

# Campus Stalking

## Introduction

Congress has appropriated over \$30 million in the fiscal years 1999, 2000, 2001 to reduce sexual assault, relationship violence and stalking on campuses by funding 44 institutions of higher learning, technical assistance providers and other support services. Through a cooperative agreement with the Violence Against Women Office, the California Coalition Against Sexual Assault (CALCASA) provides technical assistance services to recipients of the "Grants to Reduce Violent Crimes Against Women on Campus Program." As a part of the training and technical assistance, CALCASA will provide a series of information packets on emerging issues related to various campus programs including, but not limited to: campus victim advocacy programs, prevention programs, and disciplinary proceedings. This issue will focus on providing an overview of stalking.

## History

Stalking generally refers to harassing or threatening behavior that an individual engages in repeatedly, such as following a person, appearing at a person's home or place of business, making harassing phone calls, leaving written messages or objects, or vandalizing a person's property. Throughout this decade, behaviors generally associated with stalking have received considerable attention from public policymakers and have led to enactment of laws in every state. Although language prohibiting stalking has been incorporated in one form or another into every state's legal system, there is still no single legal definition of stalking. It is generally defined as a "course of conduct directed at a specific person that would cause a reasonable person to fear bodily injury" to that person or a member of that person's family or household. "Course of conduct" means "repeatedly maintaining a visual or physical proximity to a person or repeatedly conveying verbal or written threats or threats implied by conduct or a combination thereof directed at or toward a person," and "repeatedly" is defined as two or more occasions.

Unlike other crimes, which normally consist of a single illegal act, stalking is a series of actions that, when taken individually, may be perfectly legal. For instance, sending a birthday card or flowers or standing across the street from someone's house is not a crime. However, when these actions are part of a course of conduct that is intended to instill fear in a victim, they may be considered illegal behavior.

The majority of targets are, however, ordinary citizens, predominantly female. California was the first state to recognize the need for anti-stalking laws and passed the first anti-stalking legislation in 1990. Within ten years, all 50 states and the District of Columbia had enacted similar laws. While the laws are not exactly the same, the effect of all has been to recognize stalking as a repeated and obsessive behavior directed at another person that would put those persons in reasonable fear of physical violence, sexual assault, and/or death. It is known now that acquaintance and intimate partner stalking is very common on college campuses and is the

subject of recent research which demonstrates that over 80% of campus stalking victims were acquainted with their stalkers (Fisher, 2000).

Stalking on campus is a difficult behavior to recognize, define, and address. It is not a one-time event, but rather a series of threatening incidents that, if not responded to, may end in violence. Stalking may begin as bothersome attention, including: unwanted telephone calls, emails, or letters; waiting for the victim after class or work; or asking repeatedly for shared social time. These incidents are sometimes first seen as flattering. The target may dismiss the behavior as merely socially immature and choose to give the stalker the benefit of the doubt. The public views college campuses as safe places and college students themselves do not want to believe that anyone would actually harm them. Every case of stalking must be considered as potentially dangerous. Early intervention is critical. If not confronted early, the stalker may soon cross the line into criminal activity by engaging in threatening behavior that brings psychological and potential physical harm to the victim. Stalkers are motivated by obsession and a desire for control, which stem from either a real or imagined relationship with the victim.

Stalking often causes pervasive, intense fear and can be extremely disruptive for the victim. In addition to presenting a continual threat of physical and/or sexual violence, the stalker can erode the victim's sense of safety and personal control. Victims many times do not know what to do to stop the stalker's behavior. In addition, the effects of stalking are often minimized by the victim as well as by others who have knowledge of the behavior, allowing the harm to increase before steps are taken to rectify the situation.

Current research shows that stalking has become a common occurrence on today's college campuses. Some of the very aspects that make campus life appealing aid the potential stalker. The campus is a closed environment where it is easy to determine a student's schedule; it has a highly social atmosphere where stalking behavior may be confused with positive, romantic attention at first; student movement through the campus is predictable and access to residences as well as academic buildings may be quite easy. One can easily find information about a selected student through the campus directory, including the student's address, telephone number, and email address.

College students represent one of the largest groups of internet users and, due to the increased accessibility and decreased accountability afforded to online communication, stalking activity has entered cyberspace. Cyberstalkers can easily disguise themselves by adopting several false identities and then harass the target through unsolicited emails, disturbing private or public messages on bulletin boards or in chat rooms, and communiqués of actual threats of harm. In addition, stalkers may pose as the victim online in order to incite others to harass and threaten the victim. For example, a stalker may use the victim's identity in a chat room and tell others in the room "I enjoy rape fantasies" and then provide the victim's home address. Online stalking may lead to other forms of stalking; this behavior must be taken seriously. Stalking online is often illegal and is frightening for victims.

Research shows that college-aged persons are primary targets of stalkers and much campus stalking is from within the campus community. Though stalking is a gender neutral crime, most victims are female and the majority of stalkers are male. Stalking occurs in a variety of circumstances and between persons who have various relationships. These can generally be

characterized in one of three ways: intimates (or former intimates), acquaintances, or strangers. On college campuses, most stalking behaviors are directed to someone the stalker knows, at least slightly. Relationships (partners, former partners, co-workers, friends, or strangers) are an important aspect of the management of these cases by law enforcement and/or university administrators.

Communities, including campuses, have begun to address the problem of stalking. Stalking is both a criminal justice and a public health concern. Advocacy for the stalking victim on college campuses is found in any number of places. Because of the victim's fear of intended physical and/or sexual violence, campus sexual assault service providers are often the first to know about campus stalking. If there is no such center on campus, many stalking victims reach out to the college counseling center, health center, or a trusted faculty member. The psychological and physical impact of stalking on its victims include symptoms of post-traumatic stress (nightmares, flashbacks, hyper-vigilance, social withdrawal), severe anxiety, panic reactions, sleeping and eating disorders, anxiety, loss of self-esteem, and stress-related illnesses. Left untreated, these symptoms can have long-range effects as well as compromise the student's ability to remain on the college campus or to complete her/his academic pursuits. Police are instrumental in the response to stalking on college campuses. Understanding the state and federal stalking laws is crucial to an appropriate police response. Comprehensive training on victim safety needs and computer crime investigation are equally vital. Campus law enforcement must take an active role in recognizing and identifying stalking behavior, investigating all reports of such behavior, and assisting the victim with safety planning efforts. Such efforts should include development of a victim support system, documentation of incidents, and forming safety plans. The importance of evidence collection and preservation cannot be overemphasized. Such evidence would include any communication from the stalker, such as email messages, taped voice messages, letters and notes received, etc. Though stalking incidents must be repetitive (at least twice) before they can be considered a crime, all incidents should be reported to the police. The stalker's persistent presence is many times the most threatening aspect of the behavior. Police should take allegations of stalking seriously and take all actions permitted by law. For example, police can help a stalking victim by making it known to the stalker that his/her behaviors are being followed by law enforcement and that these behaviors must end immediately.

University judicial administrators also can be helpful to campus stalking victims. Protecting the targeted student is a necessary role for the administrator to take. Such assistance may involve housing and academic intervention, escort services, and personal identity protection. All strategies should address the victim's confidentiality needs. These administrators can proceed with judicial procedures if the stalker is also a student, whether or not the stalking occurs on campus. It is important to remember that much campus stalking involves electronic (online) stalking and that in many cases, university-owned computers are the source of such harassment; thus, making it a campus-based case. Collaboration among various college departments to be proactive and provide assistance to victims of stalking when an incident is reported is crucial to the reduction of stalking on campus. Working together is the first step toward the development of a campus-wide stalking policy that will be both proactive and responsive to the needs of college students. However, campus authorities should also work with local authorities and should inform victims of the full range of options.

## Frequently Asked Questions

### Who are the stalkers?

Nearly 90% of stalkers are male. Most stalkers know their victims (75% of whom are female); 60% are current or former intimate partners (Tjaden, 1998). Male victims tend to be stalked by strangers and acquaintances rather than intimates. Most stalkers are late teens to middle-aged. Most have above-average intelligence. They come from every socio-economic background. Many stalkers are anti-social, manipulative, deceptive, obsessive-compulsive, and have a history of failed relationships. Historically, psychologists have divided stalkers into three broad categories, based on the apparent motivation of the stalker. These categories are:

- **Love Obsession** - stalkers develop a fixation on another person with whom they have no personal relationship. The target may be a casual acquaintance or even a complete stranger. Stalkers who 'fall in love' with a student in their class or a professor fall into this category. These stalkers seem to want to live out a fantasy with their victim.
- **Erotomania** - stalkers hold a delusional belief (a paranoid disorder) that they are being loved by their target, even if it is not expressed. The target is often a well-known person, such as a student-leader or acclaimed athlete.
- **Simple obsession** - stalkers have some previous or current personal or romantic relationship with the victim. These include all domestic violence cases, as well as intimate and casual dating relationships, co-workers, and casual friends. Rejection often triggers this type of stalking. Stalkers turn to threats and violence as a means of reestablishing control of the victim.

It is important to note that these are clinical classifications of stalkers. When working with a stalking victim, campus authorities and victim services personnel should treat each case individually and work with the victim to establish a comprehensive safety plan. In addition to the clinical classifications, stalkers also may be classified based on their relationship with the victim:

- **Intimate or former intimate stalking** - The stalker and victim may be married or divorced, current or former cohabitants, serious or casual sexual partners, or former sexual partners. A history of domestic violence may exist.
- **Acquaintance stalking** - The stalker and victim may know each other casually, either through formal or informal contact. For example, they may be coworkers or neighbors, or they may have dated once or twice but were not sexual partners.
- **Stranger stalking** - The stalker and victim do not know each other at all. Cases involving celebrities and other public figures generally fall into this category.

### Why should a police report be made?

Stalking is a crime. Reporting the case to the campus or local police allows the authorities to protect the victim, to gain access to the stalker, to call attention to the stalker's behavior, and to hold the stalker accountable through the criminal justice system. Filing all reports helps to establish a pattern of contacts. Stalkers are often repetitive in their behaviors; thus, a police

report might lead to ending an escalation of violence. A police report should be one piece of a more comprehensive response, including the development of a safety plan.

### **Can the police or judicial administrator be of assistance if the victim does not want the stalker arrested or put through a campus judicial procedure?**

Law enforcement or judicial intervention can be instrumental in ending the stalking behavior, even if the victim chooses not to make an official police report. At the victim's request, campus police or a judicial administrator can contact the stalker, indicate full knowledge of the behaviors involved, and give a strict warning to have no further contact with the victim. Because most college students do not want a criminal record, or to violate campus conduct codes, this intervention often stops the stalking.

### **What if there isn't enough evidence to arrest a person for stalking or cyberstalking?**

There are many closely related crimes; depending on the incidents, a stalker can also be arrested or adjudicated for -- abduction, annoying/obscene phone calls, assault, breaking and entering, weapons violation, fraud, mail tampering, sexual assault, threatening a witness, trespass, vandalism, or violation of a protective order. Bringing charges for one or more of these crimes is a good alternative.

### **Should a victim obtain a protective/restraining order?**

Many officials and friends of the victim may suggest obtaining a protective/restraining order for safety's sake. The protective order may be the one thing that enables the police to build a strong case against the stalker. Helping a victim obtain a protective order can be one part of a comprehensive response to stalking, which should also include assistance with safety planning.

### **What can be done if the stalking is committed in various jurisdictions?**

Most state laws, as well as the federal statute against stalking, allow for multi-jurisdictional incidents of stalking to be included in a single criminal charge. To better inform law enforcement, the victim should keep accurate logs of incidents by type, location, date, time, and witnesses.

### **What's the best course of action for a campus victim of stalking?**

Each person must decide what is best for her or him with regard to notification of authorities. But all victims of campus stalking should make a safety plan, develop a network of support, and contact university/college advocates and/or counselors to discuss all the options available. Development of documentation, or 'a paper trail,' of stalking incidents is essential for authorities (and law enforcement) to provide a comprehensive response to the campus stalking victim.

### **What if a victim does not want police involvement?**

The campus victim should seek support immediately from campus crisis counseling resources. Though most stalking does not end of its own accord, the support person can help the victim

understand stalking, learn protective measures such as varying one's routine and use of campus escort services, and identify other means of intervention available.

### **What if both the victim and the stalker are students?**

In these cases, the university judicial administrator can take the complaint from the victim and initiate judicial proceedings against the stalker based on the student code, which could result in suspension or expulsion from the university/college as well as no contact (stay away) orders. Other security precautions include changing the victim's class schedule and contacting the registrar to protect the victim's personal information. Protection of personal information plus academic intervention for the student victim are additional important services. In addition, security precautions could include helping the victim to relocate if the victim chooses to do so.

### **How can the institution respond to stalking behaviors?**

The institutional response must be multi-level. Implementation of an institutional stalking policy, complete with guidelines for the victim is essential. Development of comprehensive stalking victim services, training of police and other victim service providers, and marketing of such services are equally important.

### **How can you tell if the stalker is dangerous?**

All stalking is dangerous, even if actual violence is avoided. Threat assessment is crucial for victim safety. Such assessment can be accomplished with the assistance of law enforcement and victim service providers. It is important to create a safety plan that will bring the victim a sense of security as well as referrals for future incidents. Stalking may create psychological harm to the victim and may end a victim's plan to gain a college degree unless support is given.

### **What does a stalking safety plan involve?**

Acknowledging the stalking behavior is the first step. Developing a support system is essential, and should include trusted friends and family, plus campus victim advocates. Take all threats seriously; never underestimate the stalker's potential for violence. As part of a safety plan, victims can, for example:

- send a no contact order to the stalker
- notify the police of all incidents
- protect personal space
- vary routes of travel
- use caller ID or a cell phone
- obtain a post office box
- have the registrar put a "hold" on all personal information
- save all physical evidence
- keep accurate logs of incidents
- use a stalking safety log to document all encounters with the stalker
- form a contingency plan in case their safety is compromised
- be prepared to leave the area, if necessary

## What are the possible legal remedies for stalking?

College students have more legal remedies than other citizens. A campus victim of stalking can bring criminal charges, file a civil lawsuit, and/or make a university judicial complaint.

## Are there any ways to reduce the possibilities of being stalked?

Recognizing that anyone can be a stalker and, likewise, anyone can become a stalking victim is the most important point to remember. Understanding also that anyone has the right to reject a person's advances is crucial to personal safety – don't waver; be direct. Changing daily routines often may discourage the stalker. Do not disclose personal information in chat rooms and to virtual strangers on the Internet. Basically, students should just follow their intuition and not overlook threatening signs.

## Definitions

**Stalking.** In general, stalking is one person's harassing, obsessive or threatening behavior towards another person. Any repetitive, unwanted contact between a stalker and a victim or any behavior that threatens or places fear in that person constitutes stalking. Each state defines stalking by its state criminal laws (statutes). There is a federal law against stalking as well.

- **State Law.** Most state laws consider stalking a misdemeanor until there are subsequent convictions, at which time the incident may be considered a felony. Some state laws include provisions covering stalking behaviors using the computer. Others provide a civil action against a stalker. To retrieve or download summaries of state stalking laws, go to the National Center for Victims of Crime website: [www.ncvc.org](http://www.ncvc.org). Many states also have laws providing for protection orders for stalking victims.
- **Federal statute.** It is a Federal crime to travel in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States, or leave or enter Indian country, with the intent to kill, injure, harass, or intimidate any person if, in the course of or as a result of such travel, the offender places that person in reasonable fear of the death of, or serious bodily injury to, that person, a member of that person's immediate family, or that person's spouse or intimate partner. The terms immediate family and spouse or intimate partner are broad and include a spouse or former spouse of the stalking target, a person who shares a child in common with the stalking target, a person who cohabits or has cohabited as a spouse with the stalking target, any other person similarly situated to a spouse who is protected by the domestic or family violence laws of the state or tribal jurisdiction in which the injury occurred or the victim resides, and a parent, child, sibling, and all household members related to the stalking target by blood or marriage.

It is also a Federal crime to use the mail or any facility of interstate or foreign commerce (including telephones, fax machines, and the Internet) to engage in a course of conduct that places a person in reasonable fear of the death of, or serious bodily injury to, that person, a

member of that person's immediate family, or that person's spouse or intimate partner. The offender must commit these acts with the intent either to kill or injure a person in another state or tribal jurisdiction or within the special maritime and territorial jurisdiction of the United States or to place a person in another state or tribal jurisdiction or within the special maritime and territorial jurisdiction of the United States in reasonable fear of the death of, or serious bodily injury to, that person, a member of that person's immediate family, or that person's spouse or intimate partner. A course of conduct is defined as a pattern composed of two or more acts evidencing a continuity of purpose.

**Cyberstalking. (Also known as on-line harassment or electronic stalking.)** This form of stalking involves offensive, threatening communication through the Internet, via email, chat rooms, or instant messaging or through other electronic means, such as cellular telephones or pagers. Cyberstalkers can easily disguise themselves, adopt several false identities, and change identities and servers often, creating difficulty for the victim to trace the messages sent. The cyberstalker can easily find out the victim's personal profile, as it is easily accessible on-line. This type of stalking is methodical, deliberate, and persistent communication that disturbs the recipient. It is equally as serious as conventional stalking and is included in most statutes addressing stalking. Some states have addressed this problem by enacting a separate criminal law against it. In addition to directly contacting victims, cyberstalkers may pose as the victim on the Internet to induce others to harass and threaten the victim.

- **Chat Room.** Where people gather and talk to each other on-line in real time, sometimes about a specific topic; other times it is a very general discussion.
- **Instant Messages (IM).** Some Internet providers establish instant messaging as part of their services. Similar to chat rooms but it is one-to-one communication.
- **Internet Service Provider (ISP).** The host from which one gains the Internet connection and ability. Most colleges and universities provide Internet services for their students. Some students also choose to acquire a private host. Examples are Yahoo!, AOL, or MSN.
- **Spam.** A message sent many times via email and posted to newsgroups. When receiving it through email, the person's name is usually not in the TO: line. The return address is usually forged or fake.

**Felony.** Crimes that are generally punishable by death or confinement in a state prison for a period of one year to life.

**Misdemeanor.** Crimes that are generally punishable by fine and/or confinement in a local jail for a period up to one year.

**No Contact Statements.** This form of communication is given by the victim to the stalker as soon as the stalking begins. It tells the stalker that the victim wants no more contact in any form. An option of delivery is by registered mail; thus, giving the victim proof of receipt for later legal support. It is important that the victim have no more communications of any kind with the stalker after this statement has been sent, even if the stalker is antagonistic or placating. Any response tends to satisfy a stalker, even if the victim is angry or blaming. If stalking is all on-line, the victim may send an email no contact statement. A no contact statement is one part of a comprehensive response to stalking, which should also include a safety plan.

**Protective/Restraining Order.** This court order prohibits contact by the stalker with the victim. The victim usually must request/apply for such an order although sometimes a prosecutor can also request it as part of a criminal case. In addition to the security provided to the victim, this order may provide useful evidence if a stalking arrest is later made by the police. For the order to be effective, the victim must be willing to contact the police when further contact, encounter, or threats of violence occur. Recognizing a protection orders limitations is crucial for victim safety. However, recent research has indicated that such orders can be effective. As with other responses to stalking a protection order should be part of a broader strategy, including a safety plan.

**Safety Plan.** A comprehensive plan that addresses various parts of the victim's life, such as home, work, and travel, and attempts to ensure the victim's safety at any location. Often the plan involves giving information to other parts of the community. For example, as one part of a safety plan, a victim might give a picture of the stalker and information about the stalker's car to her neighbors and ask them to call the police if they see the stalker. Another example might be asking a receptionist to screen all phone calls at work.

**Stalking Log.** A journal that a victim can use to keep track of all incidents of stalking. This can be helpful evidence of the stalking and can help refresh the victim's memory about all of the incidents. The log could contain such information as the date, time, and location of stalking incidents, a description of the incidents, whether any witnesses were present, and, if so, contact information for the witnesses, among other things.

**University/College Stalking Policy.** One of the best methods of improving the climate on any campus is the creation of a university-wide stalking policy, which should be written in the same format as any other campus policy. Policies are written with three purposes in mind: to show institutional commitment, to place a high value on the topic, and to inform the campus community. Any worthwhile stalking policy should include:

- a university/college definition of stalking for the student code
- the significance of stalking as an issue
- intervention strategies
- legal options, including criminal, civil, and judicial
- the process for reporting an incident
- victim assistance available on campus

**Victim Advocate.** Any person who supports the victim by providing crisis intervention, as well as information and referrals, specifically about legal, medical, academic and psychological options. The advocate maintains confidentiality, accompanies the victim to legal and medical appointments, and provides continuing supportive assistance due to the trauma following the incidents.

**Victim Impact.** The victim's life is often changed by the stalker's use of power and control. The impact felt by the victim may be in any or all of the following ways: physical, psychological, legal, academic, economic, and social. Certain patterns of reactions often occur, which include denial, bargaining, minimization, self-blame, anxiety, fear and, finally, anger. Survivors of stalking typically experience a wide variety of responses in addition to those already

mentioned, such as: depression, nightmares, guilt and shame, sleeping and eating disturbances, and an inability to concentrate in class or function at her/his usual academic level.

## **Assessing Lethality**

Factors to consider in determining serious injury/lethality potential\*:

- Threats of homicide/suicide
- History of domestic violence and violent criminal conduct
- Separation of parties
- Stalking including cross-jurisdictional travel to threaten or harass
- Depression or other mental illness
- Obsessive attachment to victim
- Possession or access to weapons
- Abuse of pets
- Destruction of victim's property
- Access to victim and victim's family and other supporters

*\* These factors, which are not listed in any particular order of importance, can be helpful in many cases, but are not guaranteed predictors of future violence.”*

## Statistics

- More than 13% of college women indicated that they had been stalked in one college year (Fisher, 2000).
- 25% of the stalking incidents among college women involve cyberstalking (Cyberstalking, 1999).
- There is a strong link between stalking and other forms of violence in intimate relationships: 81% of women were also physically assaulted; 31% of women were also sexually assaulted (Tjaden, 1998).
- Four in five campus victims knew their attackers (Fisher, 2000). (boyfriend or ex-boyfriend (42.4%), classmate (24.5%), acquaintance (10.3%), friend (9.3%), or coworker (5.6%))
- 8% of women and 2% of men in the United States have been stalked at some time in their lifetime (Tjaden, 1998).
- The primary targets of stalking are young women between the ages of 18 and 29 (52%)--the traditional college student age (Ibid).
- Campus stalking incidents lasted an average of 60 days (Fisher, 2000).
- The most common consequence of campus stalking was psychological. In over 15% of the incidents, victims reported that the stalker threatened harm. In over 10% of the incidents, they reported forced or attempted sexual contact (Ibid).
- 83% of stalking incidents were NOT reported to police or campus law enforcement (Ibid).
- 93.4% of victims confided in someone, most often a friend, that they were being stalked (Ibid).

## Resources

### On the Internet

Working to Halt On-Line Abuse -- <http://www.haltabuse.org>

George Mason University (VA) Stalking Policy --  
<http://www.gmu.edu/sexual/university.html#stalking>

National Center for Victims of Crime -- <http://www.ncvc.org>

Stalking Resource Center -- <http://www.ncvc.org/src.htm>

Spam Cop -- <http://www.spamcop.net>

“Stalking and Domestic Violence, Second Annual Report to Congress” --  
<http://www.ojp.usdoj.gov/vawgo/stalk97/>

“Stalking and Domestic Violence, Third Annual Report to Congress” --  
<http://www.ojp.usdoj.gov/vawgo/stalk98/>

“Stalking and Domestic Violence, Fourth Annual Report to Congress” –  
<http://www.ojp.usdoj.gov/vawgo/stalk99/>

Survivors of Stalking, Inc. -- <http://www.soshelp.org>

Office for Victims of Crime (U. S. Department of Justice) --  
<http://www.ojp.usdoj.gov/ovc/>

Violence Against Women Office (U.S. Department of Justice) --  
<http://www.ojp.usdoj.gov/vawo/>

### Readings

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