Using Probation and Parole to Stop Stalkers

Stalkers are hard to stop. They are, by definition, obsessed with their victims and often continue stalking even after they have been charged, convicted, incarcerated, and released. Yet several jurisdictions—California; Westchester County, New York; and Washington state—are finding that carefully supervised probation and parole can help control stalkers and protect victims.

Using probation and parole to prevent stalking is a significant innovation. Traditionally, parole has supported the transition of a convicted offender from prison to society—ensuring that offenders are obeying the law and meeting the conditions of their release (e.g., avoiding former companions, guns, and drugs). Probation—a chance for someone convicted of a crime to remain free or serve a short time—requires that offenders meet specific conditions to stay out of prison. Both functions focus primarily on the offender.

In expanding their focus to include specific victims, parole and probation divisions in California, Westchester County, New York, and Washington have adopted approaches that have several features in common. Systematic contact with victims, lower case loads for probation and parole officers, and high-level supervision of offenders have helped these jurisdictions keep stalkers under control.

**Victim Contact**

In Westchester County, New York, the Department of Probation views victims as partners in preventing stalkers from resuming their crimes. Supervising Probation Officer Michael Oldi reports that his officers maintain constant contact with victims, informing them of the offender’s status and inquiring about any contact from the offender—either directly or through third parties. The contact reassures victims that the state is concerned about their welfare. Information from victims helps officers to conduct threat assessments, analyze their own observations about offenders’ conduct, and cite offenders for any violations of the conditions of their release or parole.

In Fresno County, California, where the Victim Witness Assistance Center is part of the probation department, officers establish contact with victims immediately after the offender is convicted. The merger of the probation and victim witness assistance functions, a highly innovative approach, positions the department not only to elicit useful information from victims but to offer them extensive support. The department offers victims a range of services, including financial aid, medical assistance, and emotional support. “We don’t drop the victim after the [offender’s] conviction,” says Norm Baird, the director of victim services. “We advocate for them. We provide them with services for years following a conviction if necessary.”

Similarly, the California Department of Corrections Parole Division also maintains regular contact with victims and makes sure that stalkers are complying with the conditions of their supervision, says unit supervisor Daniel Renteria. Victims are given the name and phone number of the agents who are supervising their stalkers, and the victims’ input is taken very seriously. Victims can request that their stalker be moved out of the areas where they live, and it is not unusual for Renteria’s agents to move a stalker four counties away to ensure a victim’s safety. “We have to really be there for the victim,” says Renteria, “and we will do whatever we can to support them. Our phone is available twenty-four hours a day.”

**Light Case Load**

Departments that use probation to curtail stalkers often assign their officers a relatively light case load. Unlike their colleagues in other jurisdictions who carry hundreds of cases, the officers at the Westchester County Department of Probation are assigned fewer than thirty cases each. In Kitsap County, Washington, officers who supervise stalkers have roughly one-third the average case load for their department. The lighter case loads allow officers to supervise offenders closely—monitoring their companions, their behavior in many different situations,
and how they spend their time. The information officers collect helps them spot signs that offenders may be violating the terms of release and resuming the behavior that originally sent them to prison.

The California Department of Corrections adopts a similar approach to managing offenders convicted of stalking. The department classifies stalkers as “high control,” a category that includes the most dangerous offenders, such as murderers and rapists. Officers assigned to stalkers and other high control offenders have fewer cases than their colleagues who supervise less dangerous offenders.

**Intense Supervision**

Westchester County’s Department of Probation recognizes that stalkers are creative in pursuing victims and that the department must adapt its strategies to the stalkers’ tactics. The department may ask the court to impose specific requirements, such as weekly visits to the parole or probation officer, unscheduled home visits by the department twice a month, mandatory drug treatment program participation, or a host of other requirements.

One particularly effective feature of the Westchester program is that probation and parole officers team with police officers to patrol and conduct visits to offenders. Under this arrangement, police officers can immediately arrest offenders found to be violating the terms of their parole (rather than having the parole officer file a request and then wait for the offender to be arrested). Such teamwork can be particularly useful in stalking cases. For example, an officer who spots an individual constantly loitering on a specific street may suspect that something is wrong but have no basis for detaining the suspect. Yet the parole officer might inform the police officer that the “loiterer” is violating a civil order of protection by being in the victim’s neighborhood or violating parole by being out past curfew. The information from the parole officer often allows the police officer to make an immediate arrest.

**California: ‘High Control’ Supervision**

The California Department of Corrections also uses varied forms of intense supervision to enforce a policy of “zero tolerance” for stalking. By classifying stalking as a “high control” offense (even though many stalking cases are charged as misdemeanors), the department recognizes the danger posed by stalking and makes a strong commitment to using parole to protect victims. Parole conditions for stalkers require both “no contact” and “no attempts to contact” victims through third parties. Daniel Renteria emphasizes that “the offender cannot cross over the line even briefly. If we allow this type of behavior to continue, the stalker will become relentless and will push his or her limit.”

Renteria’s agents conduct both early morning and late evening contacts with stalkers. These contacts are done at random, always at the stalker’s residence. Stalkers are also often required to keep travel logs and to document their every movement. The Parole Division also tracks stalkers by using an electronic tracking device, making every attempt to ensure victim safety and monitor the level of threat posed by the stalker.

Parole agents in Renteria’s unit also conduct random searches of the stalkers’ homes to identify any indications of the stalker’s fixation with the victim. The searches assist parole agents in threat assessment and enable them to identify early warning signs that the stalker has resumed his pursuit of the victim. In one recent case, officers searched a parolee’s residence while he was out. Agents found pictures of the victim and some of her property, including her identification, and a map of Southern California, where the victim lived. Officers later discovered that the parolee had recently received these items in a package sent by his family. On the basis of this evidence of the parolee’s continued fixation on the victim, the parolee was placed in custody and returned to prison.

**Creative Approach**

Managing stalkers is a complex problem requiring dedicated professionals, broad programs, and flexible, victim-centered strategies. By increasing contact with victims, lightening case loads for officers, and intensively supervising offenders, probation and parole divisions in California, Westchester County, and Washington have
intensified their response to stalking victims and increased their chances of keeping them safe. These approaches suggest directions other jurisdictions might pursue in protecting their communities from stalkers.

Please let us know if your probation or parole department has found new ways to use supervision to control stalkers. Call the Stalking Resource Center at (202) 467-8700.