Recognizing and Responding to Stalking

Thank You OVW

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For Additional Resources
* www.stalkingawareness.org
  * Training modules
  * Victim resources
  * Practitioner resources
  * Webinars

* Follow us on Twitter, Instagram, Facebook
  SPARC @followuslegally

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Objectives
- Identify and describe the dynamics associated with stalking
- Recognize and discuss the intersection of stalking with domestic and sexual violence
- Identify common technologies used in stalking incidents
Defining Stalking

Behavioral

Statutory

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Stalking

A pattern of behavior directed at a specific person that would cause a reasonable person to feel fear

STALKER
Context

* Something may be frightening to the victim but not to you as the responder
* Stalking behaviors often have specific meaning that may only be understood between offender and victim
* Stalking criminalizes otherwise non-criminal behavior

Statutes

- Federal
- All 50 States; District of Columbia; U.S. Territories
- Tribal Codes
- UCMJ

Contact SPARC for more information on your jurisdiction's laws!

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
More than 1 in 17 MEN

More than 1 in 6 WOMEN


Prevalence in a Lifetime

Stalking Dynamics

18–24 year olds experience the highest rates of stalking

Women are more likely to experience stalking

Most offenders are male

The majority of victims know the offender


Victim & Offender Relationship

Victim and Offender Relationships

<table>
<thead>
<tr>
<th>Relationship</th>
<th>Male Victims (%)</th>
<th>Female Victims (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current/Former IP</td>
<td>42%</td>
<td>42%</td>
</tr>
<tr>
<td>Acquaintance</td>
<td>12%</td>
<td>22%</td>
</tr>
<tr>
<td>Stranger</td>
<td>17%</td>
<td>17%</td>
</tr>
<tr>
<td>Family member</td>
<td>7%</td>
<td>11%</td>
</tr>
<tr>
<td>Person of authority</td>
<td>2%</td>
<td>2%</td>
</tr>
</tbody>
</table>


Stalking Behavior

Big Picture
Assessment of:
• Course of conduct
• Context
• Impact on victim
Identifying Course of Conduct


SLII Examples

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

**Life Invasion**
- Unwanted contact at home, work, etc.
- 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
- Physical/sexual attack

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

Cont’d
Point When Stalking Occurs

- During Relationship: 21%
- During & After Relationship: 36%
- After relationship ends: 43%

Why Do They Stalk?

- Seeking affection
- Power & control
- Rejection
- Obsession
- Planning to commit a crime
- Because they can


Stalking & Domestic Violence
Intimate Partner Stalkers

*Increased Risk for Victims*

- More likely to physically approach victim
- More insulting, interfering and threatening
- More likely to use weapons
- Behaviors more likely to escalate quickly
- More likely to re-offend


**Lethality Risks**

- **76%**
  - Femicide by intimate partner
  - At LEAST 1 episode of stalking within year prior to murder

- **85%**
  - Attempted femicide by intimate partner
  - At LEAST 1 episode of stalking within year prior to attempted murder

McFarlane et al., *Stalking and Intimate Partner Femicide*, 3(4) HOMICIDE STUDIES 300-16 (1999)
THREAT ASSESSMENT
Stalking and Femicide

Stalking is one of the few crimes where early intervention can prevent violence and death.

DV Threat Assessment Tools
Among others…
• Lethality Assessment Plan (LAP)
• Danger Assessment - dangerassessment.org
• Mosaic - mosaicmethod.com
• Idaho Risk Assessment of Dangerousness
Lethality Assessment Program (LAP)

1. Has he/she ever poured a weapon against you or threatened you with a weapon? [ ] Yes [ ] No [ ] Not App
2. Has he/she threatened to kill you or your children? [ ] Yes [ ] No [ ] Not App
3. Do you think he/she might try to kill you? [ ] Yes [ ] No [ ] Not App

Maryland’s Lethality Assessment Program

Stalking Harassment Assessment and Risk Profile (SHARP)

Narrative Report
Articulate the story with a short summary
Third party perspective

Safety Management Tool
Safety suggestions tailored to responses

http://www.cdar.uky.edu/CoerciveControl/sharp.html
Threat Assessment  

Safety Planning

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Stalking & Sexual Violence

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Intersection of Stalking & Sexual Assault

- Stalker threatens to sexually assault the victim
- Stalker attempts to get someone else to assault the victim
- Stalker sexually assaults the victim
Craigslist Case
Kenneth Kuban posted at least 165 ads in Craigslist "casual encounters" section posing as his ex-girlfriend.

Grooming for SA as Stalking
Repeat sexual assault perpetrators may premeditate the rape:

* Chose targets intentionally. Identified vulnerable young women, often focusing on Freshmen
* Contacted multiple times: invited them to parties, messaged through social media, texting and call.
* Plied with alcohol: served drinks, controlled alcohol, made strong drinks
* Isolated victims: many had rooms set up at their parties for the purpose of committing rape
* Contacted after: texted, messaged and/or called to either threaten and/or invite to another party

David Lisak, Repeat Rape and Multiple Offending Among Undetected Rapists, 17(1) Violence and Victims 73-84 (2002)
Technology May Include

- Social Networking Sites
- Texting and Messaging Apps
  - (WhatsApp, Snapchat)
- Spyware
- Keystroke logging software
- Cameras
- GPS Devices
- Smart Devices (Alexa)

TrapCall (trapcall.com)
Text and Call Spoofing

Cell Phone Spyware

Cell Phone Spyware
Would You Notice a New App?

Detecting Cell Phone Spyware

- Offender knows things that they could only know if they have access to the phone
- Battery overuse and/or high data usage
- Offender has or had physical access
- Clicks or sounds when on calls

Global Positioning Systems (GPS) and Locating Devices
Child Trackers

Jiobit tracks no matter how far they run.

Geotagging

Camera + GPS = Geotagging
Does the Site Strip EXIF Date Before Posting?

**YES**
- Facebook
- Twitter
- eBay
- Instagram – unless pic was added to Photo Map
- Flickr – gives the option

**NO**
- Google
- Tumblr
- Dropbox
- Email

Consider…

**Wiping phone and restoring factory settings**
- Discuss risks

**Keeping phone for limited use**
- Don’t reveal location information

**Using a different, safer phone**
- No-contract phones, donated phones
Smart Devices

* Any device that has access to the internet
  * Alexa/Google Home, thermostat, lights, alarm systems, fridges, etc.
  * Typically connect through home WiFi
  * Can often be controlled remotely
  * Called the “Internet of Things”

Social Media

Exploiting Social Media

• Gather information on the victim
  • Location
  • Plans
• Communicate
  • Post on victim's page
  • Post about the victim on their own or other's pages
• Create fake sites
Victims are afraid of

46% not knowing what would happen next
30% bodily harm
29% behavior would never stop
13% harm or kidnap a child
10% loss of freedom
9% death
4% losing one’s mind

SHANNON CATALANO, STALKING VICTIMIZATION IN THE UNITED STATES (Bureau of Justice Statistics, 2009)

Working with Stalking Victims

- Safety
- Advocacy
- Documentation
- Support
Orders of Protection

Consider:

* Pros and cons
* Quality of enforcement
* Is the victim willing to call the police?
* Violation rates (at least 45% for female victims)


Safety – Other Considerations

Defining our roles
  - Privacy and confidentiality

Organizational policies and procedures

Threat assessment and safety planning

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
* Is not a guarantee of safety, but can assist in improving safety
Consider

Victim’s life situation
Stalker-generated risks
Systemic barriers
Confidentiality
Use of technology

Steps of Safety Planning

Listen & ask questions
Identify specific needs and goals; discuss risks
Explore strategies & resources
Provide education without judgment
Identify resources

Discuss with Victim

How to balance freedom and safety
Next steps in case something does happen
How often to reassess the safety plan
Risk reduction versus absolute safety
Advocacy

Advocacy & Support
Prediction & preparation
* Victims need information
* Reporting
* Justice process
  * Criminal
  * Civil
* Can help the victim regain control

Documentation