Developing a Model Approach to Confronting the Problem of Stalking: Establishing a Threat Management Unit

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Introduction

California Penal Code § 646.9 was adopted in 1990 and was the first law in the United States to provide criminal penalties for stalking. The key elements of the anti-stalking model, California statute and law, are

- A course of conduct involving harassing or threatening behavior
- A credible threat, implicit or explicit, against the victim or the victim’s family with apparent ability to carry out the threat
- Intent to place victim in fear for his or her own safety or that of immediate family
- Actual substantial emotional distress by the victim from the reasonable fear created by the course of conduct and threat

Simple stalking as defined above constitutes what in state practice is called a “wobbler” offense. That is, stalking may be treated at the discretion of the district attorney as either a felony or a 1-year misdemeanor. Stalking in violation of a court restraining order is always a felony, with a maximum sentence of up to 4 years.

Because stalking laws are so new in California and elsewhere, only a small number of police departments have established special units to respond to stalking complaints. The first such unit is that established by the Los Angeles Police Department (LAPD).

LAPD Threat Management Unit

The LAPD Threat Management Unit (TMU) was the first (and until recently, the only) police unit to specialize in handling stalking cases. The TMU was set up in 1990 as a result of meetings between the LAPD and entertainment industry representatives to discuss what to do after the famous Rebecca Schaeffer murder case involving a stalker. These meetings resulted in a commitment by the LAPD to establish a dedicated unit for responding to threats involving strangers. This was a new approach to an old problem of how to handle cases involving obsessive behavior that may contain elements of harassment or threatening behavior, often without, however, any present injury. As the LAPD notes:

Unless a specific crime had been committed, police agencies have historically remained uninvolved in such cases, leaving the victim to deal with his/her problem. However, by the time such cases escalate, some victims have experienced tragic consequences before police intervention could be initiated (Threat Management Unit Guidelines, February 1999).
This brief quote includes two key elements of stalking cases: their continuing nature, which will typically continue into the future, and the role of the special stalking unit for homicide prevention.

**Overview of TMU Responsibilities**

To fill the void in police services that stalking complaints historically found, the TMU today is responsible for investigating serious threat cases in the city. This includes cases involving:

- Stalking
- Terroristic threats
- Public officials
- Workplace violence involving city workers

Other duties include training divisional detectives and other law enforcement personnel. The TMU supervisor spends approximately 10 hours each month providing training. This includes training for LAPD detectives, Peace Officer Standards and Training (POST), and training for other organizations, including the California District Attorneys Association. The TMU has trained the mayor's and other elected officials' staff about how to assess threats in letters, and it works with the city's threat assessment team on employee violence cases not accepted by the TMU. The TMU has also contributed to the city a workplace violence prevention policy and a workplace violence prevention protocol for police department employees.

TMU case investigations all involve similar tasks and problems. The most significant of these is threat assessment. It was this factor that led the unit to take over the elected official threat cases from the Criminal Conspiracy Section. The reason for this change in unit responsibility is that assassins rarely make explicit threats; specialized expertise is needed to assess the level of danger or seriousness of any implied threats. Other commonalities among TMU cases are the need to conduct surveillance (for some cases) and the need to take a proactive approach to prevent crime, in addition to reacting to crimes already committed. A final commonality is the use of community resources in investigations, to both prevent and investigate threats and other crimes.

**TMU Staffing and Caseload**

The TMU is composed of eight detectives and one supervisor, a significant expansion from the original three detectives and one supervisor. The TMU detectives range in rank from Detective II (equal to sergeant) to detective trainee. Most have a minimum of 10 years of law enforcement experience; and the TMU supervisor (rank of Detective III) has 24 years of law enforcement experience and has been with the TMU since 1992.
Most cases accepted by the TMU involve stalking. While workplace violence cases are increasing, they are still relatively rare (16 cases in 5 years). About 30% of the TMU’s stalking cases come from the entertainment industry.

Each unit detective typically has 10 to 15 active cases. In the course of 1 year, the unit investigates about 200 cases. Of these, approximately 70% involve citizen complaints, the majority of which are related to domestic violence.

Case Referral and Acceptance

Cases are referred to the TMU from the Major Assault Crimes (MAC) units, patrol officers, the District Attorney, the City Attorney, the public (including victim service agencies), and the movie studios or other entertainment industry organizations. The TMU’s officer-in-charge also reviews all police crime complaints involving stalking or terroristic threats to identify other cases for possible TMU involvement. Occasionally, the TMU also handles cases referred by the commanding officer of the Detective Services Group; this can occur where high-profile cases are brought to the attention of the commander (whether or not they fit the TMU’s criteria for case acceptance).

Accepting Cases of Stalking and Credible Threat against Persons

Cases accepted by the TMU are those requiring the extra investigative and specialized resources available to the unit. For example, the stalking cases handled by the TMU are “long-term abnormal threat and harassment cases.” The unit also accepts cases that have not yet reached the threshold of criminal behavior (e.g., “credible threat” or victim fear may be lacking). Although the harassing behavior in these cases may threaten to escalate into criminal stalking, a proactive response by the TMU detectives at this point may forestall more serious behavior and result in case termination without further formal action such as arrest.

The Case Management Process

When a case is received by the TMU, a case intake form is filled out. This is used to record such information as:

- Victim information (name, age, DOB, telephone numbers)
- Case information (crime location(s), detective name, date referred to TMU)
- Suspect information (name, address, description, etc.)
- Restraining order information (order number, termination date)
- DMV and related vehicle information
- Type of police report (crime, arrest, property)
The intake form is entered into an Access database, permitting cross-checks (e.g., prior stalking cases), case monitoring, and statistical summaries. Once the intake form is completed, the detective assigned to the case interviews the victim by telephone. A decision is then tentatively made by the detective to accept the case pending an in-person interview with the victim to assess victim credibility and willingness to cooperate. The final decision whether to accept the case or not is made by the TMU unit supervisor.

Regardless of whether or not the case is accepted, TMU detectives provide victims with safety information. This may include suggestions about varying their schedules, changing phone numbers, monitoring incoming phone calls, and informing others so they can also take precautions. Victims whose cases are accepted are also told to keep daily logs of all stalking-related incidents to build a paper trail to prove stalking occurred.

From case referral to case termination, stalking cases are handled by the TMU detectives on a vertical basis. The only exception to this rule is when a detective is out sick or on vacation; then another detective will temporarily step in to handle the case.

**Accepting a Threat Management Case**

Once a case is accepted, the detective assigned to the case will investigate and call the complainant every 7 days. If a case is designated inactive, detective calls will be made every 30 days. Similarly, if a case involves pre-stalking behavior (designated PEST cases, does not reach the level of serious threatening behavior), the assigned detective monitors the case by contacting the victim every 30 days. Another group of cases is considered “information only.” These are cases that are outside the LAPD’s jurisdiction or do not fit unit criteria for handling.

When a case is closed, the detective sends a letter telling the victim to contact the detective at once if the stalking reoccurs. Cases are closed through arrest, mental health intervention, self-resolved (suspect stops the stalking activity), or where the victim is uncooperative, making it impossible to prosecute or to increase victim safety.

In all cases where the stalker’s identity is known, the TMU detective checks the suspect’s criminal record, looks for warrants and warrants, and reviews the Automated Firearms System for information about gun ownership. The detective will also review the Mental Evaluation Unit (MEU) files and ask for a hand search of the files in appropriate cases. A copy of the suspect’s driver’s license, booking, or other ID photo will also be ordered. If at all possible, the detectives will also contact the stalking suspect in person. In misdemeanor stalking cases, they may send the stalker a letter asking him to contact the detective, or may directly contact the stalker through phone or personal interview.
The TMU detectives may also encourage the victim to obtain a court protective order against the stalker or inform the victim's employer that they may also seek a protection order against work-site stalking incidents. Where an order is obtained, the detective will personally serve the court order on the suspect.

If an emergency arises, victims are told to call 911 and inform the operator that this is a TMU case. Police “first responders” have been instructed to contact the TMU detective via beeper, if necessary. The detective then informs the unit supervisor; however, very few emergencies actually require off-duty detectives to report in. In appropriate cases, detectives may act to divert suspects to a mental health agency for competency and dangerousness assessments.

Each stalking case is placed in a separate “stalking book.” The stalking book is kept by the detective assigned to that case until the case is completed, whereupon the stalking book is placed in the TMU files. The stalking book contains a chronological record of all case activities and all paperwork associated with the case, including crime reports, evidence/property reports, follow-up and progress reports, detective notes, crime scene photos, newspaper clippings, and prosecution materials (see Appendix at the end of this book).

Threat Assessment and Case Management Training

One purpose of a specialized unit such as the TMU is to develop expertise among unit members in dealing with the crime of stalking and other threat crimes. This requires that the unit officers stay with the unit for a relatively extended period of time sufficient to both develop and use their expertise. Fortunately, staff turnover is not a major managerial concern with the TMU, since several of the detectives have been assigned to the unit for an extended period. However, the department does have a policy of rotating younger officers, several of whom may have to move to another unit to receive promotions.

A more serious problem is managing overtime. Managers are rated on how well they control overtime use. As a result, whenever special demands such as surveillance can be scheduled, officers will change their shift hours to minimize overtime. There is no LAPD policy against the use of flextime where the activity is scheduled (e.g., victim interview can only be done in the evening). Overtime is permitted, however, for emergency field work, such as looking for a dangerous suspect or completing the paperwork associated with an arrest. Long interviews that run over the scheduled work day may also be an authorized overtime activity. As a result, detectives may telecommute in order to complete the necessary paperwork. To ensure timely handling of case referrals, the first detective arrives at the TMU offices at 7 A.M. The day ends at 5 P.M.

Detectives are partnered to ensure officer safety. Thus, whenever a detective is sent on a field assignment (e.g., serve protective order, surveillance),
he or she will be accompanied by a partner. This partnering is especially important when interviewing suspects because of their potential for unstable behavior. Partnering detectives also allows for consistency in case handling when a detective is not on duty because of sick leave, vacation, etc.

**Celebrity Stalking Cases**

Special managerial approaches are needed in Los Angeles to deal with celebrity stalking. Each detective in the TMU is responsible for liaison with three or four different movie-television studios. Liaison with shelter advocates is also needed to ensure that victims receive needed services.

Training new detectives assigned to the TMU is done through on-the-job training by assigning the new detective to team with an experienced detective. This is done for a period of 6 months to 1 year. At least twice a year, the TMU has “training days” when outsiders come in to talk to unit members. Typically this would include one academic and one tactical training day. The unit members are all receiving training on the use of the Internet in stalking crimes; this is being provided by SEARCH and a state DOJ course on Internet crime. TMU staff also attend meetings of the Association of Threat Assessment Professionals (ATAP).

**Other Units Established to Handle Stalking Cases**

**Major Assault Crimes**

MAC units are located in each of the LAPD's 18 geographical divisions. Among the duties of detectives assigned to MAC units are investigation of less serious or aggravated stalking cases and domestic violence assaults. But even simple stalking cases that cross division lines are assigned to the TMU.

Detectives newly assigned to MAC units receive training from the TMU; training is scheduled every quarter. Upon request, the TMU may also provide technical assistance to a MAC detective handling a stalking case.

A grant application has been submitted to the state to have two members of MAC in each division responsible for identifying stalking cases before they escalate. These detectives would try to use shelters for this purpose. The TMU will train shelter staff for this.

**SMART Teams**

The LAPD's System-Wide Mental Assessment Response Team (SMART) pairs a mental health professional and a law enforcement officer to conduct field assessments of suspects who display symptoms of psychiatric disorders. When officers respond to a call where the suspect may be mentally disordered,
the officer can call the MEU to assist. The unit will dispatch a SMART team, relieving the officers and allowing them to respond to new calls for assistance. The SMART team will then determine whether the individual should be released, arrested, or be involuntarily sent to a 72-hour holding facility for assessment and treatment. The TMU detectives consider SMART to be a very important resource.

School Threat Assessment Teams

A recent LAPD and TMU initiative is the establishment of a partnership between the department and L.A. Unified Schools to create threat assessment teams in the schools that use the assessment techniques pioneered by the TMU. The plan is for each school to establish an assessment team comprised of a school official, a law enforcement officer, a mental health professional, and legal counsel. The purpose of the teams will be to identify and resolve bona fide threats of violence in the schools. The TMU will be responsible for providing technical expertise and training. As of this writing, the school threat assessment teams are being formulated. TMU and other training will be implemented in the near future.

Threat Management Unit Cases

To illustrate the investigative and legal issues facing TMU detectives, this section provides summaries of five cases handled by the TMU within the past few years.

Stalking Case Example One

The TMU took over the investigation of a residential burglary/stalking case originally handled by the LAPD’s North Hollywood Division. The first incident in the case was a burglary of the victim’s residence. The burglar bypassed several items of value in favor of taking undergarments from the victim’s clothes hamper. Immediately following the burglary, the victim began receiving obscene telephone calls late at night. The caller graphically described his intent to return and rape the victim. Using phone trap records, the TMU detectives and officers from the North Hollywood Special Problem Unit staked out a pay phone identified by the phone trap. This surveillance led to the identification and arrest of a parolee with prior convictions for rape and residential burglary. The suspect was literally caught in the act of placing a call to the victim from the nearby pay phone. A subsequent search of the suspect’s apartment resulted in the recovery of several items belonging to the victim.
The District Attorney’s office filed charges of felony burglary, stalking, and receiving stolen property. At trial, the suspect was convicted on all counts. He was sentenced to a term of 60 years to life.

**Stalking Case Example Two**

In January 1995, TMU detectives were directly contacted by the father of a female victim, requesting their help in handling an aggravated stalking situation. The victim and the female suspect had maintained a love relationship off and on for 4 years. During that time, the suspect became increasingly violent, leading to their subsequent breakup. After the separation, the victim began to receive numerous hang-up and threatening phone calls. These calls then began to include threats to the victim’s immediate family.

The victim’s father was also the recipient of unordered magazines and advertising material from companies such as the Franklin Mint. The suspect also got herself arrested to be with the victim while the victim was in jail facing a forgery charge. After accepting the case, the TMU detectives instructed the victim on what she should do to help gather evidence of stalking (e.g., keep a log). With the evidence obtained from the victim, the TMU detectives obtained an arrest warrant for stalking against the suspect. The suspect subsequently pled guilty to stalking and was placed on probation. Upon release from jail, the suspect again began to terrorize the victim and her family. The suspect was immediately re-arrested by the TMU for violating probation. Probation was revoked by the court and a 1-year prison sentence was imposed.

**Stalking Case Example Three**

In November 1994, the TMU was assigned a case involving the stalking of the director of a then-popular television series. The victim was mailed death threats using cutout letters (e.g., “you will die”), mutilated dolls (cocktail swords stuck into the crotch of a “Ken doll” with its pants pulled down and red nail polish paint splashed on the doll; Figure 15.1), and envelopes full of feces. A possible suspect who had lived at the victim’s home for a while was identified by the victim, but there was no physical evidence linking him to the crime. The detectives began to work off-duty hours conducting stakeouts of the suspect in an effort to link him with the crimes.

In May 1995, the detectives conducted surveillance of the suspect’s car because he had no known address. This ultimately led to seeing the suspect approach the car carrying a package similar in appearance to those previously received by the victim. The suspect was then arrested while attempting to mail another package of feces to the victim (see Figure 15.2). The suspect
Figure 15.1 Mutilated "Ken" doll sent to a stalking victim; TMU 1994–1995 case.

Figure 15.2 Human feces sent to a stalking victim; TMU 1994–1995 case.

was charged by the L.A. District Attorney's Office with felony stalking and was convicted and sentenced to 2 years in prison.

Stalking Case Example Four

The suspect, a terminated employee of a national television network, was stalking and terrorizing a former co-worker. His behavior became so obsessive that the victim eventually obtained a court order against his behavior. Some-
time thereafter, the victim’s vehicle was burglarized and her identification badge taken. A few days later, the suspect’s psychiatrist notified the TMU and the police mental health unit that the suspect had reported thoughts of kidnapping and killing the victim, then killing himself. A check of the automated firearms system showed that the suspect had eight firearms registered to him.

Based on this information, the TMU obtained a search warrant for his residence to look for firearms. The suspect was then civilly detained as a mental health risk under § 5150 of the state Welfare and Institutions Code (a.k.a. WIC Codes) and the search warrant was executed. During the search, the TMU recovered 16 weapons and numerous rounds of ammunition. The victim’s identification badge, taken in the burglary of her car, was also found. Additional evidence was found that linked the defendant to child pornography. The District Attorney’s office filed charges of stalking, burglary, and receiving stolen property. The suspect pled to the burglary charge and was sentenced to 2 years in prison.

Stalking Case Example Five

The TMU was contacted by a male model who reported that he was a victim of stalking by a former companion, a physician specializing in infectious diseases. The victim and the suspect had known each other for 18 months. When the suspect told the victim that his intentions were of a romantic nature, the victim did not want to become so involved. A friendship relationship continued for another year before the victim decided to end their relationship completely because of the suspect’s attempts at possessiveness. The suspect began to harass the victim, placing numerous phone calls to the victim and threatening him with great bodily injury. The suspect then began to walk around the victim’s neighborhood in disguise, enabling him to monitor the victim’s activities and visitors. At one point the suspect, dressed as a woman, assaulted the victim outside his home.

A restraining order was obtained to prohibit this harassment, but the suspect continued to show up at locations that the victim frequented, sometimes traveling three times in one evening to different locations. The suspect also left cards and mementos at the victim’s residence. After entering the case, the TMU detectives arrested the suspect in front of the victim’s residence for stalking. At the time of the arrest, the suspect possessed binoculars and a flashlight, which he explained he needed to help him find a wallet he lost earlier that evening.

The L.A. District Attorney’s Office eventually charged the suspect with stalking and making terroristic threats against the victim. After release from jail on bail, the suspect continued to violate the restraining orders of the court. The victim filed three additional crime reports alleging order violations, and
ing methods for responding to these crimes that can have devastating con-
sequences for the victims unless promptly and effectively responded to by the
justice system.
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About the Contributing Author

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Detective Gregory S. Boles is a 25-year veteran of the Los Angeles Police Department. He was assigned as the assistant officer-in-charge of the department’s Threat Management Unit (TMU). The TMU is the first law enforcement unit of its kind in the nation. TMU has responsibility for the investigation of long-term abnormal threat and/or harassment cases throughout the city of Los Angeles. In addition, the TMU is responsible for investigating threats made to the city’s officials and high-level workplace violence cases involving city entities.

Detective Boles has supervised hundreds of stalking and threat investigations. He has appeared on Good Morning America and other network television programs in order to educate the public of the phenomenon of stalking. Detective Boles routinely provides instruction regarding threat management to personnel of the LAPD and other law enforcement agencies, in addition to private industry. He served as a consultant to the California Commission on Peace Officer Standards and Training (POST) for development of the state peace officers’ curriculum on stalking.

Detective Boles retired from the LAPD in September 2000. He is now Director of Global Threat Management Services, Western Division, Kroll Associates, and Kroll Worldwide. Kroll Associates is an international security firm. Kroll’s main office is located in Los Angeles, California.
the suspect was again arrested in front of the victim’s residence. The original complaint was amended to include an additional count of stalking, and a bail revocation hearing was held at which a new bail was set at $500,000. Unable to make bail, the suspect remained in custody until trial. He was found guilty of stalking, but acquitted of terrorist threats. The court sentenced him to a term of 3 years in prison.

Conclusion

In many ways, the TMU is still a work in progress. The unit was established when stalking offenses were still not a criminal offense under the state Penal Code. Its original focus on stranger threats has expanded to include domestic violence stalking, workplace violence, and threats against government officials. It continues to receive ad hoc assignments to investigate criminal cases involving high profile victims that must be balanced against the need to protect many other citizens from serious threats. Most significantly, the TMU now has a parallel unit in the District Attorney’s Office, whose existence may be expected to have an impact upon how the TMU operates.

At the same time that it is evolving, the unit operates within a professional structure. It has investigative and managerial protocols that govern the detectives’ activities, while giving them flexibility to deal with a specialized and limited caseload.

It is also clear that TMU responsibilities go beyond simple case investigations. Because stalking crimes in Los Angeles far exceed the number of cases that the TMU can handle, the unit acts as a resource and model for other LAPD detective units. It is also a training resource both for the LAPD and for other criminal justice personnel around the state.

Most recently, the responsibilities of the unit were again expanded to include training for school threat teams. Because of other demands, the TMU does not, however, undertake many community education or public speaking events to foster increased victim awareness of stalking or encourage service agency referrals (as the L.A. District Attorney’s Office does).

The “bottom line” is that just as stalking is itself a unique crime, so, too, the TMU is a unique unit within the LAPD. As the department, the TMU, and indeed the entire justice system learn more about stalking and stalkers, the more its responsibilities and its operating procedures will change.

The key point is that the TMU has been and continues to be a leader in responding to stalking crimes on a daily basis, while at the same time improving methods for responding to these crimes that can have devastating consequences for the victims unless promptly and effectively responded to by the justice system.
Introduction

Stalking is not just a criminal justice problem, nor is it solely a mental health problem. To effectively deal with the stalking situation, I believe a multidisciplinary approach is necessary. Law enforcement officers, prosecutors, mental health professionals, and victim advocates need to work together as a team to achieve two primary goals:

1. Keeping the victim safe
2. Intervening and possibly stopping the stalking behavior

This chapter addresses law enforcement’s role on the team. The author hopes that the following information will be helpful to officers and investigators who are charged with the responsibility of investigating a stalking situation. This author also hopes it will provide some insight to mental health professionals and victim advocates who also may deal with a stalker and/or the victim. As we learn about each other’s process, techniques, and “job-specific” language, we increase our effectiveness as a team.

This chapter should serve as a guideline to the investigation of stalking situations. Each case should be evaluated individually. Not all cases will rise to the level of criminal prosecution or other traditional law enforcement intervention. But that does not mean we sit idly by. We may be able to develop case management strategies that move us closer toward our goals. I have included an interesting case we handled a few years ago in San Diego as an example to illustrate certain areas. As you will read, it was an exceptional case as it sped to its conclusion. But it started as many stalking cases do — somewhat benign in appearance, a low-grade misdemeanor case.

Stalking Cases and Law Enforcement

Law enforcement officers should reflect on the numerous times that they have responded to similar calls for service. The typical domestic relationship
Stalking the Stalker: Law Enforcement Investigation and Intervention

WAYNE MAXEY

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- Sending cards and letters
- Sending harassing/annoying e-mails to victim
- Hang-up phone calls
- Leaving gifts for the victim
- Researching personal information about the victim
- Following the victim, or showing up at places the victim frequents
- Taking photographs of the victim
- Posting information about, or photos of, the victim on the Internet
- Sending in requests for the victim to receive magazine subscriptions and other products (i.e., Franklin Mint offerings, book clubs, record/CD clubs, etc.)

Responding officers should keep in mind that anytime there are harassing behaviors, there is a chance a stalking situation may be developing. Recognizing that some of the above-listed acts may not be crimes, officers should still try to document the incident in some fashion (such as a miscellaneous report, or by instructing the victim to write down and preserve for diary purposes the date/time/location, the officer’s name, badge number, and call incident number). This may be the starting point of documenting a stalking situation.

Officers that respond to crimes should also document by filing crime reports or by other agency-approved methods. Some of the common crimes reported by stalking victims include:

- Vandalism of victim’s property (especially to the victim’s car)
- Threatening/harassing phone calls
- Threatening/harassing e-mail messages
- Violation of restraining or protection orders
- Burglary of victim’s home
- Theft of victim’s property (including pets)
- Wiretapping or eavesdropping
- Physical assaults of the victim (including sexual assault)

Once the first responder recognizes that a stalking situation is starting, the following should be considered in conducting the preliminary investigation:

- What other activities/incidents have occurred?
- Were law enforcement reports filed?
- If reports were filed, determine the reporting agency and obtain case numbers.
- What is the length of time the suspect has been directing activities toward the victim?
gone awry, the two parties are feeling rejection and expressing anger. In some cases one or both of the involved parties will develop a quest for revenge. My hope is that in the future, officers and investigators will look at these situations closer and ask, “what else is going on here?” And “what else can we do before things get violent?”

Law enforcement intervention usually begins when the victim calls to report an incident. The first responders (patrol officers or sheriff deputies) arrive to evaluate the situation, basically with two questions in mind:

1. Has a crime been committed?
2. Do I need to write a crime report and/or make an arrest?

Unfortunately, in many stalking situations, there are activities that do not qualify as crimes (i.e., leaving unwanted gifts, notes, cards, or letters for the victim).

The first responder may decide that there is no crime and, therefore, no need for further law enforcement intervention. Stalking cases can be very complex. If officers are not trained to recognize and further investigate these cases, they miss the opportunity to intervene in a potentially dangerous (and sometimes deadly) situation. Also, an officer’s response (or lack thereof) may reinforce to the victim that there is nothing that can be done by law enforcement. In the future, the victim may be less inclined to report incidents.

In the best-case scenario, a first responder DOES recognize the situation as a potential stalking case. This chapter will address issues for the first responder and some ideas on conducting follow-up investigations, including assessing the stalker, gathering evidence and corroboration, victim management, and case management/intervention strategies.

The First Responder

Through this chapter, the first responder will be introduced to some of the complexities of stalking cases. Suggested guidelines for conducting the preliminary investigation are provided. Additionally, I urge officers to learn the applicable law(s) pertaining to stalking in their jurisdiction.

Routinely, officers and deputies are dispatched to calls for service. In addition to gathering information on the event that precipitated the call, the author suggests that the officer also ask, What else is happening?

Stalking cases involve patterns of conduct or behavior. It is common that there will be a series of activities that have been directed toward the victim, and the victim’s family, friends, and co-workers. A short list of the frequent harassing behaviors associated with stalking follows:
Follow-Up Investigations

In some jurisdictions the first responder may also conduct the follow-up investigation. Therefore, the following areas should be of interest to patrol officers and deputies, as well as investigators. A thorough, well-planned investigation should be conducted with the following areas to be considered:

- Assessing the stalker
- Victim issues/management
- Evidence and corroboration
- Case management/intervention decisions

Assessing the Stalker and Stalker Behaviors

The investigator (and the first responder) should learn as much as possible about the stalker. In addition to identifying information (name, date of birth, address, phone number, physical and vehicle descriptions, etc.), the following information should be considered:

- Prior threats/violence with current victim and/or any prior victims
- Prior stalking behaviors
- Criminal history (Note: an absence of a criminal history does not necessarily indicate that the suspect will not act out violently)
- Mental disorder or mental illness history
- Drug/alcohol abuse
- Weapons possession/use/access to/familiarity/or fascination with
- Has the suspect threatened/attempted suicide?
- Presence or absence of inhibitors (inhibitors are factors that may prevent the suspect from acting out violently, i.e., family, friends, job, health, reputation, etc.)
- Proximity to significant dates, such as anniversaries, holidays, birthdays, etc.
- Stalkers often acting out on significant dates or in response to certain events, such as the service of a restraining order, family court hearings, disciplinary actions taken at work, etc.

These factors can provide the framework for a more detailed assessment of the stalker. A thorough threat assessment process can be conducted by the multi-disciplinary team — the law enforcement officer, prosecutor, mental health professional, and victim advocates. Also, keep in mind that the assessment process is ongoing throughout the investigation and management of the case. The stalking situation is dynamic and may change rapidly, calling for re-evaluation of the assessment. The author thinks that law enforcement officers should strive to learn as much as possible about threat assessment
• Who else has the suspect acted out against? (victim’s family, friends, co-workers, other victims)
• Is there a valid restraining/protective order in place?
• Has the suspect violated the order in the past? How? Were reports filed?
• Has the suspect been violent with the victim? How? Were reports filed?
• Has the suspect made threats? What exactly was said?
• Is the victim afraid of the suspect?
• Get specifics. How has the victim reacted to the activities? (Has the victim moved, changed phone numbers, taken self-defense courses, obtained a restraining/protective order, applied to carry concealed weapons, carried pepper spray, etc.) Note: The victim’s state of mind is an important component in proving a stalking case in court proceedings.
• Is there any evidence that can be gathered? (See Evidence and Victim Corroboration section.)
• Who is the suspect? Obtain more than the usual identifying information (see Assessing the Stalker section).
• Document, document, document (remember that your report may be the first to start the paper trail to prove the course of conduct).

Stalking Case Example

The victim and the stalker met at a university and started a dating relationship. After only 3 months the victim tried to break off the relationship because the stalker had become controlling, attempting to isolate the victim from her friends and family. The stalker was moody, with outbursts of anger, and there was at least one incident of domestic violence. The stalker commented to the victim “you don’t want to be my enemy,” and then placed the victim in a chokehold causing minor injury. This incident was not reported to law enforcement. When the victim finally broke off the relationship, she began receiving threatening and harassing phone calls from the stalker. The victim called police and a report of harassing phone calls was made, but no additional follow-up investigation was conducted. A couple of days later, the victim came out of her home to find that the rear windshield of her car had been shattered by a brick, and that all four tires had been flattened. As the victim tearfully viewed the damage, she looked across the street to see a car similar in description to the stalker’s car drive away. That night she received a voice mail from the stalker — “save your tears, I have more planned for you.” The victim called the police to report the incidents.

If you were the first responder on this case what questions would you ask? What information would you write in your report? (Unfortunately, there was no follow-up investigation after the second reported incident, either.)
What didn’t work? Were there any warning signs to indicate that the stalker was getting ready to act out violently? What was the final disposition of the case? Is the suspect on probation or parole? Can we get him back into custody for violating the conditions of probation or parole?

**Victim Issues and Management**

Law enforcement officers frequently respond to events where the victim has tangible, visible injuries such as cuts, bruises, broken bones, and stab and gunshot wounds. In stalking cases, these physical injuries may not be present. For the stalking victim, the injury is the fear of what may happen. This fear can be overwhelming. The responding officer should carefully evaluate the situation, acknowledge the legitimacy of the victim’s fear, and recognize that the stalking behavior may indeed be the precursor of violence.

**Law Enforcement’s Role in Advising the Victim**

What should law enforcement officers advise victims of stalking? First, the author feels it is very important that we let the victim know that we cannot guarantee their safety 24 hours a day/7 days a week. This is the reality in most cases. We do not want the victim to believe that since they have called law enforcement, that everything is going to be okay. The victim must be responsible for his or her own safety.

Most agencies have published brochures on safety tips for victims, or have on staff crime prevention officers that can work with victims on better securing their residences or workplace, and developing general safety plans. These resources should be considered and utilized as part of the victim management plan. The victim advocate on the team can be very helpful in preparing the safety plan.

Because the stalker may pose a serious risk to the victim, officers should be careful about the advice they give. Law enforcement officers should be cognizant of potential civil liability should a victim be subsequently harmed. With that said, there is certain advice that is generally safe to give to victims:

- Stop all contact with the stalker.
- Contact law enforcement to report incidents.
- Keep a diary or log of the activities, e.g., SCID (stalking critical incident diary) etc. The diary should include date, time, location, what occurred, who witnessed the event, name of officer(s) that responded, and incident/report case numbers.

* In the previous case, the defendant was allowed to plead guilty to a lesser offense — battery on a person, a misdemeanor simple assault, and the stalking count was dropped completely. What message did that send to the stalker?
techniques (just add that to the hundreds of other things you have to learn and master).

University of California at San Diego Associate Professor of Psychiatry and clinical researcher J. Reid Meloy, Ph.D., recently published the book, *Violence, Risk and Threat Assessment* (Meloy, 2000). This book is written, as its subtitle states, as a practical guide for mental health and criminal justice professionals.* Additional information on threat assessment by researchers such as Fein et al. (1995), Borum et al. (1999), Davis et al. (1999), Zona et al. (1993, 1996), Monahan (1985), Steadman et al. (1994), and Schlesinger (1978) also provide thorough information on the subject of assessing potential threats of violence in adults and juveniles (also see Chapter 3, this book, by Denise Emer, Ph.D., for more information on juvenile crime and stalking).

What do we do with the information gathered during the assessment process? Later in this chapter we will discuss some case management and intervention decisions.

**Stalking Case Example (continued)**

Remember when we left our case, two incidents had been reported to the police. Also, there was one domestic violence incident that was not reported. In conducting the follow-up investigation, would the details of this unreported incident be important? Of course they would be.

Also, if you were doing the follow-up and spoke with the victim in this case, you would have learned that days following the vandalism to her car, she was also receiving the following message on her pager: “187.” That is the California Penal Code section for murder.

Thus, we do our traditional cop things such as running a criminal records check on our stalker and interviewing the victim and any others that have information about this suspect and the situation. Well, in this case the suspect had been arrested for stalking and assault with a deadly weapon in an adjacent county a couple of years earlier. How does this change the complexion of this case? What do you think the possibility is that the stalker will act out violently toward the victim?

We also contact the previous victim and learn as much about that case as possible. Are the same dynamics present in the instant case as there were in the previous case? Was a restraining order or protective order in place? If so, how did he react to the service of the order? Did he violate the order? How and when? We contact the investigator or officers that dealt with the previous case and try to determine: What worked well in dealing with that case?

* The following literature is very informative on threat assessment: “Threat Assessment: An Approach to Prevent Targeted Violence,” (Fein et al., 1995); “Threat Assessment: Defining an Approach for Evaluating Risk of Targeted Violence,” (Borum et al., 1999). I have also listed other recommended reading in the reference list.
to call the electric company posing as the victim and request that service be cut off.

• Develop a safety plan. The officer, deputy, investigator, or victim advocate can assist in developing these plans. It is better for the victim to be prepared should the stalker locate him or her. “Advance scripting” can be helpful — for example, “if I am driving to work and see the stalker following me, I will get on the cellular phone and dial 911, and drive to the nearest police station which is located at ______.”

**Victim Management**

As previously mentioned, stalking is a long-term pattern of behaviors. And unlike many crimes, the actions (or inaction) of the victim greatly impact whether the situation will de-escalate, stay the same, or escalate. Of course, our goals are to help the victim stay safe and deal with the situation, de-escalate it, and eventually cause the behaviors to stop. Achieving these goals can be challenging. One of the most important services the law enforcement officer can provide is victim management. In addition to recognizing and investigating the stalking case, the law enforcement officer can provide some guidance on how to deal with the situation and educate the victim on the psychodynamics of stalking.

The officer can also provide referrals to support groups or organizations (enter the victim advocate from your team). This is not, however, just giving the victim a brochure and leaving the scene — it has to be an ongoing process. As the stalking ordeal continues, the victim may start to lose resolve and be tempted to allow contact from the stalker. Remember, the stalker can be very convincing and persuasive. If the investigator (or victim advocate) is there to provide some reinforcement and support, we can stay on track toward our goals.

Additionally, establishing rapport with the victim early on provides for open communications. In a lot of cases, the victim knows his or her stalker better than anyone. What greater source of information can we get? Also, through this education process the victim will know how to react (and not react) to the stalker and how to call for help. He or she will be better prepared to report and record incidents and keep any evidence that will help in managing or prosecuting the case. The victim is an important part of the team.

* Advance scripting can be used in various forms. For instance, the victim should script out what he or she will say and do if he or she comes face to face with the stalker. This should prevent what I call the “hominy factor.” That is when the victim runs into the stalker and is frozen in place, unable to move or speak except for repeating, “hominy, hominy, hominy.” This provides the stalker the perfect opening to make a last pitch for reunification (or worse, act out violently on the victim). We suggest that whatever the victim says to the stalker, that it be short, to the point, and be made while the victim is getting distance away from the stalker. The victim should not get involved in a conversation with the stalker, or agree to hear the stalker out, as this may signal that the victim is conflicted and negotiations are again open.
• Save all evidence: notes, letters, cards, gifts, phone messages, e-mail messages.
• Do not have a third party (with the exception of law enforcement) attempt to intervene with the stalker.

Safety Planning Suggestions for the Victim
The victim can also consider the following:

• Obtain a restraining order. Caution: The restraining order may not be appropriate in every case. In fact, it may escalate the situation.
• Change phone number. Another option is to keep the current phone number and have an answering machine screen calls. The stalker may leave messages that could be of evidentiary value. If the victim can carry a cellular phone at all times, immediate contact with law enforcement is possible. One of our local cellular phone companies donated phones for us to issue to victims for this purpose.
• The victim should alter his or her routines. Do not use the same route while going to/from work or other activities. Do not park in the same location at home or work. If the victim continues the same routine day in and day out and the stalker knows that routine (or will learn the routine through surveillance), the stalker will know where and when to strike.
• Advise friends, family, neighbors, and co-workers of the problem. Stalkers can be very manipulative and may use those close to the victim as unwitting accomplices. If those close to the victim are not aware of the situation, they may give up phone numbers, addresses, or other information about the victim.
• Contact the phone company to get a trap installed on the phone so that hang-up or harassing calls can be traced.
• Avoid places/events the stalker knows the victim frequents.

Also, some additional safety suggestions are

• If the victim and the stalker have children in common, and family court orders require visitation, the victim should have a third party make the custody exchange. Again, it is important to AVOID CONTACT. If a third party is not available, arrange for the exchanges to take place at a police station or location where law enforcement can be present to preserve the peace.
• If the victim moves, try to have a roommate or relative put the bills in their name, not that of the victim. Utility, phone, and other service providers should be notified of the problem, and be requested to place a code word on the account for the victim. Stalkers have been known
For suggested language in developing the search warrant, the author has provided a sample in Appendix 16.1.

Officers/investigators serving a search warrant should be alert for the following potential items of evidence:

- Photographs of the victim
- Photographs, diagrams, or drawings of the victim's home or workplace
- Writings, logs, diaries kept by the suspect that describe his/her stalking activities and thoughts/fantasies about the victim or other victims
- Personal items belonging to the victim
- Video or audio cassette tapes that might have information concerning the stalking, such as surveillance footage
- Books describing stalking techniques or having subject matter dealing with stalking, harassment, violence, or police procedures
- Any equipment that appears to have been used to "stalk" the victim, such as cameras, binoculars, video recorders, listening devices, etc.
- Personal computers containing diaries of the stalker, or yielding evidence that the stalker has used the Internet to research information about the victim*

Note: Patrol officers and deputies — this search warrant section is not just for the investigators. If your state statute makes provisions for "after-hours" telephonic search warrants, use them! Even if it is "zero dark-thirty," you were just with the victim, and you saw the fresh results of the stalker's handiwork; the stalker probably will not expect you to hit the door with a search warrant to recover the stuff he took from the victim, or the other great potential evidence.

* The stalker may use the technology to obtain information about the victim, or post photos, home addresses, and phone numbers of the victim on bulletin board systems or Websites. If the suspect has a computer, include it in your search warrant and seize it. There are software programs and hardware available only to law enforcement for the forensic analysis of computers. It is highly recommended that you take an expert in the seizure and analysis of computer evidence with you on the service of the search warrant. The National Cybercrime Training Partnership has published an excellent pocket-size guide to investigating online crime for law enforcement officers. Contact them at www.ncgp.org. Also, the High Tech Crime Consortium or HTCC in Tacoma, Washington directed by Toby M. Finnie is also an excellent source of information on technology and cybercrime. Please contact them for more info at www.hightechcrimecops.org. For additional information on cyberstalking and electronic crimes, please see Chapter 8, this book, by Bonnie D. Lucks, M.A.
Stalking Investigation and Case Management Strategies

Stalking cases are unique in that they are usually not just a “one-time” event. Therefore, the author feels that stalking cases require “managing” and not just “responding to after the fact” as we do in the traditional law enforcement sense. These are truly cases where we can be proactive! There are several areas of managing a stalking case: first, educating and providing support to the victim; second, we are assessing the stalker (which is an ongoing process throughout the case); and third, working as a team with the prosecutor, mental health professionals, victim advocates, and anyone else that is related to this particular case. So, what do we do? We develop intervention strategies.

Every Stalking Case Is Different

Each case is different. If SCAT has a case where all of the elements of the crime are present, and we have the evidence at hand, do we arrest and prosecute? Maybe so, but there may be other factors to consider.

In San Diego, we have managed cases that we felt were better served not to pursue through the traditional prosecution. In a companion chapter of this book, my colleague, Deputy District Attorney Kerry Wells, has detailed such a case. Then there are the cases where prosecution is exactly what the “doctor” ordered. Through prosecution, we get the stalker in custody. Now is a good time to discuss the “hook and book” aspect of case management.

When we are involved in the management of a stalking case and we put the “habeus grabbus” on the suspect, we recommend requesting “high bail.” Check your local jurisdiction and agency policy for guidance, but you should be able to justify to a judge in certain cases that this is a serious situation and that the only way to keep the victim safe is to keep the stalker behind bars. One way of convincing the judge is to articulate that you remain current on research projects and their published results relating to stalking and threat assessment (having read this book and other sources, for example).* If you have a case where factors are present in the assessment of violence risk that lead you to believe that this situation will escalate and the stalker will strike out toward the victim, tell the judge. Also, articulate your experience in investigating similar crimes of stalking, domestic violence, threat assessment and assaults, etc. Your experience counts a great deal in this process.

* One excellent source for training and education is the Association of Threat Assessment Professionals (ATAP). This association hosts an annual training conference each summer in Anaheim, California. The leaders in the field of threat assessment research and case management present the most up-to-date information at this conference. There are also chapters of the association throughout the country. For further information check out their Website at www.atap.cc. Also, the San Diego Stalking Strike Force has some training materials that can be shared with other law enforcement officers and their agencies.
presented with a set of facts that bring the pieces of the puzzle together, a judge is not going to risk having someone injured by a stalker released on bail.

Prosecuting the stalker may allow us to have some control on his/her future behavior, through conditions of probation or parole. Also, most people do not like jail. And having the potential to send them back if they violate probation or parole can be a great deterrent. We often see stalkers with some mental illness or character defect, and by putting them into the criminal justice system the court may order mandatory treatment and medication as condition of probation or parole. This is treatment that they most likely would not seek out on their own.

Covering All the Prosecutorial Bases

If we are going to prosecute the case, we need to make sure that we “cross the t’s” and “dot the i’s.” Nothing can be worse than going forward on a case and having a jury acquit the stalker. This can reinforce to the stalker that what they have been doing is “okay” and that no one, especially the cops (who most people do not want examining their lives and actions), can do anything to them. Again, this is where the victims come into play—the victims must be able to articulate not only what the stalkers were doing, but what impact it had on their lives. Also, the evidence that is gathered in an investigation can help educate and persuade the jury that what the stalker was doing was not only illegal, but also very harmful and very impacting.

Use of Restraining Orders

Case Management Strategies and Potential Caveats

Now we will discuss some other possible interventions besides prosecution. First, and probably the most recognized, is the restraining order or protective order.* Temporary restraining orders (TROs) can be effective boundary-setting devices. The court sets the limits and if the stalker violates them, law enforcement can make an arrest. The author cautions to evaluate the case closely before recommending restraining or protective orders. The TRO may escalate the situation and may trigger a violent response by the stalker. If it is a situation where the victim knows the stalker very well, I ask the victim, “What is (stalker) going to do if you get a TRO?” If the victim replies, “Oh, he’s (she’s) going to kill me when he (she) hears about it,” then maybe now is not the time to get a TRO. If we do decide to get one, we may take steps to make sure the victim is unavailable to the stalker on the day of service, and the day, the day before, and day after the court hearing to finalize the TRO. Remember earlier that we discussed significant dates? The TRO process

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* This is an interesting study on domestic protection orders: “Domestic Protection Orders and the Prediction of Subsequent Criminality and Violence toward Protectees” (Meloy, 1997).
Stalking Case Example (continued)

In the example case the victim decided on her own to move from her apartment. She moved in with her mother and had the lease, utilities, and other information placed in mother’s name. She even switched cars with her mother because the stalker knew what her car looked like. Good things, huh? The only problem was that the stalker also knew where she was attending another university for graduate studies. After approximately 8 weeks of no contact from the stalker, the victim started driving her own car. Unfortunately, the stalker had staked out the campus and followed the victim to her new home.

Evidence and Victim Corroboration

First responders often see the fresh results of the stalker’s activities. Photographs of vandalized property, items left for the victim by the stalker, and other potential evidence should be documented, seized, and impounded. Additionally, this is the ideal time for the officer to educate the victim in evidence preservation. Victims may be so scared or upset with the stalker that they tear up threatening and obscene letters or cards, or erase threatening voice mail messages or delete e-mails. Stalking crime and evidence collection include:

- Letters, cards, and gifts sent to or left for the victim
- Phone answering machine message tapes
- Photos of vandalism or graffiti
- Fingerprints left by the suspect
- Phone records
- E-mails (saved on a disk and a printed copy)

Also, officers and investigators should be aware of items taken from the victim. If the opportunity arises to conduct a search of the suspect’s home, vehicle, and workplace, these items can prove to be of excellent evidentiary value.

As mentioned in the previous section, the education process prepares the victim for future activities, and the victim, in turn, will be better prepared to preserve evidence for the responding officer.

Use of Search Warrants

The use of search warrants should be considered during every stalking investigation. Consult with your prosecutor, and follow your agency’s policy and procedures for writing, obtaining, and the service of search warrants.
him that it is scaring the victim. Then if it continues or escalates to a prosecution, the stalker can’t come into court and say, “Hey, I was just giving a pretty lady flowers, and asking her out.” We have had this method abate the behaviors, but we also have had the conduct continue and we were able to make an arrest and successfully prosecute. But use caution. The stalker may think, “they can’t touch me or they would have arrested me. I must be just on the line.” The stalker then not only walks, but gleefully dances on this line, continuing to harass the victim.

Use of Surveillance Methods

The use of surveillance can prove helpful in some cases. However, it is labor intensive (if you have ever conducted a surveillance, you know that the more team members you have the less likely you will be discovered or lose the stalker). Still, a surveillance can be great for intelligence-gathering on the suspect, and it may present the opportunity to catch the stalker doing his dirty deeds toward the victim. If you are using surveillance as a protective measure, use caution. Inevitably, the team will lose the stalker at some point during the surveillance. If this happens, you better have a plan and way of letting your victim know that you lost the stalker, or some method of providing protection for the victim. Which leads to another problem — if you put a surveillance team on the stalker, or protective detail on the victim, when do you call it off? Surveillances cannot be conducted forever, 24/7. The use of significant dates or events may provide a framework for when and how to most effectively conduct these operations. Also, surveillance may not be appropriate in every case. What if your stalker is paranoid schizophrenic? (Yes, Mr. Stalker, we are following and watching you.) Do you want to risk possibly causing the stalker to act out in a “pre-emptive” strike against your victim because now he has proof that he is being followed?

Stalking Case Example (continued)

When we left off, our stalker had followed our victim from campus to her new residence. I would like to think that if we could have conducted a good follow-up investigation and assessment, we may have discovered that the stalker had this information.

The stalker not only had the new home address, but he also made a couple of approaches to the house and figured a way to make his entry. One early morning, around 2:30 a.m., the victim was asleep in her bed when she was awakened by a loud popping noise. That noise was the stalker hitting her in the mouth with a ball-peen hammer. The victim sat up and screamed, and the stalker struck her again, this time causing a laceration under her right eye. The stalker fled the scene and the local area, but was captured by
can produce those significant dates — tell the victim that this is a time to be especially alert.

**To Use or Not To Use a Restraining Order**

In deciding to recommend a TRO, one factor to consider is how are TROs enforced in your jurisdiction? If we are managing a serious case, we better be ready to react quickly and effectively if the TRO is violated. Another factor is how the suspect reacted to any previous TROs. Did the stalker violate the order? If the stalker violated that one (and believe it or not, we have had stalkers that had numerous TROs in their past), then chances are good he/she will violate this one.

In our cases, we try to be present at the “order to show cause” court hearing on the restraining order. This gives us a good preview of the stalker — does the stalker contest the order? Does the stalker have an attorney appear on the matter? Quite often, the stalker will represent himself. Some stalkers have narcissistic personalities. I have seen them swagger into court dressed in a suit and tie, carrying a briefcase, and hear them answer up, “(stalker’s name) appearing for the defense your honor.” What does the stalker say about the situation? It is my experience that the stalker will present as a reasonable and likable person who just cannot believe the victim has filed for this order.

The stalker usually goes on to assure the judge that he/she wants nothing to do with the victim, will not contact the victim in the future, and that the order is not necessary. *Note:* In the state of California, there are certain restrictions on obtaining and possessing firearms while being restrained under a TRO. This may be some of the motivation for the stalker not wanting the order issued. Consult your jurisdictions for laws concerning this issue. If we know the stalker has firearms, we may be successful in having the judge order the stalker to surrender them for the duration of the TRO. This is another useful intervention technique.

Sometimes, a sharp judge will read between the lines and indicate that he/she will indeed be issuing an order. The fast-thinking stalker will then ask the judge for mutual orders, claiming the victim is actually stalking him and he wants protection, too. Hopefully, the judge will not issue a mutual restraining order, because to do so only reinforces the stalker.

**The “Knock and Talk” Strategy**

Another intervention technique is the “knock and talk.” Law enforcement goes to the stalker to tell him to stop the behavior. Use caution in utilizing this method. In cases of the “naive pursuer” (just someone who doesn’t get the message) it may work well. We have successfully used it when the actions of the stalker are scary to the victim, but do not rise to level of credible threat for prosecution. We tell the stalker not only to stop the behavior, but admonish
Stalking Strike Force. At the time she was the chief of the District Attorney’s Domestic Violence Unit (DVU), and was routinely taking to trial domestic murder cases. In a majority of these cases, there were stalking behaviors present before the murder.

**Stalker Cases Needing More Attention**

Recognizing that our criminal justice system in San Diego County was not recognizing the stalking activity or taking action in these cases, she started a professional group committed to making some changes. Members of the law enforcement agencies in the county (including state and federal agencies), prosecutors from the District Attorney’s Office and the San Diego City Attorney’s Office, mental health professionals, and victim advocates started work to change things.

One feature of our group is that we are not funded by a “big-bucks” federal grant, nor do the participants’ agencies shell out money to support the Strike Force. It is all voluntary, with the agencies involved allowing (and in some cases encouraging) participation by their employees. We started out trying to determine how many stalking cases were being reported in the county. We found dismal figures — by comparing the figures to the numbers of domestic violence incidents in the county, we knew the crime of stalking was being underreported. We started training programs for law enforcement and prosecutors, and the victim advocates developed a handbook for victims and began offering other services.

**Stalking Case Assessment Team (SCAT) Approach**

In 1994, we started SCAT (Stalking Case Assessment Team), again a multi-disciplinary group that meets each month and serves as a forum to present stalking cases and to discuss and brainstorm possible management and intervention strategies. We feel that positive changes have occurred as a result of the Strike Force’s efforts. In addition, along with key SCAT team members, we also developed a training manual for new team members. The manual is also used to train and educate new local police and sheriff department officers in training at the local San Diego Regional Police Officer Training Academy, other local law enforcement personnel, probation staff, and local judges on the crime of stalking, stalking behavior, evidence, victim assistance, and anti-stalking law legislation. An example of the *San Diego Strike Force Training Manual* (Wells, 1999) can be found in the Appendix at the end of this book.

These are just some suggestions for the investigation, management, and intervention portions of stalking cases. Be creative — do not limit yourself to only utilizing the traditional law enforcement tactics.
police a few days later. The assault was reported by the media, and at a press conference arranged by the victim's attorney, the victim stated what we have heard too many times in years past — “what does he have to do, kill me before someone does something?”

But, this is not the end of this story. Usually, in the traditional cases we work, the suspect is arrested, he is in jail awaiting trial — everything is going to be okay, right? Well, in this case

... the stalker approached his cellmate to arrange for a “hit man” to kill the victim. The stalker wanted the victim brutally murdered, and he wanted it done on Valentine’s Day. The stalker provided the cellmate with the address and directions to the victim’s home, as well as her work schedule. We were lucky this time, because the cellmate contacted our unit to report this request. We first relocated our victim and her family, and then started a separate investigation into the solicitation for murder. We hired a make-up artist from a local television production company and had our victim made up as if she had been shot in the head. We took the victim back to the old address and posed her as if she had just arrived home from work. We took several Polaroid photos as if the hit man had killed her. We then sent in one of our undercover investigators to the jail to meet with the stalker. He showed the stalker a Polaroid photo and asked if that was what he wanted done. The stalker affirmed that was what he wanted (all of this of course in the visiting room which we had wired for video and audio), and confirmed that the ownership of his car was the payment he had agreed to give the hit man. The stalker was convicted of the original stalking, burglary, assault with a deadly weapon, torture, and, in a separate trial, solicitation for the murder of the victim. He was sentenced to state prison where he will hopefully remain for a long time.

An exceptional case, of course, but remember it started as many stalking cases do.

**Surveillance of the Suspect**

The use of hidden cameras has also been successful in some cases. There are numerous devices available to law enforcement where the camera is hidden in clocks, smoke alarms, door-peephole cameras, etc. We had a case where the victim, on her own initiative, placed a video camera in the front window of her apartment. The camera captured the stalker leaving a note on her door. What great evidence!

**Multidisciplinary Approach**

Since these cases can be challenging and long-term, jurisdictions also may want to consider developing multi-disciplinary groups to address the problem. In 1994, Deputy District Attorney Kerry Wells founded the San Diego


**Additional References**


Conclusion

Stalking cases are unique and pose a challenge for law enforcement. The cases require a multi-disciplinary approach — law enforcement officers, prosecutors, mental health professionals, and victim advocates must work as a team to effectively manage them. From the first responder to the follow-up investigator, there are many aspects to learn about identifying, investigating, and managing stalking cases. They are truly the type of cases in which law enforcement can be proactive — before someone gets hurt. These cases are unlike any this author has investigated in his law enforcement career. They are quite challenging, but also very rewarding.

The stalker is usually bright and creative when it comes to finding methods of harassing and threatening the victim. With the widespread use and availability of computers, the Internet is fast becoming the “new tool of terror” for the stalker. Law enforcement must continue to strive for better education and training of our officers, and to utilize whatever technology and techniques we can develop to combat stalking on whatever field it may occur.

Bibliography


