

**SB 743**  
**Judicial Proceedings Committee**  
**Family Law - Protective Orders - Crimes of Violence and Stalking**  
**Informational Testimony**  
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Chair Smith and members of the Senate Judiciary Proceedings Committee, thank you for the opportunity to provide informational testimony for Senate Bill 743. I am providing this testimony in my capacity as Executive Director for Just Stalking: Maryland Resources, as well as being a victim of stalking for over 15 years.

When I was 16, I met the person who would become my stalker for approximately *half* of my life, at an esteemed internship – for almost three years I attempted multiple response tactics, to manage their ‘pursuits’ and ‘intrusions’ before I recognized I needed to ‘move outward,’ *and* take legal action. *No one* told me what to do. Per our *limited* understanding of the legal systems, my family decided my best option was to obtain a “stay-away order.”

Stalking is often left under the domain of domestic violence, and intimate partner violence despite the documented literature that it is *as* prevalent within other environments such as, employment. According to a meta-analysis, **one in six** professionals have experienced stalking, as in **my** case (Jutasi & McEwan, 2021). Researchers found **no evidence** any *particular* profession is at higher risk; a **range** of professions may be at increased jeopardy of different motivations of stalking-victimization.

Victims are **not** a monolith, stalkers’ typologies and motivations must be taken into consideration. Without this, we leave victims at a disadvantage in understanding issues such as persistence and recurrence which have particular importance for **protective orders**. *If* prosecuted, Maryland’s maximum sentence for stalking is *only* 5 years, and the conviction rate in the United States *only* approximately 6% (Brady & Nobles, 2017). Most stalkers will be released from prison.

Among acquaintance stalkers, including the professional typology, duration of stalking behavior has been found to be **longer** than other groups; **42% persisted longer than one year**. Due to my **15 years of stalking experience**, I started a nonprofit to serve victims, Just Stalking: Maryland Resources. Sadly, this seems to have left me vulnerable to another motivational typology referred to as ‘resentful.’ Research shows resentful stalkers present with a **recurrent** pattern.

Unfortunately, many studies only analyze **recidivism**, estimating **50%**, a legal term, with no standardized operational definition, as opposed to **recurrence**, estimated at **38%**. This on the other hand is a **biopsychosocial** term.

I didn’t initially recognize I was **not** eligible for a protective order, which would have ‘**protected**’ me for a **minimum of one year** because this person was a **professional contact**. I was only

eligible for a **peace order**. Therefore, I would be back, in the courtroom, **repeatedly**. I recall the *terror*, standing before the judge. The *anxiety*. They treated this order as if it was, what it was a 'paper-shield,' and the hearing, just another opportunity to see me, be near me, breathe my 'air.'

This committee may *not* understand the extent to which the responsibility is placed on the **victim(s)** to *serve* the **order(s)**. During one attempted service I was forced to use myself as **bait**. With the police's '*blessing*' I arranged a faux "date," luring my stalker to meet me at a local station. While this tactic worked, in hindsight the lack of threat assessment(s) and adequate consultation leaves me concerned for **victims' safety** throughout our state.

This creates an extortionary trauma for the victim(s), who are responsible for **identifying the course conduct**, conceptualizing stalking as a **construct**, differentiating '**myths**', and **stalking from harassment**. *Then*, realizing the behavior has passed the '**two-week stalking threshold**' **therefore is unlikely to cease**, *thus*, **persisting for an average of one year** (Purcell, et al., 2004). *Additionally*, identifying possible **escalating behaviors** specifically, **contacts & approaches**. *Furthermore*, there is the requisite request to cease contact, which is *not* a legal requirement, *but is* a societal expectation.

There is a *myth* that stalking *always* involves violence, direct, or at least implied threats, but these are specific to typologies, motivations, and other factors. **This** inhibits many victims from initially seeking formal or informal resources, thereby creating additional barriers, such as requiring **recurrent traumatization**, as victims seek **continual support** by not only requesting services, but having to face their stalker, *repeatedly*, **every six months**, at the behest of the court. This is arguably cruel for the victim. The court then becomes an *unintentional* 'proxy,' *complicit* in the stalking behavior.

Most recently, after being released from prison, on charges *related* to their alleged stalking behavior, but *not* a stalking conviction *specifically*, they came **directly to my home**, *as* I was *not* given information about our State's **Address Confidentiality Program**.

I was in **shock**, I was given **no warning**, through any of the systems I was under the impression were designed and **in place** to have informed me of their impending release, and imminent arrival. I could *not* wrap mind around the idea, at such a late hour, I did *not* have an active peace order in place, *but it had* been **more than six months**.

After **10 years** of **persistent-professional-intimacy-seeking-stalking**, it became not *only my responsibility* to obtain an updated **peace order**, but also necessary to involve an associate from another state to serve it. Despite *continued surveillance* of my home for over a month, and residence in a neighboring county, police in my county seemed unable to coordinate this effort.

Law enforcement show unwavering support, nonetheless there appears to be **systemic barriers preventing** adequate communication for **delivery and enforcement of peace orders**. *Additionally*, there is the *perception* that these orders are a low priority, because they are deemed '*civil*' rather than '*criminal*,' often pertaining to **domestic matters**. *However*, those of us who do *not fit* into those categories are *not* offered 'protective' status, but rather '*peace*' **status**, therefore giving **even less attention**. We as victims need a pathway to **permanent protective**

**orders**, as six months, according to literature, is *only* the minimum requisite time to identify whether stalking has ceased.

Thank you for the opportunity to provide informational testimony on SB 743.

#### References

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