

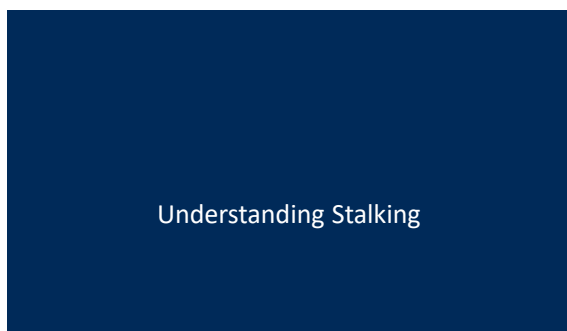


### OVW Funding

This project was supported by Grant No. 2017-TA-AX-K074 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.



### SPARC is pleased to provide:



**SPARC** STALKING PREVENTION, AWARENESS, AND RESOURCE CENTER



## STALKING DEFINITION: BEHAVIORAL

Stalking is a pattern of behavior directed at a specific person that would cause a reasonable person to feel fear.



SPARC

**CONTEXT IS CRITICAL**  
in stalking cases.

Stalking Prevalence and Behavior

SPARC STALKING  
PREVENTION,  
AWARENESS,  
AND RESOURCE  
CENTER

## PREVALENCE OF STALKING

WOMEN



MEN



1 year period:  
more than 5  
million

1 year period:  
more than 2  
million

6- 7.5 million people are stalked in a one year period in the United States

SPARC

## Stalking Prevalence

More than  
**1 in 6 women**



&

More than  
**1 in 17 men**



**experience stalking in their lifetimes.**

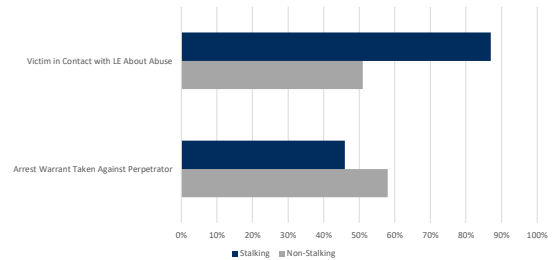
Smith, S.G., Zhang, X., Basile, K.C., Merrick, M.T., Wang, J., Kresnow, M., & Chen, J. (2018). The National Intimate Partner and Sexual Violence Survey (NISVS): 2015 Data Brief. Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention.

## Georgia Statistics

- Roughly 312,000 Georgians are stalked each year.
- Stalking behaviors were identified in 58 percent of all fatal domestic violence incidents reviewed by the Georgia domestic violence fatality review project
- Georgia Fatality Review Project 2017

SPARC

## Law Enforcement Intervention



GA Fatality Review Project, 2017

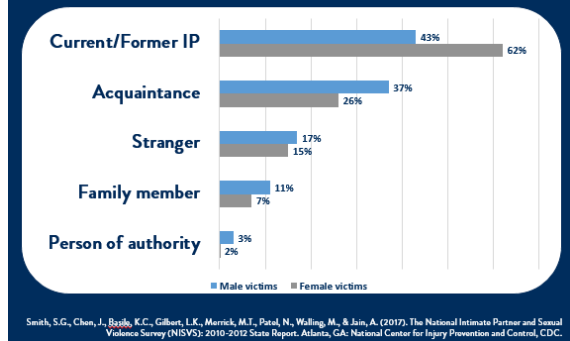
SPARC

## Stalking Dynamics



Black, M.C., Basile, K.C., Breiding, M.J., Smith, S.G., Walters, M.L., Marnich, M.T., Clark, J. & Stevens, M.B. (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.

## Victim and Offender Relationships



Smith, S.G., Chen, J., Basile, K.C., Gilbert, L.K., Merrick, M.T., Patel, N., Walling, M., & Jain, A. (2017). The National Intimate Partner and Sexual Violence Survey (NISVS): 2010-2012 State Report. Atlanta, GA: National Center for Injury Prevention and Control, CDC.

## CRIMINAL

FEDERAL LEVEL

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

TRIBAL CODES

UNIFORM CODE OF MILITARY JUSTICE

## Ga. Code Ann. § 16-5-90. Stalking

- \* (a)(1) A person commits the offense of stalking when he or she follows, places under surveillance, or contacts another person at or about a place or places without the consent of the other person for the purpose of harassing and intimidating the other person.
- \* "contact" shall mean any communication including without being limited to communication in person, by telephone, by mail, by broadcast, by computer, by computer network, or by any other electronic device
- \* "harassing and intimidating" means a knowing and willful course of conduct directed at a specific person which causes emotional distress by placing such person in reasonable fear for such person's safety or the safety of a member of his or her immediate family

## Understanding Stalking: Stalking Behaviors

**SPARC** STALKING  
PREVENTION,  
AWARENESS,  
AND RESOURCE  
CENTER

## Why Do They Stalk?

Seeking affection

Power & control

Rejection

Obsession

Planning to commit a crime

Because they can

**SPARC**

## SLII Framework



Logan, 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



## INTERFERENCE

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

# INTIMIDATION



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

## Pattern of Behavior

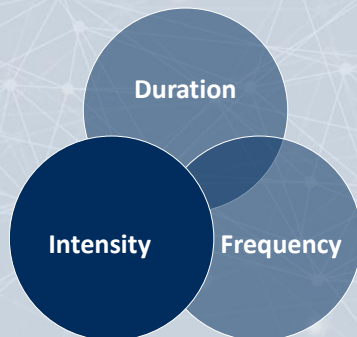
2/3 of stalkers pursue their victim at least once per week

78% of stalkers use more than one means of approach

Weapons are used to harm or threaten victims in about 20% of cases

Kris Mahandie, et al., *The RECON Typology of Stalking: Reliability and Validity Based Upon a Large Sample of North American Stalkers*, 51(1) J FORENSIC SCI 147-55 (2006)

## Pattern of SLII Strategies



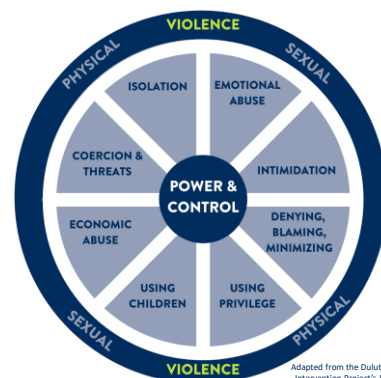
## Stalking and Intimate Partner Violence

**SPARC** STALKING PREVENTION, AWARENESS, AND RESOURCE CENTER

## Identification by Law Enforcement

- \* 1,785 domestic violence reports
  - \* 1 in 6 cases evidence of stalking
  - \* 1 official stalking charge
- \* Police often do not charge stalking, even when cases include the criminal elements
- \* In reports, neither victims nor officers use the word stalking

TK Logan, *Research on Partner Stalking: Putting the Pieces Together*, UNIVERSITY OF KENTUCKY (2010)



Adapted from the Duluth Model Domestic Abuse Intervention Project's Power and Control Wheel

**SPARC**

## 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., 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.

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 & Stith, 2018 – meta analysis of 17 IPH studies

SPARC

## Threat Assessment

SPARC STALKING  
PREVENTION,  
AWARENESS,  
AND RESOURCE  
CENTER

*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



Narrative Report &  
Risk Profile

Safety Planning  
Suggestions

SPARC

## ! Stalking Risk Factors



**BIG PICTURE**



**STALKER MINDSET**



**STALKER HISTORY**



**VICTIM  
VULNERABILITY**

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

## □ BIG PICTURE

1. Course of conduct
2. Escalation
3. Nature and context of threats

**SPARC**

## STALKER MINDSET



4. Stalker motive
5. Proxy stalking
6. Weapons
7. Resistance and persistence

**SPARC**



## STALKER HISTORY

8. History of partner control, jealousy, and violence
9. Past violence and abuse towards others
10. Criminal justice history
11. Substance use and mental health

**SPARC**

## VICTIM VULNERABILITY

12. Fear level
13. Stalker technology expertise
14. Victim vulnerability

**SPARC**

## 14 Risk Factors in Stalking Cases



**BIG PICTURE**

- Course of conduct
- Escalation
- Nature & context of threats



**STALKER HISTORY**

- Past control, jealousy, & violence
- Past violence and abuse towards others
- Criminal justice history
- Substance use & mental health

**STALKER MINDSET**

- Stalker motive
- Proxy stalking
- Weapons
- Resistance & persistence



**VICTIM  
VULNERABILITY**

- Fear level
- Stalker technology expertise
- Victim vulnerability



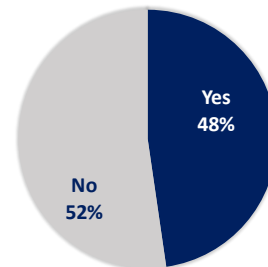
Logan, T.K. & Walker, R. (2017). Stalking: A Multidimensional Framework for Assessment and Safety Planning. Trauma, Violence and Abuse 18(2), 200-222.



## Stalking & Sexual Violence

**SPARC** STALKING PREVENTION, AWARENESS, AND RESOURCE CENTER

## Sexual Assault Victims Who Also Experienced Stalking (Ages 18-24)



Brady, P. Q., & Woodward Griffin, V. (2019). The Intersection of Stalking and Sexual Assault Among Emerging Adults: Unpublished Preliminary Results. mTurk Findings, 2019.

**SPARC**

## Intersections of Stalking & Sexual Assault

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

**SPARC**

DENVER 04/07/2010 05:12 am ET | Updated Dec 06, 2007

## Jebidiah Stipe, Wyoming Marine, Solicited Ex-Girlfriend's Rape And Assault On Craigslist

### Details emerge in Web rape case

California Marine also tried to solicit rape of ex-wife, authorities say

By WILLIAM BROWNING - Star-Tribune staff writer Feb 5, 2010

Judge gives man 60 years in Craigslist rape case

**SPARC**

## Victim Reporting and Criminal Justice Response

**SPARC** STALKING PREVENTION, AWARENESS, AND RESOURCE CENTER

## Reasons For Not Reporting



Stalking Victimization in the United States, BUREAU OF JUSTICE STATISTICS (2009)

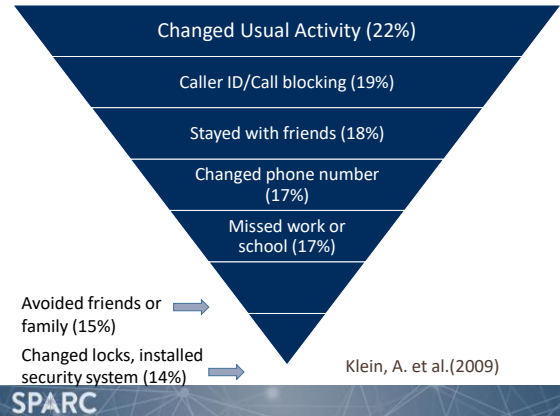
**SPARC**



*By the time victims report to the police, the stalking behavior has been well established and victim-initiated countermeasures have failed*

Andrew Klein et al., *A Statewide Study of Stalking and Its Criminal Justice Response*, ADVOCATES FOR HUMAN POTENTIAL, INC. (2009)

SPARC



### Law Enforcement Strategies

- \* Identify stalking within the context of DV, SA and other crimes
- \* Specialized training for all points of contact
- \* Remember first contact is critical-provide resources including documentation logs
- \* Utilize risk assessments
- \* Be familiar with support referrals

### Prosecution Strategies

- \* Charge stalking within IPV/DV
- \* What can be charged now to help with a future stalking charge- address the *behavior*?
- \* Acts intended to elicit reaction from victim even if not directed at victim can be part of course of conduct
- \* Intent: the victim would see/hear, evidence of context of previous threats may = intent

### Prosecution Strategies

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

### Probation Strategies

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

## Impact on Victims

**SPARC** STALKING PREVENTION, AWARENESS, AND RESOURCE CENTER

## What are Victims Afraid of?

**46%** not knowing what will happen next

**30%** bodily harm

**29%** behavior will never stop

**13%** harm or kidnap a child

**10% loss of freedom**

**9% death**

**4%** losing one's mind

Baum, K., Catalano, S., & Rand, M. (2009). *Stalking Victimization in the United States*. Washington, DC: Bureau of Justice Statistics.

## Safety

**SPARC** STALKING PREVENTION, AWARENESS, AND RESOURCE CENTER

## Disengagement

## Documentation

## Safety needs and support services

## Disengagement

\* Complete disengagement (no contact with offender) is ideal

\* Intermittent reinforcement

**BUT...**

\* Realize victims engage in behaviors to keep themselves safe:

- \* Maintain contact, negotiation, minimizing threat

\* Contact may be a safety strategy

## STALKING INCIDENT LOG

[illegible]

**SPARC**

## Basic Considerations

Trust victim's instincts

Safety plans should evolve

Consider stalkers next tactic

Anticipate stalker reaction

Balance safety and freedom

## Goals of Safety Planning

### Risk Reduction

- Practical tips for safety

### Empowerment

- Coping Skills
- Autonomy

### Resources

- Services
- Agencies / organizations

## Safety Planning

Start where the victim is

Creating a safe space for victims

Focusing on victim strengths

Accessing resources and referrals

Planning for emotional safety

Logan, TK and Walker, Robert. *Looking into the Day-To-Day Process of Victim Safety Planning*, 33, *Journal of Family Violence* 197-211 (2018).

Advocacy

**SPARC** STALKING  
PREVENTION,  
AWARENESS,  
AND RESOURCE  
CENTER

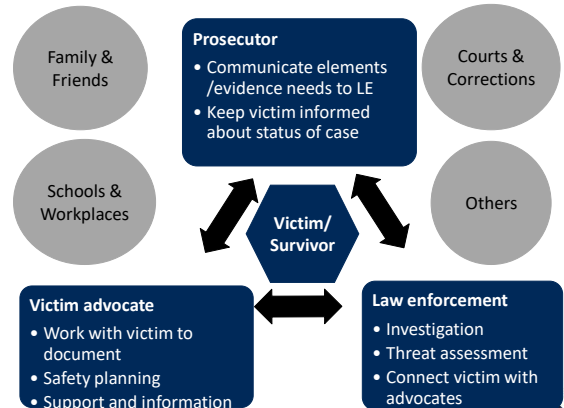
## Advocacy & Support

- \* Prediction & Preparation
- \* Victims need **information**
  - \* Reporting
  - \* Justice process
    - \* Criminal
    - \* Civil
- \* Can help the victim regain control



Collaboration

**SPARC** STALKING  
PREVENTION,  
AWARENESS,  
AND RESOURCE  
CENTER



## CCR Strategies

### Focus on Risk

- \* SHARP Risk Assessment

### Frequent multi-disciplinary case review

### Comprehensive and integrated approaches

### Supervision strategies focused on containing risk through monitoring and restriction of activity

- \* Guide for Corrections & Probation

### Victim safety planning

- \* Safety Planning Strategies

## CCR Response

### Intradisciplinary and interdisciplinary Training

- \* SPARC training request form
- \* SPARC training archives

### Policies, procedures

- \* SPARC Advocacy Guide, Prosecution Guide, Corrections Guide, LE Guide (coming soon)
- \* SPARC individualized technical assistance

### Practices

- \* VS organizational assessment checklist on SPARC website

## Systemic Response

### Educate

Awareness of stalking, safety planning

### Investigate

Context, pattern, and mode of stalking

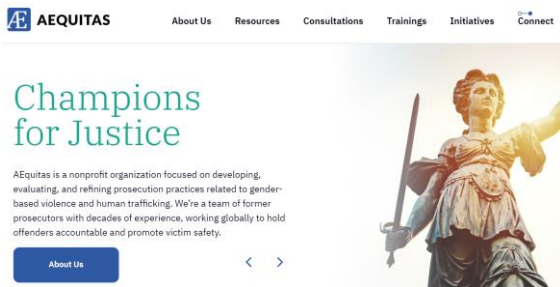
### Communicate

Across disciplines, jurisdictions

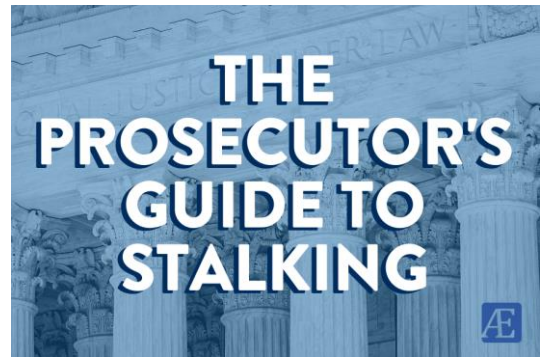
### Prosecute

Hold offenders accountable

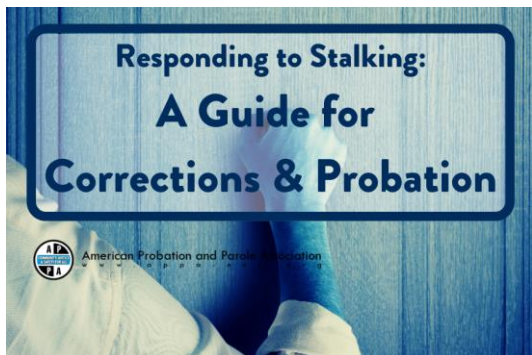
## Resources for Professionals



SPARC



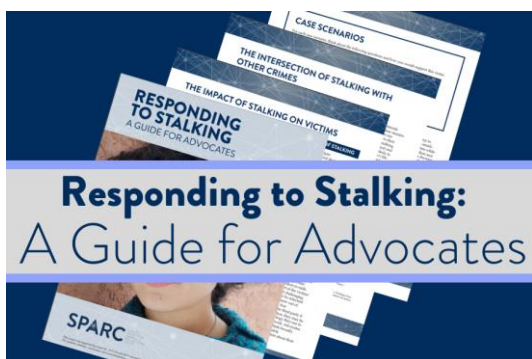
SPARC



SPARC



SPARC



SPARC



SPARC





## How to Gather Technology Abuse Evidence for Court

SELF-REPRESENTED LITIGANTS SERIES

**Authors:** Kaitling Lee, Deputy Director, and Lee Harris, Technology Safety Legal Manager, the Safety-Net Project at the National Network to End Domestic Violence (NNEDV). Website: <http://nnedv.org/content/safety-net/>

If someone is using technology like text messages, email, or social media (like Facebook) to harass you, this guide will help you "capture" the evidence of the harassment, so you can bring it to court. You might think you can just show the judge

This quick guide has links to websites and some national telephone numbers that may help you. If you need help capturing a piece of evidence we do not discuss in this guide, please call our confidential toll-free number, 1-800-527-3223. We

[www.ncjfcj.org](http://www.ncjfcj.org)

**Jennifer Landhuis M.S.**  
Director of **SPARC** STALKING PREVENTION, AWARENESS, AND RESOURCE CENTER

202. 819. 1391

Director@StalkingAwareness.org

StalkingAwareness.org

@FollowUsLegally