

Statement of
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State of Connecticut General Assembly
Hearing on An Act Concerning Stalking (H.B. No. 6633)
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Good morning. My name is Michelle M. Garcia, and I am the Director of the Stalking Resource Center of the National Center for Victims of Crime. The mission of the Stalking Resource Center is to enhance the ability of professionals, organizations, and systems to effectively respond to stalking. The Stalking Resource Center envisions a future in which the criminal justice system and its many allied community partners will have the best tools to effectively collaborate and respond to stalking, improve victim safety and well-being, and hold offenders accountable. I hope this testimony proves useful to the Committee in its consideration of measures needed to protect victims of stalking and hold offenders accountable.

Current Data on Stalking

In January 2009, the U.S. Department of Justice, Bureau of Justice Statistics (BJS) released *Stalking Victimization in the United States*,¹ a landmark national study on stalking and the largest collection of data on stalking prevalence and behavior to date. The study found that 3.4 million adults are stalked each year in the United States.

At a prevalence rate of 14 cases per 1,000 population annually, this translates to **49,256 residents** stalked each year in the state of Connecticut.² This does not take into consideration stalking victims under age 18, so the true number of stalking victimizations each year in Connecticut easily rises to over 50,000 individuals.

Impact on Victims

We know that the impact on victims is wide-ranging and can include physical and psychological effects. Injuries reported by stalking victims include rape/sexual assault (14%), serious injuries (19%), and minor or other injuries (99%).³

About 3 in 10 of stalking victims accrued out-of-pocket costs for things such as attorney fees, damage to property, child care costs, moving expenses, or changing phone numbers. About a tenth of victims spent less than \$250, while 13% spent \$1,000 or more.

¹ Katrina Baum, et al., *Stalking Victimization in the United State*, (Washington, DC: Bureau of Justice Statistics, 2009).

² Calculation based upon DC population of 599,657. Source: 2009 U.S. Census Bureau: State and County QuickFacts.

³ Baum, et al., (2009). *Details sum to more than 100% because multiple responses were permitted.*

Of the 79% of stalking victims who had a job during the 12 months preceding the survey, about 1 in 8 lost time from work because of fear for their safety or to pursue activities such as obtaining a restraining order testifying in court. Seven percent of victims lost time from work for activities such as changing a phone number, moving, or fixing or replacing damaged property.

For 1 in 7 of these victims, a day or less was lost from work, but more than half of victims lost 5 or more days from work. About 130,000 victims nationwide reported that they had been fired from or asked to leave their jobs because of the stalking.⁴

Stalking Legislation

Since the first state stalking statute was enacted in California in 1990 many advances have been made in our understanding of stalking and now our laws are struggling to keep up. For instance, the stalking victimization report sheds light on some previously unexplored aspects of stalking, such as the use of technology to stalk. More than one in four victims report that stalkers have used technology, such as e-mail or instant messaging, to follow and harass them, and one in 13 say stalkers have used electronic devices to intrude on their lives. Yet, many state statutes, including Connecticut's, are written in ways that would make it challenging to hold stalkers accountable for this type of behavior.

In the past two decades we have enhanced our understanding of the dynamics of stalking, behaviors of offenders, and impact on victims. We better understand that stalkers act out of a variety of motivations—including power and control, rejection, and obsession—and in connection with other crimes, such as domestic violence and sexual assault. We know, as noted above, that the impact on victims is wide-ranging and can include psychological, physical, and financial effects.

We, at the Stalking Resource Center, have talked extensively with law enforcement officers and prosecutors across the country who have shared the challenges they face in arresting and prosecuting stalking offenders. They have spoken openly on how elements of their statutes, such as a specific intent requirement or a stringent victim fear requirement, have posed barriers to successful prosecution of these dangerous offenders. While these criminal justice professionals are often left frustrated, the victims in these cases are left helpless, terrified that nothing can be done to stop the stalker.

I hope you will take into consideration the needs of stalking victims in your consideration of the bill before you.

Thank you for the opportunity to testify on this important piece of legislation.

⁴ Baum, et al., (2009).