Stalking and Sexual Violence

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

Context
• Can you threaten someone without using any threatening words?
• Can non-criminal acts be stalking?

*Context is critical!
Prevalence of Stalking

3.4 million people stalked annually

- Persons aged 18-24 experienced the highest rates of stalking victimization
- Nearly half experienced at least 1 unwanted contact per week

Source: Stalking Victimization in the United States (BJS, 2009)

Gender of Stalking Victim

Females are nearly 3 times more likely to experience stalking than males

- 7 per 1000 males age 18 and over
- 20 per 1000 females age 18 and over

Source: Stalking Victimization in the United States (BJS, 2009)

Victims and Offenders

- Nearly 75% of victims know their offender in some capacity
  - 22% - former intimate
  - 16% - friend, roommate, or neighbor
- Nearly 1/10th of all victims were stalked by a stranger

Source: Stalking Victimization in the United States (BJS, 2009)
Impact on Victims

• Afraid of:
  – 46% not knowing what would happen next
  – 29% behavior would never stop
  – 9% death
• 1 in 8 of employed victims lost time from work
  – More than half lost 5 days or more

Stalkers

Profiles

THERE ARE NO DEFINITIVE PROFILES OF STALKERS!
**Stalker Typologies**

- Multiple typologies – ranging from 3 to 12
- Can be helpful, but are only general classifications
- Individual stalkers may not precisely fit any single category, and often exhibit characteristics associated with more than one category

  - Simple obsessional
  - Love
  - Erotomania
  - False victimization syndrome
  - Intimate
  - Nonintimate
    - Organized
    - Delusional

**Demographics**

Criminal History:

- 27% had no priors
- 33% had prior adult violent criminal history
- 19% had prior adult non-violent criminal record

**Demographics**

- 46% of offenders had a clear or probable DSM-IV-TR diagnosis at time of stalking; 30% had none
- Substance abuse present in 32% of cases
- Suicidal ideation present in 25% of cases
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 used to harm or threaten victims in about 20% of cases

Stalking Behaviors

- leaving unwanted presents: 12%
- following or spying: 34%
- showing up at places: 31%
- waiting for victim: 29%
- unwanted letters and email: 31%
- spreading rumors: 36%
- unwanted phone calls and messages: 66%

Stalking Victimization in the United States (2009)

- Stalking in Texas (2007)
**Stalking Behaviors**

- Threatened to report respondents to CPS or other authorities if demands were not met. (10.2%)
- Threatened to report respondents to police for something that did not occur. (16.4%)
- Threatened to commit suicide. (3.9%)
- Threatened to hurt or kill family members. (9.0%)
- Threatened to hurt or kill. (11.7%)
- Threatened while driving a car. (12.5%)
- Broke into the house, car, or business. (14.4%)
- Person came to the home or work place and created a disturbance. (16.4%)
- Threatened to report to police for something that did not occur. (16.4%)
- Person came to the home or work place and created a disturbance. (16.4%)

**Use of Technology to Stalk**

More than 1 in 4 victims reported some form of technology used
- 83% email
- 35% instant messaging (IM)
- 7% electronic monitoring of some kind

**Why do they stalk?**

- Seeking Affection
- Rejection
- Obsession
- Power & Control
- Sexual Gratification
- Planning to commit a crime
- Because they can
Wendy's Stalking Techniques:

1. Find out where he works.
   - This is easier said than done. You'll have to be patient and persistent. Start by finding out his name, where he works, and what he does. This may require some research or even surveillance. Once you have this information, you can plan your approach. For example, you might try to get a job at the same place and start working with him. This will give you the opportunity to observe him and get to know him better.

2. Drive by the places he likes.
   - Wendy was known for her drive by strategy. She would drive around the neighborhoods where her targets lived and observed their daily routines. She would also check out their friends and acquaintances. This gave her a clear picture of their life and helped her plan her next move. You can use this same strategy by driving around the places he frequents and observing his behavior. This will help you understand his lifestyle and make it easier to track him.

3. Try to obtain objects he owns.
   - Wendy was known for her ability to obtain objects that belonged to her targets. She would use any means necessary to get a hold of their personal belongings. This could include breaking into their homes, stealing from their vehicles, or even hiring someone to do it for her. This allowed her to get closer to her targets and increase her control over them.
“The Stalker” e-card
www.americangreetings.com

Stalking and Intimate Partner Violence
81% of stalking victims who were stalked by an intimate partner reported that they had also been physically assaulted by that partner.

- National Violence Against Women Survey (1998)
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

- The RECON Typology of Stalking (2006)

Stalking Violence

36% of women stalked by former romantic partners experienced stalking violence
– any physical attack on the victim by the stalker that resulted in physical injury to the victim or that was interpreted by the victim as being intended to result in physical injury

- Women's Experience of Violence During Stalking by Former Romantic Partners (2005)

Stalking Violence

• Greatest risk of violence is when the stalker:
  – issued direct threats of violence
  – was jealous of the victim’s relationships with others during the relationship
  – user of illegal drugs
• Where there is evidence of the presence of all of these factors, the risk of stalking violence is heightened.

- Women's Experience of Violence During Stalking by Former Romantic Partners (2005)
Lethality

• 76% of femicide cases involved at least one episode of stalking within 12 months prior to the murder.

• 85% of attempted femicide cases involved at least one episode of stalking within 12 months prior to the attempted murder.

- Femicide Study (1999)

Lethality

• 67% of femicide victims had been physically abused by their intimate partner in the 12 months before the murder.

  – 89% of those victims had also been stalked in the 12 months before the murder.

- Femicide Study (1999)

Physical Abuse + Stalking = Higher indicator of lethality than either behavior alone
The Intersection of Stalking and Sexual Assault

Prevalence of Sexual Assault

- Almost 18%, or 17.7 million women, in the United States have been victims of rape or attempted rape sometime in their lives.
  - National Violence Against Women Survey (1998)

- In a 2005 survey of 600 women and men, ages 16-24, six in 10 say that they know a woman who has been sexually assaulted
  - Anti-Violence Youth and Young Adult Survey (2005)

- An estimated 248,300 individuals were raped or sexually assaulted in 2007

Stalking and Sexual Assault

- 2% of stalking victims were raped/sexually assaulted by their stalker
  - Stalking Victimization in the United States, BJS (2009)

- 31% of women stalked by her intimate partner were also sexually assaulted by that partner
Stalking and Sexual Assault on Campus

• In 10.3% of campus stalking incidents, the victim reported that the stalker forced or attempted sexual contact

• 3/4 of women who experienced stalking-related behaviors experienced other forms of victimization (sexual, physical, or both)
  – Stalking and rape/sexual assault only 26%
  – Stalking, physical and rape/sexual assault 11%
  - Stalking acknowledgement and reporting among college women experiencing intrusive behaviors (2007)

Premeditation and Stalking

• What does premeditate mean?

• How might someone premeditate a sexual assault?

• Can premeditation = stalking?

“Nondomestic Organized Stalker”

Case example from A Typology of Interpersonal Stalking; Journal of Interpersonal Violence, Vol. 11, No. 4, December 1996.

• Journal article discusses what they call the nondomestic organized stalker.

• Victim is unlikely to know she is being stalked by this person until stalker chooses to let her know.
“Nondomestic Organized Stalker”

• A man who was stalking a woman was arrested outside her apartment after she observed him & called police.

• Woman recently found her bathing suit taped to windshield of her car.

• On another occasion, she found some of her undergarments draped on the car’s mirror.

• 1 week prior to the arrest, the victim found cartridge casings from a handgun taped to her car’s window.

“Nondomestic Organized Stalker”

• Stalker was found sitting in his car less than 100 yards from victim’s apartment.

• He was carrying:
  – Knife
  – Key to woman’s apartment

“Nondomestic Organized Stalker”

In his car they also found:

– .22 caliber pistol & ammunition
– Stun gun
– Mace
– Camera & film
– 2 sets of binoculars
– 2 tape recorders
– 2 flashlights
– Pictures of victim’s apartment & car

– Rubber gloves
– Cotton gloves
– Stocking mask
– Large nylon bag
– Bag w/ change of clothing
– Several condoms
– Book of nude pictures
– Gun cleaning kit
– Cooler filled with ice & beer
“Nondomestic Organized Stalker”

• Months prior to this incident the offender was acquitted of burglarizing the woman’s home.
• What do you think he was planning to do?
• Is “nondomestic organized stalker” another way of saying rapist?

What kind of rape do you have to commit to end up in a place like this?

Common Societal Beliefs About Rapists?

• Ski mask
• Knife
• Blitz attack
• Brutal injuries
• Strangers
FBI Research

• Interviews with convicted rapists in prison
• General pattern for rape:
  – Targeted women
  – Watched them over time
  – Waited for opportunity when woman was vulnerable
• Is this stalking?

FBI Research

• Appearance and/or dress of victim was virtually never a factor in how or why the rapist picked his victim.
• Rapists picked victims based on observation (voyeurism).
• Rapists essentially were stalking several women at a time… waiting for an opportunity.

The Rape Paradox
Millions of victims…

Relatively few rapists incarcerated...

Rapists who go to prison or treatment centers (and are studied)

Where are all the rapists?
The Population of Rapists

Who are these men?

- Ski Mask
- Knife
- Blitz Attack
- Brutal Injuries
- Strangers

5%

False Stereotypes of Rapists

- Ski mask
- Knife
- Blitz attack
- Brutal injuries
- Strangers

- “Nice guy”
- Drank too much
- Miscommunication
- Unpremeditated
- Won’t happen again

Men Who Rape

- 1 in 12 men admit committing acts that meet the legal definition of rape or attempted rape. Of these men who committed rape, 84% said that what they did was definitely not rape.

  – I Never Called it Rape (1988)
Dr. Lisak’s Research

- 1,882 men interviewed as part of the study...all were volunteer participants

- Sample question:
  Have you ever had sexual intercourse with an adult when they didn’t want to because you used physical force (twisting their arm; holding them down, etc.) if they didn’t cooperate?


Of the 1,882 men:
- 120 (6.4%) met criteria for rape or attempted rape
- 76 reported committing multiple rapes
- 120 committed a total of 483 rapes, but the 76 repeat rapists committed 439 of them (average of 5.8 each).
- 70 of the 120 admitted to other acts of interpersonal violence, including battery, physical/sexual abuse of kids, and sexual assault short of rape/attempted rape.

Single Act Rapists
44 men
44 rapes & attempted rapes

Serial Rapists
76 men
439 rapes & attempted rapes

Non-rapists
1762 men
76 Serial Rapists Identified

- 439 rapes of adults
- 49 sexual assaults of adults
- 277 acts of sexual abuse of children
- 66 acts of physical abuse of children
- 214 acts of battery

1,045 TOTAL Self Disclosed Offenses

The Undetected Rapist

The Typical Rapist:

- Does not use a weapon
- Uses instrumental, not gratuitous violence
- Has access to consensual sex
- Comes from all racial and ethnic groups
- Is not mentally ill
Implications of Research on Undetected Rapists

The Typical Rapist:
• Premeditates & plans his attack
• Uses multiple strategies to make victim vulnerable
• Uses alcohol deliberately
• Increases violence as needed

Common Characteristics Between Incarcerated and Undetected Rapists
• Angry at women
• Need to dominate women
• Believe in rape myths
• Hold hypermasculine attitudes
• See “intimate” violence as normal
• See women as objects to be conquered
• Have deficits in empathy

Similarities between non-stranger and stranger rapists:
• Many rapists are serial rapists
• Rape is usually planned in advance
• Victim’s accessibility was primary factor in rapist’s decision
• Victim’s appearance had little or nothing to do with the rapist’s decision
Interviews with the men revealed:

• Rapist feels anger not empathy when a victim resists.
• Rapist minimizes and sanitizes his violence.
• Women are “targets” & “prey”
• Women are “staked out”

Rapes were preceded by:

• Following
• Surveillance
• Information gathering
• Voyeurism

Is this stalking?

Post-Assault Contact

• Threatens victim
  – Implicit or explicit
• Attempts to frame the incident
• Maintain social contact
Course of Conduct

- Approach/Engagement
- Calling/texting/emailing
- Showing up at class/residence/work
- Information gathering
  - friends
  - social networking sites

Sexual Assault

What do you think?

Is there a connection between stalking and sexual assault?

So What?

What benefit is there to making a connection between stalking and sexual assault?
• Validation of Victims’ Experiences
  – Provides context
  – Places blame solidly on the perpetrator
  – Provides additional proof
• Increased opportunities for offender accountability

**Charging**

• Criminal Charges
  – State Stalking Statutes
  – Federal Stalking Statute
  – Tribal Stalking Codes
  – Creative Charging
  – UCMJ Article 120a Stalking

**Protective Orders**

• Domestic violence PO
• Sexual assault PO
• Stalking PO
  – Violations
    o 81% male victims
    o 69% female victims
Duration of Stalking

Recidivism Rates

- Occurred in 60% of cases
- Time between intervention and recidivism was about 2 months
  - Ranged from 1 day to 6 years

Reporting to Law Enforcement

- 37% of male stalking victims
- 41% of female stalking victims
Reasons For Not Reporting

- Thought it a minor incident (minimization): 27%
- Private or personal matter: 27%
- Reported to another official: 14%
- Not clear a crime occurred: 11%
- Thought police wouldn’t think it was important or would be ineffective: 11%
- Couldn’t identify offender/lacked evidence: 11%
- Feared the perpetrator/afraid of reprisal: 6%

Stalking Victimization in the United States, BJS (2009)

Working With Stalking Victims

- Safety
- Advocacy
- Documentation
- Support

ARE YOU SAFE?
Safety

Disengage/No Contact
- Intermittent Reinforcement
- Negotiation
- Minimizing Harm
  - "Just one last lunch..."
- Challenges

Safety

- Threat Assessment & Safety Planning
- "No contact" letters
- Offender picture or flyer

Safety

- Defining our roles
- Privacy and confidentiality
Working With Stalking Victims

- Safety
- Advocacy
- Documentation
- Support

Advocacy

Allow victims to tell their story
- Telling the story allows survivor to remember more details and put all the pieces in place
- Telling the story facilitates the transition from traumatic memory to day-to-day memory

Provide validation
- Validation is the process by which service providers teach victims that most reactions to traumatic events are normal
- Validation should reinforce that most reactions of anger, fear, frustration, guilt, and grief are natural and common

Advocacy
Prediction & Preparation

- Victims need information
  - Practical information
  - Emotional responses
- Can help the victim regain control
Working With Stalking Victims

• Safety
• Advocacy
• Documentation
• Support

STALKING INCIDENT LOG

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Description of Incident</th>
<th>Location of Incident</th>
<th>Witness Name(s) (Attach Address and Phone #)</th>
<th>Police Called (Report #)</th>
<th>Officer Name (Badge #)</th>
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Stalking sacks

• Cell phone (not same one you had during relationship!)
• Personal alarms, whistles, pepper spray
• Cameras
• Log
• Watch with date
• Tape recorder (check laws in your state)
Dear Law Enforcement Officer:

This folder contains descriptive information regarding the victim and possible offender related to your current call. The information contained herein was compiled because the described victim has experienced ongoing domestic violence and/or stalking behaviors. As such, the victim should be considered at high risk and this call should be handled accordingly.

Thank you for your prompt and professional response.

Working With Stalking Victims

- Safety
- Advocacy
- Documentation
- Support
Support

- Cocooning
  - Buddy System
- Community services
- Stalking support groups
  - Manual coming soon

Resources for Victims

- Brochure for Victims (Are You Being Stalked?)
- Stalking Questions and Answers
- Stalking Incident Behavior Log
- Safety Plan Guidelines
- Cyberstalking: Dangers on the Information Superhighway
- Ten Things You Should Know About Stalking
  www.ncvc.org/src

Practitioners: 202-467-8700

Victims: 1-800-FYI-CALL

www.ncvc.org/src