Stalking and Homicide
Chapter 12
Introduction

- Stalking defined as a pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to feel fear.
- Pioneering legislative action in California coined the term *stalking*. 
Stalking

- California responded as the first state to pass antistalking laws.
- Became known as the crime of the 1990’s.
- It is estimated that stalkers are violent toward their victims periodically.
- Most likely to be violent are those that have had an intimate relationship with the victim.
- Eight percent of women and 2 percent of men have been stalked in their lifetime.
- Gender-neutral crime.
What is stalking?

- A pattern of behavior that is intended to cause harm or to instill fear in a person.
- Following or harassing is the typical characteristic of the offense.
- It consists of a series of actions rather than a single act.
- When the repetitive actions instill significant fear of bodily harm or cause injury, it constitutes a pattern that is illegal.
Stalking Behaviors

• Motivations of the stalker are varied.
• Routinely attempt to intimidate and control their victims.
• Violence occurs in 30 to 50 percent of stalking cases.
• Severe violence noted in 6 percent.
• Weapons are used to harm or threaten victim and the pattern of contact varies.
• Victims are pursued at least once a week.
Stalking Pursuit Characteristics

• Approaching the subject in person,
• Telephoning,
• Taking part in surveillance,
• Sending letters/cards/fax,
• Burglarizing,
• Sending packages or gifts,
• Using a third party to contact, and
• Stalking over cyberspace.
Common Elements of Stalking

1. Following
   - standing outside of home, spying on person

2. Harassing
   - alarming the person and annoying them

3. Threats
   - difficult to establish
   - does not need to be written or verbal
   - pointing a finger with gun
   - dead animal at doorstep
Victims of Stalking

• Anyone, male or female
• Four of five victims are females
• Men were victims 20 percent of cases
• Young adults primary targets
• Many victims know their stalker
• Older women, stalking occurs as part of intimate partner violence
Safety Precautions for Stalking Victims

• Get a dog
• Install a house alarm
• Get a mailbox address
• Keep an answering machine
• Get a new and unlisted telephone number
• Get a cell phone and carry it at all times
• Document everything, keep everything
• Keep a log of suspicious occurrences
• File a confidential voter stats and new license
• Park car in lit area and lock doors
• Equip car with alarm
Threat Assessment of Stalkers:

- Most attended college
- History of mobility
- Socially isolated
- Few histories of arrest for violent crimes
- Histories of harassing other people
- Histories of explosive, angry behavior
- Limited histories of physical violence
- Histories of serious depression or despair
- Attempted suicides
Perpetrators of Stalking

- Majority of perpetrators are males
- No single profile of a stalker
- Personality or mental disorder
- Diversified demographics
- More than half are Caucasian
- Single
- Heterosexual
- One third, history of adult violent crime
Characteristics of Perpetrators

I. Previous relationship – private figure context
   A. *Intimate stalker*
   B. *Acquaintance stalker*

II. No previous relationship or limited /incident contact
   A. *Public figure stalker*
   B. *Private stranger stalker*
Categories of Stalkers

1. Relationship or Simple Obsessional Stalkers
2. Love Obsessional Stalkers
3. Erotomania
4. Vengeance and Terrorism Stalkers
Stalking Laws

• In 1990, California first state to pass law
• Many states consider it to be a felony crime
• Newly created and defined criminal offense, laws vary from state to state
• Broadly written statutes, difficult implementation
• *Interstate Stalking Punishment and Prevention Act*, 1996
Investigative Strategies

1. Assessing The Victim’s Credibility
2. False Victimization Syndrome
3. Assessing The Offender’s Conduct
4. Gathering Physical Evidence
5. Documenting Previous Law Enforcement Response
6. Interviewing Third Parties
7. Considering Circumstantial Evidence
8. Assisting In Obtaining Restraining Order
Categories of Homicide

1. Justifiable Homicide
2. Excusable Homicide
3. Felonious Homicide
The Battered Women’s Syndrome

- Example of excusable homicide.
- Continuum of violence excuses the woman who kills her husband, legally justified.
- Theory of learned helplessness.
- **Characteristics of syndrome:**
  - Women believes violence is her fault.
  - Women has inability to place responsibility elsewhere.
  - Women fears for her life and/or her children’s lives.
  - Women has an irrational belief, abuser is omnipresent and omniscient.
Intimate Partner Homicide

• Victims are spouses or ex-spouses.
• **Intimate partner homicide**: is known as family killing, the killing of a spouse, ex-spouse, boyfriend, or girlfriend.
• Link between intimate partner homicide, stalking, and intimate partner violence.
• **Femicide**: is the killing of a woman by her relative, friend or lover.
• Men commit the majority of these murders.
Intimate Partner Homicide Victims

• Make up 11 percent of all murders
• Common catalyst – separation or the start of legal procedures.
• Most dangerous times, 3 months to 1 year after the separation.
• Rates have declined since 1975, lowest recorded in 2002.
• As services to female victims increased, homicides decreased.
Risk Factors in Homicides

• Recorded history of intimate partner violence is the most significant risk factor.
• Over two thirds of spouse and ex-spouse victims were killed by guns.
• Combination of factors increase the likelihood:
  • Abuser is unemployed
  • Access to guns
  • Threats of deadly violence
  • Abuser is older
  • Mental illness background
  • Illicit drug use
  • Prior criminal record
Intimate Partner Homicide Defendants

- Female defendants more likely to be convicted of lesser grades of homicides
- Sanctioned less severely
- Males defendants treated more harshly
- Males more severely sanctioned than other males convicted of non-intimate homicides.
- Females is defensive and occurs within the context of a history of domestic violence.
Homicide-Suicide

- The National Violent Death Reporting System (NVDRS) recently established to track suicide-homicide events.
- Approximately 2 percent of all homicides are classified as cases of murder-suicides.
- Usually husband kills his wife or partner and within minutes or hours commits suicide.
Familicide

- Is defined as a multiple-victim homicide incident in which the killer’s spouse or ex-spouse and one or more children is slain.
- 6 percent of homicides of children and youth were committed as part of multiple-victim family homicide.
- Majority perpetrated by men.
- Victims divided between sons and daughters.
Gay and Lesbian Partner Homicide

- Number of same sex homicides is unknown
- Mirrors the violence in the heterosexual sexual community.
- National Coalition of Anti-Violence Programs are among the few organizations that collect information on intimate partner violence.
Homicide in Later Life

- Older adults have homicide-suicide rates that are twice as high as those of younger adults.
- Responsible for 1,000 deaths per year.
- 20 older Americans die each week in homicide-suicide
- Acts of desperation and depression.
- Three types:
  1. Dependent-protective
  2. Aggressive
  3. Symbiotic
Investigative Strategies

• Since 1976, more than 64,000 men and women are been murdered by intimate partners.
• Men are most often the perpetrators and the victims of homicides.
• Men are nine times more likely than women to commit murder.
• Guidelines to assist police officers established under the *Mincey v. Arizona*, decision.
Death Review Teams

• Purpose of multidisciplinary team was to share resources and information in the forensic investigation of child fatalities.
• Today, child review teams are available in all 50 states, *Inter-Agency Council on Child Abuse and Neglect*. (ICAN)
• Similarly, the first elder review team was established in 2000, in California.
• *EDIRT’s* purpose is to assist in the identification and prosecution of elder-abuse related deaths.