

■ The Facts about Stalking

Stalking Defined

Stalking has been defined in a variety of ways. Most commonly, and conservatively, stalking is defined as “the willful, malicious, and repeated following and harassing”¹ of an individual in a course of conduct “that would cause a reasonable person fear.”² Additionally, stalking involves persistent harassment over time and often more than one type of activity.³ Examples of stalking behaviors include but are not limited to:

Non-consensual Communication

- Unwanted phone calls
- Postal mail
- Electronic mail (e-mails)
- Text messaging
- Instant messaging (IM)
- Contact through social networking sites
- Sending or leaving gifts or other items

Physical Acts of Stalking

- Following
- Tracking with GPS devices
- Trespassing
- Spying, peeping
- Appearing at one’s home, business, or favored social location
- Leaving written messages or objects
- Vandalizing property
- Surveillance
- Harming a pet

What We Know about Stalking

Stalking is unlike many other crimes because it involves a series or a pattern of behaviors. Individual events may appear benign, but in the context of the whole are troubling.

The National Violence Against Women Survey (NVAWS) found that “8 percent of women and 2 percent of men in the United States have been stalked at some time in their life.”⁴ This amounts to 1 in 12 women and 1 in 45 men in their lifetime who will experience stalking.⁵

Stalkers themselves are predominantly male. The NVAWS found “94 percent of the stalkers identified by female victims and 60 percent of the stalkers identified by male victims were male,”⁶ resulting in 87% of stalkers being male.

According to the U.S. Department of Justice, Bureau of Justice Statistics (BJS), “nearly 3 in 4 of all victims knew their offender in some capacity.”⁷ The NVAWS found that “59% of female victims, compared with 30% of male victims, were stalked by some type of intimate partner.”⁸ Additionally, “[81%] of the women who were stalked by a current or former husband or cohabitating partner were also physically assaulted by the same partner.”⁹

It is important to note that while both men and women are victims of stalking, they experience stalking in different ways. Women are more likely than men to report being stalked by an intimate partner, whereas men are more likely to report being stalked by a stranger or acquaintance.¹⁰ Women are also “13 times as likely as men to report being very afraid of the stalker.”¹¹ Those who were “very afraid” of their stalker were significantly more likely to report

poor current health status, to develop a chronic disease, and to become injured.¹² Thus, female victims are at higher risk for emotional and physical harm resulting from stalking than are male victims.

There is a positive correlation between stalking and other forms of intimate partner violence. Research shows that those who stalk their partners are four times more likely to physically assault their partners than non-stalkers and six times more likely to sexually assault their partners.¹³

Adverse Effects of Stalking

Thirty percent of female victims and 20% percent of male victims have sought psychological counseling as a result of their victimization.¹⁴ Twenty-six percent of victims said their stalking victimization caused them to lose time from work. Of these, 7% were unable to return to work.¹⁵

Additionally, “women who were stalked by their partner experienced psychological abuse, physical abuse, sexual abuse and injury at significantly higher rates compared with women who were not stalked by their partners.”¹⁶

Stalking Statistics

Members of certain groups have unique vulnerabilities when experiencing stalking. Members of specific populations may be harmed by behaviors that non-members would not be. It is important to note that specific population members are subject to all forms of stalking as experienced by general populations.

- Individuals who were divorced or separated experienced “a higher rate of victimization than persons of other marital status[es].”¹⁷
- Stalking starts young: “[52%] of stalking victims were 18-29 years old...when the stalking started.”¹⁸
- The “highest rates of stalking victimization”¹⁹ occur in persons ages 18 to 19 and 20 to 24.
- Studies also examine the effects of stalking on rural women: 53% of rural women, com-

pared to 17% of urban women, noted their work patterns were disrupted. This includes forcing a partner to leave work early, drive to or from work in a monitored amount of time, or altogether quit one’s job.²⁰

- “Seventeen percent of Native American women have been stalked”²¹ in their lifetime.
- According to a recent study of college students, those who self-identify as lesbian, gay, bisexual, or transgender “were twice as likely to experience cyberstalking or e-mail harassment from a stranger as were students who identified themselves as heterosexual.”²²
- 26.7% of victims considered their victimization a personal matter, and did not report it to police. Additionally, only “7% of victims contacted victim services, a shelter, or a helpline.”²³

It is important to note that not all demographic groups are represented in these statistics. This is not to suggest that other demographic groups do not experience stalking in unique ways due to their race, ethnicity, religion, or age. For many, the data are scarce or simply not available.

Stalking with Technology

Stalking with technology involves the use of a wide array of technologies to stalk victims.

Cyber-stalking, defined as “threatening behavior or unwanted advances directed at another using the internet and other forms of online and computer communications,”²⁴ and “the repeated use of the internet, e-mail, or related digital electronic communication devices to annoy, alarm, or threaten a specific individual or group of individuals,”²⁵ is the most commonly researched form of stalking with technology. Cyber-stalking also includes the use of spyware to monitor a victim’s computer use. Online databases prove precarious for victims because many public records, such as housing location and tax information, can allow a stalker access to a victim’s personal information. In many states, the removal of this information is allowed only for the personal

records of peace officers and other public officials.²⁶ A 2009 BJS survey also found that of its participants, “[m]ore than 1 in 4 stalking victims reported some form of cyberstalking was used.”²⁷

Small camera technologies enable a stalker to survey a victim’s activities and guests, to ascertain a victim’s current location, and to enable more sophisticated acts of peeping, among other uses. Footage may also be used to gather information to insult, intimidate, and harass victims.

Global positioning systems (GPS) are used by stalkers to monitor victim movement by the placement of a device in cars, purses, or other personal belongings. This enables stalkers to surprise victims by showing up without announcement.²⁸ GPS technology comprises “about a tenth of the electronic monitoring”²⁹ of victims. Additionally, many cell phones are now equipped with GPS, enabling the same actions from a stalker without having to place a separate device.

Faxes, when sent, are often imprinted with identifiable or traceable information about where the fax originated. Faxes can provide stalkers information to locate their victims in safe housing, lawyers’ offices, or on a new job.

Telephones equipped with caller-ID have provided stalkers with information about victim’s work or home location. Cordless (land based) phones are easily intercepted by baby monitors, walkie-talkies, and other cordless phones,³⁰ compromising personal discussions and safety planning. Cellular telephones, like cordless phones, can also be intercepted when in analog service areas. Additionally, printed and online cell phone billing records show one’s entire call log, making that information available to a stalker.³¹ Cell phones also allow a stalker to send unwanted text and picture messages to a victim.

While technologies can offer protection for victims (for example, the ability to call 911 from anywhere with a cellular phone), it is important to note the potential danger of these technologies when employed by a stalker.

Legal Protections and Stalking

By 1993, all 50 states had adopted anti-stalking laws. In 1996, Congress made it a federal felony to stalk across state lines, including in Indian tribal lands. It is challenging to pursue stalking under the law because many state statutes require a “credible threat,” which is recognized as a direct, verbal threat or previous act(s) of violence.

Additionally, not all acts of stalking are necessarily criminal behaviors, when evaluated as independent acts. For example, while trespassing and peeping are illegal, following one down a public street may not be considered as such. It can also be difficult for a victim to prove a series of acts are stalking, particularly when the acts occur across city and county lines. Reports to law enforcement in a particular jurisdiction are not always immediately available to other jurisdictions. This creates a situation in which it may be difficult to tie these seemingly separate events together as acts of stalking.

Civil protective or restraining orders can be obtained by victims of stalking in some circumstances. Unfortunately, they are often violated, can be difficult to enforce, or may not be properly enforced. “Of those who obtained restraining orders, 69[%] of the women and 81 [%] of the men said their stalker violated the order.”³²

The Office on Violence Against Women’s Role

The Office on Violence Against Women was created in 1995 to implement the Violence Against Women Act (VAWA) and to lead the national effort to stop domestic violence, dating violence, sexual assault, and stalking. The Office on Violence Against Women administers 19 grant programs to help states, tribes, and local communities transform the way in which criminal justice systems respond to violent crimes against women, hold offenders accountable for their violence, and strengthen services to victim-survivors.

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*Indicates research was released by the U.S. government.