

STALKED!

Linda Fay Walls

I was in a relationship that was held together by him pointing an automatic assault gun to my head. When I terminated this relationship, it resulted in my being stalked. It also cost my children their lives!

On December 9, 1989, my four children, 11-year old LeDonja; 10-year old Prima; 9-year old Joel and 5-year old Justina were murdered by Bennon Howery, a Kankakee County (Illinois) Board member, and father of my three youngest children. Bernon's intimidation of me, his marriage proposals and declarations of love failed to bait me back into his clutches. So he convinced my brother to let him babysit, and set my house on fire with our children

upstairs, sleeping. By committing this hideous act, he fulfilled his promised revenge toward me.

On one occasion at his parent's home, Bernon stated to me, "If you won't have me in your life, then you won't have anyone else. I will kill any man that comes into your life." When he realized that I was no longer intimidated by that threat, he yelled, "Revenge is a mother fucker Linda. If you won't have me then I am going to make you hurt the rest of your life. I'm going to make you hurt like I do. You will regret this the rest of your life." Yes, Bernon succeeded in his promise to make me hurt for the rest of my life because only the blue prints of my children, their memories in my heart,

enable me to smile each day. That's all I have left of them.

THE VICTIM

Although the crime of stalking is committed against men and women, women are at greater risk for this particular crime. Some women experience stalking when they try to end abusive relationships.

Victims of domestic violence and victims of stalking tend to be stereotyped as exhibiting certain characteristics or symptoms of abuse. These identifying characteristics/symptoms do not apply to all women, particularly to independent, strong-minded women caught in abusive situations. In fact,

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these stereotypes can be detrimental to abused women when they deal with the legal and healthcare systems.

At a local American Medical Association (AMA) Auxiliary seminar on domestic violence, I listened to characteristics being attributed to abused women. They did not fit me. They did not fit a person who had lived for years with a man placing a loaded gun to her temple, who threatened to kill her and other innocent people. They did not fit a person who worked a full-time job, went to school, ran a non-profit clothing project for children, was vice-president of a 2000-employee union, and who took care of a terminally-ill son along with his three sisters; a person whose only evidence of abuse were letters [from the batterer] apologizing for the abusive behavior toward me.

WHAT IS STALKING?

Stalking occurs when a person wilfully and knowingly commits acts that threaten to cause harm; following and harassing another person; repeatedly causing that person to have reasonable fear for their safety, or fear of death or bodily harm. For instance, if John calls Mary and threatens to shoot her if she does not accept his marriage proposal, and half an hour later, stands outside Mary's residence, watching her house and follows Mary when she leaves the house, that is stalking. If John leaves a threatening note on Mary's car, that is stalking.

Aggravated stalking is when a person commits the act of stalking in addition to the actual act of causing bodily harm, property damage, or confinement. It also occurs when a person breaks the provisions of a bond, or violates a protection order that states the person is to refrain from contact with the victim and/or the victim's immediate family members. For instance, if after committing the previous act of stalking as noted above, John physically attacks Mary while she is sitting on her porch talking to her sister, that is aggravated stalking. Each state has its own definition of stalking and it is im-

portant to check your state's statutes on what definition is being used.

ANTI-STALKING LAWS

Since 1990, 48 states and the District of Columbia have passed anti-stalking laws. Despite these laws, the crime of stalking has grown into an epidemic. Some figures from 1992 indicate that approximately 200,000 people had stalked someone in the United States each year.

For victims of stalking, the stalking laws are the only protection or support available. However, once a victim reaches out for help, she finds out that the laws do not allow for expedient intervention because the statutes dealing with stalking are written in a manner that protects the constitutional rights of freedom of expression, freedom of movement, and due process for the accused. Anti-stalking laws are activated after a stalking incident or after more than one incident has occurred (i.e., after the crime has been committed). They are also activated if the police witness the crime or there is proof that a crime has been committed. The burden of proof rests with the victim — to show that she has indeed been victimized through the act of stalking. Without this proof, the laws cannot be enforced.

It is unfortunate that anti-stalking laws are not written in a manner that authorizes preventive intervention. Acknowledging this fact and knowing what I know now, what would I do differently if I were given the chance to go back in time and re-live the events that led to my children's murder? Or, if someone stalks me in the future, what would I do? The second question truly frightens me. I realize that there is, in fact, no protection available to me other than calling the police. And the police can only enforce the law if the law has been broken or if they witness the crime



in progress. For the victim of stalking, the stakes are high. She could be killed or severely injured in the first act or the second act, especially if the stalker is aware that the first act was reported to the police.

HOW TO STOP A STALKER

I have developed a workshop and a reference manual to empower a person with self-defense strategies against stalking, to deal with the possibility of attack from a stalker. Both the manual and the workshop provide a general working knowledge of anti-stalking laws. They also provide a holistic defense approach that empowers a person to take an active part in protecting her(him)self in a stalking situation. Both resources show what evidence is needed to help convict a stalker.

After going public with my workshop, I was approached by two people who were being stalked in Illinois. Both of them were in immediate danger. Both had contacted the police and had approached the appropriate court system in their counties. Yet, neither of them was provided with an emergency order of protection.

In one of the cases, the woman was being stalked by her ex-husband who had previously inflamed her with gasoline. She had secretly moved, at least four times, only to be found by her stalker/batterer, who broke into her apartments and thrashed them. The woman was constantly followed by her ex-husband. He placed her under surveillance at work. He threatened to kill her. He physically assaulted her. The woman identified her abuser as a high-profile person who worked for a large corporation in the area. The police told her that because of who he was, all they could do was talk to him. And that was all they did. Help for this victim came

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only after the right connection was made in the Illinois Attorney General's office.

It is appalling that even in a life-and-death situation, it comes down to who you know in order to activate the very system designed to protect the public at large.

MAKING THE SYSTEM ACCOUNTABLE

If not properly enforced, anti-stalking laws or any laws, for that matter, are not worth the paper they are written on. When a life is endangered, as in a stalking situation, there is no room for justification or blatant failure to enforce laws that are designed to legally address the situation. Here are some suggestions that can be included in attempts to make law enforcement agencies and the judicial system accountable to victims of stalking and abuse.

First, detailed records should be kept on the reporting of the incident(s) by the victim or advocate. (A copy of the police report, statements of concern about treatment of the victim by the police or judicial system, what services were offered to the victim, what was the result of any court proceedings related to the incident, and details of the proceedings.)

Second, if the victim is not satisfied with the enforcement of the law or feels that the incident is not receiving the attention legally entitled to her/him, she/he should write a letter addressed to the Chief of Police, the State's Attorney, the Chief Judge, the Attorney General, and a Crime Victims Advocacy group. This letter should clearly identify if the victim's life is in immediate danger; the nature of the problem; and facts about how and why the incidents fit the pattern of stalking as defined by that state's stalking law. Include detailed information from the police or court reports, and what action was not taken or enforced by law enforcement or the judicial system (as provided by the state statute on stalking). The letter should clearly state what the victim's or advocate's request for

appropriate action is from the persons to whom the letter is addressed.

Third, fax or hand deliver the letter immediately. Then send copies to all addressees by certified mail with return receipt.

Fourth, give a trusted individual a copy of the letter along with copies of the dated return receipt(s) showing that the letters were received.

Lastly, seek legal counsel for possible legal action.

TIPS TO VICTIMS OF STALKING

There are many stalked and abused women who are outgoing, courageous, self-supporting, growth-oriented, and

strong advocates of social causes. They are achievers, people who are often sought out by others for counsel. These women have been trained or self-taught to give the public image of leaders. Regardless of these characteristics, incidents of stalking can leave a person feeling totally helpless, too afraid to seek out help from anyone. In addition, some victims of stalking may feel guilty and think that others will feel and say that she (or he) asked for it. Despite these feelings, it is imperative that victims of stalking seek help because stalkers use their fear against them. They count on the fact that their victims will be too embarrassed to reach out for help.

The days of stalk as you please are gone. Here are some ideas on what you can do if you are stalked (regardless of what your characteristics are):

- If you are in a violent relationship, try to end it. Seek help from a domestic violence shelter program. Call the police immediately if the person becomes violent towards you.
- If you are threatened by anyone, don't dismiss it as just talk. Take it seriously. Listen carefully to the threat. What was said? Exactly who was threatened? Report the threat to the police immediately. If possible, make a tape or video recording of the person threatening you. Keep any threatening notes. Get someone to witness the threats. Turn all this information over to the police.
- Try to take precautions at all times. Trust your intuition. If you don't feel good about something (such as standing on your back porch), go with that feeling. Better safe than sorry.
- If you are too afraid or embarrassed to seek out help, confide in someone close to you, someone you can trust. Let the person know your fear. The trusted person can probably contact help for you or can provide you with the support to overcome your fear so you can get the help you need.
- Don't let your guard down because no one believes the stalker behaves toward you in the way you describe.

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STALKING (Cont'd from Page 4)

Stalkers have two images — one in public and one in private. You may know the stalker better than anyone else because you have seen or experienced this person's actions toward you.

- If you are being stalked, a personal war has been declared on you by the stalker. The stalker's goal is to oppress you. The stalker strategically plans his/her actions towards you with safeguards to outsmart you and the police.
- If you are capable and want to flee the area (relocate), then leave! Make it known to all your family and friends that the person is abusing

you and is stalking you. Tell them of all the threats against your life and whoever else's life. Be sure you let them know that under no circumstances should your whereabouts be released to this person or anyone else without your permission.

- If you can't move away, then make your stalker's identity known. Show pictures and tell everyone living around you. Tell all the people you know what the stalker is doing. Ask your neighbors to call the police at once if they see the stalker in the immediate area of your residence. Let them know that not only is your life in danger when this

person is around but their lives could also be in danger.

- Always lock your doors — to the car and house.
- Always park in a lighted area and where others are parked.
- Let someone always know of your whereabouts at all times.
- Try to shop at stores that have security and ask security personnel to watch or escort you to your car.
- If you are out in public and see the stalker approaching, scream, "FIRE," immediately. Don't give him/her the chance to get close to you, and run toward people.

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Survivor of domestic violence and stalking. Offers stalking self-defense workshop that provides info on how to empower oneself against stalking by using strategies for self-protection, stalking laws, and building a case against stalkers.