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## Voices From the Field: Stalking

by Michelle M. Garcia

### *Stalking often goes undetected, so how can the victims be protected?*

Stalking is common, dangerous, and — far too often — lethal. A seminal 2009 Bureau of Justice Statistics report showed that stalkers victimize 3.4 million people each year in the United States.[1] Both males and females can be victims of stalking, but females are nearly three times as likely to be stalking victims.[2]



Domestic violence-related stalking is the most common type of stalking and the most dangerous. Nearly 75 percent of stalking victims know their stalker in some way; in about 30 percent of cases, the stalker is a current or former intimate partner.[3] The 1998 National Violence Against Women Survey found that more than three-fourths of the female victims of intimate partner stalking reported physical assaults by that partner, and one-third reported sexual assaults.[4]

Stalkers who are former intimate partners have considerable leverage over their victims because they know a great deal about them. They are more insulting, interfering and threatening than non-intimate partner stalkers.[5] Such stalkers are likely to know the victims' friends or family members as well as where the victims work, shop and go for entertainment. This knowledge provides potentially endless opportunities for stalkers to terrorize victims.

If there are children in common, the victim may find it impossible to avoid all contact with the stalker. In fact, through continuing court dates or court-ordered visits, the legal system often unintentionally enables stalkers to gain access to the victims or to continue harassing and intimidating them. Intimate partners are more likely to approach victims physically, to use weapons and to reoffend, and their behaviors are more likely to intensify quickly.[6]

Most alarmingly, stalking can be lethal. According to one study, 76 percent of women who were murdered by their current or former intimate partners were stalked by their killers within 12 months of the murder.[7] The same study found that 85 percent of women who were victims of attempted homicide by their current or former intimate partners were stalked within 12 months before the attempted murder. Despite what research shows and headlines tragically report, stalking is frequently undetected and misunderstood, and its seriousness is often minimized.

### **Why Stalking May Not be Viewed as Seriously as Other Crimes**

Offender behaviors such as making repeated phone calls, continually driving by a victim's house, leaving unwanted gifts or letters, and showing up unexpectedly are frequently not identified as stalking by either criminal justice responders or victims. Only about half of victims who experience unwanted or harassing contacts identify their experience as stalking.[8] Yet, under the laws of all 50 states, when these independent and seemingly benign behaviors become a pattern, the result is the crime of stalking. When the stalker also commits domestic violence, investigations are likely to focus on the violence rather than the stalking. In comparison to acts of physical violence, stalking may seem less significant, and the dangers represented by stalking may be overlooked.

This seeming lack of recognition may be in part because stalking is still a new crime. Only within the past two decades has the criminal justice system held stalkers accountable and become aware that stalking victims are in great danger. California passed the first stalking law in 1990. By 1999, all states and the District of Columbia had passed laws criminalizing stalking. Yet criminal justice practitioners receive little or no stalking training, and staff members of domestic violence and sexual assault programs often lack a clear understanding of the interrelationship between stalking and other crimes.

## Social Norms

Victims, offenders and those who work with both are influenced by social messages that minimize the seriousness of stalking. Films often portray stalking as romantic (for example, *High Fidelity* and *St. Elmo's Fire*), comedic (for example, *All About Steve* and *The Cable Guy*), or both as in the film *There's Something About Mary*. Across styles of music, songs romanticize or out-and-out promote stalking. In recent years, a major national retailer stocked a t-shirt that read, "Some call it stalking, I call it love." Only after significant and repeated public outcries did the retailer remove the shirt from its shelves. But many other retailers continue to sell such messages. Typing "stalking t-shirt" into a search engine yields dozens of variations on the message that stalking is not a big deal.

## Next Steps

Clearly, much work still needs to be done in the United States to increase awareness of the realities of stalking. As long as an alarming number of people are victimized every year, we must do more to keep victims safe and hold offenders accountable. Each of us can begin by assessing our own community's understanding of stalking and working to improve our responses to this serious crime.

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## Notes

[1] Baum, K., S. Catalano, M. Rand, and K. Rose, *Stalking Victimization in the United States* (pdf, 16 pages), Special Report, Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics, January 2009, NCJ 224527.

[2] Ibid.

[3] Ibid.

[4] Tjaden, P., and K. Thoennes, *Stalking in America: Findings From the National Violence Against Women Survey* (pdf, 20 pages), Research in Brief, Washington, DC: U.S. Department of Justice, National Institute of Justice, and Centers for Disease Control and Prevention, April 1998, NCJ 169592.

[5] Mohandie, K., R. Meloy, M. Green McGowan, and J. Williams, "The RECON Typology of Stalking: Reliability and Validity Based Upon a Large Sample of North American Stalkers," *Journal of Forensic*

*Sciences* 51 (1) (January 2006): 147-155.

[6] Ibid.

[7] McFarlane, J.M., J.C. Campbell, S. Wilt, C.J. Sachs, Y. Ulrich, and X. Xu, "Stalking and Intimate Partner Femicide," *Homicide Studies* 3 (4) (1999): 311.

[8] Baum, K., *Stalking Victimization in the United States*.

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