Know More, Do More: Recognizing and Responding to Stalking

NATIONAL STALKING AWARENESS MONTH
JANUARY 2022
OVW Funding

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www.StalkingAwareness.org

* Practitioner guides
* Training modules
* Victim resources
* Webinars

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Introduction
STALKING IS:

- CRIMINAL
- TRAUMATIC
- DANGEROUS
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.


* 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.


“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.
Less than 40% of stalking victims report to law enforcement.

Domestic Violence Crimes Study

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

How many cases were charged as stalking?

Understanding Stalking
Defining Stalking

BEHAVIORAL

LEGAL/STATUTORY
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.
Clery Act: Stalking

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to (1) Fear for the person's safety or the safety of others; or (2) Suffer substantial emotional distress.
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

* 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
- Finances spent on safety devices or accommodations
- Increased Security/Privacy Measures
- Financial impacts, including employment consequences, identity theft, and cost of damaged property
Local Statutes
OHIO REV. CODE ANN. § 2903.211
MENACING BY STALKING.
FIRST DEGREE MISDEMEANOR

(1) No person by engaging in a pattern of conduct shall knowingly cause another person to believe that the offender will cause physical harm to the other person or a family or household member of the other person or cause mental distress to the other person or a family or household member of the other person.

...the other person’s belief or mental distress may be based on words or conduct of the offender that are directed at or identify a corporation, association, or other organization that employs the other person or to which the other person belongs.
OHIO REV. CODE ANN. § 2903.211
MENACING BY STALKING.
FIRST DEGREE MISDEMEANOR

(2) No person, through the use of any form of written communication or any electronic method of remotely transferring information, including, but not limited to, any computer, computer network, computer program, computer system, or telecommunication device shall post a message or use any intentionally written or verbal graphic gesture with purpose to...violate the section
OHIO REV. CODE ANN. § 2903.211 MENACING BY STALKING.
FOURTH DEGREE FELONY IF STALKING AND (PARAPHRASED):

(a) The offender previously convicted of or pleaded guilty to a stalking violation

(b) ...offender made a threat of physical harm to or against the victim, or a third person induced by the offender’s posted message did so

(c) Offender trespassed on the land or premises where the victim lives, is employed, or attends school, or...a third person induced by the offender’s posted message did so

(d) The victim of the offense is a minor

(e) The offender has a history of violence or other violent acts toward the victim or any other person

(f) Offender had a deadly weapon on or about the offender’s person or under the offender’s control
OHIO REV. CODE ANN. § 2903.211 MENACING BY STALKING.
FOURTH DEGREE FELONY IF STALKING AND (PARAPHRASED):

(g) the offender was the subject of a protection order...regardless of whether the person to be protected under the order is the victim of the offense or another person.

(h) offender caused serious physical harm to the premises at which the victim resides, to the real property on which that premises is located, or to any personal property located on that premises, or...a third person did so

(i) Prior to committing the offense, the offender had been determined to represent a substantial risk of physical harm to others as manifested by evidence of then-recent homicidal or other violent behavior, evidence of then-recent threats that placed another in reasonable fear of violent behavior and serious physical harm, or other evidence of then-present dangerousness.
(3) If the victim of the offense is an officer or employee of a public children services agency or a private child placing agency and the offense relates to the officer’s or employee’s performance or anticipated performance of official responsibilities or duties, menacing by stalking is either a felony of the fifth degree or, if the offender previously has been convicted of or pleaded guilty to an offense of violence, the victim of that prior offense was an officer or employee of a public children services agency or private child placing agency, and that prior offense related to the officer’s or employee’s performance or anticipated performance of official responsibilities or duties, a felony of the fourth degree.
Warning / Notice to Respondent

* Use language “you are making the victim afraid”
* Get response from respondent
* Record the warning when possible
* Document the warning / no-contact letters
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.”
Stalking Prevalence and Behavior
Stalking Prevalence

More than 1 in 6 women

&

More than 1 in 17 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
- Male victims: 43%
- Female victims: 62%

Acquaintance
- Male victims: 37%
- Female victims: 26%

Stranger
- Male victims: 17%
- Female victims: 15%

Family member
- Male victims: 11%
- Female victims: 7%

Person of authority
- Male victims: 3%
- Female victims: 2%

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College Victim/Offender Relationships

- Current IP: 14%
- Former IP: 33%
- Classmate: 18%
- Friend: 25%
- Recognize, Not Friend: 31%


SPARC
Understanding Stalking: Stalking Behaviors
“I know it sounds crazy, but...”
SLII Framework

SURVEILLANCE

INTIMIDATION

LIFE INVASION

INTERFERENCE

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
THROUGH SABOTAGE OR ATTACK

- 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
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?

Potential Relevant Charges: OH

* 2903.22 Menacing.
* 2905.11 Extortion.
* 2905.12 Coercion.
* 2907.08 Voyeurism.
* 2909.05 Vandalism.
* 2909.07 Criminal mischief.
* 2911.13 Breaking and entering.
* 2911.21 Criminal trespass.
* 2913.02 Theft.
* 2913.04 Unauthorized use of property - computer, cable, or telecommunication property.
* 2913.49 Identity fraud.
* 2917.21 Telecommunications harassment.
* 2917.211 Dissemination of image of another person.
* 2919.27 Violating protection order.
* 2921.04 Intimidation of attorney, victim or witness
* 2927.12 Ethnic intimidation.
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
Adapted from the Duluth Model Domestic Abuse Intervention Project’s Power and Control Wheel.
Point When Stalking Occurs

On average, intimate partner stalkers pose the greatest threats to their victims. WHY?
## Relationships, Violence, & Threats

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<thead>
<tr>
<th></th>
<th>%</th>
<th>Intimate</th>
<th>Acquaintance</th>
<th>Private Stranger</th>
<th>Public Figure</th>
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<tbody>
<tr>
<td>Presence of Threats</td>
<td>83</td>
<td>66</td>
<td>50</td>
<td>18</td>
<td></td>
</tr>
<tr>
<td>Presence of Violence</td>
<td>74</td>
<td>50</td>
<td>36</td>
<td>2</td>
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</tbody>
</table>

Intimate partner stalkers are more likely to:

- physically approach the victim
- be interfering, insulting, and threatening
- use weapons
- escalate behaviors quickly
- re-offend

Leaving an IP Stalking Relationship

Women were more than 3X more likely to attempt to terminate relationship when IP stalking was present -- a more powerful indicator than firearms and prior abuse history.

Victims of intimate partner stalking have more separation attempts than victims of IPV alone.

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

In 85% of attempted & 76% of completed intimate partner femicides, stalking occurred in the year prior to the attack.

## Stalking is a Lethality Risk

<table>
<thead>
<tr>
<th>Top 10 risk factors for intimate partner homicide</th>
<th>Risk for male perpetrated &amp; female IPH victimization</th>
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</thead>
<tbody>
<tr>
<td>1) Direct access to guns</td>
<td>11-fold increase in risk of IPH</td>
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<tr>
<td>2) Threatened victim with a weapon</td>
<td>7-fold increase in risk</td>
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<tr>
<td>3) Non-fatal strangulation</td>
<td>7-fold increase in risk</td>
</tr>
<tr>
<td>4) Perpetrated rape/forced sex</td>
<td>5-fold increase in risk</td>
</tr>
<tr>
<td>5) Controlling behaviors</td>
<td>6-fold increase in risk</td>
</tr>
<tr>
<td>6) Threatened to harm the victim</td>
<td>4-fold increase in risk</td>
</tr>
<tr>
<td>7) Abused victim while pregnant</td>
<td>4-fold increase in risk</td>
</tr>
<tr>
<td>8) Perpetrated stalking</td>
<td>3-fold increase in risk of IPH</td>
</tr>
<tr>
<td>9) Jealousy</td>
<td>2-fold increase in risk</td>
</tr>
<tr>
<td>10) Substance abuse</td>
<td>2-fold increase in risk</td>
</tr>
</tbody>
</table>

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.
31% of women stalked by an intimate partner were also sexually assaulted by that partner.

Why Name Stalking?

Charging & Prosecution

Safety Planning

Victim Empowerment
The Use of Technology to Stalk
Technology does not cause stalking.

Stalkers cause stalking.
**SURVEILLANCE**
- Smart home devices
- Tracking software/GPS
- Cameras/recordings
- Monitoring activity online
- Access to accounts

**LIFE INVASION**
- Unwanted contact online, texts, calls
- Impersonating victim
- Hacking victim accounts

**INTERFERENCE**
- Posting private photos or info
- Spreading rumors
- Doxing, swatting
- Controlling accounts
- Posing as victim and creating harm

**INTIMIDATION**
- Blackmail
- Sextortion
- Threats - release false private info
- Threats - interfere with property, employment, other
- Threats - harm online
Should Victims “Just Log Off”? 
Possibility of Escalation

“...the victim’s attempts to distance themselves from their stalker actually frustrate or anger the stalker, leading to an increase in the physical threat to their lives.”

Spoofing - Demo
Spoofing
FREE CALLER ID SPOOFING TRIAL

It is more important than ever to protect your personal information and it all starts with a telephone number. A caller ID spoofer allows you to tweak how your phone number shows up through incoming calls.

It has never been easier to fake caller ID displays, maintaining your privacy and protecting your information. When you want to spoof a call, it involves more than a changed number. At SpoofTel, our services come along with a voice changer option.

**Your Number**

Enter the number you are calling from

**Destination Number**

Enter the number you would like to call

**Spoof Number**

**Voice Pitch**

Adjust the pitch of your voice

**Soundboard**

None

DLPERX
Spoofing: What You May Hear

* “Numbers I don’t recognize call and harass me”
* “I keep getting hang-up calls from random numbers”
* “It shows up as my mom, but it is the offender calling”
* “I know it’s the offender even if it doesn’t sound like him/her”
* “I blocked the offender but he/she just keeps changing their number”
* “My friends are saying I called them, but I didn’t!”
Evidence with a SpoofCard

* Phone records from: victim, “friend”, and suspect
* Victim’s records show “friend” called
* Friend’s records show no call
* Suspect’s records show a call to SpoofCard
  * Call the number and record
* Financial records of suspect
Location Tracking
How Do Stalkers Track Location?

- **Property Tags**
- **Family Tracking Devices**
- **Access to and/or Shared Victim Accounts**
- **Social Media Maps/Check-ins**
- **Installed Stalkerware**
- **Proxy Stalking**
Air Tags
Pinging (Oversimplified)
Understanding AirTags

- Shows current location, not location history
- Frequency of the location update varies
  - Depends on other devices in range
- While Tile requires people to have downloaded the Tile app for the location tracking to "ping," AirTag "pings" off any Apple device within 800 feet
Evidence with AirTags

* Serial number is unique to each AirTag
* Serial number is on physical device, but will not show up on phone
* Contact lawenforcement@apple.com to check device registration
* Check financial records of suspect
* Contextual evidence
You’re Not The Only One With Resolutions...

Make it a great year for you and your best friend with a Tagg GPS Plus Pet Tracker

SHOP NOW
SnapMap
SnapChat Ghost Mode

Ghost Mode allows you to turn your location on and off on the Map
* Only Me (no one sees you)
* Select Friends (you choose who sees you)
* My Friends (all your friends can see you)
### GPS Documentation & Evidence

<table>
<thead>
<tr>
<th>Computer</th>
<th>Phone</th>
<th>Financial Data</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tracking software</td>
<td>Apps</td>
<td>Equipment purchase</td>
</tr>
<tr>
<td>Tracking websites</td>
<td>Websites</td>
<td>Real time tracking service</td>
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<tr>
<td></td>
<td>Call-in numbers</td>
<td>charge</td>
</tr>
<tr>
<td></td>
<td>Texts</td>
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</table>
Google/Apple Data
Web & App Activity

Your Web & App Activity includes the things you do on Google services, like Maps, Search, and Play. It can also include things you do on sites, apps, and devices that use Google services or your voice and audio recordings. The activity you keep is used to give you more personalized experiences, like faster searches and more helpful app and content recommendations.

You can see your activity, delete it manually, or choose to delete it automatically using the controls on this page. Learn more

- Saving activity
  - Your Web & App Activity is on
  - Saving audio is off

- Auto-delete (Off)
  - Choose an auto-delete option

Google protects your privacy and security. Manage My Activity verification

Search your activity
Viewed Blue by ADT Starter Home Security System

Viewed SimpliSafe No Contract Wireless Security System

Searched for security system

Montgomery Avenue Women's Center

Searched for domestic violence shelter
Reservations
Your past and upcoming reservations for flights, hotels, and events made using Search, Maps, and the Assistant

Manage reservations

Purchases
Your purchases, including deliveries and other online orders, made using Search, Maps, and the Assistant

Manage purchases

Payment methods
With Google Pay, you can save payment info for more secure payments online, for your Assistant and in store

Manage payment methods
Explore your timeline

Rediscover the places you’ve been and the routes you’ve traveled in your timeline.

Only you can see your timeline.
Stalkerware
What is Stalkerware?

- Commercially available software used for spying
- Made for individual use
- Typically hides itself from the list of installed programs and does not display any activity notifications
### About Stalkerware

- Physical access to the device is almost always required for installation
- Can be on both Apple and Android devices, but more common on Android
- Best to assume all activities on device are being monitored
What You May Hear

* “He/She hacked my phone”
* “They’re reading my texts”
* “They are listening to my calls”
* “They hacked my emails”
* “They keep showing up where I’m at”
* “They hacked my Facebook/Instagram/Snapchat...”
Removing Stalkerware

All actions may cause potential safety concerns!

- Factory reset
  - Note: this also destroys the evidence
- Change passwords on all apps/accounts when re-installed
- Antivirus can sometimes remove stalkerware
Non-Stalkerware Possibilities

**SHARING SETTINGS**
- Phone login and password security
- Cloud/Account Backup
- Family sharing, "find my device"

**ACCOUNT ACCESS**
- Individual accounts: e-mail, social media, dating websites
- Smart device accounts
- Previously shared accounts

**OTHER TOOLS**
- Devices: GPS tracker, key logger, cameras, recording devices
- Friends, family, colleagues
Cameras, Recording, & Smart Devices
Many Devices
Social Media & Dating Websites
Portals for Law Enforcement

Law Enforcement Service System

Request Secure Access To The Law Enforcement Online Request System

Snap Inc. ("Snap") discloses Snapchat account records solely in accordance with our Terms of Service and applicable law. If you are a sworn law enforcement officer or other appropriate governmental entity, you may submit your request for Snap's disclosure of records through this system.

I acknowledge that I am a sworn law enforcement officer or other appropriate governmental entity, and this is an official request.

Submit

Disclaimer

For use only by SWORN LAW ENFORCEMENT OFFICERS (or other appropriate governmental entities) requesting Snap's disclosure of Snapchat account records. Please note a valid identifier is required in order for Snap to locate a Snapchat account and process your request. We are unable to locate Snapchat accounts based on any of the following: display name, real name, date of birth, street address, social security number, and photos. More information regarding Snapchat usernames can be found in Section IV of our Law Enforcement Guide, available at: https://www.snapchat.com/lawenforcement;

https://less.snapchat.com
The **premier resource** for collecting, sharing, and analyzing innovative and timely knowledge, information, best practices, services and solutions for **justice information sharing**.
Find Yourself...

* FastPeopleSearch.com
* TruePeopleSearch.com
* PeopleSearchNow.com
Internet Privacy Handbook

* https://safeshepherd.com/handbook/privacy-basics
Technology & Stalking: Big Picture

* Believe victims. Offenders can misuse technology a variety of creative ways to access, contact, and monitor their victims.
* This technology is out there – and it’s easy to use. Offenders don’t have to be particularly “tech savvy” to terrorize victims through technology.
* Build knowledge on privacy/sharing settings across applications and devices. Sharing settings/defaults are often not intuitive.
* Ask specific questions about offender contact and knowledge. This can better help you collect evidence and safety plan.
* Consider both evidence preservation and victim safety. See if the victim has access to a safer device.
* Charge relevant technology-related crimes (when appropriate and applicable).
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.

Available in English and Spanish.

Enter Website
RESOURCES

Law Enforcement Portals

Partners in state and local law enforcement can access portals for training and resources.

Learn More

Investigative Resources

A compilation of investigative resources including tools, best practices, and documents.

Learn More

Cyber Threat Bulletins

Resources that provide updated information on cyber threats.

Learn More

Incident Reporting

Learn how to report cyber incidents.

Learn More
Risk Assessment
Assessing Risk

Nearly half of women who were killed by a (current or former) intimate partner underestimated their risk of harm.

Stalking and Harassment Assessment and Risk Profile (SHARP)

CoerciveControl.org

Narrative Report & Risk Profile

Safety Planning Suggestions
Stalking Risk Factors

- BIG PICTURE
- STALKER MINDSET
- STALKER HISTORY
- VICTIM VULNERABILITY
October 22, 2019

* Rowland dragged her across the parking, causing her to drop her phone and belongings.

* Rowland dragged Lauren to a different spot in the parking lot, where he forced her into the back seat of a car he had driven to campus. While in the back seat, Rowland shot Lauren several times, killing her.

* An acquaintance of Rowland’s picked him up from campus.

* Salt Lake police found Rowland and pursued him on foot into Trinity A.M.E. Church on 239 Martin Luther King Blvd. Rowland shot himself as police entered the church.

Investigations and Hearings
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
Types of Questions for Investigators & Hearing Officers

* Context
* Repeated unwanted contact
* Fear/Interference questions
  * Concern for harm
  * Impairment of ability to perform activities of daily life
Victim & Offender History

Is there a prior relationship between the victim and suspect?

- Dating/intimate/sexual relationship?
- Friends, classmates, co-workers, neighbors?

What was typical contact?

- Method? Frequency?

Is the suspect aware that their actions are unwanted?

- Remember, any contact by victim could increase risk.
Context Questions

Have both parties give the context of the relationship (if applicable) or the context in which the contact occurred:

- How long have you known this person?
- How would you describe your relationship?
- Has your relationship changed? If so, how?
- What type of contact was typical in your relationship?
Questions to Ask Complainant

CONTACT:

- Please describe the contact(s).
- Please provide timeline or history of contact(s).
- How did you receive the contacts (email, social media, text, etc.)?
- How did you identify the sender if the contact was electronic?
- How did the contact make you feel?
- Did you communicate at all with accused person?
- Did you communicate that the contact was unwanted? If so, how?
- Has the contact increased, decreased, or ceased?
Questions for Complainant

FEAR & EMOTIONAL DISTRESS:

• Describe, in your own words, your emotional response when you received the contact.
• Did the contact scare you? If so, explain why in your own words.
• Did every contact scare you? If not, at what point did you become frightened?
• What did you think might happen to you as a result of the contact?
Fear & Emotional Distress Questions

• Has this had an impact on your daily life? If so, how?
• Did you change your routines or patterns as a result of what has occurred?
• What has been the impact on your academics and/or job?
• What have you done differently as a result of this situation?
• Have you gotten new phone numbers, email accounts, online screen name and not told the person contacting you?

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
Questions for Respondent

CONTACT & INTENT

• Describe the contact(s).
• Timeline of contact(s).
• How were these contacts sent?
• Did you receive any responses? If so, what were they?
• What was the purpose of the contact?
• Why did you continue to contact (either after asked to cease, when responses ceased, or when no response was received)?
How might you demonstrate that the respondent knew -- or should have known -- that the contact was unwanted?
Responding to Victims
How do Victims Cope?

Move INWARD

Move AWAY

Move TOWARDS

Move AGAINST

Move OUTWARD

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

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