

Understanding Stalking – A Review of Stalking Dynamics & Stats

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Stalking
resource center

www.victimsofcrime.org/src

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Stalking Resource Center
National Center for Victims of Crime

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Training Technical Assistance Resources

- Statutes
- Legislative Updates
- Manuals/Guides
- Videos
- Clearinghouse

THE NATIONAL CENTER FOR
Victims of Crime

The Stalking Resource Center is a program of the National Center for Victims of Crime. The mission of the Stalking Resource Center is to enhance the ability of professionals, organizations, and systems to effectively respond to stalking. The Stalking Resource Center envisions a future in which the criminal justice system and its many allied community partners will effectively collaborate and respond to stalking, improve victim safety and well-being, and hold offenders accountable.

The Stalking Resource Center provides training, technical assistance, and resource materials for professionals working with and responding to stalking victims and offenders.

Defining Stalking

Behavioral

Statute

Stalking

A **pattern of behavior** directed at a specific person that would cause a **reasonable person** to feel fear.

Context is critical!

Understanding Stalking – Fear

Fear is a difficult aspect of the crime:

- Subjective
- People don't admit to being fearful
- People react differently to fear
- May be difficult to understand

Understanding Stalking – Fear

Something may be frightening for the victim but not to you.

Stalking behaviors often have specific meaning that is only understood between offender & victim.

Stalking criminalizes otherwise non-criminal behavior.

Harassment & Stalking



Florida Stalking Statute

- A person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person commits the offense of stalking, a misdemeanor of the first degree.

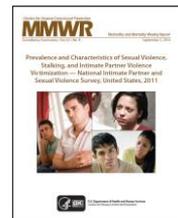
Statutes

- Federal
- State
 - District of Columbia & U.S. Territories
- Tribal Codes
- UCMJ
- Title IX
- Clery Act

Prevalence of Stalking

7.5 million stalked in 1 year in U.S.

- By gender
 - 4% of women
 - 2% of men
- Lifetime
 - More than 1 in 7 women
 - 1 in 18 men



- The National Intimate Partner and Sexual Violence Survey (NISVS): 2011

Stalker Tactics

MOST COMMON

- Sent unwanted emails, instant messages, & messages through social media
- Left strange or threatening items
- Left victim unwanted cards, letters, flowers, or presents
- Sneaked into victim's car/ home; did things to scare
- Watched, followed, or spied on victim
- Left unwanted text or voice messages
- Made unwanted telephone calls & hang-ups
- Approached victim/showed up places where victim was

- The National Intimate Partner and Sexual Violence Survey (NISVS): 2011

Use of Technology to Stalk

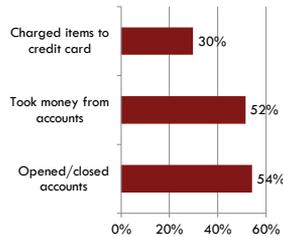
- ☐ Phones – calls, SMS, MMS
- ☐ Fax machines
- ☐ Cameras
- ☐ Global Positioning Systems (GPS)
- ☐ Location based services
- ☐ Computers
- ☐ Spyware
- ☐ Email & IM
- ☐ Social networking sites
- ☐ Assistive technologies

Stalking and Other Crimes

☐ Among stalking cases...

- ☐ 24% involve property damage
- ☐ 21% involve a direct attack on the victim
- ☐ 15% involve an attack on another person or pet

☐ Identity theft



- Stalking Victimization in the United States, BJS (2009)

Stalking & Other Criminal Activities

- ☐ Threatening to commit suicide
- ☐ Threatening while driving a car
- ☐ Creating a disturbance at a home
- ☐ Unwanted contact because offender was hanging around
- ☐ Threatening to kill family members
- ☐ Threatening to kill victim
- ☐ Breaking into a house
- ☐ Tampering with a car
- ☐ Stealing items from homes, cars, and businesses
- ☐ Threatening to hurt family members
- ☐ Threatening to hurt victim
- ☐ Creating a workplace disturbance
- ☐ Breaking into a business
- ☐ Threatening to report to CPS or other authorities if demands are not met
- ☐ Threatening to report to police for things that didn't occur
- ☐ Breaking into a car

Stalking Dynamics

18 – 24 year olds experience the highest rates of stalking

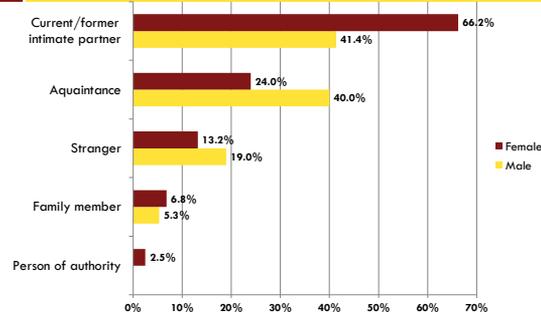
Women are more likely to experience stalking

Most offenders are male

The majority of victims know the offender

- The National Intimate Partner and Sexual Violence Survey (NISVS): 2010 Summary Report (2011)

Victim Offender Relationship



- The National Intimate Partner and Sexual Violence Survey (NISVS): 2010 Summary Report (2011)

Intimate Partner Stalkers - More Likely To:

Physically approach victim

Be insulting, interfering and threatening

Re-offend

Use weapons

Escalate behaviors quickly

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

Intimate Partner Stalking Risk

More separation attempts than victims of intimate partner violence alone

• Logan et al, Stalking victimization on the context of intimate partner violence (2007)

Intimate partner stalkers are more likely to assault third parties than non-intimate stalkers

• Sheridan and Davies Criminal Behavior and Mental Health, (2001)

Increased Danger

More Dangerous Times for Victims

- Separation
- Protective order served
- Criminal arrest
- Offender's loss of job or other significant life events
- Multiple incidents in a short period of time – quantity & escalation

Increased Danger

More Dangerous Offenders

- History of substance abuse, mental illness
- Actual pursuit
- Possession and/or fascination with weapons
- Vandalism, arson
- Emotional outbursts and rage
- History of violating POs
- Threats of murder/murder-suicide

Lethality Risks

76%

- Femicide by intimate partner
- At LEAST 1 episode of stalking within year prior to murder

85%

- Attempted femicide by intimate partner
- At LEAST 1 episode of stalking within year prior to murder.

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

Physical Abuse



Stalking

Greater indicator of potential lethality than either behavior alone

Why Do They Stalk?

Seeking affection

Power & control

Rejection

Obsession

Planning to commit a crime

Because they can

The Social Normalization of Stalking

Stalking = love and affection

Persistence pays off

Stalker is a kind and decent person who is simply misunderstood

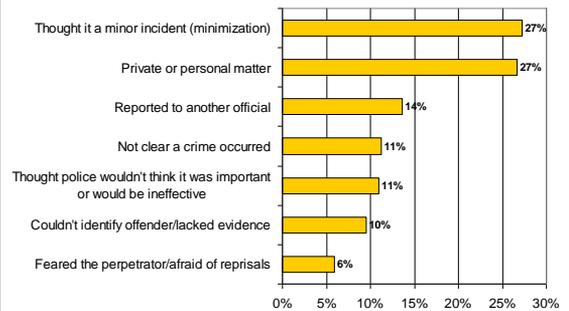
Reporting to Law Enforcement

37% of male stalking victims

41% of female stalking victims

— Stalking Victimization in the United States, BJS (2009)

Reasons For Not Reporting



— Stalking Victimization in the United States, BJS (2009)

Reporting

By the time victims report to police, the stalking behavior has been well established and... victim-initiated countermeasures have failed.

· Klein et al., (2009). *A Statewide Study of Stalking and Its Criminal Justice Response.*

Stalking is one of the few crimes where early intervention can prevent violence and death.

Stalking is Rarely Charged

Only 5% to 16% of stalking cases are charged as stalking when police have all the information they need to charge

- Klein, A., et al. (2009). *A Statewide Study of Stalking and Its Criminal Justice Response*.
- Tjaden, P., & Thoennes, N. (2001). *Stalking: Its role in serious domestic violence cases*.

Stalking is Rarely Charged

Difficult crime to work

Resource scarcity

Other charges more expedient

Systemic barriers in CJS

Charging

- Important for building the stalking case
 - For now *and* the future
- Charging stalking results in either:
 - Stopping the stalking
 - Being able to build a better case if stalking continues
- Increased plea bargaining options, sentencing options, including enhanced penalties in some situations and jurisdictions

Resources for Victims

- Are You Being Stalked? (Brochure for Victims)
- Stalking Questions and Answers
- Stalking Incident Behavior Log
- Safety Plan Guidelines
- Cyberstalking: Dangers on the Information Superhighway
- Ten Things You Should Know About Stalking

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Stalking resource center

Training

- In person training
- Webinars

Technical Assistance

- Individual & organizational assistance
- Fact sheets, brochures, manuals, guides
- Policy/protocol development & consultation

Resources

- Videos
- Online resources
- Stalking Awareness Month materials



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