

Stalking

Being stalked can be a frightening, frustrating, and life changing experience. Although it is tempting to dismiss stalking behaviour in the hopes it will stop, stalking can be a very serious and potentially dangerous offence. The risk of violence aside, stalkers can instill fear and anxiety in those who they stalk, and can completely disrupt someone's life.

If you are being stalked, please remember that it is not your fault in any way. Regardless of your relationship with the stalker in the past, you have the right to end the relationship completely. You have not been targeted because of something you have done wrong: **the stalker didn't choose you because of who you are, but because of who they are**¹.

What is stalking? Stalking is a crime known as "criminal harassment."¹ According to Section 264 of the Criminal Code of Canada, criminal harassment can involve repeatedly following, communicating with, watching, and/or threatening either directly or through someone the survivor knows.

To be considered criminal harassment, the stalking behaviour:

- must be unwanted
- must give you good reason to fear for your personal safety, even if the stalker claims to have no intention of frightening you
- must have no legitimate purpose
- must be repeated, usually (in extreme cases one incident may be enough for charges to be laid)

Who are stalkers? Although the majority of stalking cases (75-80%) involve men stalking women, stalking has perpetrators and victims of all genders. A stalker may be a prior intimate partner, an acquaintance, or even a stranger.

In the 12% of stalking cases where the parties are strangers to each other, the stalker's controlling or harassing behaviour usually stems from a mental disorder or delusions involving a "relationship" with the victim.

Eighty-eight percent of stalking cases involve stalkers who are obsessed with someone they know. This person could be a prior intimate partner, the new partner of an ex-partner, an acquaintance, a family member, or coworker. Stalking is often an extension of domestic violence, where the abuser continues to terrorize the partner who has tried to leave. In all these cases, the stalker is seeking to have power over the victim. The stalker increases their sense of self-esteem by dominating, humiliating and controlling the targeted person.

¹ Stalking: A Handbook for Vicims, Emily Spence-Diehl, 1999, p.39

Stalkers who target acquaintances tend to be of above average intelligence and usually have a flexible or light schedule. For these reasons, you might be more likely to encounter a stalker in environments like university campuses. Acquaintance stalkers are not usually suffering from profound mental disorders, but they often have many unhealthy characteristics. For example, they are often:

- socially maladjusted and emotionally immature
- subject to feelings of powerlessness, insecurity, and low self-esteem
- unable to have successful, long-term relationships
- jealous, bordering on paranoid
- blaming and unwilling to take responsibility for their own feelings
- narcissistic with a strong sense of entitlement

Despite these characteristics, the stalker is usually able to manipulate people enough to initially develop relationships. If you are being stalked, you need not feel guilty about not seeing “warning signs” earlier; just like in any abusive relationship, you would never have entered into it if the stalker had not been able to disguise some of these characteristics.

Stalking Behaviour Patterns. Stalking behaviour patterns are very similar to those behaviour patterns in domestic violence, even when the parties are not former partners. The pattern usually begins when the stalker feels rejected or wronged in some way.

Perceived rejection often leads the stalker to attempt to “woo” their victim into a relationship; this wooing may involve giving gifts or acting in a particular way to prove their “love” or “friendship.” In the case of an ended intimate relationship, the stalker may be trying to show they have “changed.”

When these attempts are spurned the stalker often begins to harass their victim. This harassment can have many different forms, and often it becomes more and more severe.

In a case where the stalker feels wronged by their target, they may not try to “woo” the victim, but rather move straight into terrorizing the victim out of desire for revenge. For example, a stalker might fixate on a lawyer who prosecuted them, and stalk the lawyer and the lawyer’s family.

A serious concern is the possibility that the stalker may turn to violence. Remember that **each stalker is different, and their actions cannot be predicted.** Some stalkers will never turn to violence, and others will become violent soon after the stalking has begun. It is important not to assume there is less risk of violence due to the gender of the people involved; all stalking situations are potentially dangerous, regardless of gender. It is also important to note that, while there is risk in every stalking case, there is a higher risk of physical/sexual harm in a continuing domestic violence situation. Violent and abusive former partners who engage in stalking behaviour should be considered particularly dangerous.

Another concern is that the stalker may become frustrated if they cannot reach the intended victim, and thus might transfer their anger to someone else in that individual's life. This person may be seen as what is keeping the stalker from the intended victim, and so the stalker may react violently or threateningly towards this person. Sometimes stalkers target their ex- partner's (or desired partner's) new partner, rather than stalking the ex-partner directly.

What is Stalking Behaviour? Stalking has been referred to as a "building block crime" because it usually starts with smaller incidents and can get more and more serious and/or frequent.

- 100% of stalking cases involve behaviours such as²:
 - gathering your personal information from school, friends, internet, etc
 - repeated non-threatening email, calls, mail, etc
 - persistent approaches requesting dates, meetings, etc
 - notes/flowers left on your car
 - following/watching and “coincidentally” showing up near you
 - sitting outside your home, work or car
 - spreading rumours, misinformation or secrets to your family/friends
- In approximately 50% of stalking cases, behaviours escalate to things such as:
 - vandalism or destruction of your property
 - direct or symbolic threats to you or loved ones
 - breaking into your home/car when you are not there
 - leaving dead animals or other upsetting objects in your home/car
- In approximately 25% of stalking cases, behaviours escalate to things such as:
 - physical assault
 - sexual assault
 - abduction or unlawful confinement
- In less than 2% of stalking cases, the behaviour escalates to:
 - attempted murder or murder

If you are being stalked: You have the right to decide what actions you feel comfortable taking. However, due to the dangerous and urgent nature of stalking situations, it is a good idea to review the following recommendations and options; you might find taking some of the following steps to be reassuring, and other options might become helpful later on should the stalking escalate. As you will see below, there are a couple measures that are strongly urged in every stalking situation.

Two Very Important Steps. Even if you choose to do nothing else, it is critical to issue a no-contact statement as well as to document everything.

- **No-Contact Statement:** The stalker must hear (or read) on one occasion that you do not want any more contact. It is necessary to have a clear no-contact statement on record should the authorities become involved later. It might also deter the stalker, but this is not often the case.

² Chart adapted from Stalking: A Handbook for Vicims, Emily Spence-Diehl, 1999, p.3

It is critical that you **make no further contact with the stalker after** this statement. No matter how the stalker attempts to manipulate you into communicating with them, it is important to remain firm. If you give the no-contact statement, then eventually answer one of the stalker's emails for any reason, the stalker has learned to just keep trying.

The no-contact statement must **be clear and firm**. Resist the urge to be vague or apologetic; it is not rude to set strong boundaries with someone whose behaviour is obsessive, erratic, and frightening. It is ideal to save a written copy of this statement, such as a saved email or a dated letter. If the statement is spoken, make note of it in your documentation.

➤ **Good no-contact statements:**

- "I'm not interested in having a relationship with you. I will consider further contact from you to be criminal harassment, and I will report it to the police."
- "I am ending our relationship. Do not make any attempt to renew it. I will not change my mind. I do not wish to have any contact, now or in the future. If you try to contact me, I will take legal action against you."

➤ **Ineffective no-contact statements:**

- "I'm really sorry, but I don't think we have a lot in common. Maybe one day we can be friends, but you shouldn't keep calling me here."
- "Part of me will always love you too, but I need my space. You can bring over that money you owe me, but then we are over."
- **The stalker will choose to interpret these to mean keep trying**, and the police will likely require a clearer no-contact statement.

- **Document All Stalking Behaviour:** It is important to keep a record of all stalking behaviour, especially everything that occurs after the no-contact statement. Even if you do not want to involve the police now, you might find that you one day require their assistance; if that occurs, the police can help more when there is documentation. Keep an extra copy of this documentation somewhere for safekeeping.

Keep a log of all that has happened, in chronological order (this pamphlet includes sample documentation sheets, which you can refer to or photocopy). It is important that the documentation include:

- dates, times, and places of each incident
- every detail you remember about each incident
- any witnesses to the incident
- copies of notes/emails, recordings of voicemails, photos of damage, and any other physical evidence
- records of all contact with police or other relevant organizations

Safety Options

Even if the stalking behaviour initially feels harmless, as time goes on you may find that you want/need some options to keep safe. Keep in mind that making such life changes is frustrating, annoying, and unfair, but unfortunately they are sometimes necessary.

Here are some precautions you might want to consider:

- **Trust your intuition;** don't dismiss feelings of fear or uneasiness.
- **Talk to family, friends and coworkers regarding the situation;** the situation's seriousness, how to identify the stalker, how to assist with safety precautions, documenting all incidents, etc.
- Try to keep your address, phone number, and other personal information secret (including car registration, university records, personal files at work, luggage, subscriptions, dry cleaners, photo developers, credit card records, pharmacies, couriers, libraries, cheques, florists, etc.)
- **Vary your schedule and routes** to make tracking harder.
- Discuss safety on campus with University Protective Services.
- Use SafeWalk or The Lone Worker Program (UAPS).
- **Carry a cell phone.**
- **Access phone services as needed:**
 - Get call display.
 - Add a new phone line and keep the number secret; keep your old line connected to continue recording stalker's messages.
 - Block certain phone numbers; press *60 and follow the instructions.
 - Keep your phone number private (prevent number from showing up on call display); press *67 before dialling out (Otherwise, ask the phone company about permanent phone number block.)
 - Find out last number to call line; press *69
- **Increase the security of your home:**
 - Ask the police to do a home security check.
 - If you can afford to, install deadbolts, motion sensor lights, an alarm, a wide-angled peephole, etc.
 - Keep emergency numbers and your police file number by the phone.
 - Be sure to shred personal information before your recycle or throw out mail.
 - Get a dog.
- **Workplace Safety**
 - Tell trusted co-workers what is going on. Provide a photo of the person and advise what action they should take if they see that person.
 - Ensure co-workers do not give out your personal information or disclose where you are at any given time.
 - Have others screen your calls.
 - Remove your name from public locations; such as in/out boards, list of employees, etc.
- **Remove any personal information from your files,** time sheets, computer, locker, and/or desk.

- **See a computer expert about stopping the stalker's emails** while still saving them somewhere for evidence. Recover any deleted emails from service provider.
- **Consider staying in a safer location**; talk to a staff at the Sexual Assault Centre about emergency accommodation options if you have nowhere to go.
- **Make an emergency plan**; have an emergency bag packed to save time if you should have to flee.
- **Remember, any precaution that increases your sense of safety is worth it, even if it seems extreme.**
- **Maintain a support network** to offer practical and emotional support; seek support and guidance from a counsellor or the U of A Sexual Assault Centre.
- **Practice self care**; try to make time to eat well, exercise, get some sleep, and for fun or relaxing activities

Involving the Police or University Protective Services. Since what you are experiencing is a crime, you have the right to report to the police. Even if the police cannot press charges, they will be able to document individual incidents as well as offer you some guidance and protection.

Even if you are currently hesitant about involving the police, unless the stalker stops on his/her own, there is a good chance you will need to ask the police for help eventually. (This is why it is important to issue a no-contact statement and document everything.)

If you are a member of the campus community, University Protective Services is an excellent resource. They can respond quickly should you feel unsafe on campus, and they can provide accompaniment on campus and to nearby locations to help minimize risk.

If you wish to report the stalking, it is recommended that you:

- Bring a friend, family member, or an advocate from the Sexual Assault Centre for support.
- Take notes, or have your supporter take notes. Ensure that you record:
 - the date
 - the name of the officer
 - what the officer said
 - the file number for use every future time you contact the police; keep this on you from now on
- Bring a photograph of the stalker, as well as a written description of them.
- Bring all documentation

Protective Court Orders. Peace Bonds and Restraining Orders can be sought by individuals who have reason to fear for their personal safety, or by those who are concerned about damage to their property by a certain person. Peace bonds and restraining orders are legal documents that outline conditions that a person, in this case your stalker, must obey. These conditions usually involve the stalker staying away from you, your place of work, and your home.

If you feel that the stalker is threatening your emotional and physical safety, a peace bond or a restraining order may help. These legal documents do not guarantee your safety, but they do strengthen your case. If the stalking situation worsens, a violated court order will be strong evidence that this is a serious situation and that additional protection may be needed.

- Particularities of **peace bonds** include:
 - obtained through the criminal process
 - can be obtained without a lawyer
 - if the stalker does not appear before the court when they are called, a warrant for their arrest is issued
 - if the stalker violates the order it can result in a criminal conviction
 - usually take longer to obtain than a restraining order
- Particularities of **restraining orders** include:
 - obtained through the civil process
 - a lawyer is needed (unless the client is in a marriage-like relationship with the perpetrator; in which case, a do-it-yourself package is available)
 - if the stalker does not appear before the court when they are called, the restraining order can be issued without the stalker present
 - if the stalker violates the order it will only result in an arrest if there is a clause in the restraining order that empowers the police to act
 - can be obtained a lot faster than a peace bond

If your stalker is your spouse and you are in imminent danger, an **Emergency Protection Order (EPO)** might be a better option for you. An EPO is similar to a restraining order or peace bond, in that it compels the perpetrator to remain distant. It is granted immediately and is very temporary; it can help buy time until a restraining order can be obtained. EPOs are only granted in extremely serious emergencies involving partners with whom you have a marriage-like relationship or a child.

Where to go for court orders:

- To obtain a peace bond, contact:
 - The police: Either at a police station or by telephone
- To obtain a restraining order, contact:
 - PROP (Protection & Restraining Order Project): They will advise you where to go, and in some cases, such as when the perpetrator is your spouse, they will help you get a lower cost or do-it-yourself restraining order. 780-423-8920
 - A lawyer
 - Legal Aide: 780-427-7575
- To obtain an EPO, contact:
 - EPOP (Emergency Protection Order Program): Available during the day, they will bring you to court to ask a judge for an EPO, as well as help you to get safe. 780-422-9222
 - The police: Available overnight or during an emergency