

Marissa Alexander Case Study

In August 2010, Marissa Alexander was a 31-year-old, 5-ft. 2-in. mother of three, her baby just 9 days old, living in Jacksonville, Fla. Her 36-year-old husband Rico Gray was arrested in 2009 for attacking her and sending her to the hospital, after which she got a restraining order against him.

In a 2010 deposition, Gray said, “We was staying together and I pushed her back and she fell in the bathtub and hit her head and that’s the time I went to jail.” In the same deposition, he admits that this was not his first incident of domestic violence against women, saying, “I got five baby mamas and I put my hand on every last one of them except one. The way I was with women, they was like they had to walk on eggshells around me. You know they never knew what I was thinking or what I might do. Hit them, push them.” He also admits that he and Alexander had “four or five” episodes of domestic violence leading up to the August 2010 incident that landed Alexander in prison.

After Marissa filed for and received a restraining order against Gray in 2009, she learned she was pregnant and asked the court to amend the restraining order to remove the ban on her and Gray having contact, while maintaining the rest of the restraining order. In May 2010 — while the restraining order was still in place — Marissa Alexander and Gray were married. Alexander gave birth to their baby in August 2010, but she didn’t stay in the marital home. For the last two months of her pregnancy, she lived with her mother.

In August 2010, after Rico Gray saw texts on his wife’s phone, he confronted her in a rage and threatened her. He says when he saw the texts on Alexander’s phone he pushed his way into the bathroom to confront her. He said in a deposition: “I was mad, you know. I said, what the f— is this, and you know, I told her that ... if I can’t have you nobody going to have you ... She ain’t shit.”

Gray said that when she tried to leave the bathroom, “I met her where the sink was, and she wanted to get by me and I wouldn’t let her by and I was backing up slow but I was using my body to pretty much contain her in that one area where I want her to be at. [S]he got the bathroom door closed and she locked it, so I were beating on it. [I] was there waiting for her to come out of the bathroom.”

“I was in a rage. I was in a rage, so I was saying a lot of things.” He said, “I beat on the door hard enough where it could have been broken open. [P]robably has some dents.” And: “I was mad, you know ... I called her a whore and a bitch.”

“She was trying to get by and I was sitting there trying to make her talk to me. [T]he more she didn’t want to talk about it, the more I was not letting her by.” After she got out of the bathroom, “I was telling her, she ain’t going nowhere, she going to sit right here. [S]he was trying to get by ... and I was telling her she not going nowhere.”

He was asked, “Did you ever tell her you knew people that would do your dirt?” Gray said, “Yeah. [I] ain’t going to lie. I been in the streets ... I know a lot of people ...” Asked if the purpose of “saying something like that was to let her know if she didn’t do what you wanted her to do that you could have hurt her or something?,” he answered, “That’s correct.”

He described her going to the garage, “but I knew that she couldn’t leave out the garage because the garage door was locked ...” He reiterated, “I knew she couldn’t get out of the garage.”

“She came back through the doors and she had a gun [from her car]. And she said, ‘You need to leave.’ I told her, I ain’t leaving until you talk to me ... and I started walking towards her and she shot in the air.”

Marissa Alexander described the August 2010 fight through her ex-husband and spokesperson Lincoln Alexander:

“[Gray] assaulted me, shoving, strangling and holding me against my will, preventing me from fleeing all while I begged for him to leave. After a minute or two of trying to escape, I was able to make it to the garage where my truck was parked, but in my haste to leave I realized my keys were missing. I tried to open the garage but there was a mechanical failure. I was unable to leave, trapped in the dark with no way out. For protection against further assault I retrieved my weapon; which is registered and I have a concealed weapon permit. Trapped, no phone, I entered back into my home to either leave through another exit or obtain my cell phone. He and my two stepsons were supposed to be exiting the house thru the front door, but he didn’t leave. Instead he came into the kitchen that leads to the garage and realized I was unable to leave. Instead of leaving thru the front door where his vehicle was parked outside of the garage, he came into the kitchen by himself. I was terrified from the first encounter and feared he came to do as he had threatened. The weapon was in my right hand down by my side and he yelled, “Bitch, I will kill you!” and charged toward me. In fear and desperate attempt, I lifted my weapon up, turned away and discharged a single shot in the wall up in the ceiling. As I stood my ground it prevented him from doing what he threatened and he ran out of the home. Outside of the home, he contacted the police and falsely reported that I shot at him and his sons. The police arrived and I was taken into custody.”

Discussion Questions:

1. What happened?
2. List all of the different examples of abusive behavior that you notice in the case study.
3. Who is most responsible for the incidents of violence?
4. Review **Biderman’s Chart of Coercion**. Do you recognize any examples of the method in the case study?
5. Are there specific ways that you think the violence experienced by Marissa could have been interrupted? What are they?
6. Read the Aftermath and answer the related questions?

Aftermath

Alexander's lawyer tried to have the case thrown out based on the state's "stand your ground" law, but was denied.

Alexander rejected a plea deal, went to trial and was convicted of aggravated assault with a deadly weapon with no intent to harm and sentenced to a 20 year prison sentence. Alexander told officers that she feared for her life. The "Stand your ground" law says, "A person who is not engaged in an unlawful activity and who is attacked in any other place where he or she has a right to be has no duty to retreat and has the right to stand his or her ground and meet force with force.". Yet a judge rejected Alexander's motion to invoke "Stand your ground" because she could have exited the home. The judge wrote there was "insufficient evidence she reasonably believed that deadly force was needed," and that Alexander's behavior was "inconsistent with a person who is in genuine fear for his or her life."

The Florida law that is responsible for the length of Alexander's sentence is the 10-20-Life statute, which says that if someone is convicted of an aggravated assault in which they discharge a firearm, they must be sentenced to 20 years in prison, regardless of mitigating circumstances. When Circuit Judge James Daniel sentenced Alexander, he declared that once the state proved its case, "the decision on an appropriate sentence" was "entirely taken out of my hands."

Discussion Questions:

1. Do you believe that Marissa Alexander had a valid claim of self-defense?
2. Do you agree with the judges decisions regarding the "stand your ground" law in this case? Why or why not? What are some of the factors that you feel might have influenced the judge's decision?
3. What do you think about the 10-20 Life statute? Is this law fair?
4. Alexander's lawyer is reported to have said: "When a woman or minority is claiming they are defending themselves, they don't get the benefit of the doubt." Rita Smith, the executive director of the National Coalition against Domestic Violence echoed this sentiment saying, "Most battered women who kill in self-defense end up in prison. There is a well-documented bias against women [in these cases]." Do you agree that this is true?