When do Repeated intrusions become stalking?

Rosemary Purcell, PhD (Psychologist) ¹ ²
Michele Pathé, M.B.B.S., FRANZCP (Consultant Psychiatrist) ¹
Paul E Mullen, D.Sc., FRC Psych (Professor of Psychiatry)¹ ²

¹ Victorian Institute of Forensic Mental Health, Victoria;
² Department of Psychological Medicine, Monash University, Victoria,

Correspondence to: Dr Rosemary Purcell
School of Psychology, Deakin University
221 Burwood Highway, Burwood
Victoria 3125 AUSTRALIA
Ph: +61 3 9251 7210
Fax: +61 3 9244 6858
Email: rosiep@deakin.edu.au

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Stalking is a prevalent crime which can significantly compromise the victim’s quality of life. It occurs when one person repeatedly inflicts on another unwanted contacts or communications which induce fear. Many of the behaviours associated with stalking overlap with common, albeit irritating, experiences (e.g., being persistently telephoned or approached for a date). The difficulty for victims is recognizing the difference between brief episodes of intrusiveness or social awkwardness, and the beginnings of a more persistent campaign of harassment. This study sought to define empirically the foremost juncture at which instances of intrusiveness can be distinguished from persistent stalking which is ultimately damaging to the victim’s psychosocial functioning. The results indicate that continuation of unwanted intrusions beyond a threshold of two weeks is associated with a more intrusive, threatening and psychologically damaging course of harassment. Recognition that two weeks is the watershed between brief, self-limiting instances of intrusiveness and protracted stalking allows an opportunity for early intervention to assist victims of this crime.

**Keywords**

Stalking, harassment, threats, mental health, anxiety, depression
INTRODUCTION

Stalking refers to a course of conduct by which one person repeatedly inflicts on another unwanted intrusions to such an extent that the recipient fears for his or her safety. Captured under the rubric of stalking are a mixture of behaviours, some of which previously would have formed part of clearly unacceptable and even criminalized activities (such as sexual harassment and the intimidatory behaviours associated with domestic violence) and some of which lay at the margins of the socially unacceptable, such as pursuing a person for a date. The term stalking first entered the everyday lexicon in the late 1980s to describe the intrusions of over-zealous fans upon the famous (Lowney & Best, 1995). Since then it has gained increasing recognition as a prevalent social problem (Tjaden & Thoennes, 1998; Budd & Mattinson, 2000; Purcell, Pathé & Mullen, 2002), a disordered behaviour (Zona, Sharma & Lane, 1993; Meloy, 1998; Mullen, Pathé & Purcell, 2000) and a damaging form of victimization (Pathé & Mullen, 1997; Hall, 1998; Kamphuis & Emmelkamp, 2001).

The word ‘stalk’ has the meaning to surreptitiously pursue one’s prey and to track down (Oxford English Dictionary, 1971). The term denotes behaviour which is both menacing and unrelenting. The definitions which have been applied to stalking by legislators however, have cast the behaviour considerably more broadly. Anti-stalking laws in most Western jurisdictions refer to an intentional and repeated course of conduct involving following or harassment of an individual that causes fear (see Petch, 2002; Purcell, Pathé & Mullen, in press). ‘Course of conduct’ has subsequently been interpreted or explicitly defined in law as involving intrusions on two or more occasions (eg. People vs. Heilman, 1994). Stalking is often constructed as a harbinger of violence and such a broad rendering of the behaviour enables in theory a swift response to the first signs of risk. Following the lead of legislators, behavioural scientists have similarly emphasized in their definitions of stalking a constellation of behaviours performed on more than one occasion which are experienced by the victim as unwelcome and intrusive (Meloy &
These approaches appropriately define a course of conduct, but offer no temporal limits to the behaviour. The term stalking comes to encompass a large range of interactions which, however unwelcome, are nonetheless part of many people’s everyday experience. Thus, the hopeful suitor who calls over the course of several days potentially enters the ranks of the stalker, if the recipient perceives the behaviour as threatening. Or the disgruntled co-worker, neighbour or estranged friend who attempts through letters or calls on several occasions to resolve a dispute. Legally, such interactions could be conceived as stalking, so long as the conduct is performed on more than one occasion and elicits in the recipient fear. The problem with such a broad construction of stalking is that many instances of intrusiveness overlap with the mundane, albeit irritating, commonplaces of social life. The dilemma for victims of these intrusions, and the mental health professionals they consult to assist them, is recognizing when such intrusions begin to presage a more ominous, persistent and damaging episode of stalking.

To date, there have been no attempts to establish empirically whether a discrete disjunction exists between brief, self-limiting instances of intrusiveness and the type of tenacious stalking which places the victim at risk of psychological and physical damage. This is an important issue to consider. Early recognition of the first signs of persistent intrusiveness is critical to facilitating prompt intervention to bring the behaviour to an end and to avert deleterious impacts for the victim (Pathe, 2002; de Becker, 1997). As mental health professionals are often consulted by victims of harassment for an assessment of their predicament (Purcell et al, 2002), it is imperative clinicians are able to recognize and interpret the victim’s experience and direct them, as appropriate, to services to manage the situation. This paper attempts to distinguish the foremost point at which repeated intrusiveness moves into the arena of persistent stalking, to enable early intervention to assist victims of this crime.
PARTICIPANTS AND METHODS

The data derives from an epidemiological study which examined the prevalence and nature of stalking in the Australian community (see Purcell et al, 2002 for a detailed description). A postal survey was distributed to a randomly selected sample of 3700 men and women, whose names and addresses were taken from the electoral roll in the Australian State of Victoria (population 4.7 million). Entry age to the electoral rolls in Australia is 18 years and the rolls cover over 96% of the population as both registration to vote and voting are compulsory.

Of the 3700 surveys distributed, 74% could be accounted for, including completed surveys, known refusals and surveys not received (eg. subject no longer at that address or deceased). Adjusting for the 697 surveys not received, the valid response rate was 61%. Survey responders were representative of the electoral population from which they were drawn in relation to gender distribution, marital status, highest level of education attained, employment and occupational status. However the sample contained fewer people aged 18-25 years (10% vs. 19%) and more individuals aged 56 years and over (39% vs. 31%).

Survey Materials

The survey was identified as a “Community Study of Harassment”. Consistent with previous epidemiological studies (Tjaden & Thoennes, 1998), the word ‘stalking’ was not used to avoid any preconceptions or confusion associated with the term. Each respondent was asked to complete questions regarding their demographic characteristics, the experience of harassing intrusions and aspects of their current general health.

Definition of Harassment

A behavioural definition of harassment was employed, derived from a composite of Australian anti-stalking laws (these laws are based on North American statutes; see Purcell et al, in press).
Respondents were asked to indicate whether any person, male or female, had ever: (a) followed them; (b) kept them under surveillance; (c) loitered around their home, workplace or other places they frequent; (d) made unwanted approaches; (e) made unwanted telephone calls; (f) sent unwanted letters, faxes or emails; (g) sent offensive materials; (h) ordered things on their behalf that they did not want; or (i) interfered with their property. For each item endorsed, respondents were asked to indicate the frequency with which it occurred (once, twice, 3-9 times, 10 or more times). Respondents who had been harassed on more than one occasion by different individuals were asked to refer only to the experience with the one person they best remembered. This was to ensure that the index event referred only to one discrete episode of harassment, rather than an aggregation of the respondent’s harassing experiences.

In keeping with legal definitions of stalking, respondents who acknowledged two or more intrusions which caused them fear were broadly classed as stalking victims.

*Nature and Impacts of the Harassment*

Respondents who endorsed the experience of any harassing intrusions completed questions regarding the nature of the behaviour and their responses to the conduct. Subjects were asked to indicate the duration with which the intrusions lasted (in terms of the approximate number of days); whether the behaviour had occurred in the 12 months prior to the survey; the nature of the prior relationship, if any, with the perpetrator (classed as prior intimate, casual acquaintance, work colleague or client, estranged relative or friend, or stranger); and whether associated violence accompanied the harassment (threats and/or physical or sexual assaults).

Respondents were also asked to indicate whether they had altered aspects of their lifestyle in response to the intrusions (eg. increased home security, changed telephone number, relocated). Finally, all respondents completed the 28-item General Health Questionnaire (Goldberg & Hillier,
1979), a widely used screening measure of current (past month) general psychiatric morbidity, which has previously been validated in community samples (eg. Romans-Clarkson, Walton, Herbison & Mullen, 1989). The Impact of Event Scale (Horowitz, Wilner & Alvarez, 1979) was included to examine current post-traumatic stress reactions associated with victimization. In relation to an index event (in this study, the experience of harassing intrusions), respondents rated the applicability of each item over the preceding seven days. The study was conducted with the approval of the Human Ethics Committee at Monash University.

**Data Analyses**

Of the 1844 survey respondents, 23% (n=432) met the legal criteria for stalking, in that they acknowledged experiencing two or more harassing intrusions by the same person that rendered them fearful (female=324; male=108). The data from this group were employed in an attempt to distinguish brief outbursts of intrusiveness from damaging and persistent episodes of stalking.

The duration of the harassing intrusions was used as the defining factor by which to delineate potential groups. Receiver Operator Characteristic (ROC) curves were calculated to determine the discriminating ability of cut-offs in the duration of the harassment. In this form of analysis, the closer the area under the curve approaches the graph’s total area (100%), the better a cut-off score performs. Initially groups were divided on the basis of a median split in the duration of harassment (median=30 days). ROC curves were produced, with the dependant measures consisting of the number of discrete harassment methods experienced (range: 1-9; this measure providing an indication of the severity of harassment), and the number of lifestyle adjustments reported (range: 0-9; this measure providing an indication of the severity of responses to victimisation).

Using the four week cut-off, the area under the curve was 0.77 for the number of harassment
methods (95% Confidence Interval=0.72-0.81, p=.001) and 0.67 for responses to victimisation (95% CI=0.62-0.72, p=.001). The data were subsequently re-analysed using ROC curves to determine the lowest duration which continued to significantly discriminate between groups, in order to ascertain the foremost point at which repeated intrusiveness could be distinguished from more damaging forms of harassment.

When the duration of harassment was reduced to two weeks, the area under the curve was 0.76 for the number of harassment methods (95% CI=0.71-0.80, p=.001) and 0.66 for the number of lifestyle alterations (95% CI=0.62-0.72, p=.001). This indicted minimal difference in comparison with the four week cut-off. Reducing the duration of the harassment to one week however, lowered the sensitivity of the cut-off. The area under the curve for the number of harassment methods was reduced to 0.64 (95% CI=0.61-0.69, p=.01) and 0.61 for the number of lifestyle changes (95% CI=0.56-0.64, p=.01). While the one week cut-off remained statistically significant, it was less sensitive than the two week marker in terms of discriminating between the severity of the harassment and the victim’s responses to the intrusions.

On the basis of these analyses, two weeks was taken as the most sensitive indicator by which to potentially distinguish groups in terms of the severity of harassing experiences. This cut-off was then used to examine whether it clearly distinguished stalking behaviours which placed victims at risk of psychological and social impairment, from those victims who, though distressed at the time, were not likely to suffer significant alteration to their daily functioning. The two groups (those harassed for two weeks or less/more than two weeks) did not differ in relation to their socio-demographic characteristics (gender, age and marital status), nor were there any differences in the proportion of subjects who reported victimisation in the 12 months prior to the survey.
Statistical Analyses

Data analyses were conducted using the Statistical Package for the Social Sciences (Version 10.0). Discrete variables were analysed using chi-square (\(\chi^2\)), and continuous variables were compared between groups using independent t-tests (2-tailed). In those instances where the assumptions for parametric statistics were violated, non-parametric tests were employed (eg, Mann Whitney U test: \textit{MWU}). The GHQ-28 and IES were both analysed categorically, indicating probable ‘caseness’. The term ‘case’ refers to the existence of significant psychological symptoms that are likely to adversely affects the respondent’s quality of life. Assessment of caseness morbidity on the GHQ-28 involved the application of weights to the four response alternatives (eg, 0-0-1-1). Binary scoring (range 0-28) was then applied in the evaluation of caseness morbidity using the established cut-off 5/6, in which respondents scoring a total of 6 or more are considered a case (Goldberg, Gater, Sartorius et al., 1997). On the IES (range 0-75), a total score above 35 has been recognised as indicative of significant post-traumatic stress (Scott-Gliba, Minney & Mezey, 1995), and this threshold was used in assessing caseness morbidity levels. In order to minimise Type I error associated with multiple comparisons, the error rate required to demonstrate significance was set at 0.01.

RESULTS

The Duration and Frequency of Harassment

For 45% (n=196) of those exposed to harassing intrusions, the behaviour abated within two weeks. For this group, the median duration of intrusions was two days, with a modal duration of one day. The median number of intrusions reported by this group was five (range: 2-40).

For the remaining 55% (236) subjected to intrusions exceeding a period of two weeks, there was a risk of the behaviour continuing for a considerable period. The median duration of harassment in this group jumped to six months, with the modal length being 12 months. The frequency of
intrusions was also significantly higher among victims in this group, the median being 20 intrusions (range 8-85; $MWU=5103.0$, $p=.001$).

**Prior Relationship**

The nature of the prior relationship between the victim and perpetrator differed significantly according to the duration of the harassment ($\chi^2=129.1$, $df=4$, $p=.001$). Those harassed for two weeks or less overwhelmingly reported intrusions by strangers (75.5%). Few in this group were harassed by acquaintances (9.4%), work-related contacts (7.8%), estranged relatives or friends (4.2%) or prior intimates (3.1%). In contrast, victims pursued beyond two weeks were most likely to be harassed by someone previously known to them (82.5%), including former intimates in 21.4%, casual acquaintances in 30.3%, individuals encountered in a work context in 22.2% and estranged family or friends in 8.5%. In 17.5% victims were pursued for an extended duration by a stranger.

**Methods of Harassment**

Differences in the methods of intrusiveness emerged according to the duration of harassment, with those pursued beyond two weeks at greater risk of being kept under surveillance, loitered upon, repeatedly telephoned and contacted via letters, faxes or email (Table 1). This group also experienced on average more forms of intimidation (median=3; range: 1-9) than those whose harassment ceased within two weeks (median=2; range:1-6; $MWU=11276.0$, $p=.001$).

**Threats and Assault**

The frequency of explicit threats, physical assaults and property damage against victims was significantly elevated among those subjected to protracted stalking (Table 2). Third parties, such as relatives, intimate partners and friends of the primary victim were also more likely to be exposed to threats and violence when the harassment extended beyond two weeks.
Responses to Victimization

The duration of harassment was associated with alterations in the victim’s daily functioning (Table 3). Those harassed for more than two weeks were more likely to increase their home security, relocate their residence, reduce their social outings, report increased alcohol and tobacco consumption and increased work absenteeism as a result of the harassment. Victims pursued beyond two weeks were also more likely to report having sought some form of assistance to manage their ordeal (82% vs. 55%; $\chi^2=36.3$, $df=1$, $p=.001$), in particular being more likely to consult police (44% vs. 27%; $\chi^2=11.8$, $df=1$, $p=.001$) and mental health professionals (23% vs. 4%; $\chi^2=31.5$, $df=1$, $p=.001$).

Psychological Morbidity

The rate of psychiatric morbidity was significantly elevated among those subjects pursued for more than two weeks. Of those subjected to a brief burst of harassment, 21.9% met the criteria for caseness on the GHQ-28, compared to 36.4% of victims exposed to protracted stalking ($\chi^2=8.4$, $df=1$, $p=.004$). Notably, the rate of psychiatric morbidity among subjects exposed to brief harassment did not differ from a group of never harassed subjects ($n=432$) matched on socio-demographic characteristics (21.9% vs. 19.3%; $\chi^2=.58$, $df=1$, $p=.44$). The proportion of subjects meeting the threshold for caseness on the IES also differed significantly according to the duration of harassment, with higher rates of post-traumatic stress reported by victims of protracted stalking than those exposed to brief harassment (16.3% vs. 5.1%; $\chi^2=13.3$, $df=1$, $p=.001$).

DISCUSSION

Stalking is not a homogenous behaviour. The behaviours associated with stalking overlap with other experiences which however unwelcome and unsettling are nonetheless relatively
commonplace. Despite this, little debate has occurred outside the legal literature as to what constitutes stalking or how this behaviour should be defined. This is necessary as clinicians require definitions that carve off the more obvious forms of stalking from the universe of related phenomena. The purpose of this study is not to contest the legal provisions for the criminal offence of stalking, but rather to clarify the foremost point at which intrusiveness begins to reflect a more tenacious course of harassment and concomitantly present a greater risk to the victim’s safety and mental well-being.

The results of this study suggest there is heuristic value in distinguishing two types of intrusiveness associated with different impacts on victims’ functioning. The watershed between the lesser and more damaging forms of behaviour is the continuation of the intrusions beyond a period of two weeks. Imposed contacts that persist beyond this threshold are likely to continue for months and be associated with greater upheaval in the victim’s lifestyle and psychological functioning. The utility of this distinction is that it enables victims and allied professionals to recognize at an early stage the relative seriousness of the situation and allows an opportunity for prompt intervention.

In the first type of self-limited intrusiveness, characterised by intense but short-lived harassment, the behaviour usually abates within one or two days, though may continue for up to two weeks. The primary forms of intimidation involve intrusive approaches, telephone calls and following. Strangers figure overwhelmingly among the perpetrators, but estranged friends or colleagues may also perpetrate such bursts of harassment. Occasionally victims of these brief episodes of harassment reported being threatened and almost one in ten were subject to physical assaults. Included here were several instances of what is popularly termed ‘road rage’, in which, as a result of a confrontation in traffic, the victim was followed, approached and subsequently assaulted (behaviour sufficient to meet the legal criteria for stalking). These assaults were
usually confined to instances of pushing or slapping.

These brief forms of harassment understandably produce apprehension and fear in the recipient, be it the angry outburst of a known acquaintance or the more veiled intrusions of a stranger. Yet such harassment is infrequently associated with significant lifestyle alterations or deterioration in psychosocial functioning. That this behaviour typically abates within a day or so likely accounts for the general lack of disruption to the victim’s life.

Intrusions which persist beyond the two week threshold are likely to continue for months and involve someone previously known to the victim. These individuals are exposed to more methods of pursuit and arguably more ominous stalking behaviours, such as being kept under surveillance and loitered upon at their home or workplace. This type of stalking is also accompanied by a greater frequency of threats, assault and property damage. The perpetrators of this form of pursuit often feel an overwhelming sense of entitlement to the victim, or perceive their actions to be legitimate and justified, which reinforces the entrenched and often insidious nature of the harassment. Faced with continuing intrusions over which they have little or no control, victims of this form of stalking often report significant disruption to their daily functioning and elevated rates of psychological distress.

It is largely intuitive that intrusive behaviour which persists for extended periods will be associated not only with a more severe course of harassment, but more detrimental effects to the victim’s well-being. The purpose of this distinction between short-lived harassment and persistent stalking is not to argue for any disparity in suffering between the groups. Rather, the aim is to highlight the foremost point at which repeated intrusions should be afforded due concern, given the potential for harm inherent in ongoing victimisation. Two weeks emerged as the briefest duration of harassment which adequately differentiated the experiences of the
groups. The results of this study, in addition to clinical evidence, indicate that stalking victims frequently endure months of pursuit before seeking assistance. Many not unreasonably hope that the behaviour will abate without the necessity of intervention, which victims often fear may provoke an even more hostile response from the perpetrator. In practice however, the longer such intrusions are imposed, the more ingrained the behaviour usually becomes (eg. de Becker, 1997; Mullen et al, 2000). Critical to the likely success of any strategies to end the stalking is that these be instituted at the earliest opportunity, before the perpetrator makes a substantial emotional investment in their pursuit. Two weeks is long enough to demonstrate that the perpetrator’s behaviour is purposeful, but not so long as to allow the stalker to become overly involved in his or her quest.

**Conclusion**

This study demonstrates a dichotomy of experience between brief, self-limiting instances of harassment and protracted stalking, with two weeks being the critical threshold. The clinical significance of this finding is that it enables victims, and the mental health professionals they consult, to recognise the beginnings of a potentially more persistent campaign of stalking and affords an opportunity for early intervention to end the conduct and avert serious psychosocial harm.
REFERENCES


Pathé M. Surviving Stalking. Cambridge: Cambridge University Press, 2002


Purcell R, Pathé M, Mullen PE. The prevalence and nature of stalking in the Australian community. The Australian and New Zealand Journal of Psychiatry, 2002; 36: 114-120


Table 1  The Frequency of Methods of Harassment

<table>
<thead>
<tr>
<th>Behaviours</th>
<th>2 weeks or less (n=196)</th>
<th>More than 2 weeks (n=236)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>% (n)</td>
<td>% (n)</td>
</tr>
<tr>
<td>Following</td>
<td>46.7 (91)</td>
<td>51.1 (120)</td>
</tr>
<tr>
<td>Surveillance</td>
<td>10.7 (21)</td>
<td>48.5 (114)</td>
</tr>
<tr>
<td>Loitering Nearby</td>
<td>15.3 (30)</td>
<td>52.3 (123)</td>
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<tr>
<td>Intrusive Approaches</td>
<td>49.5 (97)</td>
<td>60.9 (143)</td>
</tr>
<tr>
<td>Telephone Calls</td>
<td>48.0 (94)</td>
<td>63.4 (149)</td>
</tr>
<tr>
<td>Letters/Faxes/Emails</td>
<td>7.7 (15)</td>
<td>29.4 (69)</td>
</tr>
<tr>
<td>Offensive Materials</td>
<td>3.6 (7)</td>
<td>6.4 (15)</td>
</tr>
<tr>
<td>Unsolicited Orders</td>
<td>2.6 (5)</td>
<td>7.7 (18)</td>
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### Table 2: The Frequency of Associated Violence

<table>
<thead>
<tr>
<th>Behaviours</th>
<th>2 weeks or less (n=196)</th>
<th>More than 2 weeks (n=236)</th>
<th>χ²</th>
<th>p</th>
</tr>
</thead>
<tbody>
<tr>
<td>Threatened Victim</td>
<td>17.1 (33)</td>
<td>39.5 (92)</td>
<td>25.5</td>
<td>.001</td>
</tr>
<tr>
<td>Threatened Other</td>
<td>8.2 (10)</td>
<td>32.4 (58)</td>
<td>33.0</td>
<td>.001</td>
</tr>
<tr>
<td>Assaulted Victim</td>
<td>9.9 (19)</td>
<td>24.1 (56)</td>
<td>14.6</td>
<td>.001</td>
</tr>
<tr>
<td>Assaulted Other</td>
<td>3.1 (6)</td>
<td>16.3 (38)</td>
<td>20.0</td>
<td>.001</td>
</tr>
<tr>
<td>Property Damage</td>
<td>12.9 (25)</td>
<td>32.3 (78)</td>
<td>21.8</td>
<td>.001</td>
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</tbody>
</table>
## Table 3  
Responses to Victimization

<table>
<thead>
<tr>
<th>Response</th>
<th>2 weeks or less (n=196)</th>
<th>More than 2 weeks (n=236)</th>
<th>²</th>
<th>p</th>
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</thead>
<tbody>
<tr>
<td>Increased Home Security</td>
<td>20.5 (40)</td>
<td>37.1 (83)</td>
<td>13.7</td>
<td>.001</td>
</tr>
<tr>
<td>Changed Phone Number</td>
<td>8.2 (16)</td>
<td>19.2 (43)</td>
<td>10.5</td>
<td>.001</td>
</tr>
<tr>
<td>Relocated Residence</td>
<td>1.0 (2)</td>
<td>12.1 (27)</td>
<td>19.7</td>
<td>.001</td>
</tr>
<tr>
<td>Reduced Social Outings</td>
<td>8.2 (16)</td>
<td>22.8 (51)</td>
<td>16.3</td>
<td>.001</td>
</tr>
<tr>
<td>Increased Work Security</td>
<td>7.7 (15)</td>
<td>24.1 (54)</td>
<td>20.4</td>
<td>.001</td>
</tr>
<tr>
<td>Work Absenteeism</td>
<td>4.1 (8)</td>
<td>24.3 (55)</td>
<td>33.6</td>
<td>.001</td>
</tr>
<tr>
<td>Increased Alcohol Intake</td>
<td>1.0 (2)</td>
<td>18.3 (42)</td>
<td>33.5</td>
<td>.001</td>
</tr>
<tr>
<td>Increased Cigarette Use</td>
<td>3.6 (7)</td>
<td>21.8 (50)</td>
<td>29.7</td>
<td>.001</td>
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