

## The Resource Center Newsletter

### Abuse Goes Digital

As a young attorney working with victims of domestic and sexual violence and stalking, I noticed a trend among the clients I represented, advocates I talked to, and law enforcement I trained. Even after victims separated and/or sought court intervention, abusers still used technology to manipulate, harass, and control them. Abusers found ways to use technology to violate court orders, intimidate victims into asking for orders to be dropped, and grey areas to get around orders. They would gaslight their victims by changing account settings or deleting content from victims' computers or cell phones. They would show up places where their victim was, know details of private conversations they were not a party to, and even invite third parties to get in on the harassment. As a result, their victims sounded paranoid and delusional to anyone they sought help from.

Technology is not good or bad, helpful or harmful. It depends on how the user employs the technology. And advances in technology have brought advances for perpetrators of intimate partner violence and stalking. Stalking and intimate partner violence have long been recognized as having a correlation.<sup>i</sup> Some victims minimize this behavior while others experience increased anxiety and hypervigilance, feeling hunted or always on guard.<sup>ii</sup> There is also a correlation between stalking and intimate partner homicide.<sup>iii</sup>

According to a 2015 survey by the National Network to End Domestic Violence's Safety Net Project, ninety-seven percent of victim service providers reported that survivors they work with experience harassment, monitoring, and threats by their abusers through technology.<sup>iv</sup> The survey also found that ninety-six percent of programs reported abusers using text messages, and eighty-six percent reported similar use of social media to harass survivors. Seventy-nine percent of programs reported that abusers monitored social media accounts, seventy-four percent reported that abusers monitored survivors through text messages, and seventy-one percent reported that abusers monitored survivors' computer activities.

None of these tactics are new to survivors of intimate partner violence or stalking, or to seasoned victim service providers. Monitoring survivors' communications and activities, isolating survivors from their support systems, creating barriers for survivors to seek help, impersonating survivors, and harassing and threatening survivors post-separation all existed long before smart phones. Technology just made

these tactics easier to employ and considerably less time consuming. Abusers and stalkers can exploit cell phones, GPS or GPS activated devices, spyware, anonymous accounts, cameras, spoofing, social media, and good old texting and emailing to harass, track, and intimidate victims, often without their awareness.<sup>v</sup>

When a victim who is experiencing technology abuse shares custody with the abuser, the situation is even more complicated. In technology abuse cases, custody orders and parenting plans that are not specific regarding communication and technology, or that order no communication “except as to the children” often don’t stop excessive and harassing calls or text messages, since the abuser can claim the messages are about parenting. Designated times where survivor and abuser must meet for exchanges, even when supervised, can create opportunities for tracking and monitoring devices to be unknowingly exchanged with the children.<sup>vi</sup> Abusers may provide the children with gifts containing hidden cameras or GPS devices. Increasingly, children are being provided their own phones on family plans. Many companies offer parents the means to monitor their children and children’s devices, but what happens when a child is being co-parented by a victim of technology abuse and their abuser? How can that tech also be used to monitor the victim? These are only a few examples of how resourceful abusers can employ technology to further harass and manipulate victims even after the court gets involved.

Victim service providers working with survivors of intimate partner violence, whether advocates, attorneys, or other professionals, should familiarize themselves with technology abuse and how children can be used as a weapon against a victim. Victims shouldn’t be asked to just give up using devices or technologies. Instead, providers should ask their clients about technology from the beginning. Each case involving technology is unique, and safety plans and court orders must be as well. Cookie cutter checklists and boilerplate language often miss significant technology considerations. Providers should seek out resources on safety planning around technology abuse as well as collecting and presenting evidence of technology abuse. They should also learn how technology can be used as a tool for victim safety. The following are a few places to start:

Resource Center on Domestic Violence: Child Protection and Custody Self-Represented Litigant Series, <https://www.rcdvcpc.org/resources/self-represented-litigants-series.html>.

National Network to End Domestic Violence’s Safety Net Project, <https://www.techsafety.org/>.

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Break the Cycle's Cyber Abuse Project, <http://www.endtechabuse.org/>.

Aequitas's Stalking Prevention, Awareness, and Resource Center, <https://www.stalkingawareness.org>.

Cyber Civil Rights Initiative, <https://www.cybercivilrights.org>. Jay Otto is a researcher for the Center for Health and Safety Culture.

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<sup>i</sup> *Responding to Stalking: A Guide for Supervised Visitation and Safe Exchange Programs*, Stalking Resource Center, National Center for Victims of Crime, <https://victimsofcrime.org/docs/default-source/src/safe-haven-guide---stalking.pdf?sfvrsn=4>.

<sup>ii</sup> *Id.*

<sup>iii</sup> *Stalking and Intimate Partner Violence: Fact Sheet*, Stalking Prevention, Awareness, and Resource Center, AEquitas, <https://www.stalkingawareness.org/wp-content/uploads/2018/11/Stalking-IPV-Fact-Sheet.pdf>.

<sup>iv</sup> *A Glimpse From the Field: How Abusers Are Misusing Technology*, Safety Net Project, National Network to End Domestic Violence, <https://www.techsafety.org/blog/2015/2/17/a-glimpse-from-the-field-how-abusers-are-misusing-technology?rq=survey>.

<sup>v</sup> *Responding to Stalking*, *supra* note i.

<sup>vi</sup> *Id.*

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