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Stalking and intimate partner violence in Nevada

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STALKING AND INTIMATE PARTNER
VIOLENCE IN NEVADA

by

Angela Marie Cook

Bachelor of Arts
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A thesis submitted in partial fulfillment
of the requirements for the

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ABSTRACT

Stalking and Intimate Partner Violence in Nevada

By

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The focus of this study was to increase the understanding of the role of stalking in intimate partner violence. The research focuses on the prevalence of stalking behavior in intimate partner violence cases. These cases were investigated by the Las Vegas Metropolitan Police Department (LVMPD). The objective of this study was to compare stalking cases that were assigned to the Domestic Violence Unit and those which were assigned to other departments such as Property Crimes or Fraud. It is important to identify inconsistencies in LVMPD responses to stalking behavior, monitor particular offenders with recurring patterns of violent behavior, and make a connection between the stalkers and their victims. In addition, the study will assist in developing a profile of stalking within intimate partner violence cases with attention to individual and situation risk factors. The information will be utilized to recommend preventative measures and create departmental policies and techniques appropriate when responding to these types of cases.

TABLE OF CONTENTS

ABSTRACT.....	iii
LIST OF TABLES.....	v
ACKNOWLEDGEMENTS.....	vi
CHAPTER 1 INTRODUCTION.....	1
CHAPTER 2 REVIEW OF RELATED LITERATURE.....	7
Stalking Legislation.....	7
Stalking Behavior.....	9
Targets of Stalking.....	10
Perpetrators of Stalking.....	11
Motives of Stalking.....	11
Types of Stalkers.....	14
Intimate Partner Stalking in Depth.....	16
Link between Stalking and Intimate Partner Violence.....	17
Victim Distress.....	19
Coping with Partner Stalking.....	20
Justice System Response.....	21
Protective Orders.....	24
Barriers to Obtaining Justice.....	25
CHAPTER 3 METHODOLOGY.....	27
Research Questions.....	27
Data Collection.....	27
Sample.....	31
CHAPTER 4 FINDINGS.....	42
CHAPTER 5 DISCUSSION AND CONCLUSIONS.....	48
Limitations.....	53
Policy Considerations.....	53
Future Research.....	55
REFERENCES.....	57
VITA.....	62

LIST OF TABLES

Table 1	Demographics	32
Table 2	Types of Employment.....	33
Table 3	Relationship between victim and suspect.....	34
Table 4	Relationship between victim and witness.....	35
Table 5	Types of Charges	38
Table 6	Disposition of Cases	39
Table 7a	Stalking behaviors exhibited across 230 files.....	40
Table 7b	Stalking behaviors exhibited across 230 files.....	41
Table 8	Regression analysis for identification of cases as domestic violence.....	43
Table 9	Regression analysis for the most serious charge laid	43
Table 10	Regression analysis for the level of the charge laid.....	44
Table 11	Regression analysis for the most serious charge laid with stalking behavior included.....	46

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CHAPTER 1

INTRODUCTION

Purpose of Study

The focus of this study is to increase the understanding of the role of stalking in intimate partner violence cases. The research will be both quantitative and qualitative and it will focus on the prevalence of stalking behavior in intimate partner violence cases which were responded to by the Las Vegas Metropolitan Police Department (LVMPD).

The objective of this study is to compare stalking cases that were assigned to the Domestic Violence unit and those who were assigned to other departments such as Property Crimes or Fraud. The problem may be that separate stalking behaviors are being handled in various departments without the stalking pattern being monitored by one group such as the domestic violence investigation unit. For example, an incident involving domestic violence began with complaints regarding slashed tires (property crime) and identity theft (fraud). These complaints were never matched to the offender's domestic violence file and resulted in the death of an innocent victim (T. Lesney, personal communication, March 20, 2007). It is important to identify potential gaps in LVMPD responses so that they can monitor offenders with repeated patterns of violent behavior and make a connection between the stalker and their victim. The study will help develop a profile of stalking within intimate partner violence cases with attention to

individual, environmental and community risk factors. The information will be utilized to recommend preventative measures and create appropriate departmental policies and techniques to respond to these types of cases.

Nationally, the rates regarding intimate partner violence have decreased since the 1990's (Catalano, 2006). However, there has been a rapid increase in intimate partner violence in the state of Nevada. The Center for Disease Control (CDC) defines intimate partner violence as actual or threats of physical abuse, sexual abuse, and emotional abuse that occurs in an intimate relationship between current and former spouses as well as dating partners (CDC, 2006, pg. 1). Intimate partner violence is a broader term describing a wider variety of relationships than covered in the original domestic violence studies (Bachman & Saltzman, 1995). Domestic violence research has primarily focused on traditional domestic living arrangements and did not address non-cohabitating couples. Intimate partner violence is committed by current and former spouses and or dating partners in an intimate relationship. Intimate partners may also include same sex relationships. The term intimate partner violence is used interchangeably by researchers, the criminal justice system and practitioners in the medical field involving battery, domestic violence, domestic abuse, marital rape, date rape, courtship violence, and spouse abuse (Bachman & Saltzman, 1995). Domestic violence calls to LVMPD increased 25% between 2001 and 2005, from 17,886 to 22,394 (S. Majewski, personal communication, March 20, 2007). Law enforcement officials are aware of this increasing caseload and are attempting to address it by becoming more knowledgeable about the reasons why these incidents are occurring through empirical studies. Currently, Nevada rates second in the nation for the number of women killed by men and has consistently

ranked in the top five in the last decade (Bristol, 2006). In 2004, 74% of the women killed were murdered by a former or current intimate partner while 96% were killed by men they had known (McCarthy, 2005; McFarlane et al., 1999). Presently this problem is reflected in the yearly increases in the Clark County intimate partner violence cases. Stalking is connected to intimate partner violence and is a significant social problem. Stalking is considered the repeated course of conduct or unwanted pursuit that a reasonable person would consider threatening (Sheridan et al., 2003). Research has revealed when intimate partner violence and stalking co-occur, the chances of severe violence and victim death increases (Davis, 2001).

The current research on stalking has discovered that partner stalking is not a rare event. Partner stalking is commonly thought to occur after a separation or divorce; however, research also demonstrates that stalking occurs during relationships. Stalking is associated with violence and victim distress and little is known about the men who stalk their partners (Logan et al., 2006).

The National Violence Policy Center has also reported that intimate partner violence is consistently higher in Nevada than in most states (Skolnik, 2006). Nevada, Clark County, and the city of Las Vegas have several environmental and structural factors that may influence the increasing intimate partner and stalking incidents, such as the prevalence of an economy dependent upon the gaming industry, unprecedented population growth and rising rates of crime, and prevalence of alcohol and drugs (Skolnik, 2006).

Significance of Study

Stalking has only recently been recognized as a serious social problem and a concern of those in the criminal justice system (Sheridan & Davies, 2001; Tjaden & Thoennes, 1998). Much of the research on stalking to date is limited despite the recent attention it has received from the media and legislature (Davis, 2001). Stalking has primarily been viewed as an offense committed against celebrities and other public figures (Mullen et al., 2000). However, stalking by a partner or ex-partner is far more prevalent than celebrity stalkers and can be more destructive due to an increased intimate knowledge of the victim, a relationship history, and lack of resources to deal with the stalking (Logan et al., 2006).

Although every state in the U.S. has enacted stalking legislation, there is no consistent definition (Mullen et al., 2000). From the many definitions, there are two aspects on which the various laws agree stalking is: 1) an unwanted repeated course of conduct directed towards a specific individual; 2) the victim experiences fear or concern for their safety (Logan et al., 2006). Some legislative acts also include a third element of intent (Spitzburg, 2002). The term partner stalking includes this definition; however, it places it in the context of a current or former relationship (Logan et al., 2006).

Laws regarding stalking were passed to assist individuals who were targeted to attain justice, protection, and put a stop to harassing behavior (Miller, 2001). Even though these laws assist the community along with the criminal justice system to identify stalkers and prevent them from causing further harm, victims may continue to suffer because of the limited amount of education and research regarding stalking, particularly that of partner stalking. This leads victims to experience psychological, physical, social,

and financial distress (Logan et al., 2006). The present research will examine whether and to what extent the law has been enforced in identifying and punishing stalkers and what factors may prevent law enforcement officials and victims from successfully capturing stalkers and preventing the stalking behavior from escalating.

Definition of Terms

The Family Violence Prevention Fund (2003, pg. 1) defines intimate partner violence as a “pattern of assaultive and coercive behaviors that may include inflicted physical injury, psychological abuse, sexual assault, progressive social isolation, stalking, deprivation, intimidation and threats. These behaviors are perpetrated by someone who is, was, or wishes to be involved in an intimate or dating relationship with an adult or adolescent, and are aimed at establishing control by one partner over the other.”

The National Institute of Justice (1998, pg. 15) defines stalking as “a course of conduct directed at a specific person that involves repeated (two or more occasions) visual or physical proximity; non-consensual communication; verbal, written, or implied threats; or a combination thereof that would cause fear in a reasonable person.”

Research Questions

The project will focus on identifying and assessing the prevalence of stalking behavior in intimate partner violence cases. The project seeks to answer the following research questions: Why are some stalking cases identified by LVMPD as intimate partner violence and assigned to the Domestic Violence unit while other stalking cases are assigned to another unit? What role does stalking behavior play in the intimate partner violence calls responded to by the Las Vegas Metropolitan Police Department? These

findings will be discussed in the context of future preventative measures and police policies and procedures that would be appropriate for these types of cases.

CHAPTER 2

LITERATURE REVIEW

Stalking Legislation

Initially when stalking laws were first created, little was known about the nature of stalking, its perpetrators, or its victims. Information regarding stalking primarily came from the news or media reports that were focused on celebrity stalking cases. California was the first state to define stalking as a crime in 1990. By 1999, all states had enacted laws making stalking a crime (Miller, 2001). The problem with identifying stalkers is that there is no clearly defined definition of stalking. Some legislation is specific and explicitly describes what behaviors are punishable while other legislation only uses broad terms (Sheridan et al., 2003). The majority of states define stalking as “the willful, malicious, and repeated following and harassing of another person” (Tjaden & Thoennes, 1998, pg. 1). Some states identify specific activities in their definitions such as “lying in wait, surveillance, nonconsensual communication, telephone harassment, and vandalism” (Tjaden & Thoennes, 1998, pg. 1). The legislation also differs in the number of incidents of stalking required before a perpetrator’s conduct is considered as stalking (Sheridan et al., 2003). Another aspect that anti-stalking laws require before the crime can be considered one of stalking is that the stalker must make a threat of violence against the victim, while other states only require that the stalker’s behavior appear threatening

(Davis et al., 2002). The creation of stalking legislation should be approached with caution. Being too specific or broad and having minimum requirements of how many times a specific behavior must take place can lead to limitations on adapting to evolving stalking tactics as well as potentially criminalizing ordinary behavior engaged in by innocent individuals (Sheridan & Davies, 2001; Sheridan et al., 2003).

Due to the lack of agreement among lawmakers concerning what constitutes stalking, the federal government developed a model anti-stalking code (Davis et al., 2002, Logan et al., 2006). The model anti-stalking code defines a perpetrator of stalking as someone who “purposely engages in a repeated course of conduct directed at a specific individual that would cause a reasonable person to fear bodily injury to their-self or their immediate family” (Logan et al., 2006, pg. 3). The model anti-stalking code has not been adopted by all of the states but it has provided them with a guideline that they can use to develop their own anti-stalking legislation (Davis et al., 2002; Logan et al., 2006).

Despite efforts to develop a standard definition for stalking, it is difficult to define because legal definitions and definitions used by victims are not always in agreement with one another (Davis et al., 2002). Research by the National Violence Against Women Survey has found that the majority of people define stalking by the model anti-stalking code (Tjaden and Thoennes, 1998). While there were individuals who did identify themselves as being victims of stalking, they did not meet the legally defined requirements. Therefore, these individuals were not considered victims of stalking because they did not report feeling scared or being seriously harmed by the perpetrator’s behavior. This supports the research that not all stalking behavior is overtly threatening.

The victim may find the behavior more intrusive and annoying than frightening (Dietz & Yancy Martin, 2007).

Research also found that there are individuals who may not consider themselves victims but who are in fact are victims of stalking as defined by legislature (Davis et al., 2002). This was partially explained by differences in gender responses. Males were not as likely as females to identify themselves as a victim. The National Violence Against Women Survey discovered that older females (aged 55 years and older) who did meet the legal requirements for being a victim of stalking were less inclined than younger females to consider themselves as stalking victims (Tjaden & Thoennes, 1998). Researchers believe that this may have occurred because stalking behavior was not considered within the context of a serious crime or social problem during their generation. Prior to the first anti-stalking legislation created in 1990, many of the tactics used by stalkers were not considered criminal (Sheridan & Davies, 2001). Marital rape and domestic violence did occur, however, it was not perceived by society as a crime (Davis et al., 2002).

Stalking Behavior

Stalking is considered a pattern of repeated unwanted attention, harassment, and contact that would cause a reasonable person to fear for their safety (Logan et al, 2006). Stalking behavior involves elements of control, manipulation, fear, and psychological power over the victim (Davis & Chipman, 1997). According to several studies, the tactics used to stalk victims include: surveillance; following or laying in wait; showing up unexpectedly; drive-bys; loitering; monitoring; using the phone, mail, or email to leave harmful or derogatory messages; threats and intimidation; property destruction and

invasion; repeatedly sending the victim unwanted gifts; using the internet to secure personal information about the victim; and the involvement of others to aide in the harassment of the victim (Southworth et al., 2007; Mullen et al., 2000; NCVV, 2004). Generally, perpetrators of stalking are not overtly threatening and the tactics they use are not illegal (Sheridan & Davies, 2001). Often their behavior can appear ordinary and harmless. For example, inquiring about the victim's whereabouts and giving them gifts can imply that they care about the victim. If an individual were to look at the incident in isolation, the situation appears normal however, the totality of the behavior is a pattern of threatening behavior (Mullen et al., 2000).

Targets of Stalking

In 1998, the National Violence Against Women Survey (NVAW) questioned 8,000 women and 8,000 men on their experiences concerning stalking in a telephone-based interview. The results demonstrated that of those identified as stalking victims, 78% were females, 83% of the victims were white, and 52% were between the ages of 18 and 29 (Tjaden & Thoennes, 1998). The study also revealed that the stalker was a prior intimate partner in 59% of the females and 30% of the male victims. Stalking does not target any one type of woman; it can affect women from all levels of society regardless of race, age, or economic status (Logan et al., 2006). The study also indicated that homosexual males (8%) are more likely to be victims of stalking than heterosexual males (2%) (Tjaden & Thoennes, 1998). Spitzberg's (2002) review of 103 studies reported the majority of victims were females (75%) and half of all stalking incidents were the end result of a prior romantic relationship.

Perpetrators of Stalking

Stalking is considered a gender neutral crime; both men and women are perpetrators and victims (NCVC, 2004). However, the vast majority of stalkers are men; making up nearly 90%. Stalkers can be strangers, acquaintances, friends, co-workers, and current or former intimate partners (NCVC, 2004). Anyone can be a perpetrator of stalking. However, the common characteristics of stalking found in the NVAW Survey demonstrated that the majority of stalkers are single, 87% are males, 80% are white, 50% are between the ages of 18-35, while the majority has above average intelligence and earn above average income. Meloy's (1996) study also found that 72% of stalkers were males; evidence also indicated that stalkers were older than other criminals with the average age between 35 and 40, and most have experienced failed relationships. The review also indicated that the majority had unstable histories of employment as well as prior criminal histories.

Motives of Stalkers

Several researchers have studied the behavioral characteristics of stalkers in an attempt to determine their motives and predict future acts of violence (Davis & Chipman, 1997). The difficulty that researchers experience is that there is not one particular profile of a stalker. Stalkers come from diverse backgrounds, have varying levels of intelligence, could have criminal histories, potentially have mental illnesses, or may have socially maladaptive personalities (Davis, 2001). However, researchers have been able to distinguish a perpetrator's motives to a certain degree, depending upon the type of

stalking behavior he or she engages in, who their intended target is and what type of tactics used.

Researchers have discovered a range of reasons behind stalking behavior. The National Institute of Justice (1996) has reported that possible motives for engaging in stalking behavior include control, obsession, jealousy, revenge, and danger. Studies also show that many stalkers have dependent or controlling personalities (Davis & Chipman, 1997). Studies that focus on stalking in terms of intimate partner violence have found that societal expectations, issues of power and control, and attachment issues motivate stalking behavior (Melton, 2007; Mullen et al., 2000). Feminist theories have also been used to explain this type of behavior (Brewster, 2003).

Some researchers argue that individuals engage in stalking behavior because it is learned behavior from different cultural and societal expectations and methods of pursuing love (Mullen et al., 2000). Throughout history, cultural patterns of courtship have been expressed through literature, music, and film, which reveals that if an individual is persistent in their pursuit of love they will be rewarded (Davis et al., 2002). The perpetrator believes that if they refuse to accept defeat or rejection, they will have a chance to win or keep the victim. The perpetrator perceives his or her behavior as normal while the victim views it as threatening. Research indicates that some individuals misinterpret accepted cultural expressions of love by veering towards the extreme and relying on stalking behavior and violence to express their feelings of frustration, anger, and lack of control (Mullen et al., 2000).

The main motivation for intimate partner violence, are issues of power and control. Brewster (2003) suggests that stalking is an extension of the abuse of power and

control that frequently begins in intimate relationships. Power is defined as the ability of one individual to make another individual do something that they would not have done had it not been for the first individual. Control is used to maintain an individual's level of power. Researchers argue that when an individual's perceived control within a relationship declines, the individual will attempt to reassert their level of authority or power through controlling behavior (Davis et al., 2002). This type of behavior can take the form of monitoring the victim's activities and interactions, as well as being strict within the parameters of the relationship. Other types of controlling behavior may include verbal criticism, dictating partner's appearance and duties, controlling their leisure time, and engaging in verbal and physical coercion.

Attachment theory may also be used to explain intimate partner stalking (Davis et al., 2002). Issues of attachment insecurity, which may stem from the perpetrator's negative childhood experiences, have been associated with intimate partner violence. According to Attachment Theory, the perpetrator may fear being abandoned or feel threatened in their relationship, which causes the perpetrator to use controlling tactics to maintain or reestablish the relationship (Brewster, 2003). Even after the relationship has ended, the stalker will refuse to accept the fact that the relationship is over and will continue being emotionally involved with the victim (Davis et al., 2002).

Feminist theory argues that the stalking of females by former male intimate partners exists because of a patriarchal society (Brewster, 2003). The theory suggests that females are victimized because of gender and social inequalities. Society has continually reinforced the image that males are the dominant group while females are the subservient group. Under the patriarchal structure, males believe they have entitlement

and ownership over females. This theory applies to domestic violence and stalking situations because as with both behaviors their motive is to undermine the female's independence and limits her level of authority in the relationship. If the female wants to sever the relationship she cannot because she belongs to the male (Brewster, 2003).

Types of Stalkers

There are various types of stalkers and researchers have created typologies to categorize them based upon their behavioral, relational, and psychiatric elements (Davis, 2001). More specifically the characteristics of pursuit, type of communication, level and length of relationship between victim and perpetrator, and existence of mental illnesses, are used to develop typologies. Researchers created several typologies because stalking motivations and behaviors could not be explained by any one particular profile (Davis & Chipman, 1997). The types which are most commonly referred to are Erotomania, Love Obsessional, and the Simple Obsessional.

The Erotomania type of stalker falls under the DSM-IV-TR, also known as the Diagnostic and Statistical Manual of Mental Disorders which is published by the American Psychiatric Association, - criteria for Delusional (Paranoid) Disorder (Sheridan & Davies, 2001). These individuals are predominantly females, however researchers have discovered this disorder is common in males as well. These types of perpetrators are convinced they are loved by their victim and it is because of external circumstances that they cannot be together (Davis & Chipman, 1997; Sheridan & Davies, 2001). Their victims are celebrities and high profile individuals. The main problem with the Erotomania stalker is that they suffer from Delusional Syndrome.

The Love Obsessional type stalker suffers from a psychotic illness, usually schizophrenia, bi-polar disorder or from delusions (Mullen et al., 2000). Some perpetrators of Love Obsessional stalking convince themselves that their victims love them in return. This type of stalker is a stranger to the victim and often targets high profile figures however they can also be obsessed with average citizens as well. Their obsessions cause them to engage in harassing behaviors to gain their victims' attention (Davis, 2001; Davis & Chipman, 1997).

Stalking by a current partner or former partner falls under the Simple Obsessional type stalker, which is the most prevalent and dangerous type of stalker (Davis & Chipman, 1997). Their motives for engaging in stalking behavior are usually instigated by revenge for perceived mistreatment or rejection (Mullen et al., 2000). Their behavior is often preceded by domestic violence or other abusive type behaviors. The perpetrator usually refuses to acknowledge how damaging their behavior can be to their victims. Instead they rationalize, excuse, and deny their stalking behavior. The Simple Obsessional type stalker has been categorized into two subsets which are type VI, the Intimate Partner stalker, and type VII, the Domestic Violence stalker. The stalker perceives the victim as property and denies that the relationship is over. The stalker views rejection as unacceptable and attempts to maintain power and control over their victim (Davis, 2001). Perpetrators of intimate partner violence type stalking generally do not suffer from psychological problems; however, they may have extremely dependent and or controlling personalities. Intimate relationship type stalkers generally suffer from a personality disorder, specifically narcissistic personality disorder or borderline

personality disorder. Some studies have indicated that a perpetrator's obsessive behavior may be aggravated by drug abuse.

Intimate Partner Stalking in Depth

Society has been misled by the media into believing that the majority of stalking incidents involve obsessed fans pursuing celebrity figures. In reality, current or former intimate partners make up one of the largest categories of stalking perpetrators (Logan et al., 2006). According to Logan and colleagues (2006), a review of six studies which compare categories of stalking perpetrators found that intimate partner stalking consisted of 36 to 63% of stalkers compared to stranger type stalkers which consisted of 7 to 18%. Another misconception of intimate partner stalking is that it only occurs after separation or divorce when the rejected partner attempts to reestablish the relationship. However, studies have found that stalking often occurs during the relationship (Tjaden & Thoennes, 1998). According to the NVAW Survey, which consisted of women who reported being a victim of intimate partner stalking indicates 21% of stalking behavior took place during the relationship, 36% reported that stalking occurred before and after the relationship ended while 43% reported that it only happened after the relationship ended (Tjaden & Thoennes, 1998).

Several studies have suggested that partner stalking occurs along with physical, sexual, and psychological abuse. Researchers have discovered that 81% of the women who reported being stalked by a husband or ex-husband also reported being physically assaulted and 31% of those report sexual assault (Logan et al., 2006).

Partner stalking is considered dangerous because it is connected with violent behavior (Logan et al., 2006; Logan et al., 2007). Some studies have shown that perpetrators of stalking which target current or ex-intimate partners are more likely to commit higher levels of violence against their victims than non-intimate partner stalkers (Roberts, 2005). Palarea and colleagues (1999) study found that a perpetrator's level of dangerousness was higher due to the level of intimacy in the relationship. They found that the perpetrator of stalking that had increased levels of intimacy with their victims engaged in more physical or direct contact with them because they felt more comfortable with them due to their increased intimate knowledge of the victim. Specifically the study found that perpetrators of intimate partner stalking committed higher rates of physical violence, threatened victims and their property and followed through on their threats more often than non-intimate stalkers (Palarea et al., 1999).

Stalking has also been connected with intimate partner homicide and attempted homicide. For example, researchers have found that 76% of victims of partner-homicide and 85% of victims of attempted partner-homicide had been stalked in the year prior to lethal or attempted lethal violence (Logan et al., 2006).

Link between Stalking and Intimate Partner Violence

Intimate partner stalking is closely related to intimate partner violence because victims of partner stalking commonly suffer the same or similar types of mental and physical distress and coping tactics as victims of intimate partner violence (Logan et al., 2006). Both perpetrators of partner stalking and of intimate partner violence are

motivated by issues of power and control and also utilize similar methods to hold on to or re-establish their relationship with the victim (Brewster, 2003).

Research has shown that when intimate partner violence and stalking occur at the same time, the chances of severe violence and victim death increases (Davis, 2001). Stalking is a type of intimate partner violence; however, it is not generally recognized, because in domestic violence reports it is not specifically identified as such. Studies have found that many domestic violence victims report being stalked by current or former intimate partners. According to the National Institute of Justice, approximately 80% of stalking episodes took place within intimate relationships (Tjaden & Theonnes, 1998).

Some researchers consider stalking as a form of behavior that is an extension of psychological and physical violence; which are elements of intimate partner violence (Davis et al., 2002; Melton, 2007). They argue that when the perpetrator senses that their level of control is declining they will begin a campaign to undermine the victim's sense of self-worth through intimate partner violence and stalking to restore their own authority (NCVS, 2004). The perpetrator will verbally criticize the victim and engage in mental games to undermine their self-esteem and distort their perception of reality. Physical violence is used as another method in intimate relationships to maintain control over the victim through fear and intimidation. Those who engage in intimate partner violence often use stalking tactics to restore their level of power in the relationship and it reinforces the psychological and physical violence used against the victim (Melton, 2007).

Victim Distress

Partner stalking is associated with significant victim distress (Sheridan et al., 2003). Being the target of repeated harassment and stalking behavior may cause psychological, physical, social, and financial distress (Logan et al., 2006). Victims have reported suffering from Posttraumatic Stress Disorder (PTSD) and depression due to being stalked which can cause long term changes to the victim's personality (Davis, 2001; Basile et al., 2004). Victims have also reported feeling cautious, paranoid, frightened, and more aggressive. Furthermore, victims must also deal with the social repercussions of having been stalked. The perpetrator causes the victim to have limited or no contact with family and friends. Stalking victims may also suffer from financial losses due to a decrease in work hours and for increased security measures to combat the stalking behavior (Davis et al., 2002).

One study reported that their stalking victims, in which 68% reported stalking by an ex-partner, had mental health symptoms comparable to psychiatric outpatients and that about 75% had symptom levels that indicated the presence of at least one psychiatric disorder (Sheridan et al., 2003). When partner stalking occurs within a relationship or former relationship which was violent, the victim distress significantly increases (Brewster, 2002).

Partner violence and stalking have been associated with causing severe and persistent stress related health problems (Logan et al., 2006). Acute physical injuries, such as bruises, cuts, burns, internal injuries, broken bones, head and vaginal trauma are found to be common for women who have experienced physical and or sexual assault from a partner (Campbell et al., 2002). Studies also indicate that women with histories of

partner violence have high rates of disabilities and health problems, such as high blood pressure, arthritis, migraines, and heartburn. It has been reported that women who have been exposed to intimate partner victimization have more health related illnesses than women who have not experienced victimization. These women are more likely to report non-specific physical symptoms, which consist of stress-related health issues, without recognizing that the violence and stalking are the primary causes of their health problems. Stress-related health problems can manifest in the form of undiagnosed chest pain, choking sensations, shortness of breath, fatigue, disturbed eating patterns, and poor sleeping habits (Sheridan et al., 2003). The health problems are a result from feeling stress and anxiety over their situations.

Coping with Partner Stalking

Victims of partner stalking use a variety of strategies to cope with the effects of stalking. The two common types of strategies used to deal with partner stalking are emotion focused and problem focused coping (Logan et al., 2006). The techniques utilized in emotion focused coping are to manage emotional distress by denying the existing problem. By avoiding the problem, it will decrease stress and excuse the behavior while framing it in a positive light (Melton, 2007). In the problem focused technique, the victim deals directly with the source of distress. This method involves the victim being very proactive in their approach to stopping their victimization. The victim actively changes their environment or alters the source of their stress so that it no longer poses a danger to them. The victim of this technique is involved in gathering information about the situation, educating themselves on how to file criminal charges, how to leave the situation, or retain legal assistance. Stalking victims may seek assistance through

informal and formal means (Fisher et al., 2002). The common formal coping tactics that stalking victims utilize consist of contacting law enforcement and obtaining protective orders. The informal methods are to seek support from friends and family. Other tactics may include changing their phone number, screening phone calls, moving, and receive counseling. Victims have also reported obtaining alarm systems, changing their work schedules, taking alternate routes to go to work, carrying a weapon (e.g. repellent spray, gun, or knife), confronting the stalker, and ignoring the stalker (Logan et al., 2006).

Justice System's Response

The justice system plays a critical role in partner stalking by providing a way in which victims can seek safety and put a halt to stalking behavior (Logan et al., 2006). However, those who have had a limited amount of prior experiences with the justice system can become confused with the process due to the system being complicated. This may exacerbate the problem rather than eliminate it.

To protect themselves, victims have contacted the justice system by calling the police, obtaining a protective order, and or filing criminal charges (Fisher et al., 2002; Mullen et al., 2000). Victims face difficulties when calling the police because it has been reported that in many cases, officers have responded ineffectively and have often left the victim feeling they were responsible for the situation occurring. According to the NVAW Survey, only half of the victims of stalking reported their victimization to the police (Tjaden & Theonnes, 1998).

Stalking is a difficult crime to investigate, prove, and prosecute (Brewster, 2001). It is difficult to investigate and prove because the injuries incurred from stalking are

usually psychological and subjective rather than visible and objective; there is rarely a crime scene; it is often a crime that ends up being a “he said/she said” situation. The situation is difficult to prosecute because it may be viewed as a private relationship issue rather than an issue requiring legal intervention (Farrell et al., 2000). A survey by Farrell and colleagues (2000) found that police officers had little awareness or understanding on how to identify and deal with stalking cases. This is a problem which can lead to more dangerous situations for the victim. If police officers are not properly educated on how to respond to stalking cases, it can lead to tragic results for the victims. For example, a domestic violence case in Las Vegas which resulted in homicide began with a woman complaining that her former boyfriend slashed her tires (T. Lesney, personal communication, March 20, 2007). The police labeled the incident as a property crime because they had no concrete evidence that the former boyfriend committed the crime. This evidence was based solely on the victim’s statement. The victim also reported being the target of identity theft and informed law enforcement that she suspected her former boyfriend. The police once again did not have sufficient evidence to prove that it was the former boyfriend and assigned the incident to the fraud department. The complaints were never matched to the domestic violence file on that particular offender and ultimately resulted in the death of his victim. It was only after her murder that the previous complaints were discovered. Studies have found that there are no reliable statistics regarding the prevalence of stalking allegations in domestic violence police reports (Davis et al., 2002). It is unknown how many domestic violence crime reports include stalking and whether the suspects are charged with stalking.

Among the cases in which the police have been called to intervene, the arrest rates of stalkers have been relatively low (Brewster, 2001). The reason for this may be because victims of partner stalking are not aware that they must collect a sufficient amount of evidence to prove that the offender's behavior is repetitive. This causes the victim to fear for their safety. The victim must know how to maneuver the justice system and obtain a protective order. The process itself can be extremely long and frustrating.

The NVAW Survey indicates that there is a 24% prosecution rate for partner stalking cases in which the female victims reported the stalking incident to law enforcement. 54% of those stalkers were convicted and 63% of those convicted were incarcerated. When these figures were examined, only 8% of the perpetrators reported to law enforcement were incarcerated (Tjaden & Thoennes, 1998). Other studies have found that even though current or ex-intimate partner stalkers are more violent than other types of stalkers, stranger stalkers were more likely to be convicted of stalking related offenses (Sheridan & Davis, 2001). Dismissal is the most common disposition of stalking criminal cases, even when the charges were amended (Jordan et al., 2003). Studies found that in felony stalking cases, the charges were often amended to a lesser offense. They were often lowered to misdemeanor stalking, terroristic threatening, and violation of a protection order. If a perpetrator was charged with misdemeanor stalking, the charges were often amended to terroristic threatening, menacing, or disorderly conduct. The practice of amending stalking charges to a lesser offense is partially attributed to how stalking is defined as a crime. The crime of stalking may be difficult to prove because it requires the perpetrator to induce fear or concern for safety in the victim. Other crimes may be easier to prove because they do not require the victim to

provide evidence that they were in fear for their safety. It only includes behavioral criteria and criminal intent (Jordan et al., 2003).

Protective Orders

Protective orders were created with the intent to provide victims of partner violence with a measure of legal safety (Logan & Cole, 2007). Protective orders prohibit the perpetrator from having contact with the victim. They are usually issued by civil divisions, but are enforced by the criminal divisions of the court system (McFarlane et al., 2004). Although the criteria are different, every state has legislation that authorizes the issuance of civil protective orders in regards to partner violence cases. Depending on the jurisdiction, protective orders are also referred to as restraining orders, emergency protective orders, domestic violence orders, or peace bonds. Studies have shown that the incidents which led women to obtain protective orders consisted of physical violence, threats to harm their children, destruction of property, and threats to take their children away (Logan et al., 2006).

The temporary and the full protective orders include various types of stipulations which the perpetrator must abide by (McFarlane et al., 2004). There are two types of orders, a no-contact and a no violent contact order. The no-contact order prohibits the respondent from having any contact or communication with the petitioner. The no violent contact order may allow the partners to continue living together or to have contact because they share the responsibility for children. There may also be restrictions concerning the distance the respondent must stay away from the petitioner, who is allowed to remain in the residence, and property provisions. Furthermore, there may also be

stipulations that determine the custody of the children involved and the type of counseling required for the respondent and or the petitioner (Logan et al., 2006).

Protective orders can be complicated to obtain and they do not always offer the protection in which they guarantee (Logan et al., 2002). Enforcing the protective order can be difficult because law enforcement officials can only respond after the perpetrator violates the protective order. Law enforcement officials cannot prevent the perpetrator from instigating a situation (Logan et al., 2006). Studies indicate that having a protective order does not guarantee that the violence will cease. Research by Klein (1996) found that 49% of perpetrators of stalking continued to abuse their victims within two years of the serving the protective order. Victims reported that they continued to experience acts of physical and psychological abuse, and stalking. Furthermore, stalkers with extended histories of protection orders were found to have a strong association with the criminal justice system. A study by Logan and colleagues (2002), reported that 53% of the stalkers in their study had a previous misdemeanor or felony conviction. This connection between having a protective order and criminal involvement could indicate an increase in the risk of violence that a victim experiences.

Barriers to Obtaining Justice

Affordability and lack of knowledge prevent victims of partner stalking from pursuing the options that the justice system provides (Logan et al., 2006). The victims must be able to afford a lawyer, the filing and court related costs, and the cost associated with having the respondent be served. The system is highly complex and not easy to navigate. Many victims are not informed and do not know the requirements that they

must meet to prove and successfully prosecute a case against the perpetrator (Mullen et al., 2000).

CHAPTER 3

METHODOLOGY

Research Questions

The project focuses on identifying and assessing the prevalence of stalking behavior in intimate partner violence cases. The project seeks to answer the following research questions: Why are some stalking cases identified by LVMPD referred to as intimate partner violence and assigned to the Domestic Violence unit while other stalking cases are assigned to another unit? What role does stalking behavior play in the intimate partner violence calls responded to by the LVMPD?

Data Collection

The study focused primarily on the 651 existing stalking cases reported to LVMPD's Crimes Against Youth and Family Bureau in 2006. A random selection was conducted of 200 reports with acts of Stalking 1st Offense, Subsequent Stalking, and Aggravated Stalking cases. Of the initial 200 cases only 186 were useable due to the inaccessibility of juvenile files. To compensate for the removal of the juvenile cases an additional random sample of files were added, bringing the total files coded to 230. In this sample, there are 24 domestic violence cases and 206 cases that were not assigned to the Domestic Violence unit, but were still classified as stalking. While the dependent

variable is the assignment of these cases, independent variables include characteristics of the stalking behavior involved and the demographics of the offenders and their victims. Characteristics of stalking behavior included: surveillance, following, showing up unexpectedly, drive-bys, loitering, monitoring, utilizing the telephone, mail, or email to leave harmful messages, sending gifts, destruction of property and invasion, and utilizing the internet to secure personal information about the victim. Age, race, and gender demographics as well as criminal histories of the suspects and victims were considered.

LVMPD's police officers use the NRS 33.018¹ as a guideline to help them to determine which acts constitute domestic violence, as well as the NRS 200.575² which

¹ NRS 33.018 Acts which constitute domestic violence.

1. Domestic violence occurs when a person commits one of the following acts against or upon his spouse, former spouse, any other person to whom he is related by blood or marriage, a person with whom he is or was actually residing, a person with whom he has had or is having a dating relationship, a person with whom he has a child in common, the minor child of any of those persons, his minor child or any person who has been appointed the custodian or legal guardian for his minor child: (a) A battery; (b) An assault; (c) Compelling the other by force or threat of force to perform an act from which he has the right to refrain or to refrain from an act which he has the right to perform; (d) A sexual assault; (e) A knowing, purposeful or reckless course of conduct intended to harass the other. Such conduct may include, but is not limited to: (1) Stalking; (2) Arson; (3) Trespassing; (4) Larceny; (5) Destruction of private property; (6) Carrying a concealed weapon without a permit; (7) Injuring or killing an animal; (f) A false imprisonment; (g) Unlawful entry of the other's residence, or forcible entry against the other's will if there is a reasonably foreseeable risk of harm to the other from the entry

2. As used in this section, "dating relationship" means frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement. The term does not include a casual relationship or an ordinary association between persons in a business or social context. (Added to NRS by 1985, 2283; A 1995, 902; 1997, 1808; 2007, 82, 1275)

² NRS 200.575 Stalking: Definitions; penalties.

1. A person who, without lawful authority, willfully or maliciously engages in a course of conduct that would cause a reasonable person to feel terrorized, frightened, intimidated or harassed, and that actually causes the victim to feel terrorized, frightened, intimidated or harassed, commits the crime of stalking. Except where the provisions of subsection 2 or 3 are applicable, a person who commits the crime of stalking:

(a) For the first offense, is guilty of a misdemeanor.

(b) For any subsequent offense, is guilty of a gross misdemeanor.

2. A person who commits the crime of stalking and in conjunction therewith threatens the person with the intent to cause him to be placed in reasonable fear of death or substantial bodily harm commits the crime of aggravated stalking. A person who commits the crime of aggravated stalking shall be punished for a category B felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years, and may be further punished by a fine of not more than \$5,000.

3. A person who commits the crime of stalking with the use of an Internet or network site or electronic mail or any other similar means of communication to publish, display or distribute information in a manner

provides them with a definition of stalking. They also adhere to the NRS 200.571³ to assist them in determining acts of harassment.

From the narratives of the cases, the study compared the patterns of behavior of the suspects and victims to determine if there were any specific predictors that may have

that substantially increases the risk of harm or violence to the victim shall be punished for a category C felony as provided in NRS 193.130.

4. Except as otherwise provided in subsection 2 of NRS 200.571, a criminal penalty provided for in this section may be imposed in addition to any penalty that may be imposed for any other criminal offense arising from the same conduct or for any contempt of court arising from the same conduct.

5. The penalties provided in this section do not preclude the victim from seeking any other legal remedy available.

6. As used in this section:

(a) "Course of conduct" means a pattern of conduct which consists of a series of acts over time that evidences a continuity of purpose directed at a specific person.

(b) "Internet or network site" has the meaning ascribed to it in NRS 205.4744.

(c) "Network" has the meaning ascribed to it in NRS 205.4745.

(d) "Provider of Internet service" has the meaning ascribed to it in NRS 205.4758.

(e) "Without lawful authority" includes acts which are initiated or continued without the victim's consent. The term does not include acts which are otherwise protected or authorized by constitutional or statutory law, regulation or order of a court of competent jurisdiction, including, but not limited to:

(1) Picketing which occurs during a strike, work stoppage or any other labor dispute.

(2) The activities of a reporter, photographer, cameraman or other person while gathering information for communication to the public if that person is employed or engaged by or has contracted with a newspaper, periodical, press association or radio or television station and is acting solely within that professional capacity.

(3) The activities of a person that are carried out in the normal course of his lawful employment.

(4) Any activities carried out in the exercise of the constitutionally protected rights of freedom of speech and assembly.

(Added to NRS by 1993, 509; A 1995, 59, 1195, 1324; 1999, 1377; 2001, 665, 2785, 2800; 2003, 198)

³ NRS 200.571 Harassment: Definition; penalties.

1. A person is guilty of harassment if:

(a) Without lawful authority, the person knowingly threatens:

(1) To cause bodily injury in the future to the person threatened or to any other person;

(2) To cause physical damage to the property of another person;

(3) To subject the person threatened or any other person to physical confinement or restraint; or

(4) To do any act which is intended to substantially harm the person threatened or any other person

with respect to his physical or mental health or safety; and

(b) The person by words or conduct places the person receiving the threat in reasonable fear that the threat will be carried out.

2. Except where the provisions of subsection 2 or 3 of NRS 200.575 are applicable, a person who is guilty of harassment:

(a) For the first offense, is guilty of a misdemeanor.

(b) For the second or any subsequent offense, is guilty of a gross misdemeanor.

3. The penalties provided in this section do not preclude the victim from seeking any other legal remedy available.

(Added to NRS by 1989, 897; A 1993, 510; 2001, 2785)

increased the likelihood of stalking or of being stalked. Risk factors such as the role of drugs or alcohol in the incident, children present and other contextual factors were also considered. LVMPD provided complete computer access to all cases on individuals who were involved in criminal interactions with the stalking files. LVMPD provided researchers access to a primary computer programs used by law enforcement - Law Records Management System (LRMS). LRMS is LVMPD's data system used to store electronic police reports. Those with access were trained on the system and were able to pull up police reports. The approved UNLV interns coded this data at LVMPD and had full access to the descriptive account of the types of stalking occurring in Nevada in 2006. The narratives and personal information were coded at LVMPD. This coded data, purged of identifying information such as names and addresses, was analyzed at UNLV.

To develop a code sheet the researcher obtained blank copies of the Domestic Violence police reports that LVMPD utilized when responding to an incident. The researcher organized the order of the questions on the code sheet to follow that of the incident reports. The researcher also included additional categories that were mentioned in the online police report archives, LRMS. The code sheet also includes sections that allow for certain responses or answers to be expanded upon. For example there is a section that allows for expansion on specific stalking tactics used in the incident as well as a section that allows for disclosure of prior stalking behavior. The code sheet also included inquiries about issues such as the perpetrator's history of drug and alcohol abuse, mental health, as well as prior criminal offenses which are not necessarily reported upon by the police but could be obtained from the narrative section of the police report.

Sample

The majority of the 230 perpetrators were Caucasian (55.7%), the second most prominent group were African Americans (19.7%), followed closely by Hispanic or Latinos (18.9%), with data on race missing for two perpetrators. The majority of victims were Caucasian (62.1%), the second largest victimized group were Hispanic or Latino (19.8%) followed by African Americans (12.3%). Data on race was missing for four victims. The race of the victims is presented in Table 1.

The majority of perpetrators were males (82%) with females representing 18% (Table 1). Data was missing on gender was missing for two perpetrators. Females accounted for the majority of victims (73.8%) with males making up only 26.2% of victims. Data on gender was missing for one victim. The average age for perpetrators was 39 with a range of 13 to 67. The age range for victims (average age was 40) is also presented in Table 1. The employment status for perpetrators indicates that most perpetrators were employed (81.9%). The employment status for victims indicated that 87.2% were employed (Table 2).

There was only information on 38 witnesses throughout the 230 files. Among the 230 files, 176 did not appear to have a witness present. There were 16 files where it could not be determined if a witness was or was not present. Among the 38 where information was codable, the majority of witnesses were Caucasian (61.8%), the next most prominent group were Hispanic or Latino (18.2%) followed by African Americans (14.5%). Data on race was missing for three witnesses. The age of the witnesses was not calculated. Among witnesses, 90% reported being employed. Employment information on witnesses was reported in Tables 1 and 2.

Table 1. Demographics

	Suspects (n = 230)	Victims (n = 230)	Witnesses (n = 38)
Average Age	39	40	N/A
Age range	13-67	18-77	
Gender			
Females	18%	73.8%	48.2%
Males	82%	26.2%	51.8%
Race			
Caucasian	55.7%	62.1%	61.8%
African American	19.7%	12.3%	14.5%
Asian	4.4%	5.7%	5.5%
Hispanic/Latino	18.9%	19.8%	18.2%
Native American	1.3%	0	0
Employment Status			
Employed	81.9%	87.2%	90%
Unemployed	18.1%	12.8%	10%

Table 2. Types of Employment

	Suspects (n = 230)	Victims (n = 230)	Witnesses (n = 38)
Service Industry-Hotels	4.3%	13.9%	.9%
Non-Hotel Food Service Industry	1.3%	2.6%	.4%
Other Service Industry-Car salesman, salon worker	9.6%	18.3%	4.3%
Construction	3.9%	3.5%	2.6%
Unemployed/ Retired	4.8%	5.2%	1.3%
Self-employed	1.7%	3.5%	.4%
Disabled	1.7%	1.3%	0
Security	1.7%	.4%	2.2%
Medical Profession	.4%	3.5%	.9%
Student	.4%	1.7%	.4%
Day Care Workers	.9%	1.3%	0
Police, Military, Law Enforcement	.9%	.4%	0
Legal Profession	0	.4%	0
Adult Entertainment	.4%	.9%	0
Prostitute	0	.4%	0
Cab Driver	0	0	.4%
District Attorney of Clark County	.4%	0	0
Missing	67.4%	42.6%	86.1%

Files were coded to consider the relationship between the suspects and victims. The majority of victim and suspects had an intimate relationship (73.7%), either married or dating or formerly so. The exact breakdown of relationships is presented in Table 3. To simplify the relationships between the suspects and the victims in a more advanced analysis those that were intimate partners (current and former spouses and partners) were considered as one group, other family members (parent, child, by marriage, by blood) were grouped together as another group, and the third group was made up of the other remaining relationships (acquaintances and neighbors).

Table 3. Relationship between victim and suspect

Relationship	%	n
Spouse	13.5	23
Former Spouse	17	29
Current Partner	4.1	7
Former Partner	39.2	67
By Blood	2.9	5
Parent	.6	1
Child	2.9	5
By Marriage	1.8	3
Other	18.1	31

Note: 59 relationships were missing or not identified

The cases were also considered to see if they had been identified as domestic violence incidences. Only 24 cases (10.4%) of the 230 had been identified by the officers as being a domestic violence case. It is the judgment of the officer as to whether or not to forward a case to domestic violence, so this count reflects that decision. The relationship

between victims and witnesses was also reported for 38 and not applicable (e.g., no witness involved) for 176 cases. This information is presented in Table 4.

Table 4. Relationship between victim and witness

Relationship	%	n
Spouse	13.1	5
Former Spouse	2.6	1
Current Partner	5.2	2
By Blood	10.4	4
Parent	5.2	2
Other	63.1	24

Note: In 176 of 230 files no witness was involved. Data was missing for an additional 16 files.

Cases were also labeled as involving substance abuse by the officer taking the report. Only 19 cases (8.3%) indicated that there was substance abuse involved. However, 145 cases (63%) were marked as unknown as the suspect may not have been on the scene when the officer arrived. The files did indicate that in only 26.4% of the cases or in 60 instances the victim and the suspect were both on the scene when the police report was taken.

Only 17.2% of the suspects were arrested at the scene (36 of the 230 suspects). Another 1.8% of the victims were arrested at the scene (4 victims). The reason that the victims may have been arrested is that both the victims and the suspects were engaged in stalking or harassing behavior. The vast majority of the victims could identify the suspect involved (89% or 204 victims).

Also coded were both the most serious charge described in the report and the secondary charge filed against the suspect. The frequencies of those charges are

presented in Table 5. The majority of the most serious charges were for Violation of TPO for stalking or harassment (64.3%). Stalking 1st Offense was charged by officers 15.2% of the time and charged with Harassment 7% of the time. The cases also indicated that the majority of the secondary charges were for Violation of TPO for Stalking or Harassment (COUR 200.591) (67%), Stalking 1st Offense (MISC 200.575C) (26.5%), and Aggravated Stalking (MISC 200.575A) (3.9%). The files were also coded for the level of the most serious charges. The majority of the charges were misdemeanors (91.3%) with felonies accounting for 8.7%

The files were all coded for current status at LVMPD. The vast majority of these 2006 files were closed (91.3%). Another 4.3% were submitted for prosecution (10 cases) and 4.3% were open files (10 cases). The case disposition was also coded and is presented in Table 6.

Files were coded to consider the type of weapons involved in the incidents. The files indicated that weapons were used 13.9% of the time and the most common type used was a knife or sharp object (7.8%). The cases indicated that 4.3% of victims had visible injuries. The majority of those with injuries only experienced minor harm (5.6%). The most prevalent type of injuries that victims suffered from were black eyes, abrasions, and scratches. Only 3% of victims endured multiple assaults. Children were present 16.1% of the time of the incident.

Cases were coded to consider the various types of stalking behavior that perpetrators engaged in. The frequencies of these types of behaviors are presented in Tables 7a and 7b. The most common stalking tactics that perpetrators committed were violation of TPO (43.9%), showing up unexpectedly at the victim's residence, place of

employment, or public location (43%), calling the victim (24.7%), threaten to kill the victim (16%), and drive-bys (15%).

Table 5. Types of charges

Type of Charge	Most serious charge (n)	Secondary charge (n)
Violation of TPO/Stalking/Harassment	64.3% (148)	67% (154)
Stalking- 1 st Offense	15.2% (35)	26.5% (61)
Aggravated Stalking	3% (7)	3.9% (9)
Stalking-Subsequent Offense	2.6% (6)	2.2% (5)
Other	4.8% (11)	0
Malicious Destruction of Property	1.7% (4)	0
Sexual Assault	.9% (2)	0
Cyber Stalking	.4% (1)	.4% (1)

Table 6. Disposition of cases

	%	N
Closed by arrest	33.5	73
Insufficient Evidence	27.5	60
No Contact from Victim	16.1	35
Suspended	10.1	22
Victim Uncooperative	4.1	9
Summons or Warrant	3.2	7
Issued		
Victim Refused	1.8	4
Zeroed, No disposition	1.4	3
Unfounded	.9	2
Handled by other	.9	2
Jurisdiction/Agency		
Not Applicable or Non-	.5	1
Criminal Incident		
Missing	5.2	12

Table 7a. Stalking behaviors exhibited across 230 files

Behavior	N	%
Violation of TPO	100	43.5%
Showing up unexpectedly or uninvited at victim's or their family's or friend's place of employment, residence, public location, being within 100 yards of victim residence	99	43%
Calling victim	57	24.7%
Threaten to kill victim	47	20.4%
Physical violence, assault, battery	20	8.7%
Following victim	17	7%
Contacting victim through other people-using others to harass, stalk, gain information on victim	14	6.1%
Vandalized or destroyed victim's property or residence	14	6.1%
Sending victim letters, notes, text messages, emails	13	5.6%
Attempt to contact victim	12	5%
Breaking into victim's residence or vehicle, home invasion, or forced entry	9	3.9%
Inappropriate comments, obscenities, verbal altercation	9	3.9%
Harassing behavior	8	3%
Drive-bys	7	3%
Watches, monitors victim (Peeping Tom)	6	2.6%
Leaving gifts, presents, or packages	5	2%
Taking possession of victim's property	3	1%

...continued

Table 7b. Stalking behaviors exhibited across 230 files

Behavior	N	%
Threaten to take kids away or harm them	3	1%
Chases victim	3	1%
Sexually assaulted victim or attempted	3	1%
Threaten victim with weapon	2	.8%
Cause harm or threaten to harm victim's new partner	2	.8%
Lies or impersonates others to damage victim's life	2	.8%
Travels between different states to monitor or harass victim	2	.8%
Suspect refuses to leave even when victim asks them to	2	.8%
Threaten to commit suicide	1	.4%
Extortion	1	.4%
Gaining access to victim's email or myspace	1	.4%

CHAPTER 4

FINDINGS

A series of logistic and hierarchical multiple regression analyses were performed to consider the factors influencing how stalking events were handled. The dependent variables that were used in the three regression analyses were: whether the file was identified as a domestic violence incident; the more serious charge filed in the incident; and the level of the charge filed. The predictors considered included: the use of physical violence in the incident; relationship between the victim and suspect, presence of visible injuries; whether children were present; whether substance abuse was identified; and, whether a weapon was present.

The results of the regression analyses are displayed in Tables 8, 9, and 10. The first table presents the logistic regression analysis looking for predictors for whether files were being identified as domestic violence incidents. The Hosmer and Lemeshow goodness-of-fit test suggested the model was a good fit to the data for both Tables 8 and 10. For the linear regression in Table 9, 28% of the variability for the dependant variable the most serious charge files was explained or accounted for by the independent variables included. Table 10 presents the logistic regression for level of charge laid (either a misdemeanor or felony).

Table 8. Logistic regression analysis for identification of cases as domestic violence situations

Variable	B	SE	Wald	Exp (B)
Violence	1.56	.695	5.02	4.74*
Relationship between victim and offender	.115	.129	.802	1.12
Visible Injuries	2.05	1.06	3.74	7.79
Children present	-.871	1.08	.646	.419
Substance abuse identified	.801	.378	4.49	2.23*
Weapon present	-1.82	1.43	.164	.161

* $p < .05$.

Note: yes=1, no=2 for all variables.

Table 9. Regression analysis for the most serious charge laid

Variable	B	SE B	B
Violence	1.77	.487	.319**
Relationship between victim and offender	.039	.052	.676
Visible Injuries	1.28	.770	.146
Children present	-.705	.395	-.136
Substance abuse identified	-.101	.226	-.035
Weapon present	1.39	.428	.251*

* $p < .05$. ** $p < .01$.

Table 10. Logistic regression analysis for the level of the charge laid (either misdemeanor or felony)

Variable	B	SE	Wald	Exp (B)
Violence	-2.68	.751	12.76	.068**
Relationship between victim and offender	-.104	.135	.594	.901
Visible Injuries	2.52	1.44	3.06	12.52
Children present	-1.24	.803	.239	.289
Substance abuse identified	-1.05	.470	5.04	.348*
Weapon present	-1.28	.861	2.20	.279

* $p < .05$. ** $p < .01$.

Note: yes=1, no=2 for all independent variables. For the dependent variable of level of charge, 1 represents a misdemeanor and 2 represents felony charges.

The general trends of the predictors can be summarized as follows. Physical violence emerged as a significant predictor for all three of the subscales.

For the predictor which was the relationship between the suspect and the victim, it was not significant in any of the three analyses. Visible injuries did not emerge as a significant predictor for any of the three dependent variables. The presence of children during the incident did not emerge as a predictor for any of the three subscales.

The identification of substance abuse present during the incident emerged as a predictor for two of the three analyses. It was a significant predictor of whether the event was considered a domestic violence situation and the level of the charge laid. The presence of a weapon during the incident emerged as a predictor for one of the three subscales. It was a significant predictor only for the most serious charge laid.

The final step in analyses was to see if the types of stalking behavior reported in the files were predictors for the dependant variables just described. The following types of stalking behavior were considered: threats to the victim; using other people to get to the victim; showing up at the victim's home, work or other location; using physical violence; vandalism; violating TPO; and, trying to contact the victim. This time a stepwise regression analysis was used with the same predictors mentioned in the previous analyses included in the first step and the new predictors in a second step. For two of the dependent variables, files identified as domestic violence and level of charge, the change in R^2 did not meet significance. In other words, adding these new predictors did not explain more of the variance.

For the dependant variable of the most serious charge laid, adding new predictors raised the variability accounted for significantly, up to 29.3% from 15.8%. The results using this larger group of predictors are presented in Table 11.

In Table 11 the regression analysis presented considers the most serious charge laid with stalking behavior included. Physical violence, the presence of children, the presence of a weapon, and the violation of a TPO emerged as significant predictors for the most serious charge laid with stalking behavior included. Two predictors that were near significant were threats to the victim and attempt to contact, call, or email the victim. A larger sample may find that other factors are predictors as well. When comparing Tables 9 to 11 one of the predictors (children present) changed from previously being insignificant in Table 9 to significant in Table 11. The other predictors that were previously significant in Table 9 remained significant in Table 11.

Table 11. Regression analysis for the most serious charge laid with stalking behavior included

Variable	<i>B</i>	<i>SE B</i>	β
Violence	1.40	.464	.252**
Relationship between victim and offender	-.002	.056	-.003
Visible Injuries	1.14	.730	.131
Children present	-.745	.374	-.144*
Substance abuse identified	-.259	.222	-.089
Weapon present	1.25	.404	.226**
Stalking Behaviors			
Threaten victim	.673	.350	.142
Attempt to contact, call, email	-.483	.255	-.140
Using others to contact	-.507	.546	-.067
Showing up at victim's home, work	-.049	.288	-.013
Vandalism	-.608	.501	-.087
Violate TPO	-1.22	.296	-.318**

* $p < .05$. ** $p < .01$.

The fact that the presence of children during the incident changed from not being a significant predictor to a significant predictor when the most serious charge laid was associated with stalking behavior is unusual. Usually adding more predictors reduces the predictive ability of previously considered predictors.

Despite increasing the variance explained by a significant amount (an increase of 13.5%), only one of the new predictors included was significant. Evidence reported in the narrative that the stalking behavior reported was violating a Temporary Protective Order was a significant predictor of the charge laid. This finding may be of limited utility since 64.3% of the charges laid were for the crime of Violation of TPO. That said, it may also be that officers are more likely to identify behavior as stalking if the victim has taken the steps to file a TPO.

CHAPTER 5

DISCUSSIONS AND CONCLUSIONS

Relatively few of the cases were identified as domestic violence by law enforcement officials (10.4%) despite the high percentage of incidents that occurred in intimate relationships (73.7%). When looking at the research it indicates that the factors that influenced whether the case was considered a domestic violence incident depended upon if physical violence was involved, if there were visible injuries, and if substance abuse was identified.

The officers determine that the incident qualifies as a domestic violence situation by using their own observation of the situation and interpretation of the Nevada Revised Statutes. The use of physical violence during the incident was a predictor because it is a condition of the domestic violence statute. It is likely that substance abuse affected if the event was considered as domestic violence because substance abuse can alter or heighten an individual's behavior to be more violent.

The type of relationship between a victim and suspect was thought to predict whether the incident would be reported as a domestic violence situation however this was not found not to be a predictor. Perhaps it was not significant because so many of the files involved intimate relationships (73.7%). Visible injuries may not have affected if the incident was considered domestic violence because other elements of the situation took precedence. The presence of a weapon or of children did not influence whether the

incident was reported as a domestic violence situation. Perhaps these contextual factors were not predictors because the situation had changed by the time the officers arrived on the scene. The files indicated that in nearly three-quarter (73.6%) of the files the suspect had left the scene when the report was taken. If the suspect is not on scene, the officers can only obtain a statement from the victim and any witnesses. This information may be considered less reliable than an officer observing whether or not a suspect was intoxicated. It is one sided because it is based solely on the victim's accounting of what occurred, or the victim may not have reported the incident immediately. These factors could affect how the officer perceives the situation and may affect why they decided not to code it as a domestic violence incident. The presence of a weapon was likely not significant in the reporting the incident as domestic violence because the mere presence of a weapon does not indicate the severity of what occurred and there may be other more salient factors that officers take into consideration. For example, not all of these reports were taken on the day that the incident occurred so the officer recording the incident was not able to observe what occurred and has to interpret the accounting of what happened. The presence of children did not affect if the event was reported as domestic violence because their mere presence is not a criteria that qualifies the situation as domestic violence unless they were harmed or threatened during the incident.

The factors that influenced the most serious charge laid against the perpetrator were whether physical violence was involved and if substance abuse was identified in the incident. The relationship is logical as violent incidents should be identified as serious crimes by officers and more serious charges should be laid against the perpetrator. The involvement of substance abuse may influence the most serious charge laid because it is

considered by law enforcement to magnify the severity of the situation. The involvement of a weapon during the incident also influenced the most serious charge laid by law enforcement. Perhaps the involvement of a weapon was a predictor because it was used to injure the victim thus escalating the severity of the situation.

The type of relationship between the victim and the suspect did not predict the most serious charge that was laid against the perpetrator. Again this could be due to the fact that the majority of the relationships were intimate relationships. Neither the presence of children nor the visibility of injuries during the incident predicted the most serious charge that was laid by law enforcement officials. The nature of the relationship between the victim and suspect may not have influenced the most serious charge because the level of the charge is determined more by the events that occurred during the situation. It was likely that the presence of children was not a predictor of the most serious charge laid because their being there or not is not a determinant for law enforcement officials to consider the situation aggravated unless the children were victims of physical injuries. Visible injuries may not have influenced the most serious charge laid because even though an injury was apparent there might have been other events involved that were more severe and had influenced the laying of a higher level of offense.

The significant predictors for whether a charge was a misdemeanor or a felony were the use of physical violence and if substance abuse was identified in the incident. Physical violence influenced the level of the charge laid because it indicated the severity of violence that occurred. The use of physical violence made it more likely that a felony was the level of the charge laid. The level of the charge was also influenced by the

identification of substance abuse perhaps because it can alter an individual's behavior and make them behave out of character leading to an increase in violent behavior. There exists a negative relationship between the identification of substance abuse and the level of the charge laid. Specifically, where substance abuse was identified, the level of the charge laid was more likely to be a lower charge.

The factors that were not predictors for the level of charge that was laid against the perpetrator were the type of relationship between the victim and the suspect, the visibility of injuries, the presence of children, and the use of a weapon during the event. The type of relationship between the victim and suspect may not have been influential in the level of the charge laid because law enforcement officials consider other details of the situation as aggravating the severity of the incident. The visibility of injuries may not have been significant because other events that were more severe occurred. The presence of children may have been insignificant because they were not actively involved in the incident and were not victimized. The use of a weapon may not have had an effect on the level of the charge laid because there was a worse offense committed during the incident that took precedence and qualified as a higher charge.

The demographic characteristics were useful because they provided information on the types of individuals that engaged in stalking as well as the targets of their harassing behavior. The information obtained also confirmed what other researchers have found to be characteristics of stalkers and victims. This information was helpful because it revealed that anyone can be a perpetrator or a victim of stalking behavior. Stalking behavior identified in this research supports previous research findings. It was not a stranger suffering from Erotomania who was stalking but intimate partners.

Coding the types of stalking tactics that perpetrators used was helpful despite it not being of great predictive ability. Simply exploring the variety of stalking behaviors demonstrated shows the wide range of behavior that can be harassing and fear-inducing. Calling and showing up uninvited, while not normally criminal, was an integral part of the stalking behavior reported to the police. Knowing what behaviors are most prevalent allows for better insight when determining what behaviors will be encountered in stalking situations.

The information regarding the relationship between the suspect and the victim was instructive when determining the types and level of intimacy of the various relationships found in these cases. Even though the nature of the relationship between the victim and the suspect did not influence the dependent variables (whether the incident was reported as domestic violence, the most serious charge, or the level of the charge) it was important because it did reveal very high rates of intimate partners engaging in stalking behavior.

The use of physical violence and the presence of visible injuries were useful because they indicated how serious stalking behavior can become and thus is a crime that should be taken seriously. The file review only indicated that 10 of the incidents or 4.3% of the cases reported visible injuries. It could be that incidents that were part of stalking patterns but resulted in 2006 in physical injuries were not identified as stalking cases were merely reported as physical violence.

Identifying whether substance abuse was present during an incident was important because it could exacerbate the situation and cause individuals to engage in behaviors that are uncharacteristic. Its utility as a predictor may have been inconsistent as 63% of

the files indicated that substance use could not be coded, likely because the suspect had already left the scene.

The presence of children was not particularly strong predictor. The lack of influence of this situational factor may be because children were only present in 16% of the cases. Alternatively, it might not have been a predictor because children were only witnesses but if they had also been victims (i.e., were injured, were threatened) that may have influenced the context more.

This research supports previous research by Klein (1996) that found that 49% of perpetrators of stalking continued to abuse their victims within two years of the protective order. Over 67% of this population was written up for violating a restraining order, so they were refusing to cease contact with their victim.

Limitations

Developing a complete or comprehensive picture of the full context of each stalking incident was hampered by limitations in the file information available. The only information that was accessible was what was reported by the victim, the officer if they were on the scene, and if there was a witness and was then transferred into the reporting system. The limitations in the data being analyzed as represented by the missing values in the table above. These information fields were empty if the reporting officer did not fill them in so they could not be entered into the LVMPD data management system.

Policy Considerations

The police are aware that stalking is a dangerous problem that exists however, they have difficulties managing the great amount of information brought in through their

tens of thousands of calls for assistance each year. The Captain of the Crimes Against Youth and Family Bureau at LVMPD admitted that they often have trouble associating particular offenders with repeated patterns of violent behavior and making a connection between stalkers and their victims (T. Lesney, personal communication, March 20, 2007). Law enforcement officials should create a system in which they are able to identify or flag a course of criminal conduct that is or can be linked with stalking behavior. They could do this by tracking any future offenses for a criminal charged with the relatively minor crime of stalking or stalking related behavior. Law enforcement officials could have an offender's criminal record sent not only to their assigned department but have them sent to the domestic violence unit where they can connect the repeated patterns of violent behavior. They should be sent to the domestic violence unit regardless of their usual assignments because the domestic violence unit investigators deal with crimes that have to do with intimate partners and can best assist victims.

There is no simple solution or easy strategies that policy makers can implement to guarantee the eradication of stalking behavior. However, there are preventative measures that can be taken to assist in reducing the escalation of stalking behavior (Mullen et al., 2000). Law enforcement officials and the courts can enact policies and procedures to educate the community and the justice system regarding stalking. This research demonstrated that the charges against stalkers were relatively minor and it is suspected that some of the more serious crimes (i.e., assault with a weapon, attempted murder) that may be part of a pattern of stalking behavior are not identified or charged as a stalking offense.

The most disturbing finding was that only a tenth of the stalking cases were identified as domestic violence situations when nearly three-quarters involved domestic or intimate relationships. The number of stalking cases continue to grow in Las Vegas as there were 729 stalking related charges in 2007, up from the 651 in 2006 (S. Majewski, personal communication, April 2, 2008).

Victims should not have to suffer and accept the abuse that is directed towards them. Partner stalking is not taken seriously. However, this research confirms that a problem exists in Las Vegas and requires attention. Even though legislation was enacted almost two decades ago, individuals continue to be victimized. Researchers have indicated that if the fear requirements were lowered in the anti-stalking legislation, more victims could be assisted (Tjaden & Theonnes, 1998; Dietz & Yancy Martin, 2007). This research indicates that LVMPD can better manage their stalking incidents if they were to become more consistent in the identification of intimate situations as cases that should be forwarded to specialized domestic violence investigators.

Future Research

Future research should look for stalking behavior in the narratives of files that were not identified as stalking cases. A better exploration of these dynamics would be assisted by more thorough file information. Police officers could be directed to be more specific with the information collected (e.g., always report the relationship between the offender and the victim). Other key pieces of information that are not regularly included in police reports like the triggering situation would be helpful for future research.

The next step in this research would be to consider the criminal history of the offenders charged with stalking. This information will assist in identifying a pattern of behavior and potential escalation indicators.

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