



# DOMESTIC VIOLENCE ACTION TEAM

## Anti-Stalking Program

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# Index

	<u>Page</u>
General Information .....	4
If You Are Being Stalked.....	4
Impact of Stalking on Victims.....	5
Stalking Victimization.....	5
Stalking and Intimate Partner Femicide.....	6
Stalkers.....	6
Some Things Stalkers Do.....	7
What You Can Do.....	8
Stalking Safety Tips.....	8
Taking Charge.....	11
Note Taking.....	11
Preserving Evidence.....	12
Photographs.....	13
Stalking Safety Planning.....	14
What is it.....	14
Safety Planning.....	14
Technology Safety Planning.....	15
Advocates and Stalking Safety Planning.....	18
Rely on Trusted People.....	18

The **Domestic Violence Action Team** acknowledges that stalking is a serious and violent crime that is on the increase in our community. This program will work in conjunction with local law enforcement and will assist both victims of stalking and police by providing education to victims with regards to the preservation of evidence and identification of stalking behavior. The DVAT Coordinator will provide expertise in the area of evidence preservation, note taking, identifying stalking behavior and safety planning. Anti-Stalking kits will be maintained by the DVAT Project Coordinator and will be issued to victims of stalking by referral from members of DVAT or the public at large. When a kit is issued to an individual the necessary training will also be supplied at that time.

**Stalking in Canada is described as Criminal Harassment;**

*264. (1) No person shall, without lawful authority and knowing that another person is harassed or recklessly as to whether the other person is harassed, engage in conduct referred to in subsection (2) that causes that other person reasonably, in all the circumstances, to fear for their safety or the safety of anyone known to them.*

**Prohibited conduct**

*(2) The conduct mentioned in subsection (1) consists of*

*(a) repeatedly following from place to place the other person or anyone known to them;*

*(b) repeatedly communicating with, either directly or indirectly, the other person or anyone known to them;*

*(c) besetting or watching the dwelling-house, or place where the other person, or anyone known to them, resides, works, carries on business or happens to be; or*

*(d) engaging in threatening conduct directed at the other person or any member of their family.*

**Punishment**

*(3) Every person who contravenes this section is guilty of*

*(a) an indictable offence and is liable to imprisonment for a term not exceeding ten years; or*

*(b) an offence punishable on summary conviction.*

## General Information

Stalking is unpredictable and dangerous. No two stalking situations are alike. There are no guarantees that what works for one person will work for another, yet you can take steps to increase your safety.

**If you are in immediate danger, call 911.**

Locate a safe place. Consider going to:

- Police Station
- Residences of family or friends (locations unknown to the perpetrators)
- Domestic violence shelters
- Public areas (some stalkers may be less inclined toward violence or creating a disturbance in public places).

**Trust your instincts.** Don't downplay the danger. If you feel you are unsafe, you probably are. Take threats seriously. Danger generally is higher when the stalker talks about suicide or murder, or when a victim tries to leave or end the relationship.

### **If you are being stalked, you may:**

Feel fearful of what the stalker will do.

Feel vulnerable, unsafe, and not know who to trust.

Feel anxious, irritable, impatient, or on edge.

Feel depressed, hopeless, overwhelmed, tearful, or angry.

Feel stressed, including having trouble concentrating, sleeping, or remembering things.

Have eating problems, such as appetite loss, forgetting to eat, or overeating.

Have flashbacks, disturbing thoughts, feelings, or memories.

Feel confused, frustrated, or isolated because other people don't understand why you are afraid.

These are common reactions to being stalked. What you are feeling is normal and you are not alone.

## **Impact of Stalking on Victims**

46% of stalking victims fear not knowing what will happen next. [Baum et al., (2009).

"Stalking Victimization in the United States." BJS.]

29% of stalking victims fear the stalking will never stop. [Baum et al.]

1 in 8 employed stalking victims lose time from work as a result of their victimization and more than half lose 5 days of work or more. [Baum et al.]

1 in 7 stalking victims move as a result of their victimization. [Baum et al.]

The prevalence of anxiety, insomnia, social dysfunction, and severe depression is much higher among stalking victims than the general population, especially if the stalking involves being followed or having one's property destroyed. [Eric Blauuw et al.

"The Toll of Stalking," Journal of Interpersonal Violence 17, no. 1(2002):50-63.]

## **Stalking Victimization**

Over 85% of stalking victims are stalked by someone they know.

61% of female victims and 44% of male victims of stalking are stalked by a current or former intimate partner.

25% of female victims and 32% of male victims of stalking are stalked by an acquaintance.

Only 1 in 5 of stalking victims are stalked by a stranger. Most stalking victims know their stalker.

Persons aged 18-24 experience the highest rate of stalking.

11% of stalking victims have been stalked for 5 years or more.

46% of stalking victims experience at least one unwanted contact per week.

[Matthew J. Breiding et al., "Prevalence and Characteristics of Sexual Violence, Stalking, and Intimate Partner Violence Victimization – National Intimate Partner and Sexual Violence Survey, United States, 2011", Centers for Disease Control and Prevention Morbidity and Mortality Weekly Report, Vol. 63, No. 8 (2014): 7][Katrina Baum et al., (2009). "Stalking Victimization in the United States," (Washington, DC: BJS, 2009).]

## **Stalking and Intimate Partner Femicide\***

\*The murder of a woman.[Judith McFarlane et al., "Stalking and Intimate Partner Femicide," Homicide Studies 3, no. 4 (1999).]

76% of intimate partner femicide victims have been stalked by their intimate partner.

67% had been physically abused by their intimate partner.

89% of femicide victims who had been physically assaulted had also been stalked in the 12 months before their murder.

79% of abused femicide victims reported being stalked during the same period that they were abused.

54% of femicide victims reported stalking to police before they were killed by their stalkers.

## **Stalkers**

A stalker can be someone you know well or not at all. Most have dated or been involved with the people they stalk. Most stalking cases involve men stalking women, but men do stalk men, women do stalk women, and women do stalk men.

2/3 of stalkers pursue their victims at least once per week, many daily, using more than one method.

78% of stalkers use more than one means of approach.

Weapons are used to harm or threaten victims in 1 out of 5 cases.

Almost 1/3 of stalkers have stalked before.

Intimate partner stalkers frequently approach their targets, and their behaviors escalate quickly.

[Kris Mohandie et al., "The RECON Typology of Stalking: Reliability and Validity Based upon a Large Sample of North American Stalkers," *Journal of Forensic Sciences* 51, no. 1 (2006).]

## **Some Things Stalkers Do:**

Follow you and show up wherever you are.

Send unwanted gifts, letters, cards, or e-mails.

Damage your home, car, or other property.

Monitor your phone calls or computer use.

Use technology, like hidden cameras or global positioning systems (GPS), to track where you go.

Drive by or hang out at your home, school, or work.

Threaten to hurt you, your family, friends, or pets.

Find out about you by using public records or online search services, hiring investigators, going through your garbage, or contacting friends, family, neighbors, and co-workers.

Posting information or spreading rumors about you on the Internet, in a public place, or by word of mouth.

Other actions that control, track, or frighten you.

You are not to blame for a stalker's behavior.

## What You Can Do

Contact police, a crisis hotline, victim services agency, or a domestic violence or rape crisis program. They can help you devise a safety plan, give you information about local laws, weigh options such as seeking a protection order, and refer you to other services.

Develop a safety plan, including things like changing your routine, arranging a place to stay, and having a friend or relative go places with you. Also, decide in advance what to do if the stalker shows up at your home, work, school, or somewhere else. Tell people how they can help you. Don't communicate with the stalker or respond to attempts to contact you.

Keep evidence of the stalking. When the stalker follows you or contacts you, write down the time, date, and place. Keep emails, text messages, phone messages, letters, or notes. Photograph anything of yours the stalker damages and any injuries the stalker causes. Ask witnesses to write down what they saw.

Contact the police. The stalker may also have broken other laws by doing things like assaulting you, stealing or destroying your property.

Consider getting a court order that tells the stalker to stay away from you.

Tell family, friends, roommates, and co-workers about the stalking and seek their support.

Tell security staff at your job or school. Ask them to help watch out for your safety.



# Stalking Safety Tips

## *Safety Anytime*

If possible, have a phone nearby at all times, preferably one to which the stalker has never had access. Memorize emergency numbers, and make sure that 911 and helpful family or friends are on speed dial.

Treat all threats, direct and indirect, as legitimate and inform police immediately.

Vary routines, including changing routes to work, school, the grocery store, and other places regularly frequented. Limit time spent alone and try to shop at different stores and visit different bank branches. When out of the house or work environment, try not to travel alone and try to stay in public areas.

Get a new, unlisted phone number. Leave the old number active and connected to an answering machine or voicemail. Have a friend, advocate, or police, screen the calls, and save any messages from the stalker. These messages, particularly those that are explicitly abusive or threatening, can be critical evidence for police to build a stalking case against the offender.

Do not interact with the person stalking or harassing you. Responding to stalker's actions may reinforce their behaviour. Consider obtaining an court order (EPO, Civil Restraint) against the stalker. Trust your instincts. If you're somewhere that doesn't feel safe, either find ways to make it safer, or leave.

## *Safety at Home*

Identify escape routes out of your house. Teach them to your children. Install solid core doors with dead bolts. If all keys cannot be accounted for, change the locks and secure the spare keys. Fix any broken windows or doors. Have a code word you use with your children that tells them when they need to leave.

Inform neighbors and, if residing in an apartment, any on-site managers about the situation, providing them with a photo or description of the stalker and any vehicles they may drive if known. Ask your neighbors to call the police if they see

the stalker at your house. Agree on a signal you will use when you need them to call the police.

Pack a bag with important items you'd need if you had to leave quickly. Put the bag in a safe place, or give it to a friend or relative you trust.

### ***Safety at Work and School***

Give a picture of the stalker to security and friends at work and school.

Tell your supervisors. They have a responsibility to keep you safe at work.

Ask a security guard to walk you to your car or to the bus.

If the stalker contacts you, save any voicemails, text messages, and e-mails.

Give the school or daycare center a copy of your protective order. Tell them not to release your children to anyone without talking to you first.

Make sure your children know to tell a teacher or administrator at school if they see the stalker.

Make sure that the school and work know not to give your address or phone number to anyone.

Keep a copy of your protective order at work.

## **Taking Charge**

If you are a victim of stalking, it can be critical to maintain a log of stalking-related incidents and behavior, especially if you choose to engage with the criminal or civil justice systems. Recording this information will help to document the behavior for protection order applications, divorce and child custody cases, or criminal prosecution. It can also help preserve your memory of individual incidents about which you might later report or testify.

The stalking log should be used to record and document all stalking-related behavior, including harassing phone calls, text messages, letters, e-mail messages, acts of vandalism, and threats communicated through third parties. When reporting the incidents to police, always write down the officer's name and/or badge number for your own records. Even if the officers do not make an arrest, you can ask them to make a written report and request a copy of your statement for your records.

Attach a photograph of the stalker, photocopies of restraining orders, police reports, and other relevant documents. Keep the log in a safe place and tell only someone you trust where you keep your log.

## **Note Taking**

The purpose of note taking is to collect data that relates to why the victim of stalking believes they are being stalked. The information collected will assist the police in developing a successful prosecution. Often there is significant time between the crime and a trial happens so these notes will be critical in assisting the victim in remembering details of the event. The notes need to be written in a format that helps the victim remember what occurred. They should be written in the story format with as many details as possible. The length of the written notes is not an issue although they should only contain what the victim sees, hears and

knows. Opinions should not be included as these notes may be disclosed if the matter goes to trial. Notes should be kept in the supplied portfolio. As you may not have your portfolio with you at all times the notes should be made as soon as possible after the event.

## Preserving Evidence

In cases where evidence is left for the victim to find such as notes, photograph, messages, emails, etc., it is critical that this evidence be preserved correctly. This type of evidence may aid police investigations by supplying fingerprints, DNA, handwriting samples and admissions of guilt. The Anti-Stalking Kit will include Latex gloves that should be worn when handling any potential evidence. Ziploc plastic bags or paper bags can be used to secure evidence. If you have the ability to take a photo of the item you should, this may help in the event the evidence is accidentally destroyed. Once the evidence is collected local police need to be notified.

Evidence Handling Instructions:

- Identify any items that may be used as evidence

May consist of any items that contain:

DNA - cigarette butts, drinking cup, chewing gum, used Kleenex, etc.

Fingerprints – any items that have been held/handled

Any type of written communication – notes, letters, etc.

- Once identified, the items need to be secured
- Put on rubber gloves prior to handling item
- With gloves on, pick up the item and place it in the bags provided
- If there is more than one item, place the additional items in their own bag

- Once the item has been placed in a bag, fold/seal the top of the bag to prevent the item from falling out
- With the pen provided, mark the time, date and location where the items were found on the side of the bag
- Retain the bag with the item until it can be provided to police

\*\*\* Any wet/saturated items that would leak through the bag, may be placed in a plastic baggie. Place the baggie in a paper bag following the same procedures as above. Please provide police with the item as soon as possible so that it can be dried properly.

## Photographs

Photographs are a very good way of showing both the police and the courts if necessary what occurred. Before preserving any evidence it should be photographed in place. Most cell phones today have the capability of capturing digital pictures or video and they can be emailed directly to an investigator or loaded to a secondary device so they are not destroyed by accident or intentionally.

It is equally important to photograph such things as messages written on surfaces that can be lost easily. ( i.e. dirt on cars, snow, frost on windshields, etc)

If you do not have a cell phone arrangements will be made to get you a phone that is capable of calling 911 and taking photographs.

Any damage to property or injuries should also be photographed.

**The taking of photographs does not replace calling the police. The police should be called in all circumstances involving damage, injuries or contact by a stalker to the victim**

# Stalking Safety Plan

## *What is it?*

A safety plan is a combination of suggestions, plans, and responses created to help victims reduce their risk of harm. It is a tool designed in response to the victim's specific situation that evaluates what the victim is currently experiencing, incorporates the pattern of previous behaviour and examines options that will positively impact the victim's safety. In a safety plan, the factors that are causing or contributing to the risk of harm to the victim and her/his loved ones are identified and interventions are developed.

## Safety Planning

**If you require emergency assistance, please call 911 immediately!**

Locate a safe place. Consider going to:

- Police Station
- Residences of family or friends (locations unknown to the perpetrators)
- Domestic violence shelters
- Public areas (some stalkers may be less inclined toward violence or creating a disturbance in public places).

Several murders of stalking victims have highlighted the fact that people who stalk can be very dangerous. Stalkers can threaten, attack, sexually assault and even kill their victims. Unfortunately, there is no single psychological or behavioural profile that can predict what stalkers will do. Stalkers' behaviours can escalate, from more indirect ways of making contact (i.e. sending emails or

repeated phone calling) to more personal ways (delivering things to the victim's doorstep or showing up at their workplace).

Many victims struggle with how to respond to a stalker. Some victims try to reason with the stalker, try to "let them down easy" or "be nice" in hopes of getting the stalker to stop the behaviour. Some victims tell themselves that the behaviour "isn't that bad" or other sentiments that minimize the stalking behaviour. Other victims may confront or threaten the stalker and/or try to "fight back." These methods rarely work because stalkers are actually encouraged by any contact with the victim, even negative interactions.

Victims of stalking cannot predict what stalkers will do but can determine their own responses to the stalking behaviour. Personal safety and harm prevention is of the utmost importance for victims. While victims cannot control the stalking behaviour, they can be empowered to take steps to keep themselves, family and loved ones safe. The creation of a safety plan can assist victims in doing this.

When safety planning, victims can consider what is known about the stalker, the people who might help, how to improve safety in one's environment, and what to do in case of an emergency. Safety planning must begin when the victim first identifies the stalking behaviour and continue throughout the duration of the case. Safety plans need to be re-evaluated and updated continuously as the stalker's behavior, the victim's routines and access to services and support changes.

## **Technology Safety Planning**

Stalkers use technology to assist them in stalking their victims in various ways. It is important to consider how victims may be harmed by stalkers' use of technology. Stalkers use the Internet to contact or post things about the victim on message board or discussion forums. They may also verbally attack or threaten victims in chat rooms. Some stalkers will post threatening or personal information about the victim - including the victim's full name and address. Often stalkers will e-mail the victim, or fill their in-box with spam and have been known to send viruses or

other harmful programs to victims' computers. These threatening messages should be saved, especially if the victim is considering contacting the police with the case.

If stalkers have access to a victim's computer, they can track them by looking at the history or websites visited on the computer. Also, stalkers have been known to install Spyware software on computers (sometimes sent through e-mail) that sends them a copy of every keystroke made, including passwords, websites visited, and e-mails sent. Spyware is very difficult to detect and a victim will likely not know she has it on her computer. If a victim believes they have a Spyware program on their computer, it is important the victim talk to a trained advocate.

Stalkers use cell phones enabled with Global Positioning System (GPS) to track victims. GPS technology can also be used to track or follow victims by placing them in the victim's car and will be able to tell everywhere the car travels.

Cyberstalking is easier than ever and abusers are increasingly using spyware apps on cell phones to track their partner's whereabouts. Here are some signs that there is spyware installed on your phone:

**Abnormal performance.** Spyware runs behind the scenes, whether you're using your phone or not. If you notice ongoing oddities, such as the phone lighting up or turning off by itself, it may have spyware running in the background. Another indicator is difficulty shutting your phone off or a lengthy delay when shutting it off. Once isn't an indicator, but if it happens consistently, it might mean a tracking app is present.

**Disproportionate battery drain.** Is your battery losing power more quickly than it used to even though you haven't changed any settings or installed any new programs? Spyware runs constantly, so it could be eating up battery life. Note: Newer spyware doesn't use as much battery power as older or less-sophisticated programs, so don't rule out spyware being present just because battery life seems normal.

**Consistent background noise on calls.** Some spyware automatically records phone calls and can lead to additional background noise or a sound that mimics a



bad connection. Of course, bad connections are real, so don't assume spyware is present if it happens only every once in a while. But if background noise, echo or static is present on every call you make, your calls might be being monitored.

**Random, nonsense text messages.** If you receive text messages that are a jumble of numbers or other characters from an unknown number that make no sense to you, your phone likely has been hacked. These messages are the spyware sending code to the phone to perform tracking tasks.

**Check the phone's directories.** Spyware apps generally won't show up as an icon on your phone, but they may show up in your phone's download directory. Accessing your phone's directory varies by device, so if you're unsure how to do this or uncomfortable doing so, take it to a tech-savvy friend or tech professional to check for you.( Computer repair business, Apple Store, etc)

If you find spyware on your phone, be cautious about deleting it, as that will tip off your abuser that you're onto him or her. Protect yourself with these tips on safe browsing.

**GPS tracking devices have become very easy to obtain and cheap to buy. The DVAT anti-stalking program has a scanner capable of detecting tracking devices that emit a radio frequency that is commonly used. If you suspect you or your vehicle is being tracked contact the DVAT Project Coordinator.**

It is also important for victims of stalking to remain diligent about protecting personal information that could be saved in databases. Businesses, for example, collect personal information about people, including names, addresses, phone numbers, etc. This information can sometimes be accessed and exploited by stalkers. One stalking victim's ex-boyfriend learned of her new address by "innocently" inquiring at the local oil change station if she had recently brought in their car for an oil change. Because that business had her information stored, they gave the stalker the address the victim had wanted to keep unknown to the stalker. Victims are encouraged to consider who might have their personal information. They should instruct businesses to not give out any personal information. In many instances, victims can ask that their account be password

protected. This password should be one known only to the victim and no information should be released or discussed until the password has been verified. Although no safety plan guarantees safety, such plans are valuable and important tools to keep victims safer, document incidents that happen with the perpetrator, make surroundings more secure, and identify people who can help.

## **Advocates and Stalking Safety Planning**

While victims can make safety plans on their own, it is often helpful to enlist the assistance of trained professionals. These professionals, including advocates and police officers, can help a victim determine which options will best enhance their safety and will work to devise a safety plan to address each unique situation and circumstance. Victim advocates can be found in local domestic violence and rape crisis programs, as well as in victim assistance programs in local law enforcement agencies (LRPS, RCMP, BTP).

## **Rely on Trusted People**

Many victims have found simple ways to make the stalking affect them less. They may ask someone else to pick up and sort their mail, get a second phone number given only to trusted people, or have people at work or school screen phone calls or inform the police if the stalker shows up. Relying on trusted friends and family is important for victims of stalking to help keep victims safer and also reduce the isolation and feelings of desperation that stalking victims may experience.

References for this program:

[www.victimsofcrime.org](http://www.victimsofcrime.org)

[www.domesticshelters.org](http://www.domesticshelters.org)

[www.justice.alberta.ca](http://www.justice.alberta.ca)

[www.dvat.ca](http://www.dvat.ca)