Stalking Recommendations

DEFINITION
"course of conduct" – two or more behaviors (see Model Stalking Statute description)
"would cause" – victim does not actually need to experience distress or fear
   - reasonable person standard should be applied by officials to define the reported
      pattern of behavior as stalking
"reasonable person" – adopt Model Stalking Statute language and include that the
   standard would be framed the perspective of a reasonable person with “similar identity”
   to that of the victim
"substantial" (to-be-defined in larger committee)
"emotional distress" – adopt Model Stalking Statute language

COUNTING
Recommendation is that one incident of stalking can contain a whole pattern of
behaviors over time as experienced by one victim
   - new stalking incident may be counted after an official intervention has
      occurred (term to-be-defined)
       o potentially count significant separation of time between behaviors as a
          new incident (ex: passage of summer break without incident would lead to
          new count with the new school year)

GEOGRAPHY
Recommendation is that only one behavior, within the course of stalking conduct, needs
 to occur on Clery geography to trigger reporting requirements
   - Stalking should not be forced into the campus geography reporting given: (1)
      its unique status as a Clery crime requiring a course of conduct to even be
      counted as a single incident; and (2) it must address electronic forms of stalking
      that do not always have a set geographical home (ex: mobile devices)

Open Issue
Determine whether hierarchical rule applies within VAWA crimes and if so determine
where stalking falls given its high correlation with other serious felonies.