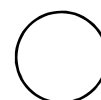


STALKING: THEN AND NOW

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Stalkingalert.com



Stalking is an abhorrent crime. It makes life a living hell for the victims - breaking up relationships, forcing the victims to move house, making them feel they are being watched 24 hours of the day . . . That is why we are explicitly criminalizing stalking, to make sure that justice is done, protect the victims and show beyond doubt that stalking is a crime.

Former Prime Minister David Cameron

(March 8, 2015)



DEPARTMENT OF JUSTICE, OFFICE OF VIOLENCE AGAINST WOMEN (OVW)

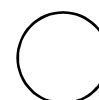
January 2015 Estimates

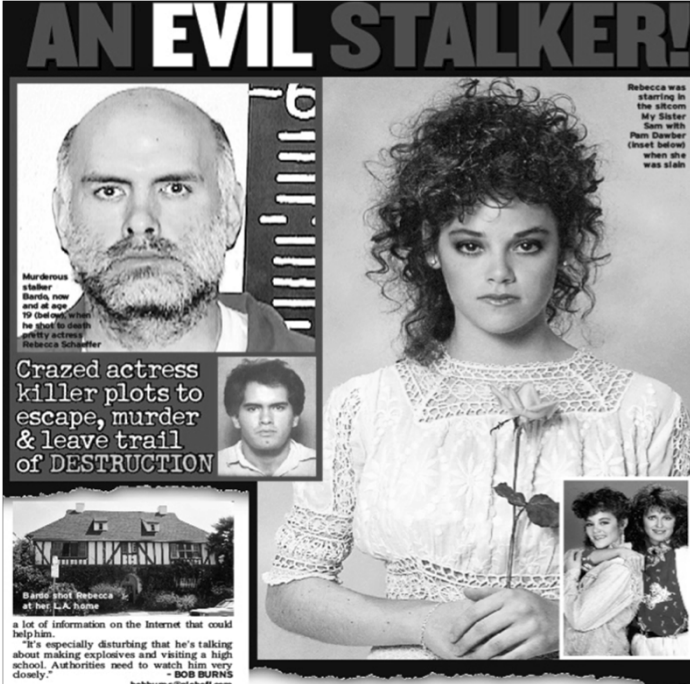
- 7.5 million persons age 18 or over were victims of stalking
 - 15% of women have experienced stalking
 - 6% of men have experienced stalking
- 60% of stalking victims do not report victimization to the police
- 3 in 4 stalking victims are stalked by someone they know
- 11% of stalking victims have been stalked for 5 years or more




1991

**CALIFORNIA IS THE FIRST PLACE IN THE
WORLD TO ENACT A STALKING LAW**





STALKER: ROBERT BARDO



ELEMENTS OF STALKING: PENAL CODE SECTION 646.9

- Repeated following or harassing: 2 or more times
- Credible threat: A verbal or written threat, including that performed though use of an electronic communication devise, or a threat implied by a pattern of conduct or a combination of verbal, written or electronically communicated statements and conduct.
- Intent to place the victim in fear: Suspect does *not* have to have the intent to carry out the threat; Crime of mental terrorism
- Reasonable fear: objective and subjective

REASONABLE FEAR: OBJECTIVE & SUBJECTIVE

- Does the victim know the stalker?
- Is the victim afraid of the stalker? Why or why not?
- Has the victim obtained a restraining order? Why and when?
- Has the victim taken any actions to avoid the stalker?
 - I.e., moved, changed jobs, changed schools, stopped going out, changed phone number
- Nightmares, insomnia anxiety, social dysfunction, severe depression.
- Describe a typical day prior to the stalking. Describe a typical day after the stalking began.



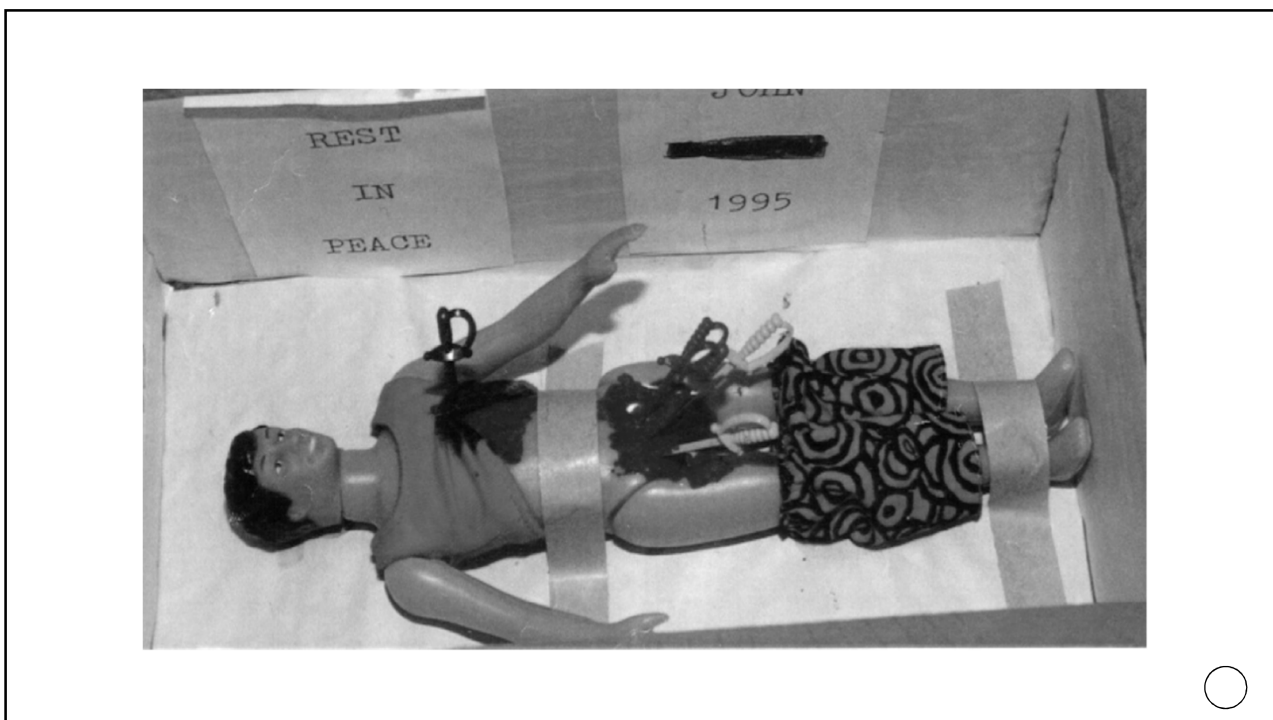
CAL. STALKING LAW REVISED IN 1994

- Made 1st stalking a wobbler (felony/misdemeanor); R/O or prior stalking, criminal threat, DV → Straight Felony
- Changed fear of “death or great bodily injury” to fear for own safety or safety of immediate family
- Not necessary to prove that suspect had intent to carry out the threat
- Present incarceration is not a defense
- Court may issue 10 year R/O



○ CREDIBLE THREATS?



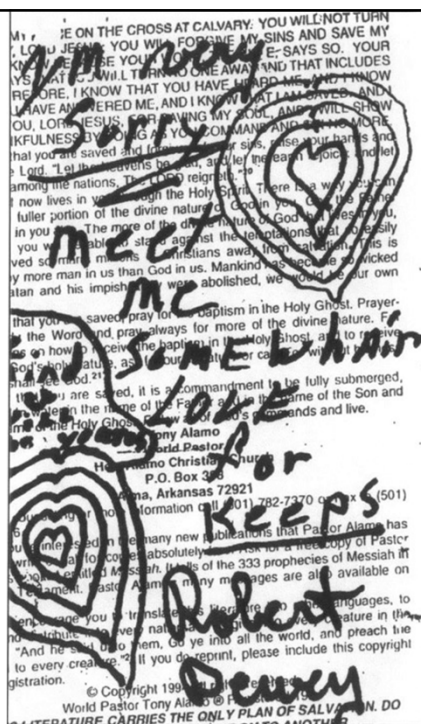


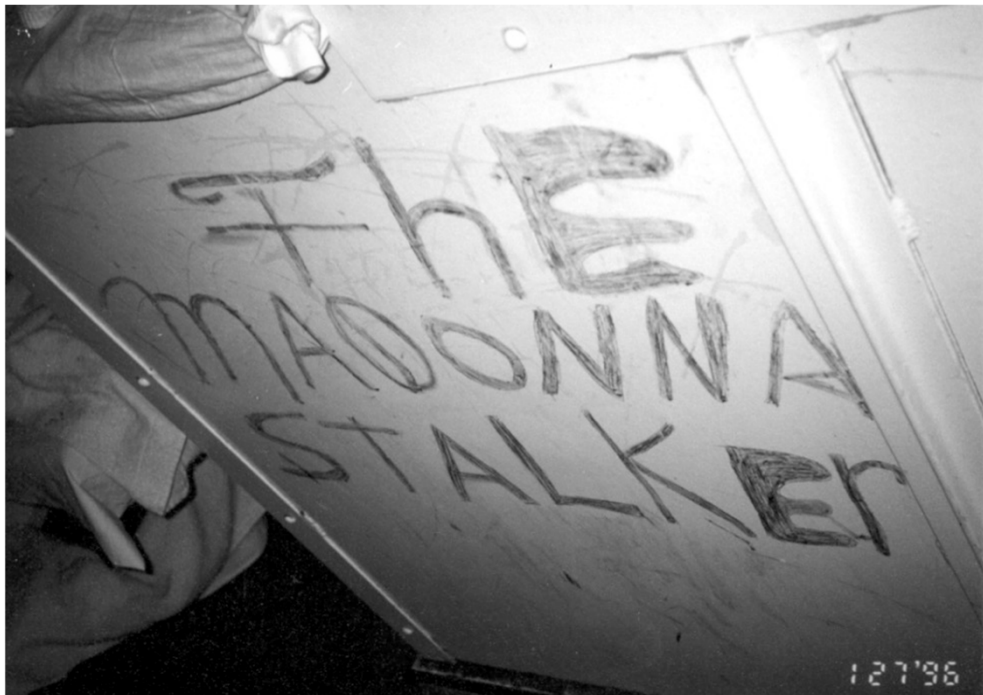


**Watched you munch something
recently
Also watched you with your children**

**Remember you are being watched 7
days every week at home, at work, and
especially while you're playing away
from home and work**



[illegible]



STALKER TYPOLOGIES

1

Relationship
DV, Work, School, etc.

2

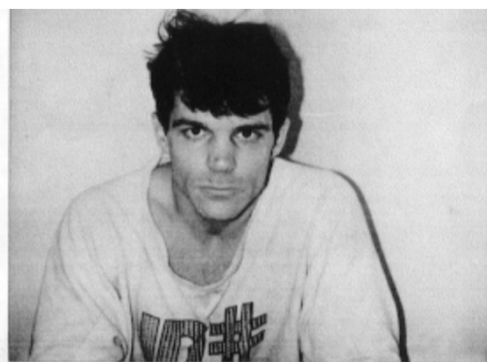
**Stranger /
Erotomaniac**

3

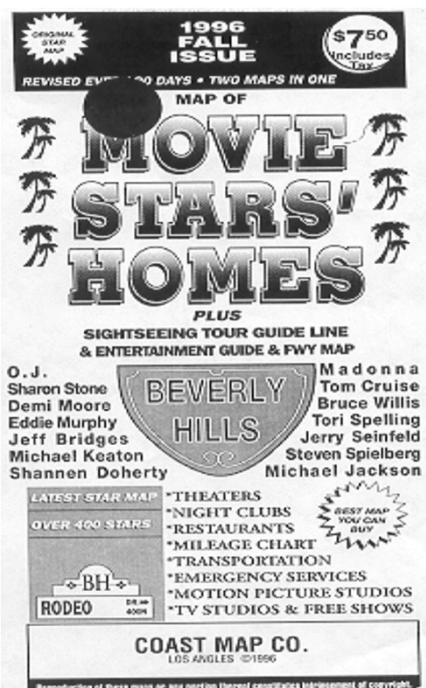
False Victimization

STRANGER: EROTOMANIA

- Believes there is a relationship; that their love/admiration is reciprocal
- Notoriety: want to be linked to the celebrity
- i.e. Mark David Chapman;
- Jonathan Norman



NORMAN, JONATHAN 10-24-66



Assorted Tels: 2 sizes of
strap-on, small, medium, large, huge Dildo
3 Eye Masks
3 CUFFS
4 pair of clippers
2 Log Collar
Check for nipple suckers
3 Locks w/ same key
4 Beeper Gun at Sportsman
4 Locks of Blades at
local grocery store.
- Cbraform, Shaker.
Party, Big for Equipment
and supplies

STEVEN SPIELBERG

Issues

- Spielberg was in Ireland filming Saving Private Ryan when Norman came to his house in Brentwood, CA
- Spielberg did not find out about Norman until 10 days after Norman's arrest
- Spielberg was terrified that Norman could have easily flown to Ireland, posing as an extra in the battle scenes, and open fire on the set.
- Was also frightened that if Norman hadn't been arrested, he could be waiting for him and his family in California when they returned.
- Insanity Defense: easily "knocked out"

UPHELD ON APPEAL: Stalking conduct does not have to be contemporaneous with victim's fear



SCOTT DEKRAAI: BKG PHOTO

DV / Workplace Violence

8 people killed including his ex-wife and those who tried to protect her

Red flags: Prior threats at her work; constant surveillance; multiple violations of R/O

OC DA's Office removed from the case

March 2017 – Cal. AG announces they will be seeking the death penalty



○ **CYBERSTALKING**

CYBERSTALKING: PERSISTENT USE OF THE INTERNET, E-MAIL, SOCIAL NETWORKS, INSTANT MESSAGING OR RELATED DIGITAL DEVICES TO ANNOY, HARASS OR THREATEN

- 1. Direct Communication
- 2. Indirect Communication – Circulated or Posted Online
- 3. Misrepresentation online



PC 653.2 - CYBERBULLYING

- Any person who, with intent to place another person in reasonable fear for his/her safety, or the safety of the person's immediate family, by means of an electronic communication device, and without consent of the other person, and for the purpose of imminently causing that person unwanted physical contact, injury, or harassment, by a third party, electronically distributes, publishes, emails, hyperlinks, or makes available for downloading, personal identifying information, including, but not limited to, a digital image of another person, or an electronic message of a harassing nature about another person which would be likely to incite or produce that unlawful action, is guilty of a Misdemeanor.
- Cf Penal Code Section 646.9 – Can be filed as a Felony.



FRANCES FITZGERALD



- Tanaiste and Minister for Justice and Equality received approval from Cabinet to draft the Non-Fatal Offences (amendment) Bill to make stalking, including cyber stalking, and revenge porn criminal offenses.
- Also extends offense of harassment to include activity on line and on social media.
- Revenge Porn: Makes it illegal to post explicit or intimate photos of a person online or on social media without their permission.
- Revenge porn is already an offense in the US, Wales, Scotland and England.
- Legislation proposes jail terms of up to seven years in jail; less serious forms would carry a fine of 5000 euros and/or up to 12 months in jail.



LEANDRA RAMM

- Stalker: Colin Mak Yew Loong
- 2005 - 2013
- 1st successful conviction of international cyberstalking (2014)
- Prosecuted in the U.S.
- Sentence: 3 years



- Crimes originated in Singapore. Crime of cyberstalking does not exist there.
- Posed as director of a music festival but when Ramm stopped replying to his emails, he sent over 5000 threatening emails making rape and physical threats against her and her family.
- Sent death threats to opera companies who hired Ramm.
- Also stalked and harassed Ukrainian musician, V Sakhno, physically and in person;
- Threatened Singaporean business woman sending death threats and pictures of executions
- Cyber stalked the German boyfriend of a Hungarian musician, threatening him with castration.
- US Secret Service became involved which resulted in Mak's prosecution.
- Mak pled guilty to sending Ramm 31 threatening emails and admitted to 11 other offences including intentional harassment of two other women and one man.
- District Judge called the matter "an abhorrent case of cross border cyberstalking. "The virtual internet in your hands became a lethal weapon. It was used as a weapon of massive personal destruction in the real world of your hapless victims."



STEPHANI LAWSON



- V was Lawson's ex-boyfriend
- She claimed he violated a R/O and threatened to kill her on Facebook
- He was arrested 4 times; she filed 8 police reports claiming he had threatened to kill her and her young daughter
- Police issued S/W for Facebook and T-Mobile records – took four months to access the records because tech companies kept “kicking back the warrants
- Finally found threats had come from her devices even though she had set up accounts in the V's name with his photos



ANGELA DIAZ



- Posed as V in emails and on Craig's list sending men to her (Diaz's house to commit rape;
- Diaz's husband was V's ex-boyfriend
- Diaz sent herself threatening emails using violent language
- Diaz told police V had been threatening to have her raped and threatened to kill her and unborn child. (Diaz faked the pregnancy.)
- V spent 3 months in jail until police discovered Diaz was behind the threats and emails
- Diaz is looking at 12 years in SP



DELAWARE FAMILY OF STALKERS

- David Matusiewicz, Amy Gonzalez (Sister), Lenore Matusiewicz (Mother)
- Thomas Matusiewicz (Father) Fatally shot and killed David's wife and her friend in courthouse lobby; shot and killed himself after exchanging fire with police; two officers injured.
- Charges
 - Conspiracy
 - Interstate stalking resulting in death
 - Cyberstalking resulting in death



- Family used mail, email, websites and Internet postings to disseminate false allegations against victim
- Conducted physical and online surveillance
- David and his mother kidnapped his children and took them to So. America. Was arrested in Nicaragua, returned to US and sentenced to 48 months in prison
- From prison, he recruited his family members to stalk, harass and intimidate his ex-wife and children
- When released from prison, David and his father, at a child support hearing, parked near courthouse in a car that contained ammunition, military-style knife, three sets of restraints of progressively smaller sizes, bulletproof vest, electric shock device, binoculars and photos of the children and residence.
- First conviction for cyberstalking resulting in death.
- Sentenced: February 18, 2016
- David, Amy and Lenore sentenced to life in prison; Judge found their behavior inextricably linked to murder that had occurred.



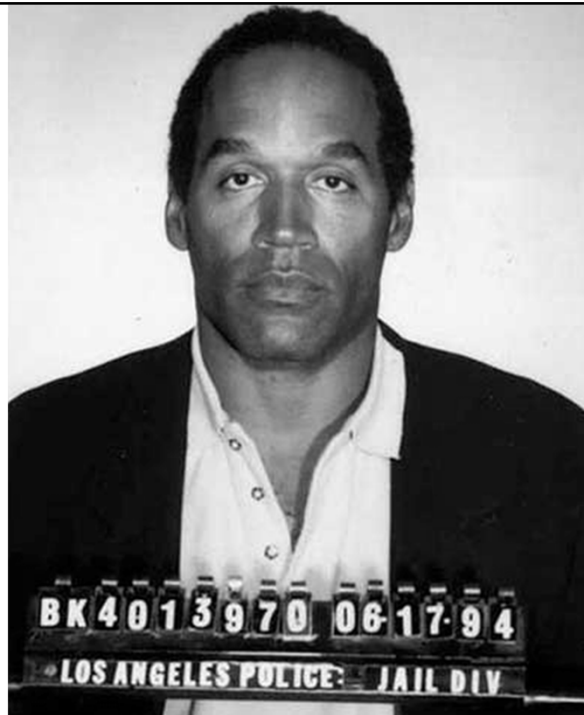
WHO SAID THIS?

“Let’s say I committed this crime. Even if I did do this, it would have to have been because I loved her very much, right?”



O.J. SIMPSON

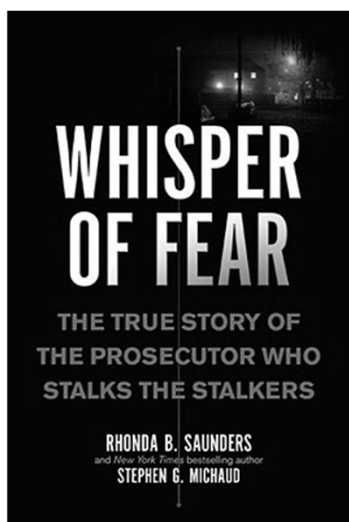
Esquire Magazine,
February 1998





“Every person deserves to live freely and without the fear of being followed or harassed. Stalking is a violation of our fundamental freedoms, and it insults our most basic values as a Nation. Often perpetrated by those we know -- and sometimes by strangers – stalking is a serious offense that occurs too frequently and goes unreported in too many cases . . . [W]e stand with victims of stalking, pledge to bring their stalkers to justice, and rededicate our efforts to ridding our schools, workplaces, and neighborhoods of this crime.”

– President Barack Obama
(December 31, 2015) ○



WWW.STALKINGALERT.COM

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