

**OVW Funding**

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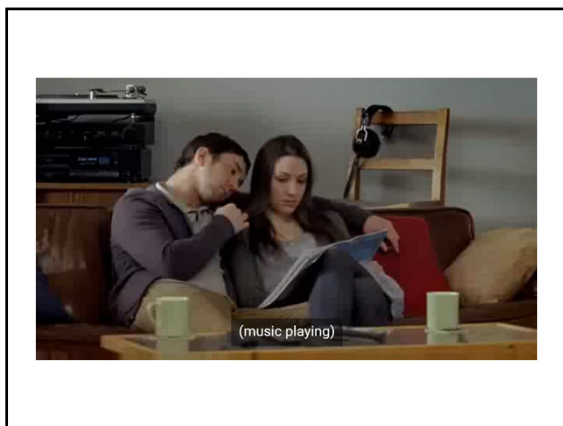
## Defining Stalking

-  **BEHAVIORAL**
-  **LEGAL/STATUTORY**
-  **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 IS CRITICAL in stalking cases.

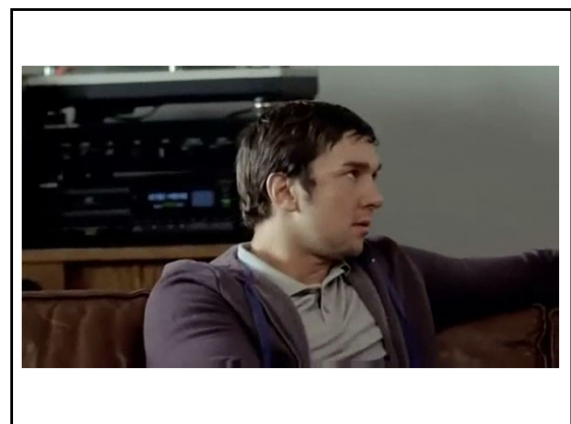
### Context

*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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## Victim Reaction: Is it Fear?



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## 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

## Stalking Prevalence and Dynamics

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

## 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.




**58% of FEMALE & 49% of MALE STALKING VICTIMS WERE FIRST STALKED BEFORE AGE 25**

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**UNDER 18**  
24% of FEMALE & 19% of MALE




**18-24**  
34% of FEMALE & 30% of MALE




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


## College Student Victims: Marginalized Populations



Students who identify as transgender, nonbinary, or genderqueer experience the highest rates of stalking.



Students with disabilities were twice as likely to experience stalking as students without.




Black students and Native American students were over 30% more likely to experience stalking than their counterparts.

Davis, G.E., Hines, D.A., & Palm Reed, K.M. (2021). Routine Activities and Stalking Victimization in Sexual Minority College Students. *Journal of Interpersonal Violence*, 1-29.  
 Ryan, D. W., & Schwan, A. (2018). Stalking victimization among college students: The role of disability status in health-related safety. *Violence and Victims*, 33(2), 603-631.  
 Carter, D., et al. (2020). Report on the AAU Climate Survey on Sexual Assault and Sexual Misconduct. *Wesleyan University*.  
 Fedina, L., Bakken, B. L., Sulley, C., Wood, L., & Bush-Arnold, N. (2020). Prevalence and sociodemographic factors associated with stalking victimization among college students. *Journal of American College Health*, 68(6), 624-630.

## Stalking Dynamics

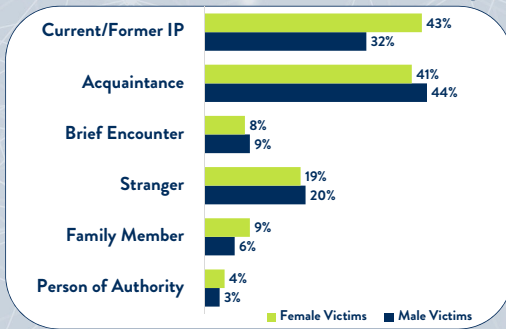
Women are more likely than men to experience stalking.

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



Cantor, D., et al. (2020). Report on the AAU Climate Survey on Sexual Assault and Sexual Misconduct. Westat, Black, M.C., Baske, K.C., Breding, 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.

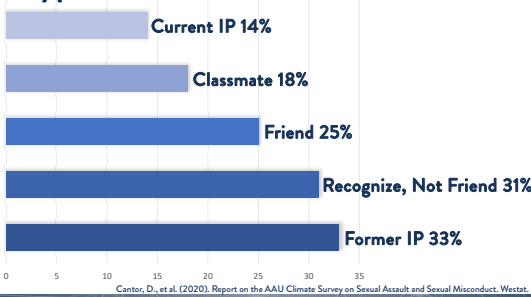
## Victim and Offender Relationships



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

Shih, G.G., Baske, K.C., & Kossrow, M. (2022). The National Intimate Partner and Sexual Violence Survey (NISVS): 2010-2021 Report on Stalking. Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention.

## College Student Stalking Victim & Type of Offender



Offender Type	Percentage
Current IP	14%
Classmate	18%
Friend	25%
Recognize, Not Friend	31%
Former IP	33%

Cantor, D., et al. (2020). Report on the AAU Climate Survey on Sexual Assault and Sexual Misconduct. Westat.

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## Campus Stalking Relationships

Professor Arrested for Stalking Student

By Colleen Flaherty // December 7, 2018 5 COMMENTS

Former ESU Student Charged With Stalking Professor

POSTED 9:24 PM, JULY 11, 2018 BY SARAH BLUNOVSKY, UPDATED AT 08:30 PM, JULY 12, 2018

UConn student accused of stalking women he didn't know

By Matthew P. Knox  
mknex@journalregister.com // Sep 13, 2018

Woman Files Workplace Sexual Harassment Lawsuit Against UC Irvine

POSTED 2:40 PM, DECEMBER 3, 2018 BY HINA GUTIERREZ-JAIME AND KAREN WINTER, UPDATED AT 04:17 PM, DECEMBER 3, 2018

## 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.



Raynes, 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

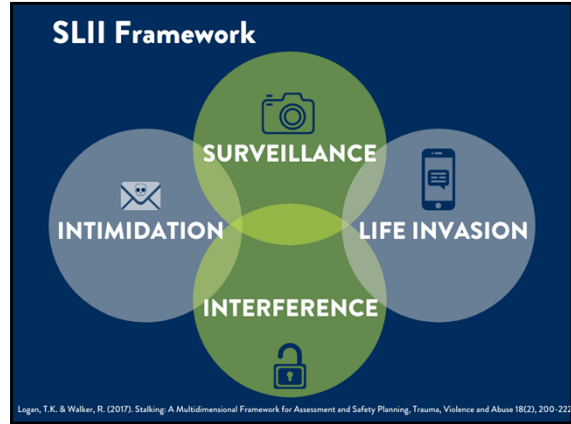
## Additional Challenges: Campuses

- High prevalence rate
- Shared social circles
- Events and locations open to all students
- Limited geographic space
- Jurisdictional challenges (on vs off campus)
- Conflation with bullying and/or romantic pursuit





Stalking Behaviors



## 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

## 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., Kappas, A., & Durfee, A. (2020). Intersections of Stalking and Technology-Based Abuse: Emerging Definitions, Conceptualization, and Measurement. *Journal of Family Violence* 35(10): 693-704.

## Pattern of Behavior

- 2/3 of stalkers pursue their victim at least once per week
- 1/4 of stalkers use more than one means of approach

Kris Mohandie, 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)

## Potential Relevant Student Conduct Code Violations

- Harassment
- Bullying and/or Cyberbullying
- Disrupting conduct process
- Sexual misconduct
- Retaliation
- Weapons
- Creating a public nuisance on campus or in neighboring communities
- Misuse/abuse of any computer or computer system, internet, or communications service
- Theft
- Vandalism/Property damage
- Unauthorized recording
- Unauthorized use/misuse of keys, ID cards
- Unauthorized entry into dormitory or building

## Title IX of the Education Amendments of 1972

- \* "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance."
- \* Stalking is "[e]ngaging in a course of conduct directed at a specific person that would cause a reasonable person to – (A) fear for his or her safety or the safety of others; or (B) suffer substantial emotional distress."

34 C.F.R. §106.30  
34 U.S.C. § 12291(30)

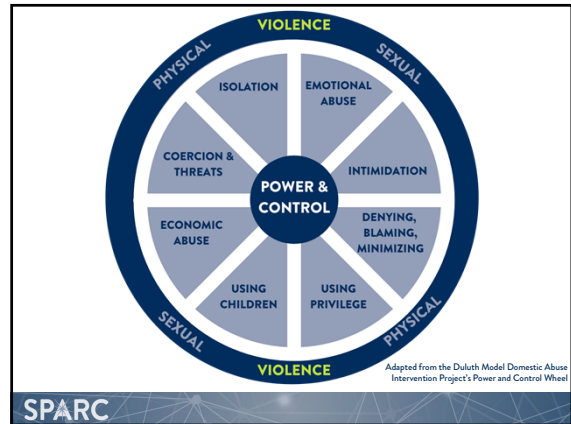
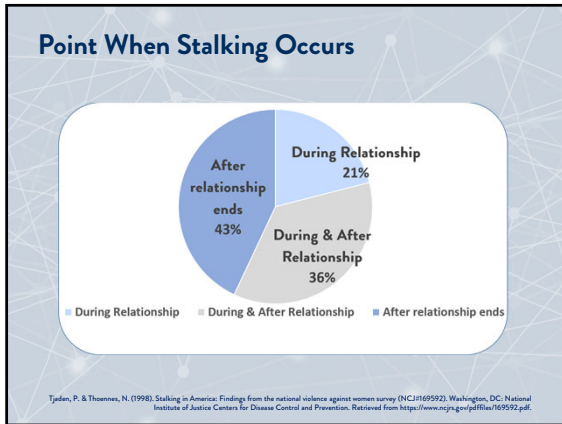
## CRIMES INCLUDING

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: Stalking and Intimate Partner Violence





### 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.

### 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., Witt, 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

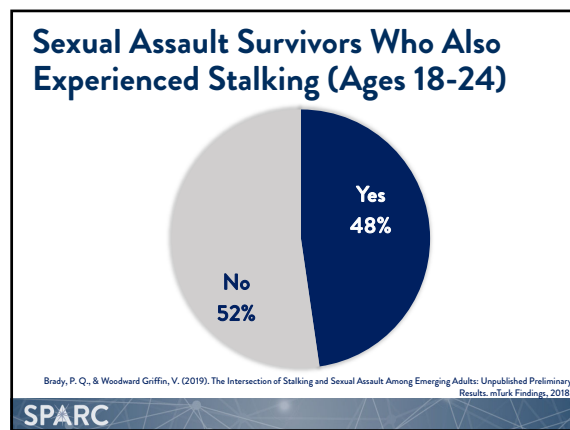
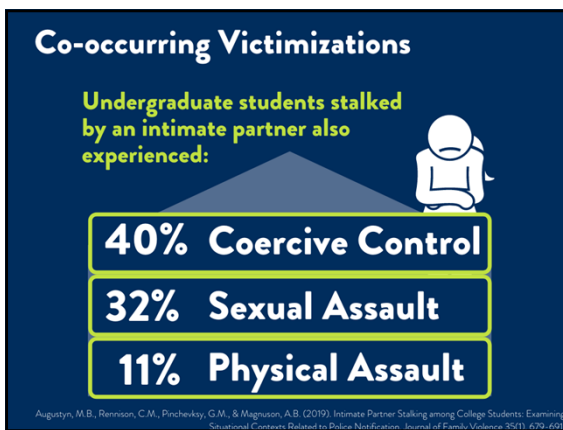
Spencer, C.M. & Seth, S.M. (2018). Risk Factors for Male Perpetration and Female Victimization of Intimate Partner Homicide: A Meta-Analysis. *Trauma, Violence, & Abuse* 2(3): 527-540.





### Co-Victimizations: Stalking and Sexual Violence

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### Stalking and Sexual Assault

- Fear of sexual assault is covered under most stalking statutes.
- Stalker threatens/plans to sexually assault the victim.
- Stalker attempts to get someone else to sexually assault the victim.
- Stalker sexually assaults the victim.
- Stalker contacts victim after sexual assault.

### Fears Might Include:

- \* Sexual assault
- \* Voyeurism/privacy invasion
- \* Friends and/or loved ones being sexually victimized
- \* Intimate photos being created and/or shared
- \* Offender sharing personal sexual information and/or rumors

## Stalking and Grooming for Sexual Violence

1. Research and identify vulnerable victims
2. Establish relationships: contact, build trust
3. Meet in-person and isolate the victim
4. Coerce into sexual act(s)
5. Contact after

Lisak, D & Miller, P. (2002). Repeat Rape and Multiple Offending Among Undetected Rapists. *Violence and Victims* 17 (1), 73-84. Retrieved from <https://www.davidlisak.com/wp-content/uploads/pdf/RepeatRapeinUndetectedRapists.pdf>

DENVER 04/07/2019 05:12 am ET | Updated Dec 06, 2017

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

**BuzzFeedNews** SIGN IN ABOUT US GOT A TIP? BUZZFEED.COM

#### A Man Sent 1,000 Men Expecting Sex And Drugs To His Ex-Boyfriend Using Grindr, A Lawsuit Says

"It was like an episode of *Black Mirror*," said Matthew Herrick, whose high-profile lawsuit alleges that Grindr looked the other way while his ex-boyfriend tormented him.

**Tyler Kinglake**  
BuzzFeed News Reporter

**Davey Alba**  
BuzzFeed News Reporter

Posted on January 10, 2019 at 11:24 am

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## Stalking After Violence

## Think Broadly About "Contact"

- \* In-person contact
- \* Third person contact
- \* Phone
- \* Texting
- \* Email
- \* IM/Chat
- \* Social networking sites
  - \* Contact with victim
  - \* Postings to own or other people's sites

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## Potential Relevant Charges/Violations: Sexual Violence & Stalking

- \* Voyeurism
- \* Unlawful creation of image of another
- \* Nonconsensual distribution of intimate images
- \* Sexual assault or misconduct
- \* Indecent exposure
- \* Harassment
- \* Bullying
- \* Misuse of computer, work devices, communications service

## StalkingAwareness.org

**STALKING AND SEXUAL VIOLENCE: FACT SHEET**

**1** People experience "STALKING" and "SEXUAL VIOLENCE" at similar rates over their lifetimes, about 1 in 3 women and 1 in 6 men.

**INTERSECTIONS**

- About 1 in 10 women and 1 in 10 men who are stalked are also sexually assaulted.
- Among stalking victims, 10% are also sexually assaulted, 20% are also sexually assaulted and sexually assaulted.
- In 10% of cases, the stalker and perpetrator are the same person.

**2** STALKING AND SEXUAL VIOLENCE are pervasive, serious, interconnected, and under-reported crimes covered by the Violence Against Women Act.

**INTIMATE PARTNER VIOLENCE**

- Women who are stalked by intimate partners are at a significantly higher risk of being sexually assaulted and reported to police than women who are not stalked.
- Sexual penetration (SP) without an STI risk is a common form of intimate partner violence.
- 16% of women who are stalked by intimate partners are also sexually assaulted.
- 20% of women who are stalked by intimate partners are also sexually assaulted.
- Women who are stalked by intimate partners after sexual penetration with a partner are at a higher risk of being sexually assaulted than women who are not stalked.

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Stalking SLII Behaviors and Sexual Violence

**STALKING AND SEXUAL VIOLENCE**

Stalking and sexual violence are both prevalent, traumatic, misunderstood, and under-reported crimes covered by the Violence Against Women Act. Stalking intersects with sexual violence in a variety of ways.

**SURV**

Survivors of the most common forms of sexual violence experience higher rates of stalking, sexual violence, and trauma.

- 48% of sexual violence survivors who also experienced stalking.
- 52% of sexual violence survivors who did not experience stalking.

**INTIMATE PARTNER STALKING VICTIMS**

Stalking partner violence victims who are stalked experience higher rates of sexual violence than those who are not.

- 16% of women who are stalked by intimate partners are also sexually assaulted.

## Screening for Stalking

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SEXUAL VIOLENCE

DOMESTIC VIOLENCE

ASK SURVIVORS ABOUT CO-OCCURRING VICTIMIZATIONS.

## 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?

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

Resources to help identify stalking at **STALKINGAWARENESS.ORG**

**SUPERVISING OFFENDERS: SLII BEHAVIORS**

**SURVEILLANCE**

**COULD THIS BE A STALKING CASE? IDENTIFYING STALKING ON CALLS FOR SERVICE**

**IDENTIFYING STALKING BEHAVIORS**

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**Identifying Stalking: SLII Strategies**

Identified by Lynn M. Lyons, Community-Based Instructor

## SHARP:

### Stalking & Harassment Assessment & Risk Profile

[www.CoerciveControl.org](http://www.CoerciveControl.org)  
[www.StalkingRisk.com](http://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)

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**Stalking & Harassment Assessment & Risk Profile (SHARP)**  
CoerciveControl.org

↓

**Narrative Report & Risk Profile**

↓

**Safety Planning Suggestions**

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Responding to Victims

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**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.



**HELP SEEKING**  
Who do student victims tell?

**92% FRIENDS OR FAMILY**

**29% CAMPUS RESOURCE**

Centor, D., Fisher, B., Chikini, S., Madden, K. (2020). Report on the AAU campus climate survey on sexual assault and misconduct. Westat.

**Working with Stalking Victims**



**SAFETY**



**ADVOCACY**



**DOCUMENTATION**



**SUPPORT**

## First Response

Any time a student reports any kind of harassing behavior:

- Consider the possibility of a stalking case
- Determine whether this is an isolated incident or repeated conduct



## 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



*"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) (street address and phone number)	Evidence Attached? (photos, video, screenshots, texts, etc.)	Report Made To (name, office/label, badge or identification #)

## Student Accommodations



- Housing
- Bus/Transportation
- Lunch Period/Dining Hall
- Class Schedule
- Extra-curriculars

## IDENTIFYING STALKING: SLII STRATEGIES

STALKING BEHAVIORS & SEXUAL VIOLENCE



Responding to Stalking: A Guide for Advocates

Safety Planning Strategies

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**Consider:**

- \* Does your university do any education or awareness programs specifically on stalking?
  - \* January is National Stalking Awareness Month
- \* How is stalking education and/or awareness integrated into existing efforts?
  - \* October is Domestic Violence Awareness Month
  - \* April is Sexual Assault Awareness Month
  - \* New student orientation
  - \* RA training
  - \* Health center

**Consider:**

- \* Does your university provide stalking-specific services to victims?
  - \* For example, counseling services, access to an advocate, information on campus no contact/protection orders and civil protection orders?
- \* How easy is it for a stalking victim to know they can seek services and from whom?
  - \* Is stalking mentioned specifically in outreach materials?
- \* Do University policies and services address the needs of all victims of stalking?
  - \* Including non-IP related, not sexual assault related?
- \* Do University policies and services address stalkers and victims who are students, faculty, volunteers, alumni, and/or staff?

### Campus Webinar Series

- \* Risk Assessment, Safety Planning, and Systems Response: Case Study of Lauren McCluskey
  - \* Nov 8, 2023 at 2pm Eastern
- \* Accountability: Stalking Investigations and Hearings
  - \* Feb 7, 2024 at 2pm Eastern
- \* Stalking Awareness on Campus
  - \* Apr 9, 2024 at 2pm Eastern

20TH ANNUAL

# NATIONAL STALKING AWARENESS MONTH

2024

KNOW IT. NAME IT. STOP IT.

LEARN \* TEACH \* SHARE \* REFLECT

StalkingAwareness.org

SAVE THE DATE

## JANUARY 18

### DAY OF ACTION FOR STALKING AWARENESS

SPARC invites you to spark a dialogue around stalking! Wear something sparkly or shiny on January 18th and share your picture as part of the NSAM Day of Action.

#SparkleAgainstStalking  
#NSAMDayofAction

www.StalkingAwareness.org

- \*Practitioner guides
- \*Training modules
- \*Victim resources
- \*Webinars



@FollowUsLegally & SPARC

Sign Up for our Newsletter!

## Julia Holtemeyer M.P.P.

Resource & Training Specialist

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 StalkingAwareness.org



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