

Chapter 8

Offending, Victimization, Forensic Investigation, and Prevention of Cyberstalking

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ABSTRACT

The term cyberstalking has been used to describe a variety of behaviors that involve repeated threats and/or harassment by the use of electronic mail or other computer-based communication that would make a reasonable person afraid or concerned for their safety. It is growing fast and creating problems, especially psychologically. This chapter mainly focused on its definition, typologies, characteristics of victims and offenders, forensic investigation, and its prevention. There is not much agreement on the definition of cyberstalking as it appeared recently due to technological advancement. Many of the researches were done on university students and the prevalence of cyberstalking among general population and special groups are not much known. But researches repeatedly confirm it as a growing issue. Technical advancements and thorough knowledge on technical details among researchers from different backgrounds poses a big problem to its complete understanding and prevention. Future research needs to focus on all these aspects.

DEFINITION AND TYPOLOGIES

Stalking can be defined as recurring unwelcome attention which causes people to fear for their own safety and for the safety of those closest to them (Baum, Catalano, Rand, & Rose, 2009). Stalking is an assembly of behaviors involving recurring and persistent attempts to impose on another person unwanted communication and/or contact. These behaviors include repeated phone calls or letters as well as pursuit, approach, threats or assault by the perpetrator (Pathé, 2002). Being stalked includes being repetitively followed in a manner that causes a reasonable person to fear for his or her safety. The definition has two aspects that are behavioral and emotional. The behavioral represents the repeated pursuit of behaviors as experienced by the victims. Second is the emotional issues suffered by the victim in terms of fear,

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anxiety and distress. Stalking physically takes place in spatial proximity to the victim and increases the potential physical harm to the victim and, therefore, heightened fear of the realization of its probability (Reyns, 2010).

Cyberstalking is an electronic crime involving a perpetrator using the internet or other high tech communication devices to take advantage of systematic weaknesses, or to exploit a person's vulnerability, including stalking a person online (Stambaugh, Beaupre, Baker, Cassaday, & Williams, 2001). It is harassment on the Internet using various modes of transmission such as electronic mail (e-mail), chat rooms, newsgroups, mail exploders, and the World Wide Web (Deirmenjian, 1999). The term "cyberstalking" has been used to describe a variety of behaviors that involve: (a) repeated threats and/or harassment; (b) by the use of electronic mail or other computer-based communication; (c) that would make a reasonable person afraid or concerned for their safety (Fisher, Cullen, & Turner, 2000; U.S. Department of Justice, 2000). According to Petherick (2001), it is which is simply an extension of the physical form of stalking, is where the electronic mediums such as the Internet are used to pursue, harass or contact another in an unsolicited fashion. Cyber stalking doesn't involve any physical contact yet stalking through the internet has found favor among the offenders for certain advantages available like, ease of communication access to personal information and anonymity (Verma, 2016). As per Bocij and McFarlane (2002), cyber stalking is a group of behaviors in which an individual, group of individuals or organization uses information technology to harass one or more individuals. Such behavior may include, but are not limited to, the transmission of threats and false accusations, identity theft, data theft, damage to data or equipment, computer monitoring and the solicitation of minors for sexual purposes. Harassment is defined as:

a course of action that a reasonable person, in possession of the same information, would think causes another reasonable person to suffer emotional distress.

Any of the following categories may constitute the perpetration of cyberstalking: persistent unwanted contact, repeated unwanted harassment, persistent and unwanted sexual advances, or implied threats or acts of violence. The main difference between stalking and cyber stalking stems from the methods of perusal occupied. Cyber stalking adheres to the repeated pursuit of a victim by exploiting various electronic communicative avenues. These online behaviors are facilitated by technological innovations that liberate potential stalkers of the spatial restriction of their recurring perusal (Reyns, Henson, & Fisher, 2011; Reyns, 2010).

There are three primary ways of cyber stalking depending on the use of the internet:

1. **E-Mail Stalking:** This is direct communication through e-mail characterized by threatening, hateful, or obscene nature, or even send spam or viruses to harass others.
2. **Internet Stalking:** There is global communication through the Internet and the domain is more wide and public in comparison to e-mail stalking. Here stalkers can use a wide range of activities to harass their victims.
3. **Computer Stalking:** This is unauthorized control of another person's computer. In this type of stalking, the stalker exploits the working of the Internet and the Windows operating system in order to assume control over the computer of the targeted victim (Ogilvie, 2000).

A number of typologies concerning stalking have been proposed by researchers. Zona et al., (1993) reported about three kinds of stalkers — erotomanics, love obsessionals and simple obsessionals. *Ero-*

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