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Defining Stalking: The Influence of Legal Factors, Extralegal Factors, and Particular Actions on Judgments of College Students

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Abstract: *Although research demonstrates that college students are at great risk for stalking occurrences (Fisher, Cullen, and Turner 2002), little scholarship exists on how students define stalking. In the current study, a 2 (offender/target gender: male offender/female target, female offender/male target) x 4 (relationship: stranger, casual acquaintance, ex-intimate, hook-up) x 2 (respondent gender: female, male) factorial design survey was administered to 527 college students to determine whether these extralegal factors influence the ascription of a stalking label. Logistic regression results revealed that respondent gender and offender/target gender did not statistically influence the application of a crime label. However, cases involving strangers and acquaintances were significantly more likely to be envisioned as stalking than cases between ex-intimates, partly because behaviors by the latter could be excused as attempts at closure or reconciliation. Student narratives further revealed that students often envisioned information gathering, following, or showing up unannounced as indications of stalking. Results also suggested that students do not feel victim fear is necessary for a case to be deemed stalking, a legal requirement set forth by many states. Implications of these findings and directions for future research will be discussed.*

Keywords: stalking, perceptions, gender, prior relationship, law, campus crime

Researchers have recently begun examining perceptions of stalking, but studies are limited in number, and many have been conducted in locations outside the United States (Dennison and Thomson 2000; 2002; Sheridan et al. 2003; Sheridan and Davies 2001a). In addition, results have yielded findings that are not always consistent, possibly because perceptions were measured using different samples of respondents (college students, the general public, victims) and different definitions of stalking. In general, studies have revealed that prior relationship (Dennison and Thomson 2000; 2002; Kinkade, Burns, and Fuentes 2005; Phillips et al. 2004; Sheridan et al. 2003), particular actions (Sheridan et al. 2003), the presence of threats, and the absence of victim fear play a role in the determination of stalking cases (Dennison and Thomson 2002). The current research adds to this literature by incorporating a qualitative component within the traditional fixed format of surveys, allowing for a deeper investigation into the meaning behind perceptions. The narratives also allow for the researcher to simultaneously examine the impact of multiple factors

(legal and extralegal) on college students' judgments of stalking.

In the current study, a 2 (offender/target gender: male offender / female target, female offender / male target) x 4 (relationship: stranger, casual acquaintance, ex-intimate, hook-up) x 2 (respondent gender: female, male) factorial design survey was administered to 527 college students to determine whether these extralegal factors statistically influence the ascription of a stalking label. Using open-ended responses, this study then explored why gender or prior relationship might impact perceptions. Second, this study investigated whether select actions permeate students' descriptions of stalking. Third, this research examined whether college students' interpretations of stalking adhere to the legal requirements set forth in legislation. Last, this research explored whether one commonsense definition of stalking exists among college students.

Investigating these questions could help identify any student misconceptions with the law and/or risk that warrant clarification. If college students do not see select

actions by certain types of offenders as stalking, it could inhibit the reporting of genuine stalking cases to criminal justice authorities, thereby decreasing the chances for victim assistance. Further, if college students do not know what stalking is, they cannot be deterred from committing stalking acts. It is important that research measure student understanding of stalking in order to design effective prevention and intervention programs for this at-risk population.

LITERATURE REVIEW

State jurisdictions in the United States disagree on the definition of stalking. However, many states have amended legislation based on standards set forth in the Model Anti-stalking Code developed by the National Institute of Justice in 1993 (U.S. Department of Justice 2002). The Model Code requires that stalking include a purposeful course of conduct directed at a particular person, one that would cause a reasonable person to fear bodily injury or death to himself or herself or to an immediate family member (National Criminal Justice Association 1996). As a result, stalking demands an examination into the repeated behavior and intent of the offender and the fear or distress encountered by the victim. While the level of fear and distress experienced by the victim can vary by state, most states require some reaction on the part of the victim (U.S. Department of Justice 2002).

Clearly, stalking is an extraordinary crime because it requires repetition of behavior, not just a single act. Second, stalking is not a crime unless the victim is aware of it and reports it, and even if reported, a victim's emotions determine victimization. Given the complexities of legal stalking definitions, it is possible that college students do not have a clear definition of what stalking is. It is also impractical to assume "that there exists anything remotely resembling one 'people' who can be said to see legally relevant matters in even remotely similar ways" (Haney 1997: 310). Perceptions of stalking could be so varied that a widely accepted definition of stalking may be impossible.

Particular Actions

A few scholars have claimed that an acceptable definition of stalking could be created using perceptions of stalking-like behaviors (Sheridan, Davies, and Boon 2001). For instance, in their sample of 348 female trade union members in England and Wales, all of whom were asked to indicate which behaviors from a list of 42 were stalking, Sheridan et al. (2001) found that women identified acts commonly featured in the media (following, telephoning, photographing) as stalking. Also included were unpredictable threatening behaviors (causing property damage, making threatening phone calls, death/suicide

threats) and attachment behaviors (refusing to accept that a relationship is over, sending bizarre items, uninvited regular visits). Nonstalking behaviors included acts that parallel normal courtship (telephoning after one meeting, talking about the target to mutual friends) and overbearing/verbally obscene actions (asking the target out more than once, engaging an acquaintance in inappropriate intimate dialogue).

Similar patterns were discovered when surveying male respondents a year later (Sheridan, Gillett, and Davies 2002), signifying that men and women in England and Wales report similar perceptions of stalking. It is important to note that in England and Wales, behaviors do not need to invoke victim fear to qualify as criminal stalking. Thus, stalking may be more difficult for men and women to identify in the United States, where legislation is more complicated.

Extralegal Factors

The literature on stalking perceptions has begun to look at other factors, besides specific intrusive behaviors themselves that could affect public sentiment. For instance, Sheridan et al. (2003) found that gender had no impact on the extent to which British college students judged cases of stalking. Scenarios could depict male and female victims, and respondents would see the case as stalking. Similar findings were reported in other studies of U.S. college students (Kinkade et al. 2005; Phillips et al. 2004).

Gender of the participant responding to scenarios may significantly influence perceptions. Although Phillips et al. (2004) found participant gender did not have a direct association on perceptions in their first study, their second study revealed that females were significantly more likely than males to rate the vignette as indicative of stalking. Yanowitz (2006) also found that approach or surveillance behaviors were more likely defined as stalking by female college students. Further, Dennison and Thomson (2002) found that females in Australia were more likely to identify vignettes as stalking and to perceive that the accused intended to cause the victim fear, indicating that males and females may not define and understand stalking behavior in exactly the same way.

Several studies have also examined the influence of prior relationship on perceptions of stalking, yielding varied results. Kinkade et al. (2005) found that prior relationship between the victim and offender was insignificant in college students' determination of whether a scenario was seen as stalking. Similar findings were revealed in a study of Australian community members (Dennison and Thomson 2000). However, a year later, Dennison and Thomson (2002) found that when persistence levels were low, fewer community members classified behaviors as stalking in stranger and acquaintance cases. On the other hand, other research has revealed that college students were more likely to consider

incidents stalking when no prior relationship existed between the perpetrator and target (Phillips et al. 2004). Likewise, Sheridan et al. (2003) found that college students in the United Kingdom were more likely to ascribe stalking when the perpetrator was an acquaintance or stranger, rather than an ex-partner.

Legal Factors

Although the majority of studies to date examine the impact of extralegal factors on stalking perceptions, Dennison and Thomson (2000; 2002) assessed the extent to which legal factors impact the ascription of a stalking label. In their first Australian study, the vignettes manipulated intent to cause harm/fear (present or absent) and consequences to the victim (extreme fear, moderate fear, no fear). Results revealed that consequences to the victim and intent were not relevant to the public definition of stalking. In fact, "even when there was no explicit evidence of intent to cause harm or fear to the target, and even when the target did not in fact experience any fear or harm, but rather an invasion of privacy, the behavior was still perceived as stalking" (Dennison and Thomson 2000: 166).

In their second study, Dennison and Thomson (2002) manipulated the degree of persistence in the vignette (low or moderate), along with intent and victim consequence. This study found that cases were more likely seen as stalking when explicit evidence of intent was present and when there was a greater degree of persistence illustrated. Interestingly, if intent was conveyed, this was sufficient to perceive the behavior as stalking, regardless of persistence. Like their previous study, greater level of victim fear did not increase the ascription of a stalking label by the public.

Findings by Sheridan and Davies (2001a) provide additional evidence that victim fear may not be a key feature of stalking among the general public. In their study, 88 college students from the United Kingdom were provided 20 transcripts of actual intrusive acts experienced by females and asked to indicate which ones represented stalking cases. Most participants were asked to judge the situation using one of three possible anti-stalking laws provided them (England, United States, Australia), while others relied solely on personal opinion. Results revealed that college student perceptions of stalking most closely match laws in England that do not require the presence of intent or victim fear. Although responses from English participants are more likely to reflect legislation in England than other countries, another study comparing legally defined and self-defined stalking victims in the U.S. revealed that fear of harm is not perceived as a relevant component of stalking victimization (Tjaden, Thoennes, and Allison 2000). Many participants in the study defined themselves as stalking victims, yet they failed to meet the fear standards required by law.

PRESENT STUDY

The present study used both quantitative and narrative analysis to explore college student definitions of stalking. Stalking often begins as obsessive relational intrusion (ORI) by individuals who desire an intimate relationship (Spitzberg and Cupach 2007). According to legal codes, once the repeated intrusions to privacy are perceived as threatening to the victim, the behavior qualifies as criminal stalking. The current study portrayed an offender in the early stages of pursuit of an intimate relationship with the victim (repeated phone calls and messages, followed by a single threat) to uncover whether students could identify the presence of stalking during these early stages of courting, when ORI behaviors transform to stalking. By providing a scenario which depicted circumstances which includes less extreme examples of stalking behaviors, this study created the opportunity for a deeper investigation into what constitutes a stalking incident. Through the use of qualitative data, this study seeks to develop a better understanding of why an incident qualifies, or fails to qualify, as criminal stalking. Based on previous scholarship, five hypotheses were proposed.

H1 (Respondent Gender): Female participants will more likely judge situations as stalking than male participants.

H2 (Extralegal Case Factors): Prior relationship between the victim and offender will influence student definitions of stalking, but offender/target gender will not.

H3 (Particular Actions): Particular actions/behaviors engaged in by pursuers will influence college student definitions of stalking.

H4 (Legal Case Factors): Persistence in pursuit and the existence of threats will have a greater influence on student definitions of stalking than victim fear.

H5 (Universal Definition): Respondents will report varying definitions of stalking.

METHODOLOGY

Data Collection and Sample

A 2 (offender/target gender: male offender/female target, female offender/male target) x 4 (relationship: stranger, casual acquaintance, ex-intimate, hook-up) x 2 (respondent gender: female, male) mixed factor design survey was administered in undergraduate classrooms during regularly scheduled courses. Selection of classrooms was not random; it was based solely on permission from the instructor. Ten classes in total were surveyed from courses in health and exercise science, sociology, African American studies, political science,

leadership, civil engineering, philosophy, art, and dance. Once in the classroom, students were told that the survey was about unwanted pursuit behavior (rather than stalking), so as to not taint their responses to the question asking them whether the vignette constituted stalking. Completion of the survey was voluntary and no incentives were offered to students. While there was no systematic information collected on response rate, very few students declined to participate in the study once learning about the survey.

Each participant read one of the eight possible scenarios and then answered a series of questions asking them what they think about the case. To limit the chances of confounding offender/target gender with respondent gender (respondents could more closely identify with targets of the same gender), participants were assigned to the condition irrespective of their gender. To ensure that each classroom responded to each of the eight possible scenarios, the surveys were specially ordered prior to administration (every ninth student in each row restarted the pattern of possible scenarios). Half of the respondents read a scenario with a man stalking a woman, and half read a scenario with a woman stalking a man. One quarter of respondents read a scenario that involved strangers, one quarter read a scenario that involved ex-intimates, one quarter read a scenario that involved casual acquaintances, and one quarter read a scenario that involved “hook-up” partners.

Five hundred and thirty students from a large, east coast university responded to the scenarios. Three of the surveys were unusable given missing data, creating a final sample size of 527 students. Participant demographics indicate that 55% of the sample was female and 45% was male. The large majority of students were Caucasian (84%). Six percent were African American, 4% were Asian, 3% were Latino, 2% were mixed race, 1% were “other,” and less than 1% were American Indian. With respect to age, 98% of students were 18 to 26 years old (48% were 18 or 19 years old, 40% were 20 or 21 years old, and 12% were 22 years of age and older). No significant demographic differences (gender, race, age) existed between the sample group and the general student population. Also, unlike other studies that often survey large introductory freshman social science courses, this study incorporated a greater variety of students. Thirty-three percent were freshman, 34% were sophomores, 17% were juniors, 14% were seniors, and 2% were graduate students. Academically, 22% majored in the social sciences, 19% in arts and humanities, 18% in engineering, 13% in business, 12% in health science, 6% in natural/mathematical sciences, 4% in education, 3% in human services and public policy, 1% in agriculture, and 2% were still undecided.

Materials

Scenarios. All eight scenarios showcased an offender’s initial attempts at courtship. Nonetheless, each scenario met the legal requirements of stalking for most states. Considering the most prevalent forms of stalking behavior today, the *persistent intrusion* in the scenario consisted of a pattern of unwanted telephone calls and messages (Baum et al. 2009; Blaauw et al. 2002; Fisher et al. 2002; Mullen et al. 1999; Pathe and Mullen 1997). Drawing from Dennison and Thomson (2000; 2002), the explicit *threat* was captured by claiming the victim received a telephone message on his or her answering machine stating, “If you don’t give me a chance then there will be trouble. You will be sorry.” *Victim fear* was portrayed by the concluding remark indicating the victim was frightened and the next day had a dead bolt lock installed by the landlord.

The elements of persistent intrusion, explicit threat, and victim fear were constant across all scenarios. The beginning of each scenario was manipulated to examine the impact of gender and prior relationship. Gender included cases in which men pursued women or women pursued men. The prior relationship between the victim and offender included the three standard categories of strangers, casual acquaintances, and ex-intimates. Yet, because casual sex is a dominant form of heterosexual interaction on college campuses (Bogle 2007), this study also included the relationship category of “hooking up.”

A pilot study was completed prior to dissemination of the survey to determine if interpretational issues existed. After minor adjustments, in the hook-up scenario, the offender and victim met at a bar where they flirted on the dance floor and eventually went out to the parking lot and had sex. In the stranger scenario, the offender saw the victim at a bar and obtained the victim’s name from a credit card receipt left on the table. In the acquaintance scenario, the offender and victim had a class together; they ran into each other in a bar and talked for 10 minutes about the class. In each of these situations, the next day, after finding the victim’s contact information within the campus directory, the offender engaged in the pursuit behavior. With the ex-intimate scenario, the offender and victim met at a bar, and the next day the offender obtained the victim’s contact information from the campus directory and called to ask for a date. The date went well and the two dated for a year. Right after the break-up, the offender engaged in the stalking behavior (see Appendix A for complete scenarios).

Variables. The independent variables in this study included the prior relationship and gender of the offender and target described in the scenario, as well as the gender of the respondent. Prior relationship included stranger, casual acquaintance, hook-up, and ex-intimate cases. For the current analysis, the dummy variable of ex-intimate was left out of the model as the comparison category.

Offender/target gender incorporated scenarios with men pursuing women and women pursuing men. Respondent gender included male participants and female participants. Considering that the race/ethnicity of the individuals responding to scenarios could also impact perceptions, this variable was included as a control variable (white/nonwhite).

The dependent variable in the model was the ascription of a stalking label. Respondents were asked whether they believed the scenario they read constituted stalking (yes or no). They were then asked to explain in their own words why this was or was not a stalking case. No triggers, prompts, or clues were provided to participants to ensure responses were clear reflections of what college students feel is stalking.

Analysis

This study utilized a mixed-method design by adding an open-ended question to the traditional fixed-format questions of factorial survey designs. Given the dependent variable was dichotomous, quantitative findings were calculated using logistic regression procedures. To get a deeper understanding of the quantitative findings, narrative responses to the open-ended question were coded to examine the impact gender and prior relationship have on perceptions. General open-coding procedures were also used to identify any key themes that arose in the lay

description of stalking, such as particular offender actions. The researcher also gauged the extent to which the three general criteria of stalking (unwanted repeated pursuit, threats, and victim fear) were mentioned in written responses. Given narrative analysis is not as objective as logistic regression, numerical counts (per theme) are available in Appendix B.

RESULTS

Descriptive results indicate that the majority of participants (74%) viewed the scenarios they read as stalking. Findings from the logistic regression model (see Table 1) further revealed that gender of the respondent was not significant in the application of a stalking label. Female participants were no more likely to judge situations as stalking than male participants. Offender/target gender was also not significant in the application of a stalking label. College students in this sample perceived situations as stalking regardless of target or offender gender. Prior relationship between the target and offender, on the other hand, was pertinent in the application of a stalking label. Cases with strangers and acquaintances were significantly more likely to be viewed as stalking than cases with intimates. Using respondent narratives, the section that follows will clarify why prior relationship influences perceptions of stalking.

<i>Table 1. Logistic Regression Results Predicting the Definition of Stalking</i>				
Variable	β	SE	Exp(B)	p
Male pursuing female	0.01	.21	1.01	.97
Stranger	-1.86	.37	0.16	<.01
Acquaintance	-0.78	.28	0.46	.01
Hook-up	-0.45	.27	0.64	.09
Respondent is male	0.07	.21	1.07	.74
Respondent is white	-0.32	.28	0.73	.25
Constant	-0.20	.32	0.82	.55
χ^2	34.69*			
NOTES: The data were collected in 2006 from one large east coast University. $N = 499$. For interpretation purposes, the dependent variable is coded 1 if respondents labeled the scenario as not stalking and 0 for stalking.				
* < .01.				

The Impact of Prior Relationship

The words provided by respondents imparted some insight as to why stranger cases were significantly more indicative of stalking than ex-intimate cases. One reason was that college students make excuses for ex-intimate offenders, which deflects the application of a crime label on their actions. For 12 of the 130 respondents who read the ex-intimate scenario, ex-intimates were not perceived as engaging in stalking; they were seen as frustrated over the end of a long-term relationship and in need of proper closure.

(H48) Female. It is a primary level of stalking, the kid just may be upset and want closure.

(H02) Male. Justin is just frustrated over the end of a long relationship. A few messages on a machine, while annoying perhaps, do not harm anyone and he will more than likely move on and stop calling shortly.

(D58) Female. I think they're messages from a girl you've dated for a year and just broke up [which] is hardly stalking, she just needs more closure.

(H36) Male. This is not stalking at this stage because they were both recently a couple and it's only natural that he feels that way.

If they were not seeking closure, some respondents believed pursuers were attempting to win their ex-partner back (N=6).

(D43) Female. Stalking includes constantly following, calling and threatening another person in a way that is not acceptable. What she is partaking in is just an act to get someone back.

(D31) Female. No, she isn't stalking him yet. Right now she is just trying to find out if they can hang out with empty threats. She isn't following him.

(D11) Female. She's a girl trying to get her boyfriend back by desperate means; She isn't to the point of stalking him yet.

Apparently, the motivation of ex-intimate offenders was not perceived as predatory. Instead, offenders were either recovering from the loss of intimacy or attempting to reestablish it. Given intent to cause harm was lacking, culpability of the offender was lowered and actions were not perceived as serious enough to warrant a label of stalking.

A second explanation for the significance of prior relationship stems from the fear of the unknown (Sampson 1987). Participant narratives indicated that stalking involved actions imparted by offenders the victim had never met. This was most evident in stranger scenarios (N=16), yet a few participants responding to the acquaintance (N=2) and hook-up (N=3) scenarios mentioned that the greater relational distance between the victim and offender

impacted their perceptions of stalking.

(B45) Male. Stalking consists of a person you don't know being crazy like getting your information (like name, address) off a credit card.

(F64) Female. He is going out of his way to find information about a person he has never spoken to.

(F36) Male. He found out information about a stranger and began trying to talk to her.

(F33) Male. He had no actual contact with her where she expressed any interest in him, yet he continued to pursue her.

(B29) Female. It does [constitute stalking] because she hadn't even spoke to him and took multiple steps to get in touch with him and when rejected she kept bothering him.

Existing studies have found that individuals typically view stranger cases as the most serious, partly because these offenders can perpetrate random acts of violence on everyday innocent individuals (Sampson 1987; Scott 2003). If stranger cases are viewed as more of a concern, then it logically follows that college students would more likely view situations with strangers as crimes.

The Impact of Particular Actions

Although a number of individuals perceived stalking to be a characteristic of types of people (strangers), a large majority of students in this sample believed stalking to be a characteristic of particular actions or behaviors.

Information gathering. One hundred sixty-five respondents mentioned that the scenario they read constituted stalking because the offender invaded privacy by looking up someone's information without their consent. This is evidenced in the excerpts below.

(A28) Male. John did not give his information, so to find out John's information for a personal reason without John's knowing, Trish was stalking.

(C30) Male. It constitutes as stalking because she obtained his phone number and address without his permission.

(F04) Female. As a female, I would be worried about my safety. I think his methods of getting her name, phone number, and address were very secretive and stalkerish. He's also constantly calling her.

(D65) Female. Just because she calls alot - no. It's not like she has searched him out. The way she found out his information before they were together was somewhat stalkerish.

An offender who goes out of their way to uncover a victim's phone number and address on the Internet is

viewed as a stalker. These are very “secretive” actions performed in the shadows without victim comprehension and knowledge. As is evident within the statement by Respondent D65, even in cases in which the victim and offender had dated a year, the initial gathering of information online was “stalkerish.”

It is now apparent that another potential reason why stranger cases were seen as stalking to a greater extent than other relationship categories is that, in the stranger scenario, the offender gathered more information on the victim. The stranger offender did not just look up the target’s phone number and address on the Internet, but he or she also uncovered the victim’s name by examining a credit card receipt left behind on a bar table. Several respondents noted that obtaining a name from a receipt, then looking them up online, provides considerable evidence of stalking.

(F05) Female. First of all, Kyle found her receipt and then followed up by finding her name and number and persistently called her after she refused him. STALKER!

(B04) Gender Unknown. It’s stalking because she did police work to get his name and called many times.

(F25) Male. I think that since he got her number off a credit card receipt that it’s stalking. He should have gotten it himself by talking to her.

(F54) Female. It is stalking. He doesn’t know her and instead of doing what normal people do - like go up and ask her name and talk to her, he resorted to deviant, dishonest behavior violating her privacy.

(F23) Female. I think Kyle’s actions constitute stalking because he violated Monica’s right to privacy by looking at her bill and obtaining her information without her consent. He also continued to call her once she had asked him not to.

It was believed that stalkers use investigative means to track down the person they are attracted to, not non-stalkers. The actions taken by the offender in the scenario were unacceptable because students felt people should gather information on an individual with whom they are interested from talking directly with them, not going behind their backs and invading their privacy.

Physical pursuit: following and uninvited visits. One hundred and thirty-six participants in this study perceived that the scenario they read failed to meet the requirements of a stalking label. Just over a third of those students (N=52) believed it could not qualify as stalking because the offender never engaged in a course of conduct that included physical pursuit.

(C58) Male. She may have called several times but I see stalking as physical attachment.

(B57) Female. I think stalking is more of a physical presence concept, watching behaviors very closely. This is only voice contact.

(H08) Male. He’s not physically going to her, he is informing her, its more harassment.

(D10) Male. No, NOT YET, if she continues and takes physical action, then it is stalking.

(D03) Male. Stalking is more a physical action. Actually being there.

As Respondent D03 indicated, the crime of stalking entails a physical presence by the offender. Interestingly, repeated verbal contact, threats, and victim fear were not enough to convince these respondents that the crime of stalking had occurred. Instead, two specific forms of physical pursuit needed to transpire between the victim and offender to sway their attitudes. The first type of pursuit mentioned by respondents as an indicator of stalking was following the victim (N=26).

(A65) Female. She hasn’t physically met him and talked to him, just left phone calls. She’s not following everywhere he notices yet: NOT stalking.

(G44) Male. Stalking means that your shadowing someone with the intent of keeping them from knowing what you’re doing. Calling someone let’s them know what you’re doing.

(A49) Female. [It’s not stalking]. She’s not following him around watching every move. Has only called him.

(E13) Female. It is borderline [stalking]; however, so far it is just a few phone calls, not following her around or hunting her down at other locations.

(G29) Male. He is close to it [stalking], when he starts following her then it will be.

Showing up uninvited was also envisioned by some respondents as a clear indication of stalking (N=5).

(C22) Female. I think it would be if she begins to show up wherever he is. As of now the only thing abnormal is the threat.

(D54) Female. No, Stephanie is close to crossing the line, but all she has done so far is call Justin. If she begins to show up where he is, then it would be stalking.

Furthermore, this conception of uninvited visits as stalking was often specific to a particular location. For 10 other students who felt the scenario did not constitute stalking, they believed stalking takes place when the offender visits the victim’s home or domicile.

(F65) Male. I think it does [constitute stalking], but it isn't the best word. He is pursuing her, but when I think of stalking I think like sitting outside her house for hours.

(E36) Male. No, [this isn't stalking] because it was just a couple calls and he did not, yet, go to her house.

(A43) Female. She hasn't even been to his apartment yet so I don't consider it stalking.

(H30) Male. A person can't be forced to talk on the phone. It would be stalking if he repeatedly came to her house or confronted her in person.

(H21) Male. No, [it's not stalking] but if he starts hanging around her apartment and calling more than yes.

Evidently, some college students envision stalking to be much like the hunting and tracking of prey, where targets of pursuit must consistently watch over their shoulder for the next visible move by the hunter.

The Impact of Legal Factors

By law, stalking occurs when unwanted repetitive actions and threats are waged against a fearful victim. Narratives revealed that student perceptions match this criterion in some ways. For one, many students believed that unwanted repeated pursuit was integral to defining stalking (N=246).

(F57) Male. Anytime you make multiple attempts to contact a person against their will, it seems as if that would be stalking.

(E18) Female. When someone pursues someone who is not interested many times then that should be considered stalking.

(H23) Female. [It is stalking]. He won't stop calling and he won't take "no" for an answer.

(D41) Female. Any unnecessary and unwanted contact is technically considered stalking.

As Respondent H23 and others in this survey proclaimed, stalking existed when an offender was persistent and would not "take no for an answer." Unfortunately, unwanted repeated pursuit in and of itself is not stalking. Stalking also entails threats and reasonable fear.

A large number of respondents did mention that the scenario constituted stalking because the offender made a threat on the answering machine (N=126). For some, the threat in the scenario upgraded the case to stalking.

(G09) Male. Yes, [it is stalking] because of the threat posed in the last message. If that did not occur I think the first initial calls were innocent attempts to get a date.

(G33) Female. The situation was just creepy and a little overbearing until he left that final message. He crossed the line.

(C65) Female. It does [constitute stalking] because of the threat. If not for the threat, it would have been okay.

(B23) Male. It wasn't stalking until she left a threatening voicemail.

(A32) Male. I felt that it wouldn't be considered stalking until the final message with a threat attached was sent. Once that was sent it was more than trying to get a date.

According to some, the case was not criminal until the threat. One reason for this is that the unwanted pursuit prior to the threat may be acceptable attempts at getting a date. Thus, the romantic imagery of passionate pursuit complicates the matter of stalking. Further, like unwanted repeated pursuit, a threat by itself is not stalking.

Students often mentioned that the compilation of two or all three of the following factors constituted stalking: information gathering, persistence in pursuit, and the delivery of threats.

(F12) Female. He found out her name, found out her phone number, called her a lot of times, and threatened her. She didn't invite any of it to happen. I think that's stalking on his part.

(G57) Male. Going out of your way to get a phone number and calling repeatedly is definitely stalking.

(A31) Female. She found his phone number/address without John's permission and then harassed him, this qualifies as stalking in my opinion.

(A58) Female. OK she went so far as to find him in the directory and calling him. Then she kept on calling and calling. After the first rejection most girls get the hint but she insisted that he go out with her or else. The threat just tipped me off that she does have stalker tendencies.

(H41) Male. He won't stop contacting her. He made threats. Plus, he got her number from the student directory- Shady.

Absent in these definitions was victim fear. Only 7 respondents classified the scenario as stalking because the victim felt nervous or scared. Similar to Australia, definitions of stalking in the U.S. were not dependent on consequences to the victim. Instead, it was a "catch-all term, describing a wide variety of events rather than conduct that is calculated to cause fear or harm. The actions of persistent and unwanted contact such as following, telephoning, or watching may be enough to illicit perceptions of stalking...in the absence of fear or harm experienced" (Dennison and Thomson 2000: 168). College

students in the current study did take unwanted repeated pursuit and actions like following, uninvited visits, or information gathering seriously. For many, these behaviors constituted stalking, not because the offender invoked fear in the victim, but rather the offender violated the victim's privacy.

DISCUSSION

Some researchers characterize stalking as the "elusive crime" (Sheridan and Davies 2001b). While stalking can be hard to understand, after viewing a variety of scenarios, college students in this study identified what they felt constituted stalking. Counter to expectations, there was no significant difference in the perceptions of male and female participants (H1). As expected, there was no one collective definition of what it meant to stalk another individual (H5). Definitions varied considerably; yet as anticipated, extralegal factors (H2), particular actions (H3), and legal factors (H4) all played some role in student definitions of stalking.

Parallel with previous research (Kinkade et al. 2005; Phillips et al. 2004), findings from this study indicated that the extralegal factor of offender/target gender had no effect on the application of a stalking label. For college students, a case involving a pursued man would be seen as stalking to the same extent as a case involving a pursued woman. However, students viewed stranger and acquaintance cases as more indicative of stalking than ex-intimate cases. Existing literature has noted that college students envision cases as stalking when the offender was unknown (Phillips et al. 2004; Sheridan et al. 2003), yet the current study reveals the meaning behind perceptions. Stranger cases were labeled as stalking because pursuit by ex-intimates was excused as courtship or attempts at closure. This quandary lies at the heart of policing stalking. It is difficult to prove intent because pursuit appears similar to innocent, normal practices for establishing, advancing, or ending relationships (Emerson, Ferris, and Brooks-Gardner 1998).

Other students noted that stalking occurred when the pursuer engaged in particular actions, notably physical pursuits, such as following or showing up uninvited to private locations frequented by the victim. As was seen in two studies of perceptions in England and Wales (Sheridan et al. 2001; Sheridan et al. 2002) and in another study of stalking victims in the U.S. (Tjaden et al. 2000), the crime of stalking encompasses attachment/approach behaviors commonly exhibited in the media. These behaviors display the stalker's obsession with the target and the need to have information about the target to guide potential future contacts (Spitzberg 2002a).

Information gathering was another action often envisioned as stalking by students in this sample, supporting results found in Kinkade et al.'s (2005) study of college students from the southwest. Many students in the current study mentioned that gathering data on an

individual without their knowledge and/or invading their privacy was stalking, even absent threats or fear to the victim. This concern over privacy could explain why some students felt uninvited visitation to the target's home constituted stalking. If the offender visits the target's home uninvited, especially on multiple occasions, privacy is no longer guaranteed; and the home, often considered a "private" space, may no longer serve as a safe haven away from public space.

With respect to legal factors, a substantial number of college students viewed unwanted, repeated pursuit as an indicator of stalking. However, for some students, this factor ascribed stalking even when threats and victim fear were not present. Although threats did matter to a significant number of respondents, privacy violations and unwanted pestering were more influential to the application of a stalking label. Fear being felt by the victim was the most inconsequential factor to the labeling of stalking.

As a result, college students, who are frequent victims in stalking events (Fisher et al. 2002), classify stalking in ways that do not parallel legal definitions. It is critical that students be made aware of the law in efforts to encourage more stalking victims to report. The scenarios in the current study met the legal requirements of stalking, yet some students did not see the case as stalking, largely because the case was not physical in nature. The implication of this is that college students would not report similar cases to authorities and receive assistance before stalking progressively worsens. College students need to recognize that stalking is not always a crime of physical violence. Instead, it is often a form of psychological terrorism in which manipulation and the constant potential for violence traumatizes victims (Hall 1998).

It also appears that college students would be less likely to report behaviors by ex-intimates to police. Although it is easy to envision pursuit by ex-intimates as campaigns of love and adoration, stalking is usually about loss of power and control. Further, excuses waged for ex-intimate stalkers only reduces offender culpability and creates a false sense of security (Reiman 1998), ultimately leaving students vulnerable to grave encounters from ex-intimates that necessitate police intervention (Spitzberg 2002b).

Furthermore, these findings suggest that offender deterrence may be obstructed by ignorance of the law. College students, who might be potential offenders, cannot be deterred from committing acts if they are unaware of the criminality of the action. They too might assume that stalking requires physical encounters between the victim and offender or it involves interactions between strangers. As a consequence, college administrators should consider the creation of a for-credit course aimed at educating students on stalking (Buhi, Clayton, Hepler-Surrency 2008). This course could be integrated as part of the freshman experience curriculum or in the very least, be incorporated into a new-student orientation session, which

could educate college students on the legal definition of stalking and provide resources and tools to help them identify whether someone is a victim of stalking.

The findings from this study also have implications for future studies examining the prevalence of stalking in the general population. Given that college students (and researchers) apply varying definitions to the crime of stalking, it is no surprise that estimates of stalking range considerably from one study to another (Fisher et al. 2002; Fremouw, Westrup, and Pennypacker 1997). The current research confirms that many individuals do not consider fear an important component in the definition of stalking (Tjaden et al. 2000). As a consequence, any research that allows for the self application of a stalking label will likely inflate the extent of stalking in the population. To capture a more accurate account of stalking in the population, one that reflects legal codes, a more stringent definition of stalking should be used by researchers. It would be best to create a standard operationalized definition that would allow for across-study comparisons.

While this study generated findings that could assist college administrators and future research, the analysis and data have limitations. For one, this study was comprised of a convenience sample of college students from one university in the north east. Although student samples of convenience are frequently used for attitudinal research (Payne and Chappell 2008), perceptions from this sample cannot be generalized to perceptions of all college students or the general public. However, given that the demographic characteristics of the sample in this study are analogous to the characteristics of the larger population at the university, it is not impractical to assume that similar views are held by other college students at this university and possibly other universities in the region with comparable demographics. Also, the findings from this research parallel other quantitative studies examining college student perceptions of stalking in other locations (Kinkade et al. 2005; Phillips et al. 2004; Sheridan et al. 2003), increasing confidence in the generalizability of the results.

Second, the current study asked students to define what stalking was, not what they felt should be criminal. Future research should examine the perceived illegality and control of stalking to better understand the degree of undesirability attributable to stalking and to explore the popularity of law and government responsiveness (Stylianou 2003). Third, this study did not control for prior personal or vicarious victimization within the sample, which could influence the results. Individuals who have been victimized in the past or those who know someone who has been victimized may be more educated on the legal definition of stalking or they may be more emotionally driven to see stalking in ambiguous scenarios.

Lastly, it appears that many college students in this sample place high value on their personal space, so much that violations to it could be stalking. However, the offender in this study went to an online campus directory to

get information on the target. It would be of interest to explore whether or not information gathering on the Internet is a problem for students if they put the information to be collected out there themselves on popular social networking sites, such as Facebook, Twitter, and MySpace. The accessibility of these sites has changed interpersonal relationships. Communication is global, and the chances for privacy invasions and stalking have increased. In a time of such rapidly changing interaction, researchers need to conduct studies that remain culturally relevant, to not only better assist future victims and practitioners, but to guide lawmakers in drafting legislation that meets contemporary concerns.

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Appendix A: Sample Stalking Scenarios

This appendix includes four of the eight stalking scenarios (for stranger relationship, casual acquaintance relationship, casual sex partner relationship, and ex-intimate relationship). The other four scenarios consisted of these same vignettes, with the genders reversed.

Stranger Relationship

Monica noticed Kyle at a bar near campus where she worked. She was instantly attracted to Kyle, but the bar was so busy she didn't get a chance to talk to him. When Kyle left the bar, Monica got his name from his credit card receipt that was left on the table. The next day, Monica obtained Kyle's phone number and address from the campus directory and called him to ask if he would join her for dinner at a local diner. Trying to be polite, he told her he couldn't make it. A few days later she called him again asking for a date to a movie. He told her he was not interested in seeing someone he didn't know. Over the next week, Kyle found three messages on his answering machine from Monica, the final one indicating "if you don't give me a chance then there will be trouble. You will be sorry." The tone of the message frightened Kyle and the next day he asked his landlord to install a dead bolt lock.

Casual Acquaintance Relationship

Carrie and Troy met in a history class. Carrie had been instantly attracted to him. One night, Carrie saw Troy at a local bar near campus. She went up to him and they chatted about the previous weeks lecture for roughly 10 minutes until Troy told her he had to leave. The next day, Carrie obtained Troy's phone number and address from the campus directory and called him to ask if he would join her for dinner at a local diner. Trying to be polite, he told her he couldn't make it. A few days later she called him again asking for a date to a movie. He told her he was not interested in seeing her. Over the next week, Troy found three messages on his answering machine from Carrie, the final one indicating "if you

don't give me a chance then there will be trouble. You will be sorry." The tone of the message frightened Troy and the next day he asked his landlord to install a dead bolt lock.

Hook-up Relationship

Trish noticed John at a bar near campus. She was instantly attracted to him and she spent about an hour flirting with him on the dance floor. After dancing, the two went out to the parking lot and had sex in John's car. The next day, Trish obtained John's phone number and address from the campus directory and called him to ask if he would join her for dinner at a local diner. Trying to be polite, he told her he couldn't make it. A few days later she called him again asking for a date to a movie. He told her he was not interested in seeing her. Over the next week, John found three messages on his answering machine from Trish, the final one indicating "if you don't give me a chance then there will be trouble. You will be sorry." The tone of the message frightened John and the next day he asked his landlord to install a dead bolt lock.

Ex-Intimate Relationship

Stephanie noticed Justin at a bar near campus. She was instantly attracted to him and the two spent the whole night talking. The next day, Stephanie obtained Justin's phone number and address from the campus directory and called him to ask if he would join her for dinner at a local diner. The date went very well and the two ended up dating seriously for over a year. Justin then ended the relationship. The day after the break-up,

Stephanie called Justin and asked him to join her for dinner at their favorite restaurant. Trying to be polite, he told her he couldn't make it. A few days later she called him again asking for a date to a movie. He told her he was not interested in seeing her again. Over the next week, Justin found three messages on his answering

machine from Stephanie, the final one indicating "if you don't give me a chance then there will be trouble. You will be sorry." The tone of the message frightened Justin and the next day he asked his landlord to install a deadbolt lock.

Appendix B. Themes and Counts from Respondent Narratives					
THEMES	NUMBER OF RESPONDENTS AFFIRMING THEMES (by scenario)				
	Stranger (N = 129)	Acquaintance (N = 132)	Hook-up (N = 130)	Ex-intimate (N = 130)	Total* (N = 521)
<u>Extralegal Factors</u>					
Stalking is a crime by offenders not well known to the victim.	16	2	3	0	21
Excuses are made for ex-intimate stalkers.					
New breakup for offender/desire for closure	0	0	0	12	12
Offender misses and wants to win ex back	0	0	0	6	6
<u>Legal Factors</u>					
Unwanted repeated pursuit by the offender	68	55	63	60	246
A threat made by the offender	45	23	34	24	126
Fear to victim	1	1	2	3	7
<u>Particular Actions</u>					
Information gathering without consent/invading privacy	77	47	34	7	165
Stalking involves physical pursuit ^a	0	3	4	4	11
Following	3	7	7	9	26
Uninvited visits/ approaches	1	1	1	2	5
Visits to home ^b	1	3	4	2	10
<p>* Not all themes will be out of the total number of respondents given vignettes varied by prior relationship. For instance, only 130 students responded to vignettes with ex-intimate victims, so the 18 affirmations regarding excuses granted ex-intimate offenders stemmed from 130, not 521, respondents.</p> <p>a – 136 respondents felt the scenario was not stalking. Of these students, 52 felt stalking needed to involve physical pursuit; 11 mentioned physical pursuit generally, without clarifying what types of behaviors. Those who mentioned specific types of pursuit are listed below. These are separate from the values noted for physical pursuit more generally.</p> <p>b – These values pertain to respondents who specifically mention visits to the home. They are separate from the values for respondents who note visits/approaches more generally.</p>					