

## Stalking Safety Plan Guidelines

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### Overview

Victims of stalking include individuals presently at risk for *imminent* danger to their physical and/or emotional welfare, and those with danger continually pending, but not *immediately* at risk for harm. In addition to becoming familiar with stalking laws that presently exist, victims of stalking should be informed about the resources and procedural precautions available to assist and protect them. It is important for stalking victims to recognize that their victimization is *not* their fault. Stalking is a crime that can touch anyone, regardless of gender, race, sexual orientation, socio-economic status, geographical location, or with whom a person may associate.

Unfortunately, there is no single psychological or behavioral profile for stalkers. Every stalker is different. This makes it virtually impossible to devise a single effective strategy for victims to cope with stalkers' behavior which can then be applied to every single situation and all circumstances. This is why it is so vital that victims of stalking immediately seek the advice of local victim specialists who can work with them to devise a safety plan or action plan to address their unique situation and circumstances. Victim specialists can be found in local domestic violence and rape crisis programs, as well as in victim assistance programs in local prosecutors' offices and in some law enforcement agencies.

The following is *not* intended to be a set of strict guidelines for stalking victims, but rather practical information to assist them. There is *no guarantee* that if you follow all, or some, of these strategies that you will be safe; however, implementing these strategies may reduce your odds of physical or emotional harm from your stalker. Any persons who suspect or believe that they are currently being stalked should report all contacts and incidents to their local law enforcement authorities.

### Victims in Imminent Danger

The primary goal of a victim in imminent danger should be to locate a safe place for her/himself. Safety for stalking victims can often be found in the following places:

- Police stations;
- Residences of family/friends (location unknown to perpetrators);
- Domestic violence shelters or local churches, etc.; and/or
- Public areas (stalkers may be less inclined toward violence or creating a disturbance in public places).

If departure from the current location is not possible, but a telephone is accessible, a victim may contact local law enforcement at 911 or any other law enforcement or emergency number. If the police do not respond, a victim can ask to speak to the police unit or division supervisor, or have someone who has assisted them in the past contact police.

In dangerous situations, family members or friends can assist in a victim's departure from their home or office. It is advised that as much caution as possible always be exercised when directly confronting the offender, as stalking sometimes escalates into violence.

Upon reaching safety, a victim may want to communicate with local law enforcement, victim services, mental health professionals and/or some social services agencies in order to receive additional assistance and referrals available in the community. A victim of stalking should always identify her/himself as such and request confidentiality of all information given and any records kept or filed. If the stalker caused property damage or physical harm, the victim may choose to file a report with law enforcement as soon as possible.

### Victims in Danger, But Not Immediately at Risk

While a victim may not be in immediate danger, she/he needs to assess the probability of impending danger. If a stalking victim determines that she/he is at risk for being in a potentially harmful or violent situation, the following options may be considered:

#### 1. Restraining/Protective/Stay-Away Orders.

Generally, these orders require the offender to stay away from -- and not interfere with -- the complainant. If violated, they may be punishable by incarceration, a fine or both.

These orders are typically obtained through a magistrate's office or local court. Contact the local clerk of court's office for

information about where to obtain orders.

Restraining orders are not foolproof -- they often do not extend beyond certain lines of jurisdiction, and can only be enforced if they are broken. Victims should be cautioned against developing a false sense of security. In addition, some states only provide protective orders to former spouses or intimates. Moreover, it often costs money to obtain such an order due to the cost of filing fees, or in some courts and jurisdictions, to the need of obtaining legal assistance.

Orders are not assured -- they are at the court's discretion.

## **2. Stalking Laws**

Basically, stalking laws make it a crime to willfully, maliciously and repeatedly harass, follow or cause credible threat to another individual in an attempt to frighten or cause harm.

A victim's state or municipality may have a stalking law either in effect, passed but not effective until a later date, or currently pending passage. In addition, some jurisdictions are not enforcing their stalking laws, and in others the laws are under judicial challenge.

A victim may contact her/his local prosecutor's office to inquire about the state and municipal stalking laws and their applicability to her/his case.

## **3. Illegal Acts.**

A victim may determine that the perpetrator has broken the law by entering the victim's residence without her/his permission, stealing and/or destroying the victim's property, physically and/or sexually assaulting the victims, etc.

If so, these acts may be punishable. Notifying police of illegal acts may be important for the following reasons:

- a. If convicted, the perpetrator may be incarcerated and/or ordered to stay away from the victim;
- b. Charges may intimidate the offender, sending the message that his/her actions are illegal and will not be tolerated; and
- c. Notifying the police produces documentation, which may be useful in a future complaint for evidentiary or credibility purposes.

## **4. Documentation**

Documentation of stalking should be saved and given to law enforcement.

Documentation of the actions of the perpetrator may be useful in future complaints or proceedings, for evidentiary or credibility purposes.

Documentation may take the form of photos of destroyed property/vandalism, photos of any injuries inflicted on the victim by the perpetrator, answering machine messages saved on tape, letters or notes written by the perpetrator, etc.

A victim should keep a written log of any crimes or suspicious activities committed by the perpetrator. Discretion should be used when making entries and it should be kept in a secured place, as the log may be used in court proceedings.

## **5. Contingency Plans.**

While a victim may not be in imminent danger, the potential always exists; therefore, a contingency plan (a sort of "fire escape plan") may be appropriate. Suggested considerations include:

- a. Knowledge of, and quick access to, critical telephone numbers, including:
  - Law enforcement numbers and locations;
  - Safe places (such as friends, domestic violence shelters, etc.); and
  - Contact numbers for use after safety is secured (such as neighbors/family, attorneys, prosecutors, medical care, child care, pet care, etc.).
- b. Accessible reserve of necessities, including:
  - Victims may wish to keep a small packed suitcase in the trunk of their car, or at another readily accessible location, for quick departure;
  - Reserve money may be necessary;
  - Other necessities -- such as creditors' numbers and personal welfare items such as medication, birth certificates, social security information, passports, etc. -- should be readily available;
  - Miscellaneous items -- like always keeping as full a tank of gas as possible in the car, backup keys for neighbors, etc. -- are practical; and
  - If a victim has a child(ren), she/he may want to pack a few toys, books, or other special items belonging to the child.
- c. Alert critical people to the situation who may be useful in formulating a contingency plan, such as:

- Law enforcement;
- Employers;
- Family, friends, or neighbors; and
- Security personnel.

## 6. Preventive Measures

- Install solid core doors with dead bolts. If victim cannot account for all keys, change locks and secure spare keys.
- If possible, install adequate outside lighting. Trim back bushes and vegetation around residence.
- Maintain an unlisted phone number. If harassing calls persist, notify local law enforcement, but also keep a written log of harassing calls and any answering machine tapes of calls with the stalker's voice and messages.
- Treat any threats as legitimate and inform law enforcement immediately.
- Vary travel routes, stores and restaurants, etc., which are regularly used. Limit time walking, jogging, etc.
- Inform a trusted neighbor and/or colleagues about the situation. Provide them with a photo or description of the suspect and any possible vehicles he/she may drive.
- If residing in an apartment with an on-site property manager, provide the manager with a picture of the suspect.
- Have co-workers screen all calls and visitors.
- When out of the house or work environment, try not to travel alone if at all possible, and try to stay in public areas. If you ever need assistance, yell "FIRE" to get immediate attention, as people more readily respond to this cry for assistance than to any other.
- If financial means exist, use a "dummy" answering machine connected to a published phone line. The number to a private unlisted line can be reserved for close friends and family, then the stalker may not realize you have another line.

## 7. Alternative Avenues of Assistance.

Assistance may be obtained from local sources, such as:

- a. Domestic violence shelters or counselors;
- b. Rape crisis programs or counselors;
- c. Victim assistance coordinators in the prosecutor's office; and/or
- d. Law enforcement.

Victim counselors may either give a referral number to the victim of a stalker, or offer to make the call and have someone from the referral organization or program contact the victim directly.

The possibility exists that there will be no appropriate referral in the victim's vicinity. In such cases, local law enforcement agencies should be contacted.

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