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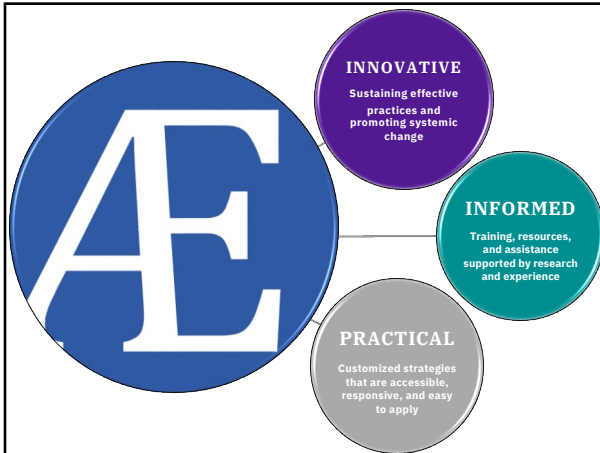
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What We Do	
 <b>Resources</b> Create, research, and curate publications, statutory and case law compilations, and other resources that strengthen prosecution practices	 <b>Consultations</b> Offer on-demand 24/7 consultations with our seasoned prosecutors to answer case-specific inquiries, discuss strategy, conduct research, and recommend data-driven solutions
 <b>Training Events</b> Develop curricula and facilitate a wide range of specialized in-person and web-based trainings designed to empower prosecutors and allied professionals	 <b>Partnerships &amp; Initiatives</b> Provide long-term support in building frameworks for coordinated responses to gender-based violence including data collection and analysis, task force development, and training

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## Support

This project was supported by Grant No. 15JOVW-22-GK-03986-MUMU and 2017-TA-AX-K074 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this presentation are those of the authors and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women.

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## Presenters

<b>Jane Anderson</b> Attorney Advisor, AEquitas	<b>Natalie Ivey</b> Criminal Justice and Training Specialist, SPARC
	

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www.StalkingAwareness.org

- \*Practitioner guides
- \*Training modules
- \*Victim resources
- \*Webinars

@FollowUsLegally

Sign Up for our Newsletter!

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## Objectives

- Recognize and articulate dynamics of stalking and sex trafficking through a contextual lens
- Investigate and prosecute stalking in cases of sexual exploitation
- Connect victims and survivors to meaningful services, including safety planning

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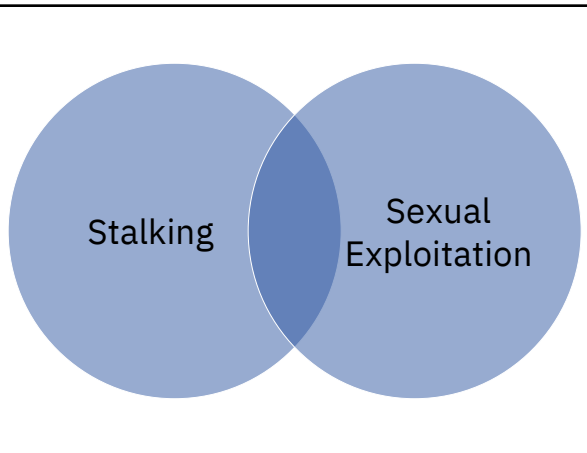
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## Definitions

- | Stalking  | Sexual Exploitation  |
|---|--|
| A course of conduct directed at a specific person that would cause a reasonable person to feel fear for the person's safety or the safety of others, or suffer substantial emotional distress | <ul style="list-style-type: none"><li>• Sex trafficking</li><li>• Intimate-partner sexual assault</li><li>• Image-based sexual abuse<ul style="list-style-type: none"><li>○ Unlawful distribution of intimate images</li><li>○ Sextortion</li><li>○ Doxing</li></ul></li></ul> |

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### Commonalities

Stalking and Sexual Exploitation

- Crime is based on a “relationship”
- Criminal activity is ongoing
- Context is key
- Offenders count on not being held accountable
- Victims can be reluctant to report or seek help from law enforcement
- Victims may not recognize that what is happening to them is a crime

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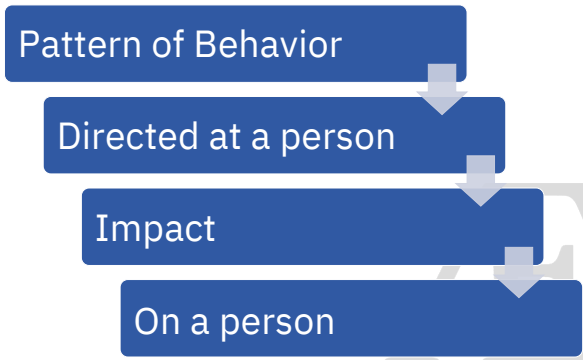
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### Stalking Elements



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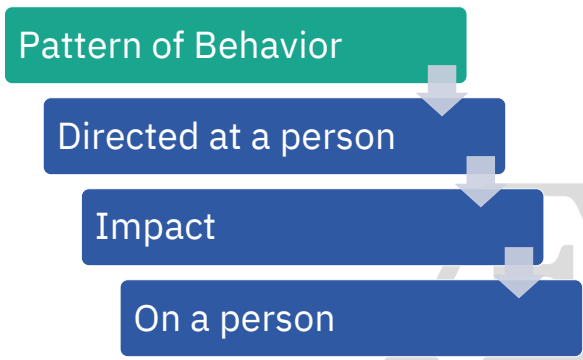
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### Stalking Elements



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### Pattern of Behavior



- Not a single incident or “one off” event
- Called a “course of conduct” in most jurisdictions

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### Pattern of Behavior, cont'd

- Course of conduct
  - Specific number of instances required
  - Over a certain period of time
- Continuity of purpose
- Behavior does not have to be illegal
- Separate incidents may also be charged as separate crimes

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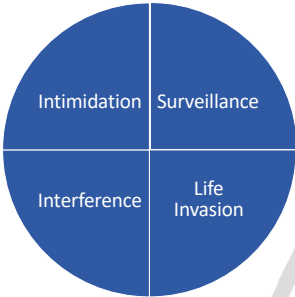
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### SLII Framework



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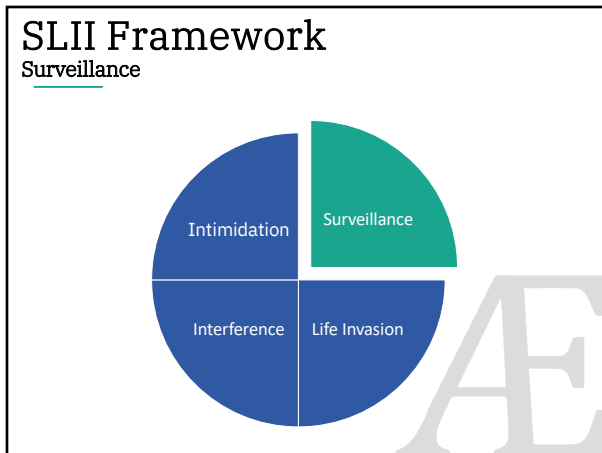
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- ### Surveillance
- Follow
  - Watch
  - Wait
  - Show up
  - Tracking software
  - Obtain information about victim
  - Proxy stalking
- 
- The slide has a solid blue background. The title 'Surveillance' is at the top left in white. Below it is a bulleted list of seven items. A large, semi-transparent 'AE' watermark is visible in the bottom right corner.

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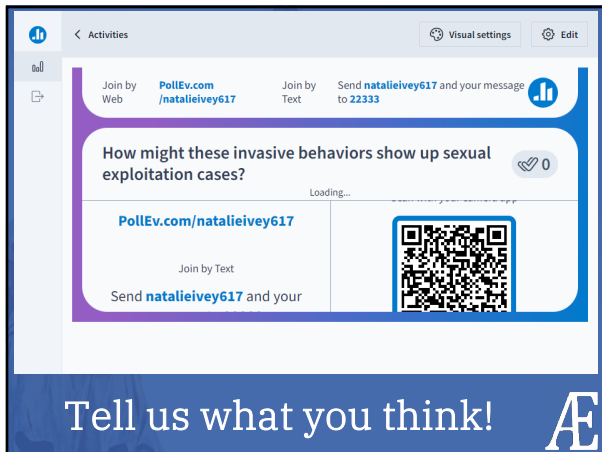
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## Stalking & Sexual Exploitation

### Surveillance

- Identify victims through surveillance
- Gather information as leverage to sexually exploit, blackmail, or persuade victims
- Track victims to assess vulnerability, accessibility, and lack of credibility
- Direct others to monitor victims' behavior

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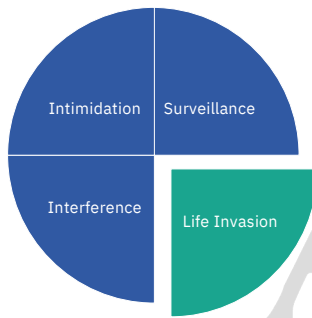
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## SLII Framework

### Life Invasion



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## Life Invasion

- Unwanted contact at home, work, etc.
- Showing up
- Phone calls
- Property invasion
- Public humiliation
- Harass friends/family

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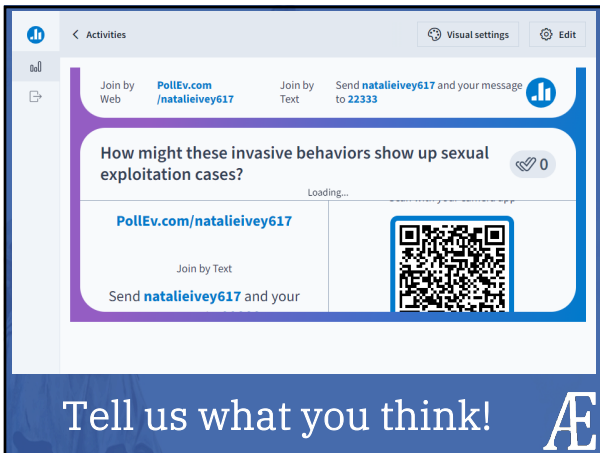
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### Stalking & Sexual Exploitation

Life Invasion

- Humiliate and degrade victims on an ongoing basis
- Threaten to expose victims
- Require “check-ins”
- Provide gifts or small indulgences to compel compliance

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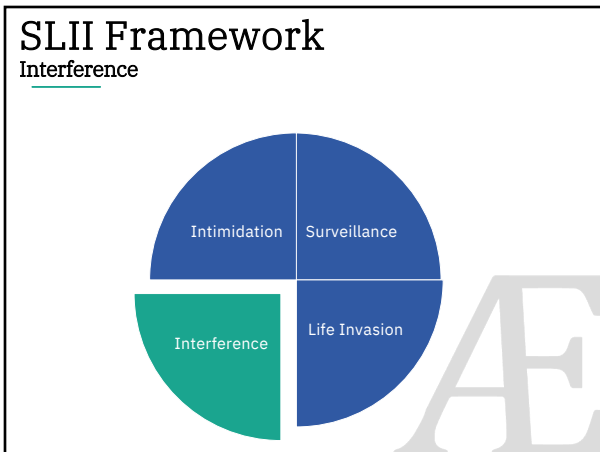
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## Interference

- Financial and work sabotage
- Ruining reputation
- Custody interference
- Keep from leaving
- Road rage
- Attack family/friends/pets
- Physical/sexual attack

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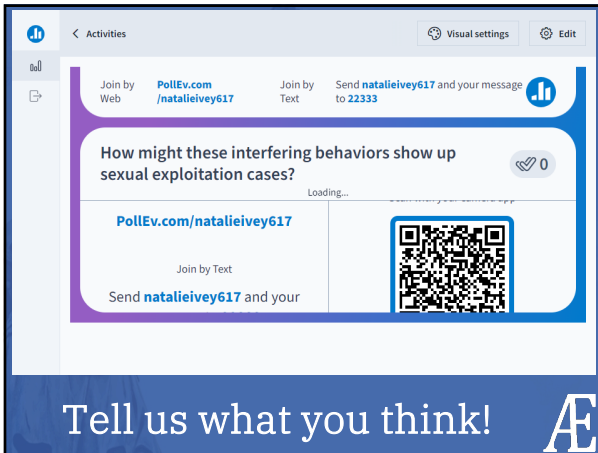
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## Stalking & Sexual Exploitation Interference

- Commit acts of sexual and physical violence against victims
- Distribute intimate or sexual photos or videos
- Destroy victims' credit
- Prohibit victims from having their own identification, drivers' licenses, and legitimate jobs
- Forcing victims to commit criminal acts

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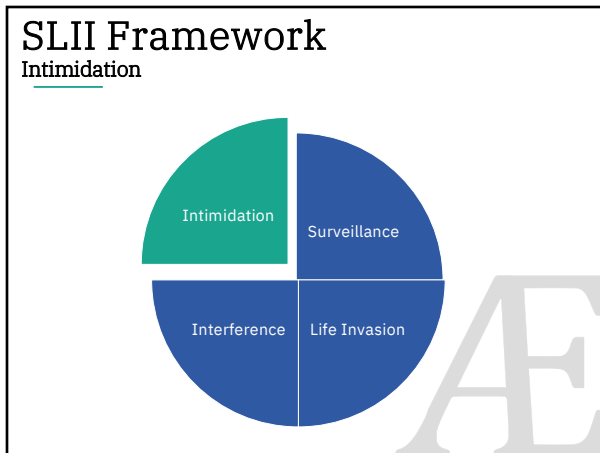
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### Intimidation

- Threats
- Property damage
- Symbolic violence
- Forced confrontations
- Threaten or actually harm self
- Threats to victim about harming others

The box has a solid blue background. At the top, the word 'Intimidation' is written in white. Below it is a bulleted list of six items, also in white. A large, light-colored 'AE' watermark is positioned in the lower right area of the box.

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The screenshot shows a mobile application interface for a poll. At the top, it says 'Activities' and 'Visual settings Edit'. Below that, there are two options to join: 'Join by Web' with the URL 'PollEv.com /natalieivey617' and 'Join by Text' with the instruction 'Send natalieivey617 and your message to 22333'. The main poll question is 'How might these intimidating behaviors show up sexual exploitation cases?'. Below the question, it says 'Loading...' and 'PollEv.com/natalieivey617'. There is a 'Join by Text' option and a QR code. At the bottom, there is a blue banner with the text 'Tell us what you think!' and the 'AE' logo.

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## Stalking & Sexual Exploitation

### Intimidation

- Commit acts of violence against others
- Threaten the victim and others with with sexual or physical violence
- Threaten arrest or deportation
- Threaten to involve child welfare
- Display weapons
- Misuse of culture and religion

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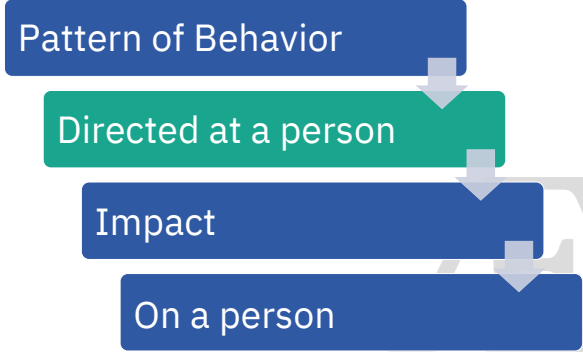
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## Stalking Elements



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## Directed at a Person

- Stalking can affect multiple people
- Consider multiple stalking charges with different victims
- Online posts may not be “directed at a specific person”

In a civil case involving a business dispute, the court found that posts to online social media sites were not “directed to” a particular person.

*David v. Textor*, 189 So. 3d 871 (Fla. Dist. Ct. App. 2016)

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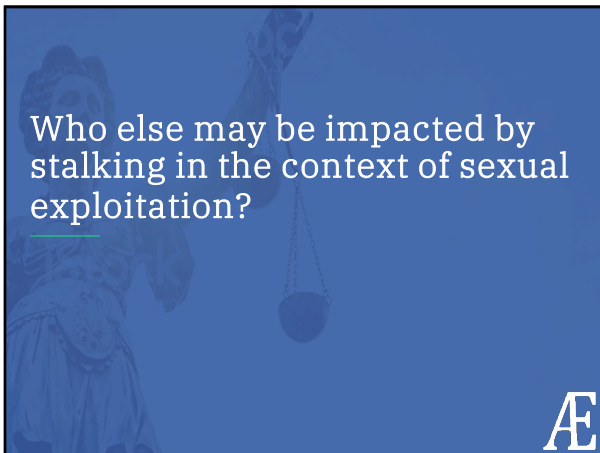
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Who else may be impacted by stalking in the context of sexual exploitation?



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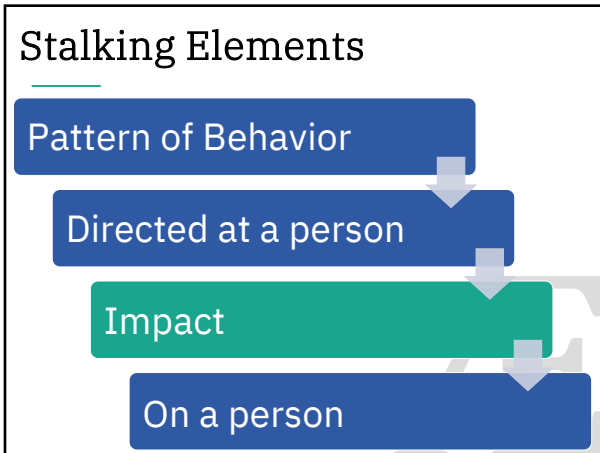
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### Stalking Elements



Pattern of Behavior

Directed at a person

Impact

On a person

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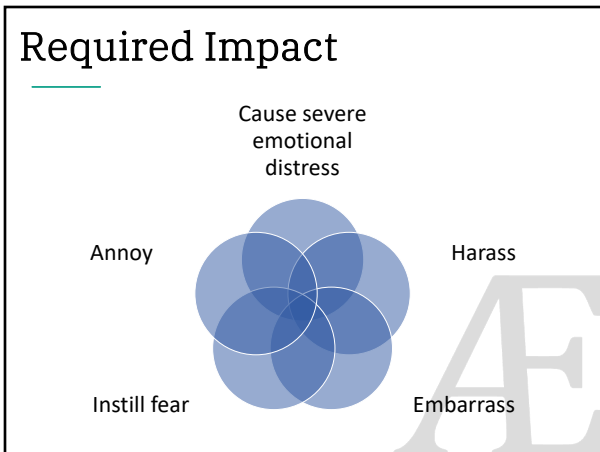
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### Required Impact



Annoy

Instill fear

Cause severe emotional distress

Harass

Embarrass

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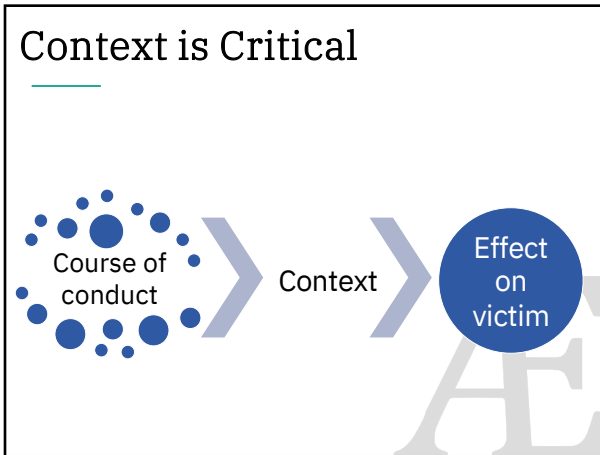
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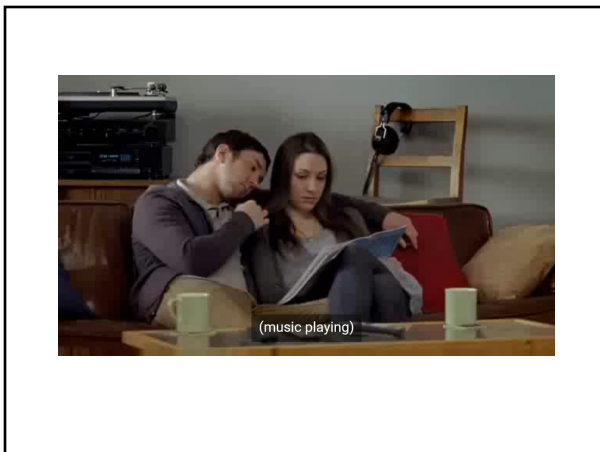
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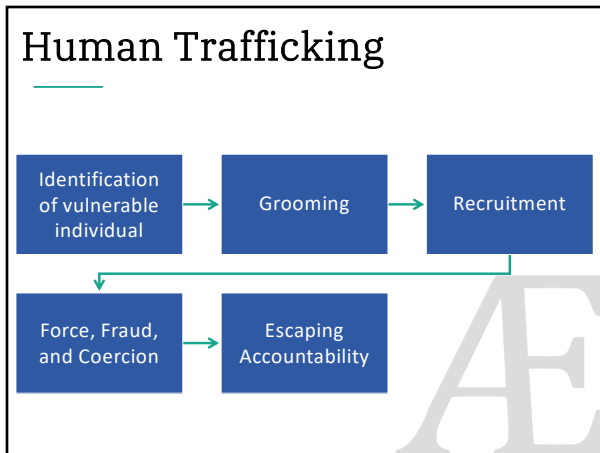
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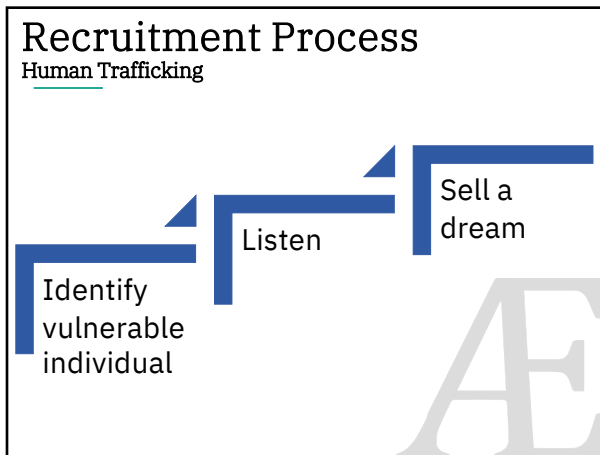
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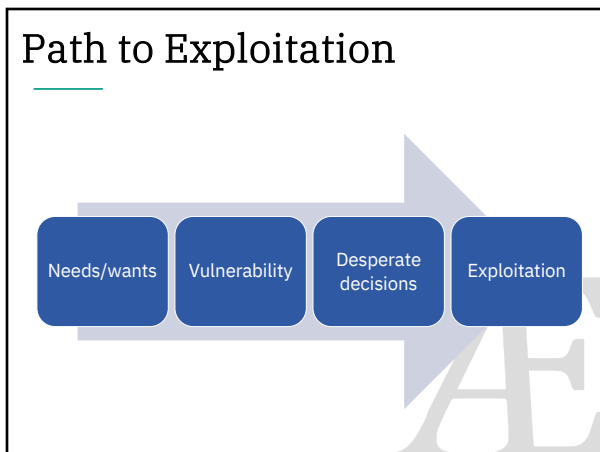
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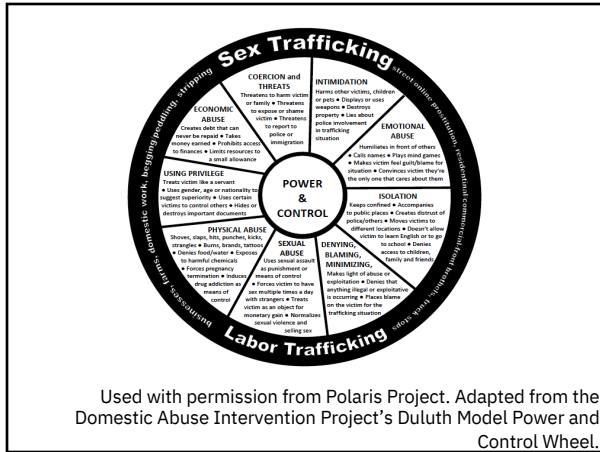
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### Power & Control

Force, Fraud, and Coercion

- Coercion and threats
- Intimidation
- Emotional abuse
- Isolation
- Denying, blaming, minimizing
- Sexual abuse
- Physical abuse
- Using privilege
- Financial abuse

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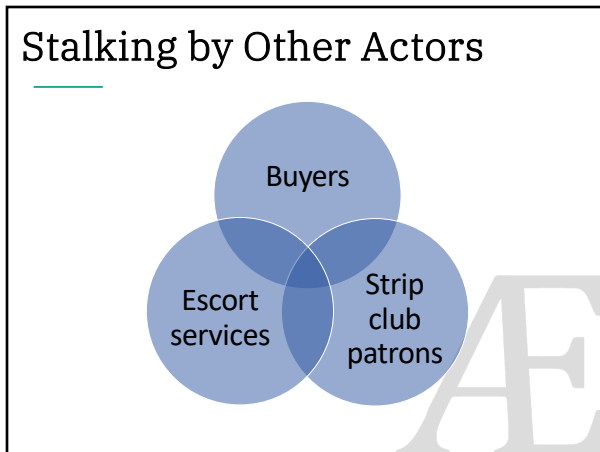
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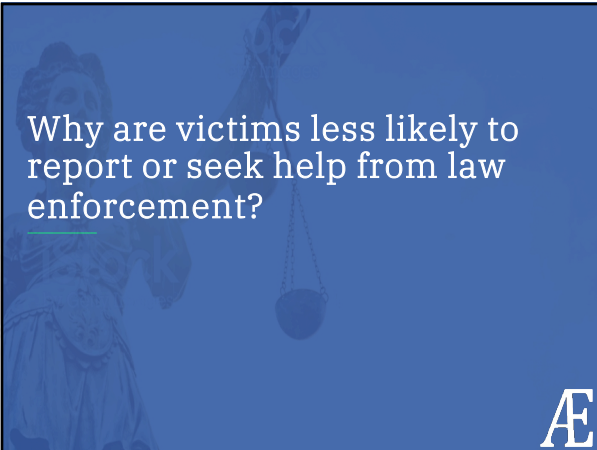
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Why are victims less likely to report or seek help from law enforcement?



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*“Research suggests that victims rely on notions of what a ‘real’ or ‘legitimate’ crime looks like, and these perceptions may impact reporting decisions.”*

Bradford Reynes & Christine Englebrect, *The Fear Factor: Exploring Predictors of Fear Among Stalking Victims Throughout the Stalking Encounter* 59(5) CRIME & DELINQUENCY 788 (2013)  
<https://psycnet.apa.org/record/2013-26389-007>

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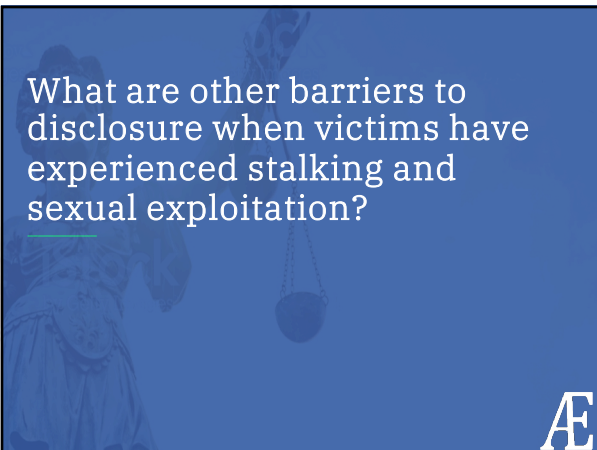
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What are other barriers to disclosure when victims have experienced stalking and sexual exploitation?



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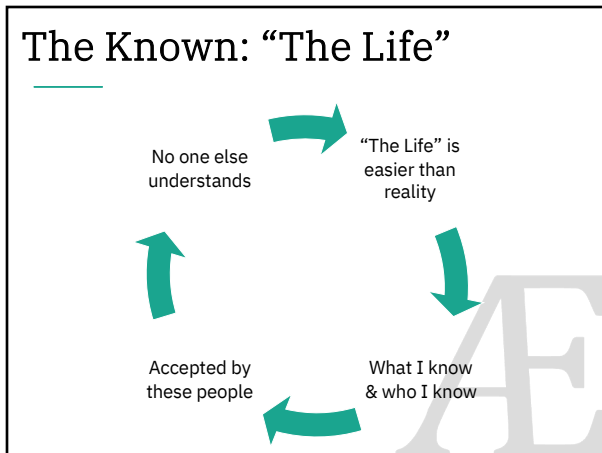
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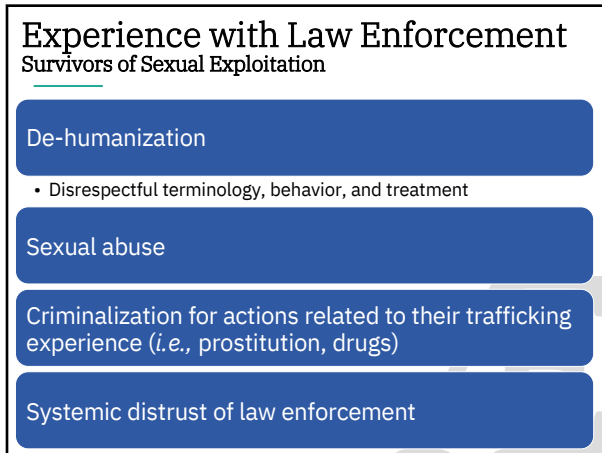
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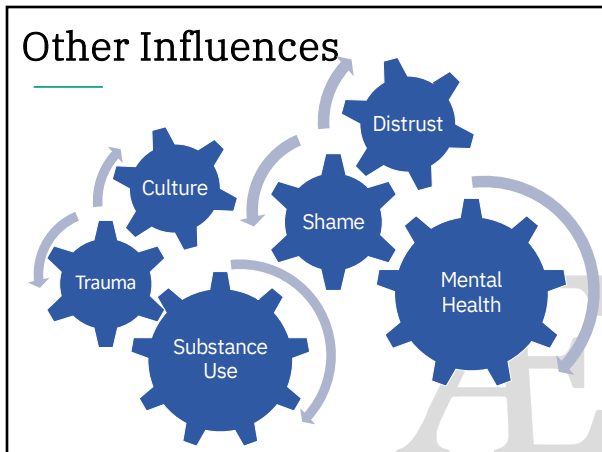
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What are the advantages of charging stalking in sexual exploitation cases?



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### Benefits to Charging Stalking

- Holds offender accountable for full range of criminal behavior
- Facilitates obtaining an order of protection
- Provides context to jury
- Introduces stalking as a lethality indicator

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### Victim Contact

-  First contact is critical
-  Be prepared to provide referrals and resources
-  Preserve evidence immediately
-  Prepare for the long haul

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### Survivor-Centered Approach



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Narrative Report & Risk Profile      Safety Planning Suggestions

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### Going Forward

- Identify and charge stalking in cases of sexual exploitation
- Articulate offender tactics to recreate the reality of the crimes
- Provide meaningful services to victims and survivors

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**Additional Resources**  
[www.justexits.org](http://www.justexits.org)



**AE Aequitas**  
**JUST EXITS**  
FOR SURVIVORS OF EXPLOITATION  
ANOTHER PATH IS POSSIBLE.

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**Additional Resources, cont'd**  
[www.aequitasresource.org/resources](http://www.aequitasresource.org/resources)

- The Prosecutor's Guide to Stalking
- The Prosecutors' Resource on Witness Intimidation
- Webinar, Being Trafficked: What You Need to Know about "the Life"
- Webinar, Coercive "Love": The Intersection of Domestic Violence and Human Trafficking

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**AEquitas Special Initiatives**



**AE** | FIELD-GENERATED HUMAN TRAFFICKING     **AE** | INNOVATIVE PROSECUTION SOLUTIONS

**AE** | Model Response to Sexual Violence for Prosecutors     **SPARC**  
STALKING PREVENTION, AWARENESS, AND RESOURCE CENTER

**SAKI** | SEXUAL ASSAULT KIT INITIATIVE  
Reform. Accountability. Justice.     **AE** | JUST EXITS

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Training and Criminal Justice Specialist  
**SPARC** STALKING, PREVENTION, AWARENESS, AND RESOURCE CENTER

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NIvey@StalkingAwareness.org  
StalkingAwareness.org

@FollowUsLegally

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