

Omaha World-Herald (NE)

February 5, 2005, Saturday

Mother of slain child also was a victim Battered Woman Syndrome blamed; Situation was complex

By Todd Cooper (Source: World-Herald Staff Writer)

When Leonard Burks was sentenced last month for the brutal beating death of his stepdaughter Brianna Pope, the courtroom was packed with women's advocates, domestic violence prevention workers, Burks' family, Brianna's grandparents, Brianna's father.

But one person was noticeably absent: Brianna's mother, Clarissa Pope Wolf.

So where was she when her former husband was punished for beating Brianna to death?

More pointedly: Where was she when Burks was beating her daughter to death?

In the deranged world of domestic violence, experts say, some questions are more easily answered than others.

Women like Wolf remain in harm's way for all sorts of reasons that would not translate to women in normal relationships: Economics. Fear. Helplessness.

The belief that they're trapped places their children in danger. National surveys show that one out of two men who beat their wives beat their children.

In Nebraska, a history of domestic violence was identified in 46 percent of 30 child abuse deaths studied by a state task force – making it, by far, the most common denominator.

“We all look at these situations and tend to want to think, ‘How in the world can Mom let that happen?’” said Dr. Joann Schaefer, deputy chief medical officer for the state's Health and Human Services System. “It's so much more complex than that.”

“Many times, these moms are just psychologically beaten down to a level where they don't see themselves as having the power, or the money, to get away. It's a choice of being homeless on the street or trying to keep things together at home.”

Indeed, Wolf's actions as a parent have been scrutinized almost as much as Burks'.

In the past two years, the court system has evaluated and reevaluated Wolf's mental state and parenting ability as officials try to determine whether she should regain custody of the two surviving children she had by Burks.

The scrutiny has stepped up of late.

At Burks' sentencing, his attorney, Assistant Douglas County Public Defender Cheryl Kessell, questioned why Wolf didn't take her children and leave while Burks went to work full time five days a week.

Kessell also questioned why Wolf was not charged for failing to protect Brianna.

Deputy Douglas County Attorney Tom McKenney, who prosecuted Burks, said he and investigators reviewed whether Wolf should be charged. They examined her claims of abuse and noted bruises on Wolf consistent with the beatings she described.

In the end, McKenney said, he decided not to charge Wolf because she was a "classic" sufferer of battered woman syndrome. A psychologist hired by the courts later diagnosed her with the syndrome.

Wolf declined to comment. Her attorney, Susan Bazis, provided details of the couple's tumultuous, and torturous, relationship.

Burks went from a charming, attentive suitor in the beginning to a "controlling, raging lunatic" in the end, Bazis said.

He wouldn't let Wolf go anywhere without him. He controlled the finances and drove the family's only car.

He isolated Wolf from her family. She was forbidden to go to church. She couldn't get groceries without him.

He would take the car to work, call her on every break and go home for lunch. If his food wasn't ready, Bazis said, he would beat Wolf.

When he got home at night, he aimed his fury at Brianna.

Burks brutalized Brianna from the time she was 2 until her death two months before her fourth birthday. He routinely whipped her with his belt, 10 lashes at a time, on her bare bottom for refusing to eat or wetting herself or acting out.

He ripped out clumps of her hair. He made her sit naked in her urine. He kicked her in the stomach.

So why didn't Mom stop it?

Bazis said Wolf spent most of her time keeping her son, age 1 at the time, and her newborn daughter away from Burks.

If Wolf tried to intervene, Bazis said, she would get beaten. Then Burks would beat Brianna more severely – to show who was in charge.

“She wished he would focus on her,” Bazis said. “She said, ‘He could beat me all day long – I didn’t care.’ But the beatings only got worse for Brianna if she tried to stop him.”

Two weeks before Brianna’s death, Bazis said, Wolf readied herself and the kids to leave Burks. Burks stopped her – and pulled a gun on her, Bazis said. He pistol-whipped her and threatened to kill her and her family if she left him, Bazis said.

After Burks’ arrest, Wolf eventually told authorities that he raped her at gunpoint.

Kessell said her client denies those accusations. She questioned whether Wolf made up the allegations to try to increase Burks’ sentence. She also noted that police searched his home and did not find a gun.

“She changed her story three times,” Kessell said. “There’s a tendency in these cases to vilify the defendant. And part of this is an attempt to vilify Mr. Burks.”

Bazis said Wolf’s stories simply became more detailed as she realized he couldn’t get out of jail and harm her.

“It’s logical for us to ask, ‘Why didn’t you take the kids and leave?’” Bazis said. “But she was so isolated. She felt truly in her heart that he was going to kill her and her family if she left.”

Finally freed from Burks after his arrest in May 2003, Wolf began the long court battle to get back her and Burks’ other children – Terrance, now 3, and Tinaja, now 2. (Wolf gave up her parental rights to her two oldest children before Brianna died.)

Wolf arranged therapy on her own. She attended support groups and domestic violence counseling. She did everything the court asked of her, Bazis said.

Finally, on April 15, 2004 – nearly a year after Brianna died – Wolf was given custody of Terrance and Tinaja. She was ordered to continue to reside at a safe house and to continue her counseling through the YWCA.

A week later, Wolf called her caseworker, Brenda Chase, with some news: She had moved to a new apartment. She had gotten married. And she was three months pregnant.

Everyone flipped. The state placed Terrance and Tinaja in emergency foster care. The judge convened a hearing.

Even Bazis was stunned.

“We all went, ‘Oh, my God, is this another Leonard Burks?’” Bazis said. “At first, we didn’t know anything about her new husband – so naturally we were very concerned.”

The concern led the court to start over with placement of the kids, who were sent from foster care to another relative of Wolf.

Judge Douglas Johnson ordered a background check for the husband, Adam Wolf, a longtime friend of Clarissa’s brother. Adam Wolf since “has done everything that has been asked of him and more,” Bazis said.

“He really, truly, is an unbelievable guy,” Bazis said.

Later this month, Bazis said, she will ask that the children be placed with Clarissa, her new husband and her newborn.

So what’s to ensure that the children will be safe?

Attorney Ruth Feierabend, the court-appointed advocate for Tinaja and Terrance, has observed Clarissa Wolf on several occasions. In court documents, she noted how Clarissa’s family, once cut off by Burks, “have been invaluable in her success in pulling her life back together.”

Feierabend also has watched Clarissa Wolf do everything from change diapers to read to the kids to chase them around the room.

“It is apparent that they are bonded,” Feierabend wrote in one report. “It is apparent that (Clarissa) is not a danger to the (children).”

Bazis said Wolf still carries “horrible” guilt. Wolf didn’t attend Burks’ sentencing, where he received 50 to 60 years in prison, in part because she started a new job and in part because she is still “scared to death of him.”

“I have no doubt that she will never, ever put herself in the situation that she was in with Leonard Burks,” Bazis said. “She will leave. She will get up and leave.

“There isn’t a day that she doesn’t think about Brianna, and I can tell you, she will never let that happen again.”

Copyright © 2005 The Omaha World-Herald Company.