Enhancing System Responses to Stalking

Sandy Bromley

Stalking resource center

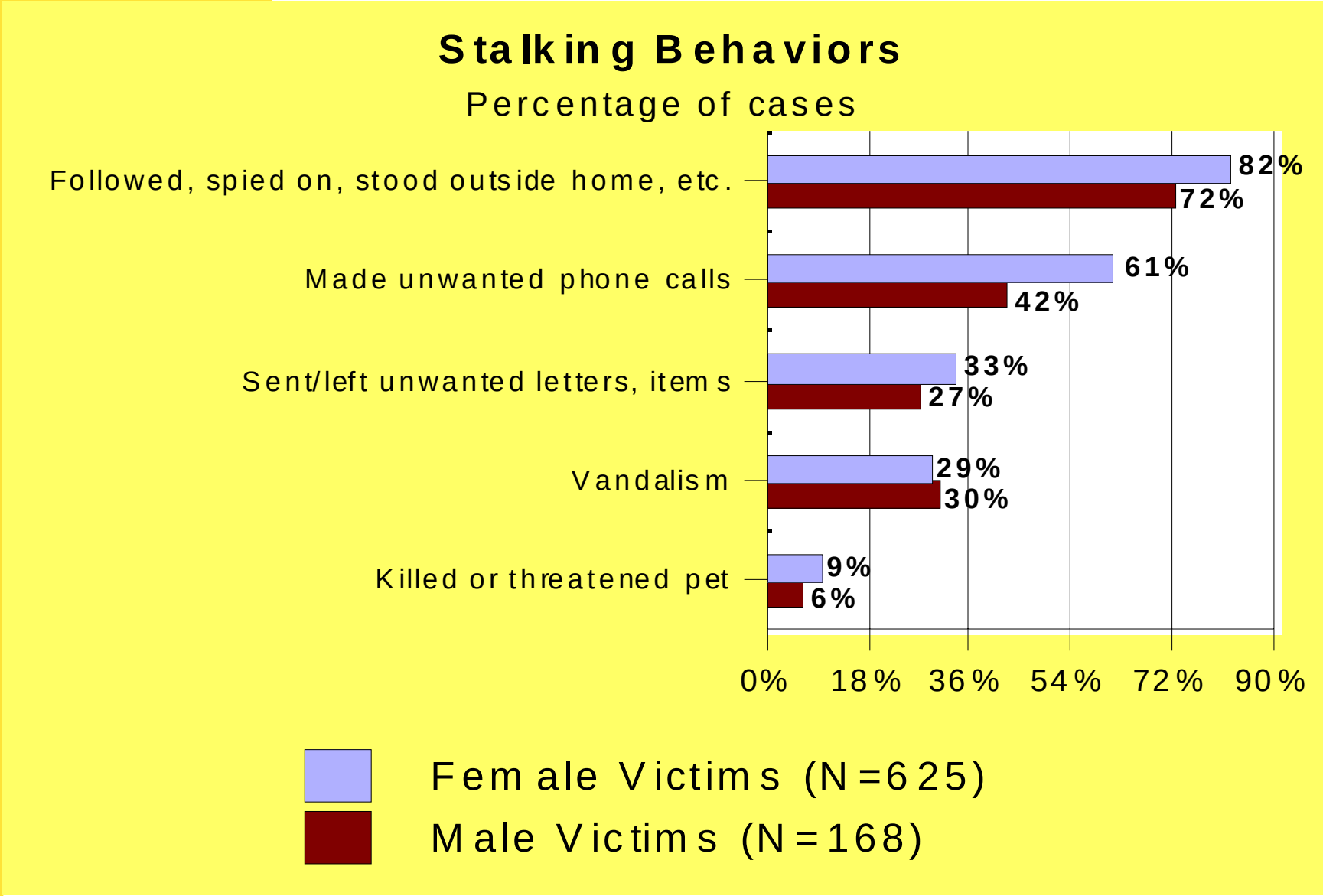
THE NATIONAL CENTER FOR Victims of Crime

Dynamics of Stalking

- Stalking cases are often hard to identify
- Stalking doesn’t just happen to celebrities
- Stalking can be dangerous
- Stalking crimes often intersect with domestic violence & sexual assault crimes

What is Stalking?

Pattern of behavior directed at a specific person that would put a reasonable person in ***fear***



(*National Violence Against Women Survey*, Tjaden & Thoennes, 1998)

Stalking Behaviors

- Stalker placed a global positioning system on his wife's car to track and record her location

  (*People v. Sullivan*, 2002 CO)

- Stalker wired video camera behind a picture in estranged wife's bedroom & watched her from elsewhere in the house

  (*H.E.S. v. J.C.S.*, 2002 NJ)

- Stalker placed hunting dog collar in victim's car to monitor her movements

  (anecdote from advocate)

Understanding Stalking

Can you threaten someone without using any threatening words?

Understanding Stalking

“Sometimes I unlock my car and find a rose on the seat—no note, just the rose. Somehow he got into my car and left it there; it’s all he needs to do to terrorize me.”

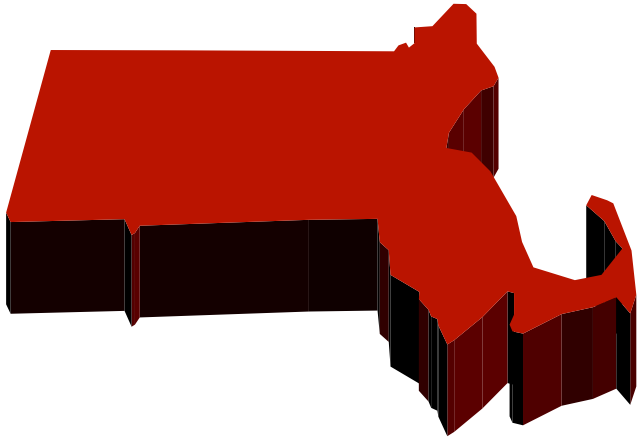
Understanding Stalking

- Can non-criminal behaviors constitute the crime of stalking?

Context is critical!

Understanding Stalking

- Massachusetts case
  - Example from T. Kirkman, MA prosecutor



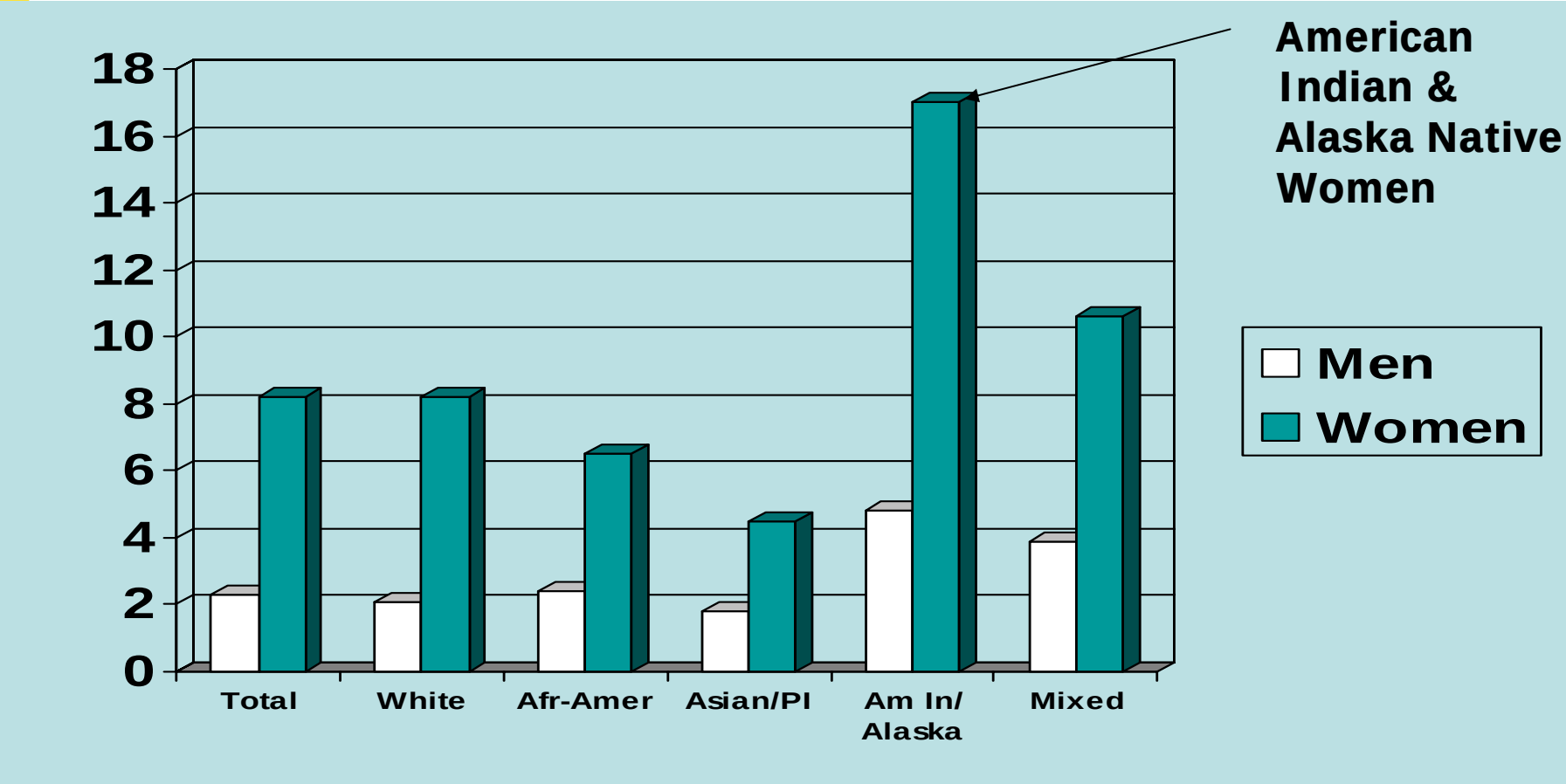
Prevalence of Stalking

- 1 out of every 12 U.S. Women
- 1 out of every 45 U.S. men
- 13.1% of college women stalked during one 9-month period

Approximately ***1.4 million*** people are stalked in America *every year*

(National Violence Against Women Survey, Tjaden & Thoennes, 1998)
(National Sexual Victimization of College Women, Fisher, Cullen & Turner, 2000)

Persons Stalked in Lifetime (%)



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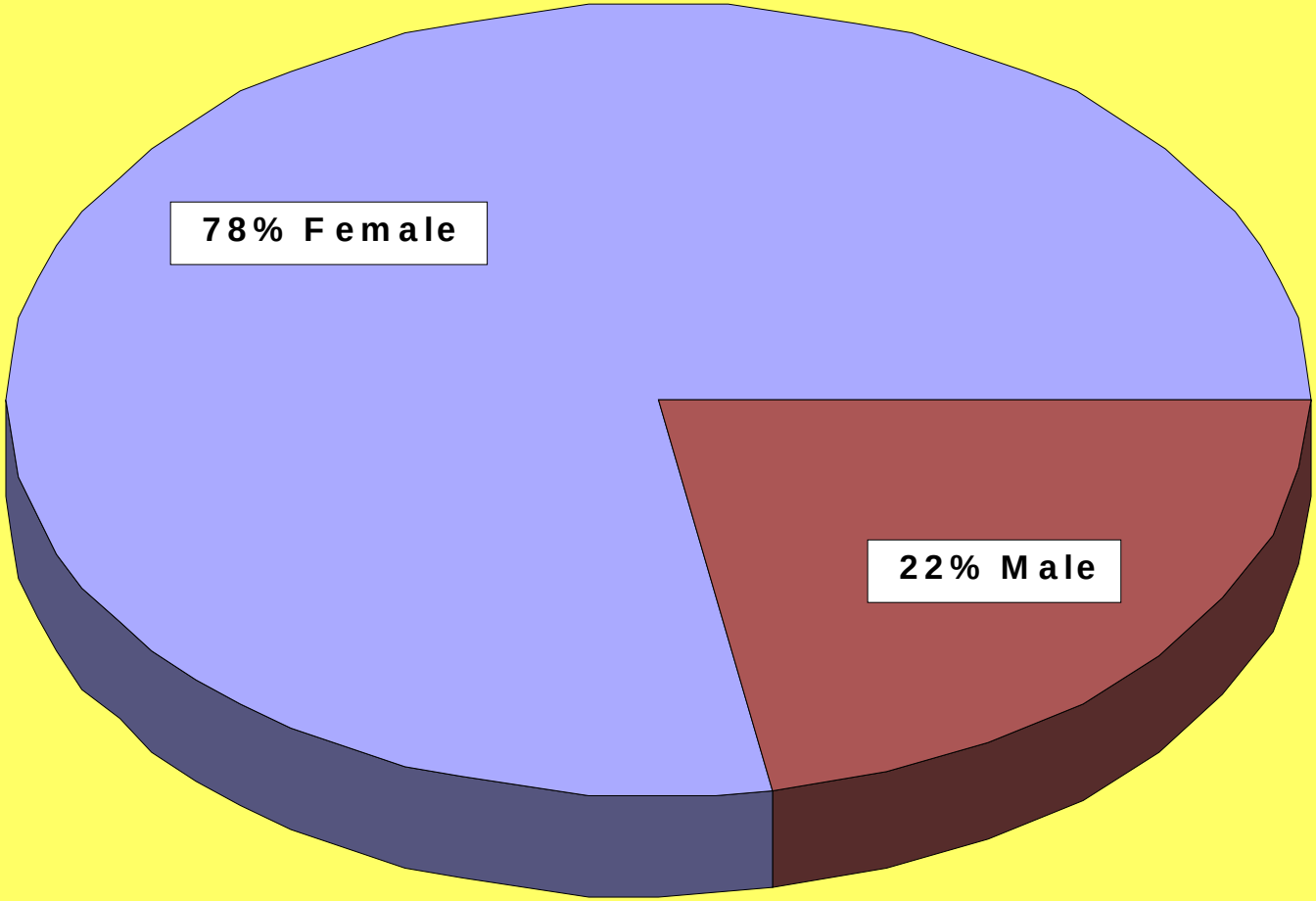
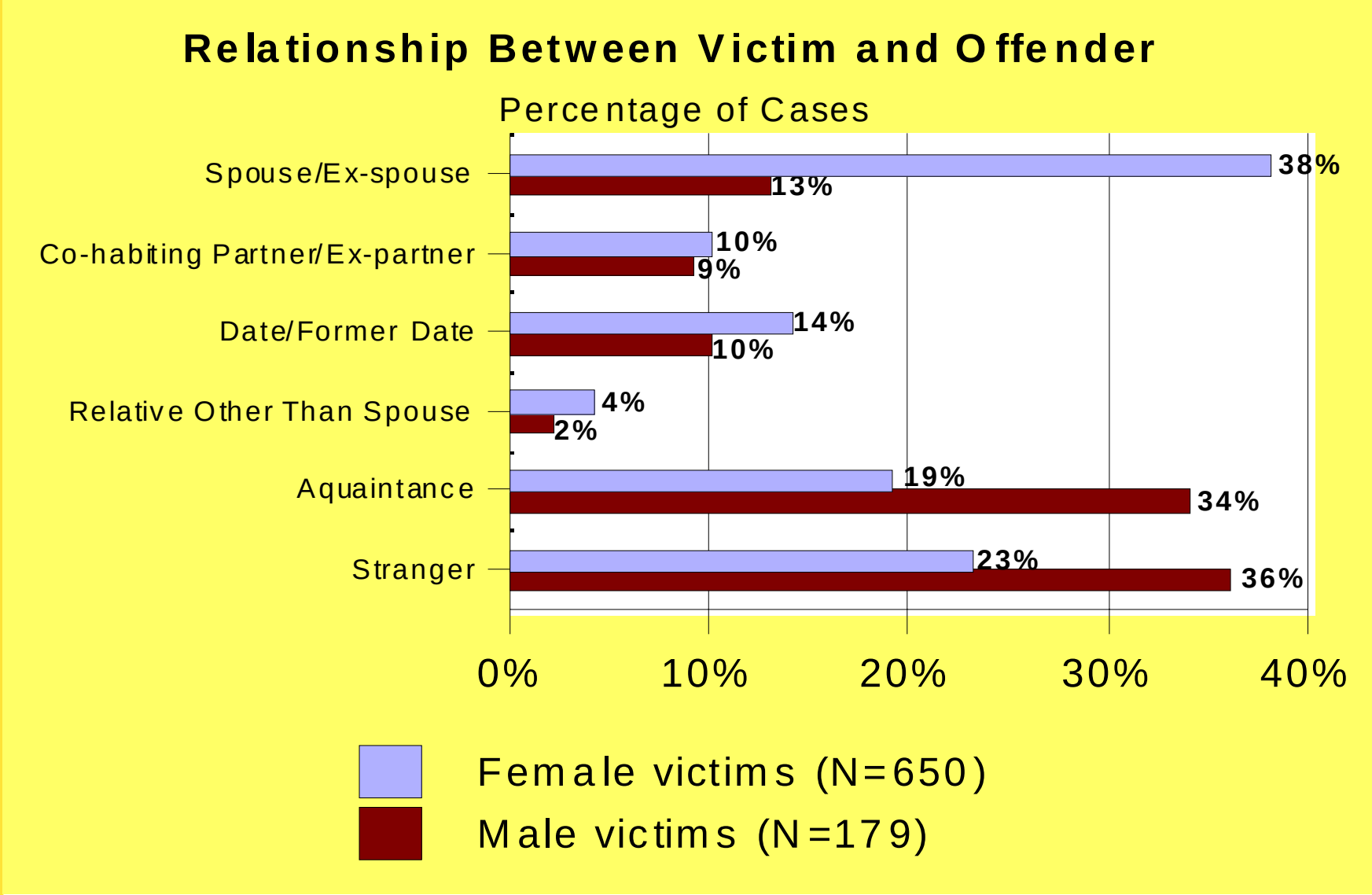


(*National Violence Against Women Survey*, Tjaden & Thoennes, 1998)

Gender of Stalking Offenders

- 94% of female victims were stalked by **men**
- 60% of male victims were stalked by **men**
- Overall, 87% of stalkers were **men**

(*National Violence Against Women Survey*, Tjaden & Thoennes, 1998)

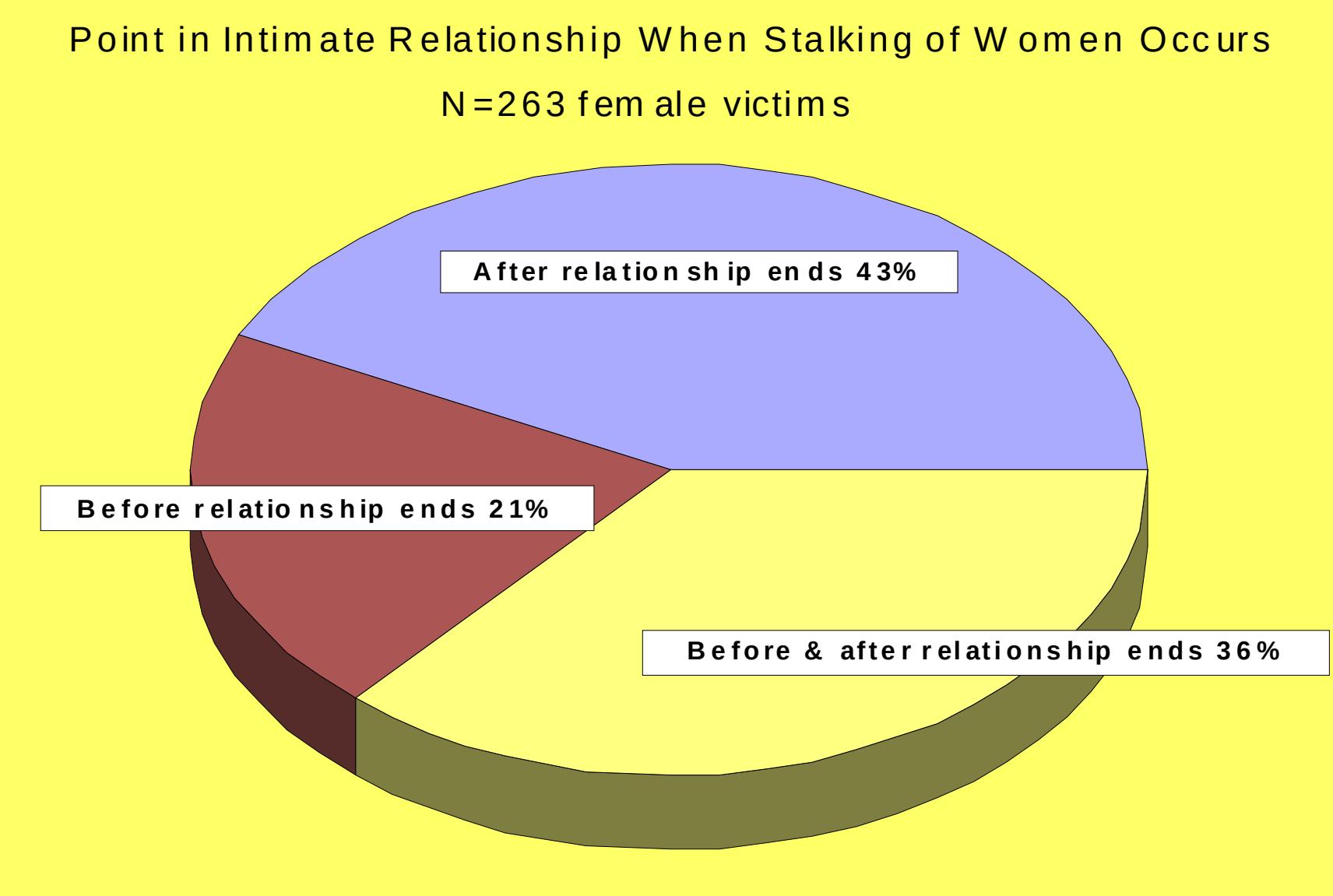


(*National Violence Against Women Survey*, Tjaden & Thoennes, 1998)

Connection to Domestic Violence

81% of victims stalked by their intimate partner report **previous physical assaults** by the same offender

(*National Violence Against Women Survey*, Tjaden & Thoennes, 1998)



(*National Violence Against Women Survey*, Tjaden & Thoennes, 1998)

Developed by:
DAIP, Duluth,MN

Intimate Partner Stalkers = Increased Risk for Victims

- More likely to physically approach victim
- More insulting, interfering and threatening
- More likely to use weapons
- More likely to re-offend
- Behaviors more likely to escalate quickly

The RECON Typology of Stalking, Mohandie *et al* (2006)

Connection to Sexual Assault

- 31% of women stalked by her intimate partner were also sexually assaulted by that partner

National Violence Against Women Survey, Tjaden & Thoennes (1998)

- In 10.3% of campus stalking incidents, the victim reported that the stalker forced or attempted sexual contact

National Sexual Victimization of College Women, Fisher, Cullen & Turner (2000)

Connection to Sexual Assault

- What does premeditate mean?
- How might someone premeditate a sexual assault?

Connection to Sexual Assault

In one study of men who admitted committing acts that met the legal definition of sexual assault, the participants reported:

- They “staked out” their victims.
- They considered women “targets” and “prey.”

Behaviors that met the definition of stalking occurred both pre- and post-sexual assault.

The Undetected Rapist, Violence and Victims, Lisak, (2002)

Lethality of Stalking Cases

“It’s going to take getting a bullet put in my head before people understand how serious this is.”

Lethality of Stalking Cases

3 out of 4 females **murdered** by their intimate partners had been **stalked** by that offender at least once in the year prior to the murder

(*Stalking and Intimate Partner Femicide*, McFarlane *et al.,* 1999)

Lethality of Stalking Cases

- 2 out of 3 females murdered by their intimate partner had been physically abused by that person in the 12 months prior to the murder.

- Almost 90% of those abused & murdered victims had **also** been stalked in the 12 months prior to the murder.

(*Stalking and Intimate Partner Femicide*, McFarlane *et al.,* 1999)

Lethality of Stalking Cases

Physical Abuse

+ Stalking

= Higher indicator of lethality than either behavior alone

(*Stalking and Intimate Partner Femicide*, McFarlane *et al.,* 1999)

Reporting to Law Enforcement

Reporting Stalking Incidents

- 54% of **femicide victims** reported stalking to police in the year before they were killed by their stalkers.

- 46% of **attempted femicide victims** reported stalking to police in the year prior to the attempted murder.

(*Stalking and Intimate Partner Femicide*, McFarlane *et al.,* 1999)

Reporting Stalking Incidents

- 83.1% of stalking incidents were **NOT** reported to police or campus law enforcement.

BUT…

- 93.4% of victims confided in ***someone*** that they were being stalked.

(*National Sexual Victimization of College Women*, Fisher, Cullen & Turner, 2000)

(*National Sexual Victimization of College Women*, Fisher, Cullen & Turner, 2000)

Reporting Stalking Incidents

- 57% said they didn’t initially report stalking for fear of being ignored or laughed at
- 42% of victims reported stalking to police
  - 1/2 first told they were **overreacting** or being **paranoid**
  - 1/6 told they were **lucky** to be receiving such attention

- University of Leicester (2005)

Stalkers

Profiles

THERE ARE NO DEFINITIVE CATEGORIES OF STALKERS!

Demographics

- Criminal History
  - 33% had prior adult violent criminal history
  - 27% had no priors
  - 19% had prior adult non-violent criminal record

(*The RECON Typology of Stalking*, Journal of Forensic Sciences, Mohandie *et al*, 2006)

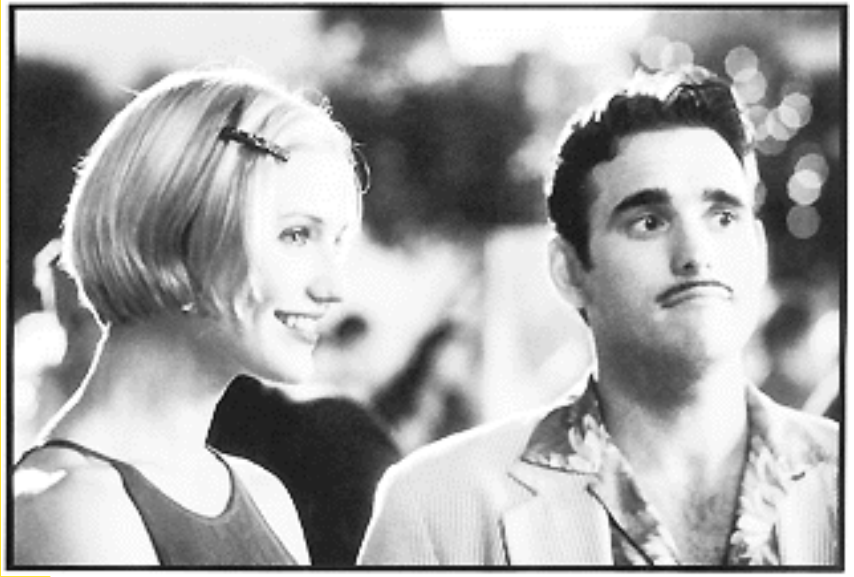
Demographics

- 46% of offenders had a clear or *probable* DSM-IV-TR diagnosis at time of stalking
  - 30% had none
- Substance abuse present in 32% of cases
- Suicidal ideation present in 25% of cases

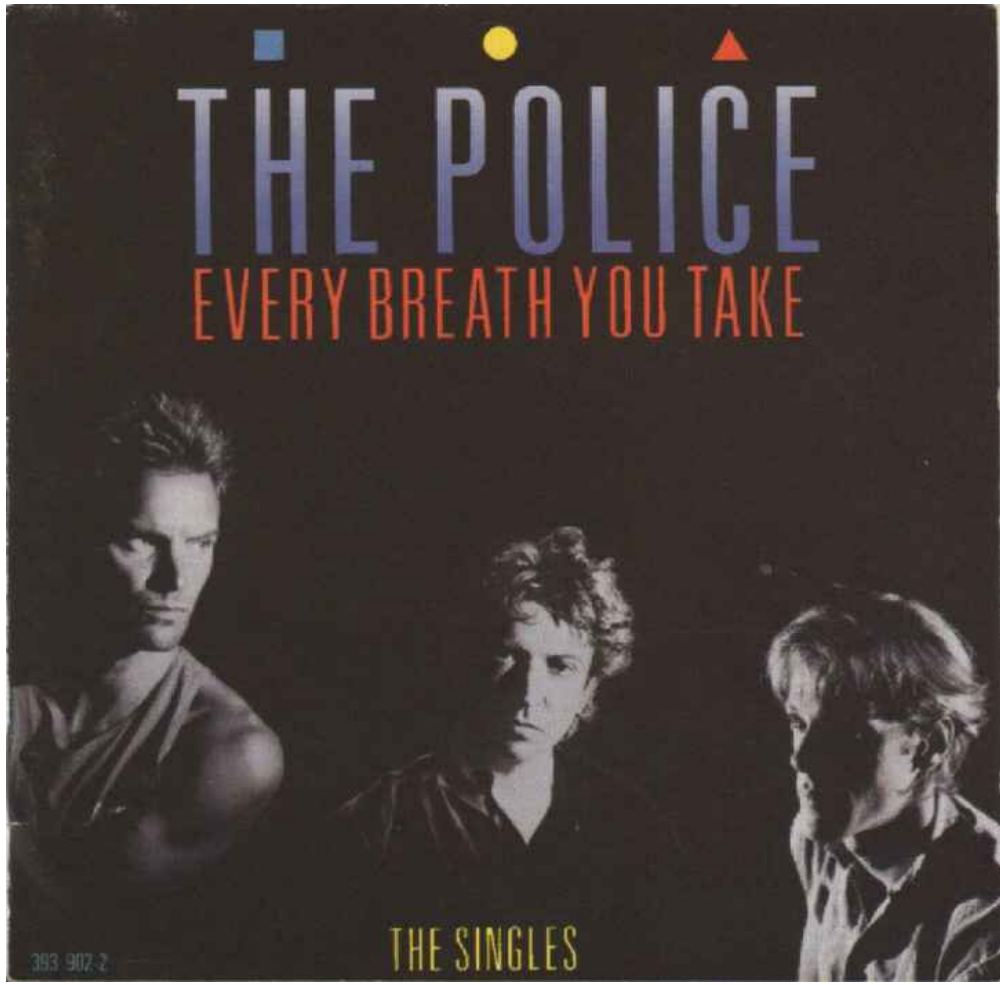
(*The RECON Typology of Stalking*, Journal of Forensic Sciences, Mohandie *et al*, 2006)

Why do they stalk?

- Rejection
- Obsession
- Power & Control
- Sexual Gratification
- Planning to commit a crime
- Because they can



From The Writer Of
BRING IT ON
stick
it


THE POLICE
EVERY BREATH YOU TAKE
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Wendy' Stalking Techniques - Microsoft Internet Explorer
File Edit View Favorites Tools Help
Back Search Favorites
Address http://www.pottymouth.org/humor/stalking.html Go Links

Wendy's Stalking Techniques:

How to pursue the guy you adore but are unable to deal with on an adult level

Note: This article is a big, fat joke. If you are really stalking someone in a creepy and scary way, you should stop.

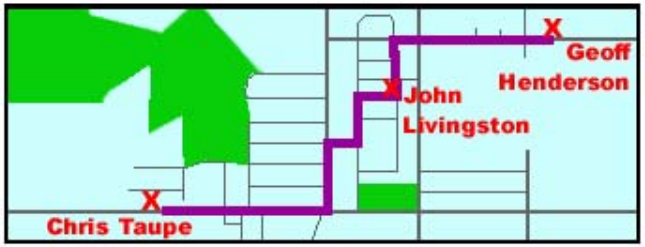
1. Find out where he works.

If he works in a store or food place, shop or eat there regularly. If you're lucky, he might wait on you. Try to get as much interaction out of him as you can. For example, if he comes to your table to check on how things are, ask for a refill of coffee or iced tea. This will force him to come back to your table.

If he doesn't work in a store, you can still stalk him. Receptionists are notorious for leaking information. For example, if you don't know his last name, call and ask for him by his first name. The receptionist will most likely ask for his last name. Pretend that you can't remember his last name and act really embarrassed about it. S/he will most likely sympathize and tell you. Extra bonus: the receptionist might connect you to his extension and you'll get to hear him say, "Hi. This is Josh," before you hang up really fast.

2. Drive by the place he lives.

When I was a sophomore in high school, my friend Gretchen and I had a route that we drove daily that passed the houses of all the boys we liked - Chris Toupe, Geoff Henderson, and John Livingston. (John Livingston is an actor now, appearing as Walter in the fine film "Mr. Wrong."). At night, drive by very slowly. Sometimes a curtain will be carelessly left open and you can peek in the living room. If you can walk by his house, that's even better. You never know when he'll be outside playing basketball and you'll be able to strike up a conversation. It is very important that you be subtle about this house thing. You must always have a plausible excuse for being in his presence because you don't want to look psycho -- this ruins all your chances with Mr. Wonderful.



The Route

3. Try to obtain objects he owns.

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“The Stalker” e-card

www.americangreetings.com

Remember -
only Members can send this card!
Join first to make a card you can send.

Already a member?
Sign in above!

Continue

Recidivism Rates of Stalkers

"I'm in trouble now so I won't bother you again - unless you would like to go out with me some time."

Recidivism Rates of Stalkers

- Recidivism rates in stalking cases are around 60%
  - Even after a criminal or civil justice intervention!

(*The RECON Typology of Stalking*, Journal of Forensic Sciences, Mohandie *et al,* 2006)

Impact on Victims

“It’s not easy to describe the fear you have when you see the stalker, or signs of the stalker, everywhere you go. I have given up all hopes of ever having a safe life. For the rest of my life, I will be looking over my shoulder, expecting to see him there.”

Impact on Victims

- Mental/Emotional Impact
  - 80% of victims reported increased anxiety
  - 30% of victims developed PTSD
  - 25% of victims considered or attempted suicide

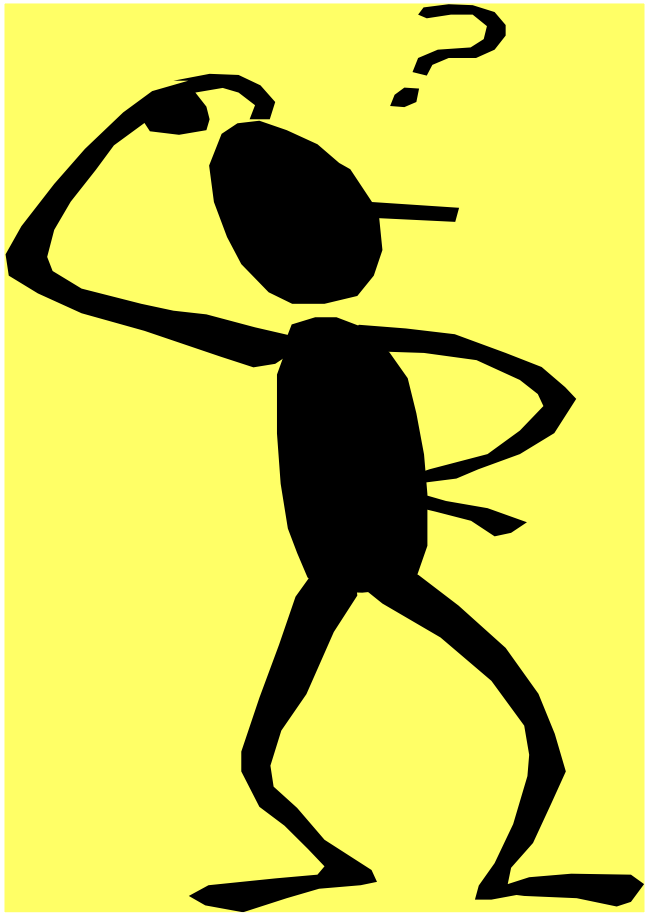
(*National Violence Against Women Survey*, Tjaden & Thoennes, 1998)
(*Management of Victims of Stalking*, Pathe, Mullen, & Purcell, 2001)

Impact on Victims

- Financial Impact
  - 26% reported that they lost time from work
  - 7% were never able to return to their jobs
  - 11% of women relocate

(*National Violence Against Women Survey*, Tjaden & Thoennes, 1998)
(*Management of Victims of Stalking*, Pathe, Mullen, & Purcell, 2001)

What Can We Do?



Improving System Responses

- Understanding Victim Reactions
- Criminal Charges
- Civil Remedies
- Working with Stalking Victims

Understanding Victim Reactions

- Active resistance
- Help seeking
- Coping to reduce danger
- Coping by complying with stalker’s demands

(Courting Disaster: Intimate Stalking, Culture, and Criminal Justice, Jennifer L. Dunn (2002))

Understanding Victim Reactions

- No Contact/Disengagement
  - Intermittent Reinforcement
  - Negotiation/Minimizing Harm
  - “Just one last lunch…”

Criminal Charges

- Kentucky Stalking Statute
- Federal Stalking Statute (18 USCS §2261A)
- Uniform Code of Military Justice (Art 120a)
- Tribal Stalking Codes
- Creative Charging

Civil Remedies

- Stalking Protective Orders
- Civil Tort Claims

Working with Stalking Victims

- Safety
- Documentation
- Support

Documentation

- 2/3 of stalkers pursue their victim at least once per week
- 78% of stalkers use more than one means of approach

(*The RECON Typology of Stalking*, Journal of Forensic Sciences, Mohandie *et al,* 2006)

Documentation

STALKING INCIDENT LOG

Date	**Time**	**Description of Incident**	**Location of Incident**	**Witness Name(s)** (Attach Address and Phone #)	**Police Called** (Report #)	**Officer Name** (Badge #)

Support

Available services for stalking victims?

- Advocacy
  - Assistance with filing stalking complaint
  - Assistance with evidence collection and coordination with law enforcement
  - Court accompaniment
  - Relocation assistance
  - Safety Planning
- Individual counseling
- Support Groups

SRC Resources for Victims

- **Brochure (Are You Being Stalked?)**
- **Analyzing Stalking Laws**
- **Stalking Incident Log**
- **Safety Plan Guidelines**
- **Cyberstalking: Dangers on the Information Superhighway**
- **Stalking Myths and Realities**

www.ncvc.org/src

THE NATIONAL CENTER FOR
Victims of Crime

Stalking Resource Center

Practitioners: 202-467-8700

Victims: 1-800-FYI-CALL

www.ncvc.org/src