

Research paper on circumstance theory and reality

[Law](#), [Criminal Justice](#)



Abstract

The most recent studies on stalking indicate that the typical stalking victim is a non-Hispanic female between 18 and 24. While demographic indicators may not change too much from survey to survey, the means that stalkers use to encroach on their victims' lives have changed with the times. Indeed, Internet technology and electronic communications methods such as texting and email have given stalkers a new and insidious means of harassing a targeted individual. In fact, the 2006 National Crime Victimization Survey revealed that technology was used in one of every four stalking case. Theorists have shown that lifestyle-exposure and routine activity theories do an admirable job of identifying and explaining ways in which stalkers gain access to their victims.

Circumstance, Theory and Reality: Toward a Better Understanding of Stalking Victimization

The National Crime Victimization Survey (NCVS) has revealed that there are approximately 3.4 million stalking victims each year. These are people who have experienced the fear of unwanted phone calls, emails or other unsolicited communications, or who may have been the object of rumors started on an Internet chat room or in some other public forum. Regardless of the form it takes, harassment by stalking is a powerful form of psychological victimization made all the more terrifying by the fact that there is no way of knowing when or if it will cease, or worse, if it may end in some violent act. As if harassment by phone wasn't bad enough, the advent of Internet technology and the immediacy of electronic communication has added a potent new weapon to the stalker's arsenal. And while instant

messaging, e-mails and texting are relatively easy for law enforcement to track, the ease of electronic communication has likely caused an increase in the incidence rate of stalking. In any event, stalking remains one of the most difficult crimes to prove and prosecute. “ Stalking is unlike most crimes because a course of conduct designed to create fear in another person does not require contact with the victim” (Baum, Catalano, Rand & Rose, 2009).

The 2006 National Crime Victimization Survey (NCVS) data indicates that people in the age ranges of 18-19 and 20-24 are most likely to be targeted by a stalker. Of the many options available for intruding into a victim’s life, phone calls are still the stalker’s harassment of choice, with more than 65 percent of stalking victims having received unwanted calls and phone messages (Baum et al., 2009). One of the most alarming of the NCVS findings is that almost half of identified stalkers are someone known to their victims, which may have something

Circumstances

The data shows that the majority of stalking victims exhibit many common demographic, gender and lifestyle characteristics. The fact that females are more likely than males to be stalked is unsurprising, reflecting a recurring statistic in NCVS and similar studies (Baum et al., 2009). Male and female victimizations were equally likely to be reported to the police, a finding that seems to contradict the contention made by some analysts that females are more likely to report harassment than males because males feel that they have less to fear in terms of physical harm, or that by reporting harassment they are somehow exhibiting un-masculine weakness (Baum et al., 2009).

From a racial standpoint, white, non-Hispanics are more likely than other ethnic groups to suffer harassment (Baum et al., 2009).

Harassment, in most cases, is perpetrated by someone known to the victim. In fact, only one-tenth of all stalking victims were harassed or attacked by a stranger (Baum et al., 2009). The victim knew the stalker in nearly three out of four incidents, with victims identifying former roommates, friends, neighbors or former intimates (Baum et al., 2009). The greatest fear of all stalking victims - physical assault - was the result in approximately 139, 000 cases, with handguns used in 23 percent of these cases (Baum et al., 2009). One of the report's most alarming statistics revealed that about a fifth of all physical attacks ended in serious injuries to the victims, with knife wounds and gunshots producing everything from internal organ injuries to broken bones (Baum et al., 2009). Hitting, slapping or choking occurred more frequently than any other form of assault.

An examination of fatalities involving women reveal just how prevalent stalking has become in our society - and how dangerous it can be. Seventy-six percent of murdered women were killed by someone who had stalked them, a percentage that goes up for women who had been physically abused by their stalker (Baum et al., 2009). The circumstances of stalking incidents and their aftermath play out in a variety of settings. Thirty-four percent of stalking victims report that they were followed or spied on by a stalker, while 31 percent indicated that their offenders appeared in places where they had no viable reason for being (Baum et al., 2009). Twenty-nine percent reported that a stalker waited for them in places where they knew the victim would

be, such as at home or work, or at the gym or out shopping (Baum et al., 2009).

The long-term impact of stalking has been largely overlooked in years past, but a new emphasis on this phenomenon has inspired a closer study of the terrible emotional toll that a stalker exacts from the victim. In her detailed report on stalking and its effects, Patricia Tjaden notes that extensive research “ indicates that stalking victims suffer a variety of psychological and social consequences as a result of their victimization” (Davis, Lurigio & Herman, 2007). The National Violence Against Women (NVAW) survey found that 30 percent of female and 20 percent of male stalking victims sought psychological counseling (Tjaden & Thoennes, 2000).

Twenty-six percent indicated that their victimization caused them to miss time from work, with seven percent reporting that they never returned to the job (Tjaden & Thoennes, 2000).

Mindset, behavior and a sense of well-being are also important points of consideration in studying stalking victims. Many victims suffer for years from the fear that stalking engenders in them. Tjaden reports that in comparison to non-victims, “ stalking victims were more likely to report that they were very concerned about their personal safety” and that they feared being stalked again (Davis et al., 2007). Victims also reported that their fear motivated them to carry a weapon, or to take some action aimed at self-preservation, and that fear caused them to alter their lifestyle in a significant way (such as choosing to minimize social activities), resulting in physical

manifestations such as post-traumatic stress disorder, lack of sleep or substance abuse (Davis et al., 2007).

Victims

The typical stalking victim is a female, non-Hispanic between the ages of 18-19 or 20-24 (Baum et al., 2009). The survey also found that the typical victim is divorced or separated and lives in a lower-income household (Baum et al., 2009). The rate of stalking victimization is almost three times higher for females than for males, with 20 women out of 1, 000 aged 18 or older having experienced some form of stalking.

Fourteen out of 1, 000, non-Hispanics experienced a slightly higher rate of occurrence than Hispanics (11 of 1, 000) (Baum et al., 2009). The rate of victimization for divorced or separated persons was almost four times higher than for married individuals and twice as high as the rate for persons who have never been married. The NVAW survey found that there is no appreciable difference in the rate of stalking between white and non-white victims, with 8. 2 of both having been stalked at some point in their lifetimes (Tjaden & Thoennes, 2000).

Stalking by an intimate, either by a spouse, former spouse or intimate partner, appears to occur at a slightly higher rate than among non-intimates and can blur the lines as to what constitutes stalking, harassment and direct spousal abuse. The fact that women are twice as likely to be stalked by an intimate partner is unsurprising given that “ the incidence of intimate partner violence against men and women” continues to occur at an alarmingly high rate (Burgess, Regehr & Roberts, 2010). Eighty-one percent

of women who indicated that they had been stalked by an intimate also reported that they had suffered spousal abuse (Tjaden and Thoennes, 2000). What is more, victims of abuse within marriage appear to be at higher risk for violence after separation.

Risk factors

The predatory nature of stalking presupposes that the offender uses observations to carry out a campaign of harassment. These observations can be drawn from behavioral patterns and outward manifestations of the victim's lifestyle, knowledge of which can be pre-existing (as with a former intimate) or gained through some form of direct (visual) or electronic surveillance. Several theories have been developed to identify and explain such phenomena, and to help victims identify where and at what times they are most vulnerable to a stalker/offender. As has been discussed, stalkers have more tools at their disposal than ever before, new ways they can enter and monitor a victim's movements, vital information and lifestyle tendencies.

An interesting study by Kodellas, Spyridon and Giannakoulopoulos atomizes the increasingly prevalent use of Web- and electronic-based methods by stalkers. Specifically, they apply the principles of lifestyle-exposure and routine activity theories in an attempt to construct a useful picture of cyber stalking and victimization. This study identifies lifestyle-exposure theory as a particularly meaningful model for examining the rate and success of Internet stalking. This theory posits that risky lifestyle behavior is especially apt to place the victim in harm's way, leaving them open to identification, observation and manipulation by a stalker. In terms of the Internet,

individuals who take part in high-risk behavior, by “ posting personal information and pictures on social networking websites, visiting pornographic websites, (and) participating in open chat rooms are more likely to become victims of cyberstalking violence” (Kodellas, Spyridon & Giannakoulopoulos, 2010).

The study’s authors utilized anonymous questionnaires to determine the nature of each participant’s daily lifestyle and routine activities, as well as the extent to which each has experienced stalking or cyberstalking. The information collected has yielded sufficient data to indicate that stalking and Web-based harassment can be ascribed to lifestyle and routine activities. Thus, the results of the study can be used to “ confirm that existing etiologies of crime and victimization are indeed adaptable to the World Wide Web” (Kodellas et al., 2010). The study’s results met the lifestyle routine criteria, which includes placing individuals in proximity to offenders; leaving individuals vulnerable due to risky or deviant behavior; exposing them as attractive and attainable targets; and identifying them as lacking guardianship capable of deterring an offender (Kodellas et al., 2010).

A 1999 study also showed that routine activity theory can be adapted to identify and explain factors that lead to stalking violence against women. Elizabeth Mustaine and Richard Tewksbury studied the activities of more than 800 female students at nine universities in the United States. Their study combined lifestyle activities and social interactions in determining stalking victimization. Mustaine and Tewksbury pointed to the fact that routine activity theory utilizes demographics and social status factors, but

added that their study included observations based on predictors such as substance use, off-campus residence and university activities that take place in various social environments (Mustaine & Tewksbury, 1999). They found that activity associated with behaviors typical of university lifestyles shows are in line with routine activity theory, which can be an adaptable construct for predicting stalking victimization.

Conclusion

Stalking has traditionally been a difficult form of harassment to stop and to prosecute, particularly in cases where it does not lead to a physical attack or some other tangible proof of victimization. Internet and communications technologies offer a means for tracking stalkers while at the same time making it easier for predators to intrude and encroach on the lives of their victims. Studies of physical and electronic forms of stalking have shown that theoretical explanations for stalking behavior can be adapted to various settings and may hold potential for predicting and circumventing a wide range of such victimization.

References

- Baum, K., Catalano, S., Rand, M. & Rose, K. (2009). " Stalking Victimization in the United States." Bureau of Justice Statistics Special Report. U. S. Department of Justice.
- Burgess, A., Regeher, C., & Roberts, A. (2010). *Victimology: Theories and Explanations*. Sudbury, MA: Jonas and Bartlett Publishers. p. 268.

- Kodellas, A., Spyridon, F., & Giannakoulopoulos, A. (2010). "Cyberstalking Victimization: The Role of Online Lifestyles and Routine Activities." Proceedings of the WebSci10: Extending the Frontiers of Society On-Line, Raleigh, N. C.
- Mustaine, E. & Tewksbury, R. "A Routine Activity Theory Explanation for Women's Stalking Victimization." *Violence Against Women*, vol. 5, no. 1, pp. 43-62.
- Tjaden, P. "Stalking in America: Laws, Research and Recommendations." *Victims of Crime*. Robert C. Davis, Arthur J. Lurigio and Susan Herman, (eds.). Thousand Oaks, CA: Sage Publications. 2007. pp. 82-83.
- Tjaden, P. & Thoennes, N. (2000). "Full Report of Prevalence, Incidence, and Consequences of Violence Against Women." National Violence Against Women Survey. U. S. Department of Justice.