other bruises, but deny abuse?
- Admit to having abused a family member while claiming it was no big deal, or that it was the fault of the person who was abused?
- Pressure a spouse, family or neighbors to keep silent or drop charges?

Answering yes to one or more of these questions could mean that someone you know needs help. Call STAND for confidential advice: 1-888-215-5555. Nationwide, use the National Domestic Violence Hotline: 1-800-799-SAFE (7233).



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