

# The Prevention of Stalking

In recent years, the problem of stalking has become more pronounced. In most cases, it involves an unwanted romantic interest, such as an estranged husband or boyfriend. Stalking, however, may involve persons who are barely, if at all, acquainted as well as people who are known to each other.

## What Is Stalking?

Stalking is the act of a person who, on more than one occasion, follows, pursues or harasses another person, and by actively engaging in a pattern of conduct, causes the victim to believe the offender will cause physical harm or mental distress to them.

*Pattern of conduct* means two or more actions or incidents closely related in time, whether or not there has been a prior conviction based on any of those actions or incidents.

*Mental distress* means any mental illness or condition that involves some temporary substantial incapacity or condition that would normally require psychiatric treatment.

## Who Do Stalkers Target?

Anyone can be targeted by a stalker. Often, stalkers are former spouses or partners. A stalker may target a public figure or celebrity, a child, a casual acquaintance or a complete stranger.

Victims have said that stalking has changed the way they live their lives. A stalker may intrude by following a victim to and from home, work or social activities. A stalker sometimes intrudes by watching the victim's home, making harassing telephone calls, or sending threatening mail.

## What Are the Criminal Offenses Involved?

The specific criminal offenses involved in stalking obviously vary from state to state. Some states have passed criminal statutes specifically prohibiting "menacing by stalking." In most states, these laws have escalating penalties for repeat offenses.

In addition to stalking, other crimes involved may include domestic violence, harassment by telephone, menacing, assault, criminal trespass and burglary.

## What Should the Victim Do?

- **Notify the Police.** This is the first thing victims of stalking incidents should do. They should notify the police department of jurisdiction where they live and where they work, if they work outside the home.
- **Maintain a Record.** The victim should maintain a detailed record of each encounter with the stalker. Included in this record of incidents should be dates, times, locations, complete description of the offender, words spoken, actions taken during the incident, actions taken afterward and names of witnesses. The victim may also wish to tape record threats made over the telephone or in direct encounters.
- Maintaining a record will allow the victim to refresh their memory about the incidents should they need to provide information to the police or testify in court.
- **Seek A Protection Order.** Temporary, emergency or civil protection orders (the terminology may differ between jurisdiction) are court orders intended to keep the stalker

away from the victim by making it illegal for the stalker to have contact with the victim. In most jurisdictions, a person who violates a protection order can be found in contempt of court and jailed or fined. A person who violates a protection order is guilty of a criminal offense, usually a misdemeanor, but sometimes a felony, and is subject to criminal prosecution.

## **Prevention Techniques**

It is difficult to prevent stalking, particularly if the offender is determined. The following are among the precautions or prevention techniques that can be adopted.

- If the victim works outside the home, the victim's supervisor should, in most cases, also be advised of the stalking incidents. They can lend support or possibly intervention.
- The victim should ideally have a portable cellular telephone. Some crime prevention programs have been initiated to lend cellular telephones (programmed to call 911) to victims of stalking.
- Either a temporary or permanent duress alarm system can possibly be installed at the victim's workplace.
- The victim should be very careful about locking their motor vehicle and be sure no one has hidden in the vehicle before entering it.
- If the victim works outside the home, the victim may want to have someone escort them to and from their motor vehicle.
- The victim should avoid walking alone in dark areas at night or in isolated areas any time of the day.
- The victim may carry a high decibel personal battery powered alarm device.
- The victim may want to change the locks on their home or apartment.
- The victim should be advised *not* to carry a deadly weapon of any type.
- If the victim is female, she may want to attend a self defense training program. When well done, such programs often provide the victim a sense of personal empowerment.

## **Stop Stalking!**

Stalking is a form of terror. It can be a sign of pending danger and can change a victim's way of life. An untold number of people feel this terror every year.

While law enforcement agencies and court orders cannot stop every instance of harassment, when there is repeated stalking, in most cases, the law allows police and the courts to respond and attempt to protect the victim.