

LAW ENFORCEMENT AGENCY MODEL POLICY: STALKING RESPONSE

How to Use This Model Policy

This resource is a descriptive model policy of best practices for the effective law enforcement response to and investigation of stalking. This model policy can be adapted to meet the specific needs of any agency. For more information on the context and reasons for the information and recommended standard operating procedures in this model policy, review [SPARC's Guide for Law Enforcement Responding to Stalking](#). For more details on standard operating procedure and important material to include when training agency employees, see [SPARC's Law Enforcement Training Guidance](#).

As a complex crime, stalking deserves a comprehensive policy as well as appropriate training for all agency employees. Depending on an agency's size, organization, and resources, some pieces of this model policy may need to be renamed or combined. Careful consideration is encouraged before removing any pieces of this model policy.

Elements of this resource may be useful in other agency policies and standard operating procedures; for example, the language and response of being trauma informed is relevant in domestic violence, sexual assault, and other agency response policies to traumatic crimes.

For additional resources and support on law enforcement's response to stalking, visit www.StalkingAwareness.org/law-enforcement-resources and contact SPARC at tta@stalkingawareness.org.

[SPARC's website](#) also has resources for law enforcement to share with partners, to better work together to build stalking cases, support victims, and hold offenders accountable, including [The Prosecutor's Guide to Stalking](#), [The Victim Advocate's Guide to Stalking](#), [The Judicial Officer's Guide to Stalking](#), and [Recorded Trainings](#).

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POLICE/SHERIFF'S OFFICE	GENERAL ORDERS
SUBJECT: Stalking	NUMBER:
EFFECTIVE DATE:	REVIEW DATE: Annually
AMENDS/SUPERSEDES:	APPROVED: ----- Chief of Police/Sheriff

I. PURPOSE

The mission of this agency is to *[insert mission statement here]*. To that end, this policy aims to support victims of stalking and hold offenders accountable. This policy's purpose is to establish agency priorities, guidelines, and procedures to be followed by law enforcement officers in identifying and responding to stalking, including when a law enforcement officer or public official is involved. Stalking is a prevalent and dangerous crime that requires a thorough law enforcement response to hold stalkers accountable for all of their crimes. Too often, stalking goes unrecognized, uncharged, and/or unprosecuted. Stalking is a crime under the laws of the 50 states, the District of Columbia, U.S. Territories, the Federal government, the Uniform Code of Military Justice, and many Tribal Codes. This jurisdiction defines stalking as *[insert statutory definition here]*.

II. POLICY

[Insert name of law enforcement agency here] recognizes that stalking is a crime that has great psychological and/or physical effects on victims. This agency's policy is to assist victims of stalking in a supportive manner, using appropriate crisis intervention skills. Reducing recidivism through the apprehension and prosecution of the offenders is an agency priority.

The primary objectives of this stalking policy are to:

- 1) Identify procedure and practice guidelines for a trauma-informed, victim-centered, multi-disciplinary identification of and response to stalking, particularly through investigation of stalking behaviors.
- 2) Articulate the roles and responsibilities of all agency members throughout the response to stalking.
- 3) Illustrate strategies that postpone judgment regarding the validity of a case until a thorough investigation is complete.

- 4) Highlight methods to minimize further physical and psychological trauma to victims of stalking by responding in a compassionate, sensitive, and non-judgmental manner.
- 5) Ensure all victims are offered referrals and information on how they can get additional support.
- 6) Incorporate comprehensive investigation practices that focus on the offender's actions and choices, not the victim's actions or inactions.
- 7) Encourage a coordinated community response to stalking through coordination of the criminal justice response, the civil justice response, and support services for victims.

Law enforcement officers should remember that stalkers are dangerous and inventive criminals. Stalking is a crime that warrants special attention because victims report experiencing stalking at much higher rates than identified by the criminal justice system. Stalking frequently co-occurs with other crimes and victimizations, and is a risk factor for homicide.ⁱ All stalkers can be dangerous, but former or current intimate partners are more threatening, violent, and interferingⁱⁱ than other stalkers and may stalk victims before, during, and/or after the relationship.ⁱⁱⁱ Research shows that the vast majority of victims are stalked by someone they know.^{iv}

Responding officers should treat all stalking cases as having the potential of being a serious crime. Officers need to take steps to ensure their own safety as well as the victim's when responding to a call. Additionally, officers should consider that the offender may have the victim under surveillance when the officer contacts the victim, thereby also having the officer under surveillance.

Too often, stalkers are not held accountable for all of their crimes. Law enforcement must be able to recognize stalking behaviors to fulfill their responsibility to identify and name crimes that have occurred. Furthermore, a comprehensive stalking policy aims to enhance public confidence in the reporting and investigative processes, thereby encouraging all victims of stalking to report the crime.

III. DEFINITIONS

A. *Stalking:* *[Insert jurisdiction's statutory definition here.]*

B. *Course of Conduct / Pattern of Behavior:* *[Insert jurisdiction's statutory definition here.]*

1. Regarding multiple jurisdictions, only one of the two or more acts need to be committed in a jurisdiction for stalking to have occurred in that jurisdiction. Neither the victim nor the offender must be a resident of the jurisdiction for stalking to have occurred in that jurisdiction. In addition, it is not necessary that every act making up a course of conduct occur in the same jurisdiction to constitute stalking. A course of conduct can occur in multiple jurisdictions.

C. *Protection Order:* Any injunction or other court order issued for the purpose of preventing violent or threatening acts, harassment against, contact or communication with, or physical proximity to another person, including any permanent, temporary, or emergency order issued by a civil or criminal court (other than a support or child custody order issued pursuant to state divorce and child custody laws,

except to the extent that such an order is entitled to Full Faith and Credit under other federal law) whether obtained by filing an independent action or as a pendente lite order in another proceeding so long as a civil order was issued in response to a complaint, petition, or motion filed by or on behalf of a person seeking protection.

- D. *Technology-Facilitated Stalking (Cyber-stalking)*:** The use of technology to annoy, alarm, or threaten a specific individual or group of individuals; technology can include but is not limited to telephones, computers, tablets, mobile devices, software, the internet, email, social media, messaging applications, smart home devices, recording devices, tracking devices, or other digital electronic devices.

- E. *Trauma-Informed Approach*:** An approach that considers the effects of trauma on a victim and adapts in an effort not to retraumatize them. It aims to restore the victim's sense of control and decrease the victim's anxiety. [Trauma-informed victim interviewing](#) is a key part of this approach.

- F. *Victim Advocate*:** Professionals trained to advocate for the needs and desires of the victim, to assess and address the needs of the victim, and to provide the victim with counseling, resources, information, and support. This term typically applies to domestic violence program advocates, sexual assault crisis center advocates, and victim/witness assistance program advocates. There are no hotlines or support service organizations that specifically work with stalking victims, but local domestic violence and sexual assault organizations typically support stalking victims.

- G. *Victim-Centered Approach*:** An approach that focuses on the needs and concerns of the victim, adapting as necessary to minimize retraumatizing them, maximize healing and empowerment, and respecting their decision to participate in the criminal justice process or not. A victim-centered law enforcement approach seeks to minimize retraumatization associated with the process by providing the support of victim advocates and service providers, empowering victims as engaged participants in the process, and providing victims an opportunity to play a role in seeing the offender brought to justice.

IV. STANDARD OPERATING PROCEDURE

I. Police Communications Response

Dispatchers and operators should give an in-progress potential stalking call the same priority as any other life-threatening call. A call reporting potential stalking behavior that is not in progress should be taken seriously and a thorough investigation should begin as soon as possible. Notice of an active stalking case should be included in the data provided to dispatchers and then to responding officers over patrol data systems. Dispatchers and 911 operators should consider that [a wide variety of calls](#) could be part of stalking behavior. Any time a victim reports any harassing behavior, consider the possibility of stalking and verify if it is an isolated incident or repeated conduct.

A. Obtain Relevant Information from the Caller:

1. Identify if the incident is part of a course of conduct and so may be related to stalking, and if the incident is in progress and/or the suspect is present or on their way, assign the same priority rating as any other life-threatening call.
2. Determine if there are any relevant protection orders or other court orders.
3. Document initial information about the suspect's conduct as it may constitute other crimes (e.g., domestic violence, sexual assault, harassment, trespass, vandalism, property damage, protection order violation, arson, violation of sexual offender registry requirements, illegal firearm possession).
4. If the suspect is a law enforcement officer or member of the criminal or civil justice system, implement agency policies and protocol established for such situations.

B. Obtain Suspect History and Information on the Likelihood of Danger:

1. Follow standard agency procedure to search available databases to provide responding officers with crucial criminal and civil information, including prior stalking arrests and convictions, firearm possession prohibitions, current and pending protection orders, bond orders, conditions of release, outstanding warrants, or unexecuted sentences (e.g., escape from custody, revoked parole or post-sentence bond, or deferred sentence).

C. Provide Victim with Information:

1. Encourage the victim to call and report any and every future incident related to this situation so that law enforcement has documentation of it as part of a stalking course of conduct.

D. Dispatch Priority:

1. If the incident is in progress and/or the suspect is present or on their way, two officers should be dispatched immediately because stalkers require a priority response. (Additional information may be gathered while the unit is en route, and then passed on to the officers.)
 - a) In this case, a supervisor should be alerted and will respond, if necessary, taking into account that it may be a volatile, dangerous situation and stalking calls can carry increased risk.

II. Initial Officer Response

Early and swift recognition of potential stalking cases is critical to aid in the victim's safety. Any time a victim reports any harassing behavior, [consider the possibility of stalking](#) and verify if it is an isolated incident or repeated conduct. In stalking cases, law enforcement officers have a unique opportunity to respond in a proactive way and potentially prevent future harm to a victim and/or people close to them. Assessing the potential threat posed by a stalking suspect is an important step towards that goal. The first responding officer should determine whether the call amounts to criminal stalking, the incident might be a precursor to stalking, or the incident is part of a course of conduct that amounts to stalking. All stalking behaviors (including but not limited to [surveillance, life invasion, intimidation, and interference through sabotage or attack](#)) should be investigated and taken seriously.

A. Respond to the Call:

1. Respond as soon as possible, whether the call is for a recent or past event.
2. Two officers should respond to any call that is in progress and/or for which the suspect is present, has just left, or may be on their way to the scene. Consider that offenders often watch and monitor officer response. If the suspect is not present, the backup officer should canvas the area looking for the suspect.

B. Address the Immediate Needs of the Victim:

1. Assure the victim that their immediate safety is the first priority.
2. If it is an in-progress call, consider calling victim services once the crime scene is secure and the victim is safe. It is important to refer the victim to support services.
3. Assess the need for an interpreter or translator for the victim, witnesses, or suspect. *It is best practice not to rely on family members or interested parties for interpretation or translation except in emergency situations.*
4. Assess and provide for the safety needs and care of any children, family members, or others associated with the victim—including first aid, emergency medical services, and transportation to and from a designated medical facility.

C. Conduct an Initial Interview with the Victim:

1. Obtain preliminary information from the victim about the crime and specifics leading up to the incident(s), the relationship between the victim and suspect, any prior history of inappropriate or threatening conduct, any court orders, any use of weapons, or any use of alcohol or drugs. Inquire about previous reports or incidents the suspect has perpetrated against the victim. Determine the date, place, and jurisdiction relevant to each.
2. [Screen for SLII \(Surveillance, Life Invasion, Intimidation, and Interference through sabotage or attack\) stalking behaviors](#) by asking if the suspect has:
 - a) Been tracking, following, or monitoring the victim in any way? (surveillance)
 - b) Repeatedly invaded the victim's life or privacy by initiating unwanted contact with the victim? (life invasion)
 - c) More than one time, intimidated or frightened the victim through threats, property damage, threatening or actual harming of pets, or other means? (intimidation)
 - d) Significantly and directly interfered with the victim's life? (interference through sabotage or attack)
 - e) Ever threatened the victim about reporting to or cooperating with law enforcement? Is this the first time the victim has been able to report the suspect's conduct to law enforcement?
3. Document indications of the victim's fear resulting from the suspect's conduct directed toward them, as evidenced by statements, physical reaction, body language, or behavior.

4. If the victim has physical injuries, document the injuries in detail, and inquire about injuries that may not be visible (e.g., blows to the stomach, head, or strangulation). Provide or arrange for the victim's transport to and from medical facilities. Inform the victim that it would be helpful to photograph injuries again after 24, 48, and 72 hours.
5. Obtain information to determine if the suspect's conduct constitutes [additional crimes](#).

D. Identify and Interview Witnesses:

1. Identify any witnesses and document their full names, addresses, and phone numbers. Note their relationships with the victim.
2. Interview nearby residents, coworkers, and any others who may have witnessed the current or previous incidents of stalking or related conduct, including anyone the victim may have been speaking with by phone or video chat. Specifically request information concerning evidence of the victim's fear created by the suspect's conduct.
3. Note the demeanor of witnesses and consider collecting recorded/written statements from each.

E. Interview the Suspect:

1. If the suspect is present and appears to be a law enforcement officer, implement agency policies and protocol established for such situations.
2. Attempt to interview the suspect prior to arrest if they are present or can be located.
3. Obtain general information from the suspect and their relationship to the victim.
4. Ask the suspect to tell their side of the story. Do not challenge or criticize what they are saying. Particularly note any indication of their intent to place the victim in fear.
5. Ask the suspect about previous relationships and if they have previously been accused of something of this nature. If so, inquire about the circumstances.
6. Ask the suspect to provide their phone numbers and companies, the make and model of their communication devices (phones, tablets, computers), and the social media profiles they use.
7. If the suspect cannot be found, apply for a warrant if probable cause is established.
8. If the suspect is subsequently taken into custody, attempt to interview them only after the Miranda warning has been issued to them and the suspect has waived their rights.

F. Investigate the Scene:

1. Determine whether there are multiple crime scenes (e.g., threatening conduct that began in one location and continued or ended in another).
2. Collect and secure evidence of stalking and any other co-occurring crimes identified while respecting that a victim may decide to participate or not.
3. Collect all evidence of stalking-related communications between the suspect and victim, including phone calls, voicemails, text messages, emails, letters, social media, dating apps.
4. Check for devices and software that can be used to monitor or track the victim.

G. Determine Arrest and Charges:

1. Charge the suspect with all identified co-occurring crimes arising from the incident. Contact the prosecutor with any questions or concerns regarding appropriate charges.
2. Adhere to state law regarding the arrest decision. Do not consider any other factors (i.e. speculation that the victim will not go forward; likelihood of conviction; the victim's behavior prior to the incident; or the race, culture, sexual orientation, class, or profession of either party).
3. Arrange for the suspect's transport to an appropriate facility to collect physical and medical evidence, if necessary. If possible, transport the suspect to a facility other than the one to which the victim was sent.
4. If the suspect is arrested, notify officials at the detention center that they may attempt to contact the victim while incarcerated. Request that the suspect's communications while incarcerated be monitored and controlled to the extent possible.
5. If the suspect is not arrested, make it clear to both parties that the police take stalking seriously and that further conduct that constitutes stalking or other related crimes may lead to arrest.

H. Determine Violation of Federal Law:

1. If possible, determine if the suspect's conduct violates federal law (e.g., crossing a state line or in and out of tribal territory to inflict bodily injury, to stalk, or to violate a protection order). If so, follow protocol established to notify appropriate federal authorities.

I. Write a Detailed Incident Report:

1. Complete a written report, whether or not an arrest is made. If an arrest was not made, explain the rationale and circumstances for that decision in the report.
2. Include a timeline of the incidents establishing a stalking course of conduct.

J. Provide the Victim with Essential Information:

1. Provide the victim with written referrals to system- and community-based assistance agencies and organizations.
2. Follow your agency policy and jurisdiction's statute around notifying victims of their rights (e.g., the rights to notification, to be present, and to make a statement at proceedings; the right to apply for crime victim compensation), which is best to do as soon as possible. Encourage victims who opt for notification to keep the agency informed of any change in their contact information.
3. Notify the victim of the state victim/witness harassment and intimidation laws and provide them with options, guidelines, and strategies for reporting and prosecuting violations of such laws by the suspect, their family, or their agents.
4. Notify the victim of their right to seek an emergency protection order, if available, and provide information concerning how such an order may be obtained.

5. Encourage the victim to call and report any and every future incident related to this situation so that law enforcement has documentation of it as part of the pattern of behavior. Provide the victim with a [stalking documentation log](#).
6. Observe agency policy to protect the identity and dignity of stalking victims from the media, coordinating such privacy considerations with the law enforcement public information department, victim advocacy organizations, and the news media.
7. Officers should advise stalking victims that law enforcement cannot guarantee the victim's safety around-the-clock. Officers should assist victims in identifying options to help increase their safety. Officers should consider victims have a right to determine their safety options including self-defense in accordance with the laws of the jurisdiction.
8. Officers should be cognizant of potential civil liability regarding the suggestions and recommendations they offer to the victim because stalkers are unpredictable and standardized plans that a particular victim tries to implement may not always work.

K. Follow Up

1. Determine if crimes may have occurred in different jurisdictions. Request copies of reports from those jurisdictions.
2. If stalking behaviors include the victim or suspect's workplace, obtain any possible evidence through video surveillance footage, work computers, work phones, any equipment used by the stalker that has GPS capabilities, and similar technologies. Contact workplace security personnel to ascertain if there are any reported incidents of stalking or harassment in the workplace involving the stalker. Work with the security department, when possible, to be part of a safety plan for the victim.

III. Follow Up Investigative Response

The more comprehensive the investigation and evidence collection, the less likely the prosecution will rely solely on victim testimony. Stalking can occur in the context of other crimes and other crimes can occur in the context of stalking. Responding officers should always look for and be open to evidence suggesting co-occurring, serial, and interconnected crimes. This will help the investigating officer to gain a complete understanding of what occurred and can ultimately be helpful in efforts to hold offenders accountable and increase victim safety. Stalkers can frequently be charged with a variety of criminal statutes. Monitoring post-intervention stalker behavior is a key part of an investigation, and stalking may actually increase during this time. All stalking behaviors ([surveillance, life invasion, intimidation, and interference through sabotage or attack](#)) should be [investigated and taken seriously](#).

A. Arrange a Victim Interview:

1. Arrange for a follow-up interview with the victim as soon as possible, if additional or clarifying information is needed. Allow the victim space to tell their story. Review and update the SLII tactics listed from the initial contact. If possible, allow the victim to choose the day and time, and use a soft interview room.

2. Have a victim advocate present at the start of the interview and ask the victim if they want the advocate to stay. Explain that the advocate is available for support and safety planning. Work closely with available victim services providers to support the victim through interviews and other investigation procedures.
3. Use timelines and calendars to document the history and timeline of stalking incidents and behaviors. Remind the victim that the interview is just a start, and that more information can be filled in later.
4. Do not use or suggest the use of polygraphs to test the veracity of victim statements.

B. Ask the Victim about Context:

1. How does the victim know the suspect?
2. What type of contact and communication was typical in their relationship? (in-person, phone calls, text messages, emails, social media, mobile applications, etc.; both method and frequency)
 - a) Ask the victim if they know the suspect's phone numbers and companies, the make and model of their communication devices (phones, tablets, computers), and the social media profiles they use.

C. Ask the Victim about SLII Stalking Behaviors:*

1. Ask about SURVEILLANCE: Did the suspect ever track, follow, or monitor the victim in any way? In-person or using technology?
2. Ask about LIFE INVASION: Has the suspect repeatedly invaded the victim's life and/or privacy by initiating unwanted contact?
3. Ask about INTERFERENCE: Has the suspect significantly and directly interfered with the victim's life through sabotage or attack?
4. Ask about INTIMIDATION: Has the suspect intimidated or frightened the victim through threats?
5. Ask about Additional Behaviors:
 - a) Has the suspect physically or sexually assaulted the victim while stalking/harassing/threatening them?
 - b) Has the suspect physically, sexually, or otherwise assaulted the victim's friends or family?
 - c) Has the suspect ever taken and/or shared photos or videos of the victim without their consent?
 - d) Does the victim believe the suspect is using technology to threaten, harass, stalk, or sabotage them?

D. Ask the Victim about the Duration, Intensity and Frequency of Stalking Behaviors:

1. Approximately when did the suspect's behavior begin to make the victim uncomfortable? What were those behaviors?
2. Does the suspect regularly contact or harass the victim in more than one way?

3. Does the suspect bother the victim in-person at more than one physical location?
4. Has the suspect's behavior increased in frequency or severity in recent months or weeks?
5. Has the victim kept any records of what has been happening, like a documentation log?

E. Ask the Victim about Their Response to the Stalking Behaviors:

1. Does the victim believe the suspect is capable of harming them or others close to them?
2. Is there a court order (e.g., protective order, restraining order, or other court order) banning the suspect from contacting, harassing, or being violent toward the victim?
3. Has the victim made changes to their life, daily routine, and/or activities as a result of the suspect's behavior? If so, how?
4. Are there any potential upcoming events/situations that particularly concern the victim about triggering an escalation of the suspect's behavior or violence (e.g., separation/divorce, court date, property dispute, custody dispute, anniversary, birthday, victim's new partner)?
5. Does the victim believe the suspect is aware that their actions upset or bother the victim?

F. Consider the Stalking and Harassment Assessment and Risk Profile (SHARP):

1. If jurisdiction practice allows, conduct and review SHARP with the victim by filling out the online form at www.CoerciveControl.org.
2. Maintain the automatically generated report for your use in writing the incident report and use the SHARP report as an attachment if jurisdiction practice allows.
3. Discuss the SHARP report generated for safety planning purposes with the victim and provide them with a copy; also provide a copy to any victim advocate with whom the victim is working.

G. Corroborate Victim Statements:

1. Document corroboration of victim's statements, including those that support the victim's sensory and peripheral recollections of the crime (e.g., memory of sounds, smells, etc., that may corroborate their case).

H. Work with the Victim:

1. Encourage the victim to contact you or other investigative officers with any new information, evidence, or additional contacts involving the suspect.
2. Encourage the victim to document future contact from the stalker by maintaining an incident and behavior log or by capturing contacts via photography, video, or other recording devices. When possible, encourage the victim to keep all call logs, voicemails, and messages from the suspect. Collect and preserve such communication.
3. Ask the victim if they want to set up periodic check-in calls (weekly, every other week, or a different timeframe), to see how they are doing and whether there have been further developments.

I. Gather Further Information to Support Charges:

1. Obtain all records related to the suspect's stalking conduct, including telephone records, email records, computer records, social media accounts, copies of receipts and delivery invoices, etc.
2. Obtain copies of records that can verify or disprove the suspect's claims of their whereabouts at the time of stalking incidents (e.g., work records, credit card or other purchase receipts, automated toll records).
3. Request a search warrant to seize stalking-related evidence from the suspect's residence(s), office, automobile, boat, etc. Search for items that link the suspect to the stalking conduct, including weapons; ammunition; documents related to the victim; photographs of the victim; video or audio in any way related to the victim; items belonging to the victim; journals, recordings, or letters that mention or relate to the victim; telephone, internet, or other service bills; bills for purchase of items sent to the victim; bills for purchase of software or hardware to track the victim; postal or other delivery receipts; communication devices; ropes; tape; masks; and gloves. Obtain a handwriting sample from the suspect's residence(s) and/or place of business if applicable.
4. In cases of suspected use of technology to stalk, retain all email, text, social media, or other electronic messages that target the victim. Consider preservation letters early on for all social media and web-based services. Work with internet service providers and email providers to trace the source of such communications to the suspect. Consider contacting allied law enforcement officials with expertise in computer forensics to assist with the investigation. Once probable cause is established, seize the suspect's computer hardware and software, including the hard drive and all file storage media (external drives, thumb drives, or CDs). Look for hard copies of any communications, pictures, etc., that the suspect may have sent to the victim. Consider warrants for seizing computer equipment used by the suspect at home and at work. Use resources like the Facebook Law Enforcement Portal for faster response times on legal requests through Facebook and Instagram.
5. Obtain copies of security camera tapes that may have captured the suspect engaging in stalking behavior (e.g., home security cameras, cameras from apartment complexes, government buildings, retail stores, banks).
6. Monitor the suspect's jail calls for contact/communication with the victim and with others about the victim.
7. Consider the situation for proxy stalking (when the offender enlists others to stalk the victim and report back to the offender), witness intimidation, order violations, and co-occurring crimes.

J. Address Victim Safety and Support Needs:

1. On each subsequent officer contact with the victim, assess the likelihood of continued violence by the suspect toward the victim or other family members. Review and revise safety plans and response strategies, as needed, to provide optimal protection. Conduct lethality assessments and additional SHARPs as circumstances dictate.

2. Encourage the victim to inform neighbors, family members, coworkers, and friends of their situation so that others can watch for the suspect and/or the suspect's car and warn the victim and/or the authorities if the suspect appears. Encourage the victim to discourage any third party from intervening with the suspect on their behalf (other than in situations of assisting in self-defense) without first discussing it with law enforcement and victim service professionals.
3. Encourage the victim to call law enforcement if the suspect violates any existing court orders, including, but not limited to, emergency or permanent civil protection orders or criminal orders.
4. Keep the victim informed of all developments in the investigation, to the extent that such information will not compromise the investigation.
5. Make referrals to any additional stalking and other victim-related assistance services, advocacy organizations, victim compensation programs, and agencies that provide support, counseling, housing, and financial assistance.

K. Conduct Interview with the Suspect:

1. If not already in custody, conduct an interview with the suspect once an initial investigation and background research on the suspect has been completed, to fully address and assess any issues and/or responses the suspect may offer. Use a body-worn camera or other device to record the interview per agency policy.
2. Confirm and record the suspect's understanding that they are not under arrest and that they are free to leave.
3. Begin the suspect interview using an objective approach (i.e., no accusatory questions, nonjudgmental responses to the suspect's answers) to encourage the suspect to volunteer as much information as possible regarding their conduct toward the victim.
4. In addition to standard suspect interview techniques, ask, "how is what you're doing being misunderstood?" to learn what they think about their behavior.
5. Ask open-ended questions like the following to learn whether the suspect knew or should have known that their contact with the victim was unwanted:
 - a) Do you know the victim?
 - b) Describe your contact with the victim.
 - c) Did you receive a response? What was it?
 - d) What was the purpose of the contact?
6. Ask about communication devices:
 - a) What electronic communication devices do you use? Would you be willing to let us see them?
 - b) What is your cell phone provider?
 - c) What social media accounts do you use and what are your user names? Would you be willing to let us view those accounts?
 - d) What devices do you use to access social media?
 - e) What is your internet service provider? Where and how do you access the internet?

7. Ask the suspect if they have ever been accused of something like this before? By whom? When?
8. Assess whether your contact with the suspect may trigger an escalation in the suspect's behavior, creating an increased safety risk for the victim. If so, take precautions to address the potential of increased threat (i.e., extra safety planning for the victim, extra patrols, and police surveillance).
9. Conduct relevant agency danger, risk, or lethality assessments of the suspect's behavior.
10. Consider holding a face-to-face discussion with the suspect, calling them, or sending them a warning letter to clearly state that their actions are making the victim fearful and that the victim does not wish any further contact with them. Indicate that any further conduct may lead to arrest and prosecution. Discuss these possibilities with the victim and their advocate prior to taking any action, since they could trigger the stalker to escalate their behavior.
11. In cases where proof of stalking is difficult to establish, consider employing surveillance strategies consistent with established agency protocol.
12. Assess whether sufficient evidence is present to establish grounds for involuntary commitment to a secure mental health facility either for assessment, temporary observation, or ongoing detention and treatment. Notify the victim of the suspect's commitment and subsequent release in a timely fashion.

L. Serve and Enforce Protection Orders:

1. Serve all protection orders obtained by the victim against the suspect as soon as they are located.
2. Enforce all criminal and civil protection orders, restraining orders, no-contact orders, or conditions of bail, bond, release, parole, or probation against the suspect, including those issued in other jurisdictions or states.
3. Given the increased risk of harm and lethality in stalking cases and the danger that firearms pose, make sure to follow agency and jurisdictional policies on identifying and removing firearms.^{vi}

M. Finalize the Detailed Written Report:

1. Explain the context of the situation and the timeline of the course of conduct.
2. Share the report number with the victim so they can provide the case number to other jurisdictions as necessary.

N. Deliver the Case to the Prosecution Office:

1. Discuss the case with the prosecution office and conduct further investigation as requested.
2. Provide the victim with the name and contact information for the prosecutor assigned to the case, if such information is known, and facilitate the initial contact and/or meeting between them.
3. Facilitate contact between the victim and prosecutor-based victim services, if available.
4. Where possible, provide the victim with the secure transportation necessary to enable their participation in the criminal process and to facilitate their access to assistance services.

IV. Systems-Based Victim Advocate or Victim Witness Coordinator

Victim advocates are vital to helping victims with support and safety. They should provide trauma-informed support and advocacy for stalking victims, including safety planning. Systems-based or community-based advocates should be included throughout the interview and investigative process if the victim desires. Advocates should coordinate with this agency's officers and support services, external support services, and other partners as necessary to empower the victim and provide them with the services they need.

A. Support Victims:

1. Victim advocates should explain to victims their role in supporting victims and that they will be present at all victim interviews if the victim desires, to provide trauma-informed support and advocate on behalf of the victim.
2. Advocates should explain the confidentiality of communications with victims, and any lack thereof.
3. Advocates should discuss with victims the possibility of conducting the SHARP assessment and safety planning, and conduct them as the victim desires.
4. Advocates should explain the systems-based and community-based services available to victims and connect them with resources they desire (including but not limited to counseling and support groups, victim compensation, VINE, housing support, food support, immigration relief, and more).

V. Supervisor Response

Effective supervision plays a key role in ensuring comprehensive responses to and investigation of stalking. This is important for ensuring compliance with agency policy and accountability. First-line supervisors should demonstrate a thorough understanding of victim issues and proper response by subordinates, including how to take corrective action.

A. Supervise Officer Performance:

1. Review officers' incident reports to ensure the Standard Operating Procedure is being followed, officers are responding and investigating appropriately, and appropriate charges are being filed.
2. Oversee officer compliance with stalking-related agency policies and procedures, state and federal laws, and interagency agreements (e.g., incident reporting, weapons confiscation, and evidence collection).
3. Oversee officer performance concerning enforcement of protection orders.
4. Review each officer's performance when responding to stalking cases. Reward officers for appropriate and exemplary performance. Undertake corrective action with officers whose performance fails to meet appropriate standards. Reassign officers whose response to stalking cases consistently fails to meet performance standards.
5. Determine and identify the need for additional officer training or supervision. Work with administrators to develop an approach that will address the identified needs.

B. Standardize Procedure:

1. To the extent possible, assign a single officer or detective to the case to provide maximum continuity in the agency's response and encourage collaboration between the officer and victim.
2. Follow a standardized procedure to review reports, check on cases, and facilitate compliance with statutorily mandated duties and all relevant agency policies and procedures.

C. Review Cases:

1. Review case classification practices and procedures to ensure stalking cases are properly classified.
2. Review cases that are initially charged or filed as stalking cases, regardless of how they may later be reclassified as the result of a plea or recharging decisions.

VI. Stalking by Justice System Personnel

The standard operating procedure shall be followed when the stalking suspect or victim is part of the criminal or civil justice system, including a law enforcement officer, as well as an elected or public official. In addition, the following protocol should be followed.

A. Monitor for Appropriate Response and Notification:

1. When the stalking suspect or victim is an employee of the criminal or civil justice system, a supervising officer should be dispatched to the scene and ensure proper protocol is followed and no special dispensation is given.
2. When the stalking suspect is an employee of the criminal or civil justice systems, the head of the suspect's agency or department should be notified of all calls for service, allegations, arrests, and charges by the head of this agency or designee.
3. When the stalking suspect is an employee of another law enforcement agency, the lead officer of that agency will be notified of all calls for service, allegations, arrests, and charges by the head of this agency or designee.
4. When the stalking suspect is an employee of this agency, they will be treated as any other suspect of a criminal stalking complaint and the head of this agency will be notified. The criminal investigation will include whether they improperly used any agency resources in their stalking course of conduct.
5. When the stalking suspect is an employee of this agency, the head of this agency will immediately be notified. This agency will immediately begin an administrative investigation concurrently with the criminal investigation, to determine if the employee violated agency policy and/or improperly used agency resources or their position. If the behavior of the employee is criminal in nature, the head of this agency will determine if the investigation should be conducted by an outside agency.
6. When an employee of this agency is determined to have engaged in stalking behavior, violated agency policy, improperly used agency resources or their position, and/or engaged in criminal stalking, this agency will enact appropriate consequences up to termination.

ENDNOTES

- ⁱ Spencer, C.M. & Stith, S.M. (2018). Risk Factors for Male Perpetration and Female Victimization of Intimate Partner Homicide: A Meta-Analysis. *Trauma, Violence, & Abuse, 21*(3), 527-540.
- ⁱⁱ Mohandie, K., Meloy, J., McGowan, M., & Williams, J. (2006). The RECON typology of stalking: Reliability and validity based upon a large sample of north American stalkers. *Journal of Forensic Science, 51*(1), 147-155.
- ⁱⁱⁱ Tjaden, P. & Thoennes, N. (1998). Stalking in America: Findings from the national violence against women survey (NCJ#169592). Washington, DC: National Institute of Justice Centers for Disease Control and Prevention.
- ^{iv} 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.
- ^v Logan, T.K. & Walker, R. (2017). Stalking: A Multidimensional Framework for Assessment and Safety Planning. *Trauma, Violence & Abuse, 18*(2), 200-222.
- ^{vi} Every law enforcement agency should have a policy on identifying and removing firearms from prohibited persons under the terms of protective orders, under state and/or federal law. For more information, see the National Sheriffs' Association [Protection Order Service Checklist](#), the National Center on Protection Orders and Full Faith & Credit's [Firearm Checklist for Law Enforcement](#), BWJP's [Improving the Response to Firearms in the Criminal Legal System](#), and Safer Families, Safer Communities' [Resource Library](#).