



and **OWN** | DOCUMENTARY CLUB

PRESENT

CRIME AFTER CRIME



A FILM BY YOAV POTASH

EDUCATION DISCUSSION GUIDE

With discussion questions for

General Education
Legal Studies, Public Policy, & Civic Affairs
Women Studies/Sociology
African-American Studies

Jewish Studies
Religious Studies
Film Studies
Rhetoric and Writing

www.CrimeAfterCrime.com | www.FreeFromAbuse.org

To request that the filmmaker or one of the individuals in the film attend your screening,
please contact info@crimeaftercrime.com

TABLE OF CONTENTS

ABOUT “CRIME AFTER CRIME”	3
Press quotes	3
Awards	3
OVERCOMING OBSTACLES TO FILMING BEHIND BARS	4
DEBORAH PEAGLER’S CASE IN CONTEXT	4
ABOUT THE PEOPLE IN THE FILM	5
Deborah Peagler	5
Joshua Safran	5
Nadia Costa	5
DISCUSSION QUESTIONS	6
General	6
Pre-Screening Questions	6
Post-Screening Questions	6
Legal Studies & Civic Affairs	7
Women Studies/Sociology	7
African American Studies	7
Jewish Studies	8
Human Rights	8
Religious Studies	8
Rhetoric/Writing	9
Film Studies	9

ABOUT "CRIME AFTER CRIME"

CRIME AFTER CRIME tells the dramatic story of the legal battle to free Debbie Peagler, an incarcerated survivor of domestic violence. Over 26 years in prison could not crush the spirit of this determined African-American woman, despite the wrongs she suffered, first at the hands of a duplicitous boyfriend who beat her and forced her into prostitution, and later by prosecutors who used the threat of the death penalty to corner her into a life behind bars for her connection to the murder of her abuser.



Her story takes an unexpected turn two decades later when two rookie land-use attorneys step forward to take her case. Through their perseverance, they bring to light long-lost witnesses, new testimonies from the men who committed the murder, and proof of perjured evidence. Their investigation ultimately attracts global attention to victims of wrongful incarceration and abuse, and becomes a matter of life and death once more.

"HARROWING, MOVING AND INSPIRING..."

-The Washington Post

"A MUST-SEE MOVIE."

-The Los Angeles Times

"AN INCREDIBLE INSIDE STORY."

-San Francisco Chronicle

"MAGNIFICENT."

-The New York Times

- ★ Robert F. Kennedy Journalism Award, Robert F. Kennedy Center for Justice & Human Rights ★
- ★ Golden Gate Award for Investigative Documentary Feature, San Francisco International Film Festival ★
- ★ Henry Hampton Award for Excellence in Film & Digital Media, Council on Foundations Film Festival ★
 - ★ Justice Matters Jury Prize, Washington DC International Film Festival ★
 - ★ Hillman Prize for Broadcast Journalism, Sydney Hillman Foundation ★
 - ★ Audience Award, San Francisco International Film Festival ★
 - ★ Freedom of Expression Award, National Board of Review ★
 - ★ Pursuit of Justice Award, California Women's Law Center ★
 - ★ Best Documentary, Berkshire International Film Festival ★
 - ★ Best Documentary, Spokane International Film Festival ★
 - ★ Audience Award, Berkshire International Film Festival ★
 - ★ Audience Award, Spokane International Film Festival ★
 - ★ Audience Award, Rochester Jewish Film Festival ★
 - ★ Audience Award, Atlanta Jewish Film Festival ★
 - ★ Best Editor, Milan International Film Festival ★
 - ★ Crystal Heart Award, Heartland Film Festival ★
 - ★ Audience Award, Heartland Film Festival ★
 - ★ Grand Prize, San Antonio Film Festival ★
 - ★ Grand Prize, Heartland Film Festival ★

OVERCOMING OBSTACLES TO FILMING BEHIND BARS

Stories like Deborah’s are rarely heard outside of prison walls, largely because of restrictions on media access. Only members of the press who will portray the prison in a positive light are allowed in. To film interviews with Deborah, filmmaker Yoav Potash gained entry to the prison not as a member of the press, but as part of Deborah’s legal team – the official legal videographer.

Meanwhile, filmmaker Yoav Potash gained additional access to Deborah Peagler by making a documentary about the prison’s work and rehabilitation programs, many of which Deborah led. Through the filmmaker’s persistence, creativity, and patience, Potash was able to document Deborah Peagler’s saga in and out of prison for over five years with unprecedented and exclusive access to a story that otherwise would have remained forever hidden from the public knowledge.



DEBORAH PEAGLER’S CASE IN CONTEXT

Over the last 25 years, women have represented the fastest growing sector of America’s prison population. The majority of women behind bars today are survivors of domestic violence — victims of rape, incest, forced prostitution, and other exploitation. In many cases, the abuse they suffered led to their alleged transgressions. Among the most extreme examples are cases in which a battered woman kills her abuser.

Meanwhile, the soaring costs of incarceration and the depth of the current economic recession are forcing many states to reconsider their sentencing guidelines and parole policies. In this context, the release of incarcerated survivors of abuse — many of whom have been imprisoned for decades and whose only crime was fighting for their own survival — represents a significant and politically feasible step towards reducing prison populations and restoring justice.

As misguided funding cuts now force the closure of battered women’s shelters and create situations in which victims have no safe way to escape abuse, this film becomes all the more crucial. The documentary exposes widespread problems in prosecution and sentencing, demonstrates the grounds for the release of incarcerated survivors of domestic violence, and advocates for the correction of unfair criminal justice practices. Debbie Peagler represents a population that has largely been ostracized and denied justice by American prisons and courts, and her story shows us a way forward in healing the troubled intersection of domestic violence and criminal justice in the United States.

ABOUT THE PEOPLE IN THE FILM

Deborah Peagler

Deborah was only 15 when she fell in love with a charming young man — only to then be horribly abused by him and forced into prostitution. Today, she is in prison for his murder. In her decades behind bars, she has taught illiterate inmates to read and write, led the gospel choir, and earned two college degrees. In prison she has learned that she is not alone; the majority of incarcerated women today are survivors of domestic violence. Still, she has little hope for freedom — until she meets Joshua Safran and Nadia Costa.



Joshua Safran

As a nine year-old boy, Joshua saw his mother beaten too many times to count. He felt powerless to stop the abuse, and young Joshua and his mother narrowly escaped her batterer. Flash-forward two decades: Joshua is now a lawyer and he finds that, in representing Deborah Peagler, he now has a chance to help a victim of domestic violence where he could not help his own mother. Over time, Joshua's Jewish identity also fuels his work on the case, as he finds inspiration in ancient prayers that address injustice.



Nadia Costa

In addition to being a former social worker, successful lawyer, and dedicated mom, Nadia is an ultra-marathon runner who rises before dawn to train for hundred-mile races. The stamina that she has developed through this daily practice is a great asset in her work on Deborah's case, as the battle for Deborah's freedom itself becomes a legal marathon, stretching on for years and covering the terrain of both civil and criminal law. Nadia's personal mantra of "constant forward momentum," becomes the only way that Deborah and her legal team can persevere through the difficult challenges and setbacks they encounter.



DISCUSSION QUESTIONS

General:

Pre-Screening Questions:

- How prevalent is violence against women in America?
- Are there any circumstances under which you would take questionable, or even illegal, action to protect yourself if the legal system failed to do so?
- Do you believe in the death penalty? Why or why not? If so, under what circumstances should a convicted criminal be given the capital punishment?
- Would you ever plead guilty to a crime you did not commit to avoid the death penalty?

Post-Screening Questions:

- After viewing the film has your perception of violence against women changed? Why or why not?
- Have your views on capital punishment changed? Why or why not?
- Have your views on criminal rehabilitation changed? Why or why not?
- What do you see as the main structural problems of the American criminal justice system? How could organizations or individuals help to address these problems?

Legal Studies & Civic Affairs:

- What types of recommendations would you make to help bring justice about for battered women through each of the three separate branches of government: the Executive branch, the Judicial, and the Legislative?
- Compare and contrast the existing Habeas law for victims of abuse in California (California penal code 1473.5) and New York's proposed Domestic Violence Survivor's Justice Act. (Information on both can be found at <http://www.freefromabuse.org/#/resources/>). Which do you think is more comprehensive? Why would legislators choose one approach over the other?
- How does the tension between preserving the privacy of the family and protecting vulnerable individuals play out in real-world actions and relationships? In what ways can our right to privacy serve to protect abused women and in what ways can it prevent measures of protection?
- The Los Angeles District Attorney's office unlawfully threatened Deborah Peagler with the death penalty to coerce a guilty plea to murder. Should there be consequences and accountability for those actions? If so, what should they be? Practically speaking, can accountability or consequences be brought to bear so many years later? How can individuals and organizations prevent others from being wrongfully coerced in the future?
- The film highlighted California's law allowing incarcerated victims of domestic violence to ask the courts to review their cases in light of past abuse. Do you think that legal and legislative reforms are important in improving the criminal justice system? Why or why not? Do you think such reforms could be more effective?
- Of the more than 120,000 women incarcerated in the U.S., over 80% are survivors of domestic violence, rape and other forms of abuse. What might this correlation between imprisonment and history of abuse indicate about the nature of the crimes committed? To what extent could this correlation inform ways to prevent crimes committed by victims of domestic abuse?

Women Studies/Sociology:

- As a society, we punish those who commit violence, but our heroes from movies, books, and TV shows often prove themselves through acts of violence and masculinity. To what extent is violence against women rooted in the way men and women are socialized? Does a culture of masculinity inherently render women vulnerable to abuse?
- How is violence against women portrayed in popular culture? Is it portrayed as acceptable or unacceptable? Can you cite examples of both? Which view do you think is more prevalent?
- Feminist theory examines the paradox of state power—a state that promises to protect women, while primarily maintaining the interests of men. How does this theory of state power inform issues of domestic violence? In what ways are women’s rights in negotiation with the state?
- What can organizations do to stop violence against women? What can individuals do?
- What role does hope play in Deborah Peagler’s struggle for freedom? How does she remain unembittered through the experiences of physical and emotional abuse, legal setbacks, blatant prosecutorial misconduct and, eventually, a cancer diagnosis? Through all that she suffers, do you sense that she is hopeful or bitter?

African American Studies:

- In the film, attorney Nadia Costa reminds us that domestic abuse does not just occur in South Central L.A. to young black women, but that it is just as prevalent in affluent communities. To what extent, if any, has the media and popular culture framed domestic violence as race-centric issue, primarily occurring in minority communities?
- In the film, domestic violence expert Carolyn Russell states that most people of color do not trust law enforcement. She remarks that having a perpetrator of domestic violence arrested — only to be released the next day — was common for many women. To what extent might this problem be an issue of a lack of about domestic violence within the criminal justice system? To what extent might it be an issue of institutionalized racism?
- For organizations to effectively respond to violence and abuse in a given community, what should that organization know about the community? Is it important for the organization to be sensitive to local histories and cultural nuances, or should those not matter when the issues being addressed are larger in scope? How can organizations increase their capacities to provide domestic violence services that are relevant to the experiences of the culturally diverse individuals they serve?
- How might the social and cultural context in which African American communities experience violence differ from those of other cultural communities in America? To what extent is it important to take these different contexts into consideration in addressing issues of domestic, cultural and structural violence?
- Do you see any connections between domestic violence and slavery? If so, what connections do you see? If you reject any such connections, why do you feel they are wrong or inappropriate? Does your gender influence your views one way or another?
- In what ways could organizations and individuals work to inform domestic violence service providers, criminal justice practitioners and public officials about the unique manifestation of domestic violence in the African American community?

Jewish Studies:

- In the film, attorney Joshua Safran discusses *matir asurim*, which he describes as a core principle in Judaism to “free those who have been bound.” What role does his faith play in the fight for Deborah Peagler’s freedom and justice for other victims of domestic violence?
- *Matir asurim* appears in the daily prayers as part of the *Shemoneh Esreh* (a central set of prayers traditionally recited three times per day). *Matir asurim* actually translates to mean “the liberator of the captives,” and is a description of God, or of one of God’s attributes. Joshua interprets this to mean that religious Jews have an obligation to fight to liberate those who are wrongfully imprisoned. Do you agree with this interpretation? Why or why not? Are there other ways in which Jewish scholars have asserted that humans should emulate qualities attributed to God?
- Joshua chooses to help Deborah Peagler, but she is not Jewish. Does this matter? Why or why not? Are there any Jewish values you can think of that urge Jews to care for non-Jews? Are there any Jewish values that urge Jews to ignore the suffering of others, or to simply “keep to ourselves”?
- The family value of *Shalom Bayit*, or “peace in the home,” is a fundamental ideal of Judaism, conveying domestic tranquility in the home as a sanctuary, providing for the welfare of all family members. Is the responsibility for maintaining *Shalom Bayit* equally dispersed in the home? In the Jewish community? How might religiously observant Jewish woman deal with domestic abuse in ways that are different than those who are less observant? Would they face additional limitations or have any additional support in removing themselves and their children from harm?

Human Rights:

- Domestic violence is recognized by The United Nations as a universal violation of fundamental human rights. How might organizations address female-targeted violence on a local scale? On a nationwide scale? On an international scale?
- Are there ways that domestic violence is an obstacle to the achievement of the objectives of equality, development, and peace? Can you provide any specific examples?
- At the time Deborah Peagler was arrested, do you think effective legal protections were in place for women suffering domestic violence? Did her government protect her fundamental human rights? Why or why not? To what extent was her suffering retroactively addressed by the US criminal justice system? To what extent was it ignored?

Religious Studies:

- What role does Deborah Peagler’s faith serve in her fight for freedom and justice? How is the role of her faith similar to that of Joshua Safran’s in his fight to free her? How does it differ?
- Do you think that domestic abuse occurs less, just as frequently, or more often in religious communities in comparison to nonreligious communities? Why might this be?
- To what extent might religious teachings and traditional beliefs about the roles of men and women deter domestic violence from occurring in religious communities? To what extent might these teachings and beliefs encourage domestic abuse?
- To what extent are domestic violence victims faced with both ethical and spiritual dilemmas? How might issues of guilt, duty, and safety all factor in?

- Do you think most clergy provide an effective response when approached by a member of their congregation who has been abused? Should abusive marriages be preserved?
- If an abusive person is otherwise an upstanding and generous member of a congregation, do you think people will believe or disbelieve family members when they share their stories of being abused? Could such accounts place clergy in an awkward position?
- Can clergy be trained to handle domestic violence more appropriately? Should clergy work with local domestic violence agencies, or handle situations on their own?

Rhetoric/Writing:

- Did watching the film impact your view of the death penalty at all? If so, how? What were your feelings about the death penalty before watching the film? What are they now?
- What is your argument for or against the death penalty? Why is that argument more persuasive than the opposing point of view? If you are ambivalent about the death penalty, explain why by detailing your arguments for and against it.
- What do you think is important about Debbie Peagler’s story? What is the legacy she and her team leave behind?
- Do you think more states should enact legislative changes to address the plight of battered women and/or victims of wrongful incarceration? Why or why not?
- If you had to argue in favor of releasing Debbie Peagler from prison, how would you make your argument?
- If you had to argue to keep Debbie Peagler in prison, how would you make your argument?
- Are there any phrases or rhetorical approaches in the film that stood out to you? What was the most memorable thing anyone said? Did certain lines or phrases move you, and if so, why? How might these phrases be applied in a broader context?

Film Studies:

- The special features of the “Crime After Crime” Educational DVD includes a version of the first 15 minutes of the film with re-enactments. Watch these re-enactments and compare this version of the film's first act with the version that contains no re-enactments. Which do you prefer? Why?
- What do you think are the most essential components of documentary filmmaking? How do they differ from the film industry at large?
- Should a documentary film always strive for objectivity? Can a documentary present a point of view? What are the expectations and/or limitations in documentary filmmaking?
- Discuss a documentary project you would be interested in working on. How would you conduct field research? Who would you interview? If the topic is controversial, how would you frame and address the arguments of the opposing side?