



PSN VICTIM AND WITNESS INTIMIDATION AND RETALIATION TOOLKIT

THE USE OF TECHNOLOGY IN VICTIM AND WITNESS INTIMIDATION AND RETALIATION

Technology continually provides offenders with new and instant methods to intimidate and retaliate against victims and witnesses.

This guide examines how perpetrators misuse technology to intimidate and retaliate, how victims and witnesses can respond to offender misuse of technology, and how victims and witnesses can use technology to manage risks and plan for safety. Criminal justice professionals should familiarize themselves with these methods to assist victims and witnesses effectively.

For more information on victim and witness intimidation and retaliation, see the other guides in this toolkit.

MISUSE OF TECHNOLOGY BY OFFENDERS TO INTIMIDATE AND RETALIATE

Technology-facilitated abuse, which is a crime, occurs when an offender harasses, threatens, monitors, or impersonates another person through the misuse of technology.¹ This abuse is most often committed by abusive partners and perpetrators of domestic violence crimes, sexual assault, stalking, and human trafficking.² The misuse of technology can encompass all types of crimes that can be detrimental to victims, including committing financial abuse, limiting access to or destroying technology that may help victims navigate their life (such as assistive technology), and committing revenge porn or non-consensual sharing of intimate images.

A survey of victim service providers conducted by the Safety Net Project at the National Network to End Domestic Violence (NNEDV) found that among survey respondents, 97 percent of victims who sought their services were being harassed, monitored, and threatened by offenders' misuse of technology.³ Examples of these technology-facilitated crimes are briefly outlined below.

Technology, Teen Dating Violence and Abuse, and Bullying

This report provides information about the types of violence and abuse youth have experienced through technology (e.g., social networking sites and texting on cell phones), as well as how the experience of such cyber abuse within teen dating relationships or through bullying relates to other life factors.

1 La Trobe University. (n.d.). "Technology Facilitated Abuse." <https://www.latrobe.edu.au/students/support/wellbeing/resource-hub/safer-community/technology-abuse>. Visited on July 17, 2022.

2 National Network to End Domestic Violence. (n.d.). "Technology Safety: The Safety Net Project." <https://nnedv.org/content/technology-safety/>. Visited on July 17, 2022.

3 National Network to End Domestic Violence. (2014). "A Glimpse From the Field: How Abusers Are Misusing Technology." http://static1.squarespace.com/static/51dc541ce4b03ebab8c5c88c/t/54e3d1b6e4b08500fcb455a0/1424216502058/NNEDV_Glimpse+From+the+Field+-+2014.pdf. Visited on July 17, 2022.



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Harassment

The offender constantly and unwelcomely sends texts or emails to the victim, leaves phone voice messages, or makes abusive social media comments. The offender may also “swat,” which is when the offender contacts emergency services with a false claim of illegal activities to get a law enforcement Special Weapons and Tactics (SWAT) team dispatched to the victim’s location.

Threats

The offender threatens to or posts intimate photos or messages of the victim online. The offender may “dox” a victim or witness by making online disclosures of personal information about them, such as phone numbers and home or work street addresses, to incite others into threatening or hurting the victim or witness.

Monitoring

The offender uses hidden cameras in the home or elsewhere to secretly videotape the victim, uses computer and phone spyware/tracking software to monitor the victim’s online activity (emails, texts, websites visited) and calls, and uses global positioning system (GPS) technology to stalk the victim through real-time physical location tracking.

Impersonation

The offender pretends to be someone else (“spoofing”) in electronic communications with the victim or poses as the victim to open online banking, subscription, or social media accounts.

In summary, offenders misuse technology for intimidation and retaliation by trying to negatively affect and control victims’ interactions with others, which is facilitated by the fact that technology intersects with virtually every aspect of our lives.⁴

VICTIM AND WITNESS RESPONSE TO OFFENDER MISUSE OF TECHNOLOGY

Survivors can use technology to strategically plan around the risks of technology misuse by offenders, thereby increasing survivors’ safety. Survivors can use technology to document evidence of their offenders’ intimidation and retaliation via the misuse of technology, helping to build a case against offenders in the criminal justice system. There is not, however, one right way for survivors to protect themselves from the misuse of technology, nor is there

Safety Net Project

The Safety Net Project by the National Network to End Domestic Violence develops resources and information on the use of technology for agencies and survivors of domestic violence, sexual assault, stalking, and trafficking. The toolkits contain helpful information for victim service agencies and survivors.

Asking the Right Questions: How to Begin Conversations with Victims and Witnesses About Technology-Facilitated Crimes and Intimidation and Retaliation Tactics

This guide examines how perpetrators misuse technology to intimidate and retaliate, how victims and witnesses can respond to technology-facilitated abuse, and how victims and witnesses can use technology to manage risks and plan for safety.

⁴ Ibid.



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a “comprehensive” safety plan; what helps one survivor may be unsafe for others. Survivors and victims are the experts in understanding what may work best for them.

Survivors should trust their instincts and suspicions that technology is being misused against them, even if it is not immediately apparent. They can begin to protect themselves by assessing their technological vulnerabilities. Next, survivors can look for any patterns of suspicious invasions of their privacy to identify the possible misuse of technology against them. Finally, survivors can develop a safety plan based on their most critical technological vulnerabilities (e.g., video surveillance, phone safety, computer device safety, harassment, impersonation, or location safety).⁵

If survivors suspect they are being watched, they can try to determine which room(s) is the site of surveillance and remove the camera or temporarily limit their activity in that room. If survivors suspect they are being followed, they can take their phone or car to a service dealer to inspect for and remove any tracking app or hidden location device. Survivors can change their usernames and passwords on computers if they suspect their online activity is being monitored and report abusive content to website administrators for social media harassment. These actions, however, may alert offenders to having been discovered and make victims even less safe.⁶

Navigating a safe response to technologically facilitated abuse can be difficult and dangerous for some victims. Accordingly, they should contact a victim advocate who can discuss their options and help them develop a safety plan.

SAFETY PLANNING FOR VICTIMS WITH THE HELP OF TECHNOLOGY

Importantly, technology can be a positive tool for victims and witnesses. Technology increases their ability to access information and resources, receive services, and communicate with family and friends.⁷

Online apps, hotlines, and resources can help victims and witnesses access services, including legal information.

Technology can also help witnesses and victims document digital evidence of intimidation and retaliation. This evidence may include photos, social media posts, text messages, or emails. Likewise,

DocuSAFE: Documentation and Evidence Collection App

DocuSAFE is a free app that helps survivors collect, store, and share evidence of abuse, such as domestic violence, sexual assault, stalking, online harassment, and dating violence. If survivors choose, the app can provide options for sharing the content with law enforcement, attorneys, victim advocates, and other professionals. The Safety Net Team at the National Network to End Domestic Violence, in partnership with 3Advance, created this app.

5 National Network to End Domestic Violence. (2021). “Safety Net Project, Survivors Guide to Location Tracking.” <https://www.techsafety.org/location-tracking>. Visited on July 17, 2022.

6 National Network to End Domestic Violence. (2013). “Technology Safety Plan: A Guide for Survivors and Advocates.” https://static1.squarespace.com/static/51dc541ce4b03ebab8c5c88c/t/56730f3c7086d73aae8d82e7/1450381169879/NNEDV_Technology+Safety+Plan_2013.pdf. Visited on July 17, 2022.

7 Meany, K. (2016). “5 Ways Technology Can Have a Legal Impact on Survivors of Domestic Violence.” https://nnedv.org/latest_update/technology-legal-impact-survivors/. Visited on July 21, 2022.



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they can take steps to preserve their personal information in an encrypted format in case they may need it later or it is destroyed.

Online resources can also connect victims and witnesses with other survivors and advocates through avenues such as online support groups, message boards, and chat rooms.

Furthermore, technology serves as a platform through which victims can have a voice. Through social media, in particular, victims and witnesses can share resources and provide support to one another. Social media hashtags can amplify the conversations.

Some states have made it easier to file complaints against perpetrators by integrating technology and the law. For example, various states now allow victims to file electronically for protection orders and allow judges to issue the orders by audio-visual means so that the victim does not need to be physically present in the courtroom.

Establishing or Enhancing Law Enforcement-Based Victim Services - Using Technology to Communicate with Victims

This report guides law enforcement agencies in assessing their policies, practices, and training related to the provision of digital services to crime victims, which pertains to any technology used to communicate with victims, such as mobile or landline phone calls, text messages, video calls, web-based chats, or emails. When planning for digital services as a component of a victim services program, law enforcement agencies should consider the distinctive community circumstances, applicable laws, available resources, current practices, and other local circumstances. This report presents a set of steps adapted for law enforcement victim services, along with links to resources developed by the National Network to End Domestic Violence.



WANT TO LEARN MORE?

Check out our other guides in this series, as well as NCVJ's "[Trauma-Informed Strategies to Address Victim and Witness Intimidation and Retaliation](#)" webinar.



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