

Is this stalking?

1. A student peeks into the women's locker room to watch the girls undress.
2. An ex-partner repeatedly spreads vicious rumors about their former partner on social media.
3. A supervisor regularly asks her employee personal questions, mocks him in meetings, sends e-mails at odd hours and is verbally abusive when he doesn't respond right away.

STALKING DEFINITION: BEHAVIORAL

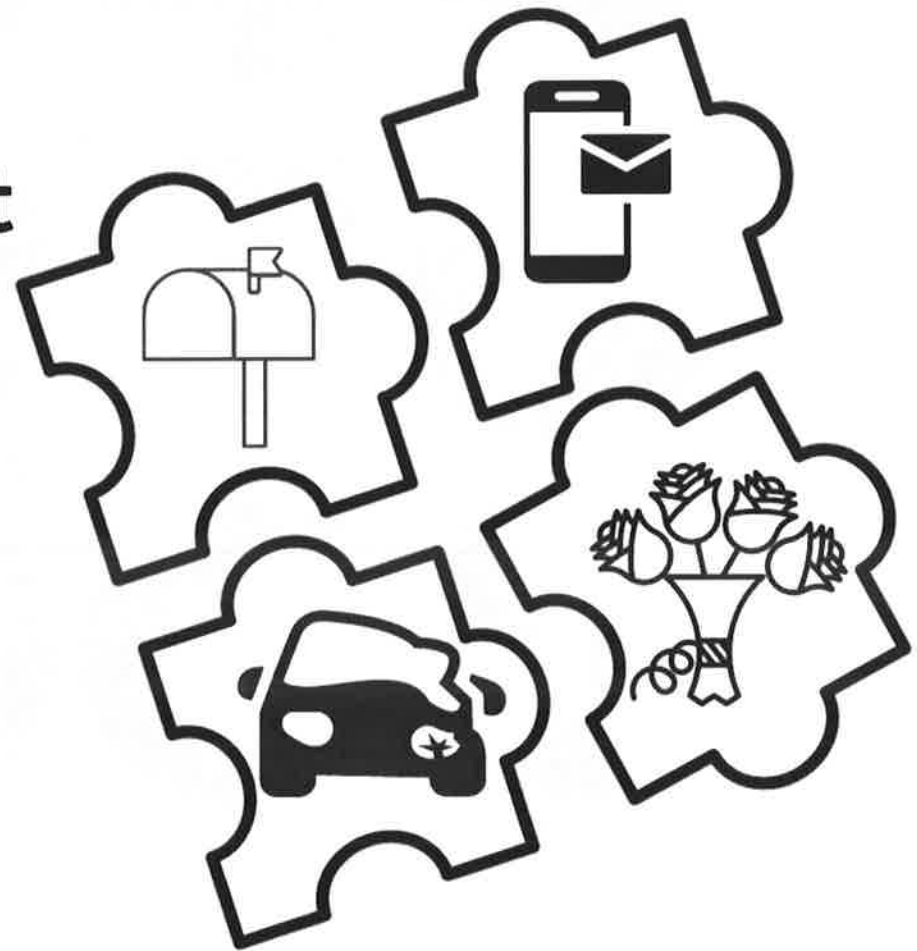
Stalking is a pattern of behavior directed at a specific person that would cause a reasonable person to feel fear.



A pattern of behavior...

* Not a single incident or “one off” event

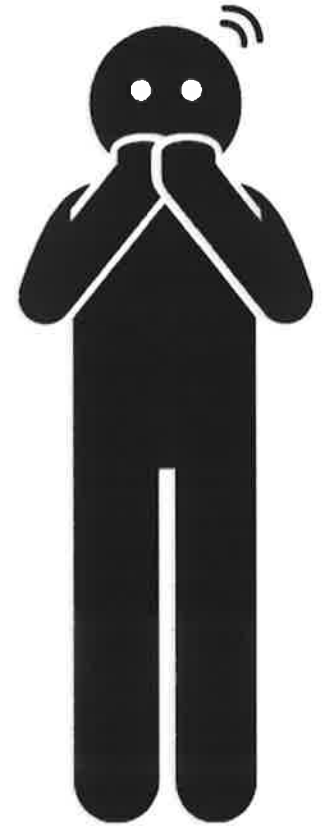
* Called a “course of conduct” in most statutes



...directed at a specific person...



...that would cause a
reasonable person to
feel **FEAR.**

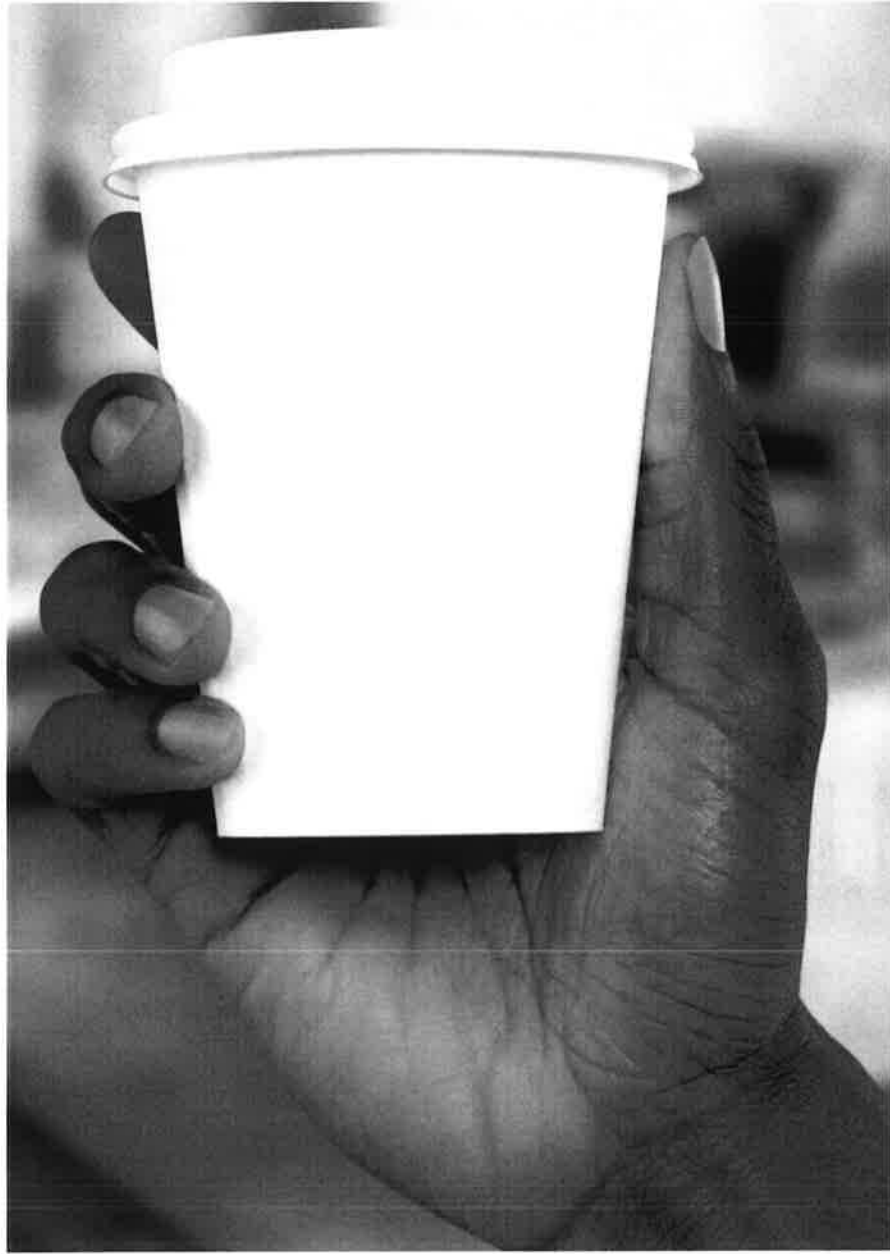




SPARC



CONTEXT IS CRITICAL
in stalking cases.



SPARC

Context



- * Something may be frightening to the victim but not to you
- * Stalking behaviors often have specific meanings
- * Stalking criminalizes otherwise non-criminal behavior



SPARC

Victim Reaction: Is it Fear?



Local Stalking Laws

Clery Definition of Stalking

34 U.S.C.A. § 12291(a)(30)

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his / her safety or the safety of others; or suffer substantial emotional distress

7-A M.R.S. § 210-A. STALKING

Class D Crime

A person is guilty of stalking if:

A. The actor intentionally or knowingly engages in a course of conduct directed at or concerning a specific person that would cause a reasonable person:

- (1) To suffer serious inconvenience or emotional distress;
- (2) To fear bodily injury or to fear bodily injury to a close relation;
- (3) To fear death or to fear the death of a close relation;
- (4) To fear damage or destruction to or tampering with property; or
- (5) To fear injury to or the death of an animal owned by or in the possession and control of that specific person.

Class C Crime:

- * The actor...has one or more prior convictions in this State or another jurisdiction
- * the course of conduct is directed at or concerning 2 or more specific persons that are members of an identifiable group

Stalking Prevalence and Behavior