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# Stalking: Lessons from Recent Research

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**Date:** April 14, 1999

**Speaker:** [Jeremy Travis](#)

**Location:** National Center for Women and Policing Conference

Good morning:

I am very pleased to be here and am grateful for the opportunity to address this important meeting, the Fourth Annual Conference of the National Center on Women and Policing. I recall speaking at your first conference in Washington and am delighted to be with you again today and to see the growth in your membership.

The policing profession is experiencing profound changes these days — and, as the recent intense interest in the issue of racial profiling and police misconduct demonstrates, the policing profession is experiencing profound scrutiny. At times such as these, when the public spotlight is particularly unrelenting, it is important that the members of the policing profession dig deep and try to reconnect with the core values that animate policing at its best — an abiding commitment to democratic principles, a strong belief in the importance of partnering with the community, a willingness to be open to new ideas and to honest scrutiny, and a pride in the professionalism of police officers who every day exhibit extraordinary intelligence,

bravery, and resourcefulness in their work to bring safety to our neighborhoods. It is my belief that the introduction of an increasing number of women into the policing profession — and into its leadership ranks — will accelerate the profession's ability to live up to those ideals.<sup>1</sup> So, at a time when policing is under the spotlight once again, I am honored to be here with you as you focus on the issue of police leadership and to commend you and the National Center for Women and Policing for the very important work you are doing.

My topic this morning is stalking — and specifically, my intention is to share with you some recent research findings that shed new light on the stalking phenomenon and to suggest some implications for law enforcement that may flow from these findings.

But first, we should acknowledge that we would not be having this conversation a generation ago. That is not to say the phenomenon of stalking was unknown — on the contrary, stalking behavior has been observed in human relationships and in communities since the beginning of recorded time. Yet, our emphasis on this behavior, our willingness to distinguish stalking behavior, our insistence that separate statutes be written to prohibit this behavior — all of these are relatively recent, coming in the last quarter of this century. Movies on stalkers, news reports on celebrity stalkers, horrific stories of stalking behavior in the context of intimate relationships — all have heightened our awareness of a separate category of behaviors — related but by no means identical — that we now call “stalking.”

Now, all 50 States have anti-stalking statutes, many drafted to conform to the model anti-stalking legislation which was developed under a grant from the National Institute of Justice and published in 1993.<sup>2</sup> The 1994 Crime Act specifically provides Federal funds to help communities, victim advocates, and police departments respond more effectively to stalking. The same Federal law required an annual report on stalking and domestic violence be prepared by the Department of Justice, presenting the latest research findings.<sup>3</sup>

I am very pleased to note the research community has been engaged in making a contribution to the larger social movement to respond more effectively to the stalking phenomena.

This morning, I would like to highlight some of the key findings from a research report on stalking recently published by the National Institute of Justice and our partner in a larger collaborative research effort on violence against women, the National Center for Injury Prevention and Control of the Centers for Disease Control and Prevention. The study I will refer to was conducted by Dr. Patricia Tjaden and Dr. Nancy Thoennes of the Center for Policy Research in Colorado.<sup>4</sup>

A key question in considering stalking is one of scope — how much stalking is there in the United States? Who stalks whom? How often do stalkers overtly threaten their victims? How often is stalking reported to the police? The NIJ-CDC study is the first of its kind to answer these questions.

Based on a nationally representative sample of 8,000 women and 8,000 men, the study found stalking was much more prevalent than had originally been thought. Eight percent of women — and 2 percent of men — in the United States have been stalked sometime in their lives. These numbers were based on a very strict definition of stalking in which the victim had to have been “very afraid.” What does this mean for current levels of stalking? Translating the survey results into more easily grasped numbers, this study found 1 million women—and about 370,000 men—are stalked each year. So, we clearly are describing a phenomenon that reaches deep into our communities and claims a substantial number of victims.

Who is involved in stalking incidents? Although stalking is a gender neutral crime, stalking that involves women is a different phenomenon from stalking that involves men as victims. Most stalking victims — about three — quarters — are female and most of the stalking perpetrators — 87 percent — are male. Most stalking cases involve people who know each other — about three-quarters of female victims, and two-thirds of male victims are stalked by perpetrators who are known to them. Women are twice as likely as men — 59 percent compared to 30 percent — to be stalked by intimate partners. Finally, the research found there was a strong relationship between stalking and other forms of violence in intimate relationships. Of all the women in the survey who had been stalked by a current or former husband or cohabiting partner, 81 percent had also been physically assaulted by the partner, and 31 percent were also sexually assaulted by the partner.

The picture that emerges from this first set of findings from the NIJ-CDC study is very disturbing. Overall prevalence levels are very high — and three times higher for women compared to men. For women who are victims of stalkers, the stalking is much more likely to be committed by someone they know, twice as likely to be committed by an intimate partner, and, in situations involving intimate partners, the perpetrator is highly likely to also have beaten and sexually abused the woman.

Let’s now look at the relationship between this behavior and the criminal justice system. The NIJ-CDC survey had some interesting findings in this regard. First, it found about half of all stalking victims reported their cases to the police — and about a quarter of the reported cases resulted in the arrest of a suspect. I would be interested in your reactions to these data, but I

was surprised at the relatively high reporting and clearance rates. Of much greater concern were the findings regarding orders of protection. About a quarter of the female stalking victims — and about a tenth of the male victims — had obtained restraining orders against their stalkers. But to what effect? Of all victims who obtained these orders, 69 percent of the women and 81 percent of the men said their stalkers violated the terms of the order.

So, the picture these findings paint is of a group of victims who seek the assistance of the criminal justice system at relatively high rates — they report the stalking to the police about half the time, suspects are arrested in a quarter of those cases. And these victims seek the unique protection of restraining orders at a very high rate — but find their stalkers routinely violate these orders and the stalking continues.

Finally, the survey illustrates some of the psychological dimensions of stalking that cannot easily be captured in the dry language of a criminal statute or the precision of a statistical presentation. About 30 percent of the female stalking victims — and 20 percent of male victims — seek psychological counseling as a result of their victimization. Victims of stalking are also much more likely than other victims of crime to live in fear for their personal safety and to carry something to defend themselves. Sometimes we think of stalking incidents as just that — isolated events that are relatively short-lived. The study dispatches that notion with a chilling finding—the average stalking case lasts 1.8 years, and nearly one — fifth of victims are so fearful, they move to new homes to escape their stalkers.

The NIJ-CDC survey underscores the truth that is known to victim advocates and police personnel who work with stalking victims—the impact of this particular crime is profound and can cause deep psychological damage.

Let's consider for a moment the implications of this research for the work of the law enforcement community.

Clearly, we have to do more to encourage stalking victims to report to the police. This is more easily said than done—particularly when, in the eyes of many victim advocates, the police have not taken this crime sufficiently seriously. It would be my hope this organization—representing as it does women in policing—could help change that perception. We have come a long way in the past several years in demonstrating violence against women must be understood as different from other forms of violence—the intimate nature of much of that violence, the setting of acts of violence within a larger context of a relationship characterized by power and control, requires a different law enforcement and criminal justice response.

So too, this research on stalking demonstrates stalking behavior is particularly invidious, causing serious emotional harm and often including a pattern of physical and sexual abuse—and it needs to be taken seriously. The implication for law enforcement is the police need to listen closely to those first signs of stalking behavior—rather than minimizing the reports of the victim, the police need to listen attentively and place those indicia of stalking into a larger context.

This research contains a particular implication for the role of the victim in responding to stalking behavior and the statutory definition of stalking itself. The NIJ-CDC study found only half of the cases involved direct threats to the victims — even though the victims experienced a high level of fear. As you may know, a number of State statutes defining stalking require there be a “credible threat” for the behavior to be classified as criminal.<sup>5</sup> This research shows the fear induced in the victim can be triggered by behavior that does not directly constitute a threat — a car parked outside the house, a message on the answering machine, a reminder of the stalker’s presence — all of these can be highly threatening and fear — inducing even though they might not constitute, in the strict legal sense, a “credible threat.”<sup>6</sup>

This also suggests victims can help the police in their investigations by recording carefully the times, places, and events related to the stalking; keeping a daily log; and taking photos, if appropriate, to help the police build the case. Victims should be encouraged to call the police whenever the intrusion leads to fear or anxiety, and the police should be encouraged to file incident reports. It is critical in this area of criminal behavior that the pattern of behavior be adequately documented—and both the victim and the police have critical roles to play.<sup>7</sup>

I have brought with me a handout that lists the citations for this research and other publications of the National Institute of Justice and other components of the Department of Justice on the topic of stalking. I hope you take advantage of the work that has been done in this area and encourage your colleagues to contact us if they have additional questions. We are now just at the beginning of an important effort to develop more effective responses to stalking behavior—research has helped us to understand stalking in unprecedented depth and breadth, and, fortunately, the law enforcement response is keeping pace with our advances in understanding. For this, I commend you and thank you for your attention to this important topic.

## Notes

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2. NIJ has funded a research project entitled "Women in Policing: Assessing the Work Environment Project," to provide chiefs with the tools to improve the status of women in policing. The project is being carried out by the Institute for Women in Trades, Technology, and Science (IWITTS), and the principal investigator is Donna Milgram. The project has developed a set of workplace environmental assessment tools that will enable law enforcement agencies to determine if the workplace is receptive to women officers (primarily) and to minority officers (secondarily); identify and pinpoint barriers that may exist for women and minority police officers to successfully integrate into the department; and enable police departments to self—monitor on workplace environmental issues.

The content areas of the tools are recruitment and selection, training academy, sexual harassment/work environment, promotion, uniforms and equipment, and childcare and pregnancy. The tools have been field tested with the Albuquerque, New Mexico, and Durham, North Carolina, police departments under Chiefs Gerald Galvin and Teresa Chambers. Findings from these departments and the assessment tools will be made available upon the project's completion in the summer of 1999. For more information, visit the IWITTS Web site at [www.iwitts.org](http://www.iwitts.org) to be notified when the assessment tools will be made available.

3. National Criminal Justice Association, *Project to Develop a Model Anti—Stalking Code for States*, Washington, DC: U.S. Department of Justice, National Institute of Justice, October 1993, NCJ 144477.
4. *Stalking and Domestic Violence: The Third Annual Report to Congress Under the Violence Against Women Act*, Washington DC: U.S. Department of Justice, Violence Against Women Grants Office, July 1998, NCJ 172207.
5. Tjaden, Patricia, and Nancy Thoennes, *Stalking in America: Findings From the National Violence Against Women Survey*, Research in Brief, Washington, DC: U.S. Department of Justice, National Institute of Justice, April 1998, NCJ 169592. Other publications will be forthcoming from this study, including the published prevalence and incidence report, and reports on intimate partner violence, workplace violence and racial/ethnic relationships.
6. See National Criminal Justice Association, *Project to Develop a Model Anti—Stalking Code for States*, 1993: 45. In her review of the Model Anti—Stalking Code, Nancy K.D. Lemon of the Battered Women's Justice Project of Duluth, Minnesota, notes the following elements of the proposed code were "useful:" "... broad definition of prohibited acts; allowing 'implied threats,' as opposed to 'credible threats,' to be sufficient; the use of increasingly serious penalties to deal with increasingly serious acts, and encompassing misdemeanor

and felony sanctions; and the broad definition of intent: In other words, if a defendant consciously engages in conduct he knows or should know would cause fear in the person at whom the conduct is directed, the intent element of the model code is satisfied.’ The drafters made a similar comment in regard to the fear element: ‘In some instances, a defendant may be aware, through a past relationship with the victim, of an unusual phobia of the victim’s and use this knowledge to cause fear in the victim ... a jury must determine that the victim’s fear was reasonable under the circumstances.’ this language may open the door to the introduction of evidence regarding the stalker’s past threats toward the same victim, and to expert testimony on stalking generally, which will probably be beneficial to victims.”

7. See National Criminal Justice Association, *Project to Develop a Model Anti–Stalking Code for States*, 1993. The NIJ report addresses this issue and encompasses a broad definition of the prohibited acts. In her review of the Model Anti–Stalking Code, Nancy K.D. Lemon of the Battered Women’s Justice Project of Duluth, Minnesota, noted the following elements of the proposed code were “useful:” the “broad definition . . . beneficial to victims.” (from page 5 of the Lemon publication for the Web site.)
8. This approach is developed extensively in Melroy, J.R., “Stalking: An Old Behavior, A New Crime,” *Forensic Psychiatry* 22 (1) (March 1999): 94.

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