

HEARTS OF THE CITY

Exploring
attitudes and
issues behind
the news.

The Beat

Today's feature spotlights the LAPD's Jeopardy program for at-risk youth and their families. All 18 of the LAPD's divisions offer Jeopardy programs. To enroll or to volunteer, call your LAPD division. Some other Los Angeles County law enforcement agencies offer at-risk programs.

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Navigating the Real World

A rotating panel of experts from the worlds of ethics, psychology and religion offer their perspective on the dilemmas that come with living in Southern California.

Today's Question: A woman who flees spousal violence often ends up divorcing the father of her children, which then raises the question of who should have custody. Some argue that a father who has a documented history of spousal violence cannot be considered a fit parent. Yet, in some cases, perpetrators have been awarded primary custody of the children. Should courts be mandated to refuse custody to a parent who harmed a former spouse?

Compiled by JOHN DART, Times staff writer

Orli Peter

Psychology professor, director of psychology graduate programs, Mount. St. Mary's College

No. Judges should be permitted to make custody decisions on a case-by-case basis, taking into account both the mother's and the father's history of violence towards the children. Although research indicates that most perpetrators of spousal abuse (about 60% to 70%, depending on the study) also physically abuse their children, this leaves a sizable number who do not. In some cases, a judge may conclude that a man who has committed spousal abuse, but not child abuse, remains his children's best custodial option. This may be true, for instance, in the many cases where the mothers, although themselves victims of abuse, are physically assaulting their children.

Dennis Prager

Talk show host on KABC radio; writer of the Prager Perspective, a biweekly newsletter

Common sense suggests that a man who beats his wife should not gain custody of their children. First, he doesn't deserve the custody; second, he will probably act similarly toward the children. Unfortunately, common sense does not reign in America today, either inside or outside courtrooms. Thus, if courts automatically award custody to a mother who has claimed abuse by the father, I fear that some women will bring charges of abuse in order to gain custody of the children. However, if this can be prevented, I believe that in general a man who beats his wife has lost claims to being the custodial parent. If the best fathers are those who show love to their child's mother, among the worst are those who hurt her.

R. Patricia Walsh

Professor of psychology, Loyola Marymount University

Even past child abusers are sometimes given child custody if they are believed to be reformed. Thus, individuals who have abused their spouses should not be automatically denied child custody. Such a rule seems to assume that all spousal abusers are also child abusers, but this is not the case. People should not be punished for a potential crime that they might not commit. If denial of custody is seen as a punishment for spousal abuse, it is also inappropriate. The legal system should have already punished the individual for the abuse. The denial of custody would then be a double punishment for this crime.