

## Paralyzed in Paradise

BY AMY SILVERMAN  
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[amy.silverman@newtimes.com](mailto:amy.silverman@newtimes.com)

### Just when things couldn't get any worse for Heather Grossman—they did.....

Heather Grossman tells a classic tale of domestic abuse. She says her husband John spit in her face, slapped her, tossed garbage on her bed, threw bags of dog feces at her, smeared food on her face, locked her in a bedroom away from her children, threatened the kids and called them names. When she forgot to buy John's favorite red licorice or chocolate-covered soy nuts, she says, he screamed for hours.

"Every morning I would cry. Every night I would cry. He would come and yell at me in the morning. The kids left a box of cereal out, or the dog got in the garbage," Heather recalls.

"I ran this house... I took care of the kids, ran the kids by myself. Took calls for John, I took care of errands for John. I did anything to try to keep him happy, and nothing did. Nothing did."

She would have walked away, Heather says. If she could have.

The twist on this classic is that Heather Grossman is a quadriplegic – paralyzed from the neck down. She relies on a team of round-the-clock nurses to tend to her every need, from her breathing to her bowels.

Because she is unable to move, let alone physically defend herself, the abuse by her husband is even more serious in the eyes of the law. Nurses have witnessed it; the police have documented it.

John Grossman won't talk about his relationship with Heather. Through his attorney, Fred Petti, he denies all charges of abuse.

John was trained to take care of her when a nurse was not present. But Heather alleges he often didn't – that he refused to suction mucus from her lungs, that he crammed food into her mouth, stabbed her with a fork, left her unattended for dangerously long periods of time.

When Heather complained to John, she says he threatened to send her children to foster care and put her in a nursing home, where, he assured her, she would be sexually abused.

The threat of a nursing home had weight. Heather's in-home medical care alone costs more than \$250,000 a year, and John's millionaire father foots the bill. Estranged from her parents, with no money of her own, Heather says she had no choice but to endure the abuse. Her nurses eventually told the Paradise Valley Police Department, which launched an extensive investigation. Initially, like many victims, Heather and her children denied the abuse. But Heather finally got in touch with her parents -- calling them in secret with a nurse's help, in the dark so surveillance cameras wouldn't tip John off. She was able to have John removed from the house and file for divorce.

*Kevin Scanlon*



Last December, the police turned over a 1,000-plus-page report to the Maricopa County Attorney, recommending multiple felony charges against John. Detective Michael Cole, who has 14 years' experience in law enforcement, says it's the most detailed case he's ever worked on, one of the best substantiated -- and "one of the most egregious."

Paradise Valley only recommended felony charges in instances where what Heather and the kids told the cops was corroborated by third parties.

But in March, the county attorney declined prosecution, giving the police a flat turn down, without a request for more information. In April, County Attorney Rick Romley made headlines with a much-touted report on Child Protective Services and his contentions that abuse of children should not be tolerated.

Heather's parents have given the County Attorney's Office additional lists of witnesses. They've written to Governor Janet Napolitano and Attorney General Terry Goddard. Napolitano's office offered referrals to victims' rights groups, but otherwise they've gotten no response.

The Paradise Valley police have the option of filing misdemeanor charges in city court, but both the cops and Heather feel the alleged abuse warrants harsher punishment for John Grossman.

Time is running out. The statute of limitations for filing charges is one year; the last incident of alleged abuse was June 2, 2002.

Ralph and Florence Stephens, Heather's parents, say the abuse was close to deadly, that the stress of the situation alone was too much for Heather to endure. When they arrived in Paradise Valley last year, their 5'5" daughter weighed 93 pounds. Her blood pressure was soaring and she'd had pneumonia twice.

"When she called me," Florence remembers, "she said, Mom, I'm not going to last a year."

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Florence Stephens had already watched romance apparently lead to tragedy once in her daughter's life.

Heather's first husband, Ron Samuels, has been charged with orchestrating the shooting that left her a quadriplegic and almost killed her.

In October 1997, Heather stood before a judge in Boca Raton, Florida, and told him that her ex-husband was going to kill her. For years, Heather had been embroiled in an ugly custody battle with Samuels. Recently, she had been getting death threats and hang-ups by phone at her home, which she shared with her three children and new husband, John Grossman.

A week later, Heather and John were stopped at an intersection, on their way to lunch at a Chinese restaurant in Boca Raton, when a green Ford Thunderbird pulled up alongside their black Lincoln Continental. A man stuck a rifle out the window and shot Heather in the neck. Another bullet grazed John's chin and lodged in the door.

The men in the Thunderbird were caught easily. They cut a deal

*Kevin Scanlon*



**Ralph and Florence Stephens have moved to Arizona to care for their daughter and grandchildren.**

with local law enforcement, turning in the man they said had hired them: Ron Samuels.

Samuels was eventually indicted for the crime but has never been brought to trial. He had fled to Mexico, where he was sent to prison for cocaine possession, a charge unrelated to the Florida incident. When he gets out this November, authorities say they hope to have him extradited to Florida where he'll face charges in the Grossman shootings.

John underwent several reconstructive operations on his jaw.

Heather barely survived. She spent weeks in the intensive care unit of a Florida hospital, and when she was flown to a rehabilitation hospital in Denver, it was in the middle of the night under the assumed name of Kaufman. The family lived in secrecy for months, with bodyguards.

In the spring of 1998, the Kaufman/Grossman family left Colorado for La Jolla, California. John had wanted to return to Florida, Heather recalls, but the police said it was too dangerous. Samuels had not yet been indicted. La Jolla proved too expensive, even for trust-fund-fed John, and the weather was chilly for Heather, whose injury keeps her constantly cold.

So Heather, John and her kids -- a 10-year-old boy and 8-year-old twins -- moved to a \$1.6 million home in Paradise Valley, not far from the winter home of John's father, Bud Grossman.

John had yelled at her and the kids from the start of the relationship, Heather now says, but the abuse really didn't get bad until they moved to Arizona. She's still not sure why.

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One thing is certain. Heather Grossman has not been lucky in love. She sits in the kitchen of her Paradise Valley home -- not hers for long; the court has ordered her to move out by October -- and watches her kids play in the backyard pool one afternoon in late April, a few days after her 37th birthday.

The home is gorgeous in a prepackaged way, all marble and flagstone. The furnishings -- taupe throughout -- look like they were bought all at once, and about the only decorating accent is shelves of fancy clowns. Outside, the grass is a perfect, blinding bright green, trimmed with purple bougainvillea.

Heather's pretty blond hair is arranged in bangs over the cloth band that straps her head to the back of her wheelchair; a chenille blanket rests on her lap. She is still beautiful in the same way that Christopher Reeve -- the actor who suffers from an almost identical spinal injury -- is still handsome. Her cheeks are sunken and her pale blue eyes wide in a trapped face. Her voice is surprisingly strong, although it takes a while for Heather to get the words out, as she has to pause often to breathe, which she does with the help of a ventilator.

She clearly appreciates life's niceties. Her long nails are manicured a perfect salmon, a Louis Vuitton bag is attached to the back of her wheelchair and her earrings bear the double-C logo of the designer Chanel.

Not bad for a girl from Anoka, Minnesota. Heather Marie Stephens' roots are decidedly middle-class, she says. Her parents worked assorted jobs for years until recently getting into shoe sales. (They market rubber clogs.) Heather was a competitive gymnast and a cheerleader in high school. The family, which includes younger sister Tiffany, traveled a lot when the girls were young, and further travel was Heather's main life goal. She studied international business at

Concordia College in Moorhead, Minnesota, leaving to become a flight attendant for Eastern Airlines.

Heather met Ron Samuels on a flight from Salt Lake City to Atlanta. She'd never made a date on a flight before, Heather says, but Ron was so nice. Both were immediately smitten, she says. He lived in New York, and they had a long-distance relationship for a couple of years, before marrying and moving to Pensacola, Florida, where Samuels bought a Toyota dealership.

Seventeen years her senior, Ron was eager for children. Heather had her first immediately, quickly followed by the twins.

Ralph and Florence Stephens were initially skeptical about Ron, who was so much older than Heather -- and considerably wealthier.

"You know, this was a young girl from Minnesota," says Florence, who has a no-nonsense attitude and blue eyes that match her daughter's. Both of Heather's parents speak with the lilting accent of characters from the movie *Fargo*.

"We grow up different," Florence continues. "And I think basically Heather was swept off her feet by this guy who could buy what she wanted, take her where she wanted to go. We weren't overly impressed, but he tried really hard. He tried really hard to make us like him."

And for a while, they did, Ralph says, recalling Ron as "genuinely generous. He bought Heather wonderful, beautiful things. He took her all over the world."

Amazingly, the Stephenses have nicer things to say about Ron Samuels -- the man who allegedly had their daughter shot -- than they do about John Grossman. Ralph says he had a bad feeling about John from the start.

Heather left Samuels after about four years of marriage. She says that although he was eager to have children, he was obviously jealous of them, and had outbursts in which he held a gun to her head and hit her.

"I became afraid of him, and I worried about the kids, and I wasn't happy," she says between breaths on the ventilator. "So I decided to get a divorce."

She says Samuels stalked her, following her first to Minnesota, where she relocated with the kids.

She met John Grossman in Minnesota, through a friend. John's father, Bud, is widely considered one of the richest men in the state. He created Gelco Corporation, a successful truck leasing company that he sold to General Electric in 1987, reportedly for \$1 billion. Bud was also, until recently, a co-owner of the Minnesota Vikings. (Bud Grossman refused to comment about Heather and her allegations.)

Heather and John moved together to Boca Raton. Heather says John told her he ran a music promotion company called Major Entertainment. But for the most part, she says, he lived off of his trust accounts.

John was good and kind initially, Heather recalls. Like Ron, he was older (16 years older) and generous. But they soon started bickering and split up for a while. She returned to Minnesota with the kids. Ultimately, he proposed and she accepted, moving back to Boca Raton. The two were married June 8, 1997, in a pretty wedding in nearby West Palm Beach.

Ralph Stephens says he almost didn't come to the wedding -- that's how much he disliked John -- but he didn't want to hurt Heather's feelings.

Just four months later, Heather and John were shot. Heather's mother flew down to Florida to care for the children for several weeks. She says John treated her poorly, yelling at her and the children, refusing to allow her to use the phone or visit Heather.

Then the Grossmans moved to Denver so Heather could undergo rehabilitation at Craig Hospital, and Florence returned to Minnesota. She was surprised to get a call from John, asking her and Ralph to come to Denver. He said he had a free apartment for them, and had already rented furniture.

So the Stephenses locked up their house and moved to Colorado. The relationship quickly deteriorated. They say John wouldn't allow them to see their grandchildren.

Heather recalls that John complained to her that her parents were "idiots," that he didn't want them around.

"I said, Don't yell at me, John, because you're the one who wanted them to come here."

One day, about six weeks after the Stephenses had come to Denver, Florence showed up to visit Heather.

"John came in yelling, Get out of the hospital. You're not allowed," Heather recalls. "I was crying and she was crying. [I said,] Mom, don't listen, don't go. Stay here.' And then she left."

Florence remembers saying, "Heather, it's just better if I leave."

The Stephenses say they called John's home after that, asking to speak to the kids. The baby sitter refused to allow it, saying she'd get fired. For a while, the Stephenses would call the hospital at night, to check with the nurses on Heather's progress. The nurses would put Heather on the phone. But if John happened to call while Heather was talking to her parents, he would badger the nurses about who she was on the phone with -- and yell at her about it later, she says.

"I said to my mother, I love you and Dad, but this is causing me more problems . . . and I just don't know if I can handle what I have to go through when he finds out I'm on the phone talking with you guys," Heather says.

"And that's the last talk I had with my mother."



**Heather and John Grossman, after the shooting that left her paralyzed.**

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Nurses came and went quickly in the Grossman household, Heather says, estimating that over a four-year period she had as many as 40 or 50 come through the door. Heather says one nurse left a restaurant where John was berating her, and they found him vomiting by the handicapped van -- he was that stressed out. Her nurses told her they had nightmares, and one wanted to carry a baseball bat at work.

Some didn't make it past their training. Heather recalls one nurse who just didn't show up for his first day of work. It was Mother's Day, and she was supposed to go out to brunch. The nurses always left because of John, Heather says.

"John always blamed it on me or blamed it on the kids, and when I'd try to tell him . . . it would make him real mad. He didn't see it, he wouldn't believe it," she says.

John was so rude to her friends that they stopped visiting, Heather says. She was terrified to complain to anyone.

"I thought that if I said that John was doing this, and he was put in jail, I wouldn't get my medical care. And I'm in such a high level as a quad . . . I wouldn't live in a nursing home. They wouldn't know how to take care of me."

And she worried all the time about what would happen to the kids.

Cathy Danzinger worked for the Grossmans from April 2000 to February 2001. She tells *New Times* she ultimately quit her job after the police told her she was in danger; she says John suspected that she had called Child Protective Services to report him (she says she hadn't) and she was afraid he would harm her. Danzinger had also gone to the state nursing board twice, she says, to ask for advice; both times she was told to leave her job, that her safety was in jeopardy.

Danzinger says John abused the kids both physically and verbally.

"A lot of slapping, a lot of hitting, a lot of rough playing . . . where he would use his knuckles," she remembers.

The children would often cry. Danzinger tried to pick up after the kids, to keep them from getting in trouble with John.

"They couldn't have musical instruments, he would take their stereos away from them, he would take their GameBoys away from them."

When she could, Danzinger put the kids to bed, hugging them and stroking their hair. She got them up in the morning, hoping to get the day off to a smooth start without incurring John's wrath.

"They went to bed in fear and they woke up in fear, the same way that Heather did," she says.

Terrie Vevea, a childhood friend of Heather's (and maid of honor at her wedding to John) who visited the Grossmans in Paradise Valley, recalls similar behavior. She says she didn't witness John physically abusing Heather, but saw other behavior she found childish and abusive.

One time John came in from cooking on the barbecue, and got upset because the potato chips had been put away. He berated Heather for putting them away without asking first if he wanted any.

Heather apologized profusely.

"His remark was, 'You're always sorry, Heather,'" Vevea recalls. "Not having your chips out is not that big of a deal. That's the



**Heather and John Grossman, on their wedding day.**

piece that was weird about it."

She says the children were clearly very frightened of John, that he would often tell them they were "acting like a Samuels" -- like their father.

Danzinger says she heard similar comments. "When they would do something he thought was wrong . . . he would always say that, to their face, You're just like your father, you're no good. And maybe I should send you to the prison to see your father and maybe they'll keep you."

Eventually, Vevea stopped visiting, later admitting to Heather that she didn't feel comfortable around John.

Danzinger says she hated coming to work from the beginning, but she did it for Heather. The two became close, spending hours alone at night, during which Heather would confide her fears and depression. It took Danzinger almost a year to persuade Heather to call her mother; the nurse believed John had lied to Heather when he told her that her parents didn't want to be around her.

"We did come to find out from her parents that John all but chased them off in Colorado," Danzinger says.

The first time they called Florence Stephens, Danzinger recalls, John was out of town. Other times, Danzinger would turn out all the lights so that John couldn't watch Heather make the call. He often monitored her activities with video cameras he had installed in her living quarters.

In the initial phone call -- sometime in 2001 -- Heather just told her mother she missed her. "She had no idea where I was or what was going on and I really just talked to her, you know, I miss you and I wish I could see you.' I didn't say anything about how John was treating me or the kids. I didn't want her to worry."

The Stephenses say they had had no idea where Heather and the kids had been. Slowly, Heather let on that she was unhappy, and her parents started calling the nurses and asking them what was going on. A few months later, in August 2001, when John was out of town for a few days, Florence flew out to Arizona.

John later found out about the visit, when Heather's daughter slipped and mentioned it, and he yelled at her.

By early 2002, Heather had made up her mind to leave John. She called her parents and asked for money for a divorce lawyer.

In June 2002, just days before Heather and her parents had planned to have John served with an order of protection, John locked Heather, her daughter and her nurse in Heather's living quarters. Heather needed bottled water to take her pills, and the nurse, Denise Foster, called him on the intercom, begging for water. John refused, according to police interviews with Heather and Foster, and later returned with a five-gallon bottle, which he shoved in the room without a dispenser. Again, Foster asked for water and a glass. Again, John refused. Ultimately, she called 911; John hung up the phone, but the call went through.

The police came. The nurses were terrified. Foster later told police, according to reports, that she didn't want John arrested; she was afraid he would come back and kill Heather and the children.

John berated Heather all night because of the call, she says. Days later, he was finally escorted from the house.

Heather was "overjoyed," she recalls, but still scared. She called a locksmith immediately.

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The Paradise Valley Police Department finally wrapped up its investigation into John Grossman and sent it to the County Attorney's Office in December 2002.

Initially, Heather had told the police that nothing was wrong. In February 2001, Child Protective Services and Adult Protective Services both investigated, and again she denied abuse. So did the children, who later told police they were terrified to talk. Heather told them the same thing. It was only after she contacted her parents and the abuse continued to escalate that she finally got up the courage, she says, to admit what was happening and ask for help. A year later, she did tell an Adult Protective Services worker about John spitting on her, according to the police report.

Initial reluctance on the part of a domestic violence victim "is very common, and if you talk to any of the victims' advocates for these types of crimes, it's something you would expect to see," says Paradise Valley Detective Michael Cole, who conducted an investigation along with Detective Don Fanning.

Victims' advocates interviewed for this story agree.

Another common problem in such investigations is that often there are no witnesses to the abuse, other than the husband and wife -- leading to a "he said, she said" scenario that is difficult to base charges on. That is why, Cole says, police were careful only to recommend prosecution based on incidents that could be backed up by adult third parties who had been told of the abuse at the time by Heather, had seen her injuries or had witnessed it firsthand.



**Maricopa County Attorney Rick Romley, whose office refuses to prosecute John Grossman.**

The police conducted a lengthy interview with Heather, and spoke with several of her nurses, all of whom said they had observed physical or verbal abuse.

Police also had the children interviewed by a specialist; all three admitted that they were afraid of John, that they had seen him spit on their mother, lock her in her living quarters, refuse to suction her lungs and cram food into her mouth. They said John regularly yelled at them and at their mother, locked the girl out of the house at times and that John's rough play sometimes bordered on hitting. At the time of the interviews, the twins were 11 and the older boy 13.

John refused to be interviewed by police.

In December 2002, police recommended felony charges stemming from the following alleged incidents:

- In about January 2001, John bruised Heather's lip while trying to force food into her mouth, against her will. Three nurses saw the bruise and told police about it.

Recommended charges: Aggravated Assault, Domestic Violence and Vulnerable Adult Abuse.

- In about May 2001, John removed Heather from the care of her nurse, and put her in the master bedroom, where he yelled at her, called her names and poked his finger into her chest several times, leaving bruises. Heather repeatedly told John that she was having difficulty breathing and

needed her lungs suctioned. John refused and refused to get the nurse. When the nurse saw her again, he told police, Heather was very upset and needed to be suctioned. The nurse told police he saw bruises on Heather's chest a few days later. Another nurse also saw the bruises. In addition, Heather's daughter said that John poked Heather in the chest and caused bruising.

Recommended charges: Endangerment, Aggravated Assault, Unlawful Imprisonment, Kidnapping, Domestic Violence and Vulnerable Adult Abuse.

- In about February 2002, according to the report, "John spit on Heather's face while they were out to dinner. When Heather told John he was being abusive John reached over and grabbed Heather's face in his hand. When he did this he scratched Heather's face causing it to bleed."

Both Heather's nurse and personal assistant saw the scratch; Heather told them John had caused it.

Recommended charges: Aggravated Assault, Aggravated Domestic Violence and Vulnerable Adult Abuse.

- In about April 2002, John became angry and was chasing Heather's daughter and calling Heather a "cunt." According to the report, "Heather told John to stop because he was scaring [her daughter] and John spit on Heather's face." Heather told her assistant to call 911, but John stepped in front of her to stop her.

Both Heather and her assistant, Cassie Malone, related this incident to police.

Recommended charges: Aggravated Assault, Obstructing Criminal Investigations, Aggravated Domestic Violence and Vulnerable Adult Abuse.

- In about April 2002, John threw garbage on the floor and bed of Heather's room. Two of Heather's nurses told police they recalled this incident.

Recommended charges: Harassment, Aggravated Domestic Violence and Vulnerable Adult Abuse.

- In about April 2002, John called Heather and told her he was "going to emotionally kill her." Heather's nurse heard the call.

Recommended charges: Aggravated Domestic Violence, Vulnerable Adult Abuse and Harassment.

- Sometime between February and May 2002, "John was angry with Heather and threw her onto her bed without supporting her head or neck."

Heather and her nurse both related this story to police.

Recommended charges: Aggravated Assault, Aggravated Domestic Violence and Vulnerable Adult Abuse.

- In about May 2002, John confronted Heather's nurse, Denise Foster, for being in the main quarters of the kitchen, getting Heather some breakfast. "John then went back to Heather, stuck his middle finger into her face touching her nose, and told her, Fuck you, I'm sick of this shit. I don't want your nurses in my house."

Heather and her nurse both related this story to police; Heather had told the nurse about it at the time.

Recommended charges: Aggravated Assault, Harassment, Aggravated Domestic Violence and Vulnerable Adult Abuse.

- On June 2, 2002, John locked Heather, her daughter and nurse Denise Foster into Heather's living quarters, refusing to bring them bottled water so Heather could take her pills.

"John then became belligerent toward Foster, and stopped her from calling 911 by grabbing the phone away from her twice."

Recommended charges: Obstructing Criminal Investigation, Harassment and Aggravated Domestic Violence.

In addition, the police heard from Heather and her nurses about dozens of incidents that did not result in charges being recommended. Cathy Danzinger told police she had seen John bring the children to tears several times, roughhousing with them, and refusing to stop, and had seen bruises on them.

*Kevin Scanlon*



**Paradise Valley Police Detective Mike Cole calls the alleged abuse in the Heather Grossman case "egregious."**

Nurse Denise Foster told police that one night Heather related that John had slapped her in the face with a magazine, during a fight in which he told her to lie to CPS. Foster heard John yelling at Heather, but did not witness the fight.

Five adults -- Heather's nurses and assistants -- told police they had seen John spit on Heather. All three children said they had, as well. Cathy Danzinger tells *New Times* she wiped spit from Heather's face. She didn't see John spit at Heather, but says Heather doesn't have the lung capacity to spit on her own forehead.

Heather and her kids say that once, when her daughter didn't clean up after the family's dog, John bagged the dog feces and threw the bags at Heather.

Heather's personal assistant Suzanne Price told police she saw John push Heather's wheelchair against the wall and make her wait for 30 minutes for a nurse to come even though she'd said she needed her lungs suctioned. Price also told police she'd seen John grab Heather's son by the ear and drag him through the house crying because he was not wearing a jacket.

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On March 27, the Maricopa County Attorney's Office declined to prosecute John Grossman.

In a brief notice sent to Paradise Valley police, Doug Schwab, the prosecutor assigned to the case, wrote, "There is no dispute that Ms. Grossman has suffered through tragic events and found herself in a dysfunctional environment."

But, he continued, Heather Grossman's credibility was in jeopardy because she had previously denied abuse when asked about it by Child Protective Services, Adult Protective Services and the Paradise Valley police. Schwab also cited a lack of "direct evidence" of abuse and said the police interviews didn't back up the charges recommended.

In addition, Schwab cited a document provided to Paradise Valley police by John Grossman's attorney: a court order from Heather's first divorce. Heather was held in contempt in Florida for lying to the court during divorce proceedings. According to the citation, Heather lied when she told the court her ex-husband had not discussed her having an eating disorder with her doctor; lied when she said she did not have plastic surgery; and lied about where she stayed during a 1992 visit to Florida.

Heather pleaded not guilty; she was sentenced to 48 hours in jail for contempt.

That incident further mars Heather's credibility, Schwab wrote.

Last week, the County Attorney's Office released a 17-page internal report by Schwab, detailing his reasons for turning down the case. He elaborated on the issues listed above, and also mentioned that John Grossman's attorney had provided an interview with one nurse who said that during the time she worked for the Grossmans, she saw no abuse.

Grossman's attorney, Fred Petti, acknowledged that he conducted a private investigation that he shared with the County Attorney, but refuses to discuss it or provide any written documentation to *New Times*.

"I was very surprised that no charges were filed," Detective Cole says. He says he knew the county attorney might not agree with all of Paradise Valley's conclusions, but figured that some charges would be filed.

"There are several people who have claimed to have witnessed abuse in one form or another. That makes me wonder why charges weren't filed."

Carolyn Ham wonders the same thing.

Ham is a staff attorney at the Battered Women's Justice Project. Based in Minneapolis, Minnesota, the organization offers training and advice for the best practices in dealing with domestic violence. Ham previously worked for the Minnesota Attorney General's Office, on cases involving abuse and neglect in nursing homes. She was also a county prosecutor.

She reviewed the 43-page narrative prepared by the Paradise Valley Police Department.

"God, I'd love to have this case," Ham says. "When I read this, I thought, More than one witness? This is heavenly.' . . . The woman is not mentally deficient in any way. She's a credible witness. And then you've got all these people who saw it or saw the bruises. I was astonished."

Perhaps not all of the recommended charges apply, she concedes, but "I certainly felt like there was enough to go ahead with several felonies."

Margaret Nosek, the executive director of the Center for Research on Women With Disabilities and a professor at the Baylor College of Medicine in Texas, also reviewed the police narrative. "In my judgment, the charges of domestic violence, kidnapping, reckless endangerment, etc., are completely consistent with the evidence and eyewitness accounts," she says. "[Police] may wish, however, to consider a charge more serious than reckless endangerment. When someone refuses to perform a life-critical task like bronchial suctioning with the intent to injure an individual who is physically unable to defend herself or perform the task unaided, that is quite a bit closer to homicide than it is to endangerment."

Carolyn Ham acknowledges the credibility issues associated with the initial denial of abuse, the contempt charges, even the fact that often the nurses didn't witness the abuse firsthand, but learned of it from Heather soon afterward and saw bruises and scratches. Even so, she says, she would proceed with the case.

"Independent people who were nurses in the home who witnessed the kind of treatment of her, who witnessed the bruising afterward," are critical to proving the case, Ham says. "There's so much corroboration from the other people, who had no motive to lie."

She adds, "Of course, the beauty of it is [Heather] can't move. So how does she get these bruises? We can establish he was with her. And then a short time later, the bruises show up."

But Rachel Mitchell, the bureau chief of sex crimes and family violence for the Maricopa County Attorney's southeast division, and Doug Schwab's boss, says accounts of what happened differ enough to make proof difficult. And without a likelihood of prosecution, her office won't take a case.



**Heather on her wedding day with John's father, Bud, and stepmother, Beverly.**

Mitchell acknowledges that domestic violence victims' testimony often changes, but says what usually happens is that an alleged victim will make an allegation, then recant. In Heather Grossman's case, the opposite happened -- and Heather didn't come forward with allegations until after she'd filed for divorce. Heather says that's because she feared for her safety and her children's safety, but Mitchell says it speaks to her credibility -- or lack thereof.

Fred Petti, John Grossman's attorney, alludes to the same issue in the only statement he made on behalf of his client.

"What happened to Heather and John on October 14, 1997 [the day they were shot], was tragic. It forever changed both their lives. Sadly, their marriage is coming to an end. And in the context of those divorce proceedings and the suit for money damages, allegations of abuse have been leveled against John. John categorically denies those allegations," Petti says.

Cole says that in situations such as these, many times prosecutors will come back to police and ask for additional information. That didn't happen this time; he got a flat refusal and the recommendation that he file misdemeanor charges in town court.

But in a letter dated March 27, Schwab wrote to Heather, telling her of the decision and recommending that she send any further information she might have to Cole. Cole now says he wishes he had known of this sooner, because he could have continued his investigation.

Schwab also told Heather that county attorney staff would meet with her but she would have to contact the office by April 10. Ralph Stephens says he called the office on April 9 but has yet to get a call back.

Mitchell says she didn't know that Heather was trying to reach her office, and still would be happy to meet with her.

An April 9 letter to Governor Janet Napolitano and Attorney General Terry Goddard has also garnered no response, Ralph Stephens says. Dan Levey, adviser to the governor on victims, says he did speak with Stephens by phone, and that while he didn't follow up with a letter, gave Heather's father some referral numbers for victim assistance organizations.

Now, it is getting very late in the process -- the statute of limitations will run out on June 2.

Heather Grossman and her parents refuse to give up.

They have driven around town to the restaurants Heather and John used to frequent, looking for wait staff who recalled John abusing Heather in public.

Matt Kuhn, a former manager at the Bamboo Club in Phoenix, remembers the Grossmans well. They were frequent customers, he tells *New Times*.

"I think it was obvious to a lot of people who spent time [waiting on the Grossmans] that this was most likely an abusive relationship," Kuhn says. He says he never witnessed any physical abuse, but did hear John talk down to Heather and berate her.

"I really like Heather, and just the way that he treated her, particularly in the condition that she is in, was really horrible," Kuhn says. "I certainly did see some things that I would consider psychological abuse, but you know, I'm not an expert."

Kuhn says he doesn't recall specifics.

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Heather's marriage to John is far from over. The Grossmans are in the middle of a bitter divorce, and Heather has filed a civil suit against John for alleged abuse. The divorce case was sealed at John's request (Heather says she was never asked about it, and is trying to fight to have it reopened) and John has now asked that the civil case be sealed as well.

Bud Grossman is still paying Heather's medical and nursing bills. But a judge has ordered Heather and her family to be out of the Paradise Valley house by October, and at the current \$2,500 a month she's receiving from John, she doesn't know how she'll pay her family's living expenses.

(Robert Jensen, John's divorce attorney, estimates that his client has been paying an additional \$10,000 a month in house-related expenses; the Stephenses have been ordered to pay \$600 a month to John for the mortgage.)

There is also a bitter custody battle over the Grossmans' dog, a German shepherd named Raider.

Even so, Heather Grossman's health has improved dramatically in the past year. She now weighs more than 100 pounds, her blood pressure is normal and she has a lot less stress in her life.

The household bustles with teen activities -- Heather and her nurse take her daughter to get acrylic nails, her son to buy trading cards. Florence Stephens' 14-year-old grandson plops down on grandma's lap, asking for a back scratch. Normal family stuff.

There was nothing normal about John's relationship with Heather, her parents say. One has to wonder why he'd bother to stick around, but Florence isn't surprised at all.

"Think about abusive people," she says. "What do they do? They control your life. He never had it so good in his whole life, because there was nothing she could do. It's called total control. And if you don't do what I want, your kids will suffer.' That's what he told her. She said, Mother, if I'd been able to walk, I would have been out of there. I never would have stayed in that marriage."