

The author(s) shown below used Federal funds provided by the U.S. Department of Justice and prepared the following final report:

Document Title: Stalking: Its Role in Serious Domestic Violence Cases, Executive Summary

Author(s): Patricia Tjaden Ph.D., Nancy Thoennes Ph.D.

Document No.: 187346

Date Received: March 21, 2001

Award Number: 97-WT-VX-0002

This report has not been published by the U.S. Department of Justice. To provide better customer service, NCJRS has made this Federally-funded grant final report available electronically in addition to traditional paper copies.

Opinions or points of view expressed are those of the author(s) and do not necessarily reflect the official position or policies of the U.S. Department of Justice.

187346

**STALKING: ITS ROLE IN
SERIOUS DOMESTIC VIOLENCE CASES
EXECUTIVE SUMMARY**

Patricia Tjaden, Ph.D.

Nancy Thoennes, Ph.D.

Center for Policy Research

1570 Emerson Street

Denver, Colorado 80218

303/837-1555

PROPERTY OF

National Criminal Justice Reference Service (NCJRS)

Box 6000

Rockville, MD 20849-6000

January 2001

This research was supported by grant number 97-WT-VX-0002 awarded to The Justice Studies Center at the University of Colorado at Colorado Springs and the Center for Policy Research by the National Institute of Justice. The opinions and conclusions expressed in this document are solely those of the authors and do not necessarily reflect the views of the funding agency.

An analysis of the research findings by gender is presented in: Tjaden, P. and N. Thoennes, "The Role of Stalking in Domestic Violence Crime Reports Generated by the Colorado Springs Police Department,"

***Violence and Victims*, 15, 4, 2000: 1-15.**

INTRODUCTION

Several studies have found a link between stalking and violence perpetrated against women by intimates (Felder and Victor, 1997; Jacobson and Gottman, 1998; Meloy, 1998; McFarlane et al, 1999; Moracco et al, 1998; Schaum and Parrish, 1995; Tjaden and Thoennes, 1998; Walker and Meloy, 1998). As a result, the U.S. Department of Justice encourages state and local jurisdictions to train police officers and other justice system officials about the potential risks associated with intimate partner stalking and the efficacy of using antistalking laws to respond to domestic violence and stalking (Violence Against Women Grants Office, 1998). At present, however, there is no systematic effort to measure the prevalence of stalking allegations in domestic violence crime reports or the ways in which justice system officials respond to these allegations. Thus, it is unclear how often domestic violence crime reports involve stalking and whether suspects in these cases are charged with stalking.

This summary presents findings from a study that examined the role of stalking in domestic violence crime reports generated by the Colorado Springs Police Department (CSPD). The study addresses the following questions:

- How prevalent are stalking allegations in domestic violence crime reports?
- What are risk factors associated with domestic violence stalking?
- How often are suspects of intimate partner stalking charged with stalking?
- Do presenting conditions in domestic violence crime reports with stalking allegations differ significantly from those without stalking allegations?
- Do law enforcement outcomes in domestic violence crime reports with stalking allegations differ significantly from those without stalking allegations?

STUDY METHODS

The study was conducted jointly by The Justice Studies Center at the University of Colorado at Colorado Springs (JSC) and the Denver-based Center for Policy Research. JSC staff generated the sample and collected the data and CPR staff processed and analyzed the data.

Study Site

The CSPD serves a metropolitan area that is located 70 miles south of Denver and consists of a population of about 350,000. According to 1990 Census data, the ethnic/racial composition of the Colorado Springs Metropolitan Statistical Area is 86 percent White, 7.2 percent African American, 0.8 percent American Indian, 8.7 percent Hispanic (of any race), 2.5 percent Asian, and 3.5 percent Other (<http://www.ColoradoSprings.org>).

Colorado Springs is unique to other metropolitan settings in that it is home to the Domestic Violence Enhanced Response Team (DVERT), a nationally recognized, one-of-a-kind domestic violence prevention program that provides a multi-disciplinary system response to cases of domestic violence that have a high risk for lethality. The goal of DVERT is to provide seamless, systematic community response to domestic violence through a multi-disciplinary collaboration focusing on pro arrest policies and procedures, case investigation and prosecution, and implementation of innovative forms of outreach, advocacy, and services to victims.

Sample

The sample consists of 1,785 misdemeanor and felony crimes reported to the CSPD during April-September 1998, that involved victims and suspects who were current and former spouses, cohabiting partners, dates, boyfriends, and girlfriends. The sample includes domestic violence crime reports with male and female suspects, male and female victims, and same-sex

and opposite-sex intimates. The sample was generated from CSPD Domestic Violence Summons and Complaint (DVSC) forms, which are used by CSPD officers to investigate crime reports of victims and suspects who are or have been in an intimate relationship and where there is probable cause to believe a crime was committed. Information from all 1998 DVSC forms was entered into a computerized database as part of the evaluation process for DVERT. A subfile of reports initiated during the study time period was generated from this database and formed the basis for the study sample.

Data Collection

During January to September 1999, JSC staff reviewed DVSC forms and entered coded information directly into a computerized database. The DVSC forms contained detailed information about the violation, including: date of the violation; date of the report; victim-suspect relationship; age, race, sex, and employment status of the victim and suspect; type of violation committed; specific criminal charges made by the police officer; whether the alleged violations constituted misdemeanor or felony crimes; whether a suspect was arrested; whether the victim sustained injuries; whether the victim received medical attention; whether the suspect used a firearm or other type of weapon; whether items were placed in evidence; whether the victim or suspect was using drugs and/or alcohol at the time of the incident; number and ages of children in the household; whether children were in the home at the time of the incident; and whether there was a no-contact or restraining order in effect against the suspect at the time of the incident. The DVSC forms also contained written narratives by both the victim and the investigating officer, which provided detailed information about the events precipitating the report, including whether the suspect stalked the victim.

Data Processing and Analysis

We analyzed the data using SPSS base 7.0 for Windows software. We estimated the prevalence of stalking allegations using information extracted from the victim and police narratives. We classified a domestic violence crime report as having stalking allegations if the victim and/or police narrative specifically stated that the victim was stalked by the suspect, or if the victim and/or police narrative mentioned that the suspect engaged in stalking-like behaviors (e.g., repeated following, face-to-face confrontations, or unwanted communications by phone, page, letter, fax, e-mail).

We conducted a series of bivariate analyses to determine whether the prevalence of stalking allegations in CSPD domestic violence crime reports varied significantly by the following characteristics: victim gender (male vs. female); victim age (≤ 30 vs. >30); victim race (White vs. non-White); victim employment status (employed vs. unemployed); suspect gender (male vs. female); suspect age (≤ 30 vs. >30); suspect race (White vs. non-White); suspect employment status (employed vs. unemployed); victim-suspect relationship (married vs. separated/divorced vs. living together vs. dating but not living together vs. former dates/cohabitants); and victim-suspect sexual orientation (same-sex vs. opposite-sex). These characteristics were selected because they represented attributes of the victim and suspect that preceded the incident leading to the crime report and could therefore be considered predictors of stalking.

To provide a measure of the relative importance of these variables, and to determine which independent variables increased the odds that a domestic violence victim reported being stalked by his or her partner, we conducted a logistic regression in which several independent

variables representing characteristics of the victim and suspect were regressed against the dependent variable, *the crime report contained allegations that the suspect stalked the victim.*¹ To control for multicollinearity among the independent variables, we used linear regression to determine whether any of the variables had a tolerance of less than .600 (Menard, 1995).

The following ten independent variables were initially included in the logistic regression: whether the victim was female; whether the suspect was male; whether the victim was ≤ 30 years; whether the victim was white; whether the victim was employed; whether the suspect was >30 years; whether the suspect was White; whether the suspect was unemployed; whether the victim and suspect were former intimates; and whether the victim and suspect were same-sex. The independent variable *whether the suspect was male* was removed from the analysis because it was highly correlated with the variable *whether the victim was female*.

To determine whether presenting conditions and law enforcement outcomes in CSPD domestic violence crime reports with stalking allegations differed significantly from those without stalking allegations, we conducted another series of bivariate analyses in which characteristics of the presenting incident and the investigation were compared in crime reports with and without stalking allegations. Presenting conditions included: whether the victim was physically assaulted; whether a weapon was used; whether the victim was injured; whether the suspect was using drugs; whether the suspect was using alcohol; whether the victim was using drugs; whether the victim was using alcohol; the emotional state of the victim; whether the victim was the person who called the police; whether the victim signed a release form; whether the victim signed a request to be notified of further action; whether children were living in the home; whether witnesses were present; and whether the victim had an active restraining order

against the suspect. Law enforcement outcomes included: whether the officer issued a companion summons; whether the officer placed items in evidence; whether the most serious crime charged was a misdemeanor or felony; and whether the police officer made an arrest or issued an arrest warrant.

In each of the bivariate analyses, we calculated measures of association between nominal-level independent and dependent variables and used the chi-square statistic or Tukey's-B to test for statistically significant differences between domestic violence crime reports with and without stalking allegations ($p\text{-value} \leq .05$). Because we assumed any estimates based on information from less than five crime reports were unreliable, we excluded them from our tests or tables. Because estimates presented in this article generally exclude "don't know," "missing" and other invalid responses, sample and subsample sizes (n 's) vary from table to table.

RESULTS

Stalking Prevalence in CSPD Domestic Violence Crime Reports

Of the 1,785 domestic violence crime reports included in the sample, only 1 resulted in the police officer formally charging the suspect with stalking. Because we did not consider this figure an accurate representation of stalking prevalence, we also examined the frequency with which the victim and/or officer stated in their respective narratives that the suspect had stalked the victim or engaged in stalking-like behaviors. Of the 1,785 domestic violence crime reports included in the sample, 1,731 (97 percent) had a victim narrative, a police narrative, or both, and therefore could be used to estimate stalking prevalence.² As Table 1 shows, in 285 (16.5 percent) of these reports, either the victim or the police officer mentioned in their respective narratives

that the suspect had stalked the victim or had engaged in stalking like behaviors. It should be noted that in only 14 (2.9 percent) of these 285 narratives the victim used the word stalking, and in only 21 (7.4 percent) the officer used the word stalking.

Table 1: Stalking Prevalence in CSPD Domestic Violence Crime Reports

| | Percentage of Reports ^a (n=1,731) |
|--|---|
| Stalking was mentioned in narrative | |
| Mentioned | 16.5 |
| Not mentioned | 83.5 |

^a Estimates are based only on reports with a victim and/or officer narrative.

Risk Factors Associated with Intimate Partner Stalking

As Table 2 shows, stalking allegations were significantly more prevalent in CSPD domestic violence crime reports involving female versus male victims (18.3 vs. 10.5 percent), male versus female suspects (18.3 vs. 10.3 percent), and employed versus unemployed victims (18.7 vs. 13.8 percent). Stalking allegations were also more prevalent in reports involving victims and suspects who were former versus current intimates: Nearly half (47.4 percent) of the reports involving former dates/cohabitants and about a third (32.7 percent) of the reports involving separated or divorced couples contained stalking allegations, compared with 9.6 percent of the reports involving married couples, 6.7 percent of the reports involving cohabiting couples, and 19.7 percent of the reports involving dating couples. There was no relationship between stalking allegations and: the victim’s age or race; the suspect’s age, race, or employment status; or whether the victim and suspect were in a same-sex or opposite-sex relationship.

Table 2: Stalking Prevalence in CSPD Domestic Violence Crime Reports by Victim and Suspect Characteristics

| Characteristic | Percentage of Reports with Stalking Allegations |
|----------------------------------|--|
| Total | 16.5 |
| Victim Gender* | |
| Male (n=400) | 10.5 |
| Female (n=1,327) | 18.3 |
| Victim Age | |
| ≤30 (n=839) | 16.6 |
| >30 (n=1,834) | 16.4 |
| Victim Race | |
| White (n=1,082) | 18.1 |
| Non-white (n=628) | 13.5 |
| Victim Employment Status* | |
| Employed (n=1,034) | 18.7 |
| Unemployed (n=399) | 13.8 |
| Suspect Gender* | |
| Male (n=1,096) | 18.3 |
| Female (n=389) | 10.3 |
| Suspect Age | |
| ≤30 (n=836) | 15.1 |
| >31 (n=889) | 17.9 |
| Suspect Race | |
| White (n=799) | 17.1 |
| Non-white (n=640) | 15.7 |
| Suspect Employment Status | |
| Employed (n=1,142) | 15.8 |
| Unemployed (n=392) | 17.9 |

Table 2: Stalking Prevalence in CSPD Domestic Violence Crime Reports by Victim and Suspect Characteristics

| Characteristic | Percentage of Reports with Stalking Allegations |
|--|---|
| Victim-Suspect Relationship** | |
| Married (n=542) | 9.6 |
| Separated/divorced (n=226) | 32.7 |
| Living together (n=536) | 6.7 |
| Dating, not living together (n=186) | 19.7 |
| Former dates/cohabitants (n=137) | 47.4 |
| Victim/Suspect Sexual Orientation | |
| Same-sex (n=56) | 21.4 |
| Opposite-sex (n=1,670) | 16.3 |

*Differences between male/female victims, employed/unemployed victims, and male/female suspects are statistically significant: χ^2 , p-value $\leq .05$.

**Differences between married and living together groups and separated/divorced, dating, and former dates/cohabitants groups are statistically significant: Tukey's-B, p-value $\leq .001$.

Results of the logistic regression reveal that stalking allegations were more prevalent in CSPD domestic violence crime reports involving female victims and victims and suspects who were former rather than current intimates, even when the effects of other variables were controlled (see Table 3). The following variables did not predict whether a crime report contained stalking allegations: whether the victim was ≤ 30 years; whether the victim was white; whether the victim was employed; whether the suspect was >30 years; whether the suspect was White; whether the suspect was employed; and whether the victim and suspect were same-sex.

Table 3: Logistic Regression Analysis Predicting the Likelihood that the Crime Report Contained Allegations of Stalking

| Independent Variable | B | S.E. | P-value | Exp(b) |
|---|---------|-------|---------|--------|
| Victim was female* | .5634 | .2210 | .0108 | 1.7566 |
| Victim was ≤ 30 | -.0630 | .2108 | .7650 | .9389 |
| Victim was white | .2330 | .2159 | .2805 | 1.2624 |
| Victim was employed | .2358 | .1929 | .2215 | 1.2659 |
| Suspect was >31 | .2058 | .2132 | .3344 | 1.2285 |
| Suspect was white | -.0371 | .2038 | .8855 | .9636 |
| Suspect was unemployed | .1743 | .1885 | .3550 | 1.1905 |
| Victim and suspect were former intimates* | 1.6503 | .1682 | .0000 | 5.2083 |
| Victim and suspect were the same sex | -.0577 | .4369 | .8949 | .9439 |
| Constant | -3.0252 | .3132 | .000 | |

Model $\chi^2 = 114.341$; $df = 9$; $p\text{-value} \leq .0000$; $n=1,217$

* Coefficient is significant: $p\text{-value} \leq .05$.

Note: Several statistics are presented in Table 3. The model chi-square statistic (χ^2) provides an indication of the overall fit of the data to the model. A significant chi-square indicates that the variables as a group contribute significantly to the dependent variable (crime report contains stalking allegations). In addition, the exhibit reports the logistic coefficients (B) and their standard errors (S.E). The logistic coefficient can be interpreted as the change associated with a unit change in the explanatory variable when all other variables in the model are held constant. The regression coefficients can be more easily understood if quoted as odds ratio. The odds ratio (Exp (b)) provides the ratio of the odds of the p (the probability of an event happening) which is associated with a unit change in the explanatory variables (x) whilst all other variables are held constant. For example, an odds ratio of 1 indicates that changes in the explanatory variable do not lead to changes in the odds of p; a ratio of less than 1 indicates that the odds of p decreases as x increases; and a ratio of greater than 1 indicates that the odds of p increase as x increases. Variables are considered significant if they have a p-value of $\leq .05$.

Presenting Conditions in CSPD Domestic Violence Crime Reports With and Without Stalking Allegations

As Table 4 shows, CSPD domestic violence crime reports with stalking allegations differed significantly from those without stalking allegations with respect to several key presenting conditions. Crime reports with stalking allegations were significantly *less* likely than crime reports without stalking allegations to identify physical abuse or victim injury in the presenting condition, to involve victims and suspects who were using alcohol at the time of the report, to involve households with children in the home, and to involve victims who were emotionally distraught at the time of the report. Conversely, crime reports with stalking

allegations were significantly *more* likely to involve witnesses other than the victim and suspect, and to involve victims who had called the police, requested notification of further action on the case, and had an active restraining order against the suspect at the time of the report.

Table 4: Presenting Conditions in CSPD Domestic Violence Crime Reports With and Without Stalking

| Characteristic | Percentage of Reports | |
|---|-----------------------|------------------|
| | With Stalking | Without Stalking |
| Victim was physically assaulted* | (n=285) | (n=1,446) |
| Yes | 30.5 | 84.1 |
| No | 69.5 | 15.9 |
| Weapons were used | (n=285) | (n=1,446) |
| Yes | — ^a | 1.7 |
| No | 99.3 | 98.3 |
| Victim was injured/in pain* | (n=276) | (n=1,405) |
| Yes | 19.2 | 59.0 |
| No | 80.8 | 41.0 |
| Suspect was using drugs | (n=285) | (n=1,446) |
| Yes | 3.5 | 2.4 |
| No | 96.5 | 97.6 |
| Suspect was using alcohol* | (n=285) | (n=1,446) |
| Yes | 21.1 | 38.0 |
| No | 78.9 | 62.0 |
| Victim was using drugs | (n=285) | (n=1,446) |
| Yes | — ^a | 0.9 |
| No | 98.9 | 99.1 |
| Victim was using alcohol* | (n=285) | (n=1,446) |
| Yes | 11.9 | 32.7 |
| No | 88.1 | 67.3 |
| Victim's emotional state | (n=285) | (n=1,446) |
| Calm* | 58.9 | 52.5 |

Table 4: Presenting Conditions in CSPD Domestic Violence Crime Reports With and Without Stalking

| | | |
|--|----------------|------------------|
| Hysterical* | 2.1 | 5.4 |
| Angry | 15.1 | 17.0 |
| Withdrawn* | 4.2 | 7.5 |
| Apologetic | — ^a | 5.3 |
| Crying* | 19.3 | 32.0 |
| Yelling | — ^a | 4.0 |
| Belligerent | — ^a | 1.9 |
| Combative | — ^a | 1.3 |
| Caller identity* | (n=279) | (n=1,386) |
| Victim | 84.9 | 59.2 |
| Other | 15.1 | 40.8 |
| Victim signed release form | (n=285) | (n=1,446) |
| Yes | 56.8 | 58.5 |
| No | 43.2 | 41.5 |
| Victim signed request to be notified* | (n=285) | (n=1,446) |
| Yes | 64.6 | 57.5 |
| No | 35.4 | 42.5 |
| Children were living in the home* | (n=285) | (n=1,446) |
| Yes | 30.9 | 40.5 |
| No | 69.1 | 59.5 |
| Other witnesses were present* | (n=285) | (n=1,446) |
| Yes | 46.3 | 36.8 |
| No | 53.7 | 63.2 |
| Active restraining order* | (n=285) | (n=1,446) |
| Yes | 36.5 | 13.0 |
| No | 63.5 | 87.0 |

* Differences between reports with and without stalking are statistically significant: χ^2 , p-value $\leq .05$.

^a Estimates not presented on less than five reports.

Law Enforcement Outcomes in CSPD Domestic Violence Crime Reports With and Without Stalking Allegations

A comparison of law enforcement outcomes in CSPD domestic violence crime reports with and without stalking allegations revealed few differences. Police officers were significantly *less* likely to issue a companion summons or to make an arrest or issue an arrest warrant if the domestic violence crime report contained stalking allegations; however, they were nearly equally likely to place items in evidence and to charge a suspect with a felony (see Table 5).

Table 5: Law Enforcement Outcomes in CSPD Domestic Violence Crime Reports With and Without Stalking

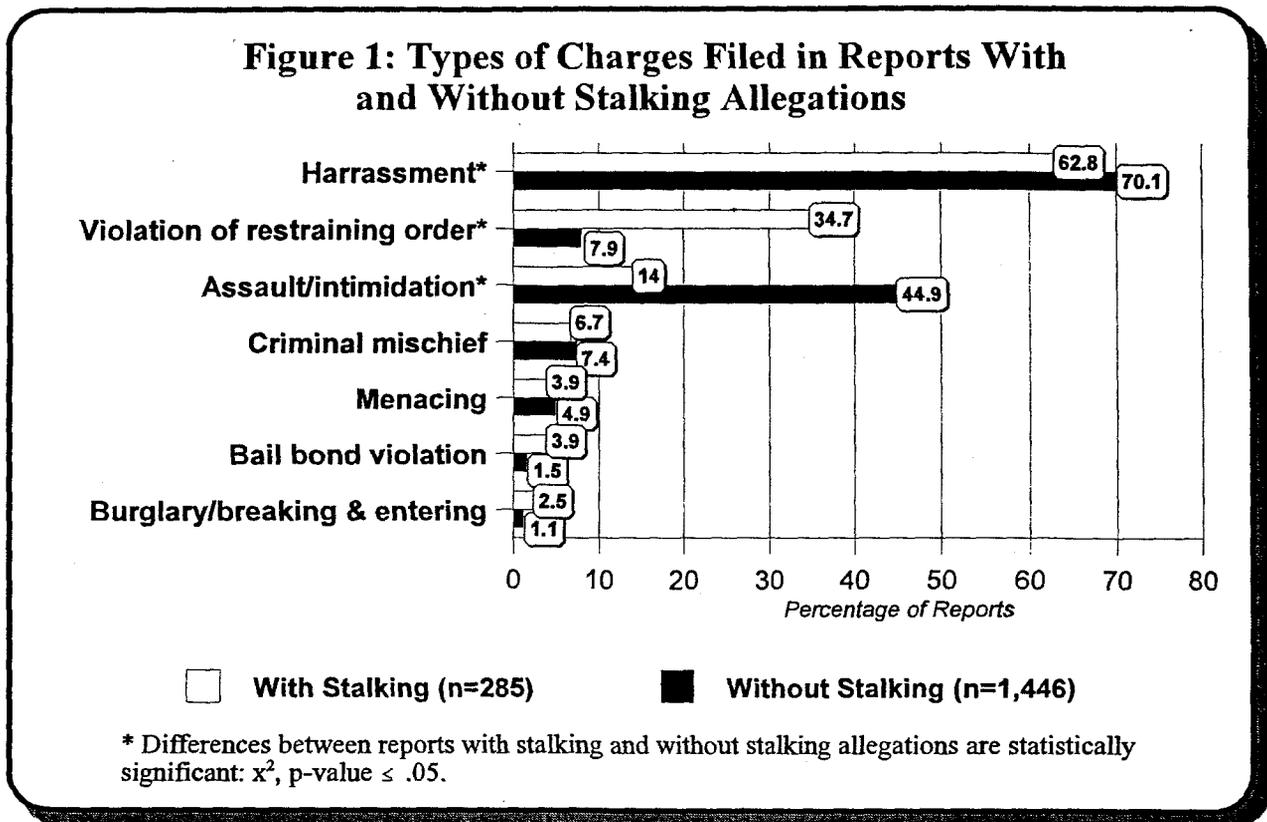
| Outcome | Percentage of Reports | |
|--|-----------------------|------------------|
| | With Stalking | Without Stalking |
| Officer issued companion summons* | (n=285) | (n=1,446) |
| Yes | 13.3 | 21.5 |
| No | 86.7 | 78.5 |
| Officer placed items in evidence | (n=285) | (n=1,446) |
| Yes | 17.9 | 20.7 |
| No | 82.1 | 79.3 |
| Most serious charge | (n=283) | (n=1,434) |
| Misdemeanor | 89.8 | 92.7 |
| Felony | 10.2 | 7.3 |
| Suspect was arrested ** | (n=285) | (n=1,446) |
| Yes | 81.1 | 86.3 |
| No | 18.9 | 13.7 |

^a Estimates include reports with outstanding warrants.

* Differences between reports with and without stalking are statistically significant: χ^2 , p-value $\leq .05$.

As Figure 1 shows, domestic violence crime reports with stalking allegations tended to result in different types of charges than did those without stalking allegations. If the victim

alleged stalking, the suspect was significantly more likely to be charged with violation of a restraining order and significantly less likely to be charged with harassment, assault, or intimidation.



CONCLUSIONS

Although results from this study cannot be extrapolated to the experiences of police departments nationally, they provide much needed empirical data on the prevalence of stalking allegations in domestic violence crime reports and police responses to such allegations. They also provide a benchmark for future research.

Study results confirm previous research (McFarlane et al, 1999; Meloy, 1998; Moracco, et al, 1998; Tjaden and Thoennes, 1998) that found a link between stalking and violence in intimate relationships: 1 in 6 of the domestic violence crime reports (16.5 percent) initiated by the CSPD during the study time period contained evidence in the victim and/or police narrative

that the suspect stalked the victim. Because this estimate represents stalking allegations that were made spontaneously by the victim and/or police officer and were not in response to any systematic questioning about stalking victimization by investigating officers, it probably underestimates the true amount of intimate partner stalking that occurred in the context of domestic violence crime reports initiated by the CSPD. To generate more reliable information about the prevalence of stalking in domestic violence crime reports, police departments should train their investigating officers to ask questions about possible stalking victimization when investigating reports of domestic violence. By doing so, police departments will undoubtedly uncover more incidents of intimate partner stalking than are being uncovered by current investigatory practices.

In most reports that contained evidence the suspect stalked the victim, neither the victim nor the police officer used the word stalking in their respective narratives. This finding suggests that most domestic violence victims who have been stalked by their intimate partners do not self-identify as stalking victims during the initial stages of the police investigation. Similarly, most police officers do not perceive these victims as stalking victims during the initial stages of the investigation. Further research is needed to understand why most domestic violence victims who are stalked by their partners and who reveal their stalking victimization to police officers do not to self-identify as stalking victims and are not perceived as stalking victims by police. Research is also needed to understand the processes by which victims and police officers come to identify and label domestic violence crime reports that contain evidence of stalking as stalking cases.

The study confirms previous research that shows women are the primary victims of intimate partner stalking (Tjaden and Thoennes, 1998; Tjaden and Thoennes, 2000; Tjaden and Thoennes, 2000). Results of a logistic regression show that female victims were significantly more likely than male victims to allege stalking even when the effects of other socio-demographic variables were controlled. Given these findings, research and intervention strategies should focus on stalking perpetrated against women by male intimates. Results of a logistic regression also show that the variable most likely to predict that a CSPD domestic violence crime report contained stalking allegations was whether the suspect was a former rather than a current intimate partner. Given these findings, police officers should be made aware that

domestic violence crime reports involving suspects and victims who are former intimates pose the highest risk for stalking.

The study produced clear evidence that domestic violence crime reports with stalking allegations exhibit significantly different presenting conditions during the initial interview with the police than do crime reports without such allegations. Victims who were stalked by their partners were significantly more likely to have been the person who made the report to the police and to request notification of future action on the case. These findings suggest that domestic violence victims who have been stalked by their partner may be more eager to see their perpetrator prosecuted than are domestic violence victims who have not been stalked. They also support anecdotal evidence from a survey of justice system practitioners that found victims are the principal source of information and evidence that stalking is occurring, particularly at the earliest stages of case development (Violence Against Women Grants Office, 1998).

CSPD domestic violence crime reports with staking allegations were significantly less likely to identify physical abuse and victim injury in the presenting condition, to involve suspects and victims who were using alcohol at the time of the incident, to involve households with children, and to involve victims who were emotionally distraught (e.g., crying, yelling, angry, withdrawn) at the time of the initial interview. These findings are important because they suggest that domestic violence cases with a stalking component have distinctively different presenting conditions than do domestic violence cases without a stalking component. Further research is needed to verify these findings and to identify other presenting conditions that are characteristic of domestic violence stalking cases. Results of this type of research should be disseminated to police departments nationally so that investigating officers can be trained to recognize the specific characteristics of domestic violence stalking cases and the specific needs of domestic violence stalking victims.

We found that domestic violence crime reports with stalking allegations did not result in law enforcement outcomes that were significantly different from domestic violence crime reports without stalking allegations. Although police officers were significantly less likely to issue a companion summons or to arrest a suspect if the report contained stalking allegations, they were nearly equally likely to place items in evidence or charge the suspect with a felony. It

is difficult to explain why police were less likely to issue a companion summons in cases involving stalking allegations. It is possible they issued fewer companion summons because domestic violence crime reports with stalking allegations were less likely to involve victims and suspects who were mutually abusive. However, more research is needed to determine whether these explanations are valid.

It is also difficult to explain why police officers were less likely to arrest the suspect or issue an arrest warrant if the domestic violence crime report involved stalking allegations. It is possible that police officers viewed reports with stalking allegations as less serious because they were less likely to involve victims who displayed signs of physical injury at the time of the report. However, this explanation is pure conjecture.

The study confirms previous anecdotal evidence from criminal justice practitioners that stalkers tend to be charged and sentenced under harassment and related charges rather than under a state's antistalking statute (Violence Against Women Grants Office, 1998). Only 1 of the 285 CSPD domestic violence crime reports that contained stalking allegations resulted in the police officer charging the suspect with stalking. Instead, CSPD police officers tended to charge suspects who were alleged to have stalked their victim with harassment and violation of a restraining order.

There are many possible reasons why CSPD police officers failed to charge intimate partner stalkers with the crime of stalking. The Colorado antistalking statute was in a state of legal flux at the time of the study. The statute faced three constitutional challenges during the year the sample was drawn. Moreover, the Colorado antistalking statute was amended halfway during the study time frame. CSPD investigating officers may have been aware of these legal fluctuations and been reluctant to charge suspects under a statute that was in the process of being amended and whose constitutionality was in question. Lack of familiarity with the law also may have kept CSPD officers from charging suspects with the crime of stalking. Anecdotal information suggests that few police officers are familiar with or understand their state's antistalking statute, and that few have received training on how to investigate stalking cases. As CSPD police officers receive more training and become more familiar with the stalking statute, they may use it more frequently. In addition, a credible threat requirement in the old Colorado

antistalking statute may have impeded CSPD officers from charging suspects with stalking. The amended Colorado antistalking statute does not require stalkers to make a credible threat against the victim and, according to at least one CSPD official, as a result it is much easier to prosecute stalking cases (Hethcock 1999). Finally, CSPD officers may have charged intimate partner stalkers with harassment or violation of a restraining order rather than stalking because they wanted to intervene in the case at the earliest possible opportunity. Stalking cases are very time-consuming to put together (Violence Against Women Grants Office, 1998). In contrast, documenting a harassment or violation of a restraining order is easier and less time-consuming.

It is important to note that we base these explanations for why CSPD police officers failed to charge most stalkers with the crime of stalking on hunches, not scientific evidence. Research of a more qualitative nature is needed to determine how and under what circumstances police officers and other criminal justice practitioners come to define and label domestic violence crime reports with stalking allegations as stalking cases. Research also is needed to determine how representative the findings from this study are of police departments nationally.

REFERENCES

Burgess, A. W., T. Baker, D. Greening, C. R. Hartman, A. G. Burgess, J. E. Douglass, and R. Halloran, "Stalking Behaviors within Domestic Violence," *Journal of Family Violence*, 12, (1997): 389-402.

Felder, R. and B. Victor, *Getting Away with Murder: Weapons for the War Against Domestic Violence*, New York: Touchstone, 1997.

Hethcock, Bill, "Going After Stalkers: Tougher Approach Gets Credit for Rise in Filings," *The Gazette News*, November 3, 1999.

Hutcheson, Graeme and Nick Sofroniou, *The Multivariate Social Scientist*, Thousand Oaks, California: Sage Publications, 1999.

Jacobson, Neil and John M. Gottman, *When Men Batter Women: New Insights Into Ending Abusive Relationships*, New York: Simon and Schuster, 1998;

McFarlane, Judith M., Jacquelyn C. Campbell, Susan Wilt, Carolyn Sachs, Yvonne Ulrich, and Xiao Xu, "Stalking and Intimate Partner Femicide," *Homicide Studies*, 3, 4 (November 1999): 300-316.

Meloy, J. Reid., ed., *The Psychology of Stalking: Clinical and Forensic Perspectives*, San Diego, California: Academic Press, 1998.

Menard, Scot, *Applied Logistic Regression Analysis*, Sage University Paper Series on Quantitative Applications in the Social Sciences, 07-106, Thousand Oaks, California: Sage Publications, 1995.

Moracco, K., C. W. Runyan, and J. D. Butts, "Femicide in North Carolina, 1991-1993: A Statewide Study of Patterns and Precursors," *Homicide Studies*, 2 (1998): 422-446.

National Criminal Justice Association, *Project to Develop a Model Anti-Stalking Code for States*, Research Report, Washington, D.C.: U.S. Department of Justice, National Institute of Justice, October 1993, NCJ 144477.

National Institute of Justice, *Domestic Violence, Stalking, and Antistalking Legislation: An Annual Report to Congress under the Violence Against Women Act*, Research Report, Washington D.C.: U.S. Department of Justice, Office of Justice Programs, April 1996, NCJ 160943.

Schaum, Melita and Karen Parrish, *Stalked: Breaking the Silence on the Crime of Stalking in America*, New York, NY: Pocket Books, 1995.

Tjaden, Patricia and Nancy Thoennes, *Stalking in America: Findings from the National Violence Against Women Survey*, Research in Brief, Washington, D.C.: U.S. Department of Justice, National Institute of Justice, April 1998, NCJ 169592.

Tjaden, Patricia and Nancy Thoennes, "Prevalence and Consequences of Male-to-Female and Female to Male Intimate Partner Violence as Measured by the National Violence Against Women Survey," *Violence Against Women*, 6, 2 (February 2000): 140-159.

Tjaden, Patricia and Nancy Thoennes, *Extent, Nature, and Consequences of Intimate Partner Violence: Findings from the National Violence Against Women Survey*, Research Report, Washington, D.C.: U.S. Department of Justice, National Institute of Justice, July 2000, NCJ181867.

PROPERTY OF
National Criminal Justice Reference Service (NCJRS)
Box 6000
Rockville, MD 20849-6000