Although it is a problem as old as human society, stalking has only been deemed a crime since 1990 when California enacted the nation’s first anti-stalking law. Since then, all states, the District of Columbia, and the federal government have passed laws defining and prohibiting stalking (Miller, 2001).

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Delimiting Stalking
While the legal definition of stalking varies on certain dimensions between jurisdictions, virtually all require a pattern or course of conduct (i.e., twice or more) by the alleged perpetrator of repeated and unwanted contact with the alleged victim. Such contact may include any or all of the following behaviors:
• Communication by phone, mail, or email.
• Sending, leaving, or giving gifts.
• Direct or indirect threats of harm to the person, property, pets, and/or loved ones of the targeted individual.
• Following or hiring someone to follow the targeted person.
• Tracking the targeted individual by use of a global positioning system or similar technology.
• Voyeurism (including the installation of video- and/or audio-recording devices in the target’s home without his or her knowledge or permission).
• Obtaining personal information about the target (through discarded trash; family, friends, neighbors, and/or co-workers; private investigators; public records; Internet searches; etc.).
• Lying in wait.
All stalking behavior can be classified based on the purpose of the given behavior, be it surveillance, pursuance, intrusion, control, harassment, intimidation, threats, or violence (Miller, 2001).

Most legal definitions of stalking include the intent of the alleged perpetrator (i.e., willful and malicious) as well as the subjective experience of fear on the part of the alleged victim. That is, stalking is a victim-defined crime rather than one that relies on the opinions of observers or the “reasonable man” standard. A pattern of unwanted behavior reaches the threshold of stalking if and when those behaviors evoke fear in the alleged victim, which need not occur contemporaneously (People v. Ewing, 1999).
Techno-Stalking
While few state stalking laws specifically address technological forms of surveillance, many do include specific prohibitions against the use of electronic means of communication. To counter the often elusive nature of stalking, some states attempt to list all possible forms of "techno-stalking," a near impossible task given the exponential growth in all technologies. With the pervasive presence of computers and Internet use (to include eTherapy), cyberstalking has been specifically recognized in virtually all jurisdictions.

In its simplest form, the Internet can be used to search out a range of personal information about the intended victim. On a more insidious level, by using the victim's Internet protocol address (which is included in all directly sent and indirectly forwarded emails), stalkers can easily access the victim's computer in order to remotely install spyware. Legal in all states, spyware was originally designed for parents to monitor their children's use of the Internet. Cyberstalkers apply such programs illegally; that is, to covertly record all websites visited by the victim and to read all emails the victim sends and receives. In addition, spyware records every keystroke made on the victim's computer (both online and offline), which is then sent directly to the cyberstalker's computer. Perhaps most intrusive of all, spyware allows the cyberstalker access to every file on the victim's computer and searches for all passwords. Many spyware programs now have a reinstall feature where should the victim discover and delete the spyware, it automatically reinstall itself when deleted.

Tracking the Crime
Given the comparative recency of national stalking laws, data regarding the crime of stalking (i.e., reports, arrests, convictions, demographics of victim and offender, etc.) have only been collected by law enforcement officials since the late 1990s (Fox, 1999). The first national study of stalking was co-sponsored by the National Institute of Justice and the Centers for Disease Control and Prevention (Tjaden & Thoennes, 1998). Conducted by the Center for Policy Research between late 1995 and mid-1996, the study revealed that 1 out of every 12 women and 1 out of every 45 men will be stalked during their lifetimes, representing over 1 million women and over 370 thousand men stalked annually.

Several typologies of stalkers have been developed over the years (Del Ben & Fre mouw, 2002; Harmon, 1995; Mohandie, Meloy, & McGowan, 2006; Mullen, Pathe, Purcell, & Stuart, 1999; Wright, Burgess, Laszlo, McCravy, & Douglas, 1996; Zona, Sharma, & Lane, 1993). One of the earliest classification schemas was developed by Zona, Sharma, and Lane. The researchers identified three types of stalkers: simple obsessional, love obsessional, and erotomaniac. The category of simple obsessional (the largest of the three subtypes) represents the stalkers who knew their victims, were motivated by anger or revenge, and were most likely to become physically violent. This group was characterized by the presence of attachment disorders and the near absence of antisocial personality disorders. The second largest subtype, love obsessional, tended to stalk strangers with whom they were obsessed. The final and smallest of the subtypes, erotomaniac, also stalked strangers but were motivated by the erroneous and even delusional belief that the victims were in love with them. Eroton maniac stalkers are typically female, apt to stalk public figures, and the least likely to make threats or behave violently.

Mullen, Pathe, Purcell, and Stuart (2000) devised a multi-axial typology of stalkers based on an analysis of psychiatric diagnoses, underlying motivations (e.g., love or anger/revenge), and the nature of the pre-existing relationship with the victim (i.e., current or former intimate partner, acquaintance, neighbor, co-worker/associate, or stranger). In addition, the researchers considered contextual and background variables associated with stalking.

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such as substance abuse, ongoing divorce and/or custody dispute, history of domestic violence and/or other criminality, escalation of stalking behaviors (in number and type), and boundary probing. The resulting typologies include rejected stalkers, who seek reconciliation and/or revenge; intimacy-seekers, who are driven by loneliness; incompetent stalkers, who are inept at or unable to form intimate relationships and hope to win their victims’ love and affection; resentful stalkers, who respond to perceived insult or humiliation; and predatory stalkers, who seek control and are focused on the goal of assault (either physical or sexual).

According to Mullen et al. (2000), the rejected and intimacy-seeking subtypes each represent 1/3 of all stalkers. Rejected stalkers are predominantly male, engage in many types of stalking behaviors, and are the most intrusive and persistent of all subtypes. Delusional disorders are most common among intimacy-seekers who, like the rejected subtype, are long-term stalkers (i.e., stalking a victim for more than one year). In contrast, stalking committed by those classified as incompetent (15% of all stalkers) tends to be comparatively simple, creates more annoyance than fear in the victim, is the most short-term of all subtypes, often transitions from one victim directly to another, and seldom results in criminal prosecution. Incompetent stalkers are the least likely of all subtypes to have criminal records or to abuse drugs. In contrast, predators are most likely to have criminal records and, given the violence inherent in this subtype, require immediate arrest and prosecution.

One of the most recently developed classification systems is that of Mohandie et al. (2006). Their relationship and context-based (RECON) typology places stalkers in one of four categories: intimate, acquaintance, public figure, and private stranger. Independent of type, Mohandie et al. discovered that 2/3 of stalkers engage in at least one unwanted and fear-evoking behavior per week (a notable number do so on a daily basis), and 78% use more than one method of stalking or approach to their victim.

As stalking is characterized by varying degrees of obsession, recidivism is a central issue in the understanding and prevention of stalking. Mohandie et al. (2006) found that approximately 1/3 of their subjects had stalked more than one victim. Forty-nine percent of Rosenfeld’s (2003) subjects re-offended during the study’s follow-up period (2.5–13 years), with 80% of those doing so during the first year. Both substance abuse and personality (especially Cluster B) disorders were identified as predictors of recidivism, with co-morbidity the strongest of all (Rosenfeld). These findings are especially significant as the largest subtype of stalkers is characterized by personality disorders, including difficulties with attachment (Zona et al., 1993). Of note, recidivism was negatively associated with the presence of delusional disorders (Rosenfeld).

The Influence of Gender, Sex, and Intimacy
According to a study by Tjaden & Thoennes (1998), overall, males represented just under 90% of stalkers and slightly over 20% of victims. Approximately 65% of the male victims knew their stalker and of those, 30% were stalked by a current or prior intimate partner. According to research by Mullen et al. (2000), most male victims are apt to be stalked by another male.

The same study showed that females represented just under 80% of stalking victims (Tjaden & Thoennes, 1998). Approximately 80% of female victims knew their stalker and of those, 59% were stalked by a current or prior intimate partner. Of those women stalked by an intimate partner, 81% were physically assaulted while 31% were both physically and sexually assaulted. According to Jiwan, Kachuk, and Moore (1998), women living in rural communities are especially vulnerable due to the inherent difficulty in avoiding and hiding from stalkers.

In comparing stalking committed by males versus females, Purcell, Pathe, and Mullen (2001) found no difference in the duration of stalking. Males were more apt to present with a history of substance abuse and criminal behavior than were females. While males were more likely to stalk strangers than were females, females were more likely to engage in same-sex stalking than males. As compared to males, females were more apt to stalk current or former therapists. Where females stalked in pursuit of intimacy, males presented with more varied underlying drives and motivations. Similarly, Meloy and Boyd (2003) found that female stalkers were driven by the desire to establish intimacy with their target, where men generally sought to restore an intimate relationship.

The significant number of men and women who are stalked by a current or former spouse or partner points to a clear overlap between stalking and domestic violence. In fact, separation between intimates has been identified as a trigger of stalking behavior (Morrison, 2001), and several studies have shown a strong connection between former sexual intimacy and violent stalking behaviors (Farnham, James, & Cantrell, 2000; James & Farnham, 2003; Meloy, 2000; Mohandie et al., 2006). While substance abuse, criminal history, and prior sexual intimacy are all associated with stalking violence, for both genders, prior sexual intimacy is the most significant predictor.

As might be expected, researchers have found that stalking is not only a significant risk factor for domestic violence, but also for murder; in particular, for female victims who had a prior physically abusive relationship with their stalker (McFarlane, Campbell, & Watson, 2002; McFarlane, Campbell, & Watson, 1999; McFarlane, Willson, Malecha, & Lemmey, 2000; Tjaden & Thoennes, 2001). In cases in which an attempt was made on a woman’s life, in the year preceding the attempt, a reported 85% were stalked, 71% were in a violent relationship, and 68% experienced both. Of all murdered women, 76% were stalked, 67% were in a violent relationship, and 89% experienced both stalking and domestic violence. Of note, 54% of female murder victims and 46% of female victims of attempted murder had reported the stalking to the police.

In comparing violent and non-violent stalkers, Schwartz-Watts and Morgan (1998) found no significant differences on the variables of education, substance abuse, organicity, and Axis I diagnoses. They did, however, find a significant relationship between the two groups on the dimension of prior relationship. Non-violent stalkers were more likely to have only a casual as-

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sociation with the victim, where violent stalkers were more likely to have had an intimate relationship. A negative relationship has been repeatedly found between violent stalking and psychosis (Farnham, James, & Cantrall, 2000; Kienlen, Birmingham, Solberg, O’Regan, & Meloy 1997; Schwartz-Watts & Morgan). Psychotic stalkers, who are more apt to stalk strangers than are non-psychotic stalkers, make significantly fewer threats of violence and less frequently behave violently than do non-psychotic stalkers (Farnham et al.; Kienlen et al.).

Overall, the frequency rate of violent stalking behavior ranges from 21% to 76%, with the violence including an array of behaviors, from the commonplace (e.g., pushing or slapping) to the extreme (e.g., murder by fire with gasoline and acid as accelerants) (Meloy, 2002). In looking at female stalkers, Meloy and Boyd (2003) found a 25% frequency rate of violence. Across all stalking cases, 1 in 5 includes the use of weapons for the purpose of threatening or actually harming the victim (Mohandie et al., 2006). Close geographic proximity between stalker and victim has been associated with increased property damage and physical assault (Palarea, Zona, Lane, & Langhinrichsen-Rohling, 1999).

The Haunting Effects of Stalking
The negative effects of stalking can be pervasive and long-term for the victims (Dressing, Kuehner, & Gass, 2005; Purcell et al., 2002; Sheridan, Blauw, & Davies, 2003; Spitzberg, 2002; Tjaden & Thoennes, 1998; Pathe & Mullen, 1997). Rates of depression range from 56% (Spitzberg) to 83% (Pathe & Mullen, 1997), with similar rates reported for anxiety. Pathe and Mullen found that nearly 40% of victims met the diagnostic criteria for post-traumatic stress disorder and that another almost 20% manifested features of the disorder without meeting the criterion pertaining to physical harm. Frequently reported symptoms (not meeting the criteria of a diagnosable disorder) included sleep disturbances (41%), substance abuse, suicidality (25%), irritation, agitation (56%), nervousness, conflicted/lost current romantic relationship and/or friendships, and impaired academic/occupational performance (Dressing, Kuehner, & Gass, 2005; Sheridan et
al.; Abrams & Robinson, 2002; Purcell et al.; Spitzberg; Pathe & Mullen).

In response to the psychological consequences of being stalked, 30% of female and 20% of male victims pursued psychotherapy (Tjaden & Thoennes, 1998). Approximately 75% of stalking victims reported one or more changes in their lifestyle as a direct result of the stalking (Dressing et al., 2005). Such changes included obtaining a new job, relocating, curtailing social activities, legal name changes, buying a new or different car, changing their appearances, and changing their phone numbers. In response to chronic fear for their personal safety, stalking victims were more likely than non-victims to carry something with which to defend themselves (Tjaden & Thoennes, 1998).

Approximately 25% of female victims and 10% of male victims get restraining orders against their stalkers (Tjaden & Thoennes, 1998). In a meta-analysis of 32 studies of stalking and restraining orders, Spitzberg (2002) found that for those victims who obtained restraining orders, 40% of the time it was violated. Of note, 21% of victims who were granted restraining orders described the stalking as subsequently escalating.

Tjaden and Thoennes (1998) found that Native Alaskan and Native American women were the most likely of all racial and ethnic minorities to report being stalked. Contact with the police was initiated in approximately 53% of stalking cases, typically by the victim (82%) (Tjaden & Thoennes, 2000). However, in only 68% of the cases did the police actually file the report and, of those, slightly less than 25% resulted in an arrest. In both Europe and America, approximately 12% of filed cases were actually prosecuted and, of those (Dressing et al., 2005; Tjaden & Thoennes, 1998), 54% were convicted. Of those convicted, 63% were sentenced to jail or prison. These findings are especially significant given that, as noted above, 54% of female murder victims reported stalking to the police.

References