

STALKING: KNOW IT. NAME IT. STOP IT.

Stalking Response Tips

for Judges

Did You Know?

Stalking—generally defined as a course of conduct directed at a specific person that would cause a reasonable person to feel fear—affects an estimated 6.6 million women and men each year. Stalking is a crime under the laws of all 50 states, the District of Columbia, the U.S. territories, and the federal government; however, statutes and definitions of stalking and related crimes vary from state to state. In addition to serious and long-lasting emotional and psychological harm, stalking also can involve severe—even lethal—violence. It is critical that judges understand the nature and dynamics of stalking, the impact of stalking on victims, and the statutes related to stalking, so they may hold offenders accountable and intervene before stalking escalates to more violent behavior.

How Judges Can Help

1. Recognize that many threats made by stalkers are often implicit and appear benign to outsiders. Although you cannot know with certainty the context or meaning of each of the defendant's acts, consider why the behavior could be frightening or distressing to the victim.
2. Take into account strong victim reactions, even if the victim is not expressing fear explicitly. Reactions to trauma and traumatic events vary among victims.
3. Consider the defendant's past behavior toward the victim in any bail or other release situations. Understand that even if the defendant has no other criminal history, the defendant can still pose a threat to the victim.
4. Bear in mind that offenders may be using technology to stalk their victims and to hide their offending behavior. Ask victims if they believe their offenders are using, or have ever used, technology to track or monitor them.
5. Realize that stalkers may use children in common with the victim as justification for their stalking behavior (e.g., defendant needs to have contact with the victim to discuss and co-parent the children.)

For More Information

National Stalking Awareness Month
<http://stalkingawarenessmonth.org/>

Stalking Resource Center
www.victimsofcrime.org/src



Stalking
resource center