

By Donna Ferrato

Ms. Ferrato is a photojournalist who documented the hidden world of domestic violence in her book “Living With the Enemy.”

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In 2021 the New York City Mayor’s Office to End Domestic and Gender-Based Violence commissioned me to create a public art piece about the criminalization of survivors. I’ve dedicated my life as a photographer to documenting domestic violence.

As my starting point for the commission, I took a photo of the jail door in the Brooklyn Courthouse. I then worked with an architect, Margie Soo Hoo Lee, and a Colorado steel fabricator, Amanda Willshire, to build an armature so that the jail cell door could be seen by the public as a sculpture. I titled the sculpture “[Wall of Silence](#),” which I had built as a symbolic portal to make concrete what criminalized survivors go through. The “Wall” is a two-sided mirror: On one side, a prison door is etched onto the mirror so that when looking at the sculpture, you see yourself behind bars. I wanted people to imagine being in prison for the rest of their lives for defending their own lives. On the other side, there are no bars, solely my interpretation of the symbol for women and L.G.B.T.Q. people to represent intersectionality.

One of the important details of the sculpture is its location, nestled in Collect Pond Park in Manhattan between the three city courthouses: criminal, family and civil. The “Wall” is a metaphor for capturing what many thought could not be photographed: how victims of domestic violence are dehumanized, how the cycle of abuse is perpetuated by the criminal justice system.

Physical abuse is hard to capture on film. It’s even harder to show the invisible harm committed against the silenced in the name of justice. The “Wall of Silence” represents the incarcerated who are deemed guilty, and it refers to how society prefers to remain ignorant of the ways in which survivors are dehumanized.

I was ignorant, too, until one night in 1982. I was assigned by Japanese Playboy to photograph couples who epitomized glamorous lifestyles. I couldn't have found a better example than Elisabeth and Bengt, whom I'd met while doing a story on New York nightlife. He was a successful engineer and a self-made man. Elisabeth, his stunning wife, the mother of five, was the envy of everyone she met. I was attempting to show the way the couple's social life meshed with their family life. I spent a lot of time at their mansion in Saddle River, N.J., observing wild parties as well as private family moments.

No one in the family ever seemed uncomfortable with my camera. When Elisabeth hid Bengt's coke pipe, believing that it was the root of their problems, he became enraged. She wasn't allowed to act without his approval; after all, up until then, she'd always been the obedient wife. And then, in front of me, he punched her.



Bengt striking Elisabeth after she hid his cocaine. The essay's author, visible in the mirror, took the photograph in Saddle River, N.J., in 1982. Donna Ferrato

I photographed the decisive moment. The violence was seen not just through my lens but also in the bathroom mirror, which showed me framing the moment. When I presented the photos to John Loengard, the picture editor for Life magazine at the time, he said, “I always thought domestic violence was an unphotographable subject until I saw these.” Nobody wanted to publish them, so I did it myself 10 years later in my book “Living With the Enemy.”



Women at the Renz Correctional Facility in Columbia, Mo., in 1991. Donna Ferrato

Over the following 40 years of documenting domestic violence, I got as close as possible. I wrote to a prison and asked to photograph women who had killed in self-defense. I lived with the women in the prison for a few nights. They thought I was crazy, but I wasn't afraid of them. Documenting the court system was a different challenge — until I met Tracy McCarter.

To my surprise, Ms. McCarter showed up at the unveiling of “Wall of Silence,” on June 25, 2022. She was brought by a group of activists called Survived and Punished. She was in cutoffs, and I saw she was wearing an electronic monitor. When she stepped forward and introduced herself, a group of performers attending the unveiling, the [Gibney Move to Move Beyond Storytellers](#), formed a human chain around her. She stood in the middle overwhelmed by their empathy. The storytellers spoke in tongues. I fell to my knees. I said, “You’re a hero.” In my eyes, she was, because she survived the worst and lived to tell her story.



Ms. McCarter at the "Wall of Silence" in Manhattan. Donna Ferrato

I came to document Ms. McCarter's experiences in court because I wanted to see how the criminal justice system works, in a way I hadn't been able to before.

When the Covid pandemic began in March 2020, many felt their lives getting smaller. Yet forced sheltering in place didn't keep all of us safer. Rates of domestic violence increased across the world. People joked about being locked up. For Ms. McCarter, this was no joke. On March 2, 2020, she was at home when her estranged husband, James Murray, showed up drunk at her apartment and demanded money to buy liquor. Things went from bad to worse. She said he was so threatening, she grabbed a kitchen knife.

A [neighbor heard](#) her scream, "Get out. Get out. Don't ever come back here again," and later, "Don't take my purse. Give me my purse. Don't leave with my bag. I have a knife." And finally, "What did you do? Somebody help me!"

Mr. Murray suffered a stab wound to his upper right chest that pierced his lung and reached his spine. Ms. McCarter called 911. Trained as a nurse, she pressed a towel to his wound. It was chaos when the police arrived. Later on, during the court proceedings, I saw the police-cam footage from that night. A policeman was standing over, questioning her as she was crying and trying to answer his questions. She seemed to have trouble breathing and then she passed out. When she came to, she was in handcuffs and she was shocked. I saw them leading her down the stairs when she could barely walk. The police took her to the emergency room. After that, within 24 hours, she was stripped of her rights and sent to Rikers Island.



Ms. McCarter awaiting a court decision on a motion to pass bail, Aug. 30, 2022. Donna Ferrato

A well-educated and respected member of the community, Ms. McCarter trained as a registered nurse and worked at NewYork-Presbyterian Hospital. She was a mother of four grown children and shortly after her arrest, became a loving grandmother. She was financially independent and did not have a criminal record. What happened to both her and her estranged husband was a tragedy. Despite his alcoholism and erratic behavior, she still loved him. It was not her intention to take his life. Sent immediately to jail, where she fought for her own life, she never had a chance to grieve her husband's death.

Almost as soon as she was arrested, Ms. McCarter fell from grace. Various media reports shared incorrect information, some of it suggesting that she killed Mr. Murray at his home, not hers, and that she was his maid. Other reports suggested that she was trying to take his money, not the other way around. She was called a murderer by the guards. She didn't want her family to visit because she didn't want to expose them to the trauma of her incarceration. After nearly seven months, she was released and put under house arrest. For the first month, she lived at the scene of the stabbing, her old apartment. Her youngest child, Justin, left college in Texas to be with her.



A member of Survived and Punished and Ms. McCarter's child Justin comfort her. Donna Ferrato

Surviving an abusive relationship is hard to do. Many women look for protection, while others cover up the truth about the escalating violence out of shame or fear that it will make their problems worse.

Leaving an abusive partner is the most dangerous time for the abused. To get away alive is a testament to survivors' courage and finely developed survival instincts. As reported by the Vera Institute of Justice, [77 percent](#) of women in jail have experienced intimate partner violence. In New York, two-thirds of the women incarcerated [in 2005](#) for killing someone close to them had been abused by that person. Proving immediate danger and that one acted in self-defense is the challenge.



Ms. McCarter consults with her lawyers Tess Cohen and Alexandra Conlon. Donna Ferrato

It's especially challenging when there's the inference that because of the color of your skin, you're more of a threat. Ms. McCarter had to be strong. Her character was forged in poverty. She had her first child when she was 15. She built her life on her own, without family support, finishing high school and putting herself through college. She believed, even when she was incarcerated and awaiting trial, that the truth would set her free. Ms. McCarter was never in favor of a plea deal, but her lawyers and prosecutors tried to push for one. The State Supreme Court judge, Diane J. Kiesel, ultimately refused.



A member of Survived and Punished, right, addressing the court when Ms. McCarter's bail was posted. Donna Ferrato



Justice Diane J. Kiesel. Donna Ferrato

The campaign to keep Ms. McCarter from being convicted gained public support when Alvin Bragg ran for Manhattan district attorney. Powerful advocacy groups like Color of Change threw their full weight behind him. He campaigned on the promise that the prosecution of Ms. McCarter, a battered woman with no prior convictions, was unjust. His voice went silent after he won the election. The advocacy groups supporting her took every opportunity at his public appearances to keep him to his word.

[Survived and Punished](#) sent a letter to Mr. Bragg demanding he drop the charges against her. The letter was not only delivered to him but also printed twice in The New York Times by Color of Change. In October the group sponsored a rally in Foley Square, near Collect Pond Park, with protesters and activists who had collected more than 20,000 signatures supporting Ms. McCarter's acquittal.



Ms. McCarter, with her son Brandon and a member of Survived and Punished, going to court before the Manhattan district attorney moved to dismiss the charges against her. Donna Ferrato

In November, Mr. Bragg asked the court to drop the charges and it was up to Justice Kiesel, to give her final word. At the last hearing, the tension between Mr. Bragg and Sara Sullivan, an assistant district attorney who led the prosecution against Ms. McCarter, was ominous. Ms. Sullivan seemed to do everything in her power to try and get Ms. McCarter convicted, even though it meant going against her boss. Mr. Bragg was visibly conflicted. Photographers and videographers with heavy tripods and big lenses filled the press box and watched the standoff between the judge and Mr. Bragg. He gave his statement, explaining why he would not continue the people's case against Ms. McCarter. The judge's face was a mask of displeasure, though she accepted his decision and later [dismissed the case](#). The press coverage of her case and the tremendous pressure on him culminated in an atmosphere so charged that there was no way for him to wriggle out of his campaign promise. Her case will most likely be closed at the end of January. Now is her time to heal, properly grieve the death of her husband and take back her life.



The Manhattan district attorney, Alvin Bragg, explains to Justice Kiesel that he doesn't have enough evidence to proceed with Ms. McCarter's trial. Donna Ferrato



Ms. McCarter on a video call with members of Survived and Punished on Nov. 29.
Donna Ferrato

I would have never met Ms. McCarter if it hadn't been for the "Wall." She showed me how the criminal justice system disproportionately criminalizes the people it should protect — Black and brown survivors of domestic abuse.

[Donna Ferrato](#) is a photojournalist based in New York City known for her groundbreaking documentation of the hidden world of domestic violence in her 1991 book, "Living With the Enemy."

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A correction was made on Jan. 3, 2023: An earlier version of this article misstated Sara Sullivan's position. She is an assistant district attorney for Manhattan, not an assistant attorney general.