

Fighting Stalking in Practice: Problems and Possibilities From a Law Enforcement Perspective

Catharina Lewin, Ph.D.

catharina.lewin@polisen.se



Every breath you take (The Police)

*”Every breath you take
Every move you make
Every bond you break
Every step you take
I’ll be watching you...”*

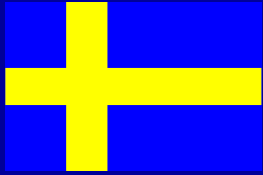
*...Every move you make
Every vow you break
Every smile you fake
Every claim you stake
I’ll be watching you”*



The "SAM" project

- The Swedish context.
- Background and aim of the project.
- The two authorities.
- Results from the implementation process.
- Problems and possibilities.
- Research results from "the SAM project".
- Victim co-operation.
- Conclusions and future directions.





Sweden

- 21 local police authorities, directives from the National Police Board (RPS)
- No stalking legislation
- Most often offences are coded as molestation
- Many stalking incidents are needed for one case of molestation; extremely many are needed for more serious criminal codes.



Background

- 1999-2004 Spousal Assault Risk Assessment (SARA/B-SAFER).
- National Police Board initiated a Stalking project 2004.
- Project May 2005-December 2006. Evaluated in 2007.
- Co-operation with professor Henrik Belfrage, The Sundsvall Forensic Psychiatric Hospital and the Mid Sweden University in Sundsvall.



Definition

“Unwanted and repeated communication, contact, or other conduct that deliberately or recklessly causes people to experience reasonable fear or concern for their safety or the safety of others known to them”



- Large range of stalking
- All stalking is unpleasant
- Ranging from few phone calls to extremely serious
- Celebrity stalking is well-known, but not stalking of "ordinary" people.



The victims

Stalking victims never let their guard down and are always on the lookout.



Aim

- To increase the support and help to victims of stalking by developing Stalking Assessment and Management (SAM).
- To see how best to integrate SAM into the daily police work



The SAM project

- Research study
- Integrating the Stalking Assessment Management into daily police work leading to recommendations
- The purpose of SAM is to be a tool to prevent stalking rather than predict future stalking!
- SAM should lead to protection for victims
- Too much protection can make the victim more anxious/fearful!



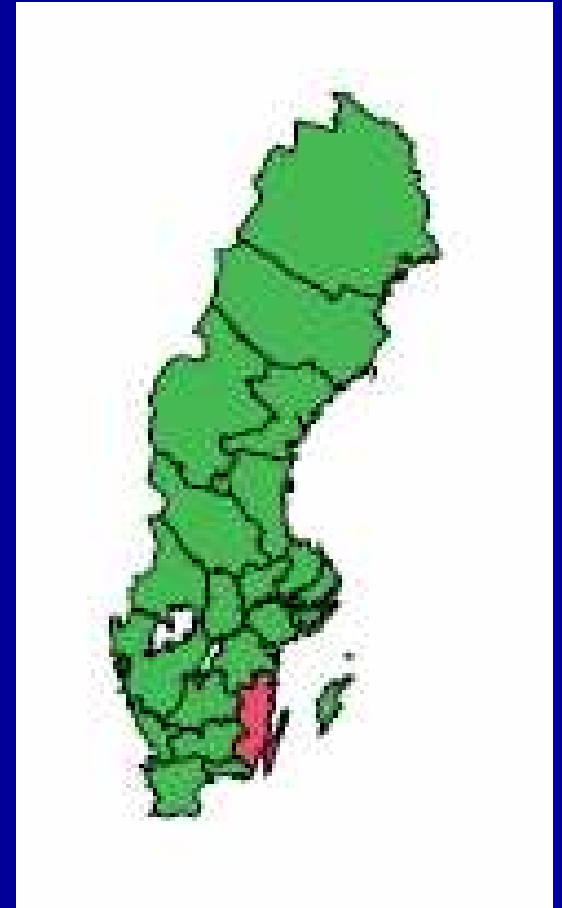
District of Södertörn

- Part of Stockholm County
- Ethnically diverse
- 270,000 inhabitants
- The police has 600 employees
- 34,000 crimes reported 2006
- 500 reported stalking/year



Kalmar County

- South east coast
- Vast majority Swedish-born
- Large area; few inhabitants
- 235,000 inhabitants
- The police has 500 employees
- 26,500 crimes reported 2006
- 300-350 reported stalking/year



District of Södertörn

- Crime victim's group/personal safety
- People specialized in working with victims
- Training for large part of the staff
 - Police officers
 - Officers taking up police reports
 - Investigators
 - Crime victim officials
 - People in leadership positions, etc.
- Training of social services staff



District of Södertörn

- The investigator informed the crime victim's group when a SAM was needed.
- The group "took over" the safety part.
- Difficulty: "excess information" received by victim's group.
- Person to identify cases of stalking.
- Important that victim's group and investigators work closely together!



Kalmar County Police

- No crime victim's group
- One person responsible for contact with researchers
- Training for large number of the staff and prosecutors
- After stalking was identified, a risk assessment officer made the SAM-assessment.
- The investigator responsible for implementing protective measures
- "Doing it for the research project"



Kalmar County Police

- Police have contacted the offender
 - Largely positive effect, but not in some cases
- Police with canine used to visit offenders and victims
 - Unclear what is harassment by the Police



Södertörn/Kalmar

- Somewhat different approaches
- Somewhat different problems
- Gives an idea of what worked well and what didn't
- To identify "all" cases of stalking someone needs to go through all police reports.



Training I

- What is stalking in general?
- What kind of stalkers are there?
- What questions should be asked?
- How identify the problem?
- Training in using the Stalking Assessment and Management (SAM) with cases.



Training II

- Clear structure of work against stalking.
 - Who does what/when, what is the responsibility of investigator/victim's group?
- Training should include information about risk factors, perpetrators and personality disorders.
- Training should also include practical work using SAM in actual cases.
- Training can be conducted together with employees from prosecutor's office and social services.
Discussions favor all parties.



Initial protective measures - Should always be available

- Leaflet with crime victim information, including specific information about stalking, available in different languages.
- Report to Social services if children are involved
- Application for a restraining order
- Application for an assigned council
- Contact taken with prosecutor
- Need for emergency shelter
- Application for an emergency phone
- Security talks with involved people



Instructions for victims

- Do not answer attempts from stalker to contact them
- Save all e-mail, phone messages, letters etc.
- Have a "diary" with information on all attempts for contact (when, where, how, what happened, witnesses etc.)
- Change daily routines
- Don't be predictable
- Report to the police



Protective measures

- Security talks
- Restraining orders
- Phone connected directly to emergency operators. Operators can see who is calling and from where.
- Safe houses. Temporary accommodation until a permanent solution is found.
- Protected address. Unable to find victim in directories
- Mail sent to old address is sent to the tax authority and is then sent to the new address
- Change of name
- New identity



- Talking to victims of stalking increases the victim's knowledge of what stalking is and how to handle the situation.
- In stalking cases with high-risk of violence the victims are often in the "normalization" process.
- The risk assessment should not be given to lawyers or others as the material can be confidential or harmful in the wrong hands.
- Protective measures taken must be documented thoroughly.



Positive effects of the SAM-project

- Better awareness about stalking
- Better knowledge of what stalking is
- Asking the right questions to assess risk!
- Getting information otherwise missed
- Ability to tell victims about what stalking is and how to best handle stalking/stalkers
- Guide to know which factors are important for risk of continued stalking
- Better knowledge about available protective actions



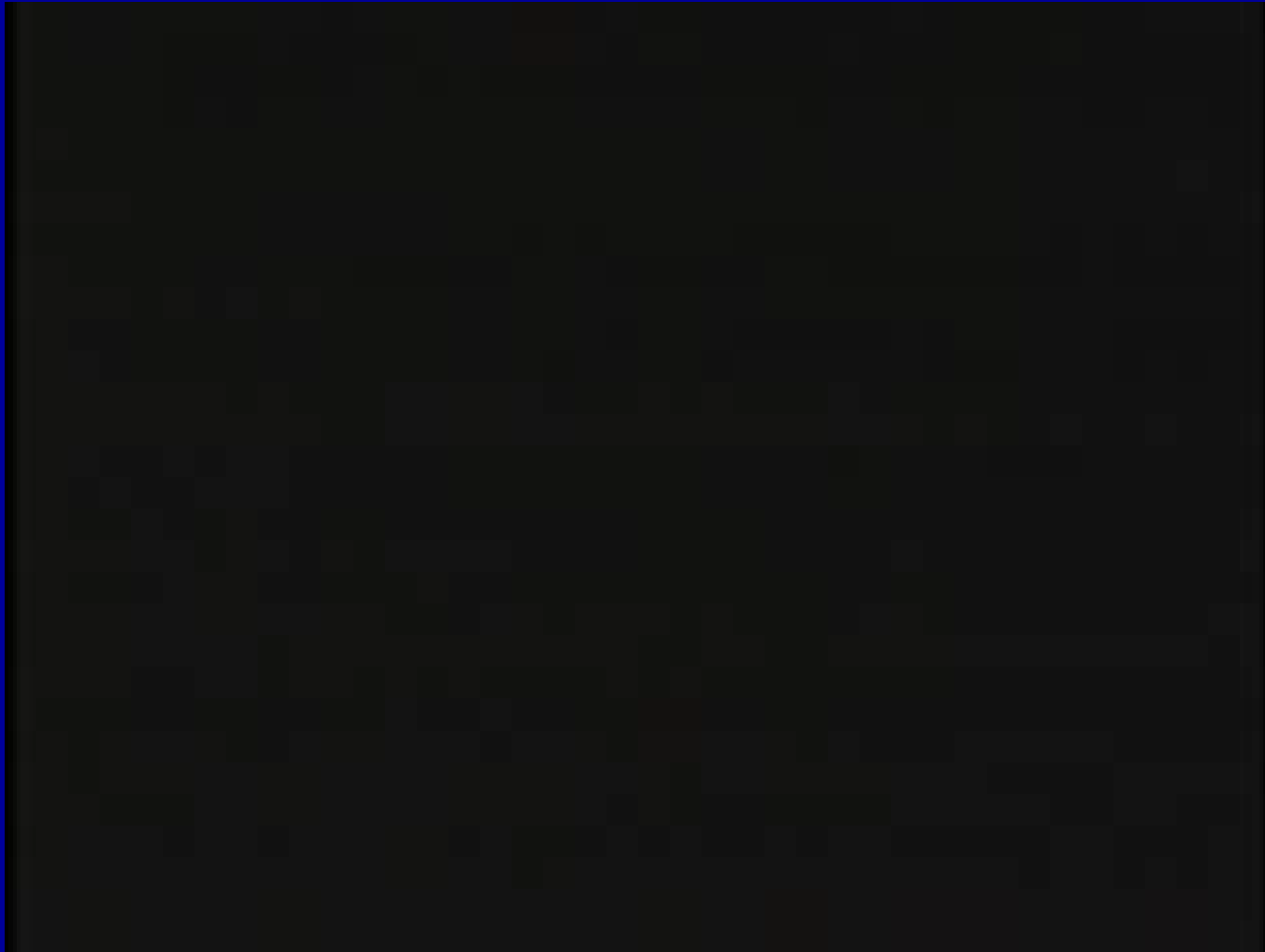
Important lessons for local authorities I

- Must make staff on all levels involved in the project
 - Understand why
 - Understand how their work is a part of "the bigger picture"
 - Must get people in leadership positions to realize the importance!
- Must convey to staff how restricting stalking can be



**Make sure
everyone is
moving in the
same direction**





Important lessons for local authorities II

- Stalking can be found in reports regarding e.g., vandalism, damage to cars, not only molestation etc.
- The SAM-assessment has to lead to something!
- Needs to be one or more "specialists" at the local authorities regarding these issues
- Also court officials should receive training to better understand stalking



Important lessons for local authorities III

- Difficult to identify stalking, different criminal codes
- Increasing number of stalking cases during the time period; one explanation is increased "sensitivity" to stalking
- Cases of spousal assault can lead to stalking. One does not exclude the other. Stalking often committed by ex-partner



Problems

- Not all victims of stalking (or spousal assault) are women. What about men who are victims?
- Getting everyone involved
- Implementing SAM into daily police work
- Deciding, together with co-operators, who does what and their responsibilities.



Needed for success I

- Use of a scientific instrument adapted for operative police work
- Detailed and correct documentation of all protective actions taken and offered actions from law enforcement. Extremely important if we are unsuccessful in protecting the victim!
- Training in stalking/SAM at Police Academy-level
- Training and further education for police officials and other target groups



Needed for success II

- A crime victim's group with different background and experience of stalking
- Time to help victims/explain what is happening
- Concrete proposals of available protective measures available locally
- Co-operation with social services
- Co-operation with prosecutor's office
- Co-operation with other authorities and support organizations (correctional systems, Swedish church, women's shelters etc.)



Needed for success III

- Identify which offensive protective measures should be used in these cases
- Follow up on results and goals on a regular basis
- Yearly quality assurance
- Common view on stalking within authority
- Work to change attitude among staff
- Quick response/help for victims



Research project Stalking Assessment and Management (SAM) factors

- 30 questions in three parts:
 - Type of stalking
 - Offender risk factors
 - Victim vulnerability factors

 - Summary risk rating
- No scores, no cut-offs but rather a checklist
- Protective actions/safety plan



Research project

- SAM-checklists including summary risk rating entered into database by researchers (coded cases; unidentifiable to researchers).
- In average 17 factors existed fully or partly.
- Range 3-28.



Research study *(Belfrage & Strand, 2007)*.

- 230 SAM-assessments of 30-item version during the time period.
- 189 offenders were assessed.
- 31 offenders (16 %) were women and excluded from the study.
- 5 victims did not know at all who their stalker was. These cases were excluded from the study.
- The studied group included 153 male offenders,
 - 91 (60 %) from Kalmar county
 - 62 (40 %) from Södertörn.



The crimes *(Belfrage & Strand, 2007)*.

- Main crimes: molestation (47 %), threats (29 %), assault (9 %), violating restraining orders (8 %). There were also cases of spousal assault, obstruction of justice, illegal coercion and other crimes.
- In 22 % of the cases there was a restraining order present at the time of the crime.

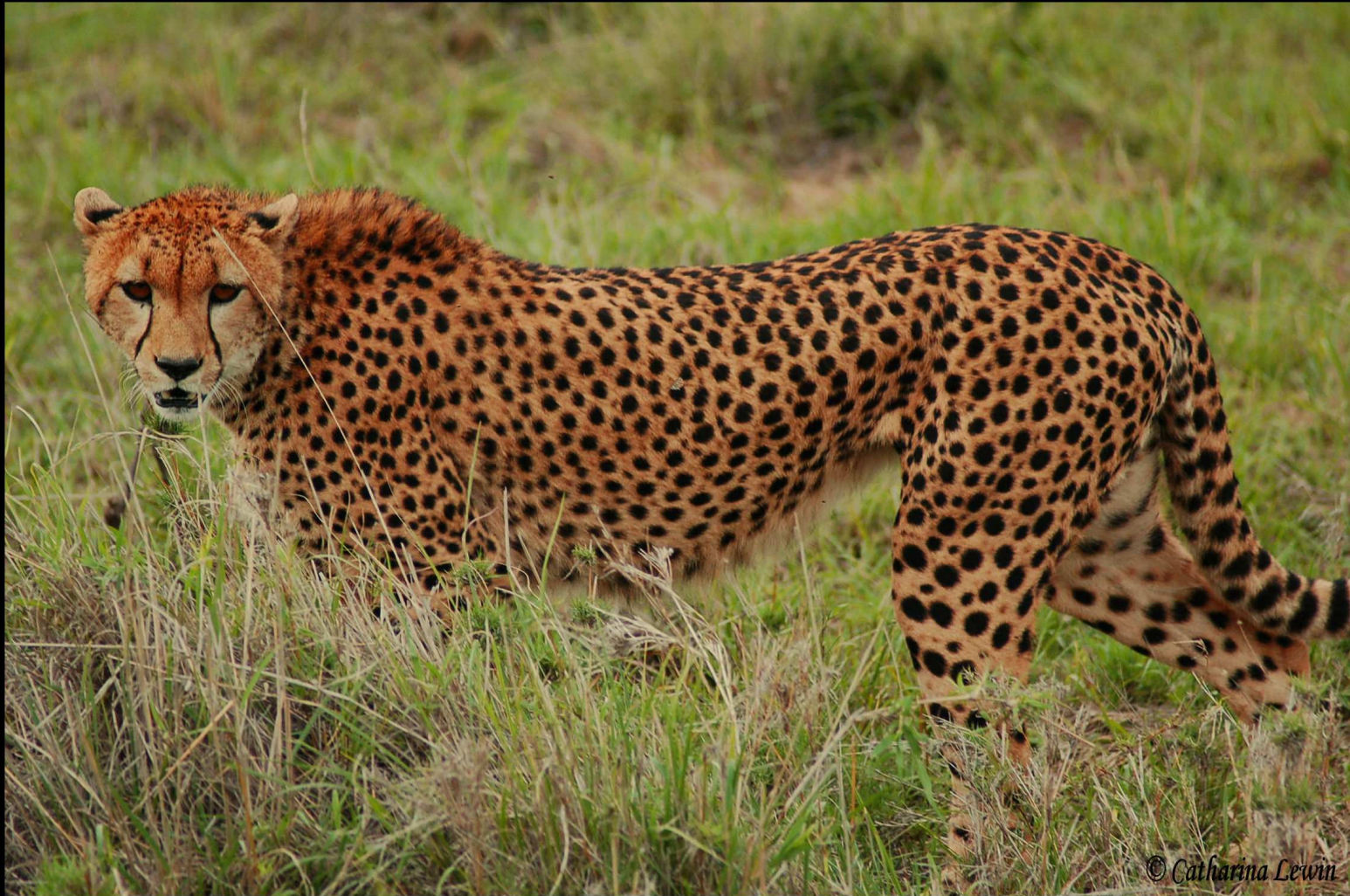


Duration of stalking *(Belfrage & Strand, 2007).*

- Duration of stalking: a few days - 20 years
- Over half of the victims had been stalked for 6 months or more
- 25 % had been stalked for more than 18 months
- 10 % more than 3,5 years.



Stalkers come in any shape, size or form...



© Catharina Lewin



Who was the stalker?

- 76 % were former partners
- 14 % friends, acquaintances, neighbours etc.
- 10 % total strangers

- Other research suggest that approx. 60 % are former partners (e.g., Tjaden & Thoennos, 1998; National Council for Crime Prevention, 2006).

- Possibly easier to identify stalking among former partners?



The stalkers *(Belfrage & Strand, 2007).*

- Average age 40 years old (Range=14 - 68)
- 30 % had foreign background; 29 % of victims had foreign background. Both had foreign background in 19 % of the cases.
- More victims/offenders had foreign background in Södertörn than i Kalmar



Stalking behaviour/ Offender risk factors

(Belfrage & Strand, 2007).

- Escalation is the most important factor in assessing the risk of lethal violence.
- Many offenders showed displaced aggression (64 %), denial (56 %), and obsession (54%).
- 45 % of offenders had a previous criminal record including violence.



Victim vulnerability factors

- Concern about significant others was most common (53 %). When offender was ex partner this proportion was 91 %.
- Substance abuse and an unsafe living situation are associated with higher risks of violence including lethal violence.
- More vulnerability factors present when the assessed risk for continued stalking or violence was medium or high.
- Victim's vulnerability important!



Who should the police help? How does it work where in your country/area?

- High risk for lethal violence? Medium risk for lethal violence?
- Low risk for for lethal violence, but high risk for continued stalking?
- Low risk for lethal violence, and medium risk for continued stalking?
- Low risk for lethal violence, and low risk for continued stalking?



- What is the priority of the police?
- Should be discussed on a national level.



Victim co-operation

- Being helpful in investigation
- Accepting help offered by the police (to ensure victim's safety)
- 94 % of victims co-operated.
- Stalking/spousal assault is likely to continue if the victim does not co-operate.



Victim co-operation *(Lewin, 2006).*

- Study of all 40 victims of police reported spousal assault and did not co-operate
- One year time period
- Kalmar County Police
- Interviews with investigator in each case
- In a study of spousal assault victims 16 % did not co-operate.

Aim:

- Who are these victims?
- How can we get more victims to co-operate?



Four types of victims

- The vulnerable victim (n=23)
- The reluctant victim (n=8)
- The "can handle it myself" victim (n=5)
- Strategic police reports (n=4)
- Likely "vulnerable victims" among stalking victims who do not co-operate.



The vulnerable victim

- Weak/dependent
- Not "ready" to leave relationship
- Threatened/too scared
- Too ashamed

The reluctant victim

- Nobody talks to police/No faith in the police
- Offender reported himself, victim doesn't talk
- Participated previously without result or too strenuous



Victims who "can handle it themselves"

- Separation/divorce proceedings initiated
- Increase chance to get child back from social services

Strategic reports

- Victim reports offender, and offender reports victims
- Exaggerated report, victim changed her mind



Statistical analyses (based on SARA)

Comparing participating & non-participating victims

Non-participating victims:

- had children to a **lesser** extent than participating victims
- had received **less** threats of violence than participating victims
- had been subjected to serious and/or sexual violence to a **larger** extent than participating victims
- to a **larger** extent had personal problems
- No differences in risk assessment short term, long term & lethal violence between the groups.



How to increase participation?

- Initial police contact with the victim is very important.
- Video recorded questioning of victim at crime scene.
- Investigators must gain the victim's trust.
- Crime victims' group within the local police authority.
- More help in the community for victims with psychiatric and/or substance abuse problems.
- Increase knowledge of male victimization.
- Better written information to the victims immediately.



Working toward co-operation *(Lewin, 2006)*.

- Police must treat different victims in different ways; e.g., the vulnerable victim needs support.
- It is possible that participating and non-participating victims are in different stages of the abusive relationship.
- Next step is to see how different victims are best helped in order to participate.
- More victims can be convinced to participate, but not all.



Stalking re-offending (Kanka & Strand, 2007).

- Studied cases where more than one SAM-assessment had been made by the police authority
- Study of 24 victims/offenders of stalking. In each case at least two police reports (SAM-assessments) had been done during the 20 month time period (May 2005-December 2006).



Re-offending

- Of 24 cases, 20 were assessed as low risk on all occasions. In four cases one assessment showed a medium risk.
- Victim co-operation is essential.
- The prosecutor can deny restraining orders, which leads to an uncooperative victim
- Legislation could lead to these crimes having higher priority



Results of the "SAM-project" I

- Stalking is a bigger problem than believed.
- 3-4 times as many cases than estimated before study.
- Many cases never reported (2/3)
- More effort is needed to fight stalking
- Get police staff and others involved
- High level officers must understand the problem



Results of the "SAM-project" II

- Lack of legislation.
- Stalking can be hidden in many different criminal codes. Difficult to identify.
- Law enforcement staff need to ask the right questions!
- Important to use structured risk assessment.
- Training for large groups essential.



Results of the "SAM-project" III

- Training in stalking issues at Police Academy level
- Same investigator meets victims of stalking every time to gain mutual confidence
- Awareness of the impact stalking has on its victims.



Results of the "SAM-project" IV

- At least one stalking specialist at each local authority with the ability to identify cases of stalking.
- Professional handling from the police. Important to get victims to participate in the investigation.
- Offer the victim assigned council as soon as possible. Good co-operation between police and prosecutors; enables quick decisions that facilitate continued investigations.



Results of the "SAM-project" V

- Quick handling/investigations increase chances of victim co-operation.
- Co-operation and clear guidelines as to what the police does, and what other authorities (e.g., social services) do.
- Having a crime victim's group that takes over the case and the protection of the individual.
Investigators must have time to investigate!
- Motivating the victim to co-operate during the entire judicial process.



- In very serious cases a more rigorous risk assessment is made.
 - Offender's personality
 - Offender's motivation
 - Offender's capacity
 - Victim vulnerability
- Less serious cases
 - Other help from society
- Risk assessments should be saved; accessible to other Police Counties



Crime victim's group

- Crime victim's group should include men and women, diverse ethnical background.
- They should be flexible, empathic and have high social skills.
- Must be flexible and good at working with and motivating people in distress.



- Prosecutors must take violations of restraining orders seriously -> sends message to the offender.
- Sometimes easier for the police to make some arrangements than social services.
- Co-operation with tax authorities to help remove victim's name from computer databases
- Co-operation between authorities with regard to previous SAM-assessments. More information gives better assessments.



National measures

- Possibility of legislation regarding stalking should be considered
 - similar judgements in different parts of Sweden
- Special prosecutors for stalking cases
- Court staff should receive training about stalking to increase their knowledge and understanding of the problem.



- Case not closed when charges are dropped/verdict announced
- Follow-up on restraining orders to make sure violations are reported.
- An own criminal code for stalking
- Clear directions given to offender when restraining order is given.



Work in progress...

- Tests being conducted with electronic monitoring of stalking offenders.
- Tests being conducted with group counseling for stalking offenders



Problems

- Many cases of stalking needed for one molestation charge; very many for more serious criminal codes. Sentences are short.
- Restraining orders are often not effective
 - Victims don't report all cases of breaking restraining orders
 - There are not always consequences
 - Many offenders do not comply with laws in the community



Conclusions: Keys to success

- Understanding the problem at all levels
- Stalking needs to be identified and taken seriously
- Involved & dedicated staff
- Investigators asking the right questions
- A good tool to determine level of risk and level of protection
- Effective protection, including restraining orders
- Good co-operation authorities & organizations
- Legislation



Future directions

- Study male victims of stalking and female offenders
- Follow-up what happens after risk assessment
- Perception of police work from victim's perspective
- Legislation's effect on reported stalking (?)
- SARA/SAM in other countries



Acknowledgements

Professor Henrik Belfrage and Dr. Susanne Strand

Assistant Police Commissioner Leif Oscarsson and
Inspector Lars Widén

Deputy County Police Commissioner Johan Dixelius
and Inspector Kenneth Krantz (ret.)





Thank you!



catharina.lewin@polisen.se

