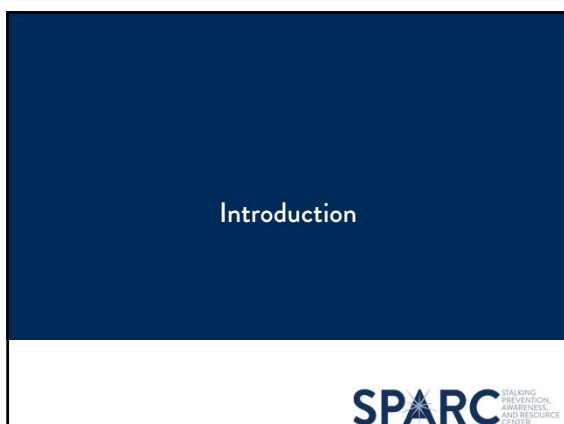




OVW Funding

This project was supported by Grant No. 15JOVW-22-GK-03986-MUMU awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this program are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women.



Poll Question

- * In comparison to IPV and SA cases, how many stalking cases do you routinely work with?
- * A. Just as many
 - * B. Slightly fewer stalking cases
 - * C. Significantly fewer stalking cases
 - * D. We rarely have stalking cases

Why Focus on Stalking?

- * Victims report experiencing stalking at a significantly higher rate than the civil and criminal justice systems identify
- * Stalking frequently co-occurs with other crimes and is a risk factor for homicide*

Spencer, C.M., & Stith, S.M. (2018). Risk Factors for Male Perpetration and Female Victimization of Intimate Partner Homicide: A Meta-Analysis. *Trauma, Violence, & Abuse*, 21(3), 527-540.

“Research suggests that victims rely on notions of what a ‘real’ or ‘legitimate’ crime looks like, and these perceptions may impact reporting decisions.”

Reynes, B.W., & Englebrecht, C.M. (2012). The Fear Factor: Exploring Predictors of Fear Among Stalking Victims Throughout the Stalking Encounter. *Crime & Delinquency* 59(5): 788-808. DOI: 10.1177/00112872461123



STALKING IS:



CRIMINAL



TRAUMATIC



DANGEROUS



CRIMINAL

FEDERAL LEVEL

50 STATES, D.C., U.S. TERRITORIES

TRIBAL CODES

UNIFORM CODE OF MILITARY JUSTICE

www.StalkingAwareness.org/map

Charging Stalking

- * Stalking charges are strategic
 - * Proof of stalking requires evidence of the acts constituting the course of conduct, so permits admission of a wide range of evidence of “other bad acts”
 - * Provides context for other charges, shedding light on the defendant’s purpose, motive, and intent and helping to explain the victim’s behavior



TRAUMATIC

Many stalking victims:

- * **Experience mental health issues.** Including PTSD, depression, anxiety, insomnia, social dysfunction.
- * **Lose time from work.** 1 in 8 employed stalking victims lose time from work.
- * **Relocate.** 1 in 7 stalking victims move.


Brown, C., Anderson, C., Winkel, P.P., Harris, A., & Sheridan, L. (2020). The Toll of Stalking. *Journal of Interpersonal Violence* 35(1) 30-45.

“

“It’s not easy to describe the fear you have when you see the stalker, or signs of the stalker, everywhere you go. I have given up all hopes of ever having a safe life.

For the rest of my life, I will be looking over my shoulder, expecting to see him there.”

SPARC

 **DANGEROUS**

- * Stalking often co-occurs with additional victimizations, including physical assault and sexual violence
- * 20% of stalkers use weapons to threaten or harm victims
Mokrosky, K., Hilly, J.E., McGowan, M.G., & Williams, J. (2020). The SECCON Typology of Stalking: Reliability and Validity Based upon a Large Sample of North American Stalkers. *Journal of Interpersonal Violence*, 35(1), 147-155.
- * 76% of intimate partner femicides included stalking in the year prior
McFarlane, J., Campbell, J.C., Wu, S., Ulrich, Y., & Lu, R. (1998). Stalking and Intimate Partner Femicide. *Journal of Interpersonal Violence*, 13(5), 550-558.


"Stalking is homicide in slow motion."


– Patrick Brady, Criminology Dept.
University of West Georgia

Understanding Stalking

SPARC STALKING PREVENTION, AWARENESS, AND RESOURCE CENTER

Defining Stalking




 **BEHAVIORAL**

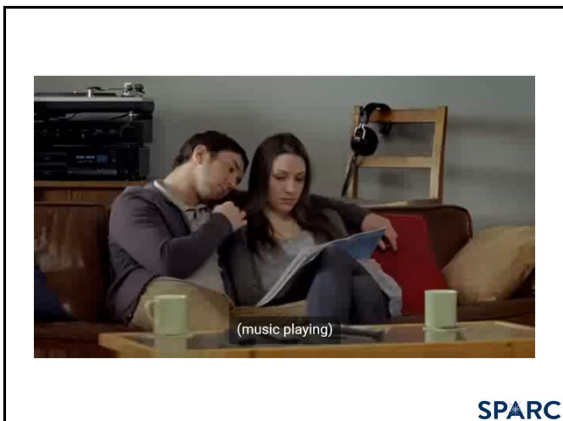
 **LEGAL/STATUTORY**

- State & Federal Statutes
- Clery Act, Title IX
- School Policy

STALKING DEFINITION: BEHAVIORAL

Stalking is a pattern of behavior directed at a specific person that would cause a reasonable person to feel fear for the person’s safety or the safety of others; or suffer substantial emotional distress.



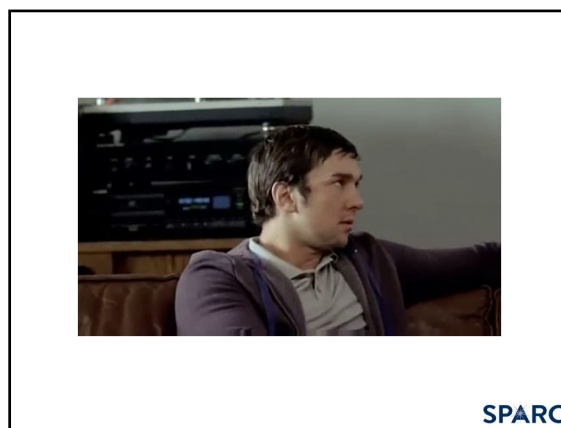
Context

I'll never let you go.

I'LL NEVER LET YOU GO.

- * Something may be frightening to the victim but not to you
- * Stalking behaviors often have specific meanings
- * Stalking criminalizes otherwise non-criminal behavior
- * Victims may know something you don't

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TENN. CODE ANN. § 39-17-315 STALKING

- * "Stalking" means a willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested, and that actually causes the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested;
- * "Course of conduct" means a pattern of conduct composed of a series of two (2) or more separate, noncontinuous acts evidencing a continuity of purpose, including, but not limited to, acts in which the defendant directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to a person, or interferes with a person's property;
- * "Harassment" means conduct directed toward a victim that includes, but is not limited to, repeated or continuing unwanted contact that would cause a reasonable person to suffer emotional distress, and that actually causes the victim to suffer emotional distress. Harassment does not include constitutionally protected activity or conduct that serves a legitimate purpose;
- * "Emotional distress" means significant mental suffering or distress that may, but does not necessarily, require medical or other professional treatment or counseling;
- * "Unwanted contact" means any contact with another person that is initiated or continued without that person's consent, or in disregard of that person's expressed desire that the contact be avoided or discontinued.

Stalking Prevalence and Dynamics



Stalking Prevalence

NEARLY
1 in 3 women



&

NEARLY
1 in 6 men




experience **stalking** in their lifetimes.

Smith, S.G., Basile, K.C., & Kresnow, M. (2022). The National Intimate Partner and Sexual Violence Survey (NISVS): 2016/2017 Report on Stalking. Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention.

Stalking Dynamics

Women are more likely than men to experience stalking.

The majority of victims report that the offender is male - regardless of the victim's sexual orientation.

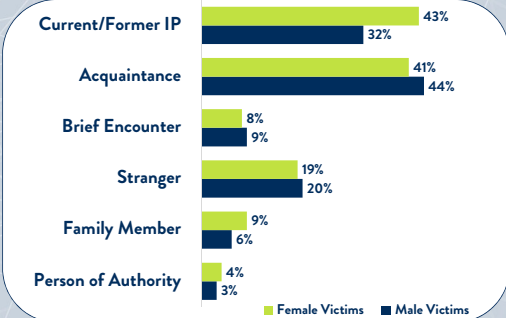


Canter, D., et al. (2000). Report on the AAU Climate Survey on Sexual Assault and Sexual Misconduct. Worcester, MA: AAU. Black, M.C., Basile, K.C., Breiding, M.J., Smith, S.G., Walters, M.L., Merrick, M.T., Chen, J., & Stevens, M.R. (2011). The National Intimate Partner and Sexual Violence Survey (NISVS): 2010 Summary Report. Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention.

Image Results for "Stalking"



Victim and Offender Relationships



Relationship	Female Victims (%)	Male Victims (%)
Current/Former IP	32%	43%
Acquaintance	41%	44%
Brief Encounter	8%	9%
Stranger	19%	20%
Family Member	9%	6%
Person of Authority	4%	3%

Smith, S.G., Basile, K.C., & Kresnow, M. (2022). The National Intimate Partner and Sexual Violence Survey (NISVS): 2016/2017 Report on Stalking. Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention.

Relationships, Reporting, & Fear

Victims who knew their offenders were **MORE** likely to report feeling **FEARFUL** and yet **LESS** likely to **REPORT** to police than those stalked by a stranger.



Reynes, B.W., & Englebrecht, C.M. (2012). The Fear Factor: Exploring Predictors of Fear Among Stalking Victims Throughout the Stalking Encounter. Crime & Delinquency 59(5): 788-808. DOI: 10.1177/001128712461123

Stalking Behaviors

SPARC STALKING PREVENTION AWARENESS AND RESOURCE CENTER

SLII Framework



Lugen, T.K. & Walker, R. (2017). Stalking: A Multidimensional Framework for Assessment and Safety Planning. *Trauma, Violence and Abuse* 18(2), 200-222.



SURVEILLANCE

- Follow
- Watch
- Wait
- Show up
- Tracking software
- Obtain information about victim
- Proxy stalking



LIFE INVASION

- Unwanted contact at home, work, etc.
- Showing up
- Phone calls
- Property invasion
- Public humiliation
- Harass friends/family

INTIMIDATION



- Threats
- Property damage
- Symbolic violence
- Forced confrontations
- Threaten or actually harm self
- Threats to victim about harming others



INTERFERENCE

- Financial and work sabotage
- Ruining reputation
- Custody interference
- Keep from leaving
- Road rage
- Attack family/friends/pets
- Physical/sexual attack

Poll Question

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- * D. We rarely have stalking cases

Technology & In-Person Stalking



The majority of stalking victims experienced both in-person stalking and technology-facilitated stalking.

Messing, J., Bagwell-Gray, M., Brown, M.L., Kapper, A., & Durfee, A. (2020). Intersections of Stalking and Technology-Based Abuse: Emerging Definitions, Conceptualization, and Measurement. Journal of Family Violence 35(1): 693-704.

Changing Behaviors

* **78% of stalkers use more than one means of approach**

* **66% of stalkers pursue their victim at least once per week**

Mohandie, K., Meloy, J.R., McGowan, M.G., & Williams, J. (2006). The RECON Typology of Stalking: Reliability and Validity Based upon a Large Sample of North American Stalkers. Journal of Forensic Sciences, 51(1), 147-155.

Naming Crimes Part of a Stalker's Course of Conduct

- * TCA §39-13-101 ASSAULT
- * TCA §39-13-111 DOMESTIC ASSAULT
- * TCA §39-13-113 VIOLATION OF AN ORDER OF PROTECTION OR RESTRAINING ORDER- VIOLATION OF NO CONTACT ORDER
- * TCA §39-13-306 CUSTODIAL INTERFERENCE
- * TCA §39-13-308 TRAFFICKING FOR FORCED LABOR OR SERVICES
- * TCA §39-13-309 TRAFFICKING FOR COMMERCIAL SEX ACT
- * TCA §39-13-401 ROBBERY
- * TCA §39-13-511 INDECENT EXPOSURE
- * TCA §39-13-601 WIRETAPPING AND ELECTRONIC SURVEILLANCE
- * TCA §39-13-604 INTERCEPTION OF CELLULAR OR CORDLESS TELEPHONE TRANSMISSIONS
- * TCA §39-13-605 UNLAWFUL PHOTOGRAPHY
- * TCA §39-13-606 ELECTRONIC TRACKING OF MOTOR VEHICLES
- * TCA §39-13-607 OBSERVATION WITHOUT CONSENT
- * TCA §39-13-1002 BURGLARY
- * TCA §39-14-103 THEFT OF PROPERTY
- * TCA §39-14-112 EXTORTION
- * TCA §39-14-114 FORGERY
- * TCA §39-14-129 MAIL THEFT
- * TCA §39-14-301 ARSON
- * TCA §39-14-303 SETTING FIRE TO PERSONAL PROPERTY OR LAND
- * TCA §39-14-405 CRIMINAL TRESPASS
- * TCA §39-14-408 VANDALISM
- * TCA §39-14-412 MAILBOX TAMPERING

CRIMES INCLUDING

IDENTITY THEFT,
COMPUTER CRIMES



VANDALISM,
PROPERTY CRIMES

VOYEURISM, PRIVACY
VIOLATION, IMAGE
CREATION &
DISTRIBUTION



EAVESDROPPING,
TRESPASSING,
NONCONSENSUAL
RECORDING

FALSE REPORTS,
WITNESS
INTIMIDATION

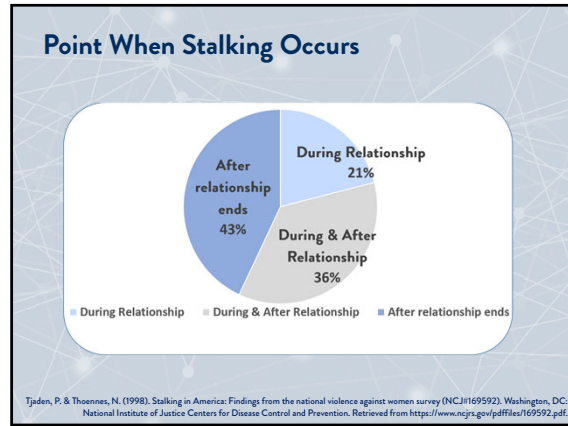
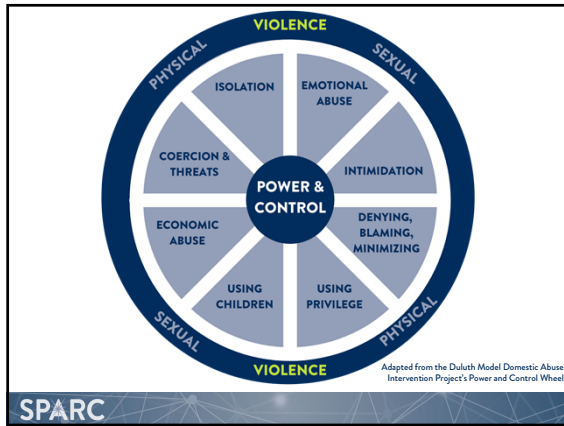


AND MORE

**MAY BE PART OF A STALKER'S
COURSE OF CONDUCT**

Co-Victimizations:
Intimate Partner and Sexual Violence

SPARC STALKING
PREVENTION,
AWARENESS,
AND RESEARCH
CENTER



Intimate partner stalkers are more likely to:

- physically approach the victim
- be interfering, insulting, and threatening
- use weapons
- escalate behaviors quickly
- re-offend

Mohandie, K., Moley, J.R., McGowan, M.G., & Williams, J. (2006). The RECON Typology of Stalking: Reliability and Validity Based upon a Large Sample of North American Stalkers. *Journal of Forensic Sciences*, 51 (1), 147-155.

Leaving an IP Stalking Relationship

Experiencing intimate partner stalking made victims more likely to want to leave the relationship than other factors -- including psychological aggression and past injury.

Victims of intimate partner stalking have more separation attempts than victims of IPV alone.

Siroshine, M. S., & Robinson, A. L. (2003). The decision to end abusive relationships: The role of offender characteristics. *Criminal Justice and Behavior*, 30(1), 97-117.

Shenidan, L. & Davies, G.M. (2006). Violence and the Prior Victim-Stalker Relationship. *Criminal Behaviour and Mental Health* 11(2): 102-116.

In 85% of attempted & 76% of completed intimate partner femicides, stalking occurred in the year prior to the attack.

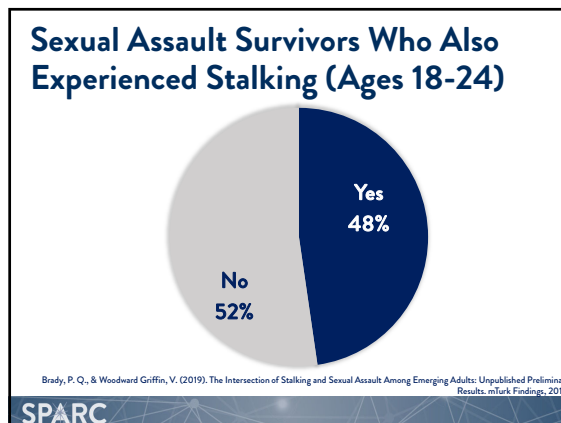
McFarlane, J., Campbell, J.C., Wilt, S., Ulrich, Y., & Xu, X. (1999). Stalking and Intimate Partner Femicide. *Homicide Studies* 3 (4), 300-316.

Stalking is a Lethality Risk

Top 10 risk factors for intimate partner homicide	Risk for male perpetrated & female IPH victimization
1) Direct access to guns	11-fold increase in risk of IPH
2) Threatened victim with a weapon	7-fold increase in risk
3) Non-fatal strangulation	7-fold increase in risk
4) Perpetrated rape/forced sex	5-fold increase in risk
5) Controlling behaviors	6-fold increase in risk
6) Threatened to harm the victim	4-fold increase in risk
7) Abused victim while pregnant	4-fold increase in risk
8) Perpetrated stalking	3-fold increase in risk of IPH
9) Jealousy	2-fold increase in risk
10) Substance abuse	2-fold increase in risk

Spencer, C.M. & Seth, S.M. (2018). Risk Factors for Male Perpetration and Female Victimization of Intimate Partner Homicide: A Meta-Analysis. *Trauma, Violence, & Abuse* 2(3): 527-540.

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Screening for Stalking

Has the Offender...

- been tracking, following, or monitoring Victim in any way?
- repeatedly invaded Victim's life/privacy by initiating unwanted contact with Victim?
- significantly and directly interfered with Victim's life?
 - >physically/sexually assaulted Victim during course of conduct?
 - >forcibly kept Victim from leaving, held against will, caused serious accident, assaulted others, or seriously attacked Victim?
- more than one time, intimidated or scared Victim through threats, property damage, threatening or actual harming of pets, or other means?

Logan, T.K. & Walker, R. (2017). Stalking: A Multidimensional Framework for Assessment and Safety Planning. Trauma, Violence and Abuse 18(2), 200-222.

Screening for Stalking

If YES to any of the previous, during the actions mentioned above...

- Did these actions make Victim afraid or concerned for safety or safety of children, family, and/or coworkers?
- Did Victim make significant life changes for safety reason because of these actions? (change day-to-day routines, spend money on home safety, took time off work?)
- Did these actions make Victim afraid or concerned about significant financial or social impact? (Loss of job, loss of housing, financial harm?)

NOT AT ALL? SOMEWHAT? EXTREMELY?

Logan, T.K. & Walker, R. (2017). Stalking: A Multidimensional Framework for Assessment and Safety Planning. Trauma, Violence and Abuse 18(2), 200-222.

Fear and Emotional Distress

Open-ended questions can include:

- * How has this experience made you feel?
- * Can you tell me what this experience has been like for you?
- * What have you done to protect yourself?
- * What has changed in your life as a result of their behavior?
- * What did you think was going to happen if you didn't make these changes in your life?

Resources to help identify stalking at STALKINGAWARENESS.ORG

SHARP:

Stalking & Harassment Assessment & Risk Profile

www.CoerciveControl.org
www.StalkingRisk.com

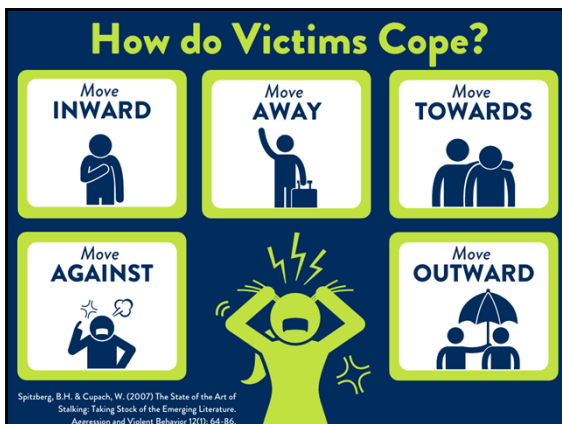
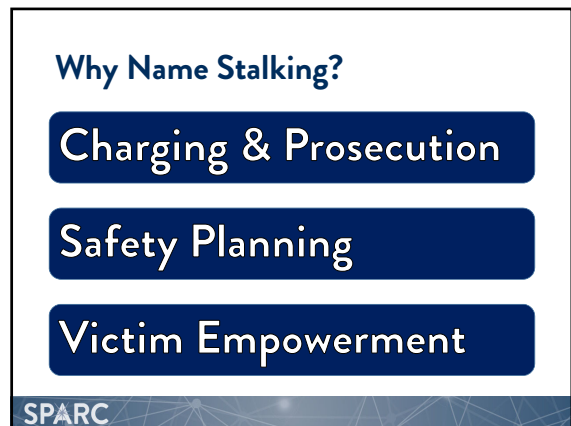
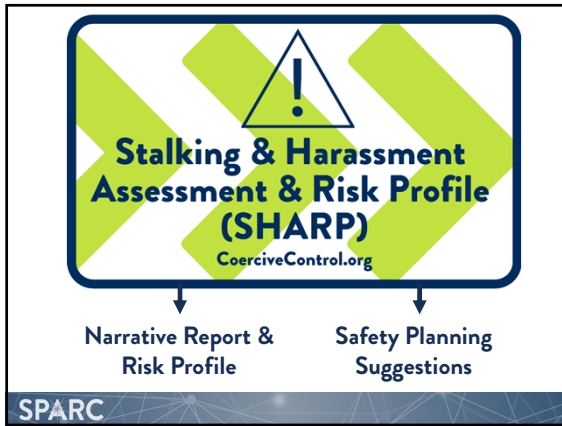
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“


Victim perceptions of risk are a strong predictor of reassault, equal to or even better than risk management tools

TK Logan & Robert Walker, Stalking: A Multidimensional Framework for Assessment and Safety Planning 18(2) Trauma, Violence & Abuse 200-22 (2017)

SPARC



"If you've never been in a predator-type situation, it's better to know where they're at than not know. The reason I didn't block him was to help not being caught off-guard."
-Stalking Victim



Documentation Log

STALKING INCIDENT AND BEHAVIOR LOG						
Date	Time	Description of Incident	Location of Incident (physical location, technology used, online platform)	Witness Name(s) (contact address and phone number)	Evidence Attached? (photos, video, screenshots, texts, etc.)	Report Made To (name, officiating badge or identification #)

Self-Protective Actions Taken

- 63% Blocked unwanted calls/messages/other
- 27% Changed personal information
- 24% Changed day-to-day activities
- 23% Self-defensive action/security measure
- 9% Applied for a restraining/protective/no-contact order



78% of stalking victims take some kind of protective action

Truman, J.L., & Morgan, R.E. (2022). Stalking Victimization, 2019. Washington, DC: US DOJ, Bureau of Justice Statistics, Special Report.


Document Evidence of Accommodations



Changes to accounts, numbers, and settings



Finances spent on safety devices or accommodations



Increased Security/Privacy Measures




Financial impacts, including employment consequences, identity theft, and cost of damaged property

What is Safety Planning?

An individualized plan that identifies specific strategies and interventions that may increase safety.

- Provides practical ways to decrease risk
- Puts victims in contact with a variety of services, agencies, and individuals who can help
- Focuses on physical AND emotional well-being



Basic Considerations

- Trust victim instincts
- Safety planning should evolve
- Consider stalker's next tactic
- Anticipate stalker reaction
- Balance safety and freedom



Safety Planning at Home

Victims may consider:


- Informing neighbors, landlords, housemates
- Packing a bag and identifying escape routes
- Changing locks
- Personal alarms
- Game cameras or other security devices
- Photographing property damage



Safety at Workplace or School

Victims may consider:

- Sharing a photo of the offender with security staff, colleagues/classmates, RAs, others
- Changing routines, schedule, locations
- Changing routes to and from location
- Accompaniment
- Ensuring that school/work does not post or share contact information
- Provide copies of CPOs
- Save voicemails, texts, and emails
- Work with building security to acquire records/logs of stalker's presence



Responding to Stalking



STALKING RESPONSE CHECKLISTS

ASSESS YOUR EFFORTS & CONSIDER NEW IDEAS



Law Enforcement Strategies

- Does your agency have a stalking policy?
- How are non-IP stalking cases identified?
 - What training exists for dispatch, patrol?
 - Incident reports, call logs
- Property crimes vs. crimes against persons
- Report reviews to screen for stalking



LAW ENFORCEMENT STALKING INVESTIGATIONS & REPORTS



IDENTIFYING STALKING ON LAW ENFORCEMENT CALLS FOR SERVICE



STALKING Roll Call Training Videos for Law Enforcement



LAW ENFORCEMENT TIPS: IDENTIFYING STALKING BEHAVIORS



SPARC

Prosecution Strategies

- Charge stalking within intimate partner violence/domestic violence
- What can be charged NOW
 - ...to help with a future stalking charge?
 - ...to address the behavior?
- Acts intended to elicit a reaction from the victim (even if not directed at victim) can be part of the course of conduct
 - Intent: the victim would see/hear, evidence of context of threat may = intent

Prosecution Strategies (continued)

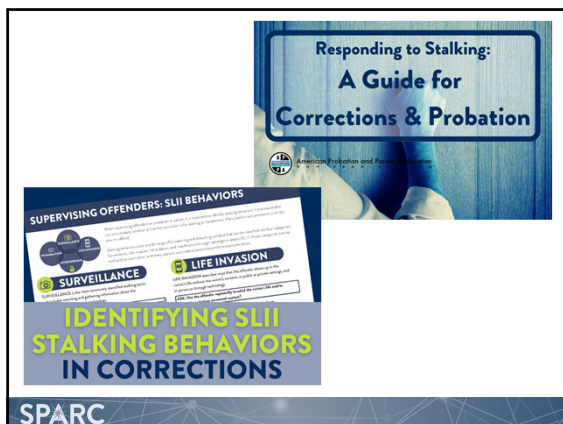
- Use risk assessments
- Use firearm prohibitions
- Oppose defense demands for private or confidential victim information
- Use expert testimony
- Forfeiture by wrongdoing for unavailable victims/witnesses



Probation Strategies



- Screen offenders
 - especially those with IPV/DV charge
- Make contact with victim(s)
- Frequent field contacts
- Look for fixation on victim
- Specialized caseloads
- Specialized conditions:
 - social media accounts, firearms, unannounced home visits, warrantless searches/seizures of property (like cell phones/computers)



Advocacy Strategies

- Specific training on stalking
- Support groups
- Safety planning/risk assessments
- Assistants with CPOs
- Documentation
- Shelter options?
- Organizational checklist



