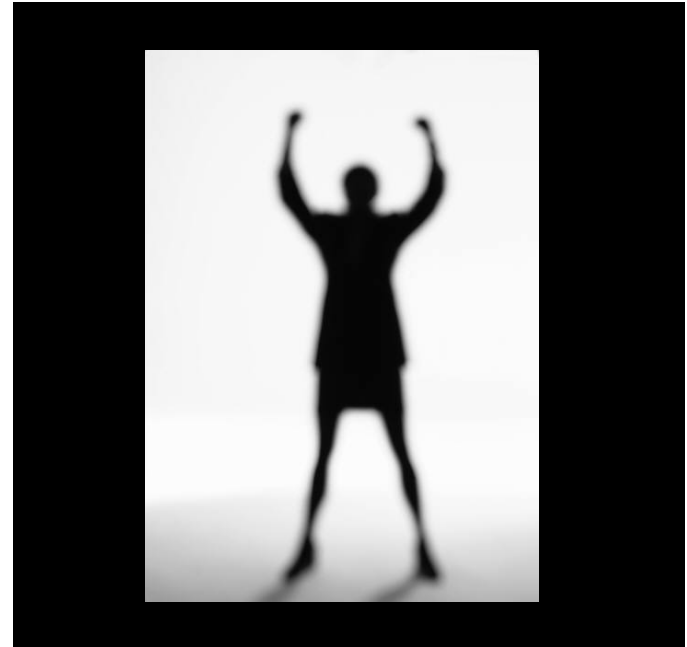


# *Stalking Resource Book*



*Dunn House Outreach*



COMMUNITY  
WORKS

(541) 779-HELP or  
1-888-609-4357

[www.community-works.org](http://www.community-works.org)



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## Impact of stalking on victims.

Copied from The National Center for Victims of Crime

What is the Impact of stalking on victims?

Individual responses vary but commonly include:

- **Fear:** of what the stalker will do next, of leaving the house, of the dark, of the phone ringing
- **Anxiety:** about the unknown consequences, the safety of family members or pets, what the future holds, whether the stalking will ever end, how other people will respond if they find out what's happening
- **Vulnerability:** feeling totally exposed, never feeling safe, not knowing who to trust or where to turn for help
- **Nervousness:** feeling anxious, fearful, jumpy, irritable, impatient, on edge, getting startled by small things
- **Depression:** feeling despair, hopelessness, overwhelmed with emotion, tearful, angry
- **Hypervigilance:** being continually alert to known and unknown dangers, taking elaborate safety measures against the perpetrator or any suspicious people, repeatedly re-checking locks and bolts on doors and windows
- **Stress:** having difficulty concentrating, forgetting things, feeling generally distracted and worried
- **Stress-related physical symptoms:** such as headaches and stomach aches
- **Eating problems:** not feeling hungry, forgetting to eat, and eating all the time
- **Flashback or intrusive memories:** reliving frightening incidents, not being able to break away from disturbing thoughts, feelings, and memories
- **Sleeping Problems:** nightmares, interrupted sleep patterns, not being able to fall asleep, wanting to sleep all the time
- **Isolation:** feeling disconnected from family or friends, feeling no one understands
- **Use of alcohol or drugs:** to numb fear and anxiety triggered by stalking incidents, to induce calm and sleep

## Duplicate of Stalker's Information

You can tear out this page and give to a trusted friend or family member so they will have information on the stalker too.

Name:	Social Security #:
Date of Birth:	Driver's License Info:
Sex:	Home Number:
Height:	Cell Number:
Race/ Ethnicity:	Pager Number:
Eye Color:	Length/ Style of Hair:
Shoe Size:	Hair color:
Tattoos/ Identifying marks:	Weight:
Language(s) spoken:	Employer's or School Name:
Supervisor's Name:	Employer's Phone:
Employer's Address:	Work Hours:
Probation/Parole Status:	Probation/Parole Officer:
Access to firearms:	Where is firearm kept?
Vehicle Year:	Vehicle Model:
Vehicle Make:	Vehicle Color:
Vehicle License Plate #:	Other Vehicles:
List of Offender's family, friends and associates (name, address, phone #'s):	Medications/ Drugs used:

## What is Stalking?

Stalking is obsessive behavior that is perpetrated by one person against another. Stalking is a pattern of repeated, unwanted phone calls, e-mails, harassment or contact. The behavior usually starts with annoying phone calls or communication but can quickly escalate to behaviors that cause you fear or intimidation. This definition differs from Oregon's legal definition which will be covered later in this booklet.

Some stalking behaviors include:

- Repeated phone calls or text messages
- Waiting at the victim's home, gym, office, coffee stand
- Sending letters, e-mails, Instant Messages
- Sending or leaving gifts in the victim's car, home or workplace (flowers, jewelry, photos etc.)
- Following the victim
- Damaging the victim's home, car or property
- Cyber stalking or identity theft
- Information gathering through third parties, neighbors, coworkers going through the victim's garbage etc.
- Manipulation, intimidation or threats of harm

Stalking is a behavior or combination behaviors that happen again and again. These behaviors may cause you fear or at other times they might just feel annoying or frustrating.

A stalker can be an ex-partner, a friend, a co-worker, a total stranger, a current or previous acquaintance or date, or a current or former spouse. The most common stalking cases are an ex-partner stalking the victim or the victim's new boyfriend or girlfriend.

If you have experienced any of these behaviors, there is help available.

***You do not have to go through this alone.***

## Options available for stalking victims in Jackson County

Law Enforcement: You may choose to call 911 and report the behaviors to local law enforcement; particularly if they are threatening in nature or involve property damage or an intrusion into your home. You may contact Law enforcement at any time that you feel threatened or fearful of the stalker.

Civil Stalking Protective Order: A stalking order is a court document that orders the stalker to not have any contact with you. A stalking order can last forever and doesn't have to be renewed yearly like a restraining order. Please see the segment on stalking orders to learn more about this option.

Safety Planning: Whether you choose to involve the legal system or not you can still work with an advocate on a plan for your safety. There are safety planning tips in the Safety Planning section of this booklet. Advocates can help you develop a plan specific to your safety concerns.

Shelter/Advocacy: If you are in danger and need a safe place to go, call Dunn House shelter at 779-HELP. If you need emotional support, referrals and help with resources you can work with any Victim Services advocate.



## BEHAVIOR INCIDENT LOG

Document Every Contact

Date of Contact: _____	Time of contact: _____
Location of contact: _____	Was there any evidence: letter, message etc.? What was it? Did you keep it? _____
Describe Contact: _____ _____ _____ _____ _____ _____	
How did you feel threatened by this behavior? _____ _____ _____ _____	
Witnesses to this contact: Name: _____ Address: _____ Phone Number: _____	
Witnesses to this contact: Name: _____ Address: _____ Phone Number: _____	
Officer Name: _____	Agency: _____
Contact Info: _____	Report # _____

# BEHAVIOR INCIDENT LOG

Document Every Contact

Date of Contact: \_\_\_\_\_ Time of contact: \_\_\_\_\_

Location of contact: \_\_\_\_\_ Was there any evidence: letter, message etc.? What was it? Did you keep it? \_\_\_\_\_

Describe Contact: \_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_

How did you feel threatened by this behavior? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Witnesses to this contact:  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_

Witnesses to this contact:  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_

Officer Name: \_\_\_\_\_ Agency: \_\_\_\_\_  
Contact Info: \_\_\_\_\_ Report # \_\_\_\_\_

# Resources and Phone Numbers

**Police/Emergency.....911**

**Dunn House Court Advocates.....774-4986**  
Assist victims with restraining orders, stalking orders and support during other court or legal proceedings.

**Dunn House Shelter.....779-HELP or 888/609-HELP**  
24-hour emergency shelter and advocacy for victims of domestic violence and stalking

**Sexual Assault Victim Services (SAVS) .....779-HELP**  
24 hour emergency response and advocacy for victims of sexual assault.

**Medford Police Dept. Advocate.....774-2288**  
Provides advocacy and support to domestic and sexual assault victims, through MPD. Bilingue Ingles/Espanol.

**Hispanic Services.....779-2393 x 209**  
Provides advocacy for Hispanic victims, coordinates resources for Hispanic population. Bilingue Ingles/Espanol.

**Jackson County Courts.....776-7171**

**District Attorney's Victim Witness.....774-8187**

**VINE.....800/674-8463**  
Victim Information and Notification Everyday: automated system that gives info about the status of any offender incarcerated in Oregon.

## Non-Emergency Law Enforcement Numbers

Ashland.....482-5211  
Butte Falls.....865-3200  
Central Point.....664-5578  
Eagle Point.....826-9171  
Jackson County Sheriff's Dept.....774-6800  
Jacksonville.....899-7100  
Medford.....770-4783  
Oregon State Police.....664-4600  
Phoenix.....535-1113  
Shady Cove.....878-3200  
Talent .....535-1253

## Safety Planning

**When should I use safety planning?** Some safety planning may be for emergencies. If the stalker is in your home or following you, what should you do, where should you go, how do you stay safe? Safety planning can also be longer term like relocating, changing your locks and creating a workplace safety plan. Safety planning can also assist you in preparing for legal options. Learning how to document behaviors and keep potential evidence can help you if you choose to use the legal system at some point. Finally, safety planning can be preventative; that is, trying to prevent harm from coming to you. Preventative safety planning can include things like protecting your identity, getting a post office box or limiting avenues for cyber stalking.

**Trust your gut:** Surviving is a skill. Victims of domestic violence, sexual assault and stalking are resourceful. You know better than anyone what feels safe to you and what doesn't. Safety planning is only a set of tips; some may work for you, some might not. You can pick and choose and most importantly—listen to your own gut.

**Risk Reduction:** Safety planning, like protective orders are not full proof. They won't guarantee your safety. Safety planning is used as a risk reduction technique but remember that you are not responsible for the actions of the stalker. You may follow all of the safety tips listed in the booklet and the stalking continues. The stalker is responsible for his or her behavior, not you.

**Immediate Safety:** Most importantly— if you need immediate safety— call 911, go to a police station, a friend, a neighbor, get to a telephone and call for help! “Catching” or trying to “outsmart” the stalker or get witness contact information is not worth your safety. Get yourself safe first and worry about the rest later. Don't be afraid to call 911 and ask for help.

## BEHAVIOR INCIDENT LOG

Document Every Contact

Date of Contact: \_\_\_\_\_

Time of contact: \_\_\_\_\_

Location of contact: \_\_\_\_\_

Was there any evidence: letter, message etc.? What was it? Did you keep it? \_\_\_\_\_

Describe Contact: \_\_\_\_\_

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How did you feel threatened by this behavior? \_\_\_\_\_

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\_\_\_\_\_  
\_\_\_\_\_

Witnesses to this contact:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Witnesses to this contact:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Officer Name: \_\_\_\_\_ Agency: \_\_\_\_\_

Contact Info: \_\_\_\_\_ Report # \_\_\_\_\_

## BEHAVIOR INCIDENT LOG

Document Every Contact

Date of Contact:

Time of contact:

Location of contact:

Was there any evidence: letter, message etc.? What was it? Did you keep it?

Describe Contact: \_\_\_\_\_

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\_\_\_\_\_  
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How did you feel threatened by this behavior? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Witnesses to this contact:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Witnesses to this contact:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Officer Name: \_\_\_\_\_ Agency: \_\_\_\_\_

Contact Info: \_\_\_\_\_ Report # \_\_\_\_\_

## Stalking Safety Planning In Your Home

- △ Be aware of any unusual packages that show up at your house. Call 911 if you are concerned.
- △ Install smoke detectors inside your home and keep fire extinguishers charged and accessible.
- △ Keep emergency contact information by every phone in the home.
- △ Put your lights, television or a radio on a timer if you are going to be away from home so it looks and sounds like someone is home.
- △ Have and practice an emergency evacuation plan. Know how to get out of your house in a hurry.
- △ Dogs make great alarm systems but only if they do not know the intruder. If your pet is one you shared with the stalker, it may not bark as a warning.
- △ Know the schedules of all members of your household. When are they home, gone and when should you expect them?
- △ Require Identification of any service people that come to your home. If the visit is unexpected, call their company and confirm that they are supposed to be there.
- △ If possible park your car in a locked garage.
- △ Ask your neighbors to keep their eyes out for any suspicious persons or activity around your house. Give them a description of the stalker and let them know what you'd like them to do if they see your stalker. (call police, notify you, etc.)

## Stalking Safety Planning In Your Home Cont...

- △ Have flashlights with batteries available throughout the house and install a lock on your fuse box.
- △ Have an alarm system installed that will notify 911 if there is an intrusion. If a home alarm system is too costly, consider personal alarms that can be purchased at home improvement stores for \$5-\$20. These go between the window and the windowsill or the door and the door frame. When contact is broken, they make a loud noise but do not call 911.
- △ If you are going to be away from your home overnight, have neighbors pick up your mail and paper. If you're going to be on an extended vacation, ask the postal service to hold your mail for you.
- △ If there's any possibility that the stalker got a copy of your house key, have your locks changed.
- △ If you get a post office box, do not use the one nearest your home, get one near your work or across town.
- △ Work with an advocate to register for the Address Confidentiality program to protect your personal identifying and contact information.
- △ Remove your home address from your checks. Use a PO Box or a friend's address.
- △ Don't put your first or last name on your mailbox or on any exterior decorations.
- △ Replace any exterior doors with solid core doors or metal doors and keep all doors locked (fence, garage etc.)
- △ Install locks on all interior doors.

## BEHAVIOR INCIDENT LOG

Document Every Contact

Date of Contact: _____	Time of contact: _____
Location of contact: _____	Was there any evidence: letter, message etc.? What was it? Did you keep it? _____
Describe Contact: _____ _____ _____ _____ _____ _____	
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Contact Info: _____	Report # _____

## BEHAVIOR INCIDENT LOG

Document Every Contact

Date of Contact:

Time of contact:

Location of contact:

Was there any evidence: letter, message etc.? What was it? Did you keep it?

Describe Contact:

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How did you feel threatened by this behavior?

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Witnesses to this contact:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Witnesses to this contact:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Officer Name: \_\_\_\_\_ Agency: \_\_\_\_\_

Contact Info: \_\_\_\_\_ Report # \_\_\_\_\_

## Stalking Safety Planning In Your Home Cont...

- △ Don't have any packages shipped directly to your home (Fed Ex, UPS etc.) Use a PO Box, work address or friend's address.
- △ Establish and use a code word with any household members in case of an emergency situation. Plan ahead And practicewhat children should do when they hear the code word (go to neighbors, hide, call 911 etc.)
- △ Shred all mail you discard. It is very easy for a stalker to go through your garbage and learn or confirm information based on your mail.
- △ Keep a reserve of money stashed away– enough to pay for a cab and a night at a motel. Keep copies of all important paperwork in a safe location (safety deposit box, at work, with a friend).
- △ Get wide angle peepholes and deadbolts installed in exterior doors.
- △ Trim any bushes, shrubs or trees that may block your view or allow a place for the stalker to hide.
- △ Install motion lights, driveway alarms and porch lights high enough to discourage bulb removal.
- △ Install a locking bar for sliding glass doors or have a piece of wood cut to the right length to wedge sliding door shut.
- △ Use tin cans on a string to alert you if someone is coming through door or window.
- △ Use dowels or thick lengths of wood in window frame for windows that don't lock.

## Stalking Safety Planning For School

- Accompany children to and from the bus stop or school if possible.
- Notify children's school of situation and be clear about whom the children may leave the school campus with.
- Give the school a copy of your restraining order or stalking order.
- Work with campus security to develop a campus safety plan.
- If the stalker attends the same school ask if the school will change the stalker's schedule or ask to change your class schedule or ask for self study options.
- Alert school administration, teachers, cafeteria workers, etc. of any safety risks.
- Avoid circumstances where children might be left alone waiting after school for a ride etc.
- Ask that your student ID number not be your social security number.
- If the stalker is in a class with you and there are no other options, speak with the teacher about the costs or benefits of taking an incomplete.
- Change any locker, computer or school related combinations, codes or passwords.



## BEHAVIOR INCIDENT LOG

Document Every Contact

Date of Contact: \_\_\_\_\_

Time of contact: \_\_\_\_\_

Location of contact: \_\_\_\_\_

Was there any evidence: letter, message etc.? What was it? Did you keep it?

Describe Contact: \_\_\_\_\_

\_\_\_\_\_

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How did you feel threatened by this behavior? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Witnesses to this contact:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Witnesses to this contact:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Officer Name: \_\_\_\_\_ Agency: \_\_\_\_\_

Contact Info: \_\_\_\_\_ Report # \_\_\_\_\_

## UNWANTED CONTACT

This is information on how you told the stalker you didn't want contact

Date:

Time:

On the phone: I said \_\_\_\_\_

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By Mail: I sent the letter from: \_\_\_\_\_

Addressed to \_\_\_\_\_

Certification tracking #: \_\_\_\_\_

I sent an Email or Text Message that said: \_\_\_\_\_

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I printed a copy and kept it.

Any witnesses to my expression of Unwanted Contact

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

The stalker's reply to my Expression of Unwanted Contact: \_\_\_\_\_

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## Stalking Safety Planning For the Workplace

- Give the front desk, reception, administration and security a picture or description of your stalker and a copy of any related protective orders.
- Have reception or another co-worker screen calls and visitors as much as possible.
- Have a co-worker record your voicemail for you. Stalkers may call repeatedly just to hear your voice.
- Ask for security to walk you to and from your car.
- Ask human resources and all co-workers not to share any information about you with any third parties. The stalker may call pretending to be a family member with an emergency to get your cell phone number.
- Keep a copy of your restraining order or stalking order in your desk drawer or work locker.
- Alter your work schedule if possible or vary the times that you arrive and leave from work.
- If you work a shift alone, ask your employer to brainstorm safety options or to consider doubling up the shift for awhile.



## Stalking Safety Planning In Public

- ▶ Before going out, let someone know where you are going, when you expect to return and what you would like them to do if you are late returning.
- ▶ Avoid locations that the stalker knows that you frequent (minute market, club, stores, etc.)
- ▶ Travel with a companion whenever possible.
- ▶ Vary your routes when walking, jogging, cycling or driving. Don't be predictable.
- ▶ Keep your doors locked in your car while parked and while driving.
- ▶ If you are followed, drive to a police station or busy location. Do not drive home.
- ▶ Before driving your car, check for any damage, flat tires or anything that looks suspicious.
- ▶ Park in well lit, busy areas. Avoid isolated locations.
- ▶ Get names and contact information from any witnesses who see the stalker's behavior in public.
- ▶ If in a relationship, encourage your date or partner to follow a safety plan as well. Stalkers may act out and express jealousy towards new friends or partners.
- ▶ Seek protection of your information from public sources: classmates, DMV, utilities, licensing boards, voter registration, veterinarians, post office, banks, credit card companies, video rental, gym, dry cleaner, pharmacy, magazine subscription, pizza delivery.....

## STALKER'S INFORMATION CONT...

Tattoos/ Identifying marks:	Weight:
Language(s) spoken:	Employer's or School Name:
Supervisor's Name:	Employer's Phone:
Employer's Address:	Work Hours:
Probation/Parole Status:	Probation/Parole Officer:
Access to firearms:	Where is firearm kept?
Vehicle Year:	Vehicle Model:
Vehicle Make:	Vehicle Color:
Vehicle License Plate #:	Other Vehicles:
List of Offender's family, friends and associates (name, address, phone #'s):	Medications/ Drugs used:
_____	_____
_____	_____

## Incident Log/ Journal

The following log is provided for you to use when documenting information related to the stalker or the stalking incidents. You can use this to help you keep track of any information that may later be helpful to law enforcement or for a civil stalking order.

<b>STALKER'S INFORMATION: Just fill out what info you have on the offender</b>	
Name:	Social Security #:
Date of Birth:	Driver's License Info:
Sex:	Home Number:
Height:	Cell Number:
Race/ Ethnicity:	Pager Number:
Eye Color:	Length/ Style of Hair:
Shoe Size:	Hair color:

## Stalking Safety Planning Electronics/Cyberstalking

- ▲ Get an unlisted phone number.
- ▲ Let your voicemail screen your calls. Do not answer calls from numbers you don't recognize. It's okay to let it ring.
- ▲ Get a home phone in a friend's name or list it under a different name.
- ▲ Obtain Caller ID.
- ▲ Use \* 69 to trace calls if you don't have Caller ID.
- ▲ Use \*67 when you call out, to block your number.
- ▲ If it is the stalker calling, hang up. The more you react and the more contact the stalker has with you, the more encouragement he or she gets to keep trying to have contact.
- ▲ Do not put your name or your phone number on your voicemail. Ask a friend to record the message for you so it's not in your voice.
- ▲ Never give out personal information over the phone, especially cordless ones.
- ▲ If you get a new phone number, keep the old one as well. Use an extra machine to record incoming calls. Only give your new number to friends and family you trust and use the old number to collect incriminating calls from the stalker. The same can be done if you get a new e-mail address.
- ▲ Regularly change your e-mail and voicemail passwords. Don't use something that the stalker could guess. Do not use birth dates, pets names etc.

## Stalking Safety Planning Electronics/Cyberstalking

- ▲ Do not select “remember my password” for any e-mails or on-line options.
  - ▲ Clear your recent computer documents: Under the Start menu, select “My recent documents” then delete unwanted files.
  - ▲ Empty the computer recycle bin before shutting down the computer– double click the recycle bin, then click empty recycle bin.
  - ▲ Do not type the web addresses directly into the Location Bar. Instead use a search engine like Google or Yahoo. Whatever you type in to the Location Bar will be saved.
  - ▲ If your cell phone has GPS capabilities, check with your cell company for options to disable.
  - ▲ Save and create a backup of all voicemails from the stalker.
  - ▲ Change your password on all credit cards, ebay accounts, Instant Messengers, your computer login, auto bill pay, or on-line banking options.
  - ▲ Google yourself to see what information the internet has on you.
  - ▲ Look yourself up on [www.zabasearch.com](http://www.zabasearch.com) and remove info you do not want to be publicized.
  - ▲ If you are a home owner in Jackson County, check the County website at [www.co.jackson.or.us](http://www.co.jackson.or.us) then click on “Front Counter Application” to determine the ease of confirming accessibility to your home address.
- The Department of Homeland Security may not release information about certain victims of domestic violence and their children without the victim's consent. [VAWA](#), 18 USC 384
  - Oregon residents who are victims of domestic violence or are at risk of becoming victims may be eligible for Temporary Assistance to Domestic Violence Survivors (TA/DVS) emergency monetary grants through the Oregon Department of Human Services. Applicants must have children or be pregnant to qualify. An emergency monetary relief order under the Family Abuse Prevention Act does not affect eligibility for TA/DVS grants. See OAR 461-135-1210 et seq.
  - The Department of Homeland Security may not make unfavorable immigration decisions based solely upon information provided by a spouse, parent, or other family member who resided in the same household as the immigrant, who is abusive toward the immigrant or the immigrant's child. 8 USCA Sec. 1367(a)(l)
  - Victims of crime who are immigrants may access emergency medical care and police assistance, may have the perpetrators of the crimes against them prosecuted, and may obtain community based services necessary to protect life and safety H.R. REP. NO 104-725 (1996); 61 Fed. Reg. 45,985 (Aug 30, 1996); 63 Fed. Reg. 41, 662 (Aug 4, 1998); 62 Fed. Ref. 61,344, 61,346 (Nov 17, 1997); 8 USC Sec. 1642(d)

## Crime Victim's Rights

Taken from

[http://www.doj.state.or.us/crimev/cvr/domestic\\_violence.shtml](http://www.doj.state.or.us/crimev/cvr/domestic_violence.shtml)

- A victim of domestic violence, sexual assault or stalking may not be disqualified from receiving unemployment benefits if the individual has no reasonably available alternative to leaving work to protect the individual or minor child from further domestic violence, sexual assault or stalking at a workplace or elsewhere. ORS 657.176(12)
- A victim of domestic violence, sexual assault, or stalking, may terminate a rental agreement with a 14 day notice within 90 days of the crime, and has the right to have locks changed by the owner of the rental property. ORS 90.453 ORS 90.459
- The Violence Against Women Act and the Justice Department Reauthorization Act of 2005 protect qualified public housing and Section 8 tenants and family members of tenants who are victims of domestic violence, dating violence, or stalking from being evicted or terminated from housing assistance based on acts of such violence against them. 42 USC 143d(2005); 42 USC 1437f(2006).
- A victim of domestic violence may have a right, in some Oregon housing Authorities, to a housing preference.
- A person at risk for family, elder or disabled people abuse, has the right to go on a payment plan rather than have basic phone service disconnected for unpaid bills. ORS 759.690– Note Following; Chapter 204, Oregon Laws 2005
- Any protection order issued by the court of one state or Indian tribe, after reasonable notice was given to the person against whom the order was made sufficient to protect due process rights, shall be accorded full faith and credit by the court of another state or tribe and enforced as if it were the order of the enforcing state or tribe. 18 USC 2265

## Safety Planning Electronics/Cyberstalking

- ▲ You can check at the Courthouse in the Public Records room on OJIN to see what other public information is available about you.
- ▲ Be cautious of any information you include about yourself on any My Space or other internet accounts.
- ▲ Have your name removed from any on-line or published reverse directories.
- ▲ Alert credit bureaus to flag you records against any fraudulent access.
- ▲ Check your car for any unwanted GPS locators.

## Courtroom Safety Planning

- ▲ Ask an advocate to go to court with you.
- ▲ Alert courthouse security of your safety concerns.
- ▲ Have security walk you to your car after court proceedings.
- ▲ Wait in the courthouse until the stalker has left the premises.
- ▲ Sit on the opposite side of the courtroom as the stalker.
- ▲ If the stalker is giving you intimidating looks, let the bailiff know immediately.
- ▲ When you are testifying, don't look at the stalker, look at judge, advocate or attorney.

## Getting a Stalking Order (Taken from “A Guide for Survivors” by Legal Aid Services of Oregon)

You may apply for an order through the police or sheriff’s department in the jurisdiction where you are being stalked.

1. Go to your local police agency to **file a stalking complaint**.
2. If the police find that there is “probable cause” to believe that stalking has occurred, a stalking citation (ticket) will be issued. **The stalking citation is NOT a stalking order.**
3. The citation will be served on the respondent (stalker) and require that the respondent appear in court for a **temporary stalking order hearing** within three days. The petitioner (victim) is not required to be present at this hearing but may want to be.
4. At this hearing the Judge may:
  - Issue a temporary stalking order and set another date for a permanent stalking order hearing; or
  - Deny your request for a stalking order
  - Issue a warrant if the respondent fails to appear and issue a permanent stalking order.
5. **Permanent Stalking Order Hearing:** At this hearing, the judge will hear more complete evidence on the issue of whether the temporary stalking order should be made permanent.
  - Both you and the stalker must appear at this hearing. **If you do not appear, your order could be dismissed.**
  - If at all possible, you should **hire an attorney** to represent you at this hearing.

- (3) “Contact” includes but is not limited to:
  - (a) coming into the visual or physical presence of the other person;
  - (b) following the other person;
  - (c) waiting outside the home, property, place of work or school of the other person or a member of that person’s family or household;
  - (d) sending or making any written or electronic communications in any form to the other person;
  - (e) speaking with the other person by any means;
  - (f) communicating with the other person through a third person;
  - (g) committing a crime against the other person;
  - (h) communicating with a third person who has some relationship to the other person with the intent of affecting the third person’s relationship with the other person;
  - (i) communicating with business entities with the intent of affecting some right or interest of the other person;
  - (j) damaging the other person’s home, property, place of work or school; or
  - (k) delivering directly or through a third person any object to the home, property, place of work or school of the other person.
- (4) “Household member” means any person residing in the same residence as the victim.
- (5) “Immediate Family” means father, mother, child, sibling, parent, spouse, grandparent, stepparent and stepchild.
- (6) “Law enforcement officer” means any person employed in this state as a police officer by a county sheriff, constable, marshal or municipal or state police agency.
- (7) “Repeated” means two or more times
- (8) “School” means a public or private institution of learning or a child care facility.

## ORS Stalking Statutes

The following is from the Oregon Revised Statutes and can be found at [www.leg.state.or.us](http://www.leg.state.or.us).

163.732

- (1) A person commits the **crime of stalking** if:
  - (a) The person knowingly alarms or coerces another person or a member of that person's immediate family or household by engaging in repeated and unwanted contact with the other person;
  - (b) It is objectively reasonable for a person in the victim's situation to have been alarmed or coerced by the contact; and
  - (c) The repeated and unwanted contact causes the victim reasonable apprehension regarding the personal safety of the victim or a member of the victim's immediate family or household.
- (2)
  - (a) Stalking is a class A misdemeanor.
  - (b) Notwithstanding paragraph (a) of this subsection, stalking is a Class C felony if the person has a prior conviction for:
    - (A) Stalking; or
    - (B) Violating a court's stalking protective order.
  - (c) When stalking is a Class C felony pursuant to paragraph (b) of this subsection, stalking shall be classified as a person felony and as crime category 8 of the sentencing grid.

Definitions: 163.730

- (1) "Alarm" means to cause apprehension of fear resulting from the perception of danger.
- (2) "Coerce" means to restrain, compel or dominate by force or threat.

## Permanent Stalking Order Hearing cont...

- At this hearing, you should be ready to give your own testimony, call witnesses, and **present any evidence** to tell the Judge why you want the stalking order for your protection. It is a good idea to **bring witnesses** to this hearing, if you can.
  - Both you and the respondent will have a chance to present evidence.
  - Important: The law enforcement officer who issued your citation will not automatically appear at the hearing. You will **need to subpoena the officer** to ensure that she/he will be there.
6. What do you need to know about the permanent hearing:
    - **It is best to be represented by an attorney at the hearing.**
    - It is best to have witnesses to the stalking present to testify on your behalf.
    - Bring in all evidence you have of the stalking ( tape recordings, letters, phone messages etc. )
    - In some cases, the judge can order that the stalker submit to a mental health evaluation. If you have asked the court to order an evaluation, you should present evidence of the stalker's mental instability.
  7. Once you get a stalking order, how is it enforced?
    - The order is not enforceable until it has been **served on the stalker**. If the stalker was not in court when the order was issued, make sure that the order is served by contacting law enforcement.
    - **Keep a copy of the order with you at all times.**
    - If the stalker disobeys the order, **call 911**. Police must arrest the stalker if an officer has probable cause to believe there has been a violation of the order.
    - If you have a permanent stalking order, it will remain in effect permanently or until further order of the court.

## Advocacy Tips on Preparing Yourself for a Stalking Order Hearing

This is not legal advice and was not prepared by an attorney. It is best to hire an attorney to represent you at this hearing but we recognize that many stalking victims do not have the financial resources and have to represent themselves. The following are some tips for preparation.

Evidence: Be prepared to provide evidence relating to all statements you made in your complaint to law enforcement. This can be your testimony, witness testimony, pictures, letters, phone messages etc. Bring the originals of any documents as well as 2 extra copies.

Respondent: Remember, the other side gets to submit evidence too. The stalker has a right to testify, submit evidence and to object to evidence that you have submitted. Be prepared emotionally for the respondent's side of the story. Chances are it will be very different from your testimony and it may be frustrating and hurtful to hear. Just because the respondent says it, doesn't mean the judge will automatically believe it.

Elements: Know what you are in court to prove. Read over the Oregon statutes and know what the elements of stalking are. Be sure to cover each of the required elements with your testimony and evidence.

Organize: Write out your statements, put together an outline or use 3x5 cards. Do whatever you need to keep your evidence and train of thought clear and organized. Expect to get flustered at some point, it's normal. Just take a deep breath and rely on the organizational work you did ahead of time to get you through it.

Witnesses: Ask your witnesses ahead of time what they saw or heard. Don't assume that they have exactly the same perspective as you. Know what they will say before you use them as a witness. Remember that you and your witnesses have to tell the truth under oath. You cannot ask them to lie for you and you can't tell them what to say. You can let them know ahead of time the questions that you will be asking. Be sure to tell your witnesses that the respondent has the right to cross examine them.

Get comfortable: If you don't have much experience in court, spend some time before your hearing observing some court cases.

Court Etiquette: Dress appropriately for court (something that you would wear to a job interview). Do not bring your children into the court room with you. Work with your court advocate about a child care plan ahead of time. Turn off your cell phone while in the courtroom. Be brief and answer all questions the judge asks of you. Stay on task, don't go off on unrelated tangents. Be respectful to the judge and the other witnesses. If the respondent does something in the courtroom to scare you, tell the judge but don't argue with the respondent.

Court Advocates: Work with your advocate on tips for feeling more prepared, courtroom safety planning and any needed resources (photocopies etc.) Court Advocates are available to go to court with you and provide emotional support throughout the court process.

