

A Foundation Report: Stalking

Kara Noesner, Sandhya Kajeepeta, Edward Hill

Stalking is a pattern of behavior directed at a specific person that would place that person in reasonable fear. It is a crime that often involves the use of power and control and can result in physical violence and/or psychological trauma. It can also be a predictor of severe violent crime,



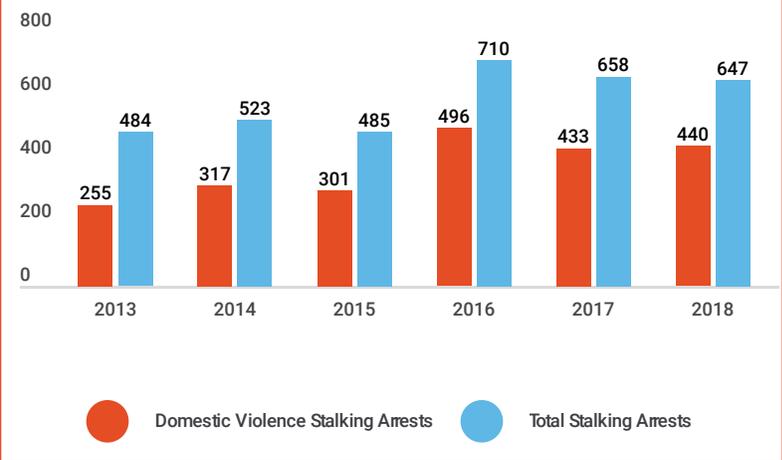
and even death. Data from the National Intimate Partner & Sexual Violence Survey (NISVS) demonstrate that, in the United States, 1 in 6 women and 1 in 17 men have experienced stalking at some point in their lives during which they felt very fearful or believed that they or someone close to them would be

harmed or killed [1]. According to data from the NISVS 2010-2012 State Report, in New York State, an estimated 12% of women and 5% of men have experienced stalking in their lifetime [2]. In New York City, the general prevalence of stalking is less well known. From 2013-2018, the New York City Police Department (NYPD) recorded 3,507 stalking arrests, of which 64% (2,242) were domestic violence stalking arrests, and domestic violence stalking arrests have increased 73% between 2013 and 2018 (Figure 1) [3]. This increase may be due in part to extensive citywide training efforts and increased awareness of the issue, which will be discussed later in this report. These figures only represent stalking complaints that resulted in an arrest and do not reflect stalking incidents that were not reported to the police.

Stalking Defined

New York State defines stalking as a pattern of behavior directed at a specific person that would place that person in reasonable fear. Two or more incidents are required to establish the pattern of behavior or course of conduct that is required to charge stalking under the New York State Penal Law. Stalking can include individual acts that, in isolation, are non-arrestable offenses that may even seem non-threatening; however, it is an analysis of the pattern and context of these acts that will help to establish a stalking offense. Stalking is a crime under federal law, in all 50 states and every U.S. territory, in the District of Columbia, and under many Tribal codes [4]. Stalking was added to the New York State Penal Law in 1999.

Figure 1: 2013-2018 New York City Domestic Violence and Citywide Stalking Arrests



The National Intimate Partner & Sexual Violence Survey (NISVS) is an ongoing, nationally representative survey conducted by the Centers for Disease Control and Prevention (CDC) that assesses sexual violence, stalking, and intimate partner violence among adult women and men in the United States and is the primary source of national data referenced in this report. The survey uses the terms women and men interchangeably with female and male. When referencing statistics from the survey in this report, we use the term used in the NISVS publication.

1. National Intimate Partner and Sexual Violence Survey, 2015 Data Brief, Centers for Disease Control and Prevention; 2. National Intimate Partner and Sexual Violence Survey, 2010-2012 The State Report, Centers for Disease Control and Prevention; 3. Data provided by New York City Police Department and analyzed by ENDGBV. Data are preliminary and subject to change.; 4. The National Center for Victims of Crime, victimssofcrime.org

Stalking Intersects with Intimate Partner Violence

Nationally, 66% of adult female stalking victims and 41% of male stalking victims are stalked by a current or former intimate partner.

While many people think of stalking in the context of a stranger or a celebrity, most stalking victims are stalked by someone they know, including a current or former intimate partner. Nationally, 66% of adult female and 41% of adult male stalking victims are stalked by a current or former intimate partner [5]. According to NISVS, 21% of intimate partner stalking victims were stalked during the relationship, 43% were stalked after the relationship ended, and 36% were stalked both during and after the relationship [6]. Stalking behaviors in an intimate partner context may impact not

only the intimate partner, but also the victims' family members, friends, and their new intimate partners. Stalking can occur in any intimate relationship, regardless of sexual orientation. Data from NISVS demonstrate that individuals who identify as lesbian, gay, and bisexual are equally or more likely to experience intimate partner violence, sexual violence, and stalking compared to individuals who identify as heterosexual [7].

Stalking Often First Appears in Young Adult Intimate Partner Relationships

Data from NISVS demonstrate that stalking often first appears in young adult intimate partner relationships, with more than half of female stalking victims (52.6%), and almost half of male stalking victims (44.5%) experiencing stalking before the age of 25 (18- to 24-year-olds experience the highest rates of stalking) (Figure 2) [8].

The Impacts of Stalking

Most victims of stalking experience major life disruptions including psychological effects such as anxiety, depression, and trauma [9]. Some stalking victims live in fear of what will come next, and that the stalking will never stop [10]. One in eight employed

Figure 2: Age at Time of First Stalking Victimization in Lifetime Among Female Victims

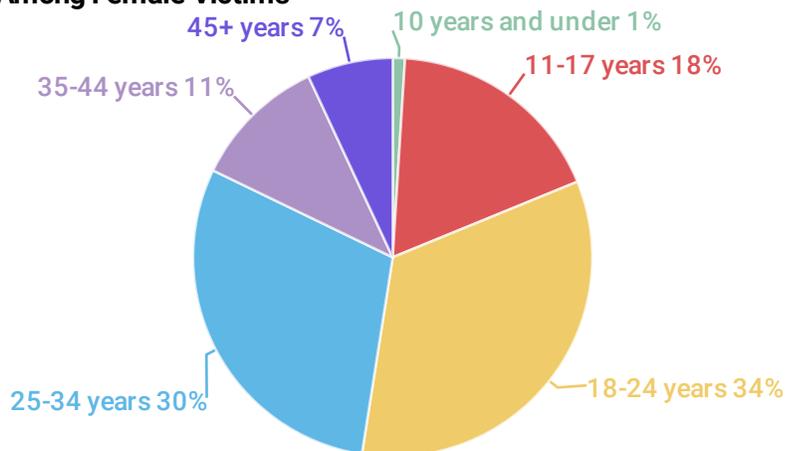


Chart: NISVS 2010 Summary Report

76% of female homicide victims and 85% of attempted female homicide victims were stalked prior to the attempted or actual homicide.

victims experienced impacts on their employment as a result of their victimization; more than half lost five days of work or more for safety reasons such as obtaining an order of protection, changing locks on their residence, or moving to a new location [11].

Stalking is a risk factor for female homicide and attempted female homicide, and is correlated with physical assault in an intimate partner relationship for females [12]. Dr. Judith M. McFarlane and colleagues conducted research among a sample of female

homicide victims and attempted homicide victims and found that 76% of female homicide victims and 85% of attempted female homicide victims were stalked by the perpetrator within the 12 months prior to the attempted or actual homicide [13].

5. National Intimate Partner and Sexual Violence Survey, 2010 Summary, Centers for Disease Control and Prevention; 6. Tjaden and Thoennes, Stalking in America: Findings from the National Violence Against Women Survey, National Institute of Justice and Centers for Disease Control and Prevention, April 1988; 7. National Intimate Partner and Sexual Violence Survey, An Overview of 2010 Findings on Victimization by Sexual Orientation, Centers for Disease Control and Prevention; 8. National Intimate Partner and Sexual Violence Survey, 2015 Data Brief, Centers for Disease Control and Prevention; 9. Baum K et al., Stalking Victims in the United States, Bureau of Justice Statistics, Department of Justice, 2009; 10. Baum K et al., 2009; 11. Baum K et al., 2009; 12. McFarlane JM et al., Stalking and Intimate Partner Femicide, Homicide Studies, 1999; 13. McFarlane JM et al., 1999

Stalking Behaviors

As mentioned above, stalking can include individual acts that, in isolation, are non-arrestable offenses that may even seem non-threatening; however, it is an analysis of the pattern and context of these acts that will help to establish a stalking offense. Commonly known stalking tactics include: unwanted contact, such as repeated phone calls or messages; receipt of unwanted presents; being approached unexpectedly in public, or being watched in public or outside a residence or place of employment. Less commonly known stalking behaviors can include identify theft, property damage, threats with a weapon, physical assault, sexual assault, and homicide.

Nationally, 21% of intimate partner stalking victims report experiencing physical violence—including strangulation, being attacked with a weapon, or being raped, or sexually assaulted [14]. A large study of 1,005 North American stalking cases, with the aim of identifying stalking typologies, found that intimate partner stalkers are the most violent, and are more likely to have criminal records, abuse substances, physically approach victims, and use and threaten to use weapons, when compared to offenders who stalk acquaintances, public figures, and strangers [15].

Cyberstalking



Cyberstalking is the use of technology or internet-based tools to stalk and harass. According to the U.S. Department of Justice, approximately 1 in 4 stalking victims report some form of cyberstalking, such as identity theft, threats through email or text message, and tracking location or online activity [16]. Stalking victims who report identity theft may experience unexpected charges to their accounts, money missing from accounts, and unauthorized opening or closing of their accounts. Cyberstalking may also include the installation of spyware, malware, or Global Positioning System (GPS) software on the devices of victims and/or children in common, which can track online activity including social media activity, frequent locations, daily travel, sensitive information such as passwords and account information, as well as manipulate access to the device itself.

Stalking is Often Ongoing and Frequent

Stalking can persist for years, and is often ongoing and frequent. According to the U.S. Department of Justice, 46% of stalking victims in the United States experience at least one unwanted contact per week, with 23% of victims being stalked at least once a day or almost every day (Figure 4) [17]. Many stalking victims experience being stalked over a period of months or years, and 11% of victims report having been stalked for five years or more [18]. Recidivism rates of offenders are high, with an average of 60% of offenders re-offending within two months after a system intervention [19].

Figure 3: Lifetime Reports of Stalking Among Female Victims by Behavior Experienced - NISVS 2010

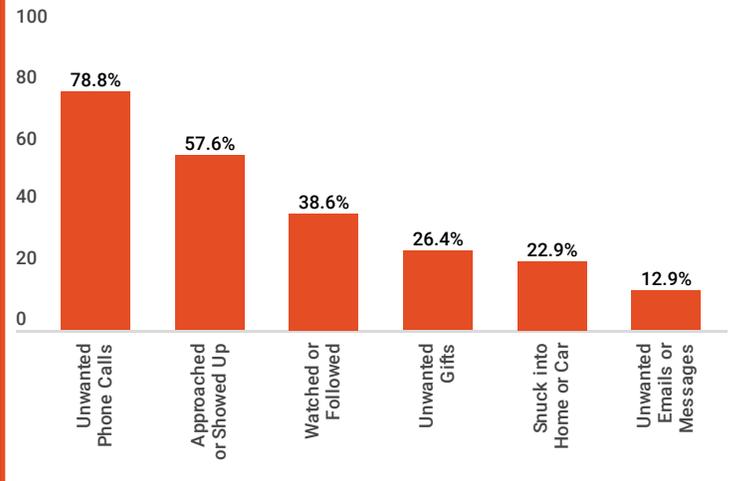
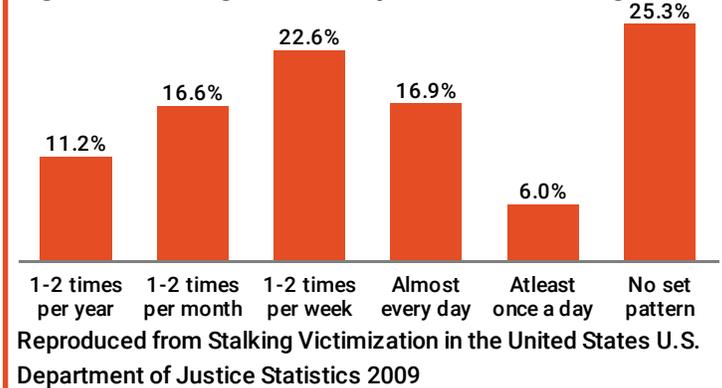


Figure 4: Stalking Victims Experience of Stalking Annually



14. Baum K et al., Stalking Victims in the United States, Bureau of Justice Statistics, Department of Justice, 2009; 15. Mohandie K et al., The RECON typology of stalking: Reliability and Validity Based Upon a Large Sample of North American Stalkers, J Forensic Sci, 2006; 16. Baum K et al., 2009; 17. Catalano S, Stalking Victims in the United States, Bureau of Justice Statistics, Department of Justice, 2009. 18. Catalano S, 2009; 19. Mohandie K et al., 2006.

Services for Victims of Stalking

New York City has a wide network of supportive services for victims of stalking. The Mayor’s Office to End Domestic and Gender-Based Violence (ENDGBV) operates the New York City Family Justice Centers (NYC FJCs). The NYC FJCs are located in every borough and provide walk-in one-stop services for victims of domestic and gender-based violence, including services for stalking victims. NYC FJC on-site providers have received specialized training in stalking identification and appropriate safety planning, and the NYC FJCs have an integrated assessment for stalking built into their risk assessment protocols. At the NYC FJCs, stalking victims can receive free and confidential services including safety planning, case management, counseling, and civil legal services, and can meet with City agencies, community providers, and the District Attorney’s Office, all on-site. Stalking victims can work with providers to develop a unique safety plan, learn how technology may be utilized in stalking behavior, and employ strategies to enhance evidence collection and preservation.

In 2016, ENDGBV partnered with Cornell Tech in a research project entitled, Digital Safety and Security in Intimate Partner Violence. This research partnership involved Cornell Tech researchers conducting individual interviews with NYC FJC on-site providers and client focus groups with NYC FJC clients to discuss the use of technology in their abusive relationships, whether the abuser had access to their online and personal accounts and technology hardware, and their knowledge of using mobile applications and technology safely.

As a result of their research, Cornell Tech used this initial research to create screening questions for NYC FJC partner staff to use when engaging in safety planning around technology, and provided NYC FJC staff training and technical assistance on cyberstalking tools and how to help clients identify and remove spyware, malware, and other unwanted or hidden mobile applications from their devices. Through this study, Cornell Tech developed a specialty mobile diagnostic tool designed to identify these applications. Cornell Tech is piloting the use of this groundbreaking tool with clients at the NYC FJCs to conduct digital privacy checkups that include scanning for spyware, performing a privacy check-up, and/or having an informative discussion about privacy settings and answer questions clients may have. The ENDGBV Healthy Relationship Training Academy (the Academy) is also assisting Cornell Tech with research they are conducting to assess how teens use apps and other social media in order to understand teens’ behavior around digital privacy and disclosure and identify ways in which teens experience technology abuse and how they seek help. The research will be used to develop tools tailored to teens, parents, and educators that address privacy protection strategies, risk behavior, and resources that help teens navigate technologies safely.

NYC Coordinated Approach to Preventing Stalking (CAPS)

The NYC Coordinated Approach to Preventing Stalking (CAPS) program is an initiative of ENDGBV, in collaboration with the NYPD and local District Attorney’s offices, to increase the identification and reporting of intimate partner stalking cases, prevent stalking from escalating to physical injury and fatality, enhance both stalking arrests and prosecutions, and link victims to critical services.

As part of the CAPS program, specialized training is conducted for NYPD police officers, members of the District Attorney’s office, and community-based partners to identify stalking behaviors, better understand the New York State stalking statutes, recognize the use of technology in a stalking context, engage in risk assessment and safety planning, and work with victims to document and preserve evidence of stalking incidents.

Figure 5: CAPS Program Goals

Goal 1: Early Identification of Intimate Partner Stalking Cases

Goal 2: Prevent Stalking Escalation to Physical Injury or Fatality

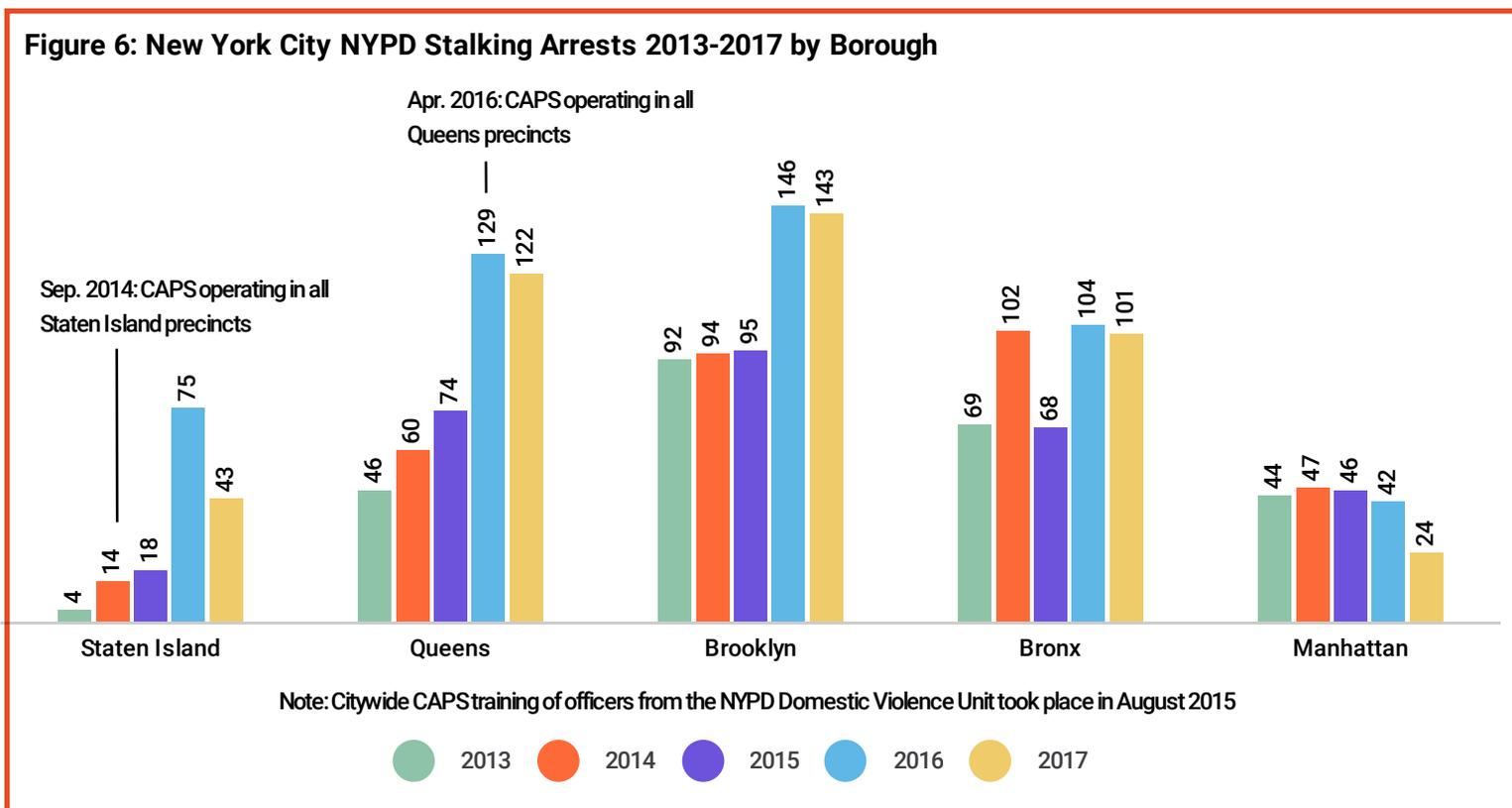
Goal 3: Hold Offenders Accountable

Goal 4: Connect Victims to Services

CAPS - Stalking Arrests Increase

In the year prior to ENDGBV launching the CAPS program in Staten Island, three out of the four precincts in the borough recorded no domestic violence stalking arrests. After ENDGBV launched CAPS in Staten Island in 2014, in collaboration with the NYPD and the Richmond County District Attorney's Office, the NYPD recorded a 250% increase in domestic violence stalking arrests in Staten Island compared to the prior year (Figure 6).

Based on the success of CAPS in Staten Island, the program expanded to Queens in July 2015, in collaboration with the NYPD and the Queens District Attorney's Office. Following a similar model, CAPS launched in four Queens precincts, then expanded to all 13 precincts borough-wide. Within the first month of the Queens launch, two Queens precincts recorded the City's first felony domestic violence stalking arrests. Following the expansion to all precincts in Queens, the NYPD recorded a 177% increase in domestic violence stalking arrests in Queens in the first year of program operation. In addition, in 2015, ENDGBV conducted a citywide training attended by officers from the NYPD Domestic Violence Unit across all five boroughs. In 2018, based on the recommendation of the NYC Domestic Violence Task Force and the success of CAPS in Staten Island and Queens, the program expanded to Brooklyn, with the intent of ultimately implementing CAPS in all five boroughs.



In 2017, to assess learning among CAPS participants, an evaluative component was added to the program. Pre- and post-training surveys are distributed at the start and end of all trainings as a way of assessing learning. In Brooklyn, a total of 211 police officers and District Attorney staff members participated in the surveys during five trainings. Analyses showed a 22.2% and 30.1% increase in correct responses in the pre- and post-training questionnaires among NYPD officers and District Attorney staff members, respectively. In 2019, ENDGBV will provide technical assistance and refresher trainings to NYPD officers to help with navigating the stalking statute and to keep awareness of the issue at the forefront.

Summary and Next Steps

Stalking is a pattern of behavior directed at a specific person that would place that person in reasonable fear. It is a crime that often involves the use of power and control that can result in physical violence and psychological trauma, and can be a predictor of more violent crime, and even death. Prior research on stalking establishes stalking as a risk factor for female homicide and attempted female homicide.

In New York City, strides have been made around the City's response to stalking. New York City Family Justice Centers (NYC FJCs) are located in every borough and provide walk-in one-stop services for victims of domestic and gender-based violence, including services for stalking victims. NYC FJC on-site providers have received specialized training in stalking identification and appropriate safety planning, and the NYC FJCs have an integrated assessment for stalking built into risk assessment protocols. ENDGBV has an ongoing partnership with Cornell Tech, with plans to expand this partnership to all five NYC FJCs, and to continue to ensure regular trainings to core NYC FJC staff on stalking and safety planning.

The New York City Coordinated Approach to Preventing Stalking (CAPS) program is a training program aimed at identifying intimate partner stalking cases and providing appropriate criminal justice and social services interventions before stalking behavior escalates to physical injury, serious physical injury, or fatality. Following the implementation of CAPS in Staten Island and Queens, these boroughs experienced significant increases in stalking arrests.

Given the high reported rates of stalking and impact on adults and young people in New York City, ENDGBV is committed to providing education and raising awareness about stalking to ensure that city employees and nonprofit service providers have the tools to identify the issue, and are aware of resources available to victims and their families. Specifically with respect to cyberstalking and other forms of technology abuse, ENDGBV's Policy and Training Institute partnered with the non-profit organization Day One in 2016 to enhance the Office's training curricula in this area. Day One developed a technology abuse curricula and materials for ENDGBV, and conducted a three-day train-the-trainer program for staff throughout the agency, including FJC Training Staff, the ENDGBV Training Team, and the Healthy Relationship Training Academy. The Academy's Community Educators in particular, who facilitate technology abuse workshops for youth, frequently report youth participants' references to various forms of cyberstalking behavior. ENDGBV looks forward to continuing to partner with experts in the field, like Cornell Tech and Day One, to stay abreast of rapidly changing forms of technology abuse, as well as solutions that utilize technology.

Finally, while there is a significant amount of national research on stalking, we still know little about the effects of stalking by an intimate partner, and more research is needed to fill this gap. Furthermore, cyberstalking is a fairly new and ever-evolving crime requiring additional research.

Stalking and Domestic Violence Hotlines, Information, and Resources

- The **New York City Domestic Violence Hotline** provides safety planning, referrals, and access to emergency housing for survivors of stalking and domestic violence. Call 1-800-621-HOPE (4673), or 311 to get connected. For TDD, call 1-866-604-5350.
- Located in all five boroughs, **New York City Family Justice Centers** are walk-in service centers for victims of domestic and gender-based violence to receive comprehensive civil legal assistance, counseling, and supportive services in a single location. More information can be found online at: <https://www1.nyc.gov/nychope/site/page/family-justice-centers>
- For more information on **New York City Coordinated Approach to Preventing Stalking (CAPS)**, call ENDGBV at 212-788-3156 or visit us online at: NYC.gov/endgbv
- The **New York City Hope Online Resource Directory** (NYC.gov/nychope) can provide survivors and community members access to information and local New York City resources.
- National information on stalking can be found at **Aequitas**, which provides victims, professionals, and organizations with information, trainings, and resources for stalking. For information, visit: aequitasresource.org/