



**SAFVIC**  
Sexual Assault Family Violence Investigator Course

# SAFVIC ON THE SCENE

## INSIDE THIS ISSUE



SAAM 2014	1
End It Movement	2
12th Annual Summit	3
Featured Agency	4
Save The Date	4
Statewide Conference	5
Featured Book	5

For more information about stalking, visit the [Stalking Resource Center website](#).

## Enhancing Stalking Investigations and Building Community Coalitions for Effective Prosecutions

By: David M. Scott, Ph.D.

### ENHANCING STALKING INVESTIGATIONS

One of the most common and often dangerous calls for responding police officers are those involving domestic violence. Police officers spend a tremendous amount of time and energy training for, responding to, and investigating domestic violence cases. Unfortunately, there is a key crime and aspect of family violence that either goes unreported by the victim or is not investigated by police: stalking.

According to the National Crime Victimization Survey, 3.4 million people 18 years of age or older are stalked in one year in the United States. Of those 3.4 million, three in four stalking victims are stalked by a current or former intimate partner (Baum, Catalano, Rand, & Rose 2009, p.1).

Every state has a law for defining and punishing stalking. However, stalking is generally defined as “a course of conduct or pattern of behavior that would cause a reasonable person to fear bodily injury or death for himself/herself or a member of his/her immediate family” (Tjaden & Thoennes, 1998, p. 2). The stalking statute in Texas (Penal Code § 42.072) not only stresses the fear of injury or death, but also includes property damage. The law also affords protection to third party victims (dating or new spouse partners), as well as companion pets and animals. Stalking differs from many other crimes in that it is “the repeated victimization of a targeted or specific individual during a continuous act or acts rather than...

*Continued on page 2*

### APRIL 2014

**“This April, use your voice to impact our future.”**

April is National Sexual Assault Awareness Month (SAAM). The 2014 campaign focuses on healthy sexuality and engaging youth. Learn how you can use your voice to encourage a healthy foundation for relationships and support positive youth development. Visit:

<http://www.nsvrc.org/saam>

**Sexual Assault**  
Awareness Month



**IT'S TIME ... TO TALK ABOUT IT!**

Your voice. Our future. Prevent sexual violence.

Follow the National Sexual Violence Resource Center on



## TMPA Participates in the End It Movement

### 1st Row (Back - Left to Right):

Maghan Ellington, Chad Hyde, John Sierega, & Sheila Funke

### 2nd Row (Left to Right):

Samantha Akins, Mike Gomez, & Missy McCann

### 3rd Row (Left to Right):

Jennifer Ygnacio, Nicole Martinez, & Karisa Miller

### 4th Row (Front - Left to Right):

Teresa Berg, Raquel Castelan, & Kelsey Downey

[www.enditmovement.com](http://www.enditmovement.com)



*"The total time spent discussing stalking crimes is fewer than three total hours of instruction during the police academy."*

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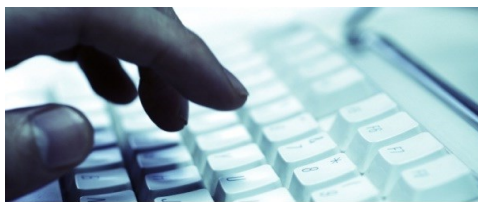
a single incident and it is further defined by the fear that victim is feeling or enduring at the time the stalking is occurring" (Velazquez, 2010 p.1).

Regardless of the expansion afforded to victims in Texas under the category of stalking, there is a dearth of quality training for police officers or first responders who investigate crimes of stalking in the State of Texas. For instance, the Texas Commission on Law Enforcement (TCOLE) currently has a 618-hour minimum for the Basic Peace Officers Academy. The crime of stalking is defined only once in the Penal Code section, only mentioned in the protective orders section in the Texas Code of Criminal Procedure (CCP), and very briefly discussed during the family violence investigations module. The total time spent discussing stalking crimes is fewer than three total hours of instruction during the police academy. Furthermore, there is no course specifically dedicated solely to stalking investigations in the State of Texas.

The lack of training is creating a vacuum in the State of Texas and in the criminal justice system, one in which stalkers often go unpunished and victims remain tormented, in most cases, by the offenders. Police officers are dispatched to repeated calls for service in which the victim is calling for assistance with no successful outcome. In some instances, the end result is the murder of the stalker by the victim or a murder-

suicide in which the victim kills the stalker and then kills herself or himself to end the torment. This results from a loss of security and closure, thus denying the victim any chance of justice, peace, and recovery.

The crime of stalking is a frequently misunderstood and often an unnoticed offense for police investigating domestic violence cases. Stalking is romanticized by movies and/or television shows portraying either a deranged spouse or unknown suspect who is engaging in stalking. In these roles, the suspect is perceived as being an obsessed psychopath with the ultimate goal of killing the victim. In reality, this is simply not true.



In most stalking cases the suspect and victim know one another. There is not a great deal of high surveillance technology used by the stalker, and some of the stalking may occur while both parties are married to one another or intimately involved. Tjaden and Thoennes (2000) reported in their study that a review of 1,785 domestic crime reports showed that one in six (16.5%) of those reports contained evidence that the suspect stalked the victim. In some cases of stalking, the victim is unaware that he or she is being stalked until trying to

either end the relationship or stumbling upon some type of tracking device attached to the victim's vehicle or on a piece of technology (e.g., computer or cell phone). It is during this time that police may be called by the victim.

Unfortunately, police often dismiss the stalking element and focus on the signs of physical and/or sexual abuse. These signs are easier to observe and document. If there are no physical signs of abuse or no outcry by the victim, the officer will submit, at most, an information report or call notes stating that a disturbance took place. The stalking may be downgraded to harassment or the victim may be given advice to call 911 should the suspect continue to harass the victim. In fact "studies suggest police and other Criminal Justice System personnel are not always sensitive or helpful in partner stalking cases" (Logan, 2010, p. 2). Logan asserted that, sometimes, "police officers do not take a report, which can be problematic in terms of victim documentation; and it appears they infrequently advise victims to document their experiences, discuss safety planning, or refer them to victim services for help" (p. 16).

For this reason, criminal justice representatives may not understand the true nature of the stalking or the extent of the harm that stalking causes victims (Logan & Walker, 2010). Due to the lack of understanding or acceptance as to the dynamics of stalking behavior,

*Continued on page 3...*

*Continued from page 2...*

many professionals fail to realize that a stalking investigation is not an isolated incident and may be an intricate part of a violent relationship (Logan & Walker, 2010). For example, a single report of stalking by a victim is not sufficient for an effective case. A police officer should probe the victim about repeated and various types of ongoing criminal and non-criminal behavior and document all those incidents in a police report.

When there are gaps in investigation techniques and a lack of awareness about stalking dynamics, the victim is re-victimized and left vulnerable to further incidences. This is complicated and layered. Abrams and Robinson (1998) and Sheridan, Blaauw, and Davies (2003) stated that stalking has a severe negative impact on victims, such as economic consequences, social consequences, and psychological consequences (e.g., depression, anxiety, or symptoms of posttraumatic stress disorder [PTSD]) (as cited in Kraaij, Arensman, Garnesfski, & Kremers, 2007). Victims of stalking may be forced to quit a job, break a lease, change motor vehicles, or suddenly move to a location far away from the stalker in order to stay safe. A victim may alter his or her lifestyle, become more hyper-vigilant, or have a less open way of living. This situation causes the victim to feel helpless and possibly ruminate on ideas of suicide or murder/suicide.

The economic impact to the victim is significant. For instance, Logan (2010) reported that stalking victims frequently lose time from work, have actually lost a job, or are unable to take advantage of employment opportunities such as a promotions or obtaining a better job. Furthermore, Logan's (2010) research indicated that victims of stalk-

ing report "property damage and other financial harm (e.g., ordering items in the victim's name, ruining credit)" (p. 11). Common reports of identity theft, tire slashing, and burglary are common investigations associated with stalking cases. "Victims who experienced stalking after a protective order was obtained incurred an average of \$610 in property loss or damage during a 6-month follow up period, compared with \$135 for those who experienced ongoing violations but not stalking" (Logan, 2010 p. 11). In sum, the cost of timely investigations, emergency room costs, and lost wages associated with the victim of a stalking crime cost a state millions of dollars annually.

By identifying deficiencies in stalking investigations and drawing more attention to training, officers have a higher likelihood of effectively investigating and arresting offenders. In addition, this adjustment in training will lead to more conviction rates of stalkers at trial, allowing the victims some closure. The victim can then be assisted in the recovery process by local advocates under a multidisciplinary team specifically designed to work with stalking cases.

In order to accomplish this, there are stages of development and policy that must be created and implemented for all the stakeholders involved in investigating stalking cases. Initially, first responders must be properly trained in the recognition and dynamics of stalking investigations. Stalking can no longer be seen as a private matter. Neighbors, coworkers, and family members should be made aware that this victim is being stalked, and there is potentially someone in their community area terrorizing and putting the victim in fear of his or her life. The more people involved, the more eyes a victim has watching out for her or his safety at any

given time. Each time a third party, such as a neighbor or coworker, observes the suspect in the immediate area, a call to 911 should be made followed by either an offense report or information report attached or linked to the original stalking case number. The goal is to start a paper trail showing a continuing pattern of behavior that instills fear of serious bodily injury, death, or loss of property to the victim or to the victim's family. The goal is to accurately record or document the victim's fear and perception of that fear each time the police are called to a scene.

If officers are able to accomplish this, the prosecution will be better equipped to take these "workable cases" to trial. The prosecution will see an increase in plea bargains for probation with mandatory stalking awareness classes. Those that do go to trial will have a better chance with a jury conviction with a full report (or reports) of the stalker's behavior and on-the-scene video interviews with the victim and witnesses. In addition, there will be an increase in the filings of emergency orders of protection or final protective orders for the victim to ensure safety.

There must be a coordination of community advocates. For example, members who assist in helping victims of stalking in the recovery process could be from the local women's shelter, the district attorney's office, Texas Crime Victim's Compensation advocate (CVC), the police, or those who provide access to psychological treatment.

With better training, understanding, and community involvement in combating stalking, this increases victim safety, potential witnesses, and community awareness of this underreported or unreported criminal offense.

*See full article citations on page 5.*

## SAFVIC INSTRUCTOR SUMMIT REMINDER

### The 12th Annual SAFVIC Instructor Summit

August 11th—13th, 2014

San Antonio, TX

[La Cantera Hill Country Resort](#)

The Annual SAFVIC Instructor Summit is open to all SAFVIC Instructors. Attendees will receive a minimum of 16 hours TCOLE credit. The RSVP deadline is Monday, July 7th, 2014. If you plan on attending, email Brooke at [brooke.hinojosa@safvic.org](mailto:brooke.hinojosa@safvic.org) to secure your spot!



## UPCOMING CONFERENCES

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**2014**  
International  
Conference on  
Sexual Assault,  
Domestic Violence  
& Trafficking

**April 22nd—24th**  
Sheraton Hotel  
Seattle, WA

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## SAVE THE DATE

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**2014**  
National  
Sexual Assault  
Conference

**August 20th—22nd**  
Pittsburgh, PA

To find more  
information about the  
NSVRC conference, visit  
their website at:  
<http://nsurc.org/nsac>

## FEATURED AGENCY

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The Sexual Assault Resource Center (SARC) - formerly known as the Rape Crisis Center, Brazos Valley - has provided services to the Brazos Valley since 1983.

SARC's mission is to provide comprehensive services for and resources about sexual violence, primarily through 24-hour services and prevention education. SARC seeks to assure that the physical and emotional needs of sexual violence survivors are met, and that everyone receives accurate legal and medical information.

### **SARC SERVICES**

*24 Hour Crisis Hotline:* The hotline is available at any time for immediate crisis intervention and information to survivors of sexual assault as well as their family members and friends.

*24 Hour Accompaniments:* SARC provides Office of the Attorney General certified advocates who can be dispatched by calling the 24 hour hotline to hospitals, law enforcement agencies, and criminal justice proceedings in the Brazos Valley. Advocates will support survivors, answer questions, and make sure that the survivors' needs are being met

*Individual and Group Counseling:* SARC has two staff counselors who can provide individual or group counseling to survivors, family members of survivors, and friends of survivors. Staff counselors also hold weekly group therapy sessions for survivors of sexual assault.

*Education Programs:* SARC provides free educational programs and professional trainings for academic, civic, professional, and community organizations on a variety of topics that are related to sexual assault. A list of presentations can be requested by calling (979) 731-1000.

*Primary Prevention Program:* SARC has primary prevention curricula for children in grades 3<sup>rd</sup> through 12<sup>th</sup>. The Anti-

Bullying Curriculum for grades 3<sup>rd</sup> – 6<sup>th</sup> teach and empower students to be respectful, value others' differences, bystander intervention, and inspire their community to adopt those values. The Anti-Violence Curriculum teaches students about social oppression, stereotypes, media and violence, understanding consent, treating others with respect, and influencing their community to change a culture that is supportive of sexual violence.

*Prison Advocate Program:* SARC provides advocates to the inmate population at the Women's Federal Prison Camp. Advocates provide face to face crisis intervention services as well as information & referrals to any inmate who is seeking those services.

*Dogs for Survivors:* SARC has vouchers, should a survivor wish to and a staff counselor finds it would be therapeutically beneficial, for an animal adoption from the Aggieland Humane Society in order to assist in their road to recovery.

Local Hotline: 1.979.731.1000

National Hotline: 1.800.656.HOPE

[www.sarcbv.org](http://www.sarcbv.org)

Like SARC on Facebook!



## 2014 Statewide Conference on Violence Against Women



The Statewide Training on Violence Against Women Program (VAWT) is proud to announce the location and development of the *Statewide Conference on Violence Against Women* for 2014! The conference will be held at the Omni Hotel at the Colonnade in San Antonio, Texas on Monday, July 28, 2014 to Wednesday, July 30, 2014.

The Statewide Conference on Violence Against Women is open to Texas law enforcement and telecommunicator/9-1-1 dispatcher personnel from rural counties and/or counties who have experienced a fatality from domestic violence.

This conference will not only cover the basic dynamics of violent crimes against women but will provide in-depth training on special topics from experts such as human trafficking, cyber-crime, stalking, sexual assault, actual case studies, and much more! All attendees will receive TCOLE credit upon verification of attending all conference sessions. Everyone is encouraged to apply to attend the conference. All selected conference attendees will be notified by email or phone once he or she is selected to attend the conference.

All program funds will be used to cover expenses for hotel lodging (overnight accommodations only), registration fees, and speaker fees for selected attendees. Travel expenses such as parking, mileage, and daily per diem (meals) are not covered by the program and must be covered by those attending the conference.

Applications are currently being accepted and the deadline to submit an application is May 1, 2014. For further information or to submit an application please go to the following website [www.vawtconference.org](http://www.vawtconference.org).

*"Piecing together the tools needed to effectively investigate and prevent sexual assault, family violence, stalking, & human trafficking."*

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## FEATURED BOOK

### THE JOHNS

*Sex for Sale and the Men Who Buy It*

By: Victor Malarek



From socioeconomic background to emotional stability, Malarek investigates the root of the cause and attacks the idea that prostitution is a victimless crime. He explores the efficacy of Sweden's outlawing the buying—rather than the selling—of sex, and its dramatic impact on the country's prostitution rates.

The Johns is a chilling look into a dark corner of the world that these men have created at the expense of countless women and children.

*SAFVIC Instructors Only: This book is available in the SAFVIC Library!*

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[www.safvic.org](http://www.safvic.org)

