



Ohio Law— Menacing by Stalking

According to Ohio law, stalking is a crime if a person knowingly engaged in a pattern of conduct (**two or more actions or incidents closely related in time**) that caused you to believe that the offender may cause you physical harm or mental distress.

Actions or incidents that prevent, obstruct, or delay the performance by a public official, firefighter, rescuer, EM services person, or emergency facility person of any authorized act within their capacity may constitute a pattern of conduct.

The law has been amended to expand the definition of "pattern of conduct" to include cyberstalking.

"Physical harm" is defined as "any injury, illness, or other physiological impairment, regardless of its gravity or duration."

"Mental distress" is defined as "any mental illness or condition that involves some temporary substantial incapacity or any mental illness or condition that would normally require psychiatric treatment, psychological treatment, or other mental health services whether or not any person requested or received psychiatric treatment, psychological treatment, or other mental health services."

(The Ohio Domestic Violence Benchmark—A Practical Guide to Competence for Judges & Magistrates, Second Ed., Family Violence Prevention Center, Ohio Office of Criminal Justice Services)

13 % of female college students have been victims of stalking.

(Fisher, Cullen & Turner, 2000: Sexual Victimization of College Women)

25 % of stalking incidents against female college students involve e-mail. *(Ibid.)*



Information Online

**National Center for Victims of Crime
Stalking Resource Center**
<http://www.ncvc.org/src/>

This brochure was written based on information from "Stalking: Real Fear, Real Crime" (Video produced by Lifetime Television for Women for The National Center for Victims of Crime.), featuring Retired Lt. Mark Winn, 20-year veteran of law enforcement.



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For Law Enforcement &
Security on Campus



STALKING ON CAMPUS

ACTION OHIO
Coalition For Battered Women
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Investigating a Stalking Case—

like putting pieces of a puzzle together.

Listen to the victim—don't discount her/his story. S/he may be under extreme stress due to the stalker. Remember that s/he has been living in constant fear as the result of continual surveillance & harassment perpetrated by the stalker. Threats to the victim may be explicit, implicit or symbolic.

Get all the information.

Look at all of the stalking incidents, even though the victim may be focused on one event, or the latest event. Stalking is a course of conduct and requires continual investigation.

Context is everything in stalking cases.

The stalker's behavior may seem benign, but the victim may know that certain behavior signals an escalation of violence or increased danger.

Work Together—

Stalkers seldom limit their behavior to only one jurisdiction.

Identifying & Examining the Suspect

Look for who has motive to stalk the victim.

Look for corroborating evidence.

- Did anyone else see the stalker? Or witness the phone calls?
- Are there email messages?
- Is there a tape with voice messages?
- Are there photos documenting vandalism? A break-in? Gifts left at the door?

Interview the suspect.

He probably will appear to be calm & collected, unlike the victim. He may believe that his actions are legal. You might ask him: ***“Tell me how what you're doing is being misunderstood.”***

Gather evidence.

- Seek search warrants.
- Use other investigative techniques, such as surveillance operations or phone taps.
- Assess the stalker's lethality & the likelihood of escalation.

Once you know who the offender is, you have the opportunity to concentrate on that offender & monitor his/her activities. You have the opportunity to prevent future violence. You can catch the offender in the act.

Develop mutual aid agreements to respond to stalkers who cross county or state lines. Victims may flee to different locations, with their stalkers following in pursuit.

Victim Safety—

Safety Planning is crucial. Ideally it involves many people.

Include the victim in the safety planning.

The goal is to keep the victim safe. Encourage the victim to get a protection order.

Enforce all orders of protection.

They are like a trip-wire. If an offender violates a protection order, it is a clear indication that s/he has no respect for the law or the system designed to enforce it. The key is to keep the victim safe & hold the offender accountable.

Arrest offenders for violation of protection orders.

It sends a clear message that stalking won't be tolerated and that the stalker's actions won't be overlooked. It tells the victim that you are hearing and believing her/his story and that you will do what is necessary to protect the victim.

Don't succumb to “tombstone mentality,” taking the approach that “maybe it will get better.”

This is exactly what the offender wants. If the stalking behavior is minimized, the stalker will maximize the behavior.

If you walk around in the shoes of a victim,

you won't minimize, you'll respond appropriately, you'll thoroughly investigate, you'll track the stalker down, you'll prosecute.

And then the law will keep its promise to the victim.