Context is Key: Recognizing and Responding to Stalking

Introduction

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STALKING IS:
CRIMINAL
TRAUMATIC
DANGEROUS

CRIMINAL
FEDERAL LEVEL
ALL 50 STATES, D.C., & U.S. TERRITORIES
TRIBAL CODES
UNIFORM CODE OF MILITARY JUSTICE
Many stalking victims:

* Experience mental health issues.
* Lose time from work. 1 in 8 employed stalking victims lose time from work.
* Relocate. 1 in 7 stalking victims move.


Many stalking victims: “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.”

“Stalking is homicide in slow motion.”

– Patrick Brady, Criminology Dept. University of West Georgia

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Domestic Violence Crimes Study

* 1785 cases of domestic violence
* 298 involve stalking (1 in 6)

How many cases were charged as stalking?


Stalking within Domestic Violence

- Tjaden & Thoennes (1998): 1,731 incidents of domestic violence
- Woodruff (2010): 286 stalking calls for service
- Brady & Nobles (2017): 3,756 stalking calls for service

Understanding Stalking

Defining Stalking

BEHAVIORAL

LEGAL/STATUTORY

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

www.stalkingawareness.org/map

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Poll: Is this stalking?

1. A student peeks into the women’s locker room.
2. An ex-partner repeatedly spreads vicious rumors about their former partner on social media.
3. A supervisor regularly asks her employee personal questions, mocks him in meetings, sends e-mails at odd hours and is verbally abusive when he doesn’t respond right away.

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.

* Not a single incident or “one off” event

* Called a “course of conduct” in most statutes

...that would cause a reasonable person to feel FEAR for their safety or the safety of others; or suffer substantial emotional distress.
Context

* Something may be frightening to the victim but not to you
* Stalking behaviors often have specific meanings
* Stalking criminalizes otherwise non-criminal behavior

Victim Reaction: Is it Fear?

Document Evidence of Accommodations

- Changes to accounts, numbers, and settings
- Increases in security/privacy measures
- Financial impacts, including employment consequences, identity theft, and cost of damaged property
- Finances spent on safety devices or accommodations
Stalking Prevalence and Behavior

**Stalking Prevalence**

NEARLY 1 in 3 women & NEARLY 1 in 6 men experience stalking in their lifetimes.


**Stalking Victimization by Sexual Orientation**

- **BISEXUAL**
  - 1 in 3 women
  - 1 in 14 men
- **LESBIAN/GAY**
  - 1 in 5 women
  - 1 in 9 men
- **HETEROSEXUAL**
  - 1 in 6 women
  - 1 in 20 men

**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.

**Victim and Offender Relationships**

- **Current/Former IP**
  - Female Victims: 32%
  - Male Victims: 43%
- **Acquaintance**
  - Female Victims: 41%
  - Male Victims: 44%
- **Stranger**
  - Female Victims: 19%
  - Male Victims: 20%
- **Brief Encounter**
  - Female Victims: 8%
  - Male Victims: 9%
- **Family Member**
  - Female Victims: 8%
  - Male Victims: 6%
- **Person of Authority**
  - Female Victims: 3%
  - Male Victims: 4%
Understanding Stalking: Stalking Behaviors

“I know it sounds crazy, but...”

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 THROUGH SABOTAGE OR ATTACK

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

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?

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 reasons 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?)

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

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Changing Behaviors
* 78% of stalkers use more than one means of approach
* 66% of stalkers pursue their victim at least once per week


Co-Victimizations: Stalking, Intimate Partner Violence, and Sexual Violence

Point When Stalking Occurs


On average, intimate partner stalkers pose the greatest threats to their victims.

WHY?

Relationships, Violence, & Threats

Study of Women with Protective Orders

Women who were abused and stalked experienced significantly higher rates of the following than women who were abused but not stalked:

- Verbal abuse, degradation, jealousy and control
- Serious threats
- Moderate and severe physical violence
- Sexual violence and sexual assault
- Threats to kill and threats with a weapon
- Being beat up, attacks with a weapon and injury


Top 10 risk factors for intimate partner homicide

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

Stalking is a Lethality Risk

Stalker threatens/plans to sexually assault the victim.
Stalker attempts to get someone else to assault the victim.
Stalker sexually assaults the victim.
Stalker contacts victim after sexual assault.

Stalking is a Lethality Risk

Intersections of Stalking & Sexual Assault

Some offenders use stalking strategies to groom for sexual violence.
Women with Protective Orders

<table>
<thead>
<tr>
<th>Behavior</th>
<th>Abuse Only No Stalking or Rape</th>
<th>Stalking</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sexual Degradation</td>
<td>45%</td>
<td>61%</td>
</tr>
<tr>
<td>Sexual Coercion</td>
<td>49.3%</td>
<td>78%</td>
</tr>
<tr>
<td>Verbal Pressure</td>
<td>33.8%</td>
<td>68%</td>
</tr>
<tr>
<td>Substance Use</td>
<td>4.2%</td>
<td>19%</td>
</tr>
<tr>
<td>Implicit Threats/Force</td>
<td>21%</td>
<td>47.5%</td>
</tr>
<tr>
<td>Penetration While Victim</td>
<td>11%</td>
<td>15%</td>
</tr>
</tbody>
</table>


Why Name Stalking?

- Charging & Prosecution
- Safety Planning
- Victim Empowerment

Responding to Victims
Advise Disengagement

Recommend no contact with the stalker

- Explain intermittent reinforcement.

**BUT** realize victims engage in behaviors to keep themselves safe.

- Maintain contact, negotiation, minimizing threat.
- Contact may be a safety strategy.

Coordination

Law enforcement

Probation/parole/corrections

Advocacy

Courts

Victim service providers

Prosecutors

Resources for Professionals