You Should be Flattered: An Examination of the Non-Reporting of Stalking Victimization

by

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A thesis Submitted to the Department of Sociology

In conformity with the requirements for

The degree of Master of Arts

Queen's University

Kingston, Ontario, Canada

(October 2022)

ABSTRACT

Reports from the 2014 Canadian Social Survey (GSS) on Victimization show that only 39% of individuals who have been a victim of stalking had reported their victimization to law enforcement, leaving an astounding 61% of victims to cope with their victimization in silence. Stalking is an interpersonal crime that is highly invasive, yet many victims are reluctant bring to law enforcement. To create a safer Canada, there is a desperate need to address why victims of stalking do not notify law enforcement of their victimization. The main objectives of this thesis are to identify relationships between stalking victimization and Canadian demographics, as well as to close a gap in literature exploring stalking victimization and non-reporting patterns. To achieve these objectives, the Canadian General Social Survey (GSS) – Victimization (2014) is used to analyze respondent accounts of their demographic, stalking victimization, and the reasons why they chose not to report their victimization to law enforcement. Findings show that there are three main categories of non-reporting behaviours: 1. Intrapersonal Perceptions; 2. Interpersonal Relationships; and 3. Distrust with the Criminal Legal System.

ACKNOWLEDGEMENTS

I would first like to thank Queen's University for the wonderful years that I have learned, succeeded, failed, and succeeded again. Queen's and Kingston, Ontario are home, and will always hold a special place in my heart. Cha Gheil!

To the Department of Sociology at Queen's University, you have shown me a passion for education that cannot be explained. I knew from the first time I walked into Dr. Beamish's SOCY 122 lecture that Sociology was the path for me. I have been abundantly blessed with great minds throughout my undergraduate and master's degrees. This department has helped me grow not only academically, but personally, by showing me how to critically think about the world around us. I would not be the student I am today without the teachings of Dr. Victoria Sytsma, Dr. Fiona Kay, and Dr. Martin Hand, among the many others whom I have had the pleasure of learning from.

To my supervisor, Dr. Victoria Sytsma, you have been the voice of reason in my head when I was reluctant and questioning if I could persevere through SPSS and statistics in general. Your dedication to your work, your colleagues, and students has continually inspired me to 'just keep going,' even when everything seemed quite overwhelming. Your continued support of me as a person, and as a student will forever be etched in how I work with peers in the future. Thank you for the opportunity to write about a topic that albeit difficult, has been interesting and fulfilling. Thank you for having an open-door policy and thank you most importantly for being so encouraging.

To my two best friends, Kaitlyn, and Emily, thank you for being my rocks through the last seven years. I would never have thought that the first day of university would lead me to have the two best mates a girl could ask for. You two have watched me laugh, cry, debate about giving up, and have continued to encourage me with a message, video call and hug. The days where I thought my writing was terrible were the days you helped me formulate a thought. When I had trouble getting a point across in my writing, you two were there to talk the issue out with me to find a solution. The love, support, and friendship that you two have shown me throughout the years is indescribable. I am so excited to see where this wonderful journey of life continues to take our friendship. I hope that everyone has a KB and EmKas in their life, because I know mine is better because of them.

Lastly, to my wonderful family. Mom, dad, and Alli, you three have watched the best of the best and the worst of the worst throughout my whole academic career, and have continued to support me through the good, the bad, and the ugly. Your constant support, along with a constant kick in the butt when I've slacked off shows true commitment and love. I know it is hard to deal with a know-it-all like me, especially while living at home, but you three have never given up on my academic or life goals. I have become the person I am today because of your guidance, tough love, and love in general. I will never be able to say thank you enough for the opportunities you three have given me. I love you more than you will ever know. I also must thank my dog, Moose, for being the ears that listen to me when I proofread my work out loud.

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LIST OF ABBREVIATIONS

CATI – Computer-Assisted Telephone Interviewing
GSS – General Social Survey
ORI – Obtrusive Relational Intrusion
UCRS – Uniform Crime Reporting Survey
NCVS – National Crime Victim Survey
NVAWS – National Violence Against Women Survey
SPSS – Statistical Package for Social Sciences
SVS - Supplemental Victimization Survey

CHAPTER ONE: INTRODUCTION

Organization of Thesis

Reports from the 2014 Canadian Social Survey (GSS) on Victimization show that only 39% of individuals who have been a victim of stalking had reported their victimization to law enforcement, leaving an astounding 61% of victims to cope with their victimization in silence. Stalking is an interpersonal crime that is highly invasive, yet many victims are reluctant bring to law enforcement. To create a safer Canada, there is a desperate need to address why victims of stalking do not notify law enforcement of their victimization. The main objectives of this thesis are to identify relationships between stalking victimization and Canadian demographics, as well as to close a gap in literature exploring stalking victimization and non-reporting patterns. To achieve these objectives, the Canadian General Social Survey (GSS) – Victimization (2014) is used to analyze respondent accounts of their demographic, stalking victimization, and the reasons why they chose not to report their victimization to law enforcement.

This thesis is divided into six chapters. The first chapter addresses the background information of stalking victimization, research questions, and hypotheses. Chapter two provides background information on the concept of stalking—e.g., key actors involved, types of stalking behaviours and legislation. This chapter acts as a preface to the literature review in chapter three, which discusses three main dependent variable categories: 1) intrapersonal perceptions, 2) interpersonal relationships, and 3) distrust with the criminal legal system. This chapter describes the existing stalking victimization literature, while also addressing gaps in research and connections that are made within this thesis. Chapter four presents the methodological and analytical frameworks, including an explanation of how the GSS was be utilized, which statistical tests were run, and brief explanations of variables of interest. Chapter five presents

results and discusses those results, including an explanation of how the statistical tests answer research questions from chapter one. This chapter also provides an in-depth discussion of how the current research begins to close a gap in the literature surrounding non-reporting of stalking victimization. Chapter six concludes the thesis, explores the limitations of current research, and provides suggestions for future research.

Background

As a plot device in modern media and popular culture, continually pursuing an individual has been viewed as flattering and romantic. Popular television shows such as Netflix's You, and movie portrayals of 'wanting and getting the girl,' as seen in Love, Actually perpetuate a narrative that constant admiration are character traits that one should aspire for in a future mate. An ever-growing technological state has made constant attachment to those we desire easier than ever—with location services, pictures, and text messages often accessible to those who know where to look. Stalking victimization is becoming extremely common in contemporary society but is an underreported crime that is often brushed away by the criminal legal system. Canada's Uniform Crime Reporting Survey, and the General Social Survey provide insight into reported cases of stalking victimization as well as dark figure crime. That said there is a lack of research surrounding the relationship between stalking victimization and police notification. This lack of research causes concern as victims of stalking often requires the assistance of a variety of public agencies, as well as the criminal legal system to terminate a perpetrator's tactics and behaviours that threaten a victim's safety, and emotional and physical well-being (Miller 2001; Augustyn et al., 2020:680; Reyns et al., 2016). Previous literature has understood that stalking victimization is an underreported crime due to lack of understanding of the criminality of stalking tactics. This finding, however, has been articulated differently by victims of stalking, who report that they

understand that their stalking victimization is criminal in nature, but is a matter best dealt with personally and informally (Moore and Campbell 2011:315). Using Statistics Canada's General Social Survey (Cycle 28 – Victimization), this thesis aims to explore the commonly cited reasons an individual does not report their stalking victimization to law enforcement, with special consideration of sex.

Significance of Research

Many researchers have hypothesized why victims of stalking may not report their victimization to law enforcement, however, there is a lack of empirical data supporting their claims (Moore and Campbell 2011; Tjaden and Thoennes 1998b; Duntley and Buss 2012). Research surrounding criminal harassment and stalking behaviours rely heavily on a United States sample, with much of the literature and data reporting coming from either the National Crime Victim Survey, or the National Violence Against Women Survey. There is a gap in literature regarding Canadian data, with minimal use by scholars of the stalking supplement of the General Social Survey (Reyns et al., 2016:1720). This thesis aims to reduce this gap in literature by providing a generalizable, robust understanding of a Canadian demographic in relation to stalking victimization and an individual's unwillingness or inability to report their stalking victimization.

RESEARCH QUESTIONS AND HYPOTHESES

This thesis intends to answer one main research question: *What are the most cited reasons for why an individual does not report their stalking victimization?* Additional questions will be explored to examine the scope of stalking, with particular attention paid to sex. The term sex was chosen over gender to create continuity, as it is more commonly used throughout literature, and within the General Social Survey.

1) Does reporting of a stalking incident depend on sex? In other words, are women more likely to report a stalking incident than men?
2) Does sex influence the reasons cited for not reporting a stalking victimization?
3) Of the dimensions of the concept of unwillingness or inability to report stalking victimization, which dimensions are most cited by respondents?

Hypotheses

1) Evidence from previous literature and data presented by Statistics Canada (2014) indicate that reporting a stalking incident is dependent on sex, with women reporting their victimization to law enforcement more than men.
2) Previous literature has noted that the nature of a relationship with a perpetrator, distrust in the criminal legal system, and intrapersonal perceptions of victimization are the most commonly cited reasons as to why an individual does not report their victimization in general, but not specifically stalking. These reasons will also affect stalking victimization reporting.
3) Previous literature suggests that individuals who have intimate partnerships (either past or current) with their perpetrator do not report their victimization. This is hypothesized to occur due to fear, judgement from others, and legal complications such as child custody, asset splitting, and monetary concerns.

CHAPTER TWO: UNDERSTANDING STALKING

WHAT IS STALKING?

Defining Stalking

It is difficult to anticipate the degree to which a perpetrator's behaviour will progress and eventually become violent. Socially, there is a divide between acceptable courting behaviours and criminally harassing behaviour (Campbell and Moore 2011:506). For the victim, the psychological, financial, and social impacts of a stalking victimization are substantial and dire (Ngo 2018:364; Spitzberg and Cupach 2014). Over the past two decades, legal professionals and scholars have recognized stalking as both a social and criminal issue. In 2010, the National Intimate Partner and Sexual Violence Survey estimated that approximately 16% of women and 5% of men in the United States have been a victim of stalking at some point throughout their life course (Lynch and Logan 2015; Black et al., 2011; Tjaden, Thoennes and Allison 2000). Recent estimates assume that stalking victimization is more prevalent, with 1 in 6 women and 1 in 19 men experiencing stalking victimization (Smith et al., 2017).

A concrete definition of stalking has yet to be established as it falls under the larger umbrella term of criminal harassment. Early North American research on stalking and criminally harassing behaviours are developed from a dyadic legal perspective, with three elements necessary for prosecution: an intentional activity, credible threat, and fear on the part of the victim. Although these elements are included in most jurisdictional laws, the language and perceptions of credible threats and fear often vary. Stalking tactics often employ a pattern of targeted repetition of ordinary behaviours—but the variability of intrusiveness often stops victims from reporting their victimization to law enforcement. Victims of stalking struggle with understanding when an intrusive behaviour is considered a credible threat. For example, leaving

text messages, phone calls or flowers can be seen as romantic to some, while others may view these actions as threatening. Lastly, fear induction examines the lifestyle changes that a victim has had to make because of the stalking victimization. Again, perception of fear is not only subjective to the victim, but also to the jurisdiction in which the victimization is occurring. Jurisdictions can and do vary on how much fear a victim should experience to make a perpetrator's behaviour criminal. While there is some consensus within legal perspectives of stalking victimization, the areas of dissent aid in a victim's unwillingness and inability to report their victimization to law enforcement (Department of Justice Canada 2003; National Institute of Justice 1996; Yannowitz and Yannowitz 2012; Amar 2007; Sheridan Blaauw and Davies 2003:150; Mullen et al., 2000; Spitzberg 2000).

Contrastingly, research and lay person definitions of criminal harassment aim to fill gaps that are missing from legal definitions and perspectives. Notably, victims often struggle with acknowledging when a behaviour is considered intrusive and a credible threat. A research perspective aims to operationalize fear by using a variety of instruments to examine stalking victimization and definitions. For example, the National Violence Against Women Survey (NVAWS), a nationally representative survey of 8,000 women and 8,000 men asked questions about victimization and used examples of stalking behaviours that are most often incorporated in United States' anti-stalking legislation. These behaviours include standing outside someone's home or workplace and making unsolicited phone calls, as well as the element of fear. Interestingly, the word 'stalking' was never used throughout the survey. Reports show that 8% to 12% of adult women, and 2% to 4% of adult men have been stalked at some point in their lifetime (National Center for Victims of Crime 2007). Coleman (1997) defines stalking as it relates to intimate partnerships and developed the Stalking Behaviour Checklist to measure a

multitude of harassing and pursuit-orientated behaviours that can occur after a relationship dissolution. Previous research has noted that the reported discrepancy in what researchers determine to be stalking based on legal definitions in comparison to lay-person beliefs of stalking behaviours. Lay-persons are more likely to label a behaviour as stalking when there are high levels of persistence from the perpetrator, or the individual has had prior experiences with stalking victimization (Amar 2007:212; Tjaden, Thoennes and Allison 2000).

It is evident that the definitional discrepancies that occur between these three perspectives (legal, academic, and lay person) continue to hinder stalking victims and their ability or willingness to report their stalking victimization to law enforcement. To mitigate this barrier, researchers have proposed the idea that due to the self-perceived risk of safety that a victim of stalking may experience, criminally harassing behaviours should exist on a continuum (Langhinrichesan-Rohling et al., 2000; Sinclair and Frieze 2000; Nicastro, Cousins and Spitzberg 2000; Moore and Campbell 2011:508). To approach this continuum legally, it would be beneficial to categorize behaviours into mild, medium, and severe. This approach is already applied in other victimized crimes such as assault, robbery, and homicide. For example, researchers as well as legal actors have attempted to conceptualize stalking behaviours on this continuum from normal, to persistent courtship behaviours and finally to various forms of harassments ending in violent stalking (Langhinrichesan-Rohling et al., 2002:220; Coleman 1997:427; Tjaden, Thoennes and Allison 2000; Kincade et al., 2005; Nicol 2006; Spitzberg and Cupach 2007).

STALKING VICTIMIZATION

Stalking Demographics

Demographics of stalking victimization rely on national and international crime reporting data. When comparing stalking demographics within North America, it is apparent that Canadian data is lacking in comparison to data gathered in the United States. The population differences between Canada and the United States allows for American samples to be produced on a much larger scale. In Canada, data outlining stalking victimization is published by the Canadian Centre for Justice Statistics and is heavily sourced by Canada's Uniform Crime Reporting Survey (UCRS), which includes reported cases of stalking victimization to law enforcement. Recently, a stalking supplement has been included within the Canadian General Social Survey (GSS) Victimization surveys. The first stalking supplement was introduced in 2004 and the second in 2014—which is the time-period used for this thesis. Research from the 2004 GSS in comparison to the 2014 GSS that is used for this thesis has shown demographic trends surrounding stalking victimization and perpetration over the past three decades.

In the United States, stalking victimization data and its associated demographics come from the NCVS which produces a nationally representative sample of crime victim reports. The 2006 NCVS included a sample size of approximately 65,270 individuals, aged 18 and older (Englebrecht and Reyns 2011:565). The NCVS (2006) provided a section on stalking victimization with a sample size of 1,551. Overwhelmingly, women were reported to be victims of stalking (N=1,265), more often than male respondents (N=286). The American National Crime Victim Survey (NCVS) reported an increased trend in stalking victimization. Baum et al., (2009) explored the NCVS, specifically the Supplemental Victimization Survey (SVS) and noted that women experience stalking victimization at a rate of 20 per 1,000 and men experience stalking victimization at a rate of 7 per 1,000. Generally, estimates predict a rate of 14 people per 1,000 in the United States (2). Multiple studies have been conducted with the objective of

determining rates of stalking victimization. Tjaden and Thoennes (1998a) conducted a comprehensive national survey of 16,000 Americans and found that 8% of women and 2% of men have self-identified themselves as being a victim of stalking within their lifetime. Data from the Canadian Centre for Justice Statistics report highlights on stalking, its extent, as well as patterns and occurrence in annual trends. Stalking victimization in Canada has seen an increase over the last several years, with a victimization rate of approximately 42 victimizations per 100,000 people in 2000 to 59 victimizations per 100,000 people in 2009 (Milligan 2011).

Demographic features of stalking victimization often coincide throughout literature. As noted previously, stalking victimization is most often a crime committed against women, perpetrated by men. Most victims are White or Black women, however, women belonging to minority and Indigenous groups have seen heightened vulnerability to being a victim of stalking within the last decade (Catalano 2012; Smith et al., 2017; Spitzberg and Cupach 2014). Stalking victimization is seen throughout the socioeconomic spectrum but is more common among those who are highly educated, and in high-level professions. Those who work in highly visible public-facing jobs, as well as those who work in politics or media are at a higher risk of stalking victimization (Brewster 1997; Hall 1998; Pathé and Mullen 1997; Sheridan et al., 2003). Stalking victimization tends to decrease with age, with students (especially at the college-level) being highly vulnerable as victims (Tjaden and Thoennes 1998; Davis et al., 2002; Budd and Mattinson 2000; Fremouw et al., 1997; Logan et al., 2000; Sheridan et al., 2001b; Dietz et al., 1991).

Lastly, using the National Violence Against Women Survey (NVAWS), Tjaden and Thoennes (1998) conducted research about stalking victimization prevalence in the United States and reported that 78% of stalking victims were women, and 87% of stalking perpetrators were men (2). Spitzberg and Cupach (2007) and Tjaden and Thoennes (1998) both note that when

averaged, prevalence estimates across 175 study samples showed 25% of the subjects sampled had some form of experience with stalking victimization. Along with prevalence, Ngo (2018:364) and Spitzberg and Cupach (2014) note that the durations of a stalking victimization tended to be longer when perpetrated by a known individual to the victim (~15 months), and shorter with an unknown individual (<~15 months). As noted previously, the estimates of the extent of stalking victimization vary across research studies due to definitional and methodological differences of what constitutes stalking, and how an individual perceives stalking behaviours. These differences throughout the growing body of stalking victimization literature reaffirm the importance of universal definitions, and devoting attention to this group of crime victims (70).

WHO STALKS AND WHY?

The Department of Justice Canada's report entitled *Stalking is a Crime Called Criminal Harassment* (2003) outlines that those who engage in stalking perpetration often fall into two categories: those who stalk strangers, and those who stalk known victims. According to the report, 12% of victims of criminal harassment in Canada are harassed by a stranger. Most often, this type of stalking victimization is attributed to celebrity infatuation (3). The most common type of stalking victimization occurs between a perpetrator and known victim. Often, these perpetrators use stalking behaviours to control their victim, whether they are an ex-partner, current partner, acquaintance, co-worker, or close friend. Approximately 88% of all Canadian stalking victimizations occur as an extension of domestic violence. The prevalence of known-stalking victimizations paints a grim picture; however, less than one percent of criminal harassment cases involve physical injury to a victim (Government of Canada 2003:4).

STALKING TACTICS AND BEHAVIOURS

Stalking is a long-term issue that does not occur exclusively on a single occasion nor in isolation. Traditional stalking tactics can include relentless following, sending unsolicited letters, and gifts, and harassing of a victim's family and friends. Further, in the last decade there has been an emergence of cyber-stalking enabled by technological advancements to include emails, text messages, and GPS tracking (Belknap et al., 2012).

From an evolutionary perspective, stalking behaviours make sense to begin and retain intimate partnership. In 2002, Duntley and Buss began to explore the evolutionary theory of stalking and its impact on both victims and perpetrators. In 2012, they continued their research and concluded that stalking victimization evolved as a strategy for solving recurrent tribulations of mating and within-sex competition. Notably, the authors discuss that stalking perpetration is among a suite of post-breakup tactics and hypothesize that it is clear to stalking victims of overt stalking what their perpetrators desire—whether it be sexual liaison, a romantic relationship, the prevention of relationship breakdown, or the deterrence of a same-sex competitor (315). Like any theory of evolution, the authors note that stalking tactics may not always rekindle relationships but when successful, the selection process would favour the perpetrator and result in reproductive gain (312). Perilloux and Buss (2008) agree with this hypothesis and note that when stalking tactics are used in the context of partnership replacement, there is invariable success in regaining the original lost mate.

In 1998, Cupach and Spitzberg coined the term Obsession Relational Intrusion (ORI), noted as a pattern of intimacy seeking by an unwilling partner, and defined as the repeated and unwanted pursuit and invasion of one's sense of physical or symbolic privacy by another person, either known or unknown, who desires or presumes an intimate relationship (235). ORI is often coupled with criminal harassment, as there are four stalking-adjacent patterns that must occur

repeatedly over time. Behaviours of ORI include unwanted pursuit behaviours, pre-stalking, courtship persistence, and criminal stalking (Yannowitz and Yannowitz 2012:369; Meloy and Grant 1995). Further, Spitzberg and Cupach (1998) employ ORI to examine criminal harassment as a continuum, ranging from less aggressive courtship behaviours such as sending emails and text messages with exaggerated affection; to threating behaviours such as property damage; to violent behaviours such as assault. Yannowitz and Yannowitz (2012) note that over the past decade there has been an increase in research that focuses on nonpathological stalking by examining the relational characteristics of stalking-life behaviours. They have empirically utilized ORI to examine components of sex-based stalking scripts generated by participants (369). Results from their study reveal sex differences that occur in stalking script generation. Women are more likely to create scenarios with hyper-intimate behaviours and mediated contact than men, as well as significantly more likely to generate coping strategies than their male counterparts. Interestingly, for the purpose of this thesis, a high degree of similarity exists in generated stalking scripts and behaviours as a function of sex (377). ORI has gained international traction, with researchers utilizing the patterns to understand differences in tactics used and heterogeneity in victim samples. The British Crime Survey found that the most common stalking tactics experienced by a sample of 1,262 respondents were being forced to speak with their perpetrator, repeated telephone calls and being physically followed and intimated (Budd and Mattinson 2000). These same tactics were also shown in a study conducted by Sheridan, Davies and Boon (2001b) in which a general population sample was shown a list of 42 obtrusive behaviours and asked whether they believed the behaviours did or did not constitute stalking. Results from this study show agreement with the previous study, with 95% of the sample noting

that loitering near someone's workplace or home, repeated telephone calls and following the target were stalking-related behaviours.

Overt and Covert: Surveillance and Approach Stalking Tactics

Researchers note that there are two types of stalking tactics: overt and covert. Overt tactics are employed to be noticed by the victim, such as repeated telephone calls, whereas covert tactics are meant to leave the victim unsuspecting of the victimization (Duntley and Buss 2012:315; Canter and Iannou 2004:113). Further, the last two decades has seen an increasing interest from both researchers and legal actors surrounding cyber-stalking, a form of technological stalking victimization which can be both overt and covert.

There are a multitude of explanations that contribute to the effectiveness of stalking tactics and behaviours. First, perpetrator's repetitive behaviours have the effect of consuming substantial portions of their victim's time. This time loss can represent a significant opportunity cost to the victim, making them less likely to be successful in other areas of their life such as acquiring intimate partners, retaining current partners, managing social relationships, and obtaining resources. Further, stalking perpetration focuses the victim's attention almost exclusively on their perpetrator. This creates a cognitive opportunity cost where the victim's attention is taken away from other relevant issues socially, occupationally, and mentally. Lastly, stalking victimization may socially isolate victims. In the context of evolution and human mating, social isolation may lead victims to perceive that a relationship with their perpetrator is not only endearing but better than no relationship. When not related to human mating, social isolation can leave victims with weakened social alliances and little support to combat their victimization (Duntley and Buss 2012:316).

Cyber-stalking.

Cyber-stalking is a relatively new phenomenon with limited empirical research. The advancement of technology and technological infrastructure, including the Internet and social media networks, has shown an influx of positive peer-network relationships, but Internet and social media usage has also created a sense of depersonalization and disinhibition, which allows a perpetrator to digitally target a victim (Alexy et al., 2005; Pinals 2007; Reyns et al., 2012; Baer 2012; Hazelwood and Koon-Magnin 2013; Roberts 2008). Much like offline stalking perpetration, it has been noted that cyber-stalking is an underreported crime due to limited community understanding of what behaviours constitute cyber-stalking, and the covertness employed by cyber-stalking perpetrators. There are a multitude of unique tactics and behaviours related to cyber-stalking such as unique usernames, hidden IP addresses, and 'Incognito' modes which hide a perpetrator's identity. Tactics like these leave victims without concrete evidence of not only who is perpetrating the victimization, but the victimization itself. As with offline stalking perpetration, the evidence that a victim must produce to prove their victimization is difficult to acquire, which results in underreporting (Ahlgrim and Terrance 2021:4074).

Research has shown mixed findings on sex differences and cyber-stalking (Dunlap et al., 2012; Piotrowski and Lathrop 2011; Sheridan and Grant 2007). Some literature has noted that women and men equally engage in cyber-stalking tactics, with other literature noting that like offline stalking, men perpetrate cyber-stalking at higher rates than women (Cavezza and McEwan 2014; Dunlap et al., 2011; Pitrowski and Lathrop 2011; Reyns et al., 2012). Ahlgrim and Terrance (2021) caution these results and note that male perpetration rates may be artificially inflated, as some research, due to legislation differentiation, has combined offline and online perpetration (4078). As with offline stalking acknowledgement, women readily view behaviours as stalking, which is consistent with social expectations of women being sympathetic,

empathetic, and concerned with preventing harm when compared to men (Finnegan and Fritz 2012; Lambert et al., 2013; Phillips et al., 2004).

STALKING LEGISLATION

Stalking is a relatively new crime, with the first anti-stalking legislation enacted in 1990 in California. As more media coverage and academic research is undertaken, the widespread enactment of anti-stalking legislation marks a point of recognition that stalking was not just a crime perpetuated against celebrities (Nicol 2006:22). By 1992, 30 more states joined California in enacting anti-stalking legislature, with all states and districts within the United States creating their own anti-stalking legislation by 1993.

In 1993, Canada followed suit and created an offence in the Criminal Code, entitled 'Criminal Harassment.' Prior to the enactment of this legislation, police officers in Canada would charge a suspected stalking perpetrator with offences such as trespassing at night, loitering, or uttering threats (Government of Canada 2006:2). This new legislation was a response to the increasing violence against women, especially women leaving intimate partnerships (3; Goode 1995:193). In August of 1993, Canada passed Bill C-126 and amended the Criminal Code to include Section 264, which specified criminal harassment provisions. Section 264 of the Criminal Code notes that for stalking behaviours and tactics to be considered criminal harassment they must include two key features: 1. Repeated course of conduct; and 2. Feelings of fear or another comparable emotion experienced by the victim. First, the stalking victimization must consist of a course of repeated conduct committed by a perpetrator. This conduct may include a multitude of pursuit behaviours, such as following, communicating with the victim either in person or electronically, and keeping tabs on a victim's whereabouts or the whereabouts of the victim's friends and family. Secondly, the victim must experience feelings of

fear or another comparable emotional reaction such as anxiety, depression, or isolation because of the perpetrator's conduct (Criminal Code, R.S.C., 1985, c. C-46, s.264(1); Fox et al., 2011). Alongside categorizing some behaviours that are considered criminally harassing, Section 264 outlines punishment of stalking perpetration. If found guilty, criminal harassing behaviours are punishable as an indictable offence and the perpetrator may face imprisonment not exceeding ten years, or an offence punishable on summary conviction. Most cases result in a summary conviction which are satisfactory for minor instances of this behaviour, but it is inadequate to deal with the seriousness of the course of the behaviour (Goode 1995:196; Government of Canada 1993).

Internationally, anti-stalking legislation has gained recognition over the last three decades. Australia's first anti-stalking legislation was enacted in 1993 and used Canadian legislation as a starting point but upheld stricter punishment for perpetrators found guilty of criminal harassment. Section 359A(4) of the Australian Criminal Code provides a non-exhaustive list of behaviours that may be considered criminally harassing, as well as penalties for criminally harassing perpetration. For example, where an individual has been accused and found guilty of stalking perpetration, there is a basic penalty of incarceration of three years, not exceeding five, where the stalking was aggravated by threats of violence, possession of a weapon, or in breach of any court order(s) (Criminal Law Amendment Act 1993; Goode 1995:199). It is extremely hopeful that international jurisdictions are enacting anti-stalking legislation; however, it must be noted that upholding the scope of stalking offences is difficult to maintain. To mitigate this difference in scope the Australian Criminal Code, employed a subsection where "it is a defence to charge under this section to prove that the course of conduct was engaged in for the purposes of a genuine industrial dispute; or a political or other public

dispute or issues are carried out in the public interest" [Criminal Code, s.359A(4)] (Criminal Law Amendment Act 1993; Goode 1995:200). This amendment brings justice to cases where, for example, parental custody agreements are not being upheld and constant communication between either parent is necessary to uphold already set in place legal arrangements.

The creation of anti-stalking legislation was a short-lived success as the definitional discrepancies of what constitutes stalking became widespread jurisdictionally, posing challenges for not only victims, but legal actors (Belknap and Sharma 2014; Tjaden 2009). Further, Duntley and Buss (2012) fear that the enactment of anti-stalking legislation allows for evolved versions of stalking victimization, instead of eliminating the behaviours entirely. For example, they note that perpetrators inflict costs on their victims, and these costs have had overwhelming implications for the evolution of cognitive adaptations that produce stalking. Therefore, the authors posit that legislation should focus on anti-stalking adaptations rather than anti-stalking laws as adaptive behaviours benefit victims by decreasing the costs of stalking tactics, while simultaneously hurting perpetrators by making stalking less effective (313).

For providers who are unable to provide support related to anti-stalking adaptations due to insufficient monetary funding to provide rehousing, behavioural therapies, and employment relocation, anti-stalking legislation is the only way to support stalking victims. With this, there was a relief that newly enacted legislation meant that the criminal legal system was on the side of those who have experienced criminal harassment (Nicol 2006:2). Campbell and Moore (2011) note that while new legislation forced an inquiry from multiple criminal legal organizations and enforcement agencies to understand how specific behaviours can be criminally defined, some legislation was unsuccessful in criminalizing stalking behaviours. New legislation has been challenged legally and constitutionally, with research being conducted into the ability of victims

to recognize criminally harassing behaviours, and for criminal legal personnel and service providers to respond to stalking complaints (506).

Cyber-Stalking Legislation

Legislation surrounding cyber-stalking perpetration has been heavily influenced by existing legislation of offline stalking victimization, with only a handful of United States' jurisdictions having an explicit cyber-stalking law (Baer 2010; Hazelwood and Koon-Magnin 2013; Roberts 2008). Many legal practitioners have cautioned against the use of existing legislation, as cyber-stalking behaviours differ from traditional stalking behaviours. Cyber-stalking behaviours are often exaggerated and extreme versions of normal social interactions that are used to exert control and elicit fear in victims (Drahokoupilova 2007; Lynden, Bonds-Raacke and Cratty 2011; Strawhun et al., 2013). This is done through several tactics, including fake social media profiles, use of chatrooms, use of listening devices, and use of viruses and computer programs. Studies have shown that an estimated 26% to 41% of individuals who were stalked offline also experienced some form of cyber-stalking, which has led to an amalgamation of both types of stalking victimization under one legislation (King-Reis 2011; Reyns et al., 2012; Sheridan and Grant 2007). The high percentage of individuals experiencing both offline and online stalking victimization should lead legislators to provide amendments within current law that differentiate each type of victimization, and subsequent reprimands.

Overbreadth of Stalking Legislation

In recent years, there have been critiques of overbreadth of anti-stalking. Overbreadth, as noted in American jurisprudence is the facial challenges to laws under the First Amendment. Anti-stalking laws within North America, but specifically the United States have come under constitutional attacks based on vagueness and over broadness (Boychuk 1994:774). As explored

by Boychuk (1994:774), “the success or failure of a challenge to an anti-stalking law will depend on the elements of a particular law at stake. Those drafted around previously articulated constitutional boundaries, and that include requirements of criminal intent, communication of a threat, and an objective standard against which to measure the potential offender’s behaviour.” For example, in all North American jurisdictions it is a criminal offence to make a threat to another individual to kill or cause grievous bodily harm. These same standards do not stand true for criminal harassment, where the threat lies in omnipresence. In many cases of stalking victimization, the behaviour may not include a credible threat but may still affect a victim’s daily life. The omnipresence of a threat and fear of a threat being left unstated can be mentally taxing on a victim (Goode 1995:198).

Secondly, the necessity of intent has been critiqued by scholars within the fields of law and criminology. Notably, McAnaney’s critique outlines that the requirement of intent seen in current anti-stalking legislation may disadvantage individuals who are not capable of forming the intent itself. Additionally, cases exist in which a perpetrator does not explicitly threaten a victim, but instead follows them and their family or friends, has others keep tabs on a victim’s whereabouts, or engages in cyberstalking (1993). Again, this critique of necessity of intent goes back to arguments listed above that current anti-stalking legislation is not on the side of the victim, especially when they are not able to articulate their fears, and their accounts of being intimidated and harassed (Goode 1995:201).

Boychuk (1994:776) notes that current anti-stalking legislation and one’s perception of fear and/or risk is an important caveat in addressing legal gaps. As stalking is a crime of repeated pursuit, variation between legal jurisdictions exists. This variation can be agreed upon by legal actors and victim services to be considered criminal harassment when a victim has been

'repeatedly pursued in a manner that causes a reasonable person to fear for their safety' (Englebrecht and Reyns 2011:561; Fox, Nobles, and Fisher 2011; Tjaden 2009; Fisher-Stewart 2007:211). This agreed upon definition is helpful for accommodating policymakers and victim services but hinders the victims of stalking in court where lines are blurred as to how one is supposed to prove their level of fear and risk. Englebrecht and Reyns (2011:564) agree with these critiques and note that because stalking behaviours must be coupled with a sense of fear from the victim to be considered a criminal act, it is imperative to examine how individuals, both laypersons and victims, understand the crime of stalking, including when an individual labels an act as a stalking behaviour. For this thesis, understanding what behaviours an individual perceives as risky or unsafe will aid in understanding at what point they will seek to report their victimization to the police.

Protective Orders

It can be difficult for law enforcement to find appropriate criminal sanction for stalking victimization. Stalking perpetration and associated anti-social behaviour may be controlled by protective orders but are often inadequate in their coverage (Goode 1995:196). Research has shown that when victims do seek protective orders, the orders are broken within the first three months (Nicastro et al., 2000:72; Tjaden and Thoennes 1998; Gill and Brockman 1996). Researchers, as well as law enforcement find that protective orders are not effective, and in some case precipitate an escalation of not only threat, but also violence (DeBecker 1997).

Disappointingly, the rate of protective order violation and dismissal rates for stalking victimizations are high (Tjaden and Thoennes 1998; Jordan et al., 2003). Results from the National Violence Against Women Survey indicated that among stalking victims who seek protective orders, 69% of women and 81% of men stated that their orders were violated (Tjaden

and Thoennes 1998). Within this survey, men were likely to experience incidents of order violation more than women. These results support previous research which indicates that female perpetrators are likely to be affected by threats to their long-term romantic relationships, and that suffering the loss of a male partner's investment could be critical to the woman's survival and that of dependent children, which may result in psychological, financial, and physical traumas (Duntley and Buss 2012:314).

There are a multitude of reasons why protective orders are not an effective tactic to stop perpetrators from their stalking behaviours. First, the innocuous behaviour may not be sufficient to attract the making of an order. This is especially true for perpetrators who do not directly approach their victim. Secondly, the identity of the perpetrator is not always known to the victim. In line with legal definitions of criminal harassment, if the identity of the perpetrator is unknown and the behaviour is innocuous, no criminal offence would be involved, which in turn would result in a lack of grounds for police investigation. Lastly, the lack of support from law enforcement and legal actors surrounding protective orders perpetuates the narrative that individuals choose not to report their stalking victimization due to viewing their victimization as not important enough as a result of the lack of effective handling by the criminal legal system.

CHAPTER THREE: LITERATURE REVIEW

OVERVIEW OF CHAPTER

Some research has been conducted to understand reporting behaviours of stalking victimization, but little empirical research focuses solely on an individual's inability or unwillingness to report stalking victimization to law enforcement. Past literature has shown that law enforcement notification of stalking victimizations adopts a variable-centred approach, wherein relationships are examined between one element of situational context of stalking victimization while accounting for other factors, such as sex and age (Augustyn et al., 2020:687). Within this literature review is an examination of the most cited reasons an individual chooses not to report their stalking victimization to law enforcement. These reasons have been grouped into three categories: 1) intrapersonal perceptions of a stalking victimization, 2) interpersonal relationships, and 3) distrust of the criminal legal system.

Intrapersonal Perceptions of Stalking Victimization

Understood in literature as intrapersonal perceptions, are perceptions related to an individual's attitudes, thoughts, and feelings about a specific phenomenon (Fisher et al., 2003). While crime data often suffers from under-reporting, stalking victimization is disproportionately affected by one's unwillingness or inability to report their victimization to formal supports. From the literature that is available, there is a pattern associated with how one views a stalking victimization and their decision to not report to law enforcement. Threat seriousness, stalking scripts and schemas, and perception and acknowledgement of a stalking victimization were all noted to be important factors related to one's decision to not report to law enforcement.

Stalking scripts and schemas.

Schank and Ableson (1977:41) define scripts as a "predetermined stereotyped sequence of actions that defines a well-known situation." For example, an individual's script of a first date may include a man picking up a woman, taking her to a restaurant, possibly ending the night with a kiss (Rose and Frieze 1989, 1993). Individuals rely on scripts to guide attention and behaviour, as well as provide evaluative information, which can be used to understand individual schemas. Schemas are understood as cognitive structures containing expectations for objects in domains. Schemas of normative and non-normative relationship events are acquired through direct experience as well as vicarious experiences such as seeing relationship events portrayed in real life and popular media or reading about relationships (Fiske and Taylor 1991; Holmberg and Mackenzie 2002; Honeycutt and Cantrill 2001).

Research examining perceptions of victimization note that an individual will most often label their experience as a victimization when it fits into a worldview of crime (Englebrecht and Reyns 2011:565). When related to stalking victimization, individual schemas are heavily portrayed by popular media as a form of romantic gesture, which may alter one's idea of healthy relationship behaviours, and diminish their ability to acknowledge and perceive unhealthy relationship patterns. It is a concern for law enforcement officials, and victim service advocates that when faced with a stalking victimization as a relationship pursuit tactic, a victim may choose not to involve law enforcement because there is no overt perceived harm portrayed by the perpetrator. Spitzberg and Cadiz (2002) note that the average person, even if they have never been a victim of stalking or have engaged in stalking behaviours has many opportunities to learn about the phenomenon of stalking through popular media portrayals. Contemporary movie portrayals depict stalking as either romantic and endearing, or violent and aggressive (Anderson and Accomando 1990). These popular media portrayals contribute to the injustice of stalking

victims by putting them at the forefront of romantic pursuit and not dangerous victimization, as well as perpetuating a false narrative of healthy relationship behaviours and boundaries (Yannowitz and Yannowitz 2012; Anderson and Accomando 1999; Baumeister et al., 1993; de Becker 2002; Lowney and Best 1995).

Ample self-report data has shown that when asked about sex and stalking victimization, many respondents believe that men are perpetrators of stalking and women are victims of stalking. This sex-typing reflects previous literature and is commonly seen in popular media (Davis et al., 2002; Bjerregaard 2002; Tjaden and Thoennes 1998; White et al., 2002). For example, identifying as a male greatly impacts one's decision to report their victimization to law enforcement because of social stigmatization related to male victimization (McFarlane 2000). In agreement, Campbell, and Moore (2011) note that men choose not to report their stalking victimization to law enforcement at higher rates than women because being a victim suggests weakness and vulnerability and reporting a victimization may compound this anxiety (509). Further, men are typically not as concerned with being a target of stalking victimization when compared to their female counterparts due to societal perceptions of interpersonal violence being committed by men onto women. Interestingly, research on same-sex stalking victimizations shows that men are less likely than women to self-acknowledge as victims of stalking, and male victims of male perpetrators are less likely to ask their perpetrator to end the unwanted pursuit (Ngo 2018; Scott et al., 2015; Sheridan et al., 2014; Ngo 2014; DuPont-Morales 1999).

Yanowitz and Yanowitz (2012) detail reports of individual stalking schemas, sex, and societal perceptions of stalking victimization. Their study had respondents generate personal stalking scripts, which were coded to create an average stalking typification. First, they hypothesized that respondents would be likely to generate scripts in which the perpetrator was

male. 124 respondents mentioned sex within their generated scripts, with 68% mentioning that the perpetrator would be male, and 7% noting the perpetrator would be female. 26% of the sample who mentioned sex, noted that the perpetrator could be male or female (370). Their second hypothesis stated that participants would likely describe a stalking victim as female. 111 respondents mentioned sex of the victim within their script. 68% of the sample mentioned a female victim, 7% mentioned a male victim, and 26% noted that a victim could be either male or female (371). Lastly, they predicted that individuals would create a script where the relationship was known between victim and perpetrator. Interestingly, and notable for this thesis were the closeness of percentages of individuals who generated a script with a known-perpetrator, and an unknown perpetrator. 35% of participants created a script where the victim was known to the perpetrator with no romantic interest, and 31% noted that the perpetrator was a stranger to the victim. Interestingly, only 27% of their sample had generated scenarios where a stalking victimization was initiated by an ex-intimate partner (372). This result is surprising as both prior literature and current research for this thesis has shown in an overwhelming majority of cases that not only are perpetrators of stalking known to the victim, but they are also most likely current or ex-intimate partners. It is apparent that when asked to generate scripts of stalking victimization, lay-persons are less likely to view intimate partners as perpetrators, which may negatively influence a victim's decision making to report their victimization to law enforcement.

Moreover, research on victimization commonly connects a victim's age and subsequent victimization. Literature explored for this thesis regularly recognized that victimization rates among younger adults, specifically those attending and/or living on college campuses appeared significantly higher than those of a general United States population (Bierregaard 2000; Fisher, Cullen, and Turner 2002; Fremouw, Westrup and Pennypack 1997; Haurgaard and Seri 2003;

Campbell and Moore 2011; Yannowitz and Yannowitz 2012; Jorden et al., 2007). Victimization within emerging adulthood has gained the attention of scholars over the past two decades. Coined by Arnett (2000), emerging adulthood is characterized as individuals between the ages of 18 to 25, where self-identity and exploration are of great importance. During this time, regardless of sex, individuals tend to move inward and fail to engage in effective coping strategies (469). Based on when a stalking victimization takes place throughout the life course can have a developmental perspective regarding perception of victimization and decision-making on law enforcement notification. Spitzberg's (2002) examination of 103 stalking studies within the United States concluded that the largest group of stalking victims were between the ages of 18 and 30. These findings are important and well supported, but do not include an examination of the non-reporting of victimization to law enforcement. When victimization studies do acknowledge age and law enforcement notification, it is often targeted at other crimes such as sexual harassment or sexual assault. For example, Clodfelter et al., (2008:476) present a study between emerging adulthood, sexual assault victimization and law enforcement notification. They found that while emerging adulthood is a time of self-identity explorations and substantial transition, it is also a time where risky behaviours peak, including victimization. Findings are expected to be similar within this thesis, with stalking victimizations subsequent non-reporting to law enforcement to occur predominately within emerging adulthood. As stated throughout, research has amply identified an emerging adult sample as the largest age demographic, and females as the largest sex demographic for stalking victims, but the aid that these two groups receive is minimal and creates room for revictimization.

Acknowledgement of stalking victimization.

Engelbrecht and Reyns' (2011) study integrates victimization acknowledgement and stalking literature to identify correlates of acknowledgement among victims of stalking (561). Prior research along with this study conclude that there are specific situational factors that can impact a victim's likelihood of not acknowledging their victimization, in turn deciding not to report the victimization to law enforcement. Throughout research there were three main factors that were evident in relation to victim acknowledgement of victimization: seriousness of victimization, victim-offender relationship, and acknowledgement of victimization from peers and family. First, crime seriousness and perception of crime seriousness is shown to increase a victim's acknowledgement of their victimization as a crime. This acknowledgement is also expected within this thesis' results. Second, as previously noted and expected in thesis results, a relationship between victim and perpetrator may significantly influence the decision-making of a victim reporting their stalking victimization to law enforcement. Lastly, when a victim chooses to notify someone other than law enforcement of their victimization, such as a family member, friend, or co-worker, the advice the victim receives may influence whether they acknowledge their victimization as a crime, as well as their decision-making on law enforcement notification. Englebrecht and Reyns (2011) continue that due to definitional ambiguity of stalking behaviours, victims rely heavily on the opinions of others to help them label their victimization (563).

Factors related to offence seriousness are shown to be the strongest predictors of law enforcement notification after a stalking victimization, regardless of sex (Ameral et al., 2017; Cantor et al., 2015). Englebrecht and Reyns (2011) note that previous literature has found that the sexes are shown to experience differences in their perceptions of threat, with women being more fearful and experiencing heightened anxiety from an acknowledged stalking victimization than men who commonly perceive their victimization as romantic (565 see Sheridan 2001, 2002;

Bjerregaard 2000; Yannowitz and Yannowitz 2012; Cupach and Spitzberg 2000; Sinclair and Frieze 2000). However, Englebrecht and Reyns' study found that while women reported significant levels of fear and threat seriousness, less than half of their female sample reported their victimization to law enforcement (2011:570). Contrastingly, men within their sample who reported that they were physically attacked, experienced cyber-stalking and traditional stalking behaviours were more likely to acknowledge their victimization (571). Missing from this research was examination of reporting-decisions of men who acknowledged their victimization. Threat seriousness is important to examine, as acknowledgement of victimization may be an important first step towards a victim's psychological well-being and recovery. Experiencing negative emotions because of a stalking victimization may affect acknowledgement, which may inflict long-term harm for victims and revictimization (Littleton and Henderson 2009).

According to Greenberg and Ruback (1992), seeking advice from a friend, co-worker or family member has been shown to be positively related to victimization acknowledgement. The interactions that victims have with close others after their stalking victimization, as well as the advice they receive is a beneficial indicator as to whether a victim will acknowledge their victimization as a crime and guide their decision-making towards reporting their stalking victimization to law enforcement. Engelbrecht and Reyns (2011) have some hesitations with Greenberg and Ruback (1992) and note that help-seeking from close others was only significant for female victims of stalking. Further, they note that seeking advice from others as an indicator of acknowledgement and law enforcement notification should be used with caution, as it was unfounded what type of advice respondents received, and how that advice was used. The same can be said for this thesis, where respondents are able to report whether they spoke to someone they knew about the victimization, it does not elaborate on the advice given, how the advice was

used, and the rate at which the advice was shown to agree that a stalking victimization was a crime. Expectations for this thesis follow with Englebrecht and Reyns' (2011) study, which suggested that most victims of stalking received affirmation from the confidantes that the stalking victimization was a crime, which increased the likelihood of acknowledgement, however, did not increase the decision-making of reporting the victimization to law enforcement (574).

Unacknowledged victimizations have serious implications for both crime victims and the criminal legal system (Gottfredson 1998; Greenberg and Ruback 1992; Reyns and Englebrecht 2010). Baum et al., (2009) analyzed the stalking supplement of the National Crime Victim Survey (NCVS) and reported that 54% of respondents who met the criteria for being a victim of stalking, acknowledged these behaviours as a victimization. These results suggest an unacknowledged victimization figure of 46%. It is hypothesized that like victims of sexual assault, victims of stalking are more likely to acknowledge their victimization if the experience fits into stereotypical stalking. As Baum's (2009) findings suggest, stalking victimization has low victimization acknowledgement, low law enforcement notification rates, and highlights the importance of exploring acknowledgement for other types of interpersonal violence. These findings pose concern for all actors involved in the victimization process including victims, law enforcement officials, and public services that aim to support victims both therapeutically and financially. Without research aiming to understand personal identifiers of acknowledgement, stalking victimization will continue to be underreported, aid for victims will continue to be underfunded, and the legal system will be unable to protect victims and reprimand perpetrators.

Interpersonal Relationships

Previous literature reviewed noted that an individual is more likely to believe that behaviours that constitute a stalking victimization are those perpetrated by a stranger than a known-individual to the victim. Individuals are also less likely to acknowledge their victimization as such when their perpetrator is an intimate partner, current or past. Acknowledgement of unknown-perpetrators and stalking tactics are reported; however, research shows that likelihood of a perpetrator being a stranger to a victim is disproportionately lower than a known individual (Kahn et al., 2013; Koss 1985; Phillips et al., 2004; Scott et al., 2010; Bondurant 2001; Fisher et al., 2003; Jordan et al., 2007; Littleton et al., 2006).

Research over the past two decades has indicated a strong relationship between stalking victimization and intimate partners, current or past (Canadian Centre for Justice Statistics 2009; Tjaden and Thoennes 1998). Researchers have focused their attention on stalking victimization as an extension of intimate partner violence (IPV) rather than viewing stalking behaviours as their own crime. Identified by Logan (2010), there are barriers that exist when relating IPV, stalking victimization and one's decision to not report to law enforcement. Some barriers that were reiterated throughout literature included not wanting others to know, not wanting trouble with the perpetrator and/or law enforcement, and that the victimization was a private matter. Failed relationships are a common feature among stalking victimizations, with many victims reporting that their relationships with their perpetrators were serious and involved financial assets and children. Dissolution of the relationship often marked the beginning of the victimization (Breiding et al., 2014; Blaauw and Winkel 2002; Brewster 1997).

Scott et al., (2010) reported that when questioned if individuals of intimate-partner stalking perpetration would follow through with reporting their victimization to law enforcement, the overwhelming majority said they would not. The interpersonal-offender relationship is of

importance for this thesis, as choosing not to a report a stalking victimization to law enforcement is greater when the perpetrator is a known individual to the victim, especially when the perpetrator is an intimate partner current or past. Known perpetrators pose greater threat to their victim as they are more likely to threaten and follow through with their threats of violence than perpetrators unknown to the victim (Logan and Lynch 2015:1038). Duntley and Buss also hypothesize that known-perpetrators cause harm as known-perpetration is likely to affect future relationship resolution, which can have repercussions financially, custodially, and psychologically (2012).

Further connections between interpersonal relationships and the non-reporting of victimization to law enforcement surround law enforcement inadequacy in handling stalking victimizations. Miller (2001) notes that law enforcement officers are trained in deescalating intimate-partner disputes with many officers using the same strategies and tactics when encountered with known-perpetrator stalking victimization. Previous research echoes this finding by adding that when law enforcement officers do receive training on stalking victimization, it is delivered in the context of domestic violence prevention (Lynch and Logan 2015; Logan and Walker 2010). Brewster's (1998) study sampled 187 American women had been stalked by former intimate partners and their experiences with law enforcement. Many expressed frustrations between the grouping of IPV and stalking victimization, legal and statute definitions and limitations, and general legal misunderstandings of a stalking victimization. The deficiency and limitations posed by law enforcement officers is concerning as stalking victimization between known individuals, and especially intimate partners has been shown to be a precursor to IPV and in rare cases, femicide (Benitez et al., 2010; Campbell et al., 2003; McFarlane et al., 1999; Mechanic et al., 2000).

Missing from literature was an examination of inter-personal offender relationships as a predictor variable to reasons why an individual chooses not to report their victimization to law enforcement. This is important to note because the relationship of the perpetrator, either known or unknown may have statistical significance on dependent variables not explored outside the realm of IPV and stalking victimization. Results from this thesis are expected to be similar to literature reviewed, however, these results will separate stalking as an extension of IPV and make it its own crime worth exploring.

Distrust in the Criminal Legal System

To understand non-reporting of a stalking victimization based on distrust within the criminal legal system, it is important to examine how different legal actors are trained to handle such victimization. Victims of stalking regularly note that their choice not to report their victimization to law enforcement was because of unsatisfactory service in the past, a lack of efficiency, and bias towards themselves and the stalking victimization. Kokkodeilou's (2016) study explored these themes and aimed to understand a stalking victim's perceived effectiveness of law enforcement. In their study of 26 self-identified victims of stalking, most reported that they were disappointed in how law enforcement responded to or dealt with their victimization. Many respondents noted being treated with disbelief, their complaints were dismissed, and were often treated with disrespect and inaction (9). To date, there have been few studies that have examined legal responses to the crime of stalking, particularly the correlates of law enforcement responses to stalking victimizations. Examining factors that influence law enforcement officer's decision-making process in responding to stalking victimizations is a necessary first step to uncover the gaps that exist between the legal system and stalking victims (Ngo 2018:363). Individuals who have dealt with the criminal legal system's mishandlings of stalking

victimizations perceive legal actors as ineffective allies to their safety and overall well-being (Ameral et al., 2017; Cantor et al., 2015).

Ineffective training and law enforcement inaction.

Prior research has shown that law enforcement officers have a very limited understanding of both the nature and extent of stalking victimization (Lynch and Logan 2015; McKeon et al., 2015; Scott et al., 2013; Tjaden and Thoennes 2001; Weller et al., 2013*).* Law enforcement officers are often the first responders to calls of stalking victimization, however, many officers are not familiar with current legal definitions of stalking and may lack the insight of the harm perpetrators inflict on their victims (National Center for Victims of Crime 2002; Klein et al., 2009; Logan et al., 2006). The most common responses of law enforcement reported stalking victimizations include taking a report, recommending victims to obtain a protective order, and giving victims self-protection advice. Contrastingly, law enforcement officers can also choose to do nothing about the stalking incident. Prior research has stated that nearly 1 in 5 stalking incident complaints brought to law enforcement results in no action (Tjaden and Thoennes 1998). This research coincides with victims who note that when choosing not to report their stalking victimization, a large factor was law enforcement ineffectiveness and inaction regarding their initial complaint.

A major barrier to effective law enforcement intervention is the misunderstanding of legal statutes and legislation of stalking and criminal harassment. Lynch and Logan's (2015) study analyzed law enforcement attitudes towards stalking victimization and anti-stalking legislation. Their study used an anti-stalking statute that had three components: 1) an intentional course of conduct, 2) no legitimate purpose, and 3) explicit or implicit threats with the intent to place a victim in reasonable fear of sexual violence, physical injury, or death. Within their

analysis, the authors also examined a fourth component for when a felony charge would be employed. This component includes four possible conditions, in which only one must be met: 1) a protective order against the defendant, 2) a criminal complaint has been filed against the defendant, 3) the defendant is guilty of a Class A demeanor against the same victim, and/or 4) the stalking victimization occurred while the defendant had a weapon on their person (1039). Findings from this study concluded that of the sample, 37% of all officers were not familiar with a specific statute definition of stalking. 70% of the officers who were not familiar with a statute definition had never been involved with a stalking victimization. Of the remaining 63% of the sample, 26% of officers believed that the entire definition of stalking was challenging, and 37% reported that only specific elements were challenging (1043).

Despite the enactment of anti-stalking legislation and the reported prevalence of stalking victimization, the number of perpetrators who are apprehended and reprimanded are negligible (Baum et al., 2009; Brady and Nobles 2015; Caperona 2007; Klein et al., 2009; Tjaden and Thoennes 1998, 2001). Longitudinal data from a large metropolitan police department found that from 2005 to 2013, the department received 3,756 calls of stalking victimization. Of these calls, only 66 incident reports and 12 arrests were made by law enforcement (Brady and Nobles 2015). This under-identification, lack of incident report and apprehension was also documented in a New Mexico study in which the researchers found that of 17,177 initial calls of stalking victimization, only 166 reports were identified by local and state law enforcement (Caperona 2007). The overwhelming lack of response from law enforcement and legal practitioners is discouraging for victims of stalking. Victims of any kind of victimization are encouraged to seek help from law enforcement, but when individuals follow through with this advice, their incidents are pushed to the side in hopes that there will be no follow-up.

Influenced by Black's (1989) sociological model of law, Jasinski and Mustaine (2001) explored the effects of six demographic variables: sex, race, age, level of education, household income, and living with a same-sex partner; and seven incident variables: intimate perpetrator, level of threat, injury to the victim, use of a weapon, offender approached victim, offender was under the influence, and whether the victim was under the influence in regard to law enforcement responses to stalking incidents. The authors noted no significant relationship between the demographic or incident variables and law enforcement response and noted that officer responses to stalking incidents are subjective to the training they have received, if they had ever been involved in a stalking case before, and whether the perpetrator was acting belligerently at the time of call (366). Logan and Lynch (2015) note the relationship of enforcement response and training and conclude that officers who had previously charged a stalking victimization received stalking-specific training at least two times compared to those how had never charged stalking (1040). Further, when law enforcement officers are questioned on their views of stalking victimization from a criminal legal and community safety standpoint, they regularly report that stalking victimization is extremely dangerous for the victim. Notably, law enforcement officers acknowledge that they are unaware of the full extent of the dangers related to stalking and it has been a challenge for successful stalking charges (Klein et al., 2009; Logan et al., 2006).

Ngo's (2018) study extends Jasinski and Mustaine's (2001) research by examining whether the factors of law enforcement responses to stalking victimizations vary across specific types of actions to gain a better understanding of officer's decision-making processes (365). They found that there were discrepancies between officers arresting a perpetrator and referring a victim to social services. Specific actions such as physical injury to a victim were most likely to cause an arrest by law enforcement officers, but not in every case. Meloy (2002) notes that while

any type of harassment should be reported, stalking perpetrators are often not physically violent with their victim and when they are the injury to the victim is not severe. However, this finding contradicts other research by Logan and Lynch (2015), where some stalking statutes do involve a component that includes any type of physical injury as an arrestable offence. Cherry-picking which components of stalking statutes to abide by further compromises victim's safety and withholds perpetrator accountability. The inaction of law enforcement officers undermines the legitimacy of the criminal legal system as a whole and weakens the relationship between victims and the criminal legal system and continues the under-reporting of stalking victimization as a crime.

Victim responses to law enforcement inaction.

When asked about law enforcement ineffectiveness and non-reporting of stalking victimization, respondents note that officer inaction was often related to a disinclination to acknowledge the stalking behaviours as a genuine crime worthy of not only punishment, but a report. This indifference was shown through insensitive advice, lack of seriousness about the victimization, and the blatant refusal to take a report (van der Aa and Groenen 2011:15). Many times, an initial meeting with law enforcement officers had dissuaded victims from following-up with a report because the officer was not concerned for future victimization. Intimidatingly, reports have shown that another reason victims did not report their victimization to law enforcement was because their perpetrator was a law enforcement officer. It is estimated that between 6% and 8% of stalking choose not to report their victimization because their perpetrator was either an officer or a part of a branch of law enforcement (Baum et al., 2009; Tjaden and Thoennes 1998; Catalano 2012).

For confidence in the criminal legal system and subsequent confidence in reporting their victimization, many stalking victims recommend that regardless of law enforcement perceptions of the crime and behaviours, all interactions should be written as a report and not a notification. Gaining trust from law enforcement officers at the beginning could have extremely beneficial results for victims and mitigate future victimizations (van der Aa and Goenen 2011:16).

CHAPTER FOUR: METHODOLOGICAL FRAMEWORK AND ANALYSIS

Data Source

Data for this thesis was collected by Statistics Canada as part of Cycle 28 of the Canadian General Social Survey (GSS) in 2014. Cycle 28 is the sixth cycle of the GSS to collect data on victimization. Data collection began in January 2014 and ended in January 2015. Random digit dialing procedures were utilized to create a nationally representative probability sample that included Canadian residents aged 15 and over living in private residences with a landline in the provinces and territories (Statistics Canada 2014:5). Canadians living in institutions at the time of collection were not included in this sample. This data collection cycle, supported by Statistics Canada included a pilot survey that was administered over the Internet. Specifically for this survey, all respondents were initially contacted by telephone and then redirected to an electronic questionnaire, where computer-assisted telephone interviewing (CATI) was used to collect the data. This cycle had an overall response rate of 52.9% in the provinces, and 58.7% in the territories (Statistics Canada 2014:5).

The 2014 General Social Survey (GSS) Cycle 28 – Victimization was chosen as it includes questions specific to stalking victimization and reporting behaviours. This cycle marks the second time that a stalking supplement was included within the GSS—the first being in 2004. The 2014 survey was chosen over the 2004 survey because the questions were updated to include some information surrounding technological advancement and Internet usage (Statistics Canada 2014:5). Further, the 2014 survey provides robust information surrounding reporting behaviours of those who had experienced stalking victimization and gave respondents space to share their reasoning for not reporting victimization to law enforcement. The survey itself is categorized

into subsections that focus on types of victimization that a respondent may have experienced during that year (Statistics Canada 2014:5).

Surveys are a common data source for stalking research, with many researchers noting that victims of stalking and their responses are the most reliable source of information about threats, violence, and predicted recidivism of their perpetrator (McEwan, Mullen and Purcell 2006). Surveys tend to be highly reliable in that all respondents are asked the same questions; however, validity may be low because there is little room for clarification, follow-up questions and in-depth discussion of the concepts of interest. For this thesis, the benefits of the GSS outweigh the costs associated with conducting interviews or observations. Surveys are often fast, cost-effective, and highly reliable (Ponto 2015:168). Particularly for this thesis, the expertise of Statistics Canada researchers and the extensiveness and the generalizability of data are far greater than that of interviews or surveys conducted by a graduate student with limited resources. Further, stalking victimization research can be highly invasive and poses concern for respondent well-being. While surveys may not allow for a researcher to build rapport with the respondents, they are an excellent tool to minimize distress experienced by respondents due to a traumatic victimization (McEwan, Mullen and Purcell 2006:3).

Sample

Secondary data from the 28th Cycle of the General Social Survey (GSS) were used to address the research questions. The sampling frame consists of Canadians who stated they had been a victim of stalking and indicated they did not report their victimization to law enforcement. A total of 2,022 respondents noted that they were victims of stalking, while 1,211 (59.9% of 2,022) reported that they were victims of stalking and had not reported their victimization to law enforcement. As mentioned in the discussion of the data source, this study relies on a probability

sample. The greatest benefit of a probability sample is that the sample is representative of the population form which is it was drawn (Jawale 2012:184). In this case, the sample is representative of Canadians who have been victims of stalking and did not report their victimization to law enforcement.

Analytical Framework

The Statistical Package for Social Sciences (SPSS) version 27 was used to prepare and analyze all data. Most variables within the analyses were coded to be binary variables. This was done not only for clarity of presentation, but also because of the nature of invalid responses that occur during survey collection. To examine research questions, three analyses were conducted. First, Table 1 examines and explains each measure used throughout the GSS and this thesis. In Table 2, a frequency table is presented to examine both independent and dependent variables.

Binary logistic regressions were run to examine reasons why an individual would not report their stalking victimization to law enforcement. Binary logistic regression is best suited for this analysis as it is a statistical method used for determining the extent to which various predictors influence a dichotomous dependent variable (Meyers, Gamst and Guarino 2006:243). All dependent variables within this thesis were coded as binary variables. Results are presented as odds ratios.

Cross-tabulation tables were created to determine which reasons behind non-reporting of stalking incidents were most commonly cited.

MEASUREMENT

Dependent Variables

Each dependent variables functions as an indicator of a particular dimension of non-reporting behaviours. Dimensions of non-reporting behaviours include Intrapersonal Perceptions,

Interpersonal Relationships, and Distrust with the Criminal Legal System. See Table 1 for each of the dependent variables organized by dimension.

Table 1. Dependent Variables Organized by Dimension

Dimension	Indicator	Operationalization	Attributes
Intrapersonal Perceptions	Fear for Life	During this time, did you ever feel your life was in danger from this person?	0 = No, 1 = Yes
	Lack of Evidence	Did you not contact the police because of the lack of evidence?	0 = No, 1 = Yes
	Fear of Revenge	Did you not contact the police because of fear of revenge?	0 = No, 1 = Yes
	Not Able to Report	Did you not contact the police because you tried to report, but you could not get through (includes waited too long on the phone lack of confidence with initial contact?)	0 = No, 1 = Yes
	Incident Not Important Enough	Did you not contact the police because the police would not have considered the incident important enough	0 = No, 1 = Yes
	Crime was Minor	Did you not contact the police because the crime was minor and not worth taking the time to report?	0 = No, 1 = Yes
	Nobody Harmed / No Financial Loss	Did you not contact the police because no one was harmed or there was no financial loss?	0 = No, 1 = Yes
	No Harm Intended	Did you not contact police because no harm was intended?	0 = No, 1 = Yes
	Believe Harassment has Ended	Do you believe that the harassment from this person has ended?	0 = Ongoing, 1 = Ended
Interpersonal Perceptions	Respondent Didn't Want Trouble with Law	Did you not contact the police because dealing with police could have caused you trouble with the law?	0 = No, 1 = Yes
	Didn't Want Others to Know	Did you not contact the police because you did not want others to know about the victimization (including didn't want publicity or news coverage)?	0 = No, 1 = Yes
	Incident Reported to Another Official	Did you not contact the police because it was reported to another official?	0 = No, 1 = Yes
	Didn't Want Stalker in Trouble with Law	Did you not contact the police because you did not want to get the stalker in trouble with the law?	0 = No, 1 = Yes
	Unable to Find Stalker	Did you not contact the police because the police would not have been able to find or identify the stalker?	0 = No, 1 = Yes
Distrust with Criminal Legal System	Police Would Not be Efficient	Did you not contact the police because the police would not have been efficient or effective?	0 = No, 1 = Yes
	Police Would be Biased	Did you not contact the police because the police would be biased?	0 = No, 1 = Yes
	Didn't Want to Deal with Police	Did you not contact the police because you did not want the hassle of dealing with the police?	0 = No, 1 = Yes

	Stalker Wouldn't Be Punished	Did you not contact the police because you didn't think the stalker would be convicted or adequately punished?	0 = No, 1 = Yes
	Unsatisfactory Service in the Past	Did you not contact the police because you received unsatisfactory service in the past?	0 = No, 1 = Yes
	Feared Hassle of Court Process	Did you not contact the police because you feared or did not want the hassle of dealing with the court process?	0 = No, 1 = Yes

Independent Variables

Most of the independent variables chosen were common demographic variables that are used throughout social science research, with two exceptions: 1. duration of a stalking incident; and 2. stalker-relationship to respondent. Demographic variables sex and age are amply discussed throughout literature and are of investigative importance in understanding which demographic of individuals are the most likely to be victims of stalking and choose not to report their victimization to law enforcement.

Key predictor variables.

Sex - Regardless of sex, all victims of stalking are at an increased risk of future victimization. However, less than half of victims choose to report their victimization to law enforcement (Wright et al., 1996; Westrup et al., 1999; Campbell and Moore 2011). Research has shown that there are sex differences that exist between men and women and the non-reporting of stalking victimization. Ample literature provides estimate reports showing that on average, 55% of female victims, and 48% of male victims seek law enforcement to report their victimization. Men are not only less likely to report their victimization, but when they do report, they are less likely to follow-up with their case either in court, or with an officer privately (Tjaden and Thoennes 2000; Bjerregaard 2002). There is no discrepancy in the literature that sex plays a major role in stalking victimization. Like other forms of interpersonal crime, the female is most often the target, and the perpetrator is most often male. There is a paucity of research on potential sex-based differences in reasons why people do not report their victimization. The

present research begins to fill this gap. Sex was captured using the survey question, 'What is your sex,' and contained the response categories: Male, Female, Don't Know, Refusal, Skip, and Not Stated. Responses in the latter four categories were excluded from analysis.

Age – Stalking victimization is likely to occur among young adults, however, this population may not be equipped to acknowledge their stalking victimization as readily as better-defined crimes such as assault or robbery (Moore and Campbell 2011:506). Jordan et al. (2007) found that approximately 40% of college students surveyed within the United States experienced stalking victimization at least once in their lifetime. Less than half of their respondents who met criteria for stalking victimization acknowledged the pursuit behaviours as such. These results are unsurprising as young adults, especially those residing on college campuses are near perpetrators, are more likely to engage in substance use, and traditional relationship behaviours may blur the line between normal pursuit behaviours and stalking victimization. Age as an independent variable is commonly used in victimization research, with most researchers agreeing that victimization is most likely to occur during emerging adulthood. The same results were predicted for this thesis (for example, see Bierregaard 2000; Fisher, Cullen, and Turner 2002; Fremouw, Westrup and Pennypack 1997; Haurgaard and Seri 2003; Campbell and Moore 2011; Yannowitz and Yannowitz 2012; Jorden et al. 2007). Age was captured as an ordinal scale, with respondents being asked 'What is your age? Are you…:' Age categories are grouped into 10-year increments. The age range is 15 to 75 years and older.

Duration of a Stalking Incident – The duration of victimization was not discussed as an important factor in the extant literature for cases in which an individual chose not to report their stalking victimization to law enforcement. As such there is a gap in research that can be filled by the present study. Duration of a Stalking Incident was captured using the survey question, 'How

long has the current stalking incident been occurring?' The response categories include: 1 week or less; 1 to 4 weeks; 1 to 6 months; 6 to 12 months; More than one year.

Stalker-Relationship to Respondent – While amply discussed throughout literature (for example, see Lynch and Logan 2015; Black et al., 2011; Tjaden, Thoennes and Allison 2000), the relationship between victim and perpetrator has most been used as a control variable. For this project I coded this variable as a binary, where 0 = unknown relationship, and 1 = known relationship. This coding allowed for insight into how any relationship, regardless of intimate partner status would affect the dependent variables, and whether it would have any effect on why an individual chose not to report their stalking victimization.

Control variables.

Education: Highest Degree – Education: Highest Degree was captured using the survey question, 'What is your highest level of education earned?' The response categories include: Less than high school diploma or its equivalent; High school diploma / high school equivalency certificate; Trade certificate or diploma; College, CEGEP/other non-university certificate or diploma; University certificate or diploma below the bachelor's level; Bachelor's degree (B.A., B. Sc., LL.B.); University certificate, diploma or degree above Bachelor's. Education was used as a control variable as previous literature (for example, see Campbell and Moore 2011; Yannowitz and Yannowitz 2012; Jorden et al., 2007) has noted that individuals who attend college campuses or have public facing occupations are more likely to experience stalking victimization based on proximity to perpetrator. There was interest in understanding if an individual who has a higher level of education would choose not to report their stalking victimization in comparison to those who have only a high school diploma or lower.

Personal Income Group (Pre-Tax) – Personal Income Group (Pre-Tax) was captured using the survey question, 'What is your personal income?' This question includes the response categories: Less than $20,000; $20,000 - $39,999; $40,000 - $59,999; $60,000 - $79,999; $80,000 - $99,999; $100,000 - $119,999; $120,000 or more. Income was used as a control variable for demographic purposes. Literature did not speak to personal income as a variable connected to stalking victimization and subsequent non-reporting, as such this study fills a known gap.

Respondent: Visible Minority – Visible Minority was captured using the survey question 'Do you identify as…' and the response categories: Visible Minority; Not a Visible Minority. Visible minority of the respondent was included for demographic purposes.

Respondent: Aboriginal Group – Aboriginal Group was captured using the survey question, 'Do you identify as someone in an Aboriginal Group?' Response categories include Yes; No. It is important to note that *Aboriginal* was the terminology used by Statistics Canada in the GSS and includes all individuals who identify as Métis, Inuit, or First Nations. The inclusion of Aboriginal Group ensures that no population was left out from categories of ethnicity, visible minority or race.

Table 2 presents descriptive statistics for all variables used. Approximately 80% of the sample reported being female *(n* = 1529), with 23.9% of the cumulative sample ranging in age from 15 – 34 *(n*= 7924). Fourteen percent *(n*= 4556) of the sample responded as being a visible minority, with 4.5% *(n* = 1162) identifying that they were a part of an Aboriginal group. Aboriginal is the term used within the GSS and includes Métis, Inuit, and First Nations. Most respondents reported having at least a high school diploma (26.9%, *n* = 8706), with a cumulative percent of 83.2% having more than a high school diploma. Stalking victimization-specific

independent variables noted that 25% of respondents had a relationship to their most recent perpetrator *(n* = 497), with 39% noting that the stalking victimization had a duration of longer than six months *(n* = 781).

Table 2. Frequency Table – Dependent and Independent Variables

DEPENDENT VARIABLES			
	Frequency	**Valid Percent**	**Cumulative Percent**
Intrapersonal Perceptions of Reporting Stalking Victimization			
Fear for Life			
No	1322	66%	66%
Yes	682	34%	100%
Total	2004	100%	
Fear of Revenge			
No	919	76.4%	76%
Yes	284	23.6%	100%
Total	1203	100%	
Not Able to Report			
No	1161	96.5%	96.5%
Yes	42	3.5%	100%
Total	1203	100%	
Lack of Evidence			
No	722	60.2%	60.2%
Yes	477	39.8%	100%
Total	1199	100%	
Incident Not Important Enough			
No	547	46.0%	46.0%
Yes	642	54.0%	100%
Total	1189	100%	
Crime was Minor			
No	480	40.1%	40.1%
Yes	716	59.9%	100%
Total	1196	100%	
Nobody Harmed / No Financial Loss			
No	480	40.1%	40.1%
Yes	717	59.9%	100%
Total	1197	100%	
No Harm Intended			
No	795	69.7%	69.7%
Yes	345	30.3%	100%
Total	1140	100%	
Believe Harassment has Ended			
Harassment Has Ended	1567	85.8%	14.2%
Harassment Still Occurring	260	14.2%	100%
Total	1827	100%	
Interpersonal-Offender Relationship			
Didn't Want Stalker in Trouble with Law			
No	882	73.7%	73.7%
Yes	315	26.3%	100%
Total	1197	100%	
Didn't Want Others to Know			
No	938	78.1%	78.1%

Yes	263	21.9%	100%
Total	1201	100%	
Respondent Didn't Want Trouble with Law			
No	1136	94.7%	94.7%
Yes	63	5.3%	100%
Total	1199	100%	
Incident Reported to Another Official			
No	1036	86.3%	86.3%
Yes	165	13.7%	100%
Total	1201	100%	
Told Someone Other than Police			
No	1755	86.4%	86.4%
Yes	277	13.6%	100%
Total	1189	100%	
Unable to Find Stalker			
No	1008	84.2%	84.2%
Yes	189	15.8%	100%
Total	1196	100%	
Distrust with Criminal Legal System			
Police Would Not be Efficient			
No	798	68.3%	68.3%
Yes	370	31.7%	100%
Total	1168	100%	
Police Would be Biased			
No	1051	88.6%	88.6%
Yes	135	11.4%	100%
Total	1186	100.0%	
Didn't Want to Deal with Police			
No	741	61.8%	61.8%
Yes	458	38.2%	100%
Total	1199	100%	
Stalker Wouldn't be Punished			
No	747	63.6%	63.6%
Yes	428	36.4%	100%
Total	1175	100%	
Unsatisfactory Service in the Past			
No	1005	83.7%	83.7%
Yes	196	16.3%	100%
Total	1201	100%	
Feared Hassle of Court Process			
No	789	65.7%	65.7%
Yes	412	34.3%	100%
Total	1201	100%	

KEY PREDICTOR VARIABLES

	Frequency	**Valid Percent**	**Cumulative Percent**
Respondent – Sex			
Female	1529	79.8%	79.8%
Male	388	20.2%	100%
Total	1917	100%	
Respondent – Age			
15 - 24	3958	12.0%	12.0%
25 – 34	3966	12.0%	23.9%
35 – 44	4832	14.6%	38.6%
45 – 54	5585	16.9%	55.4%
55 – 64	6599	19.9%	75.4%
65 – 74	5026	15.2%	90.6%

75 and older	3123	9.4%	100.0%
Total	33089	100%	
Relationship to Respondent			
Unknown Relationship	1469	74.7%	74.7%
Known Relationship (Partner, Ex-Partner, Relative, Acquaintance)	497	25.3%	100%
Total	1966	100%	
Duration of Stalking Incident			
Less than 6 Months	1214	60.9%	60.9%
More than 6 Months	781	39.1%	100%
Total	1995	100%	
CONTROL VARIABLES			
	Frequency	**Valid Percent**	**Cumulative Percent**
Education – Highest Degree			
Less than High School Diploma	5427	16.8%	16.8%
High School Diploma	8706	26.9%	43.7%
Trade Certificate or Diploma	2161	6.7%	50.3%
College, CEGEP / Other Non-University Certificate	7000	21.6%	72.0%
University Certificate or Diploma	1123	3.5%	75.4%
Bachelor's Degree (B.A., B.Sc., LL.B.)	5421	16.7%	92.2%
University Above Bachelor's	2354	7.8%	100%
Total	32372	100%	
Personal Income Group (Pre-Tax)			
Less than $20,000	8125	29.0%	29.0%
$20,000 - $39,999	7670	27.4%	56.5%
$40,000 - $59,999	5257	18.8%	75.3%
$60,000 - $79,999	2995	10.7%	86.0%
$80,000 - $99,999	1752	6.3%	92.2%
$100,000 - $119,999	834	3.0%	95.2%
More than $120,000	1340	4.8%	100%
Total	1201	100%	
Respondent – Visible Minority			
Not a Visible Minority	28043	86.0%	86.0%
Visible Minority	4556	14.0%	100%
Total	1199	100%	
Respondent – Aboriginal Group			
No	24940	95.5%	95.5%
Yes	1162	4.5%	100%
Total	26102	100%	

CHAPTER FIVE: RESULTS AND DISCUSSION

OVERVIEW OF RESEARCH QUESTIONS AND RESULTS

Research Question One: Does reporting of a stalking incident depend on sex? In other words, are women more likely to report a stalking victimization than men?

Table 3 examines the relationship between reporting the victimization to law enforcement and respondent sex. Both men and women who had been victims of stalking and chose not to report their victimization accounted for 59.9% of the sample (n=1,211). Self-identified reports show that of the 688 men who were victims of stalking, 60.5% (n=416) did not report their victimization to law enforcement, and 39.5% (n=272) did report their victimization to law enforcement. For of the 1,134 women who reported being victims of stalking, 59.6% (n=795) chose not to report their victimization to law enforcement, and 40.4% (n= 539) chose to report to law enforcement. These results are consistent with the literature and may relate to the fear felt by a victim. The literature suggests that women report more perceived fear for life than men when they are the targets of stalking (Duntley and Buss 2012:369). The differences between the sexes, however, is negligible. There is only a 0.9% difference between women in this sample who do not report stalking and men in this sample who do not report.

Table 3. Cross-Tabulation of Stalking Incident Reported to Law Enforcement by Sex

Sex of Respondent	Reported to Police	% (*n*)
Male	No	60.5% (416)
	Yes	39.5% (272)
	Total	100% (688)
Female	No	59.6% (795)
	Yes	40.4% (539)
	Total	100% (1134)
Total	No	59.9% (1211)
	Yes	40.1% (811)
	Total	100% (2022)

Research Question Two: Does sex influence reasons cited for not reporting a stalking victimization?

Sex is often not a significant predictor of the various reasons cited for not reporting a stalking victimization. Exceptions are found within intrapersonal-related perceptions of reporting and include, 'fear for life' (OR=1.67; $p<0.001$), and 'fear of revenge' (OR=1.71; $p<0.01$) (see Table 4). Controlling for the model, being female increased these odds of not reporting a stalking victimization due to fear for one's life by 1.67 times. Being female also increases those odds of not reporting a stalking victimization due to fear of revenge by 1.71 times, controlling for the other predictors in the model. These findings align with literature— particularly in cases in which the perpetrator is known to the victim, as known perpetration poses greater harm of violence than does an unknown stalking assailant (Canadian Centre for Justice Statistics 2009; Tjaden and Thoennes 1998).

Within interpersonal relationship-related reasons for non-reporting behaviour (see Table 5), sex is a significant predictor of 'not wanting others to know' (OR = 1.64, $p<0.01$). Being female increases these odds of not reporting because of not wanting others to know about the stalking by 1.64 times. In contrast, being female decreases the odds of not reporting because of 'telling someone other than the police' by .51 times (OR = .511, $p<0.001$). In victimization literature, female targets often internalize their victimization and avoid conflict by not wanting others to know about the incident. This is particularly true if the perpetrator is a known-individual to not only the victim, but to a victim's friends, family and peers (Gurette and Caron 2007:31).

Of those indicators of distrust with the criminal legal system (see Table 6), sex is only a significant predictor of non-reporting behaviour due to 'unsatisfactory service in the past' (OR = .646, $p<0.01$). When controlling for the model, being a female decreases the odds of not reporting a stalking victimization to law enforcement because of unsatisfactory service in the

past by .65 times. This finding has shown mixed consistency with literature. Some studies have shown that advice given by law enforcement in previous experiences were effective tools, such as self-protective measures and acting sympathetic towards the situation at hand. Other studies however, have noted that respondents' previous experience with law enforcement, their lack of support and victim-blaming attitude had a great effect when deciding not to report their victimization. It can be understood then that women who perceive that their past complaints were not dealt with in an effective manner were less likely to choose to report future victimization.

Table 4. Binary Logistic Regression: Intrapersonal Perceptions

	Fear for Life		**Fear of Revenge**		**Not Able to Report**		**Lack of Evidence**		**Incident Not Important**	
Predictor Variables	B	Odds	B	Odds	B	Odds	B	Odds	B	Odds
Education – Highest Degree	.005	1.00	-.001	.999	-.301*	.740	.039	1.04	.108*	1.11
Personal Income Group (Pre-Tax)	-.065	.937	-.011	.989	.015	1.02	-.137*	.872	-.069	.933
Respondent – Visible Minority	-.279	.757	-.011	.989	-17.43	.000	-.348	.706	.343	.102
Respondent – Aboriginal Group	-.215	.806	-.119	.888	.921	2.51	.271	1.31	-.632	.532
Age of Respondent	.014	1.01	.016	1.02	.223	1.25	.031	1.03	.019	1.02
Sex of Respondent	.512***	1.67	.536**	1.71	.087	1.09	.227	1.25	-.132	.876
Stalker – Relationship to Respondent	.156	1.17	-.073	.930	-.188	.829	.672***	1.96	.464**	1.59
Duration of Stalking Incident	.677***	1.97	.449**	1.57	-1.04	.352	.208	1.23	.027	1.03
Constant	-1.30***		-1.77***		-3.13***		-.778***		-.119	
Nagelkerke R square	.054		.031		.0.87		.045		.032	
	Crime was Minor		**Nobody Harmed/ No Financial Loss**		**No Harm Intended**		**Believe Harassment has Ended**			
Predictor Variables	B	Odds	B	Odds	B	Odds	B	Odds		
Education – Highest Degree	0.19	1.02	.033	1.03	-.114**	.892	.043	1.04		
Personal Income Group (Pre-Tax)	-.049	.952	.064	1.07	.038	1.04	.019	1.02		
Respondent – Visible Minority	.989*	2.69	.459	1.58	.784**	2.19	1.57	4.81		
Respondent – Aboriginal Group	.160	1.17	-.360	.697	-.155	.856	-.281	.755		
Age of Respondent	-.050	.951	-.132**	.876	.053	1.06	-.114	.893		
Sex of Respondent	.227	1.25	.318	1.37	.312	1.37	.298	1.35		
Stalker – Relationship to Respondent	.591	1.81	.413**	1.51	-.334	.716	.136	1.15		
Duration of Stalking Incident	-.590***	.555	-.470	.625	-.632***	.532	-2.94***	.053		
Constant	.399*		.441***		-.741***		3.49***			
Nagelkerke R square	.073		.052		.47		.330			

***p<0.001; **p<0.01; *p<0.05

Table 5. Binary Logistic Regression: Interpersonal Relationships

	Didn't Want Stalker in Trouble with Law		**Didn't Want Others to Know**		**Respondent Didn't Want Trouble with Law**		**Incident Reported to Another Official**		**Told Someone Other than Police**		**Unable to Find Stalker**	
Predictor Variables	B	Odds	B	Odds	B	Odds	B	Odds	B	Odds	B	Odds
Education – Highest Degree	-.021	.980	-.053	.948	-.060	.942	-.015	.985	-.145	.865	.027	1.03
Personal Income Group (Pre-Tax)	.102	1.11	.049	1.05	-.571**	.565	-.098	.907	-.006	.994	-.048	.953
Respondent – Visible Minority	-.381	.683	.630	1.88	-18.37	.000	.998	2.71	.600	1.82	-1.07	.343
Respondent – Aboriginal Group	-.557	.573	.119	1.13	-.700	.496	.045	1.05	-.211	.810	-.007	.993
Age of Respondent	-.147**	.863	.008	1.01	-.061	.941	-.031	.969	.051	1.02	.126	1.13
Sex of Respondent	.025	1.03	.497**	1.64	-.495	.610	-.414	.661	-.670***	.511	-.043	.958
Stalker – Relationship to Respondent	-1.35**	.260	-1.05***	.351	.129	1.14	.245	1.28	-.059	.943	2.40***	10.98
Duration of Stalking Incident	.202	1.22	.397**	1.49	-.110	.896	-.216	.806	-.564	.569	-.594	.552
Constant	-.614***		-1.61***		-2.01***		2.32***		-1.05***		-3.01***	
Nagelkerke R square	.094		.072		0.92		.029		.056		.290	

***p<0.001; **p<0.01; *p<0.05

Table 6. Binary Logistic Regression: Distrust with Criminal Legal System

	Police Would Not be Efficient		**Police Would be Biased**		**Didn't Want to Deal with Police**		**Stalker Wouldn't Be Punished**		**Unsatisfactory Service in Past**		**Feared Hassle of Court Process**	
Predictor Variables	B	Odds	B	Odds	B	Odds	B	Odds	B	Odds	B	Odds
Education – Highest Degree	.027	1.03	-.085	.918	.014	1.01	.036	1.04	-.120*	.887	-.029	.971
Personal Income Group (Pre-Tax)	-.057	.945	-.173	.841	-.042	.959	-.092	.912	-.088	.916	-.039	.962
Respondent – Visible Minority	.426	1.53	.290	1.34	.552	1.74	.078	1.08	-.301	.740	.617*	1.85
Respondent – Aboriginal Group	.079	1.08	.247	1.28	.238	1.27	-.016	.984	.246	1.28	.214	1.24
Age of Respondent	.106*	1.11	.138*	1.15	-.177***	.838	.075	1.08	.102	1.11	-.022	.978
Sex of Respondent	-.249	.780	-.431	.650	-.266	.766	-.101	.904	-.437**	.646	.046	1.05
Stalker – Relationship to Respondent	-.092	.912	-.103	.902	-.382*	.683	.272	1.31	-.157	.855	-.218	.804
Duration of Stalking Incident	.315*	1.37	.551*	1.74	.227	1.26	.825***	2.28	.547**	1.73	.650***	1.92
Constant	-.986***		-2.04***		-.079		-1.00***		-1.41***		-.794***	
Nagelkerke R square	.019		.041		.054		.054		.045		.044	

***p<0.001; **p<0.01; *p<0.05

Research Question Three: Of the dimensions of the concept of unwillingness or inability to report stalking victimization, which are the most cited?

When addressing which dimensions of unwillingness or inability to report a stalking victimization are the most cited, I ran a cross-tabulation of the individuals who indicated the incident was no reported to law enforcement, as shown in Table 6. Overall, the indicators within the dimension of 'Intrapersonal Perceptions' were the most cited reasons for choosing not to report stalking victimization to law enforcement. These results coincide with literature that focuses on the importance of acknowledgement and perception of stalking victimization societally.

Surprisingly, an overwhelming majority (60%, N = 956) of individuals who did not report their victimization to law enforcement did so because they believed that the harassment had ended (N = 1827). There are a myriad of reasons as to why a stalking victim may believe this to be true. Among them is utilizing coping strategies that are employed to keep an individual safe from current or past victimization (Fremouw et al., 1997). Some coping strategies that may be utilized include: 1) self-protection measures, which include changing a phone number, email address or dwelling address; 2) relationship resolution, where a victim and their target were once intimate partners and have resumed a relationship; and 3) the perpetrator, who once used overt tactics of stalking perpetration has now moved towards covert stalking tactics.

Similarly, respondents reported that the crime was minor (58.9%, N = 716), and/or the incident was not important enough to report (53.9%, N = 642). These perceptions of crime negligibility are common throughout this thesis and victimization research generally. These results were expected, as many researchers noted that individuals who have experienced

interpersonal crime are more likely to feel that their experience was not important and not worth reporting to formal sources such as law enforcement.

Lastly, 60% of stalking victims reported that they did not report their victimization to law enforcement because nobody was harmed, and/or there was no financial loss (N = 717). The grouping of these two by Statistics Canada is unhelpful, as they are two separate matters. It is difficult to determine if respondents believed both items to be true, or only one of the two items to be true. Financial loss was minimally incorporated within literature, and only appears in articles describing situations of intimate partner dissolution, splitting of assets, and costs incurred because of relationship breakdown—not stalking victimization as the main predictor of financial loss. 'Nobody was harmed' as a reason that an individual did not report to law enforcement is a concept that was discussed in detail throughout literature. As noted previously, victims of stalking rarely experience physical violence, and when they do, they often attribute their attack as minor.

Notable results were also shown in the predictor variable 'duration of a stalking incident'. In Tables 4, 5, and 6, this variable saw significance over all three dependent variable categories. This is an interesting finding, as none of the literature reviewed acknowledged the duration of a stalking victimization as being an important factor when an individual chooses not to report their victimization to law enforcement.

Table 7. Cross Tabulation – Dependent Variables and Incident Not Reported to Police

	Total *n*	Incident Not Reported to Police *n* (%)
DEPENDENT VARIABLES (No = 0)		
Intrapersonal Perceptions of Reporting Stalking Victimization		
Fear for Life	1990	302 (25.3%)
Fear of Revenge	1203	284 (23.6%)
Not Able to Report	1203	42 (3.49%)
Lack of Evidence	1199	477 (39.7%)
Incident Not Important Enough	1189	642 (53.9%)
Crime was Minor	1196	716 (59.8%)

Nobody Harmed / No Financial Loss	1197	717 (60%)
No Harm Intended	1140	345 (30.2%)
Believed Harassment has Ended	1827	956 (52.3%)
Interpersonal Relationships		
Didn't Want Stalker in Trouble with Law	1197	315 (26.3%)
Didn't Want Others to Know	1201	263 (21.8%)
Respondent Didn't Want Trouble with Law	1199	63 (5.3%)
Incident Reported to Another Official	1201	165 (13.7%)
Told Someone Other than Police	2032	176 (8.6%)
Unable to Find Stalker	1197	189 (15.7%)
Distrust with the Criminal Legal System		
Police Would Not be Efficient	1168	370 (31.6%)
Police Would be Biased	1186	135 (11.3%)
Didn't Want to Deal with Police	1199	458 (38%)
Stalker Wouldn't be Punished	1175	428 (36.4%)
Unsatisfactory Service in the Past	1201	196 (16.3%)
Feared the Hassle of Court Process	1201	412 (34.4%)

DISCUSSION

This thesis sought to determine the most cited reasons for non-reporting of stalking victimization. Supporting questions were explored to examine the scope of stalking, with particular attention paid to sex. Findings from this analysis are discussed below.

Key Findings

Question One: Does reporting of a stalking incident depend on sex? In other words, are women more likely to report a stalking incident than men?

Sex marginally affects one's decision to not report their stalking victimization to law enforcement. While women report stalking victimization more often than men, the rate at which they choose to not report their victimization is marginally higher. When asked, men typically perceive women as targets of stalking, and view typical stalking behaviours done onto them as normal pursuit behaviours (Davis et al., 2002). This is an important sex differences and it has implications for non-reporting trends. Analysis throughout this thesis has shown that acknowledgement and perception of stalking victimization greatly affects the decision-making to report victimization to law enforcement.

Question Two: Does sex influence the reasons cited for not reporting a stalking victimization?

Sex is not always a significant predictor of various reasons for non-reporting of stalking victimization; however, sex does predict some behavioural and emotional reasoning for non-reporting. Being afraid for life or fear of revenge were reasons for non-reporting influenced by sex of the respondent. This is not a new phenomenon and coincides with prior literature that focuses on heightened negative emotions, informal help-seeking and coping strategies. Men are less likely to experience negative emotions and anxiety based on their victimization in comparison to women. This is shown through the difference in coping strategies utilized by men and women victims of stalking. Female victims are more likely to internalize their victimization, change their routines and carry self-protective devices (Spitzberg, Nicastro and Cousins 1998; Spitzberg and Cupach 1998; Amar 2006; Acquardo Maran et al., 2020). Male victims often employ a 'keep the peace' narrative between themselves and their perpetrator (Ngo and Paternoster 2013:388). Further, trends around coping strategies, their utilization, and the differences between the sexes are somewhat replicated in the present study through the finding that women do not want others to know about their victimization and tend to tell someone other than police about the victimization. Within their study, Ngo and Paternoster (2013:388) noted that all respondents, male and female sought some form of advice from family and peers, but rarely law enforcement. Yannowitz and Yannowitz (2012) suggest that men are not able to access coping strategies as easily as female stalking victims and are less likely to notice actions that their perpetrator may utilize (375).

Question Three: Of the dimensions of the concept of *unwillingness* or *inability* to report stalking victimization, which dimensions are most cited?

The indicators of the dimension, 'Intrapersonal Perceptions' were the most cited reasons an individual chose not to report their stalking victimization to law enforcement. Perceptions of stalking behaviours, what constitute a stalking victimization, and perceived risk of harm have

been well-established in literature and continue to show importance throughout this analysis (for example, see Ngo and Paternoster 2013:388; Yannowitz and Yannowitz 2012). Many individuals believe that their victimization is minor, and no real harm is intended, as most stalking tactics are confused with pursuit behaviours. When an individual does perceive threat, they are most often overcome with a fear of life or fear of revenge from their perpetrator, that the perceived threat outweighs law enforcement notification, and criminal legal proceedings. This finding encourages continued education on healthy relationship boundaries, informed and accessible victimization services, and stalking-specific training for law enforcement officers.

New Findings

Mentioned in literature (for example, see Bierregaard 2000; Fisher, Cullen, and Turner 2002; Fremouw, Westrup and Pennypack 1997; Haurgaard and Seri 2003; Campbell and Moore 2011; Yannowitz and Yannowitz 2012; Jorden et al., 2007), but shown to be rarely significant within this research is the predictor variable of age. Prior literature noted that individuals of an emerging adult age were mostly like to be victims of stalking and choose not to report their victimization to law enforcement at higher rates than other age categories. This analysis showed mixed results. When age is significant, it is in predicting non-reporting because the subject 'Didn't Want Stalker in Trouble with Law', 'Nobody Harmed / No Financial Loss', 'Police Would Not be Efficient', and 'Didn't Want to Deal with Police'. These findings suggest that as a victim of stalking ages, the reasons for not reporting to law enforcement are not likely based on distrust with the criminal legal system—the exception being the in cases in which there is the belief that law enforcement would not be efficient. The present research is consistent with the literature which suggests that often individuals do not seek formal support like law enforcement because they are not efficient in handling a case (Yanowitz and Yanowitz 2012).

The duration of a stalking incident is statistically significant across all three dependent variable categories and fills a gap in a literature that had not previously explored the concept of duration. The present study suggests that individuals who experience stalking victimizations lasting longer than six months experience greater vulnerability intrapersonally—having greater fear for life and fear of revenge—and are less likely to believe that the stalker's crime was minor, no harm was intended, and that the harassment has ended. Interpersonally, duration is a significant predictor of non-reporting because one does not wish others to know about the victimization. The present findings are consistent with the literature and suggests that those who have been victim of stalking for longer periods of time are fearful of their safety if they tell an informal support, who then seeks law enforcement on the victim's behalf (Yanowitz and Yanowitz 2012). Lastly, the duration of a stalking incident is statistically significant across nearly all indicators of distrust with the criminal legal system. These findings suggest that individuals who have been stalked for a longer time choose not to report their stalking victimization to law enforcement because they perceive that law enforcement will not be efficient, law enforcement will be biased, the perpetrator would not be punished, they had received unsatisfactory service in the past, and they feared the hassle of the court process. These findings are in line with literature and suggest that the legal system is not an ally to victims of interpersonal crime. Aid is perceived by victims as ineffective to the point of resisting formal supports to mitigate further victimization (Ngo and Paternoster 2013:388; Yanowitz and Yanowitz 2012).

CHAPTER SIX: LIMITATIONS AND FUTURE RESEARCH

OVERVIEW OF CHAPTER

The thesis concludes with chapter six, which provides a broad discussion surrounding limitations and future research recommendations. Limitations discussed include the lack of cyber-stalking examination, as well as the scarcity of Canadian data on stalking victimization, and lack of research surrounding law enforcement notification and stalking victimization. Future research recommendations focus heavily on policy, and encourage researchers, policymakers, and criminal legal experts to mitigate barriers between the criminal legal system and stalking victims. Specifically, there is a call to concretely define 'stalking,' and the thresholds that would separate normal pursuit behaviours from criminally harassing behaviours. Lastly, this chapter includes discussion surrounding policy legislation reform, with examination on the effectiveness of anti-stalking legislation, de-coupling intimate partner violence from stalking victimization, and evidence collection for law enforcement officers.

LIMITATIONS

Lack of Previous Research Studies on Non-Reporting of Stalking Victimization

Compiling the literature review for this thesis presented a gap in literature surrounding stalking victimization and subsequent reporting behaviours. A major narrative throughout literature coupled stalking victimization as a tactic of intimate partner violence, instead of stalking victimization as its own crime (for example, see Melton 2000:256; U.S. Department of Justice 1998). Unfortunately, this coupling focused its attention on intimate partner violence, and negated to explore stalking victimization patterns, individual experiences of stalking victimization, and why victims of stalking choose not to report their victimization to law enforcement.

The 2014 General Social Survey (GSS) Cycle 28 – Victimization provided good insight into a generalizable Canadian population and was chosen for this thesis as it includes questions specific to stalking victimization and reporting behaviours. However, this cycle marks only the second time that a stalking supplement was included within the GSS – the first being in 2004. The 2014 survey was chosen over the 2004 survey because the questions were updated to include information surrounding technological advancement and Internet usage (Statistics Canada 2014:5). Further, the 2014 survey provides robust information surrounding reporting behaviours of those who had experienced stalking victimization and gave respondents space to share their reasoning for not reporting victimization to law enforcement. The survey itself is categorized into subsections that focus on types of victimization that a respondent may have experienced during that year (Statistics Canada 2014:5). Statistics Canada is currently investigating the 2019 cycle of the GSS, which is expected to include an in-depth stalking supplement that provides respondents greater opportunity than the last two cycles to answer questions surrounding their stalking victimization, but at the time of writing was not available for public use.

Data Collection Methods

This thesis suffers from the same limitations of the General Social Survey. The study design is cross-sectional, which does not offer the opportunity for causal inference. Cross-sectional studies are excellent at providing correlated data within population groups but are not able to assess causal relationships that may occur within the population. Further, cross-sectional studies are prone to certain biases. As seen throughout this thesis, a common bias that many researchers took to was the coupling of intimate partner violence and stalking victimization, without focusing on the stalking victimization singularly.

Secondly, this study is a self-report survey, which may suffer from social desirability of responses, selection bias, and invalid/untruthful answers. Self-report surveys are a popular data collection method for stalking research, with many researchers noting that victims of stalking and their responses are the most reliable source of information about threats, violence, and predicted recidivism of their perpetrator (McEwan, Mullen and Purcell 2006). Surveys tend to be highly reliable in that all respondents are asked the same questions; however, validity may be low because there is little room for clarification, follow-up questions and in-depth discussion of the concepts of interest, and social desirability. For this thesis, the benefits of the GSS outweigh the costs associated with conducting interviews or observations. Surveys are often fast, cost-effective, and highly reliable (Ponto 2015:168). Particularly for this thesis, the expertise of Statistics Canada researchers and the extensiveness and generalizability of the data are far greater than that of interviews or surveys conducted by a graduate student with limited resources. Further, stalking victimization research can be highly invasive and poses concern for respondent well-being. While surveys may not allow for a researcher to build rapport with the respondents, they are an excellent tool to minimize distress experienced by respondents due to a traumatic victimization (McEwan, Mullen and Purcell 2006:3).

Sample

The sampling frame of the 28th Cycle of the GSS consists of Canadians who stated that they had be a victim of stalking and indicated that they did not report their victimization to law enforcement. The GSS relies on a probability sample, which boasts a reliable population that is both representative and generalizable. Statistics Canada notes that probability sampling is complex, time-consuming, and more costly than non-probability sampling. However, it is an advantageous sampling procedure because the units from the population are randomly selected

and therefore each unit's selection probability can be calculated, reliable estimates can be produced, and statistical inferences can be made about the population (2021).

This thesis noted an important caveat that may impact one's self-reporting of being a victim of a stalking; individuals often do not acknowledge or perceive their victimization to be stalking because of legal definitions, intrapersonal perceptions, and societal misconceptions of stalking behaviours. The GSS may not capture these individuals, as the language used within the survey expects individuals to be aware of what behaviours may constitute stalking. The prevalence of stalking victimization and subsequent non-reporting to law enforcement in Canada may be greater than what has been reported by the GSS.

Cyber-Stalking

This thesis is limited in its examination of the scope of cyber-stalking due to the limited data that was provided by the 2014 Canadian General Social Survey – Cycle 28 (Victimization). Given the lack of data, this thesis did not examine how social media platforms, advancements in cellular phones, and GPS trackable devices have created a new form of stalking tactic. Future research should aim to analyze cyber-stalking victimization and its potential effects on law enforcement notification.

Noted by Perrin in 2015, 65% of all adults using the internet were using social media websites—a 7% increase from the previous decade (2015:2). The social media boom that has erupted over the past two decades has contributed to individual online personas for which personal information sharing is the norm. Future research should focus on how one's social media presence correlates with their cyber-stalking victimization, as well as reporting behaviours of those who had experienced stalking victimization online. Optimistically, the newest cycle of the General Social Survey - Victimization (2019) includes a subsection on cyber-stalking

victimization. This new data may be beneficial to understand not only cyber-stalking victimization, but also reporting victimization to law enforcement. At the time of this writing, the 2019 cycle of the GSS was not available for public use.

FUTURE RESEARCH

Lack of Canadian Data

There have been extensive scholarly advancements in exploring stalking victimization, however, empirical data within a Canadian demographic is absent. The General Social Survey (GSS) – Cycle 28 (Victimization) was only the second cycle to introduce questions about stalking victimization in Canada. This thesis used the GSS data to understand stalking victimization and non-reporting to law enforcement; however, a disproportionate majority of the literature reviewed relied on a United States demographic. Many researchers drew parallels between Canada and the United States, but lack an understanding of the differences between demographics, government hierarchy, and law enforcement jurisdictions.

Acknowledging Stalking Behaviours

Across the literature it is evident that acknowledgement and perception of behaviours that make-up stalking victimization is a key factor in the decision-making process of a victim in reporting their victimization to law enforcement (Moore and Campbell 2011; Ngo 2018). As examined by Baum et al., (2009), the National Crime Victimization Survey (NCVS) reported that of their sample, 54% of respondents who met criteria for stalking labeled their victimization as such—leaving an unacknowledged victimization rate of 46%. These figures suggest that there is a continued need for researchers to explore why individuals struggle to acknowledge their stalking victimization and in turn choose not to report to law enforcement. Failure to acknowledge one's victimization has negative effects for victims, the criminal legal system,

victim service providers and researchers. Those who are most vulnerable are not able to access resources.

Prior research on stalking behaviour perceptions has relied on a variety of methods, including experimenter-generated scenarios, retrospective accounts, surveys using hypothetical situations, and ratings of individual behaviours (Yanowitz and Yanowitz 2012; Dennison 2007; Hills and Taplin 1998; Phillips et al., 2004; Sheridan et al., 2003; Sinclair and Frieze 2000; Williams and Frieze 2005). Dennis and Thomson (2002) were among the first researchers who explored experimenter-generated scenarios to understand individual perceptions of stalking behaviours. Their sample consisted of men and women in Australia. The participants were presented scenarios of a male stalking perpetrators and female stalking victims over a five-month span. The scenarios varied on several dimensions such as perpetrator intention, persistence of alleged perpetrator, and the relationship between the perpetrator and target. The scenarios outlined typical actions that one may associate with stalking-related behaviour and included following the target on their way to work, accusations made by the target, and a summary of a hypothetical court transcript with both prosecution and defence attorney comments. Results from this study showed that women were more likely than men to rate the generated scenarios as stalking, as well as believe that the perpetrator intended to cause fear and harm to the target.

Unlike retrospective accounts, experimenter-generated scenarios and ratings of behaviours suffer from limited validity. In both situations, participants are constrained to consider only the combination of events presented by the researcher (Yanowitz and Yanowitz 2012:368). To aid in the limitations of generated scenarios and to push research forward, researchers have attempted to conceptualize a non-exhaustive list of stalking-related behaviours on a continuum. The continuum model ranges from normal but persistent courtship behaviours

(such as asking an individual out on a date more than once), to moderate 'traditional' stalking behaviours (like showing up to an individual's favourite coffee shop), to severe forms of harassment ending in violent stalking (Sheridan et al., 2000; Yanowitz 2006; Yanowitz and Yanowitz 2012; Langhinrichesan-Rohling et al., 2000; Sinclair and Frieze 2000). While still in its early stages of efficacy, the continuum model is helpful for individuals to understand normal pursuit behaviours and anti-social behaviours and should be further analyzed empirically.

Policy and Legislation Reform

Importantly, and emphasized throughout this thesis is the necessity of a universal definition of stalking and criminal harassment. In a research setting, Ngo, and Paternoster (2012) note that due to the diverse stalking definitions employed by independent researchers, reported prevalence rates of stalking varies between studies (375). This poses concern as researchers can adopt a definition of stalking behaviours that best suit their needs, often contradicting previous literature and ignoring behaviours that do not meet their study requirements. As seen throughout this thesis, many researchers have differing conclusions on stalking victimization and prevalence rates which can be detrimental to victim service funding, legal and policy amendments, law enforcement training, and acknowledgement of a stalking victimization.

When compared to other types of interpersonal victimization such as sexual assault and intimate partner violence, there is a disproportionate lack of empirical evidence and policy-level attention given to stalking victimization (Logan and Walker 2009). As noted, this lack of empirical attention can be attributed to the coupling of stalking victimization and intimate partner violence, instead of addressing stalking victimization as its own crime (Brady and Nobles 2015). Future research may want to focus exclusively on individuals who had been stalked by an unknown perpetrator and their decision to not report their victimization to law enforcement to

understand if there are differences between acknowledgement and perceptions of the victimization and law enforcement interactions.

Policy reform related to law enforcement training is necessary, as distrust with the criminal legal system was shown to be a key factor in a stalking victim choosing not to report their victimization. Some research has expressed that mandatory training specifically related to stalking behaviours and tactics increases the likelihood of law enforcement officers: 1) charging a perpetrator; 2) directing an individual to proper victim service avenues; and 3) comprehending jurisdictional stalking statutes to provide proper victimization mitigation (Ngo 2018; Lynch and Logan 2015; Moore and Campbell 2011). Future research should continue to analyze law enforcement training and jurisdictional differences that exist between stalking statutes, while also incorporating year-to-date stalking incident calls and responses. Neglecting stalking specific training to law enforcement officers has been shown to have negative consequences on victim perceptions of the criminal legal system. Negative consequences of law enforcement inaction can be seen in Ngo (2018), where only 1/3 of respondents reported that an officer wrote a report after either the victim or a close tie to the victim contacted them about the stalking victimization. Of these respondents, only 1 in 5 noted that law enforcement either spoke to or warned the perpetrator of legal sanctions after they were contacted about the victimization. Their study showed that when officers have been confronted about the neglect of stalking victimization reports, they have been reported to say that the perpetrator was not at the scene when the officer arrived. Optimistically, there has been evidence that receiving a warning from law enforcement acted as an effective deterrent in ceasing subsequent stalking incidents (372).

Examining the Effectiveness of Anti-Stalking Legislation

Current anti-stalking legislation places blame on a victim and deeply marginalizes victims of stalking who identify as female, a visible minority, and those seeking post-secondary education. Present legislation is victim-led and expects individuals to change their daily routines to adapt to anti-stalking defenses (Duntley and Buss 2012:313). Numerous calls have been put forward by public agencies, government-funded programs, and victims of stalking to further research that examines the effectiveness of anti-stalking legislation (McFarlane 2000; Tjaden and Thoennes 2000; Miller 2001).

Miller (2001) notes that an important barrier to evaluating stalking law's effectiveness is that there are no agreed-upon measures of agency performance when approached with a stalking victimization. Contemporary measures that are used to evaluate a program's success or failure include procedures such as an incidence of stalking reports, the number of arrests, the number of stalking incidents filed by a prosecutor, and the number of civil protection orders ordered and certified by a court. Outcome related measures such as number of convictions and the incidence of related crimes are supplemented by qualitative reports of victim perceptions of quality of life or safety. Miller argues however, that these measures are incomplete within a stalking context as the outcome measures are different to interpret with current anti-stalking legislation (60).

Together, Miller (2001) and the United States Department of Justice's National Review of Stalking Laws have outlined two implementation findings that are expected to promote effectiveness of anti-stalking legislation. First, it is imperative that units specialized in stalking are developed that host law enforcement officers with expertise in identifying, investigating, and prosecuting stalking crimes with ongoing victimizations. Special staffing is still within an experimental phase and requires further research as well as commitment of action from government funding and jurisdictions. Second, once implemented these stalking units should

corroborate with victim service agencies in a community response to enhance a unit's problem-solving capabilities, as well as ensuring there are resources available for victim well-being (68). Moving forward, legislative review should include three considerations. First, there should be increased penalties for perpetrating a stalking victimization. In almost all jurisdictions, stalking perpetration is a misdemeanor crime, with many perpetrators receiving no disciplinary action. Secondly, there is a need to eliminate the definitional language that restricts stalking laws to situations involving physical perpetrator presence. Removing definitional language ensures that individuals who experience cyber-stalking are protected under the law. Lastly, there is a need to improve coordination of stalking laws with related offences such as harassment, invasion of privacy, and trespassing. Many of the anti-harassment laws in place, especially in the United States context, already adopt a provision of 'two-level' stalking law: the first level as a misdemeanour offence, and the second tier exploring and assessing victim safety to fill in gaps where there are not effective harassment laws (Mechanic et al., 2000; Miller 2001:110).

Victim-Led versus Victim Centered Evidence

As shown throughout this thesis, it is imperative that all victimization reports and research is victim centered and not victim led. The foundations of victimization research, law enforcement involvement, and policy reform should be focused on the victim, their needs and safety, and the mitigation of risk involved with an interpersonal victimization like stalking. Bennet et al., (2011) also recommends that criminal legal and victim service practitioners consider individual differences in stalking victimizations to determine what strategies may mitigate future victimization at both an individual and situational level.

Law enforcement officers rely on victims to come prepared with evidence when reporting their victimization in order for law enforcement to review and determine whether the incident

would be considered stalking (Weller, Hope and Sheridan 2013). Logan and Lynch (2015) note within their study that 74% of all law enforcement officers reported that regardless of their previous history of stalking victimization cases, victims keeping record logs that document their perpetrator's stalking behaviours is beneficial in charging stalking cases (1041). Unfortunately, stalking victimization is one of the only interpersonal crimes where law enforcement officers rely on victim-led evidence. Other harassing crimes such as sexual and physical assault often have physical indicators of violence such as bruises and broken bones, which seem to cause more concern than tangible indicators of stalking victimization such as unsolicited text messages, gifts, or emails. Future research needs to establish why there is a lack of urgency of stalking victimization aid provided by law enforcement officers, and how this lack contributes to the decision-making of reporting stalking victimization.

Victim-led evidence collection specifically marginalizes women. As shown throughout the literature and this thesis, women were more likely to be targets of stalking victimization and chose not to report their stalking victimization because of factors related to interpersonal relationships with their perpetrator (Duggan 2012:26, see Mawby and Walklate 1994; Jordan 2001). Specifically shown in this thesis, female victims chose not to report their victimization to law enforcement due to fear of revenge from their perpetrator. Reports for these volatile situations most often come from peers and family members who often do not have access to evidence such as text messages, phone calls or surveillance tactics used by the perpetrator (Duggan 2012:29).

Sole responsibility of proving a victimization does not stop at evidence collection. As shown, when a victim chooses to report their victimization, law enforcement responses are victim-led anti-stalking defenses such as changing one's daily lifestyle, routines, and routes to

adapt to their victimization instead of mitigating its existence with reprimand of a perpetrator. Duntley and Buss (2012) note that these types of anti-stalking defenses are an evolutionary approach to safety, where victims are expected to avoid social situations in which there is a high possibility of encountering their perpetrator. Future research should examine the financial, mental, physical, and social impacts that victim-led evidence and anti-stalking defenses have for women to mitigate their marginalization.

Lastly, future research should explore the benefits of victim-centered approaches for victims and the criminal legal system. Focusing attention on victim-centered approaches ensures that victims of stalking are being heard by the systems set in place to help them, including law enforcement and victim services. As outlined by O'Sullivan, a victim-centered approach would offer benefits for victims and their loved ones. This approach allows victims to be heard and promote healing and resiliency. It would also reduce the potential for further harm, re-victimization, and post-traumatic stress. Overall, victims have reported that they feel safer and more secure and are satisfied with the process (O'Sullivan 2016). It would also benefit service providers, such as law enforcement officers and criminal legal practitioners, as individuals would be more open to their advice and support. A victim-centered approach has positive effects on the public and greater community by building public trust and confidence in those who are hired to protect (O'Sullivan 2016).

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