

The never-ending cycle of domestic violence and the family court system that feeds it

Written by Gallupsun Staff
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One year left to graduate high school, a young woman with the whole world in front of her with endless dreams and potential – dreams of not only serving in the U.S. Navy and commanding ships but to ultimately become one of the most powerful women – takes a quick turn to becoming a prisoner – a victim of domestic violence, forced to be submissive.

For the next 17 years and counting, she becomes focused solely on survival simply because of a boy who charms his way through a tangled web of lies, their children, and a slowly progressing legal system that fails to recognize and protect the victims of domestic violence post-divorce from the abuse of what I call, “DNA privilege.” Because domestic violence is repetitive and endurance-based, it does not end when the marriage ends.

To understand where the laws have failed the victims in my story, we go back to 2009. I divorced my abuser at the age of 25, after eight long years of suffering where I was simply existing ... not truly living.

I am now 34, but the abuse has not stopped.

During the past nine years, I have been awarded sole legal and sole physical custody of the children, who have already been granted a last name change. The estranged “father” has provided no financial support and any relationship the children once had with him has completely disintegrated. Two of the children don’t even know who this person is and, thus, he is no different than a stranger at Walmart.

This estranged parent, who suffers from an underlying psychological condition, who has disappeared for multiple years at a time and commits crimes, is allowed to return whenever it’s convenient and petition the courts to request a change in the current parenting plans, which would be disruptive to the children’s mental and emotional stability. He can do this simply because these legal venues are open to him, and they allow him to continue to exploit his DNA privilege in an effort to ensure the victims remain his prisoners.

His claim to the children is based solely on the fact that they are connected by DNA. There is more to being a parent than providing genetic material and we need to start looking at our

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children as children and not as property. This DNA privilege comes before the rights and protections of the children simply because no laws are in place to protect the victims from this form of domestic abuse.

Domestic violence is repetitive and endurance based. An abuser finds new ways to keep the victims prisoner. He is allowed to not only disappear for multiple years, but to continue his long history of alcohol abuse and domestic violence, fail to comply with court orders, fail to provide child support, and ultimately, fail at all attempts of any rehabilitation – he is allowed to do all this and then reappear again out of the darkness and bring destruction upon the lives of the victims. He can do this because the family court system allows him to.

I have been forced to become a strong woman and mother, because it is my duty to fight for the protection of my children, and here I am again simply because of DNA privilege. These children are innocent and deserve to continue to live a life free from all this despair, to be given a future that breaks this cycle of abuse. It's time for New Mexico laws to be written for situations like ours.

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