

It is essential that stalking be taken very seriously. In years past, stalking was not given the attention it deserved. Stalking can be very dangerous.

Offenders may be released with conditions prior to their trial. They may also be released early from jail. It is important that the victim be kept informed of the offender's release status.

If a victim is aware of the offender's release, appropriate steps can be taken for protection. An arrest may work to provoke the offender even more.



Early intervention is the key to preventing someone from escalating from stalker to killer



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"I won't let you break up with me. If I can't have you, no one else will. No matter where you go, I'll find you. I'll kill you first, then myself."



WHAT IS STALKING?

Stalking can be very simply defined as the malicious and repeated following or harassing of another person. It is a subtle form of harassment or intimidation. It is a very serious and dangerous form of behaviour.

Stalking includes behaviour such as:

- Following someone
- Repeated telephoning someone
- Repeated writing notes or letters
- Watching someone's house or work
- Repeatedly sending unwanted gifts
- Verbal or written threats
- Vandalism
- Leaving dead animals

Most stalking cases involve male offenders and female victims. This does not mean that it could not involve female offenders and male victims.

Many offenders are ex-husbands, estranged husbands and ex-lovers. but even strangers can become stalkers.

Stalkers are very unpredictable and they may become suddenly violent.



EFFECTS OF STALKING ON VICTIMS

Stalking is a very subtle form of intimidation that can greatly disrupt the life of the victim. It can isolate the victim from family and friends because the victim may fear for the safety of loved ones. It can also interrupt the victim's work because of constant telephone calls from the stalker.

Victims feel helpless and alone. Many victims experience intense fear of being alone in their own homes. Nightmares are a common experience. Many victims do not report the harassment because of embarrassment or out of a belief that the law cannot protect them. Victims also fear that reporting it might make the situation worse.

Victims often have to alter their own lifestyle to combat the harassment. Many victims have their telephone numbers changed and unlisted. Other victims are forced to move.

Some victims stop socializing with anyone. Victims may get restraining orders, but that can be expensive. It seems that it is the victim who must pay the price, not the offender. These victims have done nothing wrong, although they may feel responsible.

RESTRAINING ORDERS AND PEACE BONDS

A Restraining Order is a legal document requiring the offender to stay a certain distance away from the complainant. Restraining orders may be ineffective and they provide little actual protection for the victim. Restraining Orders also require a victim to retain a lawyer. This can cost a lot of money and the order is only good for a specific period of time.

A Peace Bond is a promise to "keep the peace and be of good behaviour". A charge must be laid in order to get a Peace Bond.

THE LAW

On August 1, 1993, Canada passed its first anti-stalking law.

The law against stalking, also known as "Criminal Harassment" is to prevent people from engaging in stalking behaviours and to prevent such behaviours from escalating into more serious violent acts. Criminal Harassment is a hybrid offence, which means it could be tried as a summary offence or an indictable offence. It carries a maximum five-year prison sentence.

It prohibits the following behaviours:

- Repeatedly following a person from place to place
- Repeatedly communicating with a person or anyone known to them, either directly or indirectly
- Watching a dwelling house or place where the victim, or anyone known to them, resides, works, carries on business or happens to be
- Engaging in threatening conduct directed at a specific person or any member of their family

Since the anti-stalking law came into effect, there have been many arrests and guilty pleas. The average sentence is around 90 days in prison, which may not seem like much, but it is more than a first time break-in artist would get.

The law recognizes the seriousness of stalking and the harm it can cause. Victims in these situations now have a place to turn.
