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**Handling of abuse cases criticized
Woman says system failed to protect despite her pleas**

by Joan Jacobson

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Even before Susan Grimm's former boyfriend was charged with stabbing her 13 times in October, Grimm had taken every legal step to protect herself against what she said were the ex-convict's repeated abuse and threats.

She got a court order barring Robert B. Faidley from contacting her -- and filed criminal charges accusing him of ignoring it and stalking her. Assuming he would be arrested, she told a court commissioner about his unrelenting threats and his conviction for attempted murder in a separate case.

In a move that victims' advocates say is common, the commissioner issued a criminal summons instead of an arrest warrant -- leaving Faidley free pending a court hearing.

Four days after he got the summons, Grimm said Faidley accosted her in the parking lot of a Lansdowne bar, slashing her back, arm and groin. She spent two weeks at Maryland Shock Trauma Center.

"I was trying my damndest to let somebody know," said Grimm, a hostess in a downtown restaurant. "What more could I do?"

Prosecutors and those who work with victims of domestic abuse say the case illustrates the chronic failure of the courts to issue an arrest warrant when someone is accused of violating a "protective order" banning contact with a victim.

"If you issue a summons, you're saying 'This case is not serious,'" said Assistant State's Attorney Stephen Bailey, chief of Baltimore County's family violence unit. He said a summons is intended for nonviolent offenses such as writing bad checks or failing to return video tapes.

Court commissioners and judges are on the front line of defense for victims, issuing thousands of "protective orders" each year barring abusers from contact with the people whose lives they threaten. Last year, they issued 8,177 such orders statewide.

Court rules require commissioners to issue arrest warrants only if a person is difficult to locate or has a history of failing to appear in court, said Martha F. Rasin, chief judge of the Maryland District Court. Potential danger to the victim is not specifically cited as a reason for arrest.

'Level of danger'

"What the court commissioner should have looked at is the level of danger this guy presented," said Carol Alexander, director of the House of Ruth, which provides shelter and services for victims of domestic abuse. "There's ample evidence this man was very, very violent."

The commissioner who handled Grimm's case -- Dorthea Cooper -- declined to comment. It is unknown whether she checked Faidley's criminal record, which would have shown a history of violent crimes. Those records are available to all commissioners and judges.

The court system has come under fire in recent years from advocacy groups and law enforcement officials for a sluggish response to domestic violence cases. Recently, in a nod to the role that they play in domestic violence cases, the district court gave sensitivity training to all commissioners.

While the court system has been working to strengthen its response to domestic violence, the system doesn't always work.

Grimm's case "is a horrible situation," said Rasin. "It's the dreaded experience of every judge or commissioner who looks back on

a situation in which they made a decision that might have been able to prevent something like this."

Court records show Faidley's criminal history began in 1979 when, at age 19, he broke into his in-laws' Lansdowne home where his estranged wife was living.

Faidley shot his wife in the stomach, shot his father-in-law in the head and pulled the trigger with the gun aimed at his mother-in-law's head, though it did not fire. He also pointed the gun at his 2-year-old daughter, but his mother-in-law persuaded him not to shoot, according to a statement of facts signed by Faidley.

Sentenced to 20 years in prison, he was paroled after eight years.

In 1995, Faidley's parole was revoked after he was convicted of battery and resisting arrest. Three police officers said he attacked them while they were arresting him for hitting his mother in the face. He spent two more years in prison.

Grimm was well aware of Faidley's violent record when she asked the court commissioner for protection.

In a written statement, she cited his conviction for assault with intent to murder, noted that he had threatened to harm her and her 6-year-old daughter and said he called her friends to allege she had acquired immune deficiency syndrome.

She wrote to the commissioner that despite a no-contact order, Faidley stalked her at a light rail stop, "telling me I will pay for this and he will get me and my friends if it's the last thing he does."

On the night Faidley was arrested, Oct. 4, Grimm was worried for the safety of her brother, Raymond Gustafson, according to a police report and an interview with Grimm.

Parking lot attack

Grimm said Gustafson had left her at Center Court Bar in the 5500 block of Selma Road, looking to confront Faidley about his threats to Grimm. She went into the parking lot in search of her brother and found herself face-to-face with Faidley.

"I asked him, 'Where's my brother?' He told me, 'I killed him. Now I'm going to kill you,'" she said.

She remembered her arm being grabbed and being hit on the back. She said she didn't realize she had been stabbed, "until I felt burning."

Grimm managed to walk back into the bar to report her attack. She didn't learn her brother was safe until after she was at the hospital.

Witnesses said they saw a blue Pontiac Sunbird speed away from the scene. Police arrested Faidley hours later in a car of the same make and color.

He is in state custody, awaiting trial. The Maryland Parole Commission has charged him with violating the terms of his prison release as a result of the most recent attempted murder allegations.

Faidley's lawyer, public defender F. Spencer Gordon, declined to comment.

Grimm faces the possibility of seeing Faidley one more time, to testify against him in court about the stabbing.

"I can deal with facing him, as long as I know he's not going to get out for a while," said Grimm.

"When he does get out, what will the system do for me then?"

Graphics:

PHOTO

AMY DAVIS : SUN STAFF

Caption:

Attacked: Susan Grimm said she was stabbed after her boyfriend received a court summons.

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