

Stalking Response Considerations When Working with Native Communities

Stalking is a traumatic victimization and often intersects with domestic violence, sexual violence, trafficking, kidnapping, and homicide – all of which impact Native communities at disproportionate rates. Identifying and responding to stalking is a critical tool in supporting Native victims and holding offenders accountable.

1. Recognize the scope of stalking in Native communities.

- Stalking affects nearly 42% of American Indian/Alaska Native women and 30% of American Indian/Alaska Native men over their lifetimes.ⁱ
 - **Native relatives, including LGBTQ+ and Two Spirit relatives, encounter multiple layers of oppression and abuse that may intersect with stalking behaviors.**
 - 58% of AI/AN women and 29% of AI/AN men experience unwanted sexual contact.ⁱⁱ
 - 78% of Two Spirit women experience physical assault and 85% report sexual assault.ⁱⁱⁱ
- Stalking happens in rural and urban communities, and on and off reservations. The vast majority of stalking victims know their offender.
- It may be hard for Indigenous survivors to identify stalking as an issue if it is not the first violence they have experienced and/or they are dealing with complex layers of trauma; they may minimize it and say “I’ve been through worse.”
- [Sexual violence](#) can be part of a stalking pattern of behavior.
- **Stalking can be a precursor to and/or part of human trafficking and the epidemic of Missing and Murdered Indigenous Persons.**

American Indian/Alaska Native women experience the highest rates of stalking victimization of any race/ethnicity.



WHAT IS STALKING?

While legal definitions of stalking vary by jurisdiction, a general definition is:

a pattern of behavior directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others; or suffer substantial emotional distress.





- Stalking victims may not use words like “stalking” or express fear when describing their experiences and interactions. You may hear language along the lines of “my ex won’t leave me alone,” “my coworker is creepy,” or “my neighbor keeps harassing me.”
- It may be helpful for victims to use [a documentation log](#) to keep track of the incidents in a pattern of stalking behavior — no matter how small they seem.

2. Ask about specific stalking behaviors when working with Native victims.

- Stalking behaviors can be classified into four categories: [Surveillance, Life invasion, Intimidation, and Interference through sabotage or attack](#) (SLII).^{iv} These categories overlap and build on each other.
- Use these four screening questions to identify stalking SLII behaviors like those in the table below:

- Is the offender following you, watching you, showing up unexpectedly, or communicating with you in ways that seem obsessive or make you concerned for your safety?
- Has the offender repeatedly initiated unwanted contact with you (for example, repeated emails, phone calls, texts, messages, gifts, etc., including through third parties)?
- Has the offender threatened you or done other things to intimidate you? What have they done that has frightened or alarmed you?
- Has the offender significantly and directly interfered with your life? Have they assaulted you while stalking, harassing, or threatening you? Have they forcibly kept you from leaving or held you against your will, caused you to have a serious accident, physically assaulted your friends (or family or pets), or seriously attacked you in other ways?



|  SURVEILLANCE |  LIFE INVASION |  INTIMIDATION |  INTERFERENCE THROUGH SABOTAGE OR ATTACK |
|---|---|--|---|
| <ul style="list-style-type: none"> Follow, watch, or monitor victim, in-person and/or using technology Track victim's location Seek information about victim from others Leverage a small, insular, or tight-knit Native community to surveil victim Wait for victim, show up uninvited or where victim might be Monitor victim's online activity Hack into victim's accounts to view correspondence | <ul style="list-style-type: none"> Persistent and unwanted contact (phone calls, texts, social media messages) Unwanted gifts Publicly shame, embarrass, humiliate, and/or objectify victim Spread rumors about victim Share and/or post private information, images, and/or videos of victim Property invasion or damage, trespassing Impersonate victim online (like posing as them on dating sites) Harass victim's friends/family | <ul style="list-style-type: none"> Explicit and implicit threats Symbolic violence (like destroying underwear or a ribbon skirt) Threats to harm or actually harming self Threats to harm others (family, friends, pets) Blackmail, threats to spread rumors, share private information Threats to interfere with employment, finances, custody Threats to retaliate against victim if they tell anyone Threats to use medicine against victim | <ul style="list-style-type: none"> Physical / sexual attack Harm victim's family, friends, pets Financial or work sabotage Ruin reputation Steal or damage property, vandalism Custody interference Keep victim from leaving Post private photos, videos, information Control accounts Exploiting or trafficking victim Sabotage access to ceremony, cultural healers, medicine, and/or traditions |

3. Recognize that an Indigenous victim's level of fear and need for resources and assistance may vary and change over time based on the stalker's behaviors.

- Victims often make changes to their life in response to the stalking behaviors, to reduce or eliminate contact with the stalker.
- **Victims respond to trauma differently**, and may present as annoyed, frustrated, angry, apathetic, or show no emotion at all rather than appearing frightened. Humor may be used as a coping or deflection method, which doesn't diminish the seriousness of the abuse. In small and Tribal communities, the fear of repercussions from the stalker or others — regarding relationships, housing, work, school, financial resources, access to ceremony — may prevent a victim from seeking services.
- When an abuser is in an official position of power over the victim, such as a Tribal leader, department head, or law enforcement officer, it may be more difficult for a victim to come forward and ask for help.
- Indigenous victims often worry about retaliation from the stalker and/or their friends and family, for example for damaging the stalker's (and their family's) reputation.
- Work with victims to establish [safety plans](#), which should change and adapt as the stalking situation changes. Maintain a non-judgmental approach, meet clients where they are in their journey, and recognize that victims are the experts of their own lives.



4. Remember that Native stalking victims may maintain contact with offenders to keep themselves (and/or loved ones) safe.

- Stalkers are persistent offenders engaging in unwanted behavior. Victims may not be able to disengage from the stalker, whether by choice or circumstance, and their decisions should be respected.

"If you've never been in a predator-type situation, it's better to know where they're at than not know. The reason I didn't block him was to help not being caught off-guard."
-Stalking Victim^v

- Some victims may be required to maintain contact, for example if they share custody of minor children with the offender, work together, or share friends/family.
- In Native communities, relationships are often intertwined and victims may have to be at the same events and activities as the stalker.
- Victims often want to keep in contact with the offender in order to stay up-to-date on where the offender is, what they are doing, and how they are feeling, so that the victim is not caught off-guard. While complete disengagement is ideal, it is often neither possible nor likely.

5. Know local Tribal Codes on stalking, protection orders, and related crimes. Remember that formal interventions (like protection orders and involving the police) are less common and often reserved for when informal solutions aren't working.

- [Stalking is a crime](#) under many Tribal Codes and under the laws of all 50 states, the District of Columbia, U.S. territories, and the Federal government. Remember that the Full Faith and Credit provision of VAWA requires that a protection order issued in any jurisdiction must be recognized and enforced in every jurisdiction, whether State, Territory, or Tribe.
 - Offenders may leverage the complicated jurisdictional issues of Tribal vs. non-Tribal victims and offenders and may also leverage the frequent lack of collaboration between Tribal, State, and Federal legal systems in order to target victims and evade accountability.
- Stalking includes [a wide range of threatening and disturbing behaviors](#). Many stalkers combine behaviors that are crimes on their own (like property damage, trespassing, witness intimidation, physical assault, [sexual violence](#)) with other tactics that are not criminal on their own (like sending gifts or text messages), but can be criminal when part of a stalking pattern of behavior.
- **Stalking frequently co-occurs with other victimizations.** A domestic abuser who repeatedly engages in physical, sexual, emotional, or psychological abuse against a victim; a sex offender who selects, grooms, shames, and intimidates victims into silence over a period of weeks, months, or years; a trafficker who threatens, intimidates, and abuses victims through coercive control – they are all stalking their victims (i.e. engaging in a pattern of behavior directed at a specific person that would make a reasonable person feel fear).
- Collaborate with traditional cultural healers, Native-specific services, health care providers, [law enforcement](#), [prosecutors](#), and [corrections](#) to help support victims of stalking.
- Cultural teachings and protective factors can support healing and coping through difficult times, so it's vital to leverage community and cultural strengths. Talk with victims about if they want to engage with cultural healers, including if they have someone they want to work with, what Tribe/traditions they follow (which may not align with enrollment), and if they want your support finding someone. You may not know a local referral, but with permission and understanding from the victim, you can connect with resources such as Tribal Coalitions to help find support. Remember that cultural ceremonies and teachings vary greatly Tribe to Tribe.
- Recognize that not all Native victims are enrolled in a Tribe, so some resources may not be available to them.



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¹ Smith, S.G., Basile, K.C., & Kresnow, M. (2022). The National Intimate Partner and Sexual Violence Survey (NISVS): 2016/2017 Report on Stalking. Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention.

² Basile, K., Smith, S., Kresnow, M., Khawiwada, S., & Leemis, R. (2022). The National Intimate Partner and Sexual Violence Survey: 2016/2017 Report on Sexual Violence. Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention.

³ Lehavot, K., Walters, K., & Simoni, J. (2009). Abuse, Mastery, and Health Among Lesbian, Bisexual, and Two-Spirit American Indian and Alaska Native Women. *Cultur Divers Ethnic Minor Psychol*, 15(3), 275-284.

⁴ Logan, TK. & Walker, R. (2017). Stalking: A Multidimensional Framework for Assessment and Safety Planning. *Trauma, Violence & Abuse*, 18(2), 200-222.

⁵ Keith, A. (2 January 2022). Probable cause found for first degree stalking. Bonner County Daily Bee. <https://bonnercountydailybee.com/news/2022/jan/02/probable-cause-found-first-degree-stalking>.