

# RCMP



ROYAL CANADIAN MOUNTED POLICE

## CRIMINAL HARASSMENT



*Stalking*

*It's NOT Love*



Royal Canadian Mounted Police Gendarmerie royale du Canada

Canada

## What Is It?

Criminal harassment, more commonly known as STALKING, is a crime. Generally it consists of repeated conduct that is carried out over a period of time and which causes you to reasonably fear for your safety or the safety of someone known to you. Stalking does not have to result in physical injury in order to make it a crime. The law protects you even if the conduct of the stalker is not done with the intent to scare you. It is enough if the conduct does scare you. This may be an advance warning of the possibility of future violent acts.

## Are you or someone you know being STALKED?

Are you afraid for your safety or the safety of someone known to you because of the words or actions of another person?

- 1) Is someone repeatedly following you or someone known to you from place to place? **Repeatedly** is more than one time and does not have to be for an extended period of time. The incidents may have occurred during the same day.
- 2) Is someone repeatedly communicating with you, either directly or indirectly? **Directly** can be by telephone, in person, leaving messages on answering machines, or sending unwanted gifts, notes, letters or e-mails.

**Indirectly** can be by contacting people you know and having messages sent through them or simply by making repeated unwanted inquiries about you.

- 3) Is someone persistently close by or watching your home or any place where you or anyone known to you live, work, carry on business or happen to be?
- 4) Have you or any member of your family been threatened by this person?

If you can answer **YES** to any of these questions you or someone you know may be a victim of **CRIMINAL HARASSMENT - STALKING**.

## *What to do and NOT to do*

You are **NOT** alone! Break the silence:

- Call the police.
- Contact a community help service.
- Talk to a friend, co-worker or family member.

Maintain detailed notes about the stalking conduct. Dates, times, places, actions and threats are easier to explain and remember when written down.

Keep all recorded telephone messages, e-mails, gifts, letters or notes that have been sent by the individual.

Keep a list of emergency numbers posted in **several locations**. Emergency numbers should include:

- police;
- immediate family;
- friends;
- co-workers; and
- victim's advocacy groups.

Pay attention to incidents that may seem coincidental. Are you suddenly running into this person more often?

If you are not sure if you are being stalked contact the police.

Do **NOT** agree to have contact with a person who you think may be stalking you - contact the police. Each stalking situation is different. Consider that sometimes, when a stalker is confronted or meets with resistance, he/she

may react with violence or the conduct may escalate.

## Legal History of Criminal Harassment

Stalking is not new but recognition of it as a distinct criminal behaviour took place on August 1, 1993.

The creation of the new offence of criminal harassment was introduced as a specific response to violence against women. The creation of Section 264 of the Criminal Code of Canada makes this conduct a crime.

## *What do we know about stalkers in Canada?*

Criminal harassment (stalking) is not an activity that is attributed to any one specific psychiatric diagnosis. There is no single profile of a stalker that exists. It appears that

the main motivation for stalking another person is the desire to control, particularly in cases where the subject is a former partner.

Individuals who stalk may possess one or more various psychological conditions, from personality disorders to mental illness. Most individuals who stalk are engaging in obsessional behaviour. They have persistent thoughts and ideas concerning the object of their attentions. A stalker does not necessarily have a psychiatric disorder.

## *Types of stalkers \**

**Simple Obsessional:** The majority of these stalkers have been in some form of relationship with the victim. The contact may have been minimal, such as a blind date, but more commonly is a prolonged dating relationship, common law union or marriage. The perpetrator refuses to recognize that the relationship with the other person is over and the prevailing attitude is "if I can't have her (or him) then no one else will." A campaign of harassment, intimidation and psychological terror is mounted. The motivation for the harassment and stalking varies from revenge to the false belief that they can convince or coerce the victim back into the relationship.

**Erotomaniac:** Is convinced that the object of his or her attention, usually of the opposite sex, fervently loves him or her and would return the affection if it were not for some external influence. The person about whom this conviction is held is usually of a higher status

than the stalker but is often not a celebrity. It could be the supervisor at work, their child's pediatrician, their church minister or the police officer who stopped them for a traffic violation but did not charge them. Sometimes it can be a complete stranger.

**Love Obsessional:** The stalker can be obsessed in his or her "love" without possessing the belief that the victim loves him or her. Very often the love obsessional stalker suffers from a major psychiatric illness such as schizophrenia or mania and wants to "win over" the love of his or her victim.

Another recognized but not well studied group of stalkers are those who stalk as a component to their paraphiliac (sexually deviant) focus. Some rapists and pedophiles have stalked because it is incorporated in their sexually deviant fantasies. Some sexual sadist will go through "behavioural try-outs" that will include stalking.

For more information and resources on family and relationship violence, please visit:

**<http://www.rcmp.ca/cp-pc/index-eng.htm>**

to view our other brochures:

- Dating Violence - Say NO!
- Effects of Family Violence on Children - Where does it Hurt?
- Intimate Partner Violence and Abuse - It can be stopped

These brochures can also be ordered at a cost from St. Joseph Corporation. For ordering information please contact them at their toll free number:

**1-888-562-5561.**

*\*Source: Federal Provincial-Territorial Working Group on Criminal Harassment. "A Handbook for Police and Crown Prosecutors on Criminal Harassment," 1999, Ottawa, Dept. of Justice Canada.*

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