

What is to be considered when questioning victims of stalking behaviour?

Beginning with the questioning, think about the **instructions on rights and obligations**.

Question the **relations between victim and offender** first. This can result in the necessity of special instructions on rights and obligations, such as the **right to refuse to give evidence**, if victim and offender are or have been engaged or married, etc.

1. **What happened?**
2. **When did the stalking begin, (when) did it end?** – Date of beginning and end?
3. **Frequency of stalking actions?** - Precise dates? If witnesses can't give precise dates: How often in a certain period of time?
4. **What exactly did the offender do? Has there been any bodily harm?** - When? Where did the offender hurt you? With what did he hurt you? How often did he hurt you? Did he use anything (weapons or other objects)? Has the offender tried to choke you? How long? Did you faint? Did the offender kick you? Where? Did he wear shoes? What did the shoes look like? Witnesses? Name, address, number?
5. **Did the offender get within close range of you?** – Where and when did he appear? Witnesses? Was he alone?
6. **Did the offender call you?** – Which telephone/number did he call? Where you able to see the number of the calling person? Is it possible to track time and number of the call on your phone? Did you record the phone call? Answering machine? Have you used any call tracing device?
7. **Did the offender send any text messages to you?** – If so, which number did he send

them to and from which number? Do you carry your mobile phone with you? Do you agree with a read-out of your mobile phone?

8. **Did the offender write any letters or notes to you?** – Did you keep these letters/notes? Can we file them? When did you receive these letters/notes?
9. **Did the offender write any emails to you?** – Did you bring along printouts of these mails? Are these mails still on your computer? Can you forward these mails to the police?
10. **Did the offender ask friends or acquaintances about you?** Who? (Name, address, number?) When? What did he say?
11. **Did you receive any goods you didn't order?** Which and when? Did you keep these goods? Could you turn them in? How could the offender have gotten your data for the order? Who has or had access to your personal computer? Did you receive accounts for these orders?
12. **Did the offender threaten you or others close to you?** – What did he say precisely? When did he say what? Where did he say what? On which occasion did he say what? Did you feel seriously threatened? Witnesses?
13. **Do you know the offender?** How and since when? Do you have children together? Did you live together? Does the offender take drugs? Does he excessively consume alcohol? What? How much? How often? Does he have any mental disorders? Does he own a weapon? If so, what does it look like? Is it a live weapon? Does he have a license for this weapon?

14. **Did you keep detailed account of all offences and actions taken by the stalker?**
15. **Do you have pictures of these incidents/stalking actions?**
16. **In which ways did the stalking actions impact your life and health?** Anxiety disorders? Insomnia?
17. **Did you see a doctor?** Who? Do you have a medical certificate? Do you release him from medical confidentiality? (needs to be signed)
18. **Did you see a psychologist/psychiatrist?** Who? Medical certificate? Do you release him from medical confidentiality? (needs to be signed) Did you receive psychological treatment before the stalking actions?
19. **Do you want to press charges?** Describe the incident when lodging the request for prosecution: date, signature
20. **Do you have a preliminary injunction according to the Act on Protection against Violence?** Date of the preliminary injunction? Period of validity? Can we file it? When was the injunction delivered to the offender? Do you have affidavit of delivery? Did you reach (amicable) settlement of the lawsuit after the edict of this injunction? (If so, legally there is no transgression of the injunction.)
21. **Did you at any time contact the offender?** If so, when? How? How often and why?
22. **Have there been any criminal offences of the stalker against you prior to this offence?** When did what happen? Did you press charges then?
23. **At the end of the questioning:** Ask the victim to keep detailed account of all further actions of the stalker (date, exact time, place, description of what happened). Hand over leaflet for protection of victims.

Further actions to be taken

if necessary

1. Note your personal impression of the victim and offender
2. Note knowledge of language of victim and offender? Interpreter necessary?
3. If the person pressing charges has been accompanied by others: file name, address and number.
4. If the person pressing charges had been injured: Take photos of the injuries (regard the quality), secure weapons, objects, etc. used by the offender. If necessary, take FST (field sobriety test), breathalysers, urine samples
5. Inform psychosocial services
6. Note consideration of Stalking-Crisis-Intervention-Team (**Stalking-KIT**)
7. If you as an official have been insulted, consider request of prosecution

Procedure of the

Stalking-KIT

1. Contact: Victim or offender themselves contact the KIT! Police officers can suggest they do so!!

2. Declaration of protection: The KIT has several possibilities to set limits to escalating stalking conflicts at a very early state! Make use of this instrument!

3. Sessions: Sessions with victims and offenders take place separately in locations within their reach. Encounters between victim and offender are generally not intended!

4. The KIT works in a **mixed-gender team:** Sessions with female clients are led by the female

psychologist, sessions with male clients by the male psychologist of the team.

5. Further judicial interventions can be initiated by the KIT, if necessary.

Scope and procedure of sessions and the intervention process

Results of these sessions can be declarations of protection and agreements of behaviour towards each other, as well as possible reactions in case of non-compliance to these agreements. These first results are set out and signed in a written contract or declaration as soon as possible. These documents will be sent to the law enforcement authorities.

If necessary the KIT can transfer clients into ambulant or stationary counselling or treatment. Also social services can be informed, e.g. if children are concerned.

The conflict will only be finally settled by the KIT, when all agreements are being complied to and when the KIT receives confirmation of the law enforcement authorities or other services about the ultimate settlement of the case.

One year after this confirmation the file will be destroyed due to data protection.

Contact: Stalking-KIT (TOA Bremen e. V.),
Auf den Häfen 108, 28203 Bremen

Dipl.-Psych. Frank Winter (Fachl. Leiter)
Tel.: +49-421-79282890 winter@stalking-kit.de

Dipl.-Psych. Lena Stadler
Tel.: +49-421-79282894 stadler@stalking-kit.de



Stalking-KIT

Crisis-Intervention-Team
Stalking and Domestic Violence

Handout for Police Officers, Public Prosecutors and Stalking-Victims in order to secure criminal proceedings

www.stalking-kit.de
www.toa-bremen.de



With financial support from the AGIS programme
European Commission Directorate
General Justice Freedom and Security