

Know More, Do More: Recognizing and Responding to Stalking on Campus

## **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.

## www.StalkingAwareness.org

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

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#### Introduction



# **STALKING IS:**









## CRIMINAL

### FEDERAL LEVEL

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

### **TRIBAL CODES**

UNIFORM CODE OF MILITARY JUSTICE



## TRAUMATIC

### 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.

Baum, K., Catalano, S., Rand, M. (2009). *Stalking Victimization in the United States*. Washington, DC: Bureau of Justice Statistics. Blaauw, E., Arensman, E., Winkel, F.W., Freeve, A., & Sheridan, L. (2002). The Toll of Stalking. *Journal of Interpersonal Violence 17*(1): 50-63. "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 often co-occurs with physical assault and sexual violence, including rape.

\* 20% of stalkers use weapons to threaten or harm victims.

\* 76% of intimate partner femicides included stalking in the year prior.

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

# "Stalking is homicide in slow motion."

Patrick Brady, Criminology Dept.
 University of West Georgia



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



## **Reporting Stalking**

 Less than 40% of victims report to law enforcement

> One study showed fewer than 6% of intimate partner stalking victims reported

 Fewer than 29% of student stalking victims seek services on campus

 One study showed less than 8% disclosed to a formal support

Baum, K., Catalano, S., & Rand, M. (2009). Stalking Victimization in the United States. Washington, DC: Bureau of Justice Statistics. Augustyn, M.B., Rennison, C.M., Pinchevksy, G.M., & Magnuson, A.B. (2019). Intimate Partner Stalking among College Students: Examining Situational Contexts Related to Police Notification. Journal of Family Violence 35(1), 679-691. Cantor, D., Fisher, B., Chibnall, S., Madden, K. (2020). Report on the AAU campus climate survey on sexual assault and misconduct. Westat. Demers, J.M., Ward, S.K., Walsh, W.A., Banyard, V.L., Cohn, E.S., Edwards, K.M, & Moynihan, M.M. (2017). Disclosure on Campus: Students' Decisions to Tell Others About Unwanted Sexual Experiences, Intimate Partner Violence, and Stalking. Journal of Aggression, Maltreatment & Trauma, 27(1), 54-75.

### **Domestic Violence Crimes Study**

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

How many cases were charged as stalking?

Tjaden, P. & Thoennes, N. (2001). Stalking: Its Role in Serious Domestic Violence Cases, Executive Summary. Center for Policy Research: Denver, CO. Retrieved from https://www.ncjrs.gov/pdffiles1/nij/grants/187346.pdf.

### Understanding Stalking



## **Defining Stalking**



# LEGAL/STATUTORY

State & Federal Statutes
 Clery Act, Title IX
 School Policy

## Discuss: 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.

SPA

### A pattern of behavior...

\* Not a single incident or "one off" event

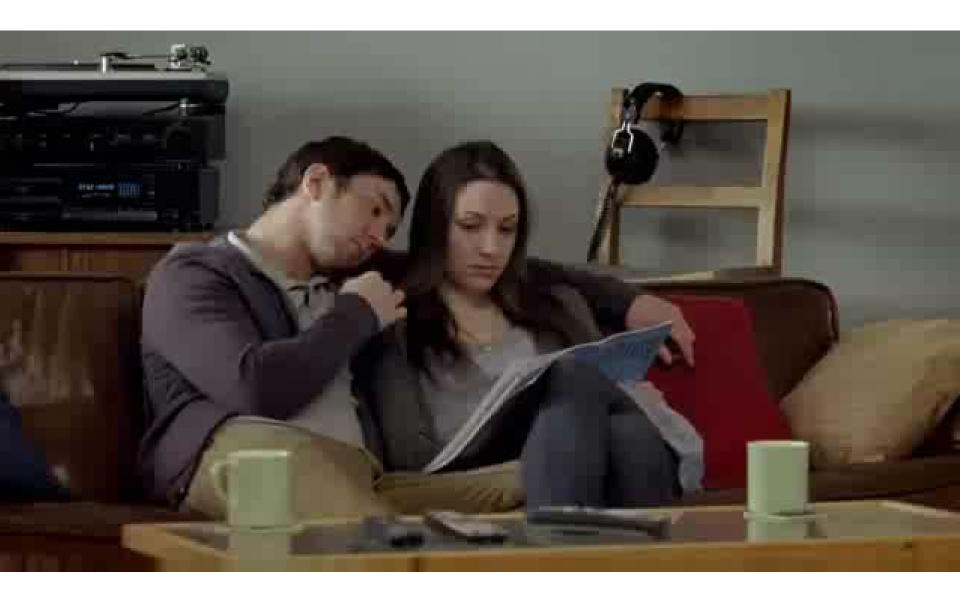
\* Called a "course of conduct" in most statutes



## ...directed at a specific person...



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





# CONTEXT IS CRITICAL in stalking cases.



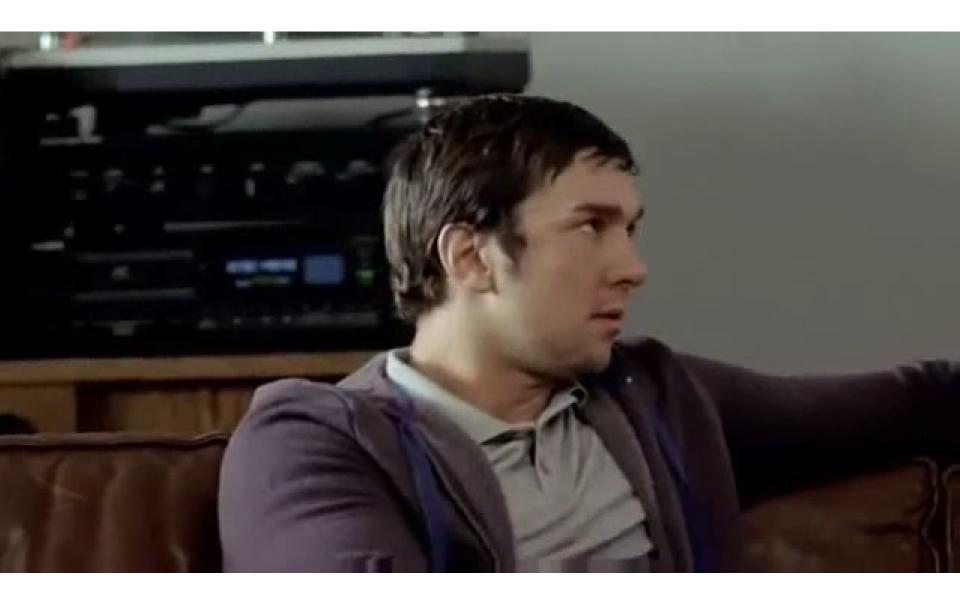


## Context

SPARC



- \* 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



Increased Security/Privacy Measures Finances spent on safety devices or accommodations



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

### California Stalking Statute



## CAL. PENAL CODE § 646.9 (WEST 2021). STALKING

(a) Any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family is guilty of the crime of stalking, punishable by imprisonment in a county jail for not more than one year, or by a fine of not more than one thousand dollars (\$1,000), or by both that fine and imprisonment, or by imprisonment in the state prison.

Safety is not limited to only physical safety. *People v. Borelli,* 91 Cal. Rptr. 2d 851 (Cal. Ct. App. 2000).

## **Credible Threat**

- \* a verbal or written threat, including that performed through the use of an electronic communication device, or a threat implied by a pattern of conduct or a combination of verbal, written, or electronically communicated statements and conduct
- \* made with the intent to place the person that is the target of the threat in reasonable fear for his or her safety or the safety of his or her family, and made with the apparent ability to carry out the threat so as to cause the person who is the target of the threat to reasonably fear for his or her safety or the safety of his or her family.
- \* It is not necessary to prove that the defendant had the intent to actually carry out the threat. The present incarceration of a person making the threat shall not be a bar to prosecution under this section.
- \* Constitutionally protected activity is not included within the meaning of "credible threat."

## CAL. PENAL CODE § 646.9 (WEST 2021). STALKING

- Stalking becomes a felony if the offender:
- \* Violates a temporary restraining order, injunction, or any other court order;
- \* Has previously convicted of a willful infliction or corporal injury; intentional and knowing violation of court order to prevent harassment, disturbing the peace, or threats or acts of violence; or criminal threats; or
- \* Was previously convicted of stalking.

## **Expressing Desire for No Contact**

- "I am not interested in having a relationship with you. Do not contact me ever again. Do not call, stop by, text, or contact me in any way whatsoever."
- "I do not want you to contact me in any way. If you continue to do so – or if you are on my property, or follow me – I will call the police."
- \* "I am ending this relationship. I am not going to change my mind. Do not contact me again. I do not want to have any communication with you, in any form. If you try to contact me, I will call the police/take legal action."

## Warning / Notice to Respondent



- \* Use language "you are making the victim afraid"
- \* Get response from respondent
- \* Record the warning when possible
- \* Document the warning / nocontact letters

### Stalking Prevalence and Behavior



## **Stalking Prevalence**

#### 

## 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 Victimization by Sexual Orientation**

#### BISEXUAL



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#### 

Chen, J., Walters, M. L., Gilbert, L. K., & Patel, N. (2020). Sexual violence, stalking, and intimate partner violence by sexual orientation, United States. Psychology of Violence, 10(1), 110–119.

## 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. Reyns, B. W., & Scherer, H. (2018). Stalking victimization among college students: The role of disability within a lifestyle-routine activity framework. Crime & Delinquency, 64(5), 650-673. Cantor, D., et al. (2020). Report on the AAU Climate Survey on Sexual Assault and Sexual Misconduct. Westat.

Fedina, L., Backes, B. L., Sulley, C., Wood, L., & Busch-Armendariz, N. (2020). Prevalence and sociodemographic factors associated with stalking victimization among college students. Journal of American College Health, 68(6), 624-630.

# **Stalking Dynamics**

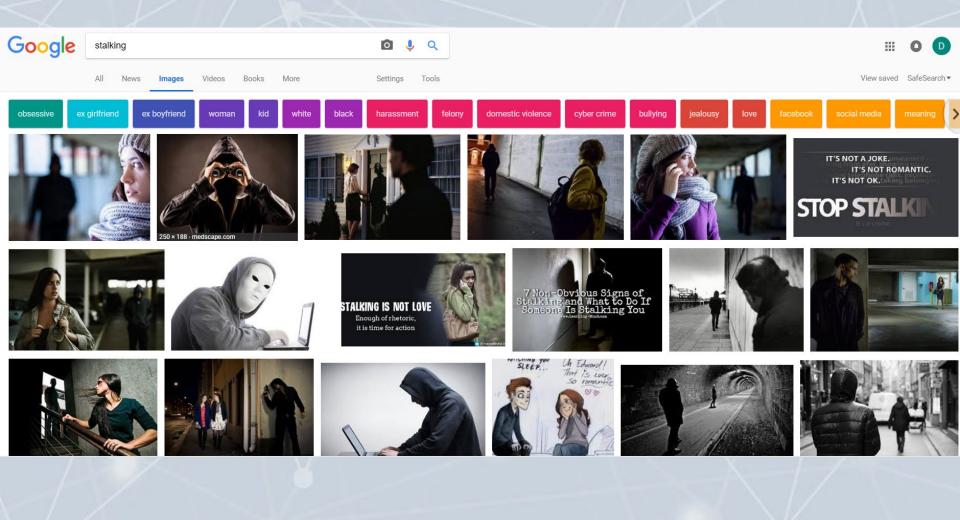
# Women are more likely than men to experience stalking.

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

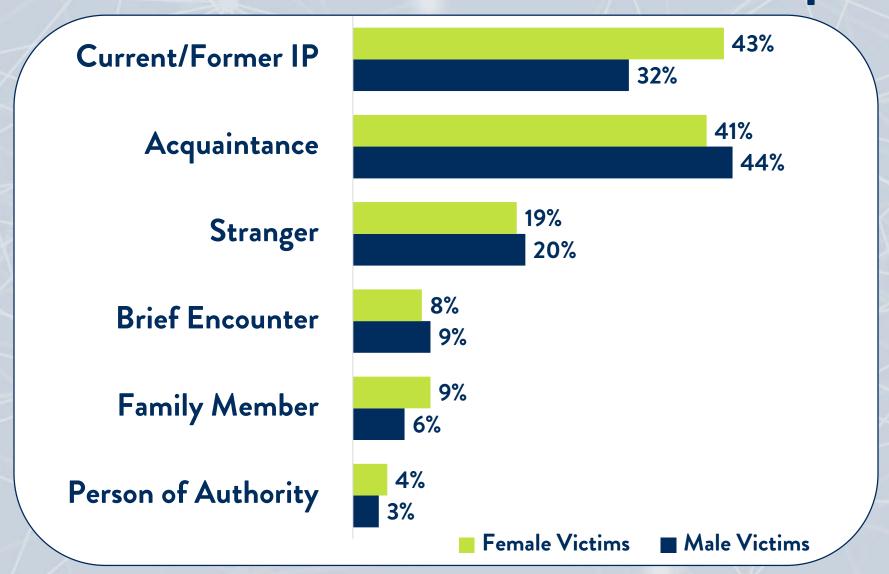
Cantor, D., et al. (2020). Report on the AAU Climate Survey on Sexual Assault and Sexual Misconduct. Westat.

Black, M.C., 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.

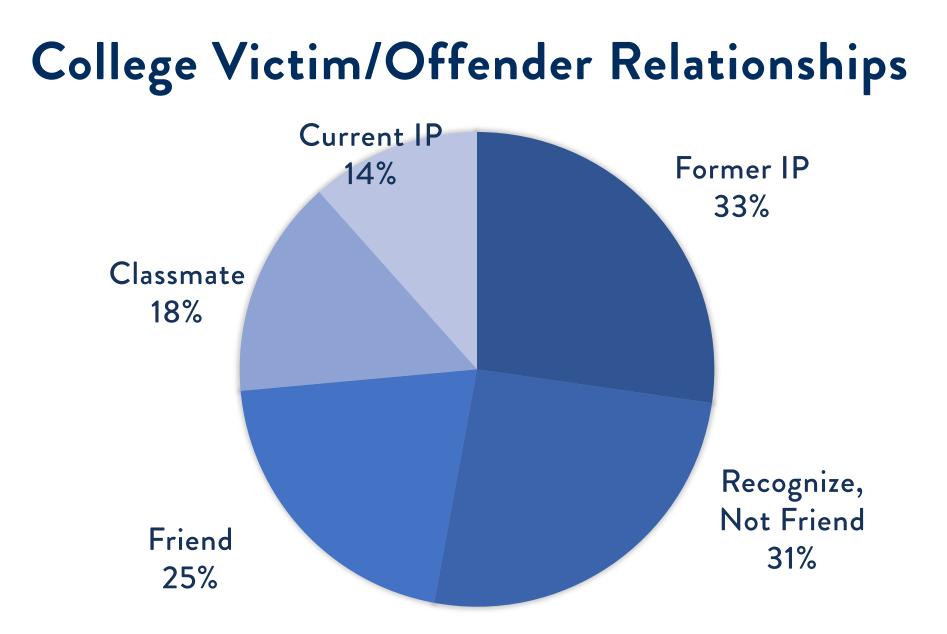
## Image Results for "Stalking"



## Victim and Offender Relationships



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.



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



## **Campus Stalking Relationships**

#### Professor Arrested for Stalking Student

By Colleen Flaherty // December 7, 2018

5 COMMENTS Q

# Former ESU Student Charged With Stalking Professor

POSTED 9:24 PM, JULY 13, 2018, BY SARAH BUYNOVSKY, UPDATED AT 08:20PM, JULY 13, 2018

# UConn student accused of stalking women he didn't know

By Matthew P. Knox mknox@journalinquirer.com Sep 13, 2018 🗣 0

#### Woman Files Workplace Sexual Harassment Lawsuit Against UC Irvine

POSTED 2:40 PM, DECEMBER 3, 2018, BY NISHA GUTIERREZ-JAIME AND KAREEN WYNTER, UPDATED AT 02:47PM, DECEMBER 3, 2018

#### Understanding Stalking: Stalking Behaviors



# "I know it sounds crazy, but..."

//



#### **SLII Framework**

#### SURVEILLANCE

==

LIFE INVASION

#### INTIMIDATION

#### INTERFERENCE

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

# 

- 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?





X

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.

#### **Potential Relevant Charges: CA**

- \* Title 7 Ch 6. Falsifying Evidence, and Bribing, Influencing, Intimidating or Threatening Witnesses [132 - 141]
- \* Title 8 Ch 4. Robbery [211 215]
- \* Title 8 Ch 6. Assaults With Intent to Commit Felony, Other Than Assaults With Intent to Murder [220 - 222]
- \* Title 9 Ch 2.5. Spousal Abusers [273.8 273.88]
- \* Title 9 Ch 8. Indecent Exposure [314]
- \* Title 13 Ch 2. Burglary [458 464]
- \* Title 13 Ch 4. Forgery and Counterfeiting [470 483.5]
- \* Title 13 Ch 7. Extortion [518 527]
- \* Title 13 Ch 8. False Personation and Cheats [528 539]
- \* Title 15 Ch. 1.5. Invasion of Privacy [630 638.55]



## **Changing Behaviors**

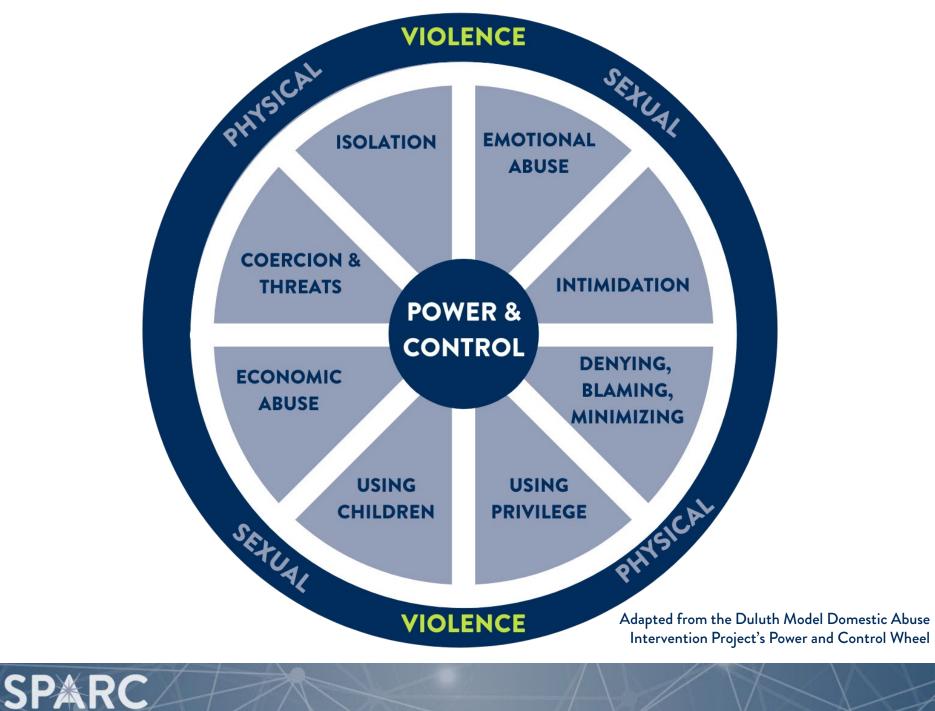
\*78% of stalkers use more than one means of approach

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

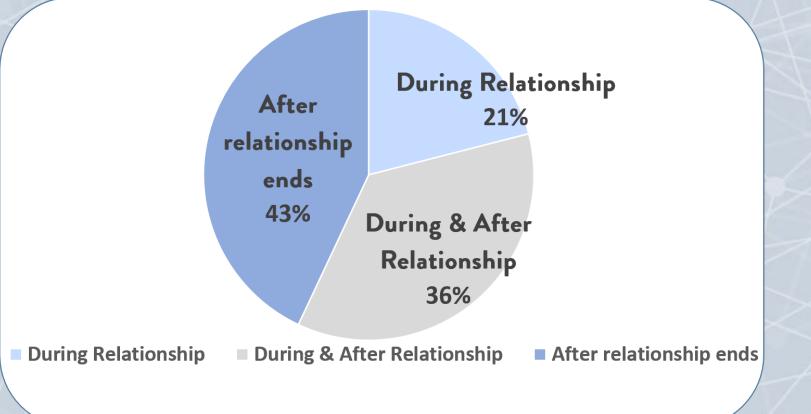
Mohandie, K., Meloy, J.R., McGowan, M.G., & Williams, J. (2006). The RECON Typology of Stalking: Reliability and Validity Based upon a Large Sample of North American Stalkers. *Journal of Forensic Sciences, 51* (1), 147-155.

#### Co-Victimizations: Stalking and Intimate Partner Violence





#### **Point When Stalking Occurs**



Tjaden, P. & Thoennes, N. (1998). Stalking in America: Findings from the national violence against women survey (NCJ#169592). Washington, DC: National Institute of Justice Centers for Disease Control and Prevention. Retrieved from https://www.ncjrs.gov/pdffiles/169592.pdf. On average, intimate partner stalkers pose the greatest threats to their victims.

# WHY?

## **Relationships, Violence, & Threats**

%	Intimate	Acquaintance	Private Stranger	Public Figure
Presence of Threats	83	66	50	18
Presence of Violence	74	50	36	2

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.

# 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.

#### **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

Logan, T.K., Shannon, L., & Cole, J. (2007). Stalking Victimization in the Context of Intimate Partner Violence. Violence Vict. 22(6), 669-683.

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

- 1) Direct access to guns
- 2) Threated victim with a weapon
- 3) Non-fatal strangulation
- 4) Perpetrated rape/forced sex
- 5) Controlling behaviors
- 6) Threated to harm the victim
- 7) Abused victim while pregnant
- 8) Perpetrated stalking
- 9) Jealousy
- 10) Substance abuse

Risk for male perpetrated & female IPH victimization

11-fold increase in risk of IPH 7-fold increase in risk 7-fold increase in risk 5-fold increase in risk 6-fold increase in risk 4-fold increase in risk 4-fold increase in risk 3-fold increase in risk of IPH 2-fold increase in risk 2-fold increase in risk

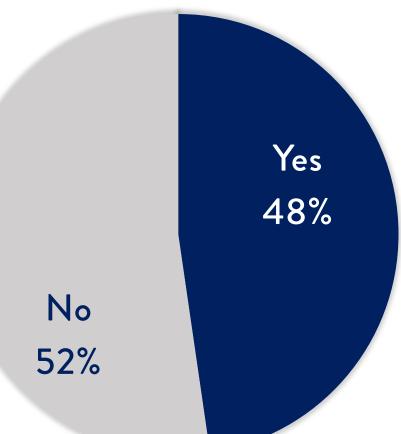
Spencer, C.M. & Stith, S.M. (2018). Risk Factors for Male Perpetration and Female Victimization of Intimate Partner Homicide: A Meta-Analysis. *Trauma, Violence, & Abuse 21*(3): 527-540.



#### Co-Victimizations: Stalking and Sexual Violence



## Sexual Assault Survivors 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, 2018.

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.



#### CRIME >

#### Ex-Marine Jebidiah James Stipe Gets 60 Years For Craigslist Rape Plot

BY CAROLINE BLACK JUNE 29, 2010 / 1:30 PM / CBS NEWS







Some offenders use stalking strategies to groom for sexual violence.

## **Women with Protective Orders**

Behavior	Abuse Only No Stalking	Stalking Abuse & Stalking
Sexual Degradation	45%	61%
Sexual Coercion	49.3%	78%
Verbal Pressure	33.8%	68%
Substance Use	4.2%	19%
Implicit Threats/Force	21%	47.5%
Penetration While Victim Sleeping	11%	15%

Logan, T.K, & Cole, J. (2011). Exploring the Intersection of Partner Stalking and Sexual Abuse. Violence Against Women 17(7), 904-924.

# OF WOMEN **BY AN INTIMATE PARTNER WERE ALSO BY THAT PARTNER.**

Tjaden, P. & Thoennes, N. (1998). Stalking in America: Findings from the national violence against women survey (NCJ#169592). Washington, DC: NIJ CDC.

## **Co-occurring Victimizations**

Undergraduate students stalked by an intimate partner also experienced:

# 40% Coercive Control

32% Sexual Assault

# 11% Physical Assault

Augustyn, M.B., Rennison, C.M., Pinchevksy, G.M., & Magnuson, A.B. (2019). Intimate Partner Stalking among College Students: Examining Situational Contexts Related to Police Notification. Journal of Family Violence 35(1), 679-691.

ASK SURVIVORS ABOUT CO-OCCURRING VICTIMIZATIONS.

# Why Name Stalking?

# Charging & Prosecution

# Safety Planning

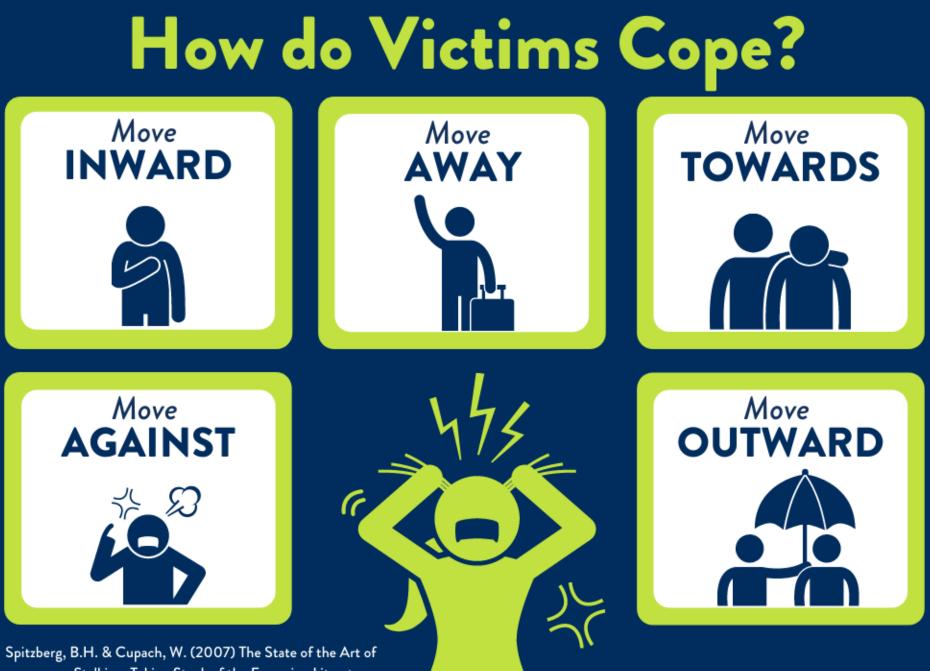
# Victim Empowerment





#### Responding to Stalking Victims





Stalking: Taking Stock of the Emerging Literature. Aggression and Violent Behavior 12(1): 64-86.

# **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



#### STALKING INCIDENT AND BEHAVIOR LOG

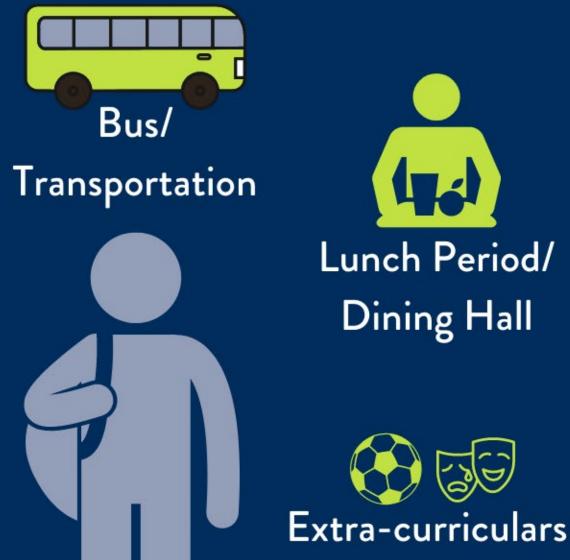
Date	Time	Description of Incident	Location of Incident (physical location, technology used, online platform)	Witness Name(s) (attach address and phone number)	Evidence Attached? (photos, video, screenshots, items, etc.)	Report Made To (name, office/org, badge or identification #)



### Student Accommodations







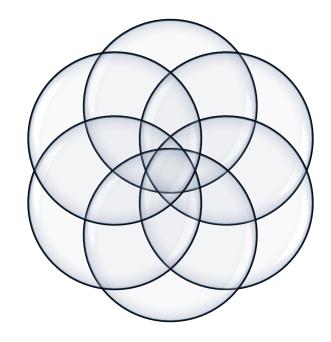
Lunch Period/ Dining Hall



#### Law enforcement

Probation/ parole/ corrections

Courts



Advocacy

Victim service providers

Prosecutors



#### Resources





SPARC



About Us

Resources C

Consultations

Trainings

ngs In

Initiatives



### Champions for Justice

AEquitas is a nonprofit organization focused on developing, evaluating, and refining prosecution practices related to genderbased violence and human trafficking. We're a team of former prosecutors with decades of experience, working globally to hold offenders accountable and promote victim safety.

About Us

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### Tech Safety

Welcome to the Tech Safety App. This app contains information that can help someone identify technology-facilitated harassment, stalking, or abuse and includes tips on what can be done.









#### **For Victims**

# Victim Connect resource center



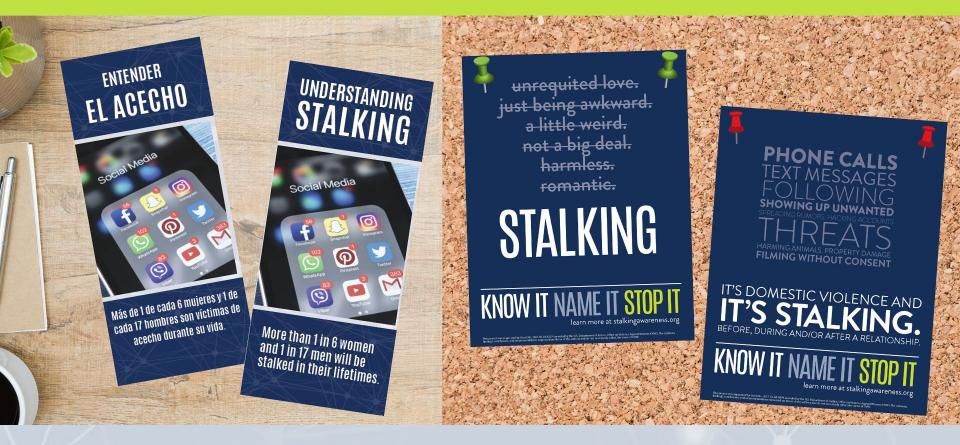


#### How are you planning to spread the word?

### LEARN\*TEACH\*SHARE\*REFLECT

StalkingAwareness.org

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

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# Dana Fleitman M.A.Ed.H.D. Training & Awareness Specialist SPARC STALKING PREVENTION, AWARENESS, AND RESOURC





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