SAFETY PLANNING FOR STALKING VICTIMS

A Victim Advocate's Guide

To Responding to Victims of Stalking

Safety Planning for Immigrant Victims

Of Stalking

Crime Prevention and Justice Assistance Division
Department of the Attorney General State of Hawaii

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What Is Stalking?

The legal definition of stalking varies from state to state; however, a widely accepted definition used in the National Violence Against Women Survey and based on the 1993 National Institute of Justice’s Model Anti-stalking Code is the following:

A course of conduct directed at a specific person that involves repeated visual or physical proximity; non-consensual communication; or verbal, written or implied threats; or a combination thereof, that would cause a reasonable person fear.

Until recently, very little was known about the extent of stalking in America. With the release of the National Violence Against Women Survey in 1998 and the Sexual Victimization of College Women Survey in 2000, a clearer picture has emerged. Generally, women are stalked more often than men. Men are more likely to be stalkers. And, most stalking victims know their stalker. Some recent findings:

- Each year, 1,006,970 women and 370,990 men are stalked in the U.S.
- 78% of victims are female
  87% of stalkers are male
- 77% of female stalking victims know their stalker, which included:
  38% current/former husband
  14% current/former date/boyfriend
  10% current/former cohabiting partner
- In the context of intimate partner stalking, 81% of female victims are physically assaulted and 31% are also sexually assaulted.

What Kinds of Behavior Constitute Stalking?

It is important to recognize that while some of these common stalking behaviors may not appear to be criminal in nature if examined individually, when viewed in a broader context as a pattern or course of conduct, they may constitute criminal behavior.

Common Stalking Behaviors:
- Making annoying or threatening phone calls
- Sending unwanted letters and/or gifts
- Following a person
- Appearing at victim’s home or work uninvited
- Monitoring victim’s activities
- Committing vandalism
- Attempting to obtain private information about the victim from others
- Taking photos or videos of or spying on the victim
- Violating a restraining order
- Committing physical assaults
• Entering the victim's home when no one is home
• Using family, friends, neighbors, or co-workers to stalk the victim
• Reporting the victim to authorities when no crime has occurred
• Tapping or disabling telephone lines
• Threatening the victim
• Committing cruelty to animals
• Trespassing or threatening to trespass
• Peeping at the victim
• Committing arson
• Intimidating the victim or witness

Electronic Stalking

In addition to the stalking behaviors previously mentioned, victims can be stalked on the Internet and via e-mail. The three areas where an on-line user is most vulnerable are: user’s e-mail; chat or Internet relay chat lines; and message boards or newsgroups. Stalking can start on-line or off-line, and move from one to the other.

Impact of Stalking on Victims

It is important to assess the impact of the stalker’s behavior on the victim. Stalking is not only a challenging crime to investigate and prosecute; it is especially difficult for a victim to live through. The victim may be forced to alter her/his life and may experience physical, psychological, and emotional effects as a result of what the stalker is doing to her/him.

Has the victim recently? ...

Changed residence or employment
Installed a second phone line/changed her/his phone number
Replaced/installed door/window lock(s) at residence
Installed a home security system
Requested escorts to and from car at work/residence
Asked to have their phone calls screened at work/residence
Stopped going places previously frequented (restaurant, shops, gym, on-line chatrooms)
Stopped going out at day/night
Stopped leaving home unaccompanied
Changed her/his daily routine (work hours, religious service attendance)
Begun carrying a personal protection device
Bought a guard dog
Sought psychological counseling
Cut off contact with family, friends, acquaintances
Closed an old e-mail account and/or established a new account, log-in, or password
Does the victim feel or notice? ...

Fear
Anxiety
Isolation
Denial
Guilt
Anger, rage or aggression
Paranoia
Depression
Exhaustion
Inability to trust
Constant state of stress and/or hyper-awareness
Pervasive sense of loss of personal safety
Change in sleeping and eating routines
Lack of concentration and/or short-term memory problems
Decline in work/academic performance
Low self-image or self-esteem
Posttraumatic Stress Disorder (PTSD)

30% of female and 20% of male victims of stalking sought psychological counseling as a result of stalking.

Victims of stalking are significantly more likely than other people who are not victims of stalking to live in fear for their safety and to take personal safety measures.

Source: National Violence Against Women Survey, April 1998

These are all normal responses for a victim of stalking to have. What victims are feeling is real and what they are experiencing is never their fault. Individually or cumulatively, these factors may contribute to PTSD.

Safety Planning for Stalking Victims

Safety planning involves evaluating what is happening around a victim and examining options that will positively impact the victim’s safety. More specifically, safety planning is a tool designed to give a victim a specific plan to use when the stalking or threats of violence begin to escalate. Therefore, safety planning with the victim must start with the very first contact and must continue throughout the duration of the case. Safety planning strategies must focus on what the victim feels will work in her/his best interest at any given point in time.

Since safety plans can be quite complex, it is helpful to enlist the assistance of a trained advocate who can help the victim determine which options will best enhance her/his safety. Additionally, it may be helpful to break the safety planning into sections to develop a clear and effective plan. One way to do this is to differentiate between victims in imminent danger and victims in danger, but not immediately at risk.

Victims in Imminent Danger
The primary goal for an individual in imminent danger is to get to a safe place. Safety can often be found in the following places:

- Police stations
- Local churches
- Residences of family/friends/neighbors
- Public areas (at times, stalkers are less inclined toward violence or creating a disturbance in a public place)
- Fire Stations
- Hospitals
If departure from the current location is not possible, but a telephone is accessible, a victim should contact local law enforcement at 911 or any other law enforcement or emergency number. If the victim does not speak English, s/he should tell the operator what language s/he speaks and ask for an interpreter. If the police do not respond, a victim can ask to speak to the police district or division supervisor, or have someone who has assisted them in the past contact the police.

If the stalking victim is not in imminent danger, s/he still needs to assess the level of threat or danger presented by the stalker. Safety plans can be complex and will need to be tailored to the individual needs of the victim. The following sections include recommendations to consider in safety planning.

**General Safety Planning**
The following recommendations in this section contain measures that stalking victims might want to take to increase their safety. No one safety plan works in all stalking situations; each plan needs to be tailored to the particulars of the situation. The following list contains some general steps that stalking victims can take to re-gain a sense of control over their lives, and increase their safety. The subsequent sections address specific aspects of a victim’s life. Several of the recommendations may require financial resources to install or implement. If victims cannot afford to purchase items necessary for their safety, there may be resources in the community to help fund these items, such as local victim services or victim witness agencies. Additionally, funding may be available through church or other humanitarian organizations in the community.

**Recommendations for general safety planning:**
- Obtain a cell phone preprogrammed to call 911 and keep it with you at all times.
- Tape emergency phone numbers on all phones and keep a copy on your person.
- Know how to contact a local domestic violence shelter and/or rape crisis center.
- Know how to get to a safe location, e.g., the home of a friend or relative (unknown to stalker), or to the police.
- Consider taking a self-defense course.
- Alter your travel routes and time schedules.
- Consider having the police perform a safety evaluation of your house/apartment/condo.
- Consider obtaining a protective order; if you obtain a protective order, keep it with you at all times.

**Safety Planning at Home**
Since no one plan works for everyone, it is vital that each individual victim develop a safety plan that s/he feels comfortable with and will be able to follow. Many of the following recommendations are predicated on the fact that the stalker is not currently living with the victim. If this is not the case, some of these precautions may not be applicable.

**Recommendations regardless of whether or not the stalker lives on the premise:**
- Keep working flashlights with batteries in an easily accessible place.
- Install fire detectors; maintain all-purpose fire extinguishers.
- Consider making one internal room secure, where a phone and emergency supplies (water, snacks, flashlight) are available.
- Purchase rope ladders to be used to escape from upstairs windows.
- Obtain a cell phone preprogrammed to call 911 and keep it in an accessible place.
- Pack a bag of important papers and money and hide it in a safe place, in case a quick escape is necessary.
- Prepare a safety plan and tell appropriate household members about the plan.
- Know how to contact a local domestic violence or rape crisis center.
- Know how to get to a safe location: the home of a friend or relative (unknown to the stalker), the local police or fire station.
- Memorize emergency phone numbers.

**Recommendations if the stalker is not living on the premise:**

- Add deadbolts and change the locks if you cannot account for all keys. Keep track of all spare keys. Place dowels in all windows and sliding glass doors.
- Install solid core doors.
- Keep the garage locked at all times and use an electronic garage door opener.
- Install a wide-angle peephole on all primary doors.
- Trim the shrubbery around the property and install outside lights; install motion-detecting lights.
- Install a security alarm and locks on any gates.
- Keep the home fuse box locked.
- Install a loud external alarm that can be manually activated from more than one location.
- Get a dog for added protection.
- Obtain a private, unlisted telephone number for family and friends, while keeping the original number to document the stalker’s contacts.
- Keep a log of hang-up calls, wrong numbers, unusual and harassing calls.
- Use a code to block caller ID when making telephone calls and an answering machine or call trace when receiving calls.
- Alert other members of the house to the possibility of hang-up calls, wrong numbers and other unusual calls. Make sure that they know how to document these calls.
- Positively identify visitors before opening the door.
- Require positive identification prior to allowing repair or sales-people in the house.
- Vary routes taken and the time spent walking/running/driving.
- Inform a trusted neighbor regarding the situation. Provide neighbors with a photo or description of the stalker and his/her vehicles.
- During vacations, arrange for mail/newspapers to be picked up or put delivery on hold.
- Consider obtaining a protection order; if you obtain a protection order, keep it with you at all times.

**Safety Planning at Work**

Some individuals may feel reluctant to inform their employers about the stalking situation. Understand that employers may also be reluctant to cooperate or accommodate individual requests. Nevertheless, it is often important to inform supervisors, human resource personnel, and co-workers about the stalking situation for their own safety. The following are some guidelines for safety planning at work.
Recommendations for work:
- Inform your supervisor, human resource personnel and/or employee counselors about the situation.
- Provide a picture/description of the stalker and a copy of any protection orders to security, superiors, and reception area staff.
- Instruct co-workers to call the police immediately if the stalker appears.
- Ask a receptionist or a co-worker to screen calls.
- Remove all pictures and personal objects from your desk or work area.
- Save any voicemail or e-mail messages received from the stalker.
- Ask about flexible or alternative work hours and relocation of your workspace to a more secure area.
- Request a parking space close to the building; request that your name be removed from any reserved parking areas.
- Ask for an escort to the parking lot or the bus.
- Have a secretary or co-worker screen all incoming mail or pass it through central reception, and do not accept packages, unless you specifically order something.
- Be alert to someone following you home from work; alter your travel routes and know safe, public places along your routes.

Safety Planning at School
If the victim is attending a college or university, it is important to plan for her/his safety at school. Some of the suggestions listed under safety planning at home will need to be modified for school, if the individual is living at the college or university.

Recommendations for school:
- Do not try to handle the situation by yourself – get help.
- In an emergency situation, call 911.
- If there is a victim services program on campus (e.g., sexual assault services, counseling center, domestic violence program, or women’s center), contact an advocate there for support and assistance.
- Never leave your dorm room or residence unlocked, even if you are inside the room or residence.
- Do not walk or drive alone; call for campus escort services, if available.
- Stay in the company of people whom you know and trust.
- Alter your travel route/schedule often.
- Consider seeking a protective order and/or asking the university’s judicial officer (or other appropriate person) to put the stalker on notice that s/he is to leave you alone. If you obtain a protection order or a campus trespass warning, carry it with you at all times.
- Fill out a directory hold form from the registrar’s office to make your personal information unavailable and/or omitted from the telephone directory.
- When you report incidents to campus security, ask them to file an incident report.
- Take a self-defense course.
- Carry a personal alarm.
**Safety Planning for Personal Security.**
In addition to making sure that stalking victims examine and make their surroundings safe, it is also important for them to take some precautions for their personal safety. Again, each situation is different, and these items should be seen as recommendations, not as an exhaustive list.

**Recommendations for personal safety:**
- Remove home address on personal checks and business cards.
- Place real property in a trust.
- Make arrangements with the utility company to establish a password or code limiting access on the account information to only the password holder.
- Consider changing your mailing address or obtaining a U. S. Post Office mail box. The United States Postal Service (USPS) has a special procedure called a Court Order Protected Individual (COPI) to ensure the confidentiality of your address. To obtain a COPI, you must submit a copy of your protection order together with a Form 3575 (Change of Address) to USPS. Once completed, the Postal Service will return all insured, certified, registered and express mail as “Moved, Left No Address”. In addition to all Priority mail, P and Standard Mail A not entitled to forwarding services will not be sent to you. Under COPI, it is important to inform friends, associates, creditors and others of your new mailing address, as all mail will be returned to sender(s).
- Alternatively, consider utilizing a private mailbox service to receive all personal mail. File a change of address card with the Post Office giving the mailbox address as your new address. However, there is no guarantee on confidentiality with mailbox services.
- Send postcards (rather than U.S. Post Change of Address cards) to friends, businesses etc., giving the mailbox address, requesting that they remove your home address from their files.
- All current creditors should be given a change of address card to the mailbox address.
- File a change of address with DMV to reflect your new address. Get a new driver’s license with the new address on it. It may be necessary or more convenient to list the mailbox as “Suite 123” or “Apartment 123”, rather than “P.O. Box 123”.
- File for a confidential voter status or register to vote utilizing a mailbox address.
- Destroy discarded mail, removing address labels from all envelopes and packages.
- Install phone lines in a location other than your residence and program to call-forward to your residence.
- Place residence rental agreements in a trusted friend or relative’s name.

**Safety Planning with Children.**
Children must be included in the safety plans in ways that are age-appropriate. In addition, if children could come in contact with the stalker, the victim should make arrangements to keep the children as safe as possible.

**Recommendations with children:**
- Review safety plans with children, including how to make collect calls, safe locations to go to if necessary, and where to meet if you are separated.
- Teach the child how to call 911, and give her/him permission to call in emergencies.
- Arrange visitation through a third party or family visitation center.
- Alert the children’s school, day care provider, and others to the situation. Make sure it is clear who is allowed to pick up the children from school, afterschool care, or other programs.
• Do not display children’s names on clothing or other items such as backpacks.
• Do not put your children’s school bumper sticker on your vehicle.

Safety Planning in Court
Court is a place where there is a high probability that the victim will see the stalker. It is important to plan in advance for these events. Check ahead with the court to determine what types of assistance the court is able to provide. This allows the victim to prepare herself/himself emotionally as well as think ahead about her/his safety.

Recommendations in Court:
• If the stalker is nearby, wait next to a security guard or bailiff, or a separate waiting room, if available.
• Alert the court in advance to any situations that may be potentially dangerous.
• Avoid sitting close to the stalker in the courtroom or waiting area.
• Avoid speaking directly to the stalker.
• Ask for an escort to and from court to the parking lot or bus stop, if available.
• Ask a trusted friend or family member to go with you to your court appointment.
• Request that you be given time to leave the vicinity before the stalker is allowed to leave.

Safety Planning in Public
Unfortunately, stalking victims must maintain a high level of alertness regardless of their surroundings. In public places, the stalker may be less likely to escalate his/her behavior; however, the victim should always take precautions. The following are some suggestions for behavior in the public places.

Recommendations in Public:
• Travel in groups or with a friend if possible.
• Keep your protection order, cell phone, and emergency numbers with you at all times.
• Avoid walking or jogging alone at night.
• Always park in well-lit areas.
• Do not park in lots where car doors must be left unlocked and keys surrendered; otherwise, surrender only the ignition key. Allow items to be placed in or removed from the trunk only in your presence.
• Equip your car with a locking gas cap and a hood-locking device that is controlled from inside the vehicle only.
• Keep doors locked while in the vehicle.
• Do not stop for stranded motorists.
• Alter daily routines by changing transportation routes or timing.
• Do not drive directly home if followed. Instead drive to a police station, fire department, or busy shopping center and honk the horn to attract attention.
Safety Planning for Victims In Immigrant/Non-English Speaking Communities

It is crucial to take into account the role of culture, race, ethnicity, and immigrant status in protecting victims of stalking. Attitudes towards stalking vary from culture to culture and from ethnic group to ethnic group. Although victims may share the same stalking event, the individual perception of the event may be interpreted differently due to different cultural belief systems.

Immigrant and ethnic minority victims encounter unique problems that their American counterparts may not experience. These include language barriers, prejudice, discrimination, different cultural value systems, and lack of familiarity with and/or trust of the legal system. Therefore, it is necessary to address stalking in ways that reflect the life experiences and social realities of ethnic minorities and immigrants.

**Using an Interpreter**

Language barriers impede clear communication that is vital to competent safety planning. U.S. Census Bureau data from 2000 revealed that 27% of Hawaii’s population speaks a language other than English at home. The primary non-English languages include: Cantonese, Mandarin, Ilocano, Japanese, Korean, Micronesian, Samoan, Spanish, Tagalog, Tongan, and Vietnamese. Always determine what language the victim speaks most comfortably. Tragic consequences can result from the lack of effective interpretation or translation.

- Provide an interpreter if English is not the victims first language. A partner, children, or any other person accompanying the victim should not be used as an interpreter.

- Title VI of the Civil Rights Act of 1964 requires any entity that receives federal funds to provide language accessible services for limited English proficient (LEP) persons. This means that agencies receiving federal funds are required to provide trained interpreters, free of charge, for an LEP person.

- Crime victims living on Oahu may be able to access free interpreters through the Victim Witness Kokua Office within the Office of the Prosecuting Attorney. The service provider should contact the office at 527-6231 to make the necessary arrangements.

**Interviewing Immigrant Victims**

Interview techniques used by an advocate for a United States citizen may need to be changed for an immigrant. An advocate must become familiar with conditions that are common to both the immigrant victim’s community in Hawai`i and in their home country. To gain this knowledge, contact local organizations like immigrant service organizations or social clubs to which members of the victim's ethnic group may belong. The Internet is also a good source of information about specific country conditions. The following are considerations that should be taken in working with the immigrant-stalking victim.
• An immigrant victim’s response to stalking may be a function of her or his culture.

• Where the stalker is known to the immigrant victim or the victim’s family, the immigrant victim may be blamed for not behaving according to cultural norms or told to tolerate the abusive stalking behavior to “save face” for the family.

• The immigrant victim may be ashamed to seek help from family members and friends because the victim feels she or he must have in some way provoked the stalking event.

• A significant challenge to addressing abusive behavior within the Asian community is reconciling the differences between Western ideals of individualism and Asian ideals of interdependence and group harmony. These cultural differences may come into play in situations where the stalker is known to the victim or the victim’s family. Some immigrant stalking victims may be reluctant to discuss their fears and withhold information that is usually not discussed in their culture.

Terms such as "stalking," "assault," and "abuse" may be unfamiliar terms to immigrant victims and, in this context, it is more useful to discuss the specific acts. For example, instead of using a concept like "stalking," ask very specific questions. Use simple language and define stalking in a way that is comprehensible to the immigrant victim.

• **Don't Ask**: Are you being stalked by a stranger, acquaintance, coworker, ex-spouse, or ex-partner?

• **Do ask**: Is a stranger, acquaintance or family member, co-worker, ex-spouse, ex-partner, girlfriend or boyfriend:
  
  ✓ Leaving repeated mail, e-mail, or phone calls after you have told her/him to stop?
  ✓ Contacting or following you persistently to request dates or meetings?
  ✓ Leaving unwanted letters, notes, or flowers on your car, at your home, or at any other place?
  ✓ Driving by your home, school, or work to scare you?
  ✓ Turning up unexpectedly at places you frequent "just by chance?"
  ✓ Showing up "coincidentally" at places you do not usually frequent, like the movies, park, and other social events?

*Help the immigrant victim to define her/his social support system.* Determine if the victim will be ostracized or punished by his or her family for seeking outside help. Also determine who:

• The victim can trust to help in an emergency.

• The victim can talk to in an emergency situation.
Specific Safety Planning Recommendations for Immigrant Victims

A victim-centered response to safety planning may require that a victim leave her/his home for an extended period of time to seek refuge in a safe place. In these situations, immigrant victims will need to take important papers and documents with them. The following items or copies should be packed and stored in a safe place or given to a trusted friend in case the victim needs to leave the house:

- Birth certificates for victim and children, immigration papers, and school records.
- Social security card(s).
- Work permits/work authorization cards.
- Alien registration card (green card).
- Passport(s).
- Identification cards.
- If married to the stalker: a copy of marriage certificate, and copies of documents in joint names, such as leases, bank statements, loan papers, income tax returns, and utility bills. Photographs of victim and spouse/family, wedding pictures and cards, correspondence between victim and spouse, and any other documents or material showing that victim and spouse have lived together will be very useful.

Immigration Law Legal Remedies

A victim’s legal status may be affected by disclosure of the stalking event. Coming to and staying in the U.S. might be contingent on sponsorship by the stalker, or the victim may be undocumented. Inform immigrant-stalking victims that there may be legal immigration remedies that can help them acquire or retain legal status in the United States. Many immigrants who are not citizens or nationals of the U.S. or legal permanent residents fear that they may be removed from the U.S. if law enforcement or immigration authorities become aware of their presence in this country. Additionally, many victims who are or were married to the stalker fear that their spouse or former spouse may report them to immigration officials.

- Always contact an immigration law expert when working with an immigrant client.

Depending upon the victim’s circumstances, she/he may be eligible for immigration law remedies which may lead to legal permanent resident status. Potential remedies include a Violence Against Women’s Act (VAWA) self-petition, U Visa for victims of certain crimes, cancellation of removal in immigration court, asylum, or, an I-751 waiver of the joint petitioning requirement for conditional permanent residents.

- Never tell a non-citizen to go to the Bureau of Citizenship and Immigration Services (BCIS) by themselves.

Always have a non-citizen speak with an immigration law expert if she/he has
questions about status or immigration law remedies. Never advise a non-citizen to go to the Bureau of Citizenship and Immigration Services (BCIS), formerly known as INS, for help. BCIS may arrest and deport the non-citizen before they even have a chance to speak with a lawyer. Na Loio has a free telephone service providing brief answers to immigration questions. Alternatively, the non-citizen can call a private immigration attorney.

- **Let non-citizens know they have rights when they encounter immigration officials.**

  Immigrants have the right to speak to an attorney before answering any questions posed by immigration officials. Immigrants should never sign any papers without first speaking with an immigration attorney. Giving away one’s rights, intentionally or inadvertently, may result in swift removal from the U.S. Leaving the U.S. following an order of removal may have lasting long-term adverse or irreversible consequences for an immigrant.

- **Let non-citizens know that if they move or change addresses, they must notify the Bureau of Citizenship and Immigration Services (BCIS) within 10 days.**

  The U.S. government requires legal permanent residents, conditional permanent residents, and others to notify the BCIS within 10 days, when they move or change address. The failure to notify BCIS of the same may result in criminal prosecution.

**If the Stalker Is an Immigrant**

Stalking is a criminal offense. A non-citizen convicted of stalking may be removed or excluded from the United States. Consequently, where the stalker is an immigrant, the victim may be reluctant to report the incident(s) to the police. While the victim may want the stalking behavior to stop, she/he may not necessarily want to see the stalker removed or excluded from the U.S. As a result, a victim may want to contact an immigration attorney prior to informing a law enforcement official about the criminal behavior. Once a suspect is charged, it may be difficult to stop the prosecution.

- **Safety is always the primary consideration. Make sure the victim is safe.**

- **Advise immigrant clients that the mere act of obtaining a protective order will not, in and of itself, put the stalker at risk of being removed or excluded from the U.S.**

- **A stalker could be removed, however, for violating the protective order, incurring criminal convictions, or other violations of immigration law.**
Contacting Law Enforcement

Advocates should be aware of or check into the local law enforcement's policies and practices regarding cooperation with immigration authorities, in order to be able to inform their clients of the risks associated with involving the police.

- Law enforcement officers generally do not and should not inquire about the immigration status of the victim. However, in the post-911 environment, some officers may believe they have an obligation to report the presence of undocumented persons to the Department of Homeland Security. If the victim is undocumented, call the local law enforcement agency with a “hypothetical” situation to determine their agency’s procedure on reporting illegal presence to the Department of Homeland Security.

- Advocates should accompany the victim if she/he decides to access law enforcement services, to ensure that there will be no adverse consequences.

Resources for Immigrants

All immigrants are entitled to access to victim services programs regardless of their legal status in the U.S., including police, fire, ambulance, and transportation services. All immigrants also remain eligible for:

- Emergency Medicaid

- Certain immunization programs

- Short-term, non-cash, in-kind emergency disaster relief

- Community based services, which are necessary for the protection of life or safety including: domestic violence shelters and counseling, soup kitchens, community food banks, and other nutrition programs such as WIC, housing assistance for the homeless, and violence prevention programs.

Check with Na Loio – Immigrant Rights and Public Interest Legal Center or other experienced legal service providers in the community regarding eligibility for benefits or how receipt of those benefits may impact a victim's status in the U.S. If calling from Oahu, you may reach Na Loio at 847-8828. If calling from the Neighbor Islands use Na Loio’s toll free number at 1-877-208-8828.
STALKING DOCUMENTATION

Stalking is when someone keeps making unwanted contact with you, like phone calls, visits, mail, and gifts. It can be threats or any kind of harassment, done in person, by phone, in writing or by email. The stalker may follow you and show up repeatedly without warning. If you think you are being stalked, write down as much as you can about what has been happening. This information (documentation) is very important to prove stalking.

# Use the Stalking Information Log, a notebook, diary, or computer to write down every time the stalker does something to you. This will be your stalking log.

# Write down all phone calls, letters, notes, emails, and gifts from the stalker, and each time that the stalker follows you, makes threats, damages your property, or does anything else that scares you or is unwanted.

# Write down the date, time, place, what happened (Description), if anyone else saw it (Witness), and what you did (Response) – do this every time the stalker does anything to you or threaten you. Include as many details as you can remember.

# Save any packages, gifts, and letters or notes, including the envelope, from the stalker for evidence.

# Save all phone messages from the stalker, or save a tape recording off an answering machine. Make sure to include the date and time of the message.

# Take pictures of any damage to your property that may be caused by the stalker, including any writing or graffiti.

# Make the report to the police as soon as possible, and provide the officer with the numbers of the other police reports you have made.

# Call the police every time something happens and report it as soon as possible. Ask for a police report number and write it in on your Stalking Log.

# Tell the police officer about the other stalking incidents and the police report numbers. Show the police a copy of your stalking log. Give the officer the names and phone numbers of people who saw what happened.

# Show the officer a copy of your protection order or TRO, if you have one.

Stalking via the Internet:

# Never delete any emails you think are from the stalker, even if you make a copy or save it to a disc or folder. By keeping the emails, the police can track where the email was sent from through the Internet Providers address. If deleted, this address will be lost.

# After the police have taken the information, you can move the email messages in the computer folder to save them for later evidence.

{Copy and give to clients}
STALKING INCIDENT LOG

Police: 911  Building Security:__________________________
Work Security:__________________________  Other:__________________________

INFORMATION on STALKER (if known):

First Name  MI  Last Name  Nickname

Sex  Race  Date of Birth  Height  Weight  Hair  Eyes

Home Address  Phone

Work Address  Phone

Vehicle Description (Make, Model, License No., Color)

INCIDENT:  (continue on back if needed)

Date  Time  Place

Description of Incident: ________________________________

_____________________________________________________

_____________________________________________________

_____________________________________________________

_____________________________________________________

Response: ________________________________

_____________________________________________________

_____________________________________________________

Witness(es):

Name  Phone Number

Police Report Made: No___ Yes___  Police Report No.__________________________

[Copy and give to clients]
CRIME VICTIM RESOURCES

County Police Departments: 911

Prosecutors’ Victim-Witness Assistance Programs:

Honolulu City and County  
Victim Witness Kokua Service  
Department of the Prosecuting Attorney  
1060 Richards St.  
Honolulu, HI  
(808) 523-4511

Kauai County  
Victim/Witness Program  
Department of the Prosecuting Attorney  
3990 Ka’ana St.  
Lihue, HI 96766  
(808) 241-1898

Hawaii County  
Victim/Witness Assistance Program  
Office of the Prosecuting Attorney  
34 Rainbow Dr.  
Hilo, HI 96720  
(808) 934-3306

Maui County  
Victim/Witness Assistance Program  
Department of the Prosecuting Attorney  
200 South High Street  
Wailuku, HI 96793  
(808) 270-7695

Federal:

Federal Bureau of Investigation  
300 Ala Moana Blvd., Room 4-230  
Honolulu, HI 96850  
(808) 566-4300

Victim Witness Coordinator  
U. S. Attorney’s Office  
300 Ala Moana Blvd., Room 6-100  
Honolulu, HI 96850  
(808) 541-2850

Domestic Violence Victims Services: Hotline

Honolulu City and County  
CFS Domestic Violence Hotline and Shelters  
(808) 841-0822

Kauai County  
Family Violence Shelter Crisis Line (YWCA)  
(808) 245-6362

Hawaii County  
Hale Ohana Spouse Abuse Shelter – Hilo  
(808) 959-8864

Maui County  
Women Helping Women Hotline/Shelter  
(808) 579-9581

West Hawaii Domestic Abuse Shelter  
(808) 322-7233  
For Lanai/Molokai Residents  
0-808-579-9581 (Collect Call)

Sexual Assault Victim Services: Hotline

Honolulu City and County  
Sex Abuse Treatment Center  
(808) 524-7273

Kauai County  
YWCA Sexual Assault Treatment Program  
(808) 245-4144

Hawaii County  
YWCA Sexual Assault Victim Empowerment  
(808) 935-0677

Maui County  
CFS Sexual Assault Support Services  
(808) 283-9369 - Molokai
**Immigration Information**

Na Loio Immigration Rights and Public Interest Legal Center  
(808) 847-8828  
(877) 208-8828 – Toll free for Neighbor Islands

**National Hotline for Stalking Victims**

National Center for Victims of Crime  
800-FYI-CALL (800-394-2255)

________________________________________________________________________

The above information has been complied in part from the following sources:

Asian American Women: Issues, Concerns, and Responsive Human and Civil Rights Advocacy by Lora Jo Foo (copyright, 2002)

Domestic Violence in Immigrant and Refugee Communities: Asserting the Rights of Battered Women by Family Violence Prevention Fund, National Immigration Project of the National Lawyers Guild, Inc., and Northern California Coalition for Immigrant Rights (copyright, 1997)


Overview of the Immigration System and Laws by Gail Pendleton, National Immigration Project of the National Lawyers Guild

Stalking Resource Center/National Center for Victims of Crime (copyright, 1997)

VAWA Manual (copyright, August 2002)
APPENDIX:
Immigration Law Terminology

Immigration law contains many unfamiliar terms. A brief explanation of some of the most common immigration terms follows:

*Non-citizen* means any person in the United States who is not a U.S. citizen, whether the person has legal immigration documents or not.

*Undocumented* persons generally do not have legal status in the United States. They may have entered the United States without permission or they may have overstayed their visa. These people are sometimes called "illegal aliens" despite the fact that simply being undocumented is not a crime.

*United States Citizen*
United States citizens cannot be deported/removed from the United States unless they renounce citizenship, obtained citizenship by fraud, or were otherwise ineligible to receive citizenship in the first instance. There are three ways to obtain United States citizenship:

Through *birth* in the United States, its territories, or certain possessions including: Guam, Northern Mariana Islands, Puerto Rico, and the Virgin Islands.

Through *naturalization*.

Children, born outside the United States, may also acquire citizenship through their United States citizen(s) parent(s) under certain circumstances.

*United States Nationals*
United States Nationals are persons born in American Samoa or the Swain Islands. U.S. Nationals can live and work in the United States, but they are not eligible to vote in the United States. They are also eligible for public benefits.

*Compact of Free Association*
Residents of the Compact countries - the Marshall Islands, the Federated States of Micronesia, and Palau - are permitted to work and live in the United States pursuant to treaty. They are eligible for certain state-funded public benefits.

*Lawful Permanent Resident*
Lawful permanent residents are also known as "green card" holders. They are non-citizens authorized to work and live permanently in the United States. Lawful permanent residents cannot vote in federal or state elections. Lawful permanent residents may naturalize and become U.S. citizens after five years or in some cases, after three years. Lawful permanent residents may be entitled to some public benefits.

*Conditional Permanent Resident*
A person who immigrates to the United States on the basis of a marriage that is less than two years old is a conditional permanent resident. Conditional permanent residents are legal residents; however, to preserve their legal status they are required to file another petition ninety days before the expiration of the two-year conditional period. Conditional permanent residents can live and work in the United States. Conditional permanent residents may be eligible for some public benefits.
Asylees and Refugees
Asylees and refugees are persons who have been persecuted or who have a well-founded fear of persecution in their home country. The persecution must be on account of race, religion, nationality, political opinion, or membership in a particular social group. Persecution may also be gender-based, on account of sexual preference, or result from compulsory sterilization programs or one-child only coercive birth policies. Asylees apply for asylum while they are physically present in the United States. In contrast, refugees prove their claims of persecution from outside the United States. Asylees and refugees may apply for lawful permanent residence one year after receiving their status. Refugees and asylees are permitted to work in the United States and may be eligible for a wide array of public benefits.

Parolees
Persons who are stopped at the United States border and who are not eligible to enter the United States may be paroled into the United States. A person may be paroled into the United States to attend a court hearing, apply for legal status, or for humanitarian purposes. A parolee may remain in the United States for only so long as permitted by the government. Parolees may apply for work authorization or be eligible for public benefits under certain circumstances.

INS/BCIS/BICE/BCBP
In 2003, Congress abolished the Immigration and Naturalization Service (INS). In its place Congress created three new bureaus: Bureau of Citizenship and Immigration Services (BCIS), Bureau of Immigration and Customs Enforcement (BICE), and the Bureau of Customs and Border Protection (BCBP).

Removal/Deportation
In 1997, Congress dispensed with the term "deportation" and in its place substituted "removal." Non-citizens are now "removed" from the United States.

Temporary Protected Status (TPS)
The Attorney General of the United States may grant this status to nationals of specified countries that are experiencing unrest or turmoil. Aliens granted TPS status are authorized to work and live in the United States.

NACARA/American Baptist Churches (ABC) Deferred Enforced Departure
In 1997, Congress passed the Nicaraguan Adjustment And Central American Relief Act (NACARA), which permits Nicaraguans, Cubans, Salvadorans, Guatemalans, and nationals of several former Soviet bloc and Eastern European countries to apply for legal permanent resident status. In 1998, Congress also created a law that allows Haitians to gain legal status in the United States. The rules for each of these programs are different. Consult an immigration specialist for assistance.

Deferred Action
This status is awarded by the Bureau of Citizenship and Immigration Services as a matter of discretion. It is typically reserved for situations where the non-citizen would face some form of unusual hardship if they returned to his/her home country. Deferred action status is rarely granted.