Coordinating the Campus Response to Stalking

Stalking is a crime as well as a violation of campus conduct codes and <u>Title IX</u>. It is covered under the Clery Act and Violence Against Women Act to the same extent that dating/domestic violence and sexual assault

Title IX defines stalking as a pattern of behavior directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress.

The individual incidents that establish a pattern of behavior may or may not be criminal acts or violations of campus policies on their own.

Fear is central to the definition of stalking. Common stalking behaviors include—but are not limited to—repeated unwanted phone calls and messages, showing up when uninvited, following, surveillance, spreading rumors, and threats.

are covered. Stalking is its own form of violence with its own risks, safety planning needs, and disciplinary and legal responses, meaning it is important to identify stalking separate from and in addition to co-occurring victimizations and misconduct.

In addition to this document, use <u>SPARC's</u> checklist to assess campus efforts to respond to stalking. That checklist considers what stalking-specific services are available to victims, how easy it is for victims to know they can seek services (and where), and whether policies and services are comprehensive in supporting victims and holding offenders accountable.

Why should campuses coordinate a response to stalking?

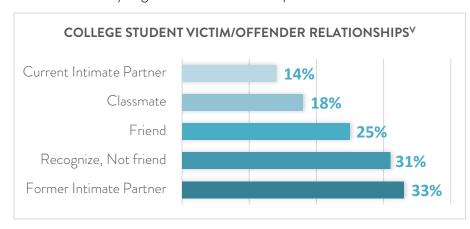
Young adults aged 18-24 experience the highest rates of stalking victimization, and over a third of lifetime victims are first stalked between these ages. Since entering college, 6-39% of college students say they've been stalked, but campuses rarely identify stalking at such rates. Similarly, 43% of college stalking victims who meet the legal criteria of stalking do not identify their experience as "stalking." And while 92% of college stalking victims tell friends and/or family about the unwanted pursuit behaviors, only 29% contact a program or resource for help.

This means it is vital for universities to appropriately address stalking on campus and ensure services are accessible to all stalking victims. **Despite its**prevalence, stalking is often misunderstood and rarely identified by victim support services, legal systems, and/or by victims themselves. Victims are sometimes unsure if what they are experiencing violates campus conduct codes, Title IX, or criminal statutes. The initial response a stalking victim receives may determine if they continue to get help or participate in the investigation and hearing process.

Many campuses already have a coordinated campus response for sexual violence and/or intimate partner violence, and stalking should have a similar response.



A coordinated response to stalking on campus brings together key players – from public safety/campus police, student affairs, residential life, Title IX, and more – to work together to support victims and hold offenders accountable. By sharing information, policies, protocols, strategies, and training, campuses can more successfully organize each office's response to be more effective, holistic, and synchronized.



Research shows that the vast majority of victims are stalked by someone they know. College students are most likely to be stalked by someone they know who is not an intimate partner; this could be an acquaintance they recognize but who is not a friend, a friend, or a classmate.

Students, faculty, staff, and others unassociated with campus can all be both victims and offenders affecting the campus community.

All stalkers can be dangerous, but research shows that intimate partner stalkers use violence and threats the most, followed by acquaintance stalkers, and then strangers. This makes it vital to address stalking within responses to intimate partner and dating violence, although if stalking is only addressed as part of intimate partner or dating violence, more than half of stalking cases will be missed.

STALKING IS DANGEROUS

Stalking is a prevalent and dangerous victimization that too often goes unidentified, leaving victims without the particular supports they need and allowing stalkers to avoid accountability for the full extent of their crimes. **Stalking can be an indicator of an urgent, volatile, and risky situation.** Generally, the more access to and information about the victim that the offender has, the more dangerous and threatening they can — and are likely to — be. Vii Stalking frequently co-occurs with other victimizations and is a risk factor for homicide.

- Stalking increases the risk of intimate partner homicide by three times.
- 48% of stalking victims say their abusive partner threatened others with guns, compared to 30% of IPV victims not stalked.^{ix}
- Among undergraduate students stalked by an intimate partner, many experienced additional victimizations: 40% experienced coercive control, 32% sexual assault, and 11% physical assault.

MISSING THE PATTERN

Too often, stalking behaviors are assessed as singular victimizations or isolated incidents rather than being identified as pieces of a larger pattern of behavior. This leaves different people on and off campus with different pieces of the puzzle and without the full picture, and without the urgency necessary.



Stalking victims may only tell certain responders about particular incidents unless the responders ask for more information; for example, they may report a gun threat to local law enforcement, a sexual assault to a rape crisis center, constant calls and text messages to a residential advisor, or harassing behavior to an academic department.

Screening for stalking, discussing cases, and having partners to turn to can help connect the dots to better understand a victim's situation, increase support for victims with more comprehensive responses, improve safety for the broader campus community, and more effectively hold offenders accountable with appropriate measures.

HOLISTIC RESPONSE

Since stalking victims experience a wide range of stalking behaviors that affect many parts of their lives, they often need multiple different types of support. Whether the entryway is through residential life, public safety/campus police, student affairs, Title IX, or campus code of conduct, a multi-disciplinary team can help connect victims' interactions with multiple systems. This way, whomever first identifies the situation as stalking has relationships with partners to help provide a coordinated, holistic response.



Who should work together on campus?

A coordinated response on campus should include members from relevant offices as well as some organizations from the broader community. There are many different models and names for multidisciplinary response teams; consider including stalking as part of existing intervention and response teams. Many models have core team member meetings monthly and broader group meetings quarterly, as well as additional meetings as necessary for emergencies and situations that require an immediate response. Core members typically include the dean of students, campus police or public safety, housing/residential life, student affairs, student counseling/health center, campus crisis center, campus conduct, and Title IX.

Broader group meetings should also include:

- Greek life office
- Broader student health services
- Discipline councils/committees
- Specific student support centers (disability, LGBTQ+, gender equity etc.)
- Peer advocates, counselors, leaders, and responders
- Local community-based victim support services
- Local corrections, probation, parole agents
- Local law enforcement

SPARC



Students often disclose to people whom they trust, regardless of that person's official title or relationship. For that reason, faculty as well as campus staff who oversee student activities (such as athletics coaches, musical directors, etc.) should also have some basic

understanding of stalking victimization, how to respond to disclosures, and what resources are available are students – though these mentors may not need to be present at meetings.

Make sure that all mandated reporters understand the basics of stalking and that they are required to report any stalking to the Title IX office.

What makes a coordinated campus response successful?

The foundations of a successful campus response are clear policies, adequate training, and clear, frequent communication. Frequent multi-disciplinary case reviews, sharing information, and collaboratively developing response strategies are ways to cultivate relationships across different disciplines and build a successful multi-disciplinary team response. A successful response focuses on risk (using the Stalking & Harassment & Risk Profile), victim safety planning, integrating disparate responses into a

comprehensive approach, and involving all necessary parties for appropriate offender accountability. It is vital to build strong relationships and be able to provide victims with warm referrals to different types of support.



Key response strategies to develop and share include:

- Do policies clearly identify stalking as a serious issue with a distinct response procedure?
- How are situations screened for stalking, risk, and danger?
- How are potentially risky, dangerous situations communicated to all other relevant parties?
- How are issues elevated from residential life and student affairs, particularly disclosures from students and friends?
- How is information obtained about an offender's history and likelihood of danger? How is this
 information then shared with all other relevant parties? This includes 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, unexecuted sentences
 (e.g., escape from custody, revoked parole or post-sentence bond, deferred sentence), or
 probation/parole statuses.
- Do mandated reporters understand how to identify and report stalking behaviors?
- Does the campus have policies, procedures, and relationships beyond the campus with other campuses of the same university, with different colleges and universities, and with local responders – to appropriately document and share information around supporting stalking victims and hold stalking offenders accountable?



What are strategies for an effective systemic response to stalking?

While different campus offices have different roles and perspectives, they should all have a basic understanding of what the other parties do and insight into how to best set victims up for success.

EDUCATION:

Each partner must be able to <u>identify stalking</u> and understand how they should respond to stalking, including providing basic documentation tools and strategies.

INVESTIGATION:

Each partner must understand how they should contribute to uncovering and addressing the full context of the stalking situation. This includes the various behaviors and methods that make up the course of conduct as well as the victim's reaction to the conduct. Any report of potential stalking should consider risk to the campus community as well as the victim.

COMMUNICATION:

Each partner must clearly communicate their needs and expectations across disciplines and jurisdictions. Information-sharing limitations around victim confidentiality must be clearly articulated.

VICTIM SUPPORT:

Each partner must take victim requests for campus accommodations and safety/supportive measures seriously. It is also important to consider the victim's wishes in a situation and if campus actions would escalate or endanger the victim.

Victim concerns for their own safety – as well the safety of others – should be taken seriously.

ACCOUNTABILITY:

Each partner must understand that offenders should be held accountable for the full scope of their stalking conduct. All parties should understand what is needed for campus conduct, disciplinary, and Title IX hearings to hold offenders appropriately accountable. Each partner must understand the appropriate restrictions and monitoring that offenders should face.

What roles do different offices play in a successful campus response to stalking?

All partners have important roles to play. Generally, everyone needs training on identifying stalking behaviors, the dynamics of stalking, interconnected and co-occurring victimizations, and safety planning with stalking victims. Some core roles are listed below, but remember that victims may disclose in any number of settings (to public safety/campus police, residential advisors, crisis centers, mentors, athletic coaches, and more). All partners should know their responsibilities as mandated reporters and be confident about where to refer victims for further assistance. Any time a report of a potential stalking situation is made, the campus has an obligation to investigate the situation and seriously consider the threat posed to the victim and the campus community.

SPARC

VICTIM SERVICES & ADVOCACY

Victim services and advocacy professionals need specific training on how to identify stalking, assess risk in stalking cases, and incorporate responding to stalking into their work. They can use SPARC's <u>Guide for Advocates</u>, <u>Guide for Working with LGBTQ+ Victims</u>, and additional resources for <u>victim service providers</u> and <u>campuses</u>. Their role is to:



- Screen victims for stalking and assess risk
- Provide victims with information about stalking as well as reporting options and processes
- Work with victims to document stalking behaviors
- Work with victims on <u>safety planning</u> and <u>risk assessment</u>
- Assist victims with campus accommodations, supportive measures, protection orders, and disciplinary proceedings
- Identify local shelter options and other available support to which they can refer victims
- Provide individual support and support groups
- Provide access or referrals to mental health counselors trained in stalking victimization

CAMPUS SECURITY/POLICE



Campus security/police need specific training on identifying and investigating stalking behaviors, working with local law enforcement agencies, and assessing risk in stalking situations. Agencies should have a <u>stalking policy</u> and standard operating protocol. They can use SPARC's resources for <u>sworn law enforcement</u> as well as <u>campus resources</u> to enhance their response to stalking. Their role is to:

- Conduct thorough, offender-focused investigations, including assessing risk and threats
- Respond to victims in a trauma-informed, victim-centered way
- · Identify both intimate partner and non-intimate partner stalking
- Identify stalking in reports of both property crimes and crimes against persons
- Review incident reports and call logs to identify and screen for stalking
- Offer escort services for campus members
- Engage with advocates when working with victims
- Identify co-occurring and interconnected crimes
- Identify and enforce campus accommodations
- Serve and enforce campus protection orders/bans
- Identify and enforce firearm surrenders and prohibitions
- Work across jurisdictions with law enforcement partners



RESIDENTIAL LIFE AND HOUSING

Residential life and housing staff need specific training on identifying stalking behaviors, assessing risk in stalking situations, potential accommodations for stalking victims, and potential restrictions for stalking offenders. They can use SPARC's resources for identifying and screening for stalking as well as campus resources to enhance their response to stalking. Their role is to:



- Identify stalking behaviors and make appropriate reports/referrals
- · Make changes in housing and residential life accessible to victims of stalking
- Use and enforce restrictions on offenders in housing and residential life

STUDENT AFFAIRS

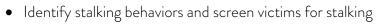


Student affairs staff need specific training on identifying stalking behaviors, assessing risk in stalking situations, potential accommodations for stalking victims, and potential restrictions for stalking offenders. They can use SPARC's resources for identifying and screening for stalking as well as campus resources to enhance their response to stalking. Their role is to:

- Identify stalking behaviors and make appropriate reports/referrals
- Make changes in student affairs programs accessible to victims of stalking
- Use and enforce restrictions on offenders in student affairs programs

MEDICAL SERVICES

Medical service providers need specific training on the dynamics of stalking, how to identify and screen for stalking behaviors, and how to incorporate responding to stalking into their work. This includes mental health providers and counselors as well as sexual health care providers and primary care health services. In particular, they need training on the intersections of stalking with sexual violence and intimate partner violence. They can use SPARC's recorded webinars, Identifying Stalking as SLII Strategies, and Stalking SLII Behaviors as Sexual Violence to learn more. Their role is to:



- Provide victims with information about stalking
- Provide appropriate medical care for stalking victims (physical or mental, depending on their role)
- Identify local support services to which they can refer victims, especially forensic medical services



CODE OF CONDUCT AND TITLE IX HEARINGS



Members of any committees or hearing bodies responsible for Title IX or campus code of conduct violations need specific training on identifying stalking behaviors and how these behaviors relate to other violations. Training is also critical to identify common supportive actions and accommodations victims find helpful, recommended sanctions for stalkers, and recommended enforcement methods. It is important to make specific findings

regarding stalking and holding offenders accountable, including restrictions on offender behavior for the safety of the victim and broader community. They can use SPARC's campus resources on <u>Title IX</u>, <u>Campus Investigations and Hearings</u>, and <u>more</u> to enhance their response to stalking. Their role is to:

- Investigate reports of stalking
- Identify and make findings about stalking separate from and in addition to concurring violations
- Make specific findings regarding stalking as a record of the behavior and issue detailed restrictions designed to stop stalking behaviors, hold stalkers accountable, and prevent dangerous consequences
- Use and enforce specialized conditions: social media accounts, firearms, unannounced visits, academic schedule, restricted access to campus buildings, no contact orders

PREVENTION AND AWARENESS EDUCATORS

Campuses often have robust programs for dating abuse and/or sexual assault prevention and awareness, and these programs have an incredible opportunity to increase knowledge about stalking on campus. These educators need specific training on identifying stalking behaviors, ways to add stalking into existing programming, and ideas for new programming to raise awareness around stalking. They can use SPARC's Campus Workshop, Tips for Prevention/Awareness Educators, Tips for Campus Public Awareness Campaigns, Public Awareness Videos, and more. Their role is to:

- Provide outreach and education on stalking
- Incorporate stalking into existing programs (new student orientations, peer educators, sexual assault awareness month, domestic violence awareness month, etc.)
- Participate in <u>National Stalking Awareness Month</u> in January
- Develop new programming specifically around stalking

How can campus responders identify stalking?

Stalking frequently intersects with other misconduct, crimes, and victimizations, so it is important to look for stalking in the context of other misconduct as well as other misconduct in the context of stalking. If your campus already has a multidisciplinary team or task force around sexual violence or dating violence that discusses cases, consider screening those cases for stalking behaviors. When stalking victims talk about what they are experiencing, they are unlikely to use the word "stalking." The four questions below can help screen for stalking victimization by discussing stalking behaviors without using the word "stalking."

SPARC

Also consider completing the SHARP assessment when the multidisciplinary team discusses a stalking case.



Use these four screening questions to identify stalking behaviors:

- Has the offender followed or watched the victim, showed up unexpectedly, or communicated with the victim in ways that seem obsessive or make the victim concerned for their safety?
- Has the offender repeatedly initiated unwanted contact with the victim (e.g. repeated calls, texts, messages, emails, gifts, including through third parties)?
- > Has the offender threatened the victim or done other things to intimidate them? What have they done that has frightened or alarmed the victim?
- Has the offender significantly and directly interfered with the victim's life? For example, have they assaulted the victim, forcibly kept the victim from leaving or held them against their will, caused the victim to have a serious accident, physically assaulted the victim's friends (or children, family, pets, or community), or seriously attacked the victim in other ways?

What tools can help build a successful coordinated campus response to stalking?

Every campus partner can benefit from tools to help them identify and respond to stalking. Some of our key resources for campuses are listed below.

- Offer Victim Brochures and post Stalking Awareness Posters in key campus locations
- Encourage responders to use resources designed to help <u>Identify Stalking Behaviors</u>
- Use <u>Campus Resources</u> on how to respond to stalking, including:
 - o Checklist to evaluate campus efforts to address stalking
 - o Guidance on campus stalking investigations and hearings
 - o Information on stalking and Title IX
 - o Public awareness workshop for <u>Stalking on Campus</u>
 - o Strategies for incorporating stalking into prevention and awareness education
 - o Guidance on <u>campus public awareness campaigns</u>
- Utilize our <u>recorded webinars</u> for training and discussion:
 - o Stalking on College Campuses
 - o Intersection of Stalking and Sexual Violence
 - o Intersection of Stalking and Intimate Partner Violence
 - o Building a Coordinated Response to Stalking
- Discuss two campus stalking case studies:
 - o Jackie Vandagriff was a college student murdered in 2016 by a known stalking offender. An <u>episode of CBS 48hours</u> is publicly available.
 - o Lauren McCluskey was a college athlete murdered by her stalker in 2019. An <u>ESPN</u> documentary, a <u>Dateline NBC episode</u>, and the <u>university's final report</u> are publicly available.





SPARC | Stalking Awareness.org | @FollowUs Legally © 🗲 1000 Vermont Avenue NW, Suite 1010 | Washington, DC 20005 | (202) 558-0040

This project was supported by Grant No. 15JOVW-22-GK-03986-MUMU awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women.

Demers, J. M., K. Ward, S., Walsh, W. A., L. Banyard, V., Cohn, E. S., Edwards, K. M., & Moynihan, M. M. (2017). Disclosure on campus: Students' decisions to tell others about unwanted sexual experiences, intimate partner violence, and stalking. *Journal of Aggression*, *Maltreatment & Trauma*, 27(1), 54-75. DOI: 10.1080/10926771.2017.1382631

Fedina, L., Backes, B. L., Sulley, C., Wood, L., & Busch-Armendariz, N. (2020). Prevalence and sociodemographic factors associated with stalking victimization among college students. *Journal of American College Health*, 68(6), 624-630., DOI: 10.1080/07448481.2019.1583664

- iv Cantor, supra ii.
- ^v Cantor, supra ii.
- vi 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. DOI: 10.1111/j.1556-4029.2005.00030.x
- viii Augustyn, M.B., Rennison, C.M., Pinchevksy, G.M., & Magnuson, A.B. (2019). Intimate Partner Stalking among College Students: Examining Situational Contexts Related to Police Notification. *Journal of Family Violence* 35(1), 679-691. DOI: 10.1007/s10896-019-00115-6
- ix Logan, T., & Lynch, K. (2018). Dangerous liaisons: Examining the connection of stalking and gun threats among partner abuse victims. *Violence and Victims*, 33(3), 399–416. DOI: 10.1891/0886-6708.v33.i3.399
- * 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.

Smith, S.G., Zhang, X., Basile, K.C., Merrick, M.T., Wang, J., Kresnow, M., & Chen, J. (2018). The National Intimate Partner and Sexual Violence Survey (NISVS): 2015 Data Brief. Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention. https://www.cdc.gov/violenceprevention/pdf/2015data-brief508.pdf

[&]quot;Cantor, D., Fisher, B., Chibnall, S., Madden, K. (2020). Report on the AAU campus climate survey on sexual assault and misconduct. Westat. https://www.aau.edu/sites/default/files/AAU-Files/Key-Issues/Campus-Safety/Revised%20Aggregate%20report%20%20and%20appendices%201-7_(01-16-2020_FINAL).pdf

iii Brady, P. Q. & Woodward Griffin, V. (2019). The Intersection of Stalking and Sexual Assault Among Emerging Adults: Unpublished Preliminary Results, mTurk Findings, 2018.