

Crisis Connection

Domestic Violence Stalking: Time to Act

National Bulletin on Domestic Violence Prevention

May 2007 /Volume 13/ No. 5

By: Barbara Hart

Domestic violence stalking doesn't always "walk like a duck," and few in the legal and human services systems recognize this "duck" when they see it.

As a result, protection from stalking is a promise unfulfilled. Many domestic violence survivors are left without legal remedy despite egregious stalking. Even more problematic, stalking behavior is often trivialized by legal professionals and people who are otherwise allies, isolating women who have been battered and depriving them of essential collaboration for devising strategies to preclude unfettered, unprotected access by stalkers.

Why is it that DV stalking is beyond our comprehension? After all, we've been able to address stalking through "no contact" orders in protection orders for 30 years, through state criminal codes for more than 15 years, through state crime victim compensation statutes and the *Violence Against Women Act* for a decade, and through state tort codes in a dozen states for the past several years.

The term *stalking* sounds dramatically predatory, but the conduct of stalking batterers may often appear benign and even loving to third parties. Calling repeatedly at work after issuance of a "no contact" order doesn't sound ominous until those calls are seen as the desperate, determined and reckless behavior of an abusive man who is committed at all cost to "recapture" his victim. Sending messages of enduring love through third parties or online chat rooms may seem innocuous even after the issuances of a "no contact" order because the general

public may see these communications as words of contrition. Doing the yard work at his victim's home after the issuance of a "no contact" provision may seem thoughtful until it is understood as a method to scrutinize the daily life of his victim and to assess whether she is serious about her decision to end the relationship. Much DV stalking behavior, like that above, may not involve acts of violence.

DV stalking may not be recognized because it usually involves a constellation of activities to which third parties are not privy. Most stalking behavior is not a singular event; rather it is part of a cluster or surveillance activities and persuasive entreaties to reconcile, interspersed periodically with acts of violence. Unless professionals take the time to connect the dots, stalking eludes them and is not factored into their assessment of risk and possible strategies.

Furthermore, victims of DV stalking often raise the issue in non-emergency situations and without the excited delivery of crisis. To piece the stalking pattern together takes reflection; and sharing this mosaic of surveillance is time-consuming. The abused woman herself may be relatively calm in her presentation of the collection of conduct that is stalking. This demeanor may unintentionally mask the exigent danger.

Finally, it may be counterintuitive to think of stalking while the woman who is being abused and abuser are living together, but stalking, as broadly understood, almost invariably begins while the relationship is intact. Stalking may intensify upon separation. DV stalking before separation is utilized to "control" partners, but after separation it seeks to "recapture" victims or to "punish" them for abandonment. The severity of violence employed by the stalker upon separation generally increases. The abuser "ups the ante" to persuade his victim that reconciliation is the safer course. When the abusive man concludes that all is lost, he then too often turns to lethal violence. A precursor to the lethal act is almost invariably stalking.

Legal professionals, it's time to step up to the plate. We have the necessary tools for safety planning, economic reparation, protection and incarceration. It's time to recognize stalking in all of its complexity and for all the grave danger it poses. Muster the political, professional and organizational will to aggressively expose DV stalking and to comprehensively intervene to avert the tragedy it portends.



ENOUGH IS ENOUGH

Crisis Connection, inc.
24-Hour Hotline
1-800-245-4580
cci@psci.net
www.crisisconnectioninc.org