Stalking: Living in the Shadow of Fear
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Using Probation and Parole to Stop Stalkers

Stalkers are hard to stop. They are, by definition, obsessed with their victims and often continue stalking even after they have been charged, convicted, incarcerated, and released. Yet several jurisdictions—California; Westchester County, New York; and Washington state—are finding that carefully supervised probation and parole can help control stalkers and protect victims.

Using probation and parole to prevent stalking is a significant innovation. Traditionally, parole has supported the transition of a convicted offender from prison to society—ensuring that offenders are obeying the law and meeting the conditions of their release (e.g., avoiding former companions, guns, and drugs). Probation—a chance for someone convicted of a crime to remain free or serve a short time—requires that offenders meet specific conditions to stay out of prison. Both functions focus primarily on the offender.

In expanding their focus to include specific victims, parole and probation divisions in California; Westchester County, New York; and Washington have adopted approaches that have several features in common. Systematic contact with victims, lower case loads for probation and parole officers, and high-level supervision of offenders have helped these jurisdictions keep stalkers under control.

Victim Contact

In Westchester County, New York, the Department of Probation views victims as partners in preventing stalkers from resuming their crimes. Supervising Probation Officer Michael Oldi reports that his officers maintain constant contact with victims, informing them of the offender's status and inquiring about any contact from the offender—either directly or through third parties. The contact reassures victims that the state is concerned about their welfare. Information from victims helps officers to conduct threat assessment, analyze their own observations about offenders' conduct, and cite offenders for any violations of the conditions of their release or parole.

In Fresno County, California, where the Victim Witness Assistance Center is part of the probation department, officers establish contact with victims immediately after the offender is convicted. The merger of the probation and victim witness assistance functions, a highly unusual approach, positions the department not only to elicit useful information from victims but to offer them extensive support. The department offers victims a range of services, including financial aid, medical assistance, and emotional support. “We don't drop the victim after the [offender's] conviction,” says Norm Baird, the director of victim services. “We advocate for them. We provide them with services for years following a conviction if necessary.”

Similarly, the California Department of Corrections Parole Division also maintains regular contact with victims and makes sure that stalkers are complying with the conditions of their supervision, says unit supervisor Daniel Renteria. Victims are given the name and phone number of the agents who are supervising their stalkers, and the victims’ input is taken very seriously. Victims can request that their stalker be moved out of the areas where they live, and it is not unusual for Renteria's agents to move a stalker four counties away to ensure a victim's safety. “We have to really be there for the victim,” says Renteria, “and we will do whatever we can to support them. Our phone is available twenty-four hours a day.”
Light Case Load

Departments that use probation to curtail stalkers often assign their officers a relatively light case load. Unlike their colleagues in other jurisdictions who carry hundreds of cases, the officers at the Westchester County Department of Probation are assigned fewer than thirty cases each. In Kitsap County, Washington, officers who supervise stalkers have roughly one-third the average case load for their department. The lighter case loads allow officers to supervise offenders closely-monitoring their companions, their behavior in many different situations, and how they spend their time. The information officers collect helps them spot signs that offenders may be violating the terms of release and resuming the behavior that originally sent them to prison.

The California Department of Corrections adopts a similar approach to managing offenders convicted of stalking. The department classifies stalkers as “high control,” a category that includes the most dangerous offenders, such as murderers and rapists. Officers assigned to stalkers and other high control offenders have fewer cases than their colleagues who supervise less dangerous offenders.

Intense Supervision

Westchester County’s Department of Probation recognizes that stalkers are creative in pursuing victims and that the department must adapt its strategies to the stalkers’ tactics. The department may ask the court to impose specific requirements, such as weekly visits to the parole or probation officer, unscheduled home visits by the department twice a month, mandatory drug treatment program participation, or a host of other requirements.

One particularly effective feature of the Westchester program is that probation and parole officers team with police officers to patrol and conduct visits to offenders. Under this arrangement, police officers can immediately arrest offenders found to be violating the terms of their parole (rather than having the parole officer file a request and then wait for the offender to be arrested). Such teamwork can be particularly useful in stalking cases. For example, an officer who spots an individual constantly loitering on a specific street may suspect that something is wrong but have no basis for detaining the suspect. Yet the parole officer might inform the police officer that the “loiterer” is violating a civil order of protection by being in the victim’s neighborhood or violating parole by being out past curfew. The information from the parole officer often allows the police officer to make an immediate arrest.

California: “High Control” Supervision

The California Department of Corrections also uses varied forms of intense supervision to enforce a policy of “zero tolerance” for stalking. By classifying stalking as a “high control” offense (even though many stalking cases are charged as misdemeanors), the department recognizes the danger posed by stalking and makes a strong commitment to using parole to protect victims. Parole conditions for stalkers require both “no contact” and “no attempts to contact” victims through third parties. Daniel Renteria emphasizes that, “the offender cannot cross over the line even briefly. If we allow this type of behavior to continue, the stalker will become relentless and will push his or her limit.”
Renteria’s agents conduct both early morning and late evening contacts with stalkers. These contacts are done at random, always at the stalker’s residence. Stalkers are also often required to keep travel logs and to document their every movement. The Parole Division also tracks stalkers by using an electronic tracking device, making every attempt to ensure victim safety and monitor the level of threat posed by the stalker. Parole agents in Renteria’s unit also conduct random searches of the stalkers’ homes to identify any indications of the stalker's fixation with the victim. The searches assist parole agents in threat assessment and enable them to identify early warning signs that the stalker has resumed his pursuit of the victim. In one recent case, officers searched a parolee’s residence while he was out. Agents found pictures of the victim and some of her property, including her identification, and a map of Southern California, where the victim lived. Officers later discovered that the parolee had recently received these items in a package sent by his family. On the basis of this evidence of the parolee’s continued fixation on the victim, the parolee was placed in custody and returned to prison.

**Creative Approach**

Managing stalkers is a complex problem requiring dedicated professionals, broad programs, and flexible, victim-centered strategies. By increasing contact with victims, lightening case loads for officers, and intensively supervising offenders, probation and parole divisions in California, Westchester County, and Washington have intensified their response to stalking victims and increased their chances of keeping them safe. These approaches suggest directions other jurisdictions might pursue in protecting their communities from stalkers.
STALKING AND LETHALITY / VICTIM AND OFFICER SAFETY

OFFENDER LETHALITY

Indicators that a batterer may use lethal violence against a partner:

- An offender who has threatened to kill himself, his partner, the children, or the victim's relatives must be considered extremely dangerous.

- Obsessive/Possessive beliefs. An offender, who is obsessive about his partner, idolizes them and feels he cannot live without them, or believes he is entitled to them no matter what, is more likely to perpetrate a lethal assault.

- Offenders who assault, mutilate, and/or kill pets are more likely to kill people.

- Violence towards children.

- Escalation of risky activities – When the offender begins to act without regard to the legal or social consequences that previously constrained his violence; chances of lethal assault increase significantly.

- Flagrant public violations of restraining orders, bond conditions, orders of protection, leaving recorded threats on answering machines, threats or violence made in public are all red flags.

- Flagrant disregard for religious sanctity. Appearing at her church in violation of an order to stay away. (Some victims have been killed in church.)

- Domestic violence history; Continuum of Violence Theory [A relationship that contains violence will increase in the severity and unless there is early intervention, the violence moves up a continuum until death occurs and removes either the victim or the perpetrator from the relationship. As time increases, violence also increases.]

- Expressed fantasies about how they are going to kill their victim or others.

- Openly discussing their domestic problems and what they think should happen to the victim for what they have caused (blaming victim) or speaking about what they are planning to do to the victim.

- Domestic violence that spills into the victims work. Suspect appears at work and acts out without regard for himself, the public or victims employment.

- A suspect who feels “betrayed” and has come to the conclusion that “its time to let go” because he/she has been betrayed may want to exact punishment for the betrayal.

- Expressed religious belief to justify their actions. (i.e. “It’s Gods will, etc.”)
- Offender exhibits significant changes
  - Giving away property
  - Reviewing wills and last testaments
  - Statements of "End of days" coming

A TRUE PREDICTOR OF FUTURE VIOLENCE IS PAST VIOLENCE

Triggers for violence:

- Being served with divorce and/or restraining order papers or notice of hearings on these issues can act as a trigger for extreme violence. The victim and police should use extra safety precautions when papers are served or hearings are held.

- Being found to be a threat to the victim by a judge in a hearing for Restraining Orders or Orders of Protection.

- Consumption of drugs or alcohol when in a state of despair or fury can elevate the risk of lethality. They reduce inhibitions.

- Discovering or thinking that they have discovered that their ex-partner has a new relationship.

Excerpted from:
South Carolina Criminal Justice Academy
Criminal Domestic Violence Investigations Training Manual (12-07-01)
Stalking Victim Information

Stalking Target Survival Tips

For anyone who thinks they are a target of a stalker, here are four critical suggestions:

1. Act on instincts.
2. Identify the early subtle signs of privacy intrusion and stalking.
3. Vocalize clearly to the stalker early on in the stalking behaviors: “I want to be left alone. I want no contact with you whatsoever.”
4. Educate others at work and at home about the stalking crime that is occurring.

Act on Instincts

Stalking targets must listen to their survival instincts. As Gavin de Becker, a leading violence assessment and violence prevention expert, says in his book, The Gift of Fear: Survival Signals that Protect Us from Violence (1997), fear can help break the obsession cycle early on. If the target has a hard time swallowing, feels anxious, or gets a sick feeling in his/her stomach when the obsessional follower appears on the scene, the fear instinct is kicking in. Often, compassionate, charismatic administrators and agency or organizational personnel are the first to deny such gut reactions. Stalking targets should listen to the observations of onlookers, who can often identify an obsession far sooner than the target can.

Identify the Subtle Signs of Privacy Intrusion and Stalking

The obsession cycle is hard to identify for two reasons:

1. The stalker’s behavior is often subtle early in the cycle of behaviors and goes unquestioned by the target.
2. The target tends to deny that this could be happening to him/her.

Targets must stop minimizing stalking behaviors and recognize it as a power-and-control game. Stalking is not simply hero worship or puppy love, but a potentially dangerous game. These stalking red flags need attention:

- Chronic privacy intrusions at work and/or at home.
- A need for the stalker to be physically close and to frequently touch the target.
- Prolonged staring at the target without verbalization.
- Repeat and unwanted gift-giving.
- Ingratiation with the target’s co-workers or family members.
- Chronic lying or excuse-making.
- Repeat questioning about how the target spends time and with whom.
Vocalize “No Contact” Early On
The target needs to vocalize to the stalker clearly and early on in the cycle, “I want to be left alone. I want no contact with you whatsoever.” Actions must speak louder than words. Since interacting with the stalker only fuels the obsession, once an unequivocal message is delivered, the target should not meet the stalker, even for a few minutes. All those connected to the target—friends, family members, co-workers, etc.—need to understand the danger of allowing contact between the stalker and his/her target.

Educate Others About Stalking
Targets of stalkers need to educate themselves, their family members and friends, their co-workers, and their workplace leaders about the signs, costs, and cycle of obsession, which begins with stalking—and can end in murder.

Self-Help for Stalking Targets
Legal, mental health, and law enforcement professionals have a number of pointers to help stalking targets escape from the web of stalking. Two main suggestions are:

1. Empowering oneself to pro-act against stalking by understanding the process and by intervening earlier rather than later to thwart violence-proneness by the stalker.

2. Seeking help from mental health experts and victim services professionals to start the healing process, should the stalking process be protracted.

Empower Yourself to Act Out Against Stalking
Those who feel that they may be the target of a stalker need to intervene in the process early. This intervention includes taking personal safety precautions; informing family and friends, and workplace personnel about the stalking problem; and seeking assistance from law enforcement. These persons can form a support team to help the target develop a risk management plan.

Inform and Get Help from Third Parties
Although many targets feel awkward about informing others about their stalking problem, law enforcement experts consistently emphasize that the sooner that family members, employers, union leaders, and the police are told about the target’s stalking incidents, the better it is—for everyone’s safety.

Contact Law Enforcement for Assistance
Once the target informs the police about the stalking incidents, the police will likely open a file so that an ongoing record of the events can be kept and later used, if necessary, in legal proceedings.
The police caution targets not to destroy evidence left by their stalkers, such as notes, letters, photos, audiotapes, e-mail messages, and gifts. In all cases of relational and revenge stalking, the target should document and keep in a safe place a record of each incident—date, time, place, and event.

When the target approaches the police, he/she will likely be asked if the stalker has been clearly told that no further contact is wanted. Once the target has given a clear and unequivocal message, should the stalker persist in trying to make contact (direct or indirect), the police need to be notified immediately. In no circumstances should the target meet with the stalker.

**Develop a Personal Safety Plan**

Stalking targets should give adequate attention to this option as soon as possible. Victim service professionals and law enforcement can provide assistance in safety planning. The plan should consider safety measures for home, work, school, shopping, exercising—whatever is a regular part of the target’s life.

Safety plans should include such measures as:

- Giving a picture of the stalker (if available) to the police, work security, building superintendent, workplace personnel, family members, school officials, and neighbors, so they can recognize the stalker (should he/she appear in a restricted zone) and advise appropriate authorities of the stalker’s presence.

- Varying one’s schedule and routines to throw off the stalker and to make it more difficult for the stalker to make contact.

- Installing a telephone-screening device on work and home telephones to assist in identifying the stalker’s calls.

- Carrying a cell phone at all times to place emergency calls.

- Installing security devices, alarms, and surveillance cameras at home and at work for additional protection.

- Planning and practicing office and home escape routes.

- Having extra cash on hand for emergencies and having a set of personal documents in a safe place.

**Stalking Recovery Protocol**

It is important that stalking victims be reassured that they are not to blame for the problem. A stalking recovery protocol should be followed for every stalking victim.
Consistent with the principles of crisis intervention, the stalking recovery protocol will often parallel that used by mental health professionals to help crisis survivors. The protocol in general terms will:

- Help the target define and address the problem situation.
- Help the target set limited, realistic action-oriented goals.
- Help the target develop a safety plan.
- Provide emotional support to the target. Refer the victim to a local domestic violence, rape crisis, or victim assistance program.
- Help the target increase self-image and control of the situation.
- Foster in the target as much independence and responsibility for personal actions as possible.
- Assist the victim in obtaining an order of protection, if necessary, and instruct her to carry it at all times, or refer the victim to a court advocate who can assist with protection order issues.
Stalking Victim Safety Planning

Essential Elements of Stalking Safety Plans

Personal Security

Personal security measures limit the stalker's access to the victim or help the victim shield themselves—and information about their whereabouts, activities and intentions—from the stalker.

All of these involve some kind of personal loss, dislocation or disruption of personal/family routines; most of them cost money—and some create significant financial burdens.

Victims will understandably and legitimately resent having to bear these costs in order to achieve a measure of safety and privacy. Don't try to undercut these feelings; help them to do what needs to be done despite the fact that “it's not fair.”

Place of Residence

Depending on the level of the stalking threats, consider moving. This is easier to do if you are a tenant, although there may be need for legal assistance in getting out of a lease; harder to do when it involves selling a home. This may require leaving the area altogether, and if the stalker shares custody of any children involved, the civil courts will have something to say about it.

Try to use a “no name” mover, so you can't be easily traced, or more your things to storage, then use a different company to move them to where you're going.

In extreme cases, relocation is an element of a complete change of identity. Unless a person is involved in a formal victim/witness program, this generally requires a number of illegal acts and a strong commitment to following through, including a willingness to cut most, if not all, existing personal ties.

Protecting the confidentiality of your new address:

✓ Notify the local postal service that it is not to release the change of address information.

✓ Change your mailing address to a private box.

✓ Use a private mailing service, or rent a post office in a different location from where you live.
✓ Use your "mailbox" address on personal checks, letterheads, and business cards.
✓ Get dropped from commercial mailing lists that get rented or sold (especially with companies who send your catalogs or publications).

✓ Advise phone company, utilities, banks, and creditors of the change and asking them to put a "code word" on your file to restrict inquiries. (Many credit check agencies have a service that will let you know if someone runs a credit check on you.)

✓ Register your vehicle at, and have your driver's license list, your "mailbox" address.

✓ Place property or other assets in trust so that your address cannot be obtained through a title records search.

✓ As far as is legally possible (in the state where you live or from the state that you've fled), protect the new address in transfers of school records and in any legally-required release of educational information.

✓ Teach children to keep address and phone numbers confidential.

✓ Changing the phone number, getting an unlisted number and radically restricting who you give it to, and/or using an answering service or voice-mail number. If you need to share a phone, (with a roommate or relative) get a "password" voice mail feature added to your service.

✓ If you can afford it, you might want to consider using one number to call-forward your calls to yet another phone somewhere else.

✓ Making sure your address isn't listed in the phone book or "reverse" directories.

✓ If you are routinely harassed over the telephone and you can find the money, you might want to get a new unlisted line while continuing to use an answering machine to monitor calls to the "old" number. The tapes may be useful in building a "stalking" case.

✓ Using caller ID and call tracing services defensively: know who's calling you before you answer, but learn how to keep your calls from being identified, or call from public telephones.

✓ Courts have the ability to keep a petitioner's address and telephone number confidential. This will take a formal request from you, and in some cases, from the prosecuting attorney.
Official Information for Safety Considerations

 ✓ Get the name and number of your stalker's probation/parole officer, and stay in touch.
 ✓ Where available, enroll in victim notification systems that will alert you to stalker releases from jail/prison.

Home Security Measures

 ✓ Keep doors, windows, basement access and the garage locked.
 ✓ Change window and door locks.
 ✓ Replace wooden doors with steel/metal doors.
 ✓ Install peepholes, window bars, and/or poles to wedge sliding doors.
 ✓ Put fire extinguishers near your doors and learn to use them as "intruder repellents."
 ✓ If you can afford it or negotiate with your landlord for it; install outdoor (motion sensitive) lighting, timed indoor lights, and/or electronic security systems and alarms.
 ✓ Get a dog.
 ✓ Program emergency numbers into home and cellular telephones.
 ✓ If you are eligible, get involved in victim/witness programs that utilize "panic button" security alert systems, and/or dedicated cellular phones programmed to 911.

Social Habits

Moving won't help if you can be found at familiar places. As much as you possibly can, vary your patterns places: joint a new congregation; shop at different stores; go to a new dry cleaners; frequent different restaurants and theaters; change banks; work out at a different gym; find a new hairdresser.

Change the route you take to get to work or school. Get a different bus/train; get off of the subway one stop earlier and walk the extra distance.

Learn to spot someone following you. If you're in the car, make four right turns in succession, or get off and then immediately back onto the highway (then check to see if the car/s you're concerned about is/are still there. If you're on foot, go into a large building through one entrance and out a door on another side. If you're being following, go immediately to a police or fire station.
Visitation

Get the clearest possible terms in orders for visitation. These may include supervised visitation programs, pick-ups and drop-offs that are at a neutral site or monitored by a trustworthy third party, protective orders that limit contact to written and emergency communications.

General Considerations for All Safety Plans

Keep a record of incidents and contracts and include the date, time what happened, who else heard or saw, photographs, tapes, and the names and badge numbers of responding officers.

Workplace safety:

Inform your supervisor, EAP program and/or the security office about the situation. Some companies have developed protocols for handling these cases.

If you have security in your building, give them a photograph of the abuser, a vehicle description, and a copy of your order of protection, if you have one.

Work site security may also involve changing your work space or shift; screening calls, mail, packages and visitors; arranging for special or different parking spaces and/or accompaniment to and from your car, bus or subway stop. In larger organizations, it may be possible to arrange a transfer to a different office, or another branch.

Similarly, if you are in college or a vocational educational program, you can notify your adviser and the security office, and get their help in keeping safe.

Children:

Keep copies of orders of protection, custody and visitation with everyone who takes care of your child, and with their schools.

Teach children how to make collect and emergency calls, and that they can give their address and phone number to "safe" adults (i.e. police).

Identify locations to re-group and rehearse "escape plans" with your children. (You should do this in case of fire, in any event.)

Personal supports and skills:

Don't underestimate the difference it makes when people take the victim's situation seriously, and communicate both concern and respect. The development of a "partnership for safety" reduces isolation and may also reduce feelings of powerlessness and anxiety.
National Online Resources

Reports on Stalking and Other Related Materials

Office of Justice Projects Crime Act Reports to Congress
http://www.ojp.usdoj.gov/ocpa/94Guides/

This site has the *Stalking and Domestic Violence: The Third Annual Report to Congress Under the Violence Against Women Act* (July 1998), as well as the Second Annual Report (July 1997) and the First Annual Report, *Domestic Violence, Stalking, and Antistalking Legislation Annual Report* (March 1996). There are also links to the STOP Grant Evaluation Reports.

Violence Against Women Online Resources
http://www.vaw.umn.edu/stalk.asp

This site is a cooperative project of the Violence Against Women Office (VAWO), Office of Justice Programs, U.S. Department of Justice and Minnesota Center Against Violence and Abuse (MINCAVA ) at the University of Minnesota. It provides links to the report *Stalking in America: Findings from the National Violence Against Women Survey* by Patricia Tjaden and Nancy Thoennes for the National Institute of Justice and the Centers for Disease Control and Prevention. This is a comprehensive summary of the stalking information gathered from the 1998 National Violence Against Women Survey. There is also a link to Nancy K. D. Lemon’s commentary on the Model AntiStalking Code for the States.

National Criminal Justice Reference Service Victims page on Stalking
http://www.ncjrs.org/victstlk.htm

This site provides some of the same resources as Office of Justice Projects Crime Act Reports to Congress and Violence Against Women Online Resources, but it also includes *Evaluation Guidebook: Projects Funded by S.T.O.P. Formula Grants under the Violence Against Women Act, Regional Seminar Series on Developing and Implementing Antistalking Codes, and Threat Assessment: An Approach to Prevent Targeted Violence.*

The National Criminal Justice Reference Service provides a searchable, online abstract database and full-text database from their homepage at www.ncjrs.org.

American Prosecutors Research Institute (APRI)
http://www.ndaa_apri.org/apri/Vawa/Publications/publications.html

In 1997, APRI's VAWA program published a monograph funded by the Bureau of Justice Assistance Stalking: *Prosecutors Convict and Restrict.* The stalking monograph described current initiatives local prosecutors can follow to successfully prosecute, convict and sentence stalkers. It also examined two innovative antistalking programs.
within an urban and a rural jurisdiction. The publication is free, but there is a $6.95 charge for shipping. It can be ordered from this site.

International Association of Chiefs of Police (IACP)

Protecting Victims of Domestic Violence: A Law Enforcement Officer’s Guide to Enforcing Orders of Protection Nationwide. This report was produced as a cooperative effort between VAWO and the IACP.


Combating Workplace Violence, this report provides information for employers and law enforcement in preventing workplace violence and for what to do if an incident does occur.

Pennsylvania Coalition Against Domestic Violence
http://www.pcadv.org/Publications.html

This is a helpful site. From here you can view many publications including their fact sheets on protection from abuse orders, stalking, and workplace violence. There is also a downloadable (PDF Format) booklet, titled An Advocate’s Guide to Full Faith and Credit for Orders of Protection, and reviews of intimate partner homicides in Pennsylvania.

Research on Stalking


Text format - http://www.ncjrs.org/txtfiles/169592.txt


Text format - http://www.ncjrs.org/txtfiles1/nij/181867.txt

Prevalence, Incidence and Consequence of Violence Against Women: Findings from the National Violence Against Women Survey from the National Institute of Justice and

Text format - http://www.ncjrs.org/txtfiles/172837.txt


Text format - http://www.ncjrs.org/txtfiles1/nij/183781.txt


PDF format - http://www.ncjrs.org/pdffiles/fs000186.pdf
Text format - http://www.ncjrs.org/txtfiles/fs000186.txt


Text format - http://www.ncjrs.org/txtfiles1/nij/182369.txt


http://www.ncjrs.org/txtfiles/anticode.txt


Text format - http://www.ncjrs.org/txtfiles/170612.txt
Institute for Law and Justice (ILJ)
http://www.ilj.org/stalking/index.htm

The Institute for Law and Justice (ILJ), with support of the National Institute of Justice (NIJ), U.S. Department of Justice, is studying the enactment of anti-stalking legislation throughout the States and the establishment if support programs for victims and their relatives and programs to control stalkers.

Their Report on a National Survey of Law Enforcement and Initiatives Against Stalking is downloadable in PDF Format. This site also contains many links to on-line information, including federal and state anti-stalking legislation.