

# JUDICIAL OFFICER REMINDER: STALKING BEHAVIORS



By SPARC and NIWAP April 30, 2024

This resource is meant to be used with the more comprehensive [Judicial Officer Guide for Responding to Stalking](#).

## MULTI-DIMENSIONAL SLII STALKING FRAMEWORK

### SURVEILLANCE

Follow, watch, monitor, wait for, show up uninvited, track using software or devices, gather information, proxy stalk (use a third party to stalk and report on the victim)

- *Has the offender tracked, followed, watched, or monitored the victim in any way? In-person or through technology? Showed up unexpectedly? Communicated in ways that seem obsessive or make the victim concerned for their safety?*

### LIFE INVASION

Unwanted/nonconsensual contact or communication at home/work/school/other, phone calls, texts, show up without warning, property invasion, public humiliation, harass friends/family/colleagues

- *Has the offender repeatedly invaded the victim's life/privacy by initiating unwanted contact? (e.g. repeated calls, texts, messages, emails, gifts, including through third parties, to the victim or their family/friends/colleague/others in the U.S. or abroad)*

### INTIMIDATION

Explicit and implicit threats, property damage, symbolic violence, forced confrontations, threats to or actually harm self or others, threats to call/report to immigration authorities, or withdraw immigration papers

- *Has the offender (more than one time) intimidated or scared the victim through threats (explicit or implicit), property damage or symbolic violence, or threats to harm pets, themselves, or others? Or intimidated or scared the victim through other means?*

### INTERFERENCE THROUGH SABOTAGE OR ATTACK

Financial and/or work sabotage, ruin reputation, custody interference (including kidnapping children internationally), keep victim from leaving, road rage, harm friends/family/children/pets/colleagues, physical or sexual attack

- *Has the offender significantly and directly interfered with the victim's life? Including physically or sexually assaulting the victim, forcibly keeping them from leaving or holding them against their will, causing them to have a serious accident, assaulting/harming others (friends, family, children, strangers, pets), or seriously attacked them in other ways?*

# CO-OCCURRING AND INTERCONNECTED CRIMES

The crimes below may be part of a stalker's course of conduct:

- Identify Theft, Computer Crimes
- Vandalism, Property Crimes
- False Reports, Witness Intimidation
- Voyeurism, Privacy Violation, Image Creation & Distribution
- Eavesdropping, Trespassing, Nonconsensual Recording
- Other evidence in Family & Civil Court of committed crimes

## CHANGES TO THE VICTIM'S LIFE THAT MAY INDICATE FEAR

- Time spent obtaining a protection order
- Asking friends, family, or professionals for help
- Relocation
- Changes to schedule, routine, and/or route/method of transport
- Avoiding locations or activities
- Efforts to keep their address or location a secret
- Screening phone calls
- Changing their own phone numbers, email addresses, and/or social media accounts
- Blocking phone numbers, email addresses, and/or social media accounts
- Changes to device and/or account settings
- Increased security and/or privacy measures
- Finances spent on safety devices or accommodations
- Financial impacts like employment consequences
- Costs for repair or replacement of damaged property, or passport/immigration/identity documents
- Informing work, daycare, school, apartment building, religious space, and/or others of the situation and/or asking for accommodations
- Taking steps to remedy identity theft
- Confidentially filing the victim's own immigration case to sever reliance on the stalker's sponsorship or economic control

## 14 RISK FACTORS IN STALKING CASES

BIG PICTURE 	STALKER MINDSET 	STALKER HISTORY 	VICTIM VULNERABILITY 
<ol style="list-style-type: none"> <li>1 Course of conduct (duration, intensity, frequency)</li> <li>2 Escalation of behaviors over time, events or dates that may trigger an escalation</li> <li>3 Nature, specificity, and context of threats</li> <li>4 Previous threat follow-through, ability to carry out threats</li> </ol>	<ol style="list-style-type: none"> <li>5 History of abuse to victim (control, coercion, jealousy, violence)</li> <li>6 History of violence and abuse to others</li> <li>7 Access to and previous use of guns and weapons, any prior training in using weapons</li> <li>8 Criminal history, mental health, substance abuse</li> </ol>	<ol style="list-style-type: none"> <li>9 Victim's resistance and stalker's persistence</li> <li>10 Stalker's motive and demonstrated lack of concern for consequences</li> <li>11 Proxy stalking (enlisting others to stalk the victim)</li> </ol>	<ol style="list-style-type: none"> <li>12 Victim's fear, the impact of the stalking on the victim's life</li> <li>13 Stalker's use of and expertise with technology</li> <li>14 Vulnerability related to housing, finances, employment, isolation, immigration status, relationships (children in common, position of authority over victim)</li> </ol>

The Stalking & Harassment Assessment & Risk Profile (SHARP) is a web-based tool that provides a situational risk profile of a stalking situation (available at [www.CoerciveControl.org](http://www.CoerciveControl.org)). This risk assessment is useful for several considerations: pretrial detention, bail, bond, sentencing, post-sentencing conditions, protection order provisions, custody exchange, as well as identifying which cases may demand greater attention and more detailed court orders.