

Legal Help–Seeking Experiences of Former Intimate–Stalking Victims

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Few researchers have explored the experiences of stalking victims in the legal system. Data for this study were gathered through extensive interviews with 187 women who were stalked by former intimate partners. Content analyses of interview transcripts revealed that most victims initially attempted to handle the situation themselves, but the majority ultimately sought assistance from the legal system. Logistic regression analyses examined predictors of legal help seeking. Predictors of seeking any type of legal help, filing for a protection from abuse order or temporary restraining order, and/or seeking police assistance included age (i.e., older women were more likely to seek help), race (i.e., White women were most likely to seek assistance), the presence of threats of violence, violent acts by the stalker, and length of stalking. Likert-type scale ratings by victims of the police, prosecutors', and judges' handling of their cases revealed greatest satisfaction with judges, followed by prosecutors. Suggestions for ways in which the system can better respond to the needs of stalking victims are made. Policy recommendations include greater criminal justice responsiveness to victims of stalking and more coordinated efforts between the police and courts.

Although not a new pattern of behaviors, stalking has received unprecedented attention during the past decade. Despite the fact that definitions of and legislation with regard to stalking have varied, it is generally “associated with pursuit or harassment rather than actual physical harm” (Sohn, 1994, p. 207). Common elements in stalking statutes are references to “repeated following,” “harassing,” “course of conduct,” “harm to victim,” and “credible threat” (McAnaney, Curliss, & Abeyta-Price, 1993, pp. 894-897; see also National Criminal Justice Association, 1993).

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Course of conduct has been defined as a series of acts or a pattern of behaviors that occurs over a period of time (Brewster, 1998). These can be the same (e.g., repeated following) or a variety of acts (e.g., following, harassing phone calls) that might include repeated "following, nonconsensual communication, harassing, and trespassing" (McAnaney et al., 1993) or certain other forms of physical contact (U.S. Department of Justice, 1994, p. 44). The National Criminal Justice Association (1993) has developed a model antistalking code in which they define "course of conduct" as "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" (p. 43). Statutes vary in whether they require the intended or the actual effect that the behavior must have on the victim. The effects may include the intent to place a person in fear of physical injury or to cause emotional distress. Finally, some state statutes refer to a credible threat requirement. That is, the victim must believe that the stalker has the capacity to carry out a threat (e.g., "that would cause an individual to reasonably fear for [his or her safety or] the safety of another individual" [McAnaney et al., 1993, pp. 896-897]).

Although a handful of highly publicized cases provided the impetus for the passage of antistalking laws (beginning with California's law in 1990), results from a national survey suggest that stalking is more common than was previously thought. Survey-based estimates are that more than 1 million women and 370,000 men each year are victims of stalking and that 1 in 12 American women will be stalking victims at some point in their lives (Tjaden & Thoennes, 1998). Despite the prevalence of stalking, relatively little research has addressed the experiences of stalking victims who have sought legal assistance. The focus of this article is the legal help-seeking behavior and experiences of female victims of former intimate stalking. Specifically, this article will address factors related to seeking legal help, the types of legal assistance sought, the nature and quality of legal system responses, and the perceived effects of legal involvement.

LEGAL HELP SEEKING BY CRIME VICTIMS

There are a number of reasons crime victims may not seek legal help or follow through on initiated reporting of crime. Victims may fear being humiliated, disbelieved, stigmatized, or tied up in drawn-out legal proceedings (Freedy, Resnick, Kilpatrick, Dansky, & Tidwell, 1994, pp. 452-453). Victims may also base their legal help-seeking behavior on previous experiences with the justice system (Conaway & Lohr, 1994). Some victims may

base their reporting decisions on the advice of significant others. In one study of crime victims, Ruback (1994) found that advice from others regarding whether to report a crime varied by gender, seriousness of the crime, and the victim-offender relationship (see also Mahoney, 1999). Domestic violence researchers have found that age, race, language barriers (West, Kantor, & Jasinski, 1998), and social class (Lockhart & White, 1989) may also be related to nonreporting of crime to the police. Assault severity and the frequency of domestic abuse have also been cited as factors related to legal help seeking by battered women (Johnson, 1990; Kantor & Straus, 1990). In a study of help-seeking strategies used by 419 battered women, Hutchison and Hirschel (1998) found that the victim-offender relationship and the victim's education were correlated with seeking help from the police. Those who were married to their abusers were more likely than those who were cohabiting to report the abuse, and those with more education had an increased likelihood of seeking legal help. Research has consistently shown that much domestic violence is not reported to the police (e.g., Kantor & Straus, 1990). Results from the National Violence Against Women Survey revealed that stalking victims were not likely to seek police assistance because they thought that "their stalking was not a police matter . . . the police would not be able to do anything, or [the victims] feared reprisals from their stalkers" (Tjaden & Thoennes, 1998, pp. 9-10).

Those victims who do report crimes to the police are not always completely satisfied with the level and types of services provided. A survey of 251 crime victims conducted by Freedy et al. (1994) showed that those surveyed had expectations of the services that should be provided by the criminal justice system far in excess of those that they actually received. More than 90% of the victims surveyed believed that the criminal justice system should provide psychological counseling, case status information, personal protection, legal assistance, social service referral information, and assistance in dealing with police or courts. About 60% reported that they received adequate access to case status information, legal assistance, and assistance in dealing with police or courts. Fewer than half, however, reported adequate services in the areas of psychological counseling, personal protection, and social service referral information.

The types of police responses for a given type of offense may also vary. For example, Smith and Morra (1994) analyzed data from a survey on sexual harassment administered to almost 2,000 Canadian women. Their analysis, which focused specifically on obscene and threatening phone calls, revealed that relatively few women who had received harassing phone calls reported the incidents to the police (13.5%). One third of those who had

reported the incidents to the police stated that the police said that there was nothing they could do. About a quarter (27.5%) of those who called the police said that the police gave them advice, and 22% said that the police offered them emotional support. Few reported that the police took a statement (5.5%) or caught the caller (2.3%). In contrast, Coulter, Kuehnle, Byers, and Alfonso's (1999) study of 498 women who entered a battered women's shelter revealed that although more than half of the women sought police assistance fewer than one fourth of the batterers were arrested. Similarly, the National Violence Against Women Survey results showed that slightly more than half of stalking cases were reported to the police (Tjaden & Thoennes, 1998). More than two thirds of the female victims stated that the police took a report, one quarter reported that the police arrested or detained the stalker, and nearly one quarter reported that their case was referred to the prosecutor or court. Additionally, 15% said that the police referred them to victim services, and about a third were given advice on self-protective measures.

RESEARCH DESIGN

Sample

The sample for the present study consisted of 187 women who were recent (i.e., during the previous 5 years) former intimate-stalking victims residing in seven counties in southeastern Pennsylvania.¹ Victims were identified through victim service agencies, law enforcement agencies, and advertisements in widely distributed area newspapers (e.g., *The Philadelphia Inquirer*, etc.). In addition, fliers were posted in Laundromats, in supermarkets, and at an international women's symposium in Philadelphia.

The resulting sample consisted of female stalking victims² ranging in age from 18 to 74 ($M = 34.5$, $SD = 9.3$, $Mdn = 34$), who were between the ages of 15 and 58 when the stalking began. Nearly three quarters of the sample were non-Hispanic White (74.5%), and 23.4% were African American. Other racial groups were not well represented in the sample. A total of 90% of the women had completed high school (or received their general equivalency diploma), and 69% had completed some college. The victims' annual household incomes ranged from nothing to \$130,000. Most of the participants resided in suburban areas (74.3%), some in urban areas (23.5%), and few in rural areas (2.2%) despite advertising efforts soliciting participants from rural areas.

Legislative Model

The definition of stalking for the study was based on general concepts contained in the Pennsylvania stalking statute.

A person commits the crime of stalking when he engages in a course of conduct or repeatedly commits acts toward another person, including following the person without proper authority, under circumstances which demonstrate either of the following: (1) an intent to place the person in reasonable fear of bodily injury; or (2) an intent to cause substantial emotional distress to the person. (PA Code Section 18: 2709, rev. 1994)

When women called to inquire about participation in the study, they were screened to be certain that they met the two criteria for inclusion in the sample. First, they must have been harassed, followed, and/or threatened repeatedly for a period of time within the past 5 years by someone with whom they had had an intimate relationship (i.e., through marriage, cohabiting, or dating).³ Second, the women must have experienced either emotional distress, fear of bodily harm, actual bodily harm, or the belief that the stalker intended to cause any of the aforementioned effects. Unlike the legal definition of stalking presented above, however, actual intent to cause fear of bodily harm or substantial emotional distress was not a criteria in this research study.

Data Collection

In-depth (1- to 3-hour), semistructured, face-to-face interviews were conducted with each participant to gather data with regard to her stalking experiences. A variety of open-ended and fixed-alternative questions solicited information with regard to the nature of her former relationship with her stalker, characteristics of the stalking experience, the effects of the stalking, and her resultant needs. In addition, victims were asked about legal and extralegal attempts to discourage the stalker. A brief questionnaire was also administered to obtain demographic information about the women. Data were collected from January 1996 to July 1997.

Because the research was exploratory in nature, respondents were encouraged to elaborate on their responses to many of the interview questions. The interview began by requesting that participants describe what had happened to them in terms of their stalking victimization. Responses to this question lasted anywhere from 5 minutes to 2 hours. A series of follow-up questions explored several different areas or domains: the victim's prior

relationship with the stalker, the characteristics of the stalking, the victim's attempts to discourage the stalker (through both legal and extralegal mechanisms), assistance sought by the victim through formal and informal networks (and the subsequent handling of the situation by others), the effects of the stalking on the victim, and other victimization experiences. Several of the areas and/or specific questions were based on a review of the scant stalking literature available at the time (Dietz, 1989a, 1989b; Dietz & Martell, 1989; Dietz, Matthews, Martell, et al., 1991; Dietz, Matthews, Van Duyne, et al., 1991) as well as the general victimization literature (e.g., Abt Associates, 1982; Cohen, 1990; Finn & Lee, 1987; Maguire, 1991; Newburn, 1993; U.S. Department of Justice, 1994; Voss, 1991).

Each interview was tape-recorded and later transcribed. Content analysis of the interview transcriptions resulted in the identification of more than 500 variables. All of the variables included in the analysis achieved an interrater reliability level of 87% or better (see Brewster, 1998).

This study analyzes the portion of the interview data pertaining to victims' legal help-seeking behavior and experiences. Some of the data were obtained within the context of general, open-ended questions (e.g., "Tell me about your experiences."), whereas other data were solicited through more specific questions (e.g., "Did you call the police?" or "How sympathetic were the police on a scale of one through five?").

RESEARCH FINDINGS

Extralegal Attempts to Discourage Stalking

Presumably because they knew their stalkers, most women attempted to deal with the stalking situation on their own before resorting to legal approaches. Victims reported numerous and varied extralegal attempts to discourage their stalkers (see Table 1). Most women tried to reason with their stalkers (69.5%), and many tried to simply ignore them (42.8%). Moving and changing one's phone number or blocking calls from the stalker were also fairly common. About 19% pleaded with the stalker, and 13% threatened to call the police to discourage the stalker.

I had my telephone number changed three times already this month. I want my children to know who their father is, so I would try . . . like when I thought that he would be calm, I tried to give him my number, allow him to have communication with his children because they would ask for him But then he starts acting like a nut again, I changed my number.

Table 1: Victims' Extralegal Attempts to Discourage Stalking

<i>Attempt</i>	<i>n</i>	<i>%</i>
Reasoning with stalker	130	69.5
Ignoring stalker	80	42.8
Moving or changing residence	62	33.2
Changing telephone number or blocking calls from stalker	59	31.6
Pleading with stalker	35	18.7
Threatening to call police	24	12.8
Having family or friends talk to stalker	8	4.3
Threatening to get stalker in trouble at work	7	3.7
Arguing with stalker	3	1.6

When asked about extralegal attempts to discourage the stalker, another victim responded as follows:

I tried to talk to him logically, which really didn't help since he was being irrational. I threatened him with [talking to his boss] one time. That had an effect because his job would have been at stake He was rational about some things, irrational about others I threatened to call the police. That had minimal, if any, effect.

Reasoning with him had no effect. He'd vacillate more, the pleading and then the extreme anger. So, I guess, reasoning with him made his behavior worse. Mostly at that point, I tried to have as little contact with him as possible.

When asked what effect their attempts to discourage seemed to have on their stalkers, few women reported positive effects. Of 408 reported types of discouragement, victims reported behavior improvements following only 37 (9.1%) of these attempts. All of the attempts reported above had no effect or a negative effect according to the majority of the women who used each approach (see Brewster, 1998).

Although extralegal attempts were typically unsuccessful in dealing with the stalker, some women still avoided seeking legal assistance. One woman's response mirrored that of others who did not seek legal help:

No, I didn't [seek legal help]. I remember at the time being so focused on just "I need to get out. I need to get away," and feeling very hopeless at the time, too. "If he really wants to get me, there isn't anything that's going to stop him." And that is just the most nauseating feeling. I didn't even [go for a restraining order (RO)]; there were always articles out there about people with protection orders that didn't work.

Table 2: Legal Action Taken to Discourage Stalker

<i>Action</i>	<i>n</i>	<i>%</i>
Victim called or went to police	134	71.7
Stalker arrested	52	27.8
Criminal charges filed	45	24.1
Stalker brought to trial no plea bargain	11	5.9
Stalker convicted or plea bargained before going to trial	45	24.1
Victim filed for temporary restraining order	23	12.3
Victim filed for protection from abuse order	96	51.3

Another victim didn't report the stalking to the police because

I'm just not that kind of person. It's so hard to believe that someone would do that to me. And when he was calling and coming over, he wasn't threatening my life yet. So, I just took it as this guy's getting annoying. "Get away from me." And that was it. And I threatened to call the police because he wouldn't listen. He acted like what I was saying didn't matter.

One woman's comment reflected the common experience of those who finally resorted to legal assistance after first attempting to handle the situation on their own.

If you're going to stay in the same location . . . work through the [court] system. But you'd better be prepared to give up your life, because it's a full-time job; it takes up every penny you have, and you get very little recourse. So, you're putting out 90% of energy, and you're getting back maybe 10%. But it's all you can do.

Attempts to Discourage Stalking Using the Legal System

Typically, after unsuccessful extralegal attempts, most victims ($n = 150$, 80.2%) used one or more of a variety of legal approaches to attempt to discourage their stalkers (see Table 2). Of the victims, 72% sought police assistance in discouraging their stalkers, and 28% of the stalkers were arrested at some point during the stalking period. Just more than half (51%) of the women filed for protection from abuse orders (PFAs). Fewer than one quarter of the stalkers faced criminal charges.

Table 3: Logistic Models of Predictors of Legal Help-Seeking Behavior

<i>Variable</i>	<i>Sought Any Type of Legal Assistance</i>		<i>Filed for PFA or RO</i>		<i>Sought Police Assistance</i>	
	B	SE	B	SE	B	SE
Age	0.0755	0.0289***	0.0497	0.0200**	0.0678	0.0278**
Education	-0.0538	0.2679	-0.2951	0.1912	0.0825	0.2540
Race	-1.1464	0.5188*	-0.1879	0.3958	-1.5146	0.5474***
Threats of violence	1.0257	0.4859*	0.4168	0.4039	0.8926	0.4940
Violence	1.3989	0.5014***	0.3963	0.2387	1.5591	0.4904***
Length of stalking	0.0095	0.0088	-0.0120	0.0060***	0.0191	0.0106
Constant	-1.6760	1.2623	-0.8032	0.9145	-2.3626	1.2462

Note: PFA = protection from abuse order; RO = restraining order.

* $p < .05$. ** $p < .02$. *** $p < .01$.

Factors Related to Help Seeking

Logistic regression analyses were conducted to determine whether any variables were related to legal help seeking by the stalking victims. Age, race, education, the length of stalking, the presence or absence of violence, the presence or absence of threats of violence, and the length of time the victim had been stalked were all considered in the analyses. Three different dependent variables were considered: whether the victim sought any legal assistance (including filing for a PFA or RO or seeking help from police, a prosecutor or other attorney, or a judge), whether the victim filed for a PFA or a RO, and whether the victim sought police assistance. The results of the logistic analyses are presented in Table 3.

Age was predictive of all three types of legal help seeking by victims. The likelihood of seeking any type of legal help, filing for a PFA or RO, and seeking assistance from the police increased with age. White victims were significantly more likely to seek legal help and police assistance than African Americans or women of other races. Those whose stalkers threatened violence were more likely than those whose stalkers had not to seek legal help. Threats of violence also approached statistical significance in predicting whether victims sought the assistance of the police ($p = .0708$). Violence committed during stalking was statistically significant in the models in predicting any legal assistance and police assistance, and it approached statistical significance ($p = .0968$) in the PFA or RO model. Finally, the longer the stalking lasted the more likely the victim was to have filed for a PFA or RO.

Typical victim comments with regard to seeking legal assistance were the following:

Enough was enough! I had put up with this nonsense for far too long! I waited nearly a year for it to stop. It was time to take some action and go for a PFA. It was one thing when he was simply harassing me nonstop. I put up with it and figured that he'd just get tired and go away. But when the threats started, I was scared that he'd actually follow through. I couldn't just rely on myself to keep me safe any more. That's when I went for the PFA.

Orders of Protection

As indicated in Table 2, more than half of the victims in the sample filed for PFAs. According to the victims, in 62% of the cases, the order of protection either had no effect or worsened the stalker's behavior (see Table 4).

Great. So I have a PFA. Is it bulletproof? It's not going to stop him from doing what he wants. It hasn't stopped him so far. It's just a piece of paper. What good is it?

Some women expressed frustration because they were told that they would not be able to obtain orders of protection. One woman, who had been stalked for 35 months by someone she had dated twice, was frustrated by his constant phone calls and letters and his showing up at her office when she was there alone in the evenings. When asked whether she had ever tried to obtain a protection order, her response was,

Towards the end, I remember talking to a detective about that. And I couldn't . . . there was some reason that I couldn't. I think it was because I never had an intimate [i.e., sexual] relationship with him.

Another woman stated,

I was having a lot of trouble getting a protection order because you never saw him do these things [stealing the car, stealing the beeper, harassing me]. I lived in an apartment, and he'd be hanging outside my apartment, and the police would say, "Well, we can't make him leave because this is not your private property." He'd sit there right on the hood of my car right in front of them. And then, the cops would leave, and then he would slash my tires or whatever it was. I had a hard time getting any protection.

Other women who had not formerly lived with or been married to their stalkers expressed similarly frustrating experiences.

Table 4: Perceived Effectiveness of Legal Attempts to Discourage Stalker

<i>Effect</i>	<i>Police Involvement</i>		<i>Arrest</i>		<i>Criminal Charges</i>		<i>Trial</i>		<i>Temporary RO</i>		<i>PFA</i>		<i>Total</i>	
	n	%	n	%	n	%	n	%	n	%	n	%	n	%
No change	65	61.9	16	44.4	14	40.0	2	50.0	8	42.1	37	45.7	142	50.7
Worse behavior	16	15.2	5	13.9	9	25.7	0	0.0	4	21.1	13	16.0	47	16.8
Better behavior	8	7.6	9	25.0	7	20.0	2	50.0	5	26.3	15	18.5	46	16.4
Other (e.g., varied)	16	15.2	6	16.7	5	14.3	0	0.0	2	10.5	16	19.8	45	16.1
Total	105	99.9	36	100	35	100	4	100	19	100	81	100	280	100

Note: RO = restraining order; PFA = protection from abuse order; $\chi^2 = 19.89$; $df = 15$; $p = .176$.

Table 5: Mean Sample Ratings of Police Assistance

<i>Variable</i>	<i>n</i>	<i>M</i>	<i>SD</i>
How quickly did the police respond?	129	2.22	1.15
How polite were the police?	139	2.35	1.31
How sympathetic were the police?	138	3.07	1.34
How helpful were the police?	139	2.88	1.35
How well did the police live up to your expectations?	134	1.87	1.53

Note: Rated on a scale of 1 (best score) to 5 (poorest score).

One woman who had a PFA described her frustrations with the court when she went to a hearing for a PFA violation.

They threw one away because they say that I was the one who broke it for taking him back. But I guess they didn't understand, it wasn't my choice to take him back. He kept on harassing me and threatened me. If I didn't take him back, he was gonna do this, that, and the other thing.

This woman's stalker had a prior record that included aggravated assault and statutory rape. He tracked the victim down at a battered women's shelter and constantly showed up there to harass her. He also made threats to kill the victim and himself.

Police Responsiveness

As stated earlier, most women (72%) requested police assistance at some point during the stalking. These women were asked to rate, on a 5-point scale, how quickly the police responded; how polite, helpful, and sympathetic the police were; and the extent to which the police lived up to the victim's expectations. The mean ratings for each of the items are presented in Table 5. In each case, the lower the score the more positive the rating. For example, a score of 1 for sympathy would mean that the police were *very sympathetic*, whereas a 5 would mean that the police were *not at all sympathetic*. The best (lowest) mean scores that the police received were for the following items: meeting the victim's expectations, response time, and politeness. The worst (highest) mean scores were for sympathy and helpfulness. It should be noted that many victims said that their expectations were met because they really did not think the police would do anything. In other words, their low expectations of the police were met.

Many women expressed frustration with the way the police handled the situation or with the limitations that they perceived were placed on the police.

I [called] 10 times before the cops really did anything. Yeah, they would lock him up for 24 hours and then let him back out again. And then, they only had lockup one other time for like 2 minutes. They let him back out. He came back, busted the windows. I called the cops again, and the cop says, "Well, he doesn't have to leave the house. You do." But another cop said that wasn't necessarily true.

Another woman who had been stalked for 2 years said,

I wanted him arrested and in jail. And when he had his hands around my neck, my thinking at that moment was, "Am I gonna have to get my face smashed in for the police to believe me?" I was pretty frustrated with their lack of power, really.

Other victims were frustrated with the apparent ignorance of the police with respect to the validity and enforceability of protection orders from other jurisdictions (as specified in the Violence Against Women Act). Several women had PFAs from New York, New Jersey, or Delaware, and the police would not enforce them. Women also expressed dismay in regard to the frequent requirement made by the police that the victim obtain a RO prior to the police taking any action against the stalker.

Women complained of conflicting advice received from the police and other agencies.

The [victim service agency] said I should call the police every time, but the police said not to call unless I had something concrete. And then, my friend who works in the DA's office told me to call the police so that I would have a record of the times that he did stuff, but the police didn't seem to like that idea.

Many women expressed concern because the police seemed to be encouraging them to place themselves at further risk of harm.

[The police would] say, 'Don't call us when he drives by. Wait until he steps foot on your property or breaks into your house.' Should I wait until he kills me?

Other women were frustrated because the police gave them advice that seemed very restrictive and punitive toward the victim. The police report-

edly advised victims to change their phone numbers, to move, and to keep the lights out in rooms in the front of the house. Women complained that these restrictions affected the quality of their lives.

I'm the victim here, and I'm supposed to do all of these things to make my life even worse. What a way to live. It's so unfair that I'm expected to make all these concessions so that he can't call me or know I'm home. But I shouldn't have to change my number or move or make it seem like I'm not home.

Many women felt that the police did not take the stalking seriously.

I just didn't feel much sympathy from [the police] or that they even took it seriously. I don't understand why they wouldn't help me just because he hadn't harmed me physically. I waited to contact them . . . I waited until a couple of months after he started harassing me. I waited because I didn't think it was serious enough to call them. Then, when I thought it was serious and expected them to arrest him, they didn't do anything.

Prosecutors

Victims had relatively few dealings with the prosecutors because charges were filed in so few cases. Those who did interact with the prosecutor had mixed reactions.

[The prosecutor] couldn't care less. I sat there and tried to explain to him that I'm a young girl, I live by myself, and he really scares me. And he didn't listen to the [telephone threats on the] tape, but I told him what I had on tape. And he said, "I don't know if the judge will allow it." It seemed like he didn't feel like being there or whatever. [The stalker's] lawyer was better. She was up there defending him.

Another victim had a much different experience:

He seemed concerned, and it seemed like he really wanted to get [the perpetrator]. He gave me suggestions about how to prepare for court.

Judges

Victims typically encountered judges when seeking PFAs or testifying in court hearings for PFA violations. Very few victims interacted with judges at criminal trials. Although victims' comments were varied, they were predominantly positive.

Table 6: Mean Sample Scores Rating How Well Police, Prosecutors, and Judges Met Victims' Needs

<i>Variable</i>	<i>n</i>	<i>M</i>	<i>SD</i>
Police	130	2.90	1.44
Prosecutors	74	3.37	1.57
Judges	103	3.58	1.43

Note: Rated on a scale of 1 (*victim's needs were not met at all*) to 5 (*victim's needs were met completely*).

The judge was really good. He took it seriously.

I think he really wanted to make sure I was safe. He told [the stalker] that if he so much as looked my way, he'd see that he was locked up.

Needs Fulfillment by Police, Prosecutors, and Judges

The participants were asked how well the police, prosecutors, and judges met their needs on a scale of 1 to 5, where 1 represented *not at all* and 5 represented *completely*. Apparently, the further along in the system the victims were able to get the more they felt that their needs were met by the criminal justice practitioners (see Table 6). The average scores were 2.90 for the police, 3.37 for the prosecutors, and 3.58 for the judges.

Perceived Effects of Legal Involvement

As was the case with the extralegal attempts to discourage the stalker, victims reported that the legal attempts to discourage the stalker were largely ineffective (see Table 4). Of the victims, 77% stated that police involvement either had no effect or made the stalkers' behavior worse. Similarly, victims reported very little effectiveness of arrest, criminal charges, or protection orders. Only 4 of the victims whose stalkers went to trial commented on its effectiveness. Although 2 of the 4 stated that this legal approach had a positive effect on the stalkers' behavior, these numbers are too small on which to base any generalizations. Overall, more than half of the legal attempts to discourage the stalker had no effect according to the victim, and another 17% of the attempts was followed by a worsening of the stalking behavior.

DISCUSSION

Interviews with 187 women who were stalked by former intimate partners revealed that the vast majority of women sought legal help but not until first trying to deal with the situation on their own. Eventually, most women (72%) sought police assistance, and just more than half (51%) sought PFAs. Fewer (24%) reported that criminal charges were filed, and only 6% of the women reported that their stalkers were brought to trial. Women who were older and Caucasian were most likely to seek legal assistance. It is difficult to speculate about the reasons for this correlation. One possible explanation for the racial difference in rates of seeking legal help is that African American victims may be more likely to seek help through informal social networks (e.g., family or friends).⁴ In addition to age and race, the length of time the stalking had continued, threats of violence during the stalking, and actual violence during the stalking were predictive of legal help seeking. These findings imply that victims seek help if the problem is ongoing and if they are unable to solve it through their own efforts. The correlation found between violence and legal help seeking corroborates findings of some of the other research on factors related to seeking legal assistance. For example, those who have experienced physical violence by intimates or former intimates have been found to be more likely to seek police assistance (e.g., Coulter et al., 1999) or some other form of legal involvement (e.g., Dutton, Goodman, & Bennett, 1999).

Although half of the women sought PFAs, most perceived them to be largely ineffective in controlling the stalker. Likewise, among the 28% of women who reported that their stalkers were arrested, only one quarter reported an improvement in the stalkers' behavior. These findings concur with those of earlier research on the effectiveness of arrests and ROs in deterring domestic violence (see e.g., Hirschel & Hutchinson, 1996; Klein, 1996; Schmidt & Sherman, 1996). However, the results of this study conflict with the results of a study conducted by the National Center for State Courts. In that study (see U.S. Department of Justice, 1997, pp. 37-44), 285 domestic violence victims who were petitioning for protection orders in three different jurisdictions were interviewed and asked about the effectiveness of the civil protection orders. The majority of women in that sample perceived protection orders to be effective deterrents to further abuse. Similarly, findings of other domestic violence research such as that conducted by Carlson, Harris, and Holden (1999) have revealed a reduction in violence following the filing of PFAs.

The results pertaining to victims' satisfaction with the police, prosecutors, and judges showed that there is some room for improvement. In particular, victims repeatedly complained about the handling of their victimization by the police. Victims reported little sympathy and help from the police. Only 28% of the victims' stalkers were arrested during the stalking period. Future research should explore factors that might be related to police action or inaction. For example, Robinson and Chandek (2000) found that several factors affected the likelihood of arrest in domestic violence cases: officer gender, presence of witnesses, cohabitation of victim and suspect, victim injury, suspect's leaving the scene, and timing of the call during the officer's shift (i.e., last hour).

RECOMMENDATIONS AND CONCLUSIONS

Stalking can cause serious traumatic symptoms for victims (see e.g., Brewster, 1998; Nicastro, Cousins, & Spitzberg, 2000), but the legal system may exacerbate the problem by being nonresponsive or inappropriately responsive. Abrams and Robinson (1998) stated that insensitivity and disappointing handling of victims' cases may adversely affect victims' mental health. Until the legal system treats former intimate stalking as seriously as stalking by strangers and as seriously as other offenses, victims will continue to be disappointed with the treatment by the criminal justice system. Experiences of stalking victims in this study were consistent with those of partner violence. In their study of the victims of partner assault and nonpartner assault, Byrne, Kilpatrick, Howley, and Beatty (1999) found that victims were treated differently as a result of their relationship to the perpetrator. Despite the passage of stalking laws, victims are not necessarily served effectively (see e.g., Bernstein, 1993).

Stalking interferes with victims' abilities to enjoy their rights and protect their interests, such as "personal security, emotional security, freedom of action and privacy" (Manitoba Law Reform Commission, 1997, p. 5). And when criminal justice practitioners advise victims to change their telephone numbers, to move, to avoid going certain places to avoid the stalker, or to get hurt so that the police can take action, victims' rights are violated.

Obstacles presented by the legal system include confusion, frustration, fear, and conflict with regard to sending the batterer to jail. The combination of personal and system barriers or obstacles may deter victims from seeking legal assistance (Bennett, Goodman, & Dutton, 1999). In-service training of criminal justice professionals and the education of the public (including

victims) might improve both the system's response to stalking and victims' likelihood of seeking legal assistance (see Carbon, MacDonald, & Zeya, 1999; Goldman, 1999). In addition, although there have been many recent attempts to strengthen education and enforcement of the full faith and credit provision of the Violence Against Women Act, many criminal justice professionals and victims do not fully understand the protections included in the provision (see Carbon et al., 1999).

In several jurisdictions, there have been coordinated responses, including criminal justice and victim service agencies working together to protect victims of stalking and to more expediently resolve the situations. This systemic and coordinated approach to handling stalking cases should be encouraged in all jurisdictions. The coordination of criminal justice programs including law enforcement, courts, corrections, and victim service agencies, such as those in Los Angeles, California, and Dover, New Hampshire (American Prosecutors Research Institute, 1997), will reduce the number of cases "slipping through the cracks" and the perpetuation of placing the victim at increased risk.

Many women in this study complained of being ineligible for ROs. A study conducted in South Australia found that fewer than 5% of the applications for ROs were either dismissed or refused (Marshall & Castle, 1998). Numbers of and reasons for refusals in the United States should be examined to see how the system is working and to see whether loopholes are allowing offenders to undermine the process of victims' acquiring protection orders.

In her survey of 145 self-identified stalking victims, Doris Hall (1997) asked respondents how the criminal justice system might be improved in dealing with stalking victims. About two thirds of the respondents indicated the need for better designed laws, stricter sentencing, improved police training, and greater sympathy for the victim (pp. 135-137). Although the Model Anti-Stalking Code (National Criminal Justice Association, 1993) was a step in the right direction, states should continue to examine and strengthen stalking laws.

The frustrations often expressed by stalking victims and the resultant need for improvement in the legal system's handling of such cases are summed up in a discussion of stalking in Manitoba that could equally apply to the United States:

The dominant characteristic of the legal response to stalking is that the protection is uneven, uncertain and unpredictable. The result is that far too often subjects of stalking are left unprotected and uncompensated.

Because the concept of stalking covers so many different situations, no single remedy will solve the problem. What is needed is a basket of remedies aimed at different aspects of the problem. Only when the full scope of a person's interests are protected by a full range of remedies will the law have exhausted its power to deal with stalking. (Manitoba Law Reform Commission, 1997, p. 114)

NOTES

1. Chester, Delaware, Bucks, Lehigh, Philadelphia, Dauphin, and Montgomery Counties were selected based on efficiency in terms of the shortest distances for the researcher and fellow interviewer as well as the potential of the population of the counties to provide sufficient numbers of participants with varying demographic characteristics.

2. This researcher realizes that men are also victims of former intimate (and other types of) stalking, however, the focus of this study is on female victims because it has been established that women are much more frequently the victims of stalking than are men (see e.g., Tjaden, 1997).

3. It should be noted that *intimate relationship* here does not necessarily imply having formerly had a sexual relationship with the stalker.

4. The researcher conducted additional analyses to examine whether Whites and African Americans had significantly different experiences with the police. In those cases where the police were contacted, there was no difference in the rates of arrests for stalkers of White and African American victims. In addition, both groups of victims rated police similarly in terms of overall helpfulness.

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