

CHAPTER 9

Stalking Victims

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▶ ▶ LEARNING OBJECTIVES

- Discuss the nature of stalking behaviors
- Identify legal responses to stalking
- Identify a typology of stalkers
- Discuss effects of stalking on victims
- Discuss risk assessment of offenders
- Discuss treatment for offenders

■ Introduction

Stalking is defined as a pattern of conduct in which one person inflicts on another repeated, unwanted intrusions and communications to the extent that the victim fears for his or her own safety (Pathé & Mullen, 1997). In and of themselves, the behaviors that are experienced by the victim as stalking can seem benign to the outside observer. Someone leaves repeated phone messages, sends gifts, shows up in places where the victim habitually goes, all of which in isolation do not appear to be threatening (Purcell, Pathé, & Mullen, 2004). Yet it is the context of the relationship that sets the stage for what the victim experiences as intimidation. That is, the stalker is pursuing a relationship that the victim does not desire, often because either the victim is a former partner of the stalker, the victim is a famous person who has no relationship with the stalker, or the victim is a professional who has no interest in a personal relationship with the victim. What differentiates these behaviors from normal interpersonal interactions and characterizes them as stalking is that they are (1) intentional; (2) repeated; and (3) result in fear (Spitzberg & Cupach, 2007).

Stalking behaviors can cover a wide range of activities. Generally, stalking includes harassing or threatening an individual during his or her repeated activities, such as following the person, appearing at the

▶ ▶ KEY TERMS

Celebrity Stalking
Credible Threat
Cyberstalking
de Clérambault's Syndrome
Erotomania
Obsessional Harassment
Peace Bond
Protection Order
Psychiatric Gating
Restraining Order
Sexually Violent Predator
Stalking

person's home or place of business, making harassing phone calls, leaving objects or written messages, or vandalizing property. Stalking may or may not involve threatened or actual violence. A list of common stalking behaviors is found in Table 9–1.

More recently, stalking behaviors have expanded and now include cyber methods of harassment. These are discussed in more detail in Chapter 13. **Cyberstalking** provides an additional means for stalkers to harass victims in a manner that is more anonymous and has less chance of detection than other methods of stalking. The advent of virtual social networks, such as Facebook, allow stalkers easy access to information about victims. Pictures posted on multiple sites often reveal friends, common activities, and favorite places to frequent. Messages can be transmitted to the victim, which can be received anytime or anywhere through e-mail and text messaging. A study conducted by Moriarty and Freiburger (2008) revealed that cyberstalking behaviors were most likely to involve, in order of frequency, (1) threatening, harassing, or obscene e-mails; (2) live chat harassment or online verbal abuse; (3) threatening or obscene calls to a cell phone; (4) improper messages on message boards; and (5) text and instant messaging. Infrequent but highly threatening activities included tracking a person's whereabouts on a GPS system without the person's consent and electronic identity theft. Interestingly, the nature of the stalking differed with cyberstalking when compared to other methods of stalking. In general, stalking is most generally associated with domestic violence, whereas in the Moriarty and Freiburger study on cyberstalkers, a full one-third were considered to be nuisance stalkers (2008).

One of the troublesome issues in stalking is the degree to which stalking behaviors are an exaggeration of normal courtship behaviors. When someone is infatuated with another person, he or she thinks of them constantly throughout the day. Early in an amorous relationship, people call each other frequently and want to

TABLE 9–1 Common Stalking Behaviors

- Repeated telephone calls, letters, or e-mails
- Sending unwanted gifts (flowers, candy, etc.)
- Showing up uninvited at work or home
- Intercepting mail or e-mail
- Following, watching, or tracking
- Collecting photos or videos of the person
- Contacting the victim's employer, colleagues, or family
- Threatening harm to the victim
- Threatening the victim's family, friends, or pets
- Vandalizing the victim's car or property
- Assault (physical, sexual, or emotional)
- Kidnapping or holding hostage

spend a great deal of time together, and they might send notes and/or purchase small gifts for each other. Initially, therefore, it can be difficult to differentiate between the behaviors associated with love and those associated with **obsessional harassment**. Similarly, with a famous person, fans are encouraged to be adoring. Fan mail is rewarded with signed pictures and personalized letters. In fact the existence of people waiting in areas where the famous person is expected to arrive in the hopes of getting a picture or autograph is a sign of success and celebrity. When does fan behavior become stalking?

A further problem associated with stalking is the victim's lack of authority to end the behavior. Although laws that address stalking have emerged, beginning with California in 1990, a continuing problem is that many of the strategies employed by stalkers, such as calling a victim or being in the same place as the victim, are basic rights and freedoms that are guaranteed under law. Thus, victims try to employ a number of strategies that are generally unsuccessful. First the victim often tries to ignore or normalize the behavior, trying to assess whether or not it should be regarded as threatening. Next the victim may try to negotiate, request, or plead with the offender to stop the behavior. When these attempts fail, the victim may move to threats such as calling the police, notifying a superior (such as an employer), or other forms of harm to the stalker. Such strategies, however, can serve to escalate the situation because the threats are often unsuccessful (for example, the police have limited jurisdiction to intervene) and the victim has now demonstrated the impact of the stalker on his or her life. The victim may, therefore, begin to alter his or her customary patterns and limit his or her activities to avoid contact with the stalker. He or she may change telephone numbers, move to a different residence, restrict excursions, or refrain from going anywhere unless accompanied. Finally, the victim may seek assistance from a shelter or other service or seek legal options. The experience consumes the victim's time and emotional energy, and it is highly distressing and seemingly without end.

■ Scope of the Problem

A large number of studies have attempted to determine the nature and incidence of stalking. Spitzberg and Cupach (2007) conducted a meta-analysis of 175 studies using unique samples ranging from large-scale population studies to studies of clinical or forensic populations, which in total represent 122,207 individuals. From their analysis, they determined that population-based studies report a lifetime prevalence of stalking ranging from 2–13% for males and 8–32% for females. Across the studies examined, 60–80% of the victims were female. Stalking was most likely to emerge from a preexisting relationship; 79% of victims knew their pursuer, and half of all stalking emerged from romantic relationships. Physical violence was reported in 32% of cases, and sexual violence was reported in 12% of cases. The National Crime Victimization Survey in the United States (US

Department of Justice, 1997) found a lifetime prevalence of 8.1% for women and 2.2% of men, which, by extrapolation, translates to 2.04 million women and 820,000 men in the United States who, at some time in their lives, have been victims of stalking behavior (Douglas & Dutton, 2001). The National Violence Against Women Survey revealed that 87% of stalking victims were women and 87% of stalkers were men. Of all groups in the survey, Native American women were significantly more likely to report being stalked than members of other ethnic and racial groups (Tjaden & Thoennes, 1998). A Statistics Canada study surveyed police forces in Canada regarding the incidence of reported stalking during 1994 and 1995 (Kong, 1996). Extrapolating on that data, Douglas and Dutton (2001) estimated that stalking was reported in about 1% of the Canadian adult population during that 2-year period.

■ Stalking Laws

In 1990, in part as a response to high-profile **celebrity stalking** cases and in part due to repeated cases of ex-partner stalking and violence, California passed the first stalking law in the Western world (California Penal Code, 1990). Over the next decade, all US states, Australia, Canada, the United Kingdom, and several Western European countries followed suit (Dennison & Thomson, 2005). These laws primarily came about as a result of public concern that members of the community were virtually powerless to protect themselves against harassing or intimidating behavior. Prior laws that address stalking came from a variety of standpoints, each limited in their ability to address the pervasive nature of stalking. For example, in most jurisdictions, victims could (and still can) obtain a **protection order**, a **peace bond**, or a **restraining order** aimed at limiting contact between the perpetrator and the victim (Regehr & Kanani, 2006). These forms of restraint generally arise from civil law and may or may not result in criminal charges if the named individual breaches the conditions of the order. However, these orders are highly criticized in that the onus is on the victim to notify police about a breach, and concerns have been raised about the motivation and ability of police to enforce the orders (Purcell, et al., 2004). Indeed, the National Violence Against Women Survey revealed that 69% of female stalking victims and 81% of male stalking victims who had obtained restraining orders indicated that their stalkers had violated the order (Tjaden & Thoennes, 1998).

Other laws cover harassment, trespassing, or vandalism, which not only address very specific aspects of stalking behavior but also are frequently misdemeanors that are not given serious attention (Dennison & Thomson, 2005; Purcell, et al., 2004). Further, most of the previous laws pertaining to stalking behavior could not be enacted until the stalker had inflicted physical assault or property damage. This was exemplified by the testimony of Sandra Pollard, the mother of a stalking victim who testified before the 1992 US Senate Judiciary Committee hearings

on antistalking legislation. “Despite threats he has made against our lives, despite repeated violations of restraining orders, despite the professional assessment of him as dangerous, both the District Attorney and our own attorney have said that nothing can be done until he has ‘done something’. What is the ‘something’ they must wait for him to do? Kidnap [my daughter]? Rape her? Kill her?” (Purcell, et al., 2004, p. 159). As a result, public pressure and concern resulted in legislative reform aimed at better addressing the needs of stalking victims.

Stalking (defined as criminal harassment) was introduced into the Criminal Code of Canada in April 1993. The Code stipulates that “No person shall, without lawful authority and knowing that another person is harassed or recklessly as to whether the other person is harassed, engage in conduct referred to in subsection (2) that causes that other person reasonably, in all the circumstances, to fear for their safety or the safety of anyone known to them” (Criminal Code of Canada, 1993, Section 264). Prohibited conduct outlined in the Code includes the following:

- (a) repeatedly following from place to place the other person or anyone known to them;
- (b) repeatedly communicating with, either directly or indirectly, the other person or anyone known to them;
- (c) besetting or watching the dwelling-house, or place where the other person, or anyone known to them, resides, works, carries on business or happens to be; or
- (d) engaging in threatening conduct directed at the other person or any member of their family. (Criminal Code of Canada, 1993, Section 264)

Criminal conviction of stalking behavior carries a penalty of up to 5 years imprisonment. In England, Wales, and Scotland, the legislation similarly takes the form of protection from harassment in which harassment is defined as conduct that causes distress.

In the United States, stalking legislation generally covers repeatedly following or harassing an individual where the behavior of the pursuer contains a **credible threat** of harm. The Model Anti-Stalking Code (National Institute of Justice, 1996) defines stalking as repeatedly maintaining a visual or physical proximity to a person or repeatedly conveying verbal or written threats or threats implied by conduct. Available sanctions vary widely, however. Some states classify stalking as a misdemeanor, and others define it as a felony. Even where there is a felony offense, sentences vary from a maximum of 12 months in West Virginia to 7 years for an equivalent offense in Illinois. Further, some states require prior incidents of stalking or the violation of existing protection orders, and others do not (Dennison & Thomson, 2005).

Although the stalking laws are, without question, an improvement over the previous laws that address this issue, critics indicate that these laws continue to have limitations (Abrams & Robinson, 1998). For example, in some jurisdictions definitions can be problematic, such as when stalking is viewed as limited to situations where the victim and the offender have a previous relationship (Gilligan,

1992; Lingg, 1993). In many states there is a requirement that a “credible threat” of violence is established, which is defined as a threat causing a reasonable person to fear for his or her physical safety (Perez, 1993). This is potentially problematic in all situations but in particular in cases of intimate partner violence where the threat is perceived differently by the victim because of previous experiences of violence with this offender. Thus, the victim’s view may not be equivalent to the “reasonable person” defined by law. Indeed, less than half of the stalking victims in a national survey were directly threatened by their stalker, thereby making them ineligible for assistance under statutes that include the requirement of credible threat (Tjaden & Thoennes, 1998).

A separate set of laws related to stalking emanate out of concerns related to stalking among **sexually violent predators** (SVP). This is the least common form of stalking, but nevertheless, the serial rapist or serial murderer who stalks and then attacks his victim is one of the most primal fears in our society. Sexually violent predator laws provide a means to incarcerate sex offenders judged to be mentally disordered and dangerous to others at the end of their court imposed sentences for crimes already committed. They were developed throughout the United States to address public concerns for safety and provide a mechanism for keeping individuals who are dangerous away from the public (Prentky, Janus, Barbaree, Schwartz, & Kafka, 2006). In essence, these laws attempt to curtail future stalking in an individual who has been tried and convicted of this offense in the past. Canadian legislation and practice uses four procedures for dealing with sexual predators. In 1997, a federal task force, with input from the Canadian Psychiatric Association and the Canadian Academy of Psychiatry and Law, amended sexual predator legislation to create an indeterminate sentence for dangerous offenders and include the new category of long-term offender (LTO). Long-term offenders are those sexual offenders who appear to have a reasonable prospect of successful treatment. Further, a new section that amounts to a preventive peace bond has been enacted for situations where there is a reasonable fear of a sexual offense. Finally, an informal mechanism of **psychiatric gating** exists, where a person is certified under provincial mental health legislation and sent to any hospital. There is an increasing use of this dangerous offender legislation in most Canadian jurisdictions. As of this writing, the LTO designation and preventive peace bonds are new and have to date been infrequently used. However, it is anticipated that the use of all these mechanisms will increase as the system becomes more familiar. The resulting impact on public safety and on the resources of mental health and criminal justice systems have yet to be seen (Glancy, Regehr, & Bradford, 2001).

In summary, legislation that has been enacted since 1990 throughout North America and much of Western Europe has led to considerable improvement in legal options that are available to manage stalking behavior. Nevertheless, these

laws do not provide perfect protection, and victims of stalking, to a large extent, are still left to their own devices to ensure their safety.

■ Typology of Stalking

The term “stalking” is used to describe a pattern of behavior that is intrusive, repeated, and fear provoking. However, the motivations behind this behavior are highly variable. In an example that will be discussed later, Robert Bardo, a fan, sought to develop a relationship with Rebecca Schaeffer, a celebrity, based on his idealized fantasies about who she was and how she might change his life. In another example, an abusive husband was rejected by his wife, who sought to secure her safety and improve her life. His motivation was likely a mixture of desire to reconcile and anger at the fact that his wife had left him. These are but two examples of a wide range of motivations for stalking behavior.

Several authors have attempted to develop typologies of stalking that are based on a number of dimensions, including the psychological characteristics of the stalker and the relationship between the stalker and the victim. Zona, Sharma, and Lane (1993) identified three types of stalkers: (1) the classic **erotomania** stalker, who is often a woman with a delusional belief that a powerful man is in love with her (for example, her doctor); (2) the love-obsessed stalker, who is delusionally focused on a famous person (for example, an actor or politician); and (3) the simple obsessional stalker, who stalks a former partner with intense resentment as a result of perceived rejection. Mullen, Pathé, Purcell, and Stuart (1999) identified five types of stalkers: (1) the rejected stalker, who is motivated by a mixture of revenge and desire for reconciliation after a relationship ends; (2) the intimacy-seeking stalker, who often has erotomaniac delusions; (3) the incompetent stalker, who may be intellectually or socially limited; (4) the resentful stalker, who seeks to frighten and distress the victim; and (5) the predatory stalker, who is preparing for a sexual attack. Dziegielewski and Roberts (1995), in an attempt to better understand and treat victims of stalking, suggested three categories: (1) domestic violence stalking; (2) erotomania or delusional stalking; and (3) nuisance stalking. Meloy (1998b) focused on relational typologies: intimates, strangers, and acquaintances; and Melton (2000) differentiated between delusional and nondelusional stalkers and known and not-known victims. More recently authors have focused on cyberstalking, although there is no clear consensus whether this represents another typology of stalker or whether this is simply a method of stalking. The issue of cyberstalkers is covered in more detail in Chapter 13. Glancy (2008) more recently recommended a multiaxial approach that addresses motivation, mental state, method, and victim relationship (see Table 9–2).

Although all of these typologies are useful, for the purposes of this chapter four main categories of stalking will be discussed: (1) stalking as an extension

TABLE 9–2 Classification Criteria for Stalkers

Motivation	Mental status	Method	Relationship
<ul style="list-style-type: none"> • Rejected • Intimacy seeking • Incompetent • Resentful • Predatory 	<ul style="list-style-type: none"> • Psychotic • Nonpsychotic 	<ul style="list-style-type: none"> • Harassment • Threats • Assaults 	<ul style="list-style-type: none"> • Known • Ex-intimate • Potential suitor • Professional • Unknown <ul style="list-style-type: none"> • Professional • Potential suitor • Celebrity • Head of state

Data from: Glancy, 2008.

of intimate partner violence; (2) celebrity stalking; (3) erotomanic stalking; and (4) the sexually sadistic stalker.

Stalking as an Extension of Domestic Violence

Stalking as a form of domestic violence is the most common form of stalking, encompassing an estimated 75–80% of all cases (Roberts & Dziegielewski, 2006). Women are twice as likely as men to be stalked by their intimate partner. This is not surprising when considering the incidence of intimate partner violence against men and women. When stalking does occur in intimate relationships, it is likely to coexist with other forms of violence. Eighty-one percent of women in the National Violence Against Women Survey who reported being stalked by an intimate partner also reported other forms of physical abuse, and 31% had been sexually assaulted (Tjaden & Thoennes, 1998). There is considerable evidence that victims of spousal violence who attempt to separate from their abusive partner may be at higher risk after the separation than before. According to Statistics Canada, in most cases (63%) where intimate partner violence was reported in a general population survey, violence ended at separation; however, 39% of women and 32% of men who had been in violent relationships indicated that they were assaulted after the relationship ended (Hotton, 2002). Of these, 24% indicated that the violence became worse, and 39% indicated that the violence began only after separation. Further, marital separation is a factor that elevates the rate of spousal homicide for women. Ex-marital partners are responsible for 38% of all homicides against women in Canada and 2% of all homicides against men (Hotton, 2002). Burgess and colleagues (1997) studied 120 people charged with domestic violence who were attending a treatment program, and 30% admitted to stalking their partners. Those that did stalk a former partner had more serious histories of domestic violence. Similarly, Schwartz-Watts and Morgan (1998), using a clinical sample, reported that 80% of violent stalkers had previous relationships with the victims, compared to

55% of nonviolent stalkers. Palarea and colleagues (1999), in an analysis of stalking cases from the Los Angeles Threat Management Unit, found that stalkers with previous intimate relationships were significantly more likely to threaten, damage property, and physically harm the victim.

Amrita and Sulay were married shortly after being introduced by family members, and they moved into the home of Sulay and his family. Although initially this went well, family problems in Sulay's home resulted in increased distress for all members. During this time, Amrita and Sulay also began to have fights, and on more than one occasion, Sulay's mother asked Amrita to leave their home to end the argument. Fights between Amrita and Sulay intensified, at times including physical assaults against Amrita. After 9 months of marriage, Amrita elected to leave the marriage and return to the home of her own parents. Sulay began contacting Amrita with increasing intensity, hanging around outside her university classes, parking in front of her home for hours on end, calling her incessantly, and sending cards, flowers, and gifts. In each encounter he insisted that she was mistaken in breaking up with him and was not telling him the truth about the reason for the breakup, which he believed to be another man. Sulay became increasingly tearful, sleepless, angry, and withdrawn. After a few months of harassment, Amrita's father attempted to intervene by contacting Sulay's family. Shortly thereafter, Sulay physically assaulted Amrita as she was leaving a university class, resulting in severe bruising. He was arrested and charged with assault. After he was released from jail, Sulay continued to contact and follow Amrita. One month later he approached her at the hospital at which she had a part-time job and stabbed her. Fortunately, Amrita survived the attack.

Stalking behavior in this category is frequently seen to be motivated by the desire for power and control. In this conceptualization, the ending of a relationship is a threat to the power and control that an abuser exercised over his or her partner. Stalking then includes a series of behaviors aimed at regaining control and reestablishing the relationship (Dziegielewski & Roberts, 1995; Burgess, et al., 1997). One set of strategies can involve limiting social activities of the victim by contacting family and friends, going to places or events that the victim is likely to attend, and driving or walking by the victim's residence to limit who might visit (Brewster, 2003). Other strategies involve influencing children, attempting financial control, and physical violence (Brewster, 2003). The intimidation can be extended beyond the victim and include other vulnerable members of the victim's family, such as children, a sister, or an elderly parent. Domestic violence stalking is often open in nature, in part because of the stalker's belief that the behavior is justified and a right. When it leads to violence, the stalker believes that the violence was provoked by the victim. However, to an outsider, the actual behavior of the victim that may result in an attack is not predictable; rather, the nature of the provocation resides in the fantasy world of the stalker (Burgess, et al., 1997).

The need for power and control in domestic violence stalkers is generally fueled by rage at abandonment (Douglas & Dutton, 2001). Mullen and colleagues (1999) thus referred to this group of stalkers as “rejected stalkers.” In their study of 145 stalkers, people in this category described a complex mixture of desire for reconciliation and revenge. They experienced a sense of loss, alternately combined with frustration, anger, jealousy, vindictiveness, and sadness. The majority of this group carried a diagnosis of personality disorder, although a smaller percentage of them had delusional disorders. Burgess and colleagues (1997) describe a process that occurs in these types of stalking situations based on their research of domestic violence cases in Michigan. First, the stalker is open in his or her attempts to contact the ex-partner, and when this fails the stalker begins to contact others and discredit the partner. Next, the positive emotion of love becomes converted to hatred, and the stalker goes underground and clandestine, using tactics such as phoning and hanging up or entering the premises without permission. Following this, there is phase of ambivalence where the stalker may send gifts and flowers. When this attempt at reconciliation is unsuccessful, the stalker may become explosive and violent.

Celebrity Stalkers

In 1989, 21-year-old actress Rebecca Schaeffer was a star on the rise. She had just completed a 3-year run on a CBS situation comedy, was the celebrity spokesperson for a charity for high-risk adolescents, and was preparing for an audition for the movie *The Godfather: Part III*. Although her fan mail was increasing, she continued to try to respond to each letter she received. One of these letters was from 19-year-old Robert John Bardo, a young man who, unknown to Rebecca, had become obsessed with her. He filled his room with photographs and video clips of her, and in 1987 he went twice to the studio where she worked but was turned away. Then, via computer databases, he discovered whom she called, what car she drove, and where she shopped, and subsequently he hired a detective to obtain her address from the Department of Motor Vehicles (DMV). Bardo’s love turned to rage, however, when he saw a movie scene in which Rebecca was in bed with a man. Bardo then determined to kill her for this perceived relationship breach and documented on a drawing of her body where he intended to shoot her. On July 18, Bardo went to Rebecca’s apartment. Expecting a script delivery, she opened the door and, surprised to see a fan, quickly dispensed of him. A few minutes later he returned and shot her to death. Rebecca’s fatality provoked legislation prohibiting the release of addresses through the DMV, legislation directed at curtailing stalking, and led to the creation of the first Threat Management Unit through the Los Angeles Police Department.

The very nature of the activities in which celebrities engage to enhance their fame and fortunes make them ideal targets for stalkers. Celebrities appear on talk shows and tell their innermost secrets, they appear in music videos and

sing songs of love and lust while looking directly into the viewers' eyes, and they have a staff that sends signed photos with intimate messages to eager fans. Given the ever-present availability of TV programming—including music video stations and entertainment news shows—tabloids that track every relationship and every excursion, and Internet video footage posted by anyone with a cell phone, information about celebrities is easily accessible to everyone (Philips, 2008).

Although there are several types of celebrity stalkers, one type has been described as “love obsessed,” where the adoration of a fan becomes exaggerated and the stalker believes he or she is in love. At times the belief system of celebrity stalkers may be related to a psychotic illness and results in delusional beliefs that they have a special relationships with the famous person. These celebrity stalkers closely resemble erotomaniac stalkers, who are discussed in the next section. Park Dietz and associates (1991a, 1991b) reviewed thousands of letters, identified as concerning, that were sent to celebrities and members of Congress. Their study revealed that even though the subjects had no personal relationship with the people to whom they wrote, many believed they did have a relationship, and often an important one. The most common roles that individuals believed they had with celebrities were friend or advisor (41%), spouse or would-be spouse (30%), and lover or would-be lover (25%). Twenty-two percent of the letter writers saw themselves as special fans, and only 17% appropriately identified themselves simply as fans or strangers. For those with delusional beliefs, publicity tactics such as encouraging individuals to e-mail the star or offering a phone call from the star only served to intensify their beliefs. When this type of celebrity stalker feels that he or she has been rejected, behaviors can be intensified, and the person begins to seek reconciliation and/or revenge. If, as a result of intensified attempts to contact the celebrity, the stalker feels humiliated or mistreated, the motivation for the stalking may change from love to distress or anger. In such a case, for example that of Rebecca Schaeffer, the outcome may be tragic.

Other celebrity stalkers may engage in stalking behavior out of rage due to a perceived injustice. Robert Philips (2008), in his work as a consulting psychiatrist to the Protective Intelligence Division of the US Secret Service, reviews various motivations of presidential stalkers. One motivation, retribution, occurs when an individual holds a political figure or the government in general responsible for his or her own personal failures. Such was the case of Samuel Byck, who sent many threatening letters to President Nixon and others and eventually moved to execute a plan to hijack a commercial airliner and fly it into the White House. Byck killed himself with his own gun but not before killing a police officer, the pilot, and the copilot of the plane he was attempting to hijack (Philips, 2008). Other motivations for stalking a political figure include erotomania, such as in the case of Jane Doe and President Clinton, or delusional obsessions, such as in the case of John Hinckley, Jr. and President Reagan.

Erotomaniac Stalkers

Erotomania is best described as delusional loving, that is, a love relationship exists only in fantasy. This syndrome was first described in 1942 by de Clérambault in his book *Les Psychoses Passionnelles* and thus has become known as **de Clérambault's syndrome**. The patient who suffers from this syndrome believes that a person of higher social stature is passionately in love with him or her but that this person is restricted from expressing this love because of external constraints. These constraints can be a spouse or family or rules that restrict behavior. For example, the stalker may believe that the victim would marry her if rules did not forbid relationships between doctors and patients or between students and professors. The stalker may begin to harass and threaten family members of the victim. When the love and hope are not realized, the love can disintegrate to resentment and anger (de Clérambault, 1942). Of all categories of stalkers, women who stalk are most likely to fall into this category of erotomaniac stalkers (Purcell, Pathé, & Mullen, 2001). People who stalk professionals are more likely to have a diagnosis of personality disorder or paranoid disorder. They are more likely to have never been married, to misuse substances, to have a history of assault and self-harming, and to have more repeated hospitalizations.

The most common victims of erotomaniac stalkers are professionals who have had contact with the stalker and with whom the stalker desires to establish a close and loving relationship. Mental health professionals are at particularly high risk, and a variety of surveys suggest that 8–11% of mental health professionals have been stalked at one point in their career by a patient. Men are the more common victims in this category. Psychiatrists and psychologists are at highest risk, with reported stalking as high as 20–33% in these professions (McIvor & Petch, 2006). The high rate of stalking among mental health professionals is not particularly surprising. Mental health professionals frequently work with individuals who have significant difficulties in forming interpersonal relationships and often have histories of abuse or neglect. The warm, supportive, and accepting relationship that a professional forms with a patient as part of the treatment process can easily be misinterpreted as an indication of love or desire in someone who has not experienced such relationships in the past and can become incorporated into a delusional system. Further, mental health professionals are more likely to tolerate harassing and other behaviors that are not tolerated in other circumstances as a standard part of the management of behaviors of psychiatric patients (McIvor & Petch, 2006). As with celebrity stalkers, the behaviors at first are not overtly threatening and begin more as a nuisance and then escalate. Whereas others may stop contact at an earlier stage, the mental health professional may persist in the relationship, reinforcing false beliefs about love, until the situation is more difficult to control.

This group of stalkers is least likely to result in threats of violence or actual violent activity (Rosenfeld, 2000). However, the cost of the harassing behavior to

the victim in both emotional and professional terms is often very disturbing. Stalkers in this group have been known to send letters to the spouses and children of victims declaring the imaginary relationship and indicating that the victim has been unfaithful to loved ones. Flowers, gifts, and letters are left at professional offices or on personal property. Items such as photographs or signs with the person's name may be stolen and kept as tokens of imagined love. Declarations of the relationship can be made to other colleagues, raising suspicions of sexual impropriety. Finally, complaints of impropriety may be made to professional licensing bodies, resulting in lengthy and embarrassing investigations.

Sexually Sadistic Stalkers

Although sexually violent predators are perhaps the most distressing type of stalker from a public perspective, this type of stalking remains relatively rare. Purcell, Pathé, and Mullen (2001) suggest that 7% of male stalkers in their studies (and 0% of female stalkers) fall into the designation of sexually-motivated predatory stalkers. Nevertheless, this has been a focus of legislative activity in Canada and the United States in recent years. In this situation, stalking occurs when a violent and dangerous offender seeks a victim to satisfy his desires. A particular victim is selected because she represents a particular type of person to whom the offender is attracted. This type of stalker may identify a potential victim over a period of time, establish her patterns, and in the end sexually assault or murder her. Alicia Ross, aged 25 years, was killed by her next door neighbor, Daniel Sylvester, a social recluse who fantasized about raping and killing women and spied on women in his neighborhood. In the 7 years he lived next door to Ross, they had never spoken until one evening after her boyfriend left, Sylvester approached Alicia on the driveway. When she rejected his advances, he hit her over the head to subdue her, dragged her away, and raped her, killed her, and then hid the body. The court heard that Sylvester had been treated by mental health professionals beginning at the age of 9 years, and from an early age had fantasies about jumping out of the bushes and raping women (Mitchell, 2007). In these situations the victim is often unaware that she is being stalked and can do little to protect herself.

■ Effects of Stalking on Victims

Victims of stalking feel that they are under siege. In studies of victims they report receiving repeated unwanted phone calls where the stalker hangs up immediately, remains silent, declares love, shouts obscenities, or threatens. Calls are usually received at inconvenient times, such as in the early morning or at work, and the victim's voice mail is often filled with the stalker's messages. Letters are frequently sent, or written messages are dropped off. Gifts arrive with some frequency. In the current days of electronic communication, e-mails are frequent forms of

communication. The stalker may come to the victim's home or office and refuse to leave. Surveillance is commonly reported by victims in which they are followed or watched. In a study by Pathé and Mullen (1997), 36% of a sample of 100 victims reported property damage. Cars were covered with graffiti, the paint was scratched, and the tires were slashed. Homes were attacked via broken windows and smashed fences. In addition, in more than half the cases, stalkers made threats directly to harm the victims or their families and friends, or they threatened to discredit the victim by spreading malicious gossip. In one-third of the cases, the victim was assaulted.

In light of these repeated attacks on the privacy, property, and life of the victim, it is not surprising that stalking victims experience a wide range of social and psychological sequela. Victims who are in a constant state of threat experience feelings of fear, anxiety, and apprehension that sometimes may border on paranoia. Symptoms of depression, anger, and helplessness are also reported, occasionally leading to suicidal ideation (McEwan, Mullen, & Purcell, 2007). The arousal, intrusion, and avoidance symptoms associated with posttraumatic stress disorder are also common (Pathé & Mullen, 1997). Victims are in a constant state of heightened anxiety, are easily startled by any noise (such as the telephone ringing for the 50th time that day), and remain hypervigilant, carefully watching for any sign of the stalker. They check their rearview mirror and drive home by different routes. Thoughts of the stalker begin to intrude throughout the day, and at night they invade the victim's dreams. The victim begins to avoid any possibility of contact, restricting activities such as not going outside and not answering the telephone, thereby becoming more isolated. Pathé & Mullen (1997) reported that over half of the victims in their study decreased or ceased work or school attendance. These symptoms are likely to be more pronounced when the stalking involves a former history of violence, because the number of stalking behaviors increases, or when the duration of the stalking is prolonged (Kamphuis, Emmelkamp, & Bartak, 2003; Kamphuis & Emmelkamp, 2001; Pathé & Mullen, 1997). As stalking continues, victims report sleep disturbances, nausea or stomach upset, fatigue, headaches, and exacerbation of preexisting medical conditions, such as asthma. Consequently, according to the National Violence Against Women Survey, 30% of female victims and 20% of male victims seek psychological counseling as a result of their victimization (Tjaden & Thoennes, 1998).

On a social level, the victim's occupational and educational status is affected if they reduce their attendance or have frequent interruptions at work. Friends and family are called upon to accompany the victim to various places or stay at the victim's home. Family members become distraught and angry that there seems to be no end in sight and may alternately express anger toward the justice system for failing to protect the victim or anger at the victim for bringing this into their lives. Social supports can diminish with prolonged stalking as friends seek to have their own lives return to normal.

■ Safety Strategies for Victims

Given the highly distressing nature of stalking, victims frequently seek assistance from others, including mental health professionals. An important aspect of intervention with victims of stalking is reinforcing that the victim's perception that they are being stalked is correct and not simply paranoid thinking or overreacting. Added to this is the provision of education on safety measures. Victims must be made aware that they are primarily responsible for their own safety (Meloy, 1998a). That is, despite even the best efforts of police and others in justice system, they will be unable to ensure that no harm comes to the victim.

The victim should first be vigilant about safety risks. Any unusual occurrences or uncomfortable feelings about situations should be paid attention to. Victims can enlist the assistance of others in this regard by telling neighbors or coworkers about the situation and enlisting their assistance in being alert to dangers. One forensic psychiatrist who was under threat from a previous inmate circulated pictures of the stalker to selected neighbors (in particular a police officer who lived across the street) and to others in his office building. Security firms can be enlisted to evaluate the safety of the victim's home and install often-inexpensive measures to increase security. The victim should ensure that doors and windows are locked and that outside lights are illuminated. The door should not be answered without verifying the identity of the visitor. Cars should be parked in well-lit areas. Habitual travel patterns should be modified regularly (Dietz, 1989).

A second key issue is that victims should create and maintain documentary evidence of the stalking to assist with apprehension and successful prosecution of the offender. Voice mail messages, although they are upsetting and often abhorrent, should be recorded and stored. All letters, e-mails, notes, and gifts should be retained. Photos should be taken of damage or messages left on property, such as writing on windows. Contemporaneous recording of incidents is an excellent way of demonstrating a pattern of repetition, for example, that the phone rang on 20 separate occasions in one evening and when the phone was answered by the victim, the caller did not respond. Although any single occurrence seems innocuous, pages of notes that record repeated small events leads to a more compelling argument of threat.

The victim should avoid contact with the stalker and never initiate contact. Although at first glance this suggestion may seem obvious, it is not uncommon for victims to attempt to confront the stalker, plead for him or her to stop, or try to negotiate limited contact. These actual contacts can be reinforcing for the stalker, demonstrating that repeated attempts do result in intermittent rewards (Meloy, 1998b). Alternately, these contacts can serve to incite anger and violence if the stalker feels slighted or rebuked.

Victims who are in need of legal protection generally have three options: peace bonds, restraining orders, and protection orders (Regehr & Kanani, 2006). A peace

bond is a court order that requires another person to keep the peace and follow certain conditions. The purpose is to prevent anticipated future harm by a feared individual. This can be initiated by victims, often through the prosecutor's office or the police, who fear they or their family will be harmed by the offender. If the named person agrees to the peace bond, it will be granted immediately by a judge. If the named person does not agree, a hearing will be ordered that must be attended by the victim. The judge must be satisfied that (1) the informant subjectively fears that an offense will be committed; (2) there are objectively provable, reasonable grounds for these fears; or (3) the fear is of a serious and imminent danger (*R. v. Budreo*, 2000). The standard of proof for the victim's fears is the balance of probabilities, that is, it is more likely to be true than not. Peace bonds are usually time limited, and if the complainant chooses to renew the order, a new hearing must be conducted. Conditions can include weapons prohibition, restricted access to particular areas (for example, the home of the victim or playgrounds if the person is a sexual offender), and restrictions on communicating with a particular person (Barrett, 2004). If the conditions of a peace bond are broken, the named person can be charged with a criminal offense.

A restraining order is an order made under civil law, usually in the context of family court. It forbids a spouse or partner from molesting, annoying, harassing, or communicating with any person except as set out in the order. To obtain a restraining order, a person must make an application to the court, often done with the assistance of a lawyer. A restraining order is not dependent on fear of personal safety. It serves basically the same function as a peace bond but does not necessarily carry the same penalties if the person disobeys it. Further, the police do not enforce civil orders such as a restraining order, and breach of the civil order does not result in criminal charges. If the designated person ignores the order, a civil contempt proceeding must be initiated. At the contempt hearing, the judge can order that the named person be fined or go to jail until such time as he or she obeys the court order.

Protection orders are civil court orders issued under family violence legislation, although not all jurisdictions have such legislation. Where it exists, it provides various emergency and long-term orders to protect victims of family violence. A protection order may give temporary custody of children and the home to the victim and order the abusive person out of the home. It can include conditions such as not allowing any contact (Department of Justice Canada, 2004).

If all else fails, victims may have to consider relocation either to another home, by staying with a family member or friend, or by staying in a shelter. Battered women's shelters are a good option for domestic violence stalking victims, in particular, because they offer immediate assistance and security through established mechanisms. However, this is perhaps the most disruptive option for victims because life feels that it is placed on hold. See Table 9-3 for a summary of safety strategies for victims of stalking.

TABLE 9–3 Safety Strategies for Victims

- Accept responsibility for own safety
- Develop surveillance strategies
- Enlist the assistance of others
- Increase security for home, work, and travel
- Document incidents and retain evidence
- Avoid contacts and never initiate contact
- Obtain legal orders (peace bonds, restraining orders, protection orders)
- Relocate or stay in a shelter

■ Threat Assessment of Stalkers

As we have discussed earlier, there is considerable evidence that the threat of violence that is usually implicit in stalking is in and of itself highly distressing. Nevertheless, it is important to have a framework for evaluating the likelihood that the stalker will indeed physically harm the victim. Prediction of dangerousness based solely on clinical assessments for offenders of any kind has proven to be remarkably inaccurate and results in very low rates of interrater reliability among professional assessors (Hilton & Simmons, 2001). Consequently, there has been considerable effort in the past decade focused on the development of actuarial tools with the aim of improving accuracy in predicting dangerousness. Although developers of the tools have reported favorable results in terms of predictive validity, nevertheless, considerable controversy exists about the role of actuarial testing in the assessment of offenders (Sreenivasan, Kirkish, Garrick, Wineberger, & Phenix, 2000; American Psychiatric Association, 1999; Zonana, 2000). A further issue is that most of these tools predict the recidivism of physical or sexual violence and are not useful for understanding the risk in someone who has not offended. One of the issues that complicates this in assessing stalkers is that although stalking carries an implicit threat, there may not be overt indications of aggression or violence. Finally, when predicting recidivism, the assessor generally has access to the offender and can conduct a full clinical interview and make use of a large number of biological, psychological, and actuarial tests to aid in the prediction (Glancy & Regehr, 2002).

Research on correlates of violence in stalkers does, however, lead to some indications that stalkers are at higher risk of committing violent acts against the victim (see Table 9–4). Research suggests that those who threaten are indeed more violent. For example, in one study 81% of those who did not make threats were, in fact, not violent (Harmon, Rosner, & Owens, 1998). Other factors associated with violence in stalkers are that violent stalkers tend to be young (below age 30 years), have lower levels of education, have made prior threats, and had previous intimate relationships with the victims (Rosenfeld & Harmon, 2002). Violent stalkers have

TABLE 9–4 Factors Associated with Increased Risk of Violence Among Stalkers

- History of making threats
- Young age
- Lower level of education
- Previous intimate relationship with the victim
- History of ignoring legal orders to stay away from the victim
- History of violence
- Substance abuse

been found to be more likely to have a history of violence and abusing substances (Burgess, et al., 1997). Schwartz-Watts and Morgan (1998), using a clinical sample, reported that 80% of violent stalkers had previous relationships with the victims, compared to 55% of nonviolent stalkers; Palarea and colleagues (1999) found similar results.

Burgess and colleagues (2001) offer very useful guidelines for assessing dangerousness in stalkers, which include:

- Reason for contacts: There is greater concern when a stalker is seeking contact as a result of a need for retaliation or control than when the stalker is trying to reestablish the relationship or deal with practical details. It is important to note, however, that the motivation for contact can shift as the stalker's attempts to establish or reestablish a relationship are repeatedly met with frustration. This shift was evident in both of the examples cited at the onset of this chapter.
- Emotional response: Is the stalker expressing anger or frustration, or is there a sense of acceptance or hope?
- Thought content: In terms of thought content, it is important to understand what fantasies the stalker may have about the victim's behavior and attitudes. Are the beliefs simply denial of the reality or are they embedded in a delusional system? What are the stalker's fantasies about what he or she would like to do to or with the victim?
- Contact pattern and predatory behaviors: The assessor needs to determine the intrusiveness of the contact pattern and the degree to which the stalker is violating laws, such as trespassing, destruction of property, and making threats. Such violations can suggest an escalating pattern of violence.
- Preoccupation: Preoccupation can be determined in part by the frequency of contacts and the ability of the stalker to maintain other roles, such as continuing to work or attend school. When the stalker spends every free moment on attempts to be near, to monitor, or to make contact with the victim, risk increases.

■ Treatment of Stalkers

The treatment of stalkers is highly challenging, and generally there is considerable pessimism about the likelihood of success, although there is a lack of studies in the literature to support this contention. Stalkers, by the very nature of their problem, are not motivated for treatment because they rarely see themselves as having a disorder or problem. Nevertheless, treatment approaches to stalking are dependent on the nature of the stalking behavior.

Delusional stalkers with erotomania are best treated with psychotropic medications aimed at addressing the psychotic symptoms. Involuntary commitment and treatment may be an option when there is a defined mental illness and a probable risk of harm. Each jurisdiction has different legal language related to the nature of illness and the severity and imminence of danger required for involuntary admission to hospital. Further, the lengths of involuntary stays and the ability to enforce treatment are highly variable depending on legislation in that jurisdiction. This group of stalkers is largely impervious to judicial sanctions, at times regarding court appearances or jail terms as the price of true love (Mullen, et al., 1999).

Domestic violence stalkers who are reacting to rejection can at times be persuaded to desist through fines and incarceration. However, this is by no means universal, and recidivism rates up to 44% have been reported 6 months postsentencing (Koss, 2000), and other studies have found that for a subgroup of male batterers, arrests tend to actually increase violence (Coker, 2002). Thus, arrest of domestic violence stalkers in no way guarantees the cessation of the behavior or the reduced risk of violence.

The field of batterer intervention has been grappling with how to address the seemingly intractable problem of men's violence against their female partners for over 2 decades. Following a comprehensive review of the literature on psychological treatment for anger and aggression, Glancy and Saini (2005) concluded that there is no consensus among therapists and researchers about the best way to treat and reduce anger and aggression and that little empirical evidence exists to support intervention strategies and guide therapists. Nevertheless, a review of the research on treatment effectiveness reveals two main findings that have important implications for considering the appropriateness of restorative processes. First, it appears that court coercion does not significantly affect whether or not a man will attend treatment. The second major finding is that confrontational treatment approaches that focus on getting men to take responsibility for their abusive behavior have not been very effective. They have failed to promote lasting change in most cases (Feder & Dugan, 2002; Babcock & Steiner, 1999).

Predatory or sexually sadistic stalkers, because of the nature of their planned offense, are generally only dealt with through the justice and correctional systems. When they are incarcerated, the risk of future threat is determined by careful risk assessment, which generally determines long-term disposition. Sexual predator

laws in Canada and the United States provide a number of provisions for those at high risk of offending, including indeterminate sentences, mandatory monitoring, and preventive peace bonds (Glancy, et al., 2001).

In conclusion, approaches to managing stalking behavior, both from a criminal justice and a mental health treatment perspective, have been met with limited success at best. Clearly there is little comfort for victims with respect to hope that interventions will stop the behavior.

■ Summary

Stalking is an insidious crime in which victims feel terrorized, isolated, and helpless. Stalking involves a constellation of behaviors that involve repeated and unwanted attempts to contact another person. This behavior can include physical presence at places the victim frequents, telephone calls, e-mail messages, letters and packages, notes and gifts, and, less frequently, identity theft, threats of violence, or actual physical violence. The nature of stalking makes it very difficult for law enforcement personnel to intervene because in many jurisdictions there is a requirement for what is referred to as a “credible threat.” Yet the behavior of many stalkers does not include an overt threat; rather, threat is implied through access to the victim and knowledge of the victim’s activities. Victims frequently find it difficult to convey that the accumulation of what appears to others to be relatively harmless behaviors constitutes a harassing and fear-inducing situation. Although some legal safeguards exist, such as peace bonds and restraining orders, they are difficult to enforce. Even when the offender is charged and/or is brought into treatment, the nature of the underlying pathology limits the success of available treatment approaches. In the end, stalking is a powerful yet largely invisible crime that impacts victims profoundly. Victims are aware of escalating behaviors and fears, yet they are frequently unable to obtain assistance until after a violent incident has occurred.

■ Key Terms

Celebrity Stalking Harassment of a well-known figure who generally does not know the stalker.

Credible Threat A legal term that indicates a clear threat that, to an outside observer, is a cause for concern for the safety of the victim.

Cyberstalking The use of the Internet to stalk another person.

de Clérambault’s Syndrome A syndrome of delusional loving first described by de Clérambault in 1942.

Erotomania A syndrome of delusional loving.

Obsessional Harassment Harassment causing fear that originates from the obsession of one individual with another individual, who is uninterested in the relationship.

- Peace Bond** An order from a criminal court that restrains one person from bothering or threatening another.
- Protection Order** A civil court order that is issued under family violence legislation. It provides various emergency and long-term orders to protect victims of family violence.
- Psychiatric Gating** Where a sexually violent person is certified under provincial mental health legislation and sent to any hospital.
- Restraining Order** An **order** that tells one person to stop harassing or harming another person. Issued after the aggrieved party appears before a judge.
- Sexually Violent Predator** Any person who has been convicted of or charged with a crime of sexual violence and who suffers from a mental abnormality or personality disorder that makes the person likely to engage in predatory acts of sexual violence if not confined in a secure facility.
- Stalking** Any form of harassment that causes the person being harassed to have a reasonable fear for his or her safety.

■ Discussion Questions

1. To outsiders, the behavior of a stalker can appear to be relatively benign. Why?
2. How useful are stalking laws in the protection of victims?
3. What challenges exist in the treatment of offenders?
4. What advice should be given to victims of stalking to protect themselves?

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