

Stalking and Sexual Assault

- ## Agenda
- Dynamics of Stalking
 - Connection to IPV
 - Stalking and Sexual Violence
 - Working with Victims

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?

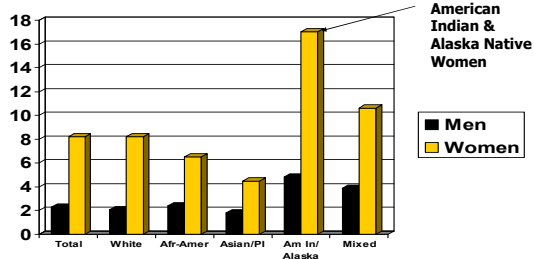
Context is critical!

Prevalence of Stalking

- 1 out of every 12 U.S. women
- 1 out of every 45 U.S. men
- Approx. **1.4 million** people are stalked in America every year

- National Violence Against Women Survey, 1998

Persons Stalked in Lifetime (%)

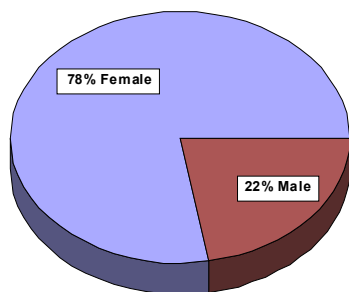


National Violence Against Women Survey, Tjaden & Thoennes (1998)

Accurate statistical data on violence against women in Indian country is hard to come by. There is in fact no comprehensive data on violence against women under tribal jurisdiction, since no federal or Indian agency/organization systematically collects this information. In general, data on crime in Indian country is poor, partly due to underreporting of crimes to the tribal authorities and partly due to underreporting to the federal authorities.

- Wakeling et. al., *Policing on American Indian Reservations*, NIJ, 2001

Gender of Stalking Victim



- National Violence Against Women Survey (1998)

Stalkers

- 94% of female victims are stalked by **men**
- 60% of male victims are stalked by **men**
- Overall, 87% of stalkers are **men**

- National Violence Against Women Survey (1998)

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
 - o Organized
 - o Delusional

Demographics

Criminal History:

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

The RECON Typology of Stalking, Mohandie et al (2006)

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

The RECON Typology of Stalking, Mohandie et al (2006)

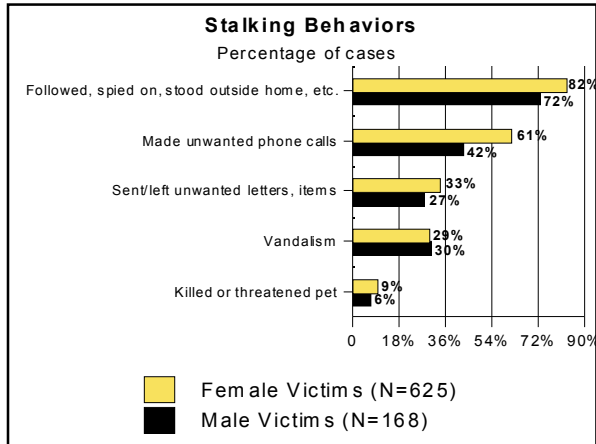
Stalking Behavior

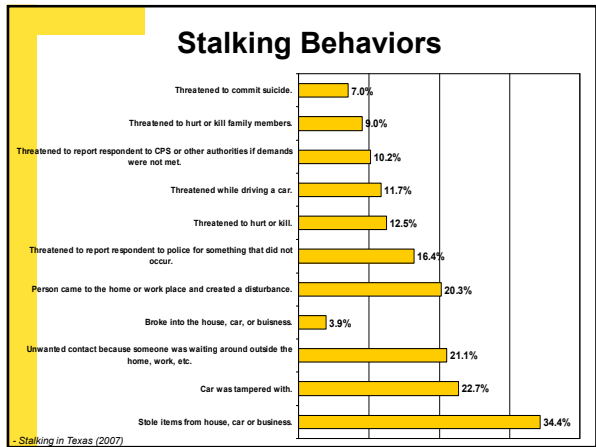


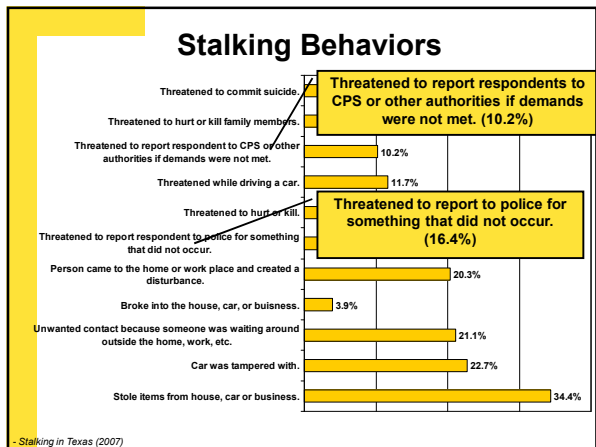
Pattern of Behavior

- 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

- The RECON Typology of Stalking (2006)







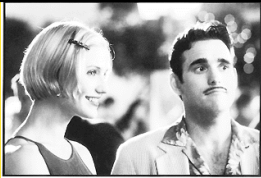
Use of Technology to Stalk

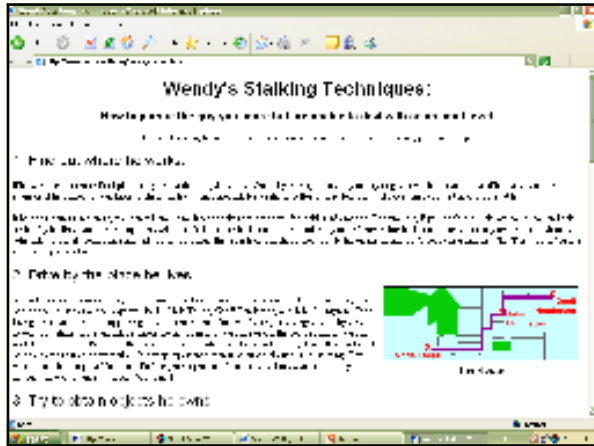
- Phones
- Cameras
- Global Positioning Systems (GPS)
- Computers
- Email & IM
- Spyware
- Assistive technologies
- Social networking sites



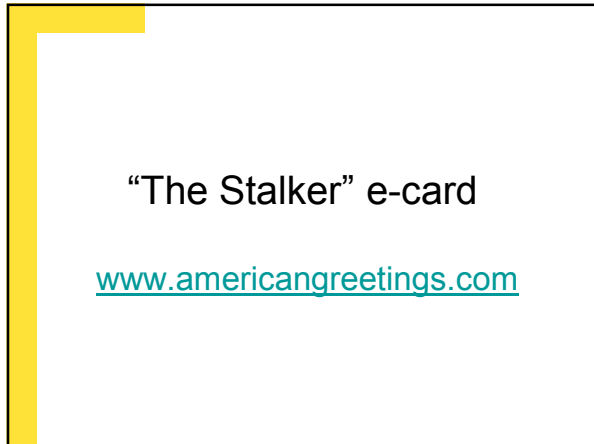
Why do they stalk?

- Seeking Affection
- Rejection
- Obsession
- Power & Control
- Sexual Gratification
- Planning to commit a crime
- Because they can





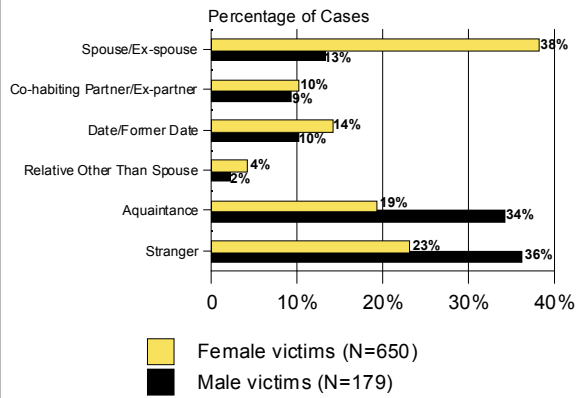




Stalking and Intimate Partner Violence



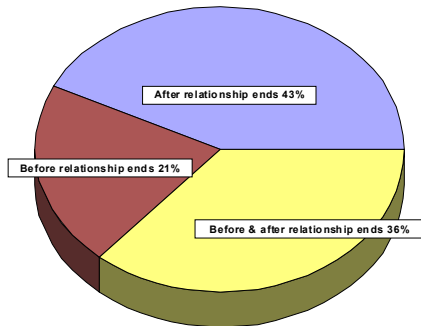
Relationship Between Victim and Offender



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)

Point in Intimate Relationship When Stalking of Women Occurs



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 the femicide victims who had been physically abused 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 302,100 women and 92,700 men are forcibly raped each year in the United States. - National Violence Against Women Survey (1998)

Stalking and Sexual Assault

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

National Violence Against Women Survey, Tjaden & Thoennes (1998)

Stalking and Sexual Assault on Campus

- In 10.3% of campus stalking incidents, the victim reported that the stalker forced or attempted sexual contact
- National Sexual Victimization of College Women (2000)
- 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*?

Police hunt 'heinous' stalker

Olivia Hill-Douglas
March 22, 2007
Police believe a young woman who was subjected to a "particularly heinous" sexual assault in her own home early Saturday morning was the victim of a stalker.

Authorities hunt sexual assault suspect

Police say suspect has assaulted one young girl in a local department store and was caught on video stalking another in a different area store.
Date published: 9/28/2006

Glenelg sexual assault victim may have been stalked

January 4, 2008
Police say a woman who was sexually assaulted in her Glenelg home at 6:00pm yesterday may have been stalked by her attacker.

Ex-Ill. cop guilty of rape, stalking

ASSOCIATED PRESS
06/18/2008
A former Bloomington police sergeant whose home computer contained depictions of violent sex forced on women was convicted Wednesday of raping four women and stalking a fifth toward the end of his 17-year law enforcement career.

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.

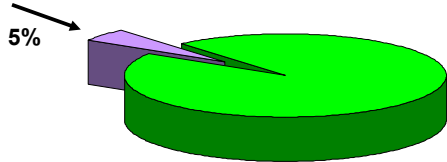
The Rape Paradox

Millions of victims...



Relatively few rapists incarcerated...

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



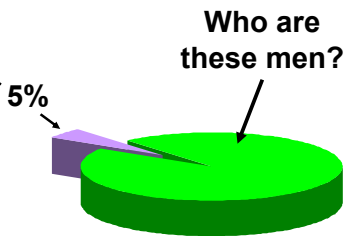
Where are all the rapists?



The Population of Rapists



Ski Mask
Knife
Blitz Attack
Brutal Injuries
Strangers



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.
- Duke University & University of Massachusetts, 1986-2000
- 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?

Lisak, David. *Repeat Rape and Multiple Offending Among Undetected Rapists*, Violence and Victims, Vol. 17, No. 1, 2002.

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.

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

Single Act Rapists
44 men
44 rapes & attempted rapes

Serial Rapists
76 men
439 rapes & attempted rapes



The Undetected Rapist



Implications of Research on Undetected Rapists

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?

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

Average Duration of Stalking

- All stalking: **1.8 years**
- Intimate partner stalking: **2.2 years**

- National Violence Against Women Survey (1998)

Recidivism Rates

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

- The RECON Typology of Stalking (2006)

Reports to Law Enforcement

- 54% of **femicide victims** reported stalking to police before they were killed by their stalkers.
- 46% of **attempted femicide victims** reported stalking to police before the attempted murder.

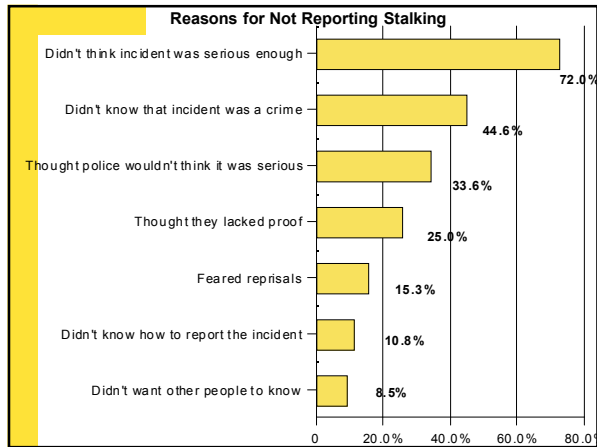
- Femicide Study (1999)

Reports to Law Enforcement

- Overall, 83.1% of campus stalking incidents were NOT reported to police or campus law enforcement.

BUT....

- 93.4% of victims confided in someone, most often a friend, that they were being stalked.



Barriers to Reporting

- Jurisdictional issues
- Lack of resources for law enforcement and Tribal Courts
 - No 911, no jail
 - Long response times
 - Low number of tribal codes
- Phone and transportation issues
- Shame or fear
- *Not just barriers to reporting to law enforcement*

Working With Stalking Victims

- Safety
- Advocacy
- Documentation
- Support

ARE YOU SAFE?

Safety

- Defining our roles
- Privacy and confidentiality
- Restricted reporting

Safety

- Disengage/No Contact
 - Intermittent Reinforcement
 - Negotiation/Minimizing Harm
 - “Just one last lunch...”
- “No contact” letters
- Threat Assessment

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**

Documentation

STALKING INCIDENT LOG

Date	Time	Description of Incident	Location of Incident	Witness Name(s) <small>(Attach Address and Phone #)</small>	Police Called <small>(Report #)</small>	Officer Name <small>(Badge #)</small>

Documentation

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)

Documentation

- Surveillance cameras
- Tracing calls
 - Caller IDs/Answering machines
 - After offender hangs up, wait 20 seconds, dial *57 to trace
 - Don't change phone numbers! Get new unlisted line or virtual voicemail.

Working With Stalking Victims

- Safety
- Advocacy
- Documentation
- Support

Support

- Cocooning
 - Buddy System
 - Flyers or Pictures of offender
- 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

VAW Tribal TA Providers

- **Clanstar, Inc.**
PO Box 1835
Cherokee, NC 28719
Phone: (828) 497-5507
Fax: (828) 497-5688
www.clanstar.org/
- **Mending the Sacred Hoop**
202 E. Superior Street
Duluth, MN 55802
Phone: 888-305-1650
Fax: (218) 722-5775
www.msh-ta.org
- **Sacred Circle**
722 Saint Joseph Street
Rapid City, SD 57701
Phone: 877-733-7623
www.sacred-circle.com
- **Southwest Center for Law and Policy**
4055 E. 5th Street
Tucson, AZ 85711
Phone: (520) 623-8192
Fax: (520) 623-8246
www.swclap.org
- **Tribal Law and Policy Institute**
8235 Santa Monica Boulevard
West Hollywood, CA 90046
Phone: (323) 650-5467
Fax: (323) 650-8149
www.tlpi.org

Stalking

resource center

Practitioners: 202-467-8700



Victims: 1-800-FYI-CALL

www.ncvc.org/src
