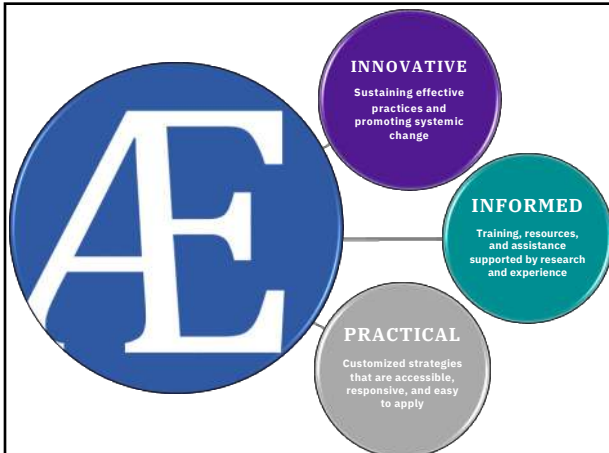




1



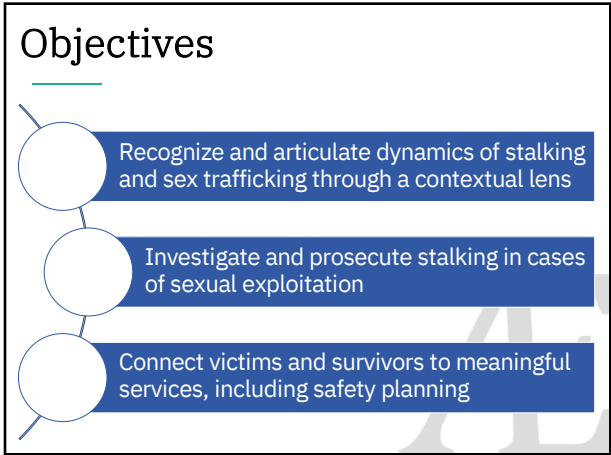
2

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

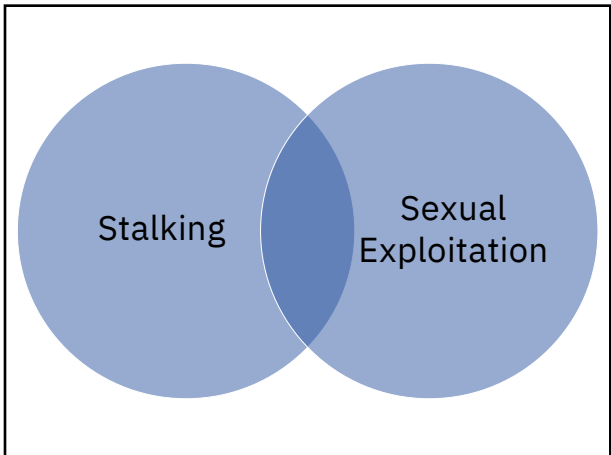
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5



6

Definitions

Stalking

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

Sexual Exploitation

- Sex trafficking
- Intimate-partner sexual assault
- Image-based sexual abuse
 - Unlawful distribution of intimate images
 - Sextortion
 - Doxxing

7

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

8

Stalking Elements

Pattern of Behavior

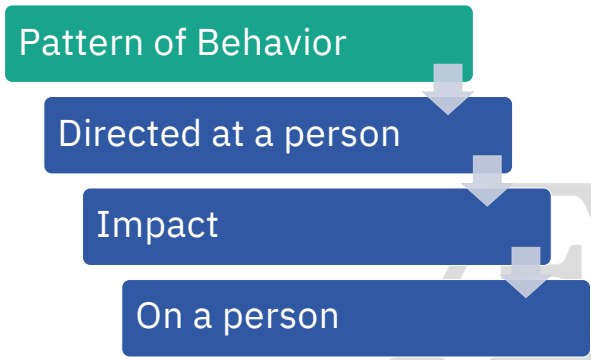
Directed at a person

Impact

On a person

9

Stalking Elements



10

Pattern of Behavior

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

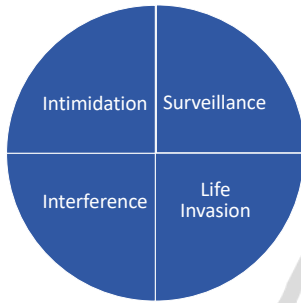
11

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

12

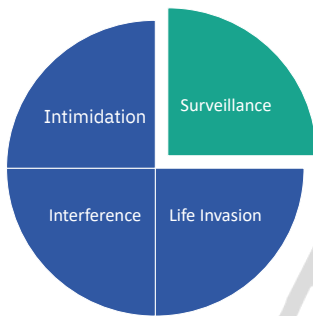
SLII Framework



13

SLII Framework

Surveillance

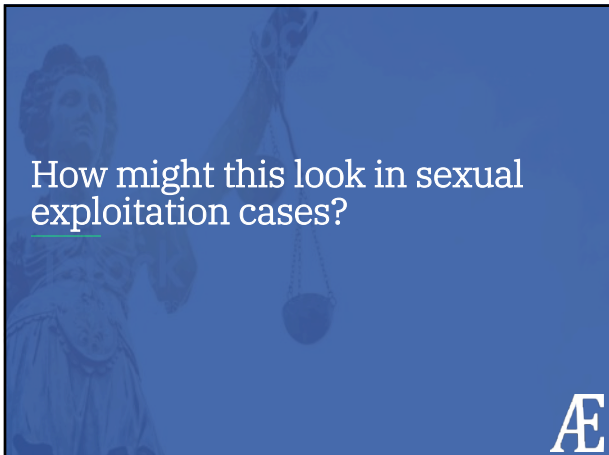


14

Surveillance

- Follow
- Watch
- Wait
- Show up
- Tracking software
- Obtain information about victim
- Proxy stalking

15



16

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

17

SLII Framework

Life Invasion

The diagram shows a circle divided into four quadrants. The top-left quadrant is labeled "Intimidation", the top-right "Surveillance", and the bottom-left "Interference". The bottom-right quadrant is labeled "Life Invasion" and is highlighted in a darker green color. A large, faint "AE" logo is visible in the background.

18

Life Invasion

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

19

How might this look in sexual exploitation cases?

20

Stalking & Sexual Exploitation

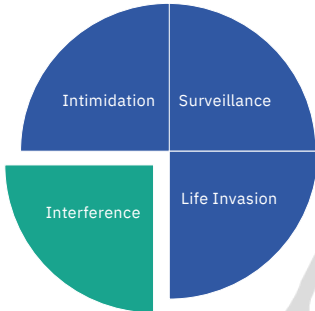
Life Invasion

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

21

SLII Framework

Interference



22

Interference

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

23

How might this look in sexual exploitation cases?



24

Stalking & Sexual Exploitation

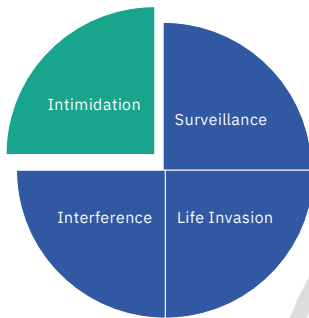
Interference

- 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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SLII Framework

Intimidation



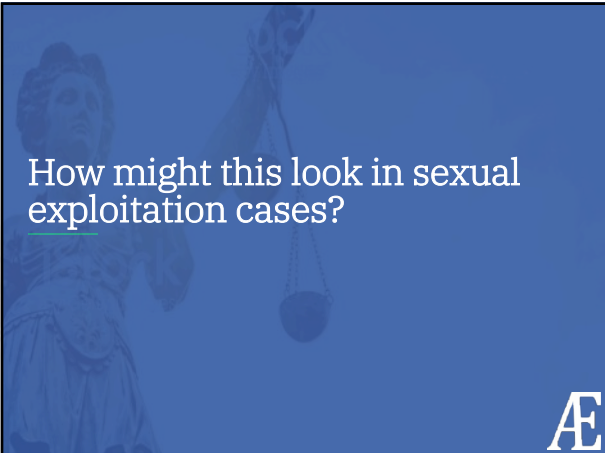
26

Intimidation

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

27

How might this look in sexual exploitation cases?




AE

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Stalking & Sexual Exploitation

Intimidation

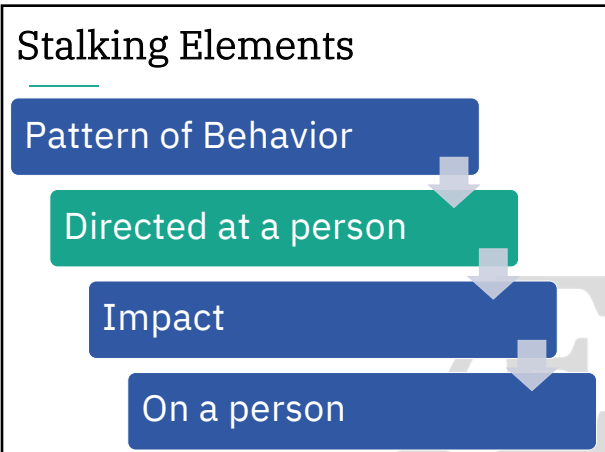
- Commit acts of violence against others
- Threaten the victim and others with with sexual or physical violence
- Threaten arrest or deportation
- Threaten to involve child welfare
- Display weapons
- Misuse of culture and religion



AE

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Stalking Elements



```
graph TD; A[Pattern of Behavior] --> B[Directed at a person]; B --> C[Impact]; C --> D[On a person]
```

Pattern of Behavior

Directed at a person

Impact

On a person

30

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)

31

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



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Stalking Elements

Pattern of Behavior

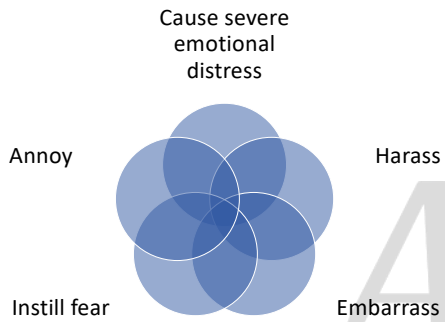
Directed at a person

Impact

On a person

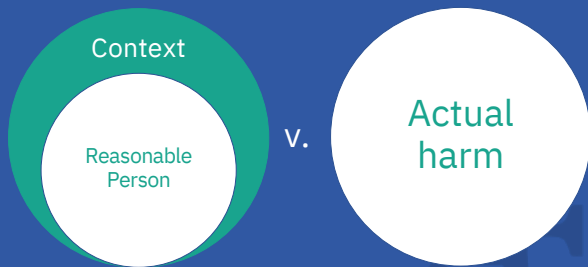
33

Required Impact



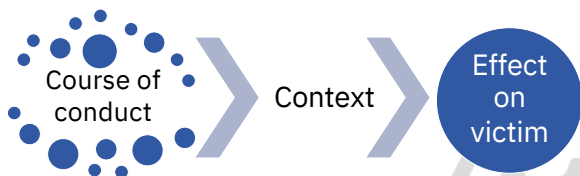
34

“Reasonable Person” Standard

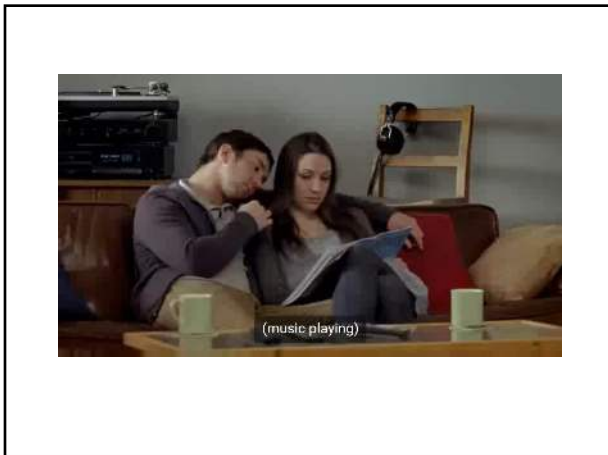


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Context is Critical



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Evidence of Impact

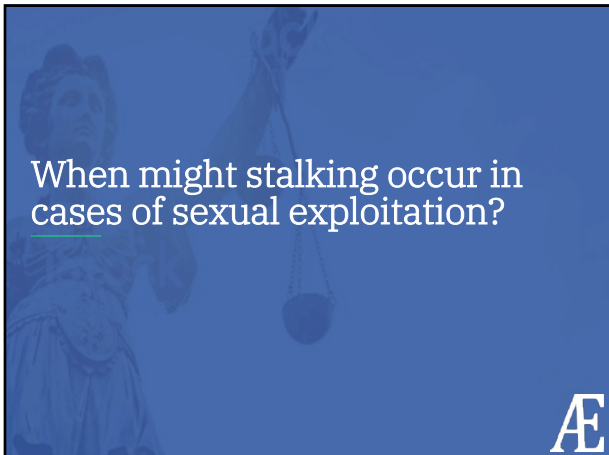
Documentation

- Victim statements of fear
- Witness statements about victim's demeanor, statements, and changes in behavior
- Evidence of any accommodations that the victim made
- Records from work or school

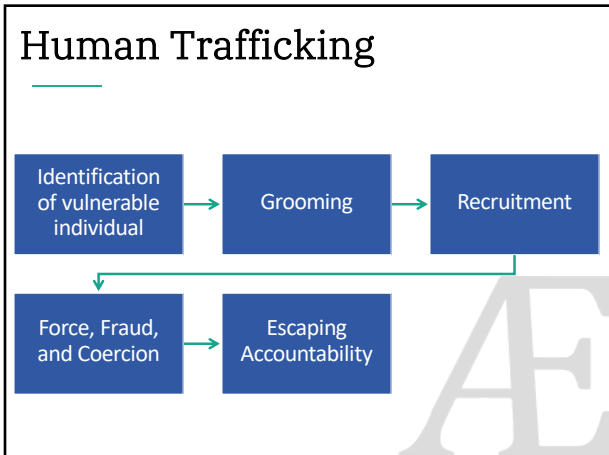
38

STALKING INCIDENT AND BEHAVIOR LOG						
Date	Time	Description of Incident	Location of Incident (physical location, recording, video, online platform)	Witnesses Present (names, address and phone number)	Evidence Attached? (photos, video, screenshots, texts, etc.)	Report Made to (name of agency, badge or identification #)

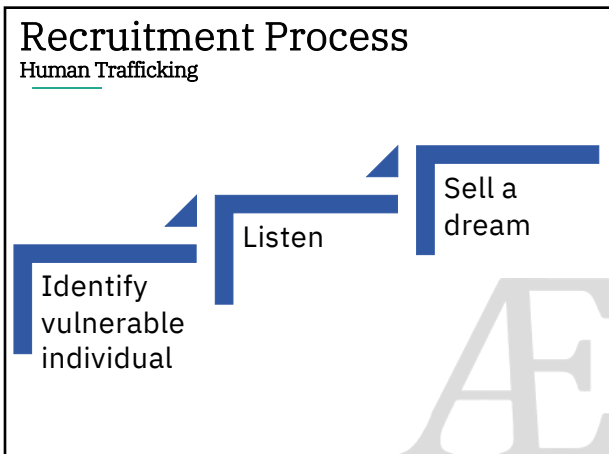
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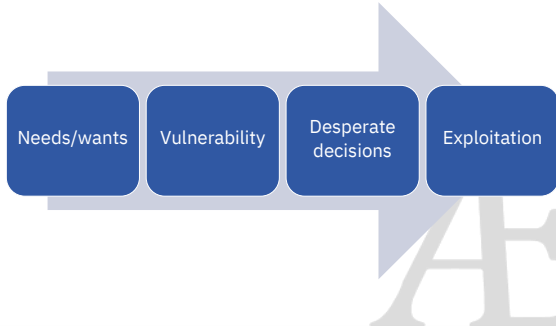


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Path to Exploitation



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Used with permission from Polaris Project. Adapted from the Domestic Abuse Intervention Project's Duluth Model Power and Control Wheel.

44

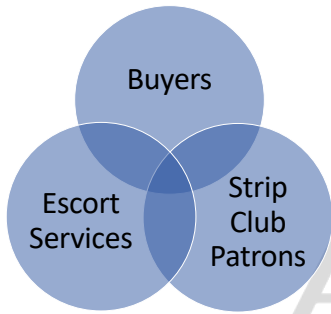
Power & Control

Force, Fraud, and Coercion

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

45

Stalking by Other Actors



46

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



47

“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 Englebrecht, *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>

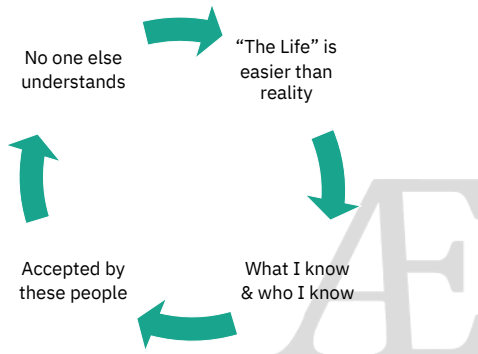
48

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



49

The Known: "The Life"



50

Experience with Law Enforcement

Survivors of Sexual Exploitation

De-humanization

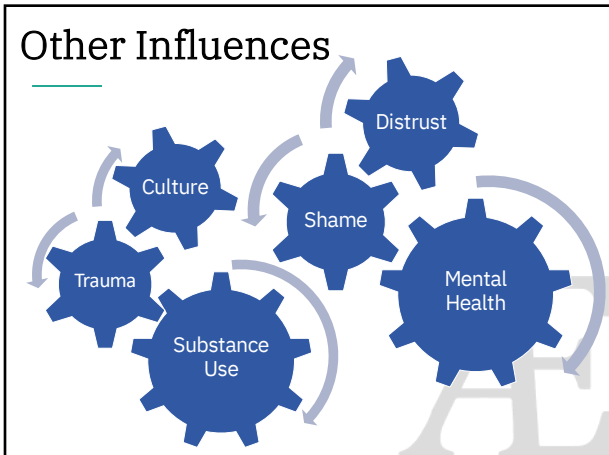
- Disrespectful terminology, behavior, and treatment

Sexual abuse

Criminalization for actions related to their trafficking experience (*i.e.*, prostitution, drugs)

Systemic distrust of law enforcement

51



52

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





The slide has a solid blue background. On the left side, there is a faint, light-colored image of a person, possibly a woman, and a scale of justice. In the bottom right corner, there is a white logo consisting of the letters 'A' and 'E' intertwined.

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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

55

Survivor-Centered Approach



56



Narrative Report &
Risk Profile

Safety Planning
Suggestions

57

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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🌐 AEquitasResource.org

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Additional Resources

www.justexits.org



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Additional Resources, cont'd

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



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Office Hours

3rd Thursday of Every Month, from 2-4pm Eastern



Discuss the most pressing issues facing prosecutors and allied professionals today



Serve as a resource, and provide you with relevant resources



Connect you with other practitioners in the field to help foster peer relationships

Register here:
<https://aequitasresource.org/trainings/>

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