

UNITED STATE DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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KEITH SALVATORE LABELLA,

Plaintiff,

- against -

11-cv-0023

(NGG)(LB)

FEDERAL BUREAU OF INVESTIGATION,  
OFFICE OF JUSTICE PROGRAMS, and  
UNITED STATES DEPARTMENT OF JUSTICE,

Defendants.

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**Plaintiff's Affidavit**

I, Keith Salvatore Labella, hereby swear under the pains and penalties of perjury that the following is true and correct:

1. My name is Keith Salvatore Labella and I have been a victim of organized gang stalking, as described in my FOIA request to the FBI in the instant case, since June of 1995. At that time I became involved in an employment dispute with a Wall Street firm with ties to organized crime. That firm was subsequently investigated by a Joint Task Force including defendant FBI circa 1998 (*See Labella v. FBI*, 07-cv-2330 (E.D.N.Y. 2007), defendants' Vaughn Index). In the previous 16 years I have come to know of a national phenomenon called gang stalking. I have personally communicated via phone conversation, personal meeting, mail, e-mail, and otherwise with well over 100 legitimate victims whom I am convinced are targeted by the gang stalking Program.
2. The FBI admits it gave me non-responsive records related to my gang stalking FOIA request and claims that it has no records on the subject after conducting a "reasonable search". *See* Hardy Declaration at paragraphs 24-28. Furthermore, the FBI claims that it searched for records on gang stalking by using the search terms, inter alia, "gang stalking", "group stalking", "organized stalking", "flashmobbing" and "flashmob". The information presented in this affidavit will create more than a colorable doubt regarding these assertions.
3. In January 2009 defendant OJP released a Special Report entitled "Stalking Victimization in the United States". *See* Exhibit "A" attached, offered

pursuant to FRE 803(8) public records and reports hearsay exception. The report states that 11% of stalking victims report being stalked for over 5 years. *See* Exhibit “A” at page 1. The report states that over 25% of stalking victims report either cyberstalking or electronic monitoring. *See Id.* at page 5, Table 7. This includes the use of computer spyware, audio/visual surveillance, listening devices/bugging, and GPS tracking. *See Id.* Over 13% of stalking victims report being stalked by 3 or more offenders. *See Id.* at page 12, appendix table 3. The report did not clarify whether those cases of stalking by 3 or more offenders were cases of individual stalkers or stalkers acting in concert.

4. On or about March 22, 2010, plaintiff received a cover letter dated March 22, 2010 and 2 pages of responsive materials from defendant OJP in relation to a FOIA request he had made to OJP (OJP FOIA No. 10-00169) relating to the aforementioned Stalking Report (Exhibit “A”). In his FOIA request that resulted in the release of the 2 pages of responsive materials, plaintiff asked OJP for data related to whether the victim reports of 3 or more stalkers in the Stalking Report represented stalkers acting individually or stalkers acting in concert. Plaintiff received records showing 41% of victims reporting being stalked by 3 or more stalkers (185,050 cases) were being stalked by “teams or groups” of stalkers “working together”. Furthermore, such stalking groups were recorded at significant levels (in the thousands) at every break point recorded between “3” and “50” stalkers. *See* Exhibit “B” attached for a copy of the closing letter and 2 pages of un-redacted, responsive materials for OJP

FOIA No. 10-00169; offered pursuant to FRE 803(8) public records and reports hearsay exception.

5. The FBI has a close working relationship with the Bureau of Justice Statistics “BJS” which co-authored the aforementioned Stalking Report. FBI and BJS maintain an electronic criminal database together. *See* Exhibit “C” which is a BJS press release of the joint database; Exhibit “C” is offered pursuant to FRE 803(8) as a public report.
6. Attached as Exhibit “D” is a copy of notarized Affidavit of Ted L. Gunderson dated April 26, 2011 on the subject of gang stalking. Gunderson is currently a licensed private investigator in the state of California and resides in Los Angeles. I contacted Mr. Gunderson after I became aware of a public speech he gave in which he described nationwide gang stalking. Mr. Gunderson told me that he was targeted by gang stalking after going public about government black operations that were funded by government involvement in rackets, including international narcotics trafficking, three decades ago. Several attempts have been made on his life, those of his associates, and even his family members. Before becoming a private investigator, Gunderson was a career FBI agent for nearly three decades. His credentials include heading three FBI Field Offices and being an Assistant Section Chief at FBI Headquarters. Gunderson has files indicating thousands of Americans targeted by the government gang stalking Program. Gunderson spent many years working in the FBI’s COINTELPRO Program, including in a supervisory capacity, and believes gang stalking is a much bigger Program. He also

believes that the FBI and other government agencies are running the Program, funding it and covering it up. According to Gunderson, no non-governmental entity could be funding the gang stalking Program, and the FBI must have records on gang stalking. The gang stalking Program is currently severely impacting the civil liberties of thousands of Americans, and destroying their lives, based on his investigative analysis. He believes that records contained in mass surveillance systems of the FBI such as Carnivore, Tempest and Narus Systems contain information about the national phenomenon of gang stalking. Gunderson also believes that the FBI may be hiding information on gang stalking by using unique codenames and nomenclature for gang stalking. He has personally referred numerous gang stalking victims to the proper authorities at the FBI. All of the above is stated in his chilling affidavit on gang stalking in the U.S. (annexed as Exhibit "D"). Gunderson's sworn claims of the FBI's involvement in gang stalking is a strong indication, from a former high ranking FBI agent, that the FBI is hiding the ball in its "no records claim" pertaining to the subject of gang stalking.

7. Even though the FBI is claiming "no records" on the subject of gang stalking, it raised both the nine exemptions of subsection (b), and the three exceptions of subsection (c) of the FOIA in its brief (OJP released all its responsive records un-redacted). Even if, arguendo, special circumstances are found, that warrant a subsection (c) exclusion, this Court must be informed of the particulars, and, must review the validity of the claimed exclusion. Attached hereto as Exhibit "E" is a copy of a news article by the Electronic Frontier

Foundation by Jennifer Lynch entitled “FBI Chastised by Court for Lying About Existence of Surveillance Records”, dated May 4, 2011, in which the FBI was recently chastised by a California District Court for withholding information and failing to even inform that court that it was claiming an “exclusion” pursuant to subsection 7 (c) of the FOIA for alleged national security reasons. Such actions of not filing a separate, secret ex-parte Declaration were properly described as inconsistent with the FOIA and to have been affirmatively misleading the court (even when the basis for subsection 7(c) exclusion is warranted). Plaintiff simply asks this Court to be aware that, when an alleged subsection (c) exclusion is raised, this Court must be fully informed by defendant and still has a duty to review the propriety of such alleged exclusion de novo, and, to make the ultimate decision regarding disclosure. Exhibit “E” is being offered pursuant to FRE 902(6) as a self-authenticating newspaper/periodical report.

8. Attached as Exhibit “F” as an IWATCH news article by Aaron Mehta, entitled “Judge orders FBI to cough up about a Previously Secret Computer Drive”, dated June 2, 2011. The article describes a recent case in which an attorney found that the FBI was hiding materials on an “S” drive obstructing criminal discovery. The article also notes the use of such secret drives to insulate materials in FOIA cases. Moreover, previous to the “S” drive the FBI was hiding materials on a so-called “I” drive. This obstructionist behavior dates to at least the early 1970’s when so-called “June files” were used by the FBI to structurally isolate “sensitive records” from review for production. Exhibit

“F” is being offered pursuant to FRE 902(6) as a self-authenticating newspaper/periodical report.

9. I have been in contact with the National Center for Victims of Crime “NCVC” in Washington, D.C., numerous times and spoken to at least 7 victim advocates on their hotline number (800) 394-2255 regarding gang stalking. The NCVC is the largest victims organization in the country, and its primary source of funding is the DOJ. All of the victim advocates and management at NCVC with whom I spoke were fully aware of what gang stalking is. They all admitted to regularly receiving calls from gang stalking victims from across the country. Two of the victim advocates were willing to estimate that gang stalking complaints represented roughly 10% of their total call volume. This, they stated, was thousands of complaints every month. They also stated that most gang stalking complainants complained to local police before calling NCVC regarding gang stalking. The local police systematically ignored them before they called NCVC in Washington. I ascertained that written tallies of gang stalking complaints were in the possession of NCVC and requested them. I was put in contact with NCVC supervisor “Colleen” in October of 2008. She referred my request for their gang stalking records to NCVC Director “Kevin”. Kevin agreed to send me tallies and other information related to gang stalking in the possession of NCVC, but, first had to clear it with DOJ pursuant to NCVC’s funding contract with DOJ. The day after I spoke with Kevin, on or about October 30, 2008, I received an e-mail from Executive Director of NCVC, Mary Lou Leary, denying my request for

information on gang stalking. This is the same Mary Lou Leary who was Acting Assistant Attorney General under President Clinton, as well as holding other high ranking positions in the DOJ. To my knowledge NCVC is still receiving regular, nationwide complaints about gang stalking and is systematically ignoring them. Additionally, plaintiff also spoke with a staffer of Congresswoman Barbara Lee who told him that gang stalking was being heavily reported in Lee's district of the San Francisco Bay area and its surroundings.

10. The FBI did not deny the figures cited in my FOIA request to them citing hundreds of thousands, and, in some cases, millions of Google hits for the term gang stalking and similar terms. Even if, arguendo, gang stalking was merely an internet conspiracy theory, it is inevitable that the FBI would have some records on it.
11. The Washington, D.C. power elite have an interest in internet conspiracy theories. Attached hereto as Exhibit "G" is a news article dated November 21, 2008, by Kerry Pickett entitled "New AG Advocated to Stifle Speech on Web". The article quotes current AG Eric Holder responding to the April 1999 Columbine H.S. massacre. Speaking to NPR Morning News on May 28, 1999, Holder said, "reasonable regulation, reasonable restrictions on how people interact on the internet, that is something that the Supreme Court and other courts ought to look favorably at." Attached hereto as Exhibit "H" is an article on salon.com by Glenn Greenwald, dated January 15, 2010, entitled "Obama Confidant's Spine Chilling Proposal". On the last page of the article



is an abstract of an article by now Presidential advisor Cass Sunstein that anti-government “conspiracy theories” should either be banned, taxed, rebutted by government counterspeech, rebutted by government contracted counterspeech, or, that conspiracy theorists could be informally negotiated with and coopted by government. Clearly Washington luminaries that set policy for agencies like the FBI are interested in internet conspiracy theories, and, I do not think they missed the elephant in the room, gang stalking. Exhibit’s “G” and “H” are offered pursuant to FRE 902(6).

12. Attached hereto as Exhibit “I” is a California Central Coast News story that appeared on FOX News local channel 35 called “Gang Stalking, Bullying on Steroids”, by Candice Nguyen, dated January 29, 2011. It tells the story of a Salinas, CA man gang stalked so heavily he lost his family, job, friends and is leaving his home (an internally displaced gang stalking refugee). Santa Cruz Police Lieutenant Larry David gave an interview to the local T.V. station stating that gang stalking is nothing new but that police are becoming more aware of it due to cyberbullying. He also stated that new technology is making gang stalking more common. Richard continued by saying, “gang stalkers have elevated themselves to the new technology, so this is something that has been going on before Facebook and Twitter.” This is an admission gang stalking pre-dates 2003. Exhibit “I” is offered pursuant to FRE 902(6).
13. Plaintiff made a request to the Santa Cruz Police Department pursuant to the California Public Records Act on or about March 22, 2011, requesting records relating to gang stalking. Plaintiff received an e-mail records response on

April 4, 2011 containing an internal police memorandum on gang stalking from Lieutenant Richard to the Records Division manager. Richard elaborated on his press interview in the internal police memo writing, "it [gang stalking] has implications to workplace violence". This is being opined by a police lieutenant of a city of 56,000. It gives one pause to consider what the implications to workplace violence and related violence (e.g., school shootings) for the U.S. as a whole is. The U.S. is about 6,000 the size of the city of Santa Cruz. Attached hereto as Exhibit "J" is said response to plaintiff's California Public Records Act request by the Santa Cruz Police Department. Exhibit "J" is offered pursuant to FRE 803(6) as a public record or report hearsay exception.

14. Attached hereto as Exhibit "K" is a KENS5 San Antonio news story by Joe Conger, dated February 17, 2010, entitled "Stalked, Drugged and Raped: Is it Happening in San Antonio? KENS5 is a local FOX syndicated San Antonio news channel. The article describes a nationwide phenomenon called gang stalking. It states that gang stalking is reportedly related to many cases of systematic harassment, theft, vandalism, assault, rape and poisoning in San Antonio. The news team's investigation uncovered supporting evidence including open cases of rape and other crimes, related to gang stalking, by both San Antonio police and the local Sheriff's Office. Exhibit "K" is offered pursuant to FRE 902(6).
15. Attached hereto as Exhibit "L" is an internet poll created by plaintiff, using

moniker “peacefrog” on September 30, 2009 asking the question of how many years gang stalking victims have been experiencing gang stalking. As of June 24, 2011, 367 votes were recorded. Since its inception the poll has had a resemblance to a variation of the normal bell curve distribution indicating statistical reliability. Notice almost exactly one-third of gang stalking victims report being gang stalked for over 10 years.

16. Attached hereto as Exhibit “M” is a photograph of a billboard advertising the Organized Stalking problem. It was put up by an Ohio-based non-profit organization called “Freedom From Covert Harassment and Surveillance”. In communication with the group plaintiff learned that 10 similar billboards advertising Organized stalking were recently put up by the group in Los Angeles each for a 30 day period. The group is currently raising funds for similar billboard campaigns in Chicago and other major U.S. cities. It is noteworthy that defendant FBI has one of its largest Field Offices located in Los Angeles.
17. Attached hereto as Exhibit “N” is a story from the FOX News website dated June 18, 2011 entitled “Teenage Flash Mob Robberies on the Rise” by Annie Vaughan. The story notes the growing national trend in social media driven “flash mob” robberies, and, cites incidents in Chicago, Washington, D.C., Las Vegas, and St. Paul, Minnesota. Exhibit “N” is offered pursuant to FRE 902(6). Moreover, the current Merriam-Webster online dictionary defines “flash mob” (noun) as “: a group of people summoned (as by e-mail or text message) to a designated location at a specified time to perform an indicated action before

dispersing.” It cites the first use of the term as 1987. *See*

<http://www.merriamwebster.com/dictionary/flash%20mob>

18. Attached hereto as Exhibit “O” is a story from CNBC News website entitled “Illinois Legislature Leaves Good Citizens Defenseless Against Brutal Flash Mobs” based on a Press Release by the Illinois State Rifle Association on June 6, 2011. The story describes vicious beatings and robberies by flashmobs in Chicago. It also cites Mayor Rahm Emanuel’s closing of the popular North Ave. Beach on Memorial Day Weekend for safety concerns related to flashmobbing. The Illinois State Rifle Association is advocating passage of a law making concealed firearm carry easier for law-abiding Illinois residents citing violent and theft prone flash mobs that often mug residents as the reason. Exhibit “O” is offered pursuant to FRE 902(6).
19. Attached hereto as Exhibit “P” is an American Bar Association story dated March 25, 2010, by Debra Cassens Weiss entitled, “FBI to Monitor Social Media to Fight Flash Mobs of Roving Teens”. The story states that the FBI is reportedly helping Philadelphia authorities with the growing menace of “flash mobs”. Notice that the story is dated March 25, 2010 and that this is before the FBI’s second search pursuant to plaintiff’s FOIA request. *See* Hardy Declaration at paragraph 26. The FBI stated that after it released non-responsive records to plaintiff on November 10, 2010 it had conducted a second search. *See* Hardy Declaration at paragraph 25-26. This second FBI search used the same search terms as the first search including “flashmob” and “flashmobbing” *See* Id. at paragraph 24 and 26. The FBI did not give an exact

date for the second search which included the terms “flashmob” and “flashmobbing” except to assert that it was conducted after it had realized that it had sent plaintiff non-responsive documents on November 10, 2010 *See Id.* at paragraph’s 24-26. According to the ABA news story the FBI had knowledge of, and, committed resources to fighting flashmobs at least 8 months before it had conducted the second search. It does not make sense that an adequate search of the FBI’s records would not reveal previous FBI activities and commissions of its resources. Nor does it make sense that the ABA would know more about FBI plans and activities than would be found by the FBI itself by an “adequate search” of the FBI’s own records systems. This represents a glaring inconsistency. Exhibit “P” is offered pursuant to FRE 902(6).

20. According to plaintiff’s years of research into gang stalking, gang stalking is being reported in every state and county, and, nearly every city and town in the U.S. California, New York, Texas and Florida are particularly being plagued by criminal organized gang stalking. However, the most sparsely populated areas in the country such as North Dakota, Wyoming, and Alaska are also reporting gang stalking activity. This is so, even in the remote and less populated areas in those relatively low population density states. Gang stalking is being reported on the Facebook pages and websites of just about every member of Congress, as well as those of local political officials. I personally spoke with a staffer of Congresswoman Barbara Lee who told me that gang stalking is being reported heavily in her district of the San Francisco

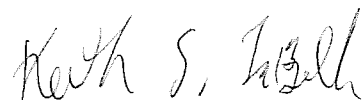
Bay area and its surroundings. Dozens of local gang stalking victim groups are coordinating to help gang stalking targeted individuals (TI's) across the country. Gang stalking is a national pandemic.

### CONCLUSION

21. This affidavit and supporting exhibits provide strong evidence that the FBI is being less than candid in its response to plaintiff regarding gang stalking, and, could not have performed an adequate FOIA search for gang stalking and come up with zero records.

Dated July 20 2011  
Queens, New York

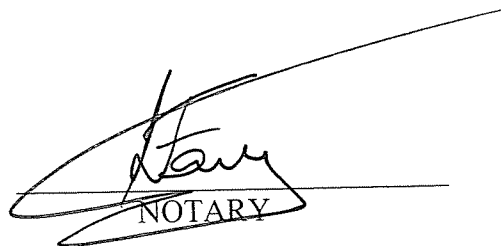
Sworn to on this 20 day of July, 2011

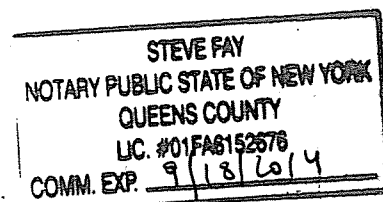


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NOTARY



**EXHIBIT A**



# Bureau of Justice Statistics Special Report

January 2009, NCJ 224527

## National Crime Victimization Survey

# Stalking Victimization in the United States

By Katrina Baum, Ph.D., Shannan Catalano, Ph.D.,  
and Michael Rand  
*Bureau of Justice Statistics*  
Kristina Rose  
*National Institute of Justice*

During a 12-month period, an estimated 3.4 million persons age 18 or older were victims of stalking. Stalking is defined as a course of conduct directed at a specific person that would cause a reasonable person to feel fear. The Supplemental Victimization Survey (SVS), which is the basis of this report, was conducted in 2006. The SVS identified seven types of harassing or unwanted behaviors consistent with a course of conduct experienced by stalking victims. The survey classified individuals as stalking victims if they responded that they experienced at least one of these behaviors on at least two separate occasions. In addition, the individuals must have feared for their safety or that of a family member as a result of the course of conduct, or have experienced additional threatening behaviors that would cause a reasonable person to feel fear.

The SVS measured the following stalking behaviors:

- making unwanted phone calls
- sending unsolicited or unwanted letters or e-mails
- following or spying on the victim
- showing up at places without a legitimate reason
- waiting at places for the victim
- leaving unwanted items, presents, or flowers
- posting information or spreading rumors about the victim on the internet, in a public place, or by word of mouth.

While individually these acts may not be criminal, collectively and repetitively these behaviors may cause a victim to fear for his or her safety or the safety of a family member. These behaviors constitute stalking for the purposes of this

**During a 12-month period an estimated 14 in every 1,000 persons age 18 or older were victims of stalking**

- About half (46%) of stalking victims experienced at least one unwanted contact per week, and 11% of victims said they had been stalked for 5 years or more.
- The risk of stalking victimization was highest for individuals who were divorced or separated—34 per 1,000 individuals.
- Women were at greater risk than men for stalking victimization; however, women and men were equally likely to experience harassment.
- Male (37%) and female (41%) stalking victimizations were equally likely to be reported to the police.
- Approximately 1 in 4 stalking victims reported some form of cyberstalking such as e-mail (83%) or instant messaging (35%).
- 46% of stalking victims felt fear of not knowing what would happen next.
- Nearly 3 in 4 stalking victims knew their offender in some capacity.

study. The federal government, all 50 states, the District of Columbia, and U.S. Territories have enacted laws making stalking a criminal act, although the elements defining the act of stalking differ across states (see box, Stalking laws).

The SVS also identified victims who experienced the behaviors associated with stalking but neither reported feeling fear as a result of such conduct nor experienced actions that would cause a reasonable person to feel fear. This report characterizes such individuals as harassment victims. These instances of harassment might eventually have risen to the definitional requirement for stalking. However, at the time of the interview, the offender's actions and victim's responses did not rise to the threshold of stalking victimization as measured by the SVS.



Few national studies have measured the extent and nature of stalking in the United States. The Department of Justice Office on Violence Against Women funded the 2006 SVS as a supplement to the National Crime Victimization Survey (NCVS) to enhance empirical knowledge about stalking (see *Methodology*). The SVS, which represents the largest study of stalking conducted to date, incorporated elements contained in federal and state laws to construct a working definition of stalking.

This report presents information on stalking victimization. Harassment is discussed where appropriate to provide fuller context. Appendix tables focus solely on stalking victims and exclude the people who experienced what this report terms as harassment. Persons interested in viewing the SVS data in its entirety may obtain the data file from the University of Michigan's Archive of Criminal Justice Data <www.icpsr.umich.edu/NACJD>.

### During a 12-month period an estimated 14 in every 1,000 persons age 18 or older were victims of stalking

An estimated 5.9 million U.S. residents age 18 or older experienced behaviors consistent with either stalking or harassment in the 12 months preceding the SVS interview (table 1).<sup>1</sup> Of the 5.9 million victims, more than half experienced behavior that met the definition of stalking. Approximately 14 per 1,000 persons age 18 or older experienced the repetitive behaviors associated with stalking in addition to feeling fear or experiencing behaviors that would cause a reasonable person to feel fear. Harassment victims, who experienced a course of conduct consistent with stalking but who did not report feeling fear, experienced these behaviors at a rate of 10 victimizations per 1,000 persons age 18 or older.

About half (46%) of all stalking victims experienced at least one unwanted contact per week (appendix table 6). Many victims of stalking reported being stalked over a period of months or years, and 11% of victims said they had been stalked for 5 years or more (figure 1). The fears and emotional distress that stalking engenders are many and varied. About 1 in 5 victims feared bodily harm to themselves, and 1 in 6 feared for the safety of a child or other family member.<sup>2</sup> One in 20 stalking victims feared being killed by the stalker. About 4 in 10 stalkers threatened the victim or the victim's family, friends, co-workers, or family pet.<sup>3</sup>

<sup>1</sup>To place this estimate in perspective, there were about 5.2 million violent crimes—rape/sexual assault, robbery, aggravated assault, and simple assault—committed in 2005.

<sup>2</sup>Table 10 lists the range of fearful reactions about which victims were surveyed.

<sup>3</sup>Table 13 lists various threats stalkers made to victims.

### The most common type of stalking behavior victims experienced was unwanted phone calls and messages

With the exception of receiving unwanted letters, e-mails, or other correspondence, stalking victims were more likely than harassment victims to experience all forms of unwanted behaviors (table 2). In particular, victims of stalking experienced higher levels of three unwanted behaviors most commonly associated with stalking. These included an offender following or spying on the victim, showing up at places without a legitimate reason, or waiting outside (or inside) places for the victim. Stalking victims were about 3 times more likely to report experiencing these three behaviors than individuals who were harassed. For example, 34% of stalking victims reported that the offender followed or spied on them compared with 11% of harassment

**Table 1. Prevalence of stalking and harassment over the 12 months prior to interview**

	Number	Rate
All victims	5,857,030	23.8
Stalking victims	3,424,100	13.9
Harassment victims	2,432,930	9.9

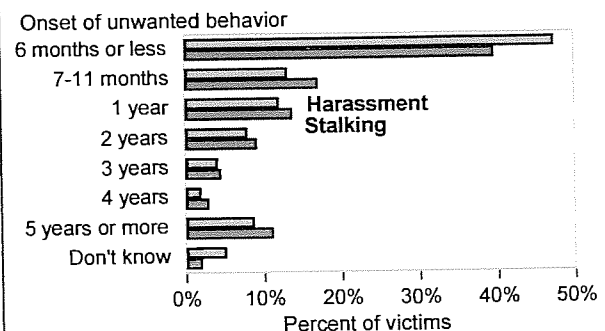
Note: The total population age 18 or older was 246,500,200 in 2006. Victimization rates are per 1,000 persons age 18 or older.

**Table 2. Nature of stalking and harassment behaviors experienced by victims**

	Percent of victims		
	All	Stalking	Harassment
Unwanted phone calls and messages	62.5%	66.2%	57.2%
Unwanted letters and e-mail	30.1	30.6	29.4
Spreading rumors	29.1	35.7	19.9
Following or spying	24.5	34.3	10.6
Showing up at places	22.4	31.1	10.2
Waiting for victim	20.4	29.0	8.3
Leaving unwanted presents	9.1	12.2	4.8
Number of victims	5,857,030	3,424,100	2,432,930

Note: Details sum to more than 100% because multiple responses were permitted.

### About 10% of victims were stalked for 5 years or more



Note: Estimates exclude 1.2% of stalking and 10.2% of harassment victims due to missing data. All victims experience at least one unwanted behavior in the year before the interview.

Figure 1

victims who reported experiencing this behavior. Thirty-one percent of stalking victims reported that the offenders showed up in places where they had no legitimate purpose being; approximately 10% of harassment victims reported this type of unwanted behavior. Also, 29% of stalking victims stated that the offender waited in places for them, while 8% of harassment victims reported this type of behavior.

### **Risk of victimization varies more for stalking than for harassment**

Females were at higher risk of stalking victimization than males (table 3). During the study period, females experienced 20 stalking victimizations per 1,000 females age 18 or older. The rate of stalking victimization for males was approximately 7 per 1,000 males age 18 or older. Males and females were equally likely to experience harassment.

### **Age**

As with victimization risk more generally, risk of being stalked diminished with age. Persons age 18 to 19 and 20 to 24 experienced the highest rates of stalking victimization. About 30 per 1,000 persons age 18 to 19 and 28 per 1,000 persons age 20 to 24 were stalked during 2006.

### **Race and Hispanic origin of victim**

Asians and Pacific Islanders (7 per 1,000 persons age 18 and older) were less likely to experience stalking than whites (14 per 1,000), blacks (12 per 1,000), and persons of two or more races (32 per 1,000). Despite apparent racial differences, no other consistent patterns of risk for stalking victimization emerged. Non-Hispanics were more likely than Hispanics to experience stalking. During the study period, non-Hispanics experienced about 14 stalking victimizations per 1,000 individuals age 18 and older. The rate for Hispanics during this period was 11 stalking victimizations per 1,000 persons age 18 or older.

### **Stalking laws**

While the federal government, all 50 states, the District of Columbia, and U.S. Territories have enacted criminal laws to address stalking, the legal definition for stalking varies across jurisdictions. State laws vary regarding the element of victim fear and emotional distress, as well as the requisite intent of the stalker. Some state laws specify that the victim must have been frightened by the stalking, while others require only that the stalking behavior would have caused a reasonable person to experience fear. In addition states vary regarding what level of fear is required. Some state laws require prosecutors to establish fear of death or serious bodily harm, while others require only that prosecutors establish that the victim suffered emotional distress. Interstate stalking is defined by federal law 18 U.S.C. § 2261A.

### **Marital status**

The rate of stalking victimization for individuals who were divorced or separated was 34 per 1,000 individuals age 18 or older—a higher rate of victimization than for persons of other marital status. Individuals who had never been married (17 per 1,000 individuals) were at a lower risk of stalking victimization than divorced or separated persons, but were at a higher risk of stalking victimization than persons who were married (9 per 1,000) or widowed (8 per 1,000).

### **Income**

As with crime more generally, a pattern of decreasing risk for stalking victimization existed for persons residing in households with higher incomes. Individuals in households with an annual income under \$7,500 and \$7,500 to \$14,999 were equally likely to be stalked but more likely to be victimized than were persons in households with an annual income at or above \$25,000.

**Table 3. Characteristics of stalking and harassment victims**

	Population	Rate per 1,000 victims <sup>a</sup>		
		All	Stalking	Harassment
<b>Gender</b>				
Male	120,068,420	16.9	7.4	9.5
Female	126,431,780	30.3	20.0	10.2
<b>Age</b>				
18-19	8,047,540	47.2	29.7	17.5
20-24	20,346,940	45.7	28.4	17.3
25-34	39,835,680	30.1	20.2	9.9
35-49	65,886,490	29.9	17.3	12.6
50-64	51,400,990	20.4	10.4	10.0
65 or older	35,515,670	9.3	3.6	5.7
<b>Race</b>				
White	200,874,080	24.1	14.2	9.8
Black	29,853,700	22.7	12.2	10.5
American Indian/ Alaska Native	1,695,400	33.0	19.6*	13.4*
Asian/Pacific Islander	11,317,780	13.4	7.0	6.4
More than one race <sup>b</sup>	2,759,240	49.3	31.6	17.7
<b>Hispanic origin</b>				
Hispanic	29,522,670	16.5	10.6	5.9
Non-Hispanic	215,025,170	24.7	14.4	10.3
<b>Marital status</b>				
Never married	79,715,080	26.9	16.6	10.3
Married	123,633,560	16.8	8.7	8.1
Divorced or separated	26,334,200	51.8	34.0	17.8
Widowed	14,318,190	16.0	7.5	8.5
<b>Household income</b>				
Less than \$7,500	8,418,570	47.0	31.7	15.3
\$7,500 - \$14,999	14,562,850	40.1	27.4	12.6
\$15,000 - \$24,999	22,428,240	32.3	21.1	11.1
\$25,000 - \$34,999	22,862,680	27.4	15.8	11.5
\$35,000 - \$49,999	30,345,140	25.2	15.8	9.4
\$50,000 - \$74,999	37,956,910	23.1	12.6	10.6
\$75,000 or more	56,633,800	18.8	9.6	9.2

Note: Table excludes missing data.

\*Based on 10 or fewer sample cases.

<sup>a</sup>Victimization rates are per 1,000 persons age 18 or older.

<sup>b</sup>Includes all persons of any race, including persons who identify two or more races.

## Victims were more likely to be stalked by an offender of the same age and race

### Offender age

Individuals were more likely to be stalked by offenders of similar age (appendix table 1). Nearly half of victims age 21 to 29 were stalked by offenders perceived to also be in their twenties, and 38% of victims age 30 to 39 perceived the offender to also be in their thirties.

### Race

Similar to other types of victimization, stalking is primarily intraracial in nature (appendix table 2). Most (83%) of white stalking victims perceived the offender to be white compared to 66% of black stalking victims who perceived the offender to be black. This pattern of intraracial victimization changes for persons of other races. Despite apparent differences, persons of other races were equally likely to be stalked by an offender who was black, white, or of another race.<sup>4</sup>

### Offender gender

Males were as likely to report being stalked by a male as a female offender (table 4). Forty-three percent of male stalking victims stated that the offender was female, while 41% of male victims stated that the offender was another male. Female victims of stalking were significantly more likely to be stalked by a male (67%) rather than a female (24%) offender.

Stalking is unlike most crimes because a course of conduct designed to create fear in another person does not necessarily require that the victim come into contact with the offender. For example, a victim may receive repeated threatening correspondence without knowing the source of the communication. Sixteen percent of male stalking victims and approximately 10% of female stalking victims were not able to identify the gender of the offender.

<sup>4</sup>Other races include American Indians, Alaska Natives, Asians, Native Hawaiians, other Pacific Islanders, and persons identifying two or more races.

## Number of offenders

About 6 in 10 stalking victims stated that the perpetrator was a single offender (appendix table 3). A much lower percentage of victims reported being stalked by two (18%) or three (13%) offenders.

## Relationship

About a tenth of all victims were stalked by a stranger, and nearly 3 in 4 of all victims knew their offender in some capacity (table 5). Stalking victims most often identified the stalker as a former intimate (21.5%) or a friend, roommate, or neighbor (16.4%).

**Table 5. Victim-offender relationship in stalking and harassment**

	Percent of victims		
	All	Stalking	Harassment
Total**	100%	100%	100%
<b>Known, intimate</b>	27.6%	30.3%	22.5%
Current intimate			
Spouse	4.3	5.6	1.8*
Boy/girlfriend	3.8	3.2	5.1
Former intimate			
Ex-spouse	7.1%	8.4%	4.6%
Ex-boy/girlfriend	12.4	13.1	11.0
<b>Known, other</b>	44.7%	45.1%	44.4%
Friend/roommate/neighbor	16.7	16.4	17.4
Known from work or school	10.1	9.9	10.6
Acquaintance	9.4	9.8	8.8
Relative	8.5	9.0	7.6
<b>Stranger</b>	10.6%	9.7%	12.5%
<b>Unknown</b>	16.9%	15.0%	20.6%
Number of victims	4,619,430	3,064,950	1,554,480

Note: Table excludes 0.5% of all victims, 0.3% of stalking victims, and 0.7% of harassment victims due to missing data. Detail may not sum to 100% due to rounding.

\*Estimate based on 10 or fewer cases.

\*\*Includes victims who could identify a single offender who was most responsible.

**Table 4. Perceived gender of the stalking or harassment offender, by victim gender**

Gender of offender	Gender of victim					
	All		Stalking		Harassment	
	Male	Female	Male	Female	Male	Female
Total	100%	100%	100%	100%	100%	100%
Male	31.7	58.3	41.3	66.9	24.2	41.3
Female	37.9	22.4	42.5	23.5	34.3	20.3
Don't know	30.4	19.3	16.1	9.6	41.5	38.4
Number of victims	2,028,800	3,821,140	888,680	2,531,770	1,140,120	1,289,370

Note: Table excludes missing data about offenders from 0.2% of all male victims, 0.1% of all female victims, 0.4% of female stalking victims, and 0.3% of female harassment victims. Detail may not sum to 100% due to rounding.

*Employment status of the offender*

Forty-two percent of stalking victims stated that the offender was employed during the time stalking occurred (appendix table 4). Victims were equally likely to report that the offender was unemployed or that the victim was unable to ascertain the employment status of the offender.

*Problems with the law*

Thirty-six percent of stalking victims stated that the offender had some previous interaction with law enforcement (appendix table 5). A similar percentage of victims (38%) were unable to identify whether the offender had problems with the law prior to the stalking victimization.

**One in 10 victims reported that the stalking started 5 years or more before the survey**

Over half of all victims reported that the stalking or harassment began "less than a year ago" (figure 1). Harassment victims had characteristically experienced the harassing behavior for a shorter period leading up to the interview (6 months or less). Stalking victims were most likely to be stalked once or twice a week or with no set pattern (appendix table 6). Nearly a quarter of all victims reported that they were stalked almost every day (16.9%) or at least once a day (6%).

*Victim perception of why stalking began*

The most common reasons victims perceived for the stalking were retaliation, anger, spite (37%), or desire to control the victim (33%) (table 6). About 1 in 6 victims believed the stalking started to keep him or her in the relationship with the offender, and 1 in 10 reported the stalking began while living with the offender (not referenced in a table). About a tenth of victims did not know why the stalking began.

*Cyberstalking and electronic monitoring*

More than 1 in 4 stalking victims reported some form of cyberstalking was used, such as e-mail (83%) or instant messaging (35%) (table 7). Electronic monitoring was used to stalk 1 in 13 victims. Video or digital cameras were equally likely as listening devices or bugs to be used to electronically monitor victims (46% and 42%). Global positioning system (GPS) technology comprised about a tenth of the electronic monitoring of stalking victims.

**Table 6. Victim perception of reasons stalking or harassment began**

	Percent of all victims		
	All	Stalking	Harassment
Retaliation/anger/spite	30.0%	36.6%	20.0%
Control	25.2	32.9	13.4
Mentally ill/emotionally unstable	16.7	23.4	6.6
Liked me/found me attractive/ had crush	13.7	16.8	9.0
Keep in relationship	12.9	16.2	7.9
Substance abuser	10.3	14.4	4.1
Stalker liked attention	7.7	9.1	5.7
Proximity/convenience/ I was alone	4.8	6.6	2.2
Catch me doing something	3.3	4.3	1.9
Different cultural beliefs/back- ground	3.2	4.0	1.8
Thought I liked attention	2.5	2.4	2.6
Other reasons	23.8	19.3	30.7
Don't know why	16.6	10.6	25.7
Number of victims	5,644,500	3,416,460	2,228,050

Note: Table excludes 3.6% of all victims, 0.2% of stalking victims, and 8.4% of harassment victims due to missing data. Details sum to more than 100% because multiple responses were permitted.

**Table 7. Involvement of cyberstalking or electronic monitoring in stalking and harassment**

	Percent of victims		
	All	Stalking	Harassment
Total	100%	100%	100%
<b>No cyberstalking or electronic monitoring involved</b>	72.7%	73.2%	72.1%
<b>Any type of cyberstalking or electronic monitoring</b>	26.6%	26.1%	27.4%
Cyberstalking	23.4	21.5	26.4
Electronic monitoring	6.0	7.8	3.4
Don't know	0.6	0.7	0.6
<b>Percent of cyberstalking involving —<sup>a</sup></b>			
E-mail	82.6%	82.5%	82.7%
Instant messenger	28.7	35.1	20.7
Blogs or bulletin boards	12.5	12.3	12.8
Internet sites about victim	8.8	9.4	8.1
Chat rooms	4.0	4.4*	3.4*
<b>Percent of electronic monitoring involving —<sup>b</sup></b>			
Computer spyware	44.1%	33.6%	81.0%*
Video/digital cameras	40.3	46.3	19.3*
Listening devices/bugs	35.8	41.8	14.8
GPS	9.7*	10.9*	5.2*
Number	5,200,410	3,158,340	2,042,070

Note: Table excludes 8.8% of all victims, 7.8% of stalking victims, and 10.2% of harassment victims due to missing data. Details sum to more than 100% because multiple responses were permitted.

\*Estimate based on 10 or fewer samples.

<sup>a</sup>Based on 1,217,680 total victims, 677,870 stalking victims, and 539,820 harassment victims who experienced cyberstalking.

<sup>b</sup>Based on 314,400 total victims, 244,880 stalking victims, and 69,530 harassment victims who experienced electronic monitoring.



### One in 7 victims reported they moved as a result of the stalking

The most common types of actions victims took to stop the stalking from continuing were to change usual activities outside of work or school, stay with family, or install caller ID or call blocking (table 8). The least frequent actions taken were to alter one's appearance or get pepper spray, a gun, or some other kind of weapon. Forty percent of stalking victims did not change their usual activities outside of work or school, take protective actions, or change their personal information.

### Help from others

Seven in 10 victims of stalking sought help to protect themselves or to stop the stalking (table 9). Victims were most likely to enlist the help of family or friends, followed by asking people not to release information about him or her (43% versus 33%). About 7% of victims contacted victim services, a shelter, or a helpline.

**Table 8. Whether stalking or harassment victims took actions to protect themselves or stop unwanted behaviors**

	Percent of victims		
	All	Stalking	Harassment
<b>Changed usual activities outside work or school</b>			
Changed day-to-day activities	14.3%	21.6%	4.1%
Stayed with family	11.6	18.1	2.6
Took time off work or school	10.8	16.7	2.6
Avoided family/friends	10.3	14.9	3.7
Changed route to work or school	9.2	13.4	3.3
Changed or quit job or school	6.7	9.5	2.9
Altered appearance	1.5	2.3	0.4*
<b>Took protective actions</b>			
Installed caller ID/call blocking	13.4%	18.1%	6.7%
Changed telephone number	12.6	17.3	5.8
Changed locks/got security system	8.7	13.2	2.4
Got pepper spray	4.0	6.3	0.8*
Got a gun	1.9	2.9	0.5*
Got another kind of weapon	1.8	2.1	1.4*
Took self-defense classes	0.9	1.1	0.5*
<b>Changed personal information</b>			
Changed email address	5.9%	6.9%	4.4%
Changed social security number	0.3	0.2*	0.3*
<b>Did not change behaviors listed</b>	<b>55.1%</b>	<b>39.7%</b>	<b>76.9%</b>
Number	5,857,030	3,424,100	2,432,930

Note: Details sum to more than 100% because multiple responses were permitted.

\*Estimate based on 10 or fewer sample cases.

### Reasons stalking stopped

At the time of the interview, 3 in 5 of the victims reported the stalking had stopped, while about 2 in 5 reported it was ongoing (appendix table 7). The most common victim perceptions for why the unwanted contacts stopped were that the police warned the stalker (15.6%), the victim talked to the stalker (13.3%), or a friend or relative intervened (12.2%). About a tenth of victims attributed the cessation of the unwanted behavior to obtaining a restraining, protection, or stay away order.

### Emotional impact

For stalking victims, the most common fear cited was not knowing what would happen next (table 10). Nine percent of stalking victims reported their worst fear was death. Twenty-nine percent of stalking victims feared the behavior would never stop. More than half of the stalking victims feared bodily harm to themselves, their child, or another family member.

More than 7 in 10 of all victims felt angry or annoyed at the beginning of the unwanted contacts or as they progressed (table 11). Stalking victims were about twice as likely as harassment victims to feel anxious or concerned at the

**Table 9. Types of help sought by stalking or harassment victims**

	Percent of victims		
	All	Stalking	Harassment
Total	100%	100%	100%
Enlisted help of friends/family	30.0	42.6	12.2
Asked people not to release information	24.0	32.9	11.6
Talked to boss/employer	16.2	21.6	8.6
Talked to an attorney	13.5	19.9	4.4
Obtained a restraining/protection/stay away order	9.4	15.6	0.6
Talked to a mental health professional	8.3	12.4	2.6
Contacted building/office security	6.4	9.2	2.5
Talked to clergy/faith leader	6.1	9.0	2.0
Talked to a doctor or nurse	6.0	9.1	1.5
Contacted victim services/shelter/helpline	4.5	7.3	0.5*
Hired a private investigator	0.7	1.1	0.1*
Did not seek help**	47.3	30.3	71.2
Number of victims	5,857,030	3,424,100	2,432,930

Note: Details sum to more than 100% because multiple responses were permitted.

\*Estimate based on 10 or fewer sample cases.

\*\*Victims might have sought help from someone other than those listed above.

beginning of the unwanted contacts (52.7% versus 25.4%). As the unwanted contacts progressed, about 15% of stalking victims felt depressed or sick, and 1% reported feeling suicidal.

#### *Workplace impact*

Of the 79% of stalking victims who had a job during the 12 months preceding the interview, about 1 in 8 lost time from work because of fear for their safety or to pursue activities such as obtaining a restraining order or testifying in court (appendix table 8). Seven percent of victims lost time from work for activities such as changing a phone

number, moving, or fixing or replacing damaged property. For 1 in 7 of these victims, a day or less was lost from work (appendix table 9). More than half of victims lost 5 or more days from work. About 130,000 victims reported that they had been fired from or asked to leave their jobs because of the stalking (not referenced in table).

#### *Financial impact of stalking on victim*

About 3 in 10 of stalking victims accrued out-of-pocket costs for things such as attorney fees, damage to property, child care costs, moving expenses, or changing phone numbers (appendix table 10). About a tenth of victims spent less than \$250, while 13% spent \$1,000 or more. About 296,000 stalking victims lost pay from work (appendix table 11). Over half of the victims lost less than \$1,000 of pay, and 8% of victims lost \$5,000 in pay or more.

**Table 10. Victims' worst fears resulting from stalking**

	Percent of victim
Not knowing what would happen next	46.1%
Behavior would never stop	29.1
Bodily harm	30.4
Harm or kidnap child	12.9
Harm other family member	12.2
Loss of freedom	10.3
Death	8.9
Loss of job	6.3
Harm current partner	6.0
Losing one's mind	4.3
Other	16.6
Don't know	5.3
Number of victims	3,416,900

Note: Table excludes 0.2% of stalking victims due to missing data. Details sum to more than 100% because multiple responses were permitted.

\*Estimate based on 10 or fewer sample cases.

#### **Stalkers commit various types of crimes against their victims**

Stalking offenders committed identity theft against about 204,000 victims. Over half of these victims had financial accounts opened or closed in their names or money taken from their accounts, and 3 in 10 of these victims had items charged to their credit cards without their consent.

Any identity theft	204,230	100%
Opened/closed accounts	110,850	54.3
Took money from accounts	105,130	51.5
Charged items to credit card	60,790	29.8

Note: Estimates exclude 0.1% of missing data. Details sum to more than 100% because multiple responses were permitted.

**Table 11. How the victim felt when the stalking or harassment began and progressed**

	Percent of victims					
	All		Stalking		Harassment	
	Beginning	Progressed	Beginning	Progressed	Beginning	Progressed
Annoyed/angry	72.5%	74.2%	68.9%	69.6%	78.1%	81.4%
Anxious/concerned	42.2	36.2	52.7	46.7	25.4	19.4
Frightened	26.8	25.7	41.7	41.7	3.2*	~ <sup>a</sup>
Helpless	15.6	16.4	22.4	23.4	4.8	5.1
Depressed	10.8	10.2	15.9	15.2	2.8	2.3
Sick	10.0	9.8	14.8	14.7	2.2*	1.8
Suicidal	0.9	0.9	1.4	1.4	~	~ <sup>b</sup>
Other way	9.7	10.1	7.9	8.9	12.4	11.9
Number of victims	5,574,400	5,530,940	3,416,430	3,406,220	2,157,980	2,124,720

Note: Table excludes 4.8% of all victims, 5.6% of all stalking victims, and 0.2% of harassment victims at the beginning of the behaviors and 0.5% of all victims, 11.3% of all stalking victims, and 12.7% of harassment victims as the behaviors progressed due to missing data. Details sum to more than 100% because multiple responses were permitted.

\*Estimate based on 10 or fewer sample cases.

~Not applicable.

<sup>a</sup>Harassment victims, by definition, were not frightened as the unwanted behaviors progressed.

<sup>b</sup>Harassment victims, by definition, did not report feeling suicidal as a result of the unwanted behaviors.

About 16% of all victims suffered property damage in conjunction with the stalking (table 12). Among stalking victims, the most common type of violent crime experienced in conjunction with stalking was to be hit, slapped, or knocked down (12.3%). About 6% of the stalking victims had a family member, friend, or co-worker who was attacked.

#### *Weapon involvement and injuries*

About 139,000 stalking victims were attacked with a weapon. Stalkers were equally likely to use a knife, blunt instrument, or other object, and 23% of the weapons used were handguns. Of the 279,000 victims who were injured in an attack, nearly all (99%) of these victims sustained minor bruises and other injuries. About a fifth sustained serious injuries, including gunshot or knife wounds, internal injuries, or broken bones.

Weapon used in attack	138,630	100%
Knife/other sharp object	58,850	42.4
Handgun	31,610	22.8*
Blunt or other object	52,670	38.0

\*Estimate based on 10 or fewer sample cases.

Injuries sustained in attacks	278,580	100%
Rape/sexual assault	38,590	13.9*
Serious injuries	52,080	18.7
Minor or other injuries	276,440	99.2

Note: Details sum to more than 100% because multiple responses were permitted.

\*Estimate based on 10 or fewer sample cases.

#### *Threats*

Stalkers made one or more threats to 43% of victims (table 13). Stalking offenders were most likely to threaten to hit, slap, or otherwise harm the victim (13.6%) or to kill the victim (12.1%). Somewhat less likely was the stalker threatening to kill himself or herself (9.2%). Less than 5% of the threats involved harm to a child, friend, co-worker, pet, or the threat of rape or sexual assault.

#### **Stalking victimization was equally likely to be reported to police whether the victim was male or female**

For violent crime more generally, victimizations experienced by females are more likely to be reported to the police than those experienced by males. However, this pattern of reporting by gender is not observed for the crime of stalking. Male and female stalking victimizations were equally likely to be reported to the police (table 14). Thirty-seven percent of male and 41% of female victimizations were reported to the police by the victim or another person aware of the crime.

The most common reasons for not reporting stalking victimization to the police were that it was a private or personal matter or that it was a minor incident (appendix table 12).

About 40% of victims stated that police were contacted once regarding the stalking, while 3% of victims stated that police were contacted in excess of 15 times (appendix table 13). Stalking victimization was most often reported to the police by the victim (83%), the victim's family (26%), or a friend or neighbor (12%) (appendix table 14).

**Table 12. Other crimes perpetrated by the offender against the stalking or harassment victim**

	Percent of victims		
	All	Stalking	Harassment
<b>Property damage</b>	15.9%	24.4%	4.0%
Damaged property of victim or someone in victim's household	9.5	15.0	1.8
Illegally entered house/apartment	8.6	13.2	2.2
Illegally entered car	3.8	6.3	0.5*
<b>Attacked victim</b>	12.3%	21.0%	0.0%
Hit/slapped/knocked down	7.2	12.3	~
Choked or strangled victim	2.4	4.2	~
Attacked victim with a weapon	2.4	4.0	~
Chased or dragged with a car	2.1	3.5	~
Raped/sexually assaulted victim	0.9	1.6	~
Attacked or attempted to attack in some other way	4.3	7.3	~
<b>Attacked person/pet other than victim</b>	8.8%	15.0	4.0%
Attack or attempt to attack a family member	3.5	6.0	~
Attack or attempt to attack a friend or co-worker	3.4	5.8	~
Attack or attempt to attack a pet	2.2	3.7	~
Attack or attempt to attack a child	2.2	3.7	~
Number of victims	5,857,030	3,424,100	2,432,930

\*Based on 10 or fewer sample cases.

~Not applicable. Harassment victims by definition were not attacked, nor were their friends, co-workers, family members, or pets.

**Table 13. Threats offenders made against stalking victims**

	Percent of victims	
	Number	Percent
Total	3,392,520	100%
<b>No threats made</b>	1,927,020	56.8%
<b>Threatened to—</b>	1,465,510	43.2%
Hit/slap/harm	462,610	13.6
Kill victim	411,830	12.1
Harm or kill self	313,580	9.2
Harm with a weapon	242,420	7.1
Harm another family member	209,770	6.2
Harm or kidnap child	166,230	4.9
Harm friend or co-worker	151,460	4.5
Harm a pet	87,020	2.6
Rape/sexually assault	56,050	1.7
Other way	511,530	15.1

Note: Table excludes 0.9% of stalking victims due to missing data. Details sum to more than 100% because multiple responses were permitted.

### Stalking victims report differing experiences with the criminal justice system

When contacted about a stalking victimization, the most common police response was to take a report. More than half of police officers took a report when contacted regarding the stalking (appendix table 15). Seventeen percent of responding officers gave the victim self-protection advice, while 8% of the officers arrested the perpetrator.

Nearly 20% of victims stated the police took no action when contacted. Of this 20%, victims were equally likely to perceive that no action was taken by law enforcement because police did not want to get involved (29%), had no legal authority (18%), or were inefficient or ineffective (16%) (appendix table 16). About 50% of victims perceived the stalking situation stayed the same after contacting the police (appendix table 17). Victims were equally likely to

perceive the situation "improved" or "worsened" following a report to the police. For victims who had contacted police on more than one occasion, the survey recorded only the police action taken in response to the latest call.

A fifth of victims filed charges against the stalking perpetrator (appendix table 18). Of those individuals filing charges, 3 out of 10 victims stated the outcome was still pending or that a restraining, protection, or stay away order was issued to deal with the offender. Victims were equally likely to report being satisfied (46%) or dissatisfied (49%) with the criminal justice system's responses to their stalking incident (appendix table 19) and were generally split on the helpfulness or lack of helpfulness of criminal justice representatives, with one exception: some victims said that victim advocates were helpful (6%) during the criminal justice process (appendix table 20).

**Table 14. Percent of stalking and harassment victimizations reported to the police, by victim gender**

	Percent of victims					
	All		Stalking		Harassment	
	Male	Female	Male	Female	Male	Female
Total	100%	100%	100%	100%	100%	100%
Reported	20.6	32.8	36.8	41.0	6.8	13.9
Not reported	79.4	67.2	63.2	59.0	93.2	86.1
Number of victims	1,941,650	3,637,570	892,340	2,528,990	1,049,320	1,108,580

Note: Table excludes 4.5% of all male victims, 4.9% of all female victims, 0.1% of female stalking victims, 8% of male harassment victims, and 14.2% of female harassment victims due to missing data.



## Methodology

The Supplemental Victimization Survey (SVS) was administered as a supplement to the National Crime Victimization Survey (NCVS) during January through June, 2006. All NCVS respondents age 18 and older were eligible for the supplement. About 65,270 persons participated in the supplemental survey. The response rate for eligible individuals was 83%.

The estimates presented in this report are annual prevalence estimates for persons age 18 or older victimized by stalking or other harassing behaviors during the 12 months prior to the interview. Since the interviews were conducted during the first 6 months of 2006, the majority of the stalking behaviors occurred during 2005.

The Office on Violence Against Women (OVW) and the Bureau of Justice Statistics (BJS) convened a 1-day forum with experts in the area of stalking and violence against women. Researchers, law enforcement officials, prosecutors, and victim advocates comprised the expert group. Also included in the group were representatives from the Census Bureau, the federal agency that carries out survey development and data collection for BJS. The purpose of the 1-day forum was to discuss definitional and methodological issues surrounding the crime of stalking, determine where gaps in current information on stalking existed, and determine how the SVS could further research and knowledge regarding this crime.

Following this meeting, a small federal working group was formed with representatives from OVW, BJS, and the Census Bureau. The working group met weekly for approximately 12 months until a satisfactory survey instrument was completed and approved. During the last phase of the survey development, the Census Bureau conducted cognitive interviews with stalking victims around the United States to test the reliability and validity of the instrument. Changes to the instrument were made to incorporate findings from these interviews.

The name of the SVS intentionally does not indicate that the focus of the supplemental survey is stalking. This decision was made to avoid biasing the responses of individuals and the subsequent estimates. The respondents had to state that they experienced all of the following in order for a course of behavior to be counted as stalking victimization:

- at least one of the harassing behaviors in the stalking screener
- harassing behavior more than one time on separate days
- at least one of the harassing contacts occurred during the 12 months prior to the interview
- they feared for their own or a family member's safety or experienced another crime committed by the offender that would make a reasonable person fearful (see the survey screen questions on the next page).

## Victim perception of whether behavior was stalking

The SVS screened victims to determine whether they met the behavioral criteria of having unwanted or harassing contacts on more than one occasion during the past year that made them feel annoyed, fearful, anxious, or concerned. Researchers specifically avoided using the term "stalked" throughout the questionnaire so as not to bias findings based on the victim's perception of what was occurring. The final question in the supplement asked whether the victim perceived the unwanted contacts or harassing behaviors to be stalking. Stalking victims were more than twice as likely as harassment victims to label the unwanted behavior as stalking (54% versus 21%).

Victim perception of whether behavior was stalking	Percent of victims		
	All	Stalking	Harassment
Total	100%	100%	100%
Considered to be—			
Stalking	40.3%	53.6%	20.7%
Not stalking	59.7	46.4	79.3
Number of victims	5,588,150	3,325,220	2,262,940

Note: Table excludes 4.6% of all victims, 2.9% of stalking victims, and 7.0% of harassment victims due to missing data.

The final question on the survey asked, "Do you consider the series of unwanted contacts or harassing behavior you told me about to be stalking?"

Victims of harassment met all the requirements for stalking victimization except those associated with induced fear or the commission of additional associated crimes. Harassing acts by bill collectors, telephone solicitors, or other sales people were excluded from the estimates of stalking and harassment.

## Standard error computations

Comparisons of percentages and rates made in this report were tested to determine if observed differences were statistically significant. Differences described as higher, lower, or different passed a test at the 0.05 level of statistical significance (95% confidence level). Differences described as somewhat, lightly, marginally, or some indication passed a test at the 0.10 level of statistical significance (90% confidence level). Caution is required when comparing estimates not explicitly discussed in the report.

**Screeners questions for stalking behaviors**

Now, I would like to ask you some questions about any unwanted contacts or harassing behavior you may have experienced that frightened, concerned, angered, or annoyed you. Please include acts committed by strangers, casual acquaintances, friends, relatives, and even spouses and partners. I want to remind you that the information you provide is confidential.

1. Not including bill collectors, telephone solicitors, or other sales people, has anyone, male or female, EVER – frightened, concerned, angered or annoyed you by ...
  - a. Making unwanted phone calls to you or leaving messages?
  - b. Sending unsolicited or unwanted letters, e-mails, or other forms of written correspondence or communication?
  - c. Following you or spying on you?
  - d. Waiting outside or inside places for you such as your home, school, workplace, or recreation place?
  - e. Showing up at places where you were even though he or she had no business being there?
  - f. Leaving unwanted items, presents, or flowers?
  - g. Posting information or spreading rumors about you on the Internet, in a public place, or by word of mouth?
  - f. None

**Questions used to identify actions that would cause a reasonable person to feel fear**

1. In order to frighten or intimidate you, did this person attack or attempt to attack
  - a. a child
  - b. another family member
  - c. a friend or co-worker
  - d. a pet
2. During the last twelve months, did this person attack or attempt to attack you by...
  - a. hitting, slapping, or knocking you down
  - b. choking or strangling you
  - c. raping or sexually assaulting you
  - d. attacking you with a weapon
  - e. chasing or dragging with a car
  - f. attacking you in some other way

3. Other than the attacks or attempted attacks you just told me about, during the last 12 months, did this person threaten to...

- a. kill you
- b. rape or sexually assault you
- c. harm you with a weapon
- d. hit, slap, or harm you in some other way
- e. harm or kidnap a child
- f. harm another family member
- g. harm a friend or co-worker
- h. harm a pet
- i. harm or kill himself/herself

4. What were you most afraid of happening as these unwanted contacts or behaviors were occurring?

- a. death
- b. physical/bodily harm
- c. harm or kidnap respondent's child
- d. harm current partner/boyfriend/girlfriend
- e. harm other family members
- f. don't know what would happen

**Questions used to measure fear**

1. How did the behavior of (this person/these persons) make you feel when it FIRST started? Anything else?

- a. anxious/concerned
- b. annoyed/angry
- c. frightened
- d. depressed
- e. helpless
- f. sick
- g. suicidal
- h. some other way – *specify*

2. How did you feel as the behavior progressed? Anything else?

- a. no change in feelings
- b. anxious/concerned
- c. annoyed/angry
- d. frightened
- e. depressed
- f. helpless
- g. sick
- h. suicidal
- i. some other way – *specify*

**Appendix table 1. Perceived age of the stalking offender, by age of the victim**

Offender age	Age of the victim				
	18-20	21-29	30-39	40-49	50 or older
Total	100%	100%	100%	100%	100%
Under 18	10.9*	0.7*	1.8*	2.1*	2.0*
18-20	41.6	5.7	2.3*	2.9*	1.0*
21-29	23.3	48.2	13.8	8.8	3.8*
30-39	5.1*	23.0	37.6	16.7	16.3
40-49	6.7*	7.7	20.8	34.2	18.7
50 or older	2.4*	5.9	9.9	21.6	34.6
Age of offender unknown	10.0*	8.8	13.9	13.7	23.6
Number of victims	349,490	929,080	752,690	722,890	663,660

Note: Table excludes missing data about offenders from 0.8% of stalking victims age 30 to 39.

\*Based on 10 or fewer sample cases.

**Appendix table 2. Perceived race of the stalking offender, by race of the victim**

Offender race	Victim race		
	White	Black	Some other race
Total	100%	100%	100%
White	82.8	12.5*	45.4
Black	5.2	65.6	16.0*
Some other race	7.6	11.8*	29.8
Race of offender unknown	4.3	10.1*	8.8*
Number of victims	2,582,360	328,900	160,400

\*Based on 10 or fewer sample cases.

**Appendix table 3. Number of stalking offenders perceived by victim**

	Percent of victims
Total	100%
One	62.1
Two	18.2
Three or more	13.1
Number unknown	6.5
Number of victims	3,398,630

Note: Table excludes 0.7% of stalking victims due to missing data.

**Appendix table 4. Employment status of the stalking offenders, as perceived by victims**

	Percent of victims
Total	100%
Employed	42.1
Unemployed	24.9
Sometimes employed/unemployed	6.4
Victim unable to determine employment status	26.6
Number of victims	3,420,450

Note: Table excludes 0.1% of stalking victims due to missing data.

**Appendix table 5. Stalking victims' perceptions of offenders' previous problems with the law**

	Percent of victims
Total	100%
Offender had problems with the law	35.9
Offender did not have problems with the law	26.3
Victim unable to determine if offender had problems with the law	37.8
Number of victims	3,410,710

Note: Table excludes data about offenders from 0.4% of stalking victimizations.

**Appendix table 6. Frequency of stalking during the 12 months prior to the interview**

	Number	Percent of victims
Total	3,416,100	100%
1-2 times/year	381,540	11.2
1-2 times/month	565,790	16.6
1-2 times/week	770,380	22.6
Almost every day	576,960	16.9
At least once a day	204,860	6.0
No set pattern	864,920	25.3
Don't know	51,650	1.5

Note: Table excludes 0.2% of stalking victims due to missing data.

**Appendix table 7. Victims' perceptions of whether stalking had stopped and reasons it stopped**

	Number	Percent of victims
Total	3,404,110	100%
<b>Stalking ongoing</b>	1,234,330	36.3%
<b>Stalking stopped</b>	1,976,050	58.0%
Respondent took measures		
Victim talked to stalker	263,790	13.3%
Victim moved	214,150	10.8
Victim changed phone or email	210,910	10.7
Restraining/protection/stay away order	187,220	9.5
Victim got married or started new relationship	40,390	2.0
Perpetrator stopped behavior		
Stalker moved	172,220	8.7%
Stalker was arrested or incarcerated	129,470	6.6
Stalker started a new relationship	80,580	4.1
Stalker got help/counseling	48,130	2.4
Stalker died	9,320	0.5*
Others intervened		
Police warned stalker	309,080	15.6%
Friend or relative intervened	240,350	12.2
Others intervened	163,020	8.2
Employer intervened	105,490	5.3
School staff intervened	42,230	2.1
Other reason	501,730	25.4%
Don't know why stalking stopped	297,230	15.0%
<b>Don't know whether stalking stopped</b>	208,940	10.6%

Note: Table excludes 0.6% of stalking victims due to missing data. Details sum to more than 100% because multiple responses were permitted.

**Appendix table 8. Time lost from work for any reason as a result of stalking victimization**

	Number	Percent of victims
Total	3,388,550	100%
Not working	708,070	20.9
Working	2,680,470	79.1
<b>Reason for time lost from work</b>		
Fear or concern for safety	350,940	13.1%
Getting a restraining/protection order or testifying in court	320,450	12.0
Changing phone number/moving/fixing damaged property	183,120	6.8

Note: Table excludes 1% of cases due to missing data. Details sum to more than 100% because multiple responses were permitted.

**Appendix table 9. Amount of time victims lost from work for any reason as a result of stalking**

	Number	Percent of victims
Total	540,360	100%
Less than a day	76,060	14.1
1 day	51,920	9.6
2 days	57,540	10.6
3 days	42,830	7.9
4 days	24,900	4.6*
5-9 days	77,350	14.3
10-24 days	60,690	11.2
25 or more days	78,420	14.5
Don't know	70,650	13.1

Note: Table excludes 2.5% of stalking victims due to missing data. Total based on victims who had a job and lost time from work. Detail may not sum to 100% due to rounding.

\*Estimate based on 10 or fewer sample cases.

**Appendix table 10. Out-of-pocket costs to victims as a result of stalking**

	Number	Percent of victims
Total	3,358,800	100%
\$0	2,080,230	61.9
\$1-99	193,060	5.7
\$100-249	151,460	4.5
\$250-499	90,420	2.7
\$500-999	89,730	2.7
\$1,000-2,499	155,010	4.6
\$2,500-4,999	91,350	2.7
\$5,000 or more	188,110	5.6
Don't know	319,430	9.5

Note: Table excludes 1.9% of stalking victims due to missing data. Detail may not sum to 100% due to rounding.

**Appendix table 11. Amount of employment income lost as a result of stalking victimization**

	Number	Percent of victims
Total	296,450	100%
\$1-99	44,340	15.0
\$100-999	110,430	37.2
\$1,000-2,499	40,620	13.7
\$2,500-4,999	17,990	6.1
\$5,000 or more	23,690	8.0
Don't know	59,450	20.1

Note: Table excludes 3.3% of stalking victims due to missing data.

**Appendix table 12. Victim reasons for not reporting stalking to police**

	Percent of victims
<b>Dealt with another way</b>	
Private or personal matter	26.7%
Reported to another official	13.6
<b>Not important enough to report</b>	
Minor incident	27.2
Not clear a crime occurred	11.2
<b>Police couldn't help</b>	
Couldn't identify offender/lacked evidence	9.5
Had no legal authority	3.0
Lacked correct protection, stay away, or restraining order	0.5*
<b>Police wouldn't help</b>	
Police wouldn't think it was important/would be ineffective	11.0
Police wouldn't believe respondent/would blame respondent	4.0
Previous negative experience with police	1.5*
Perpetrator was a police officer	0.8*
<b>Feared the perpetrator</b>	
Afraid of reprisal	5.9
<b>Other reasons</b>	
Protect perpetrator/perpetrator was ex-spouse or ex-partner	6.9
Contacts/behavior stopped	5.9
For the sake of the children	3.8
Respondent felt ashamed/embarrassed	3.3
Respondent or perpetrator moved away	1.3*
Other	17.6
Don't know	1.2*
Number of victims	2,055,080

Note: Table excludes 1.9% of stalking victims due to missing data. Details sum to more than 100% because multiple responses are permitted.

\*Based on 10 or fewer sample cases.

**Appendix table 13. Number of police contacts regarding stalking during the last 12 months**

	Percent of victims
Total	100%
1	39.7
2	22.1
3	12.9
4	6.4
5-10	11.9
11-15	3.7
More than 15	3.2
Number of victims	1,240,280

Note: Table excludes 9.2% of stalking victims due to missing data.

**Appendix table 14. Identity of person reporting stalking to police**

	Percent of victims
Victim	83.0%
Victim's family	26.2
Friend/neighbor	11.5
Other	4.1
Employer/co-worker	2.3*
Social worker/counselor	1.4*
School official	1.4*
Security guard	1.2*
Clergy/pastor/priest	0.5*
Stranger/bystander	0.5*
Doctor/nurse	0.5*
Don't know	1.6*
Number of victims	1,350,130

Note: Table excludes 1.2% of stalking victims due to missing data. Details sum to more than 100% because multiple responses were permitted.

\*Based on 10 or fewer sample cases.

**Appendix table 15. Types of action taken by police after most recent contact about stalking**

	Percent of victims
Took a report	55.3%
Talked to/warned offender	32.2
Suggested protection, stay away or restraining order	20.1
Gave victim self-protection advice	17.4
Referred victim to court	8.9
Arrested offender	7.7
Asked for more evidence	6.4
Referred victim to victim services	5.4
Moved respondent to another location	1.3*
Don't know	4.1
Took no action	18.8
Number of victims	1,343,090

Note: Table excludes 1.7% of stalking victims due to missing data. Details sum to more than 100% because multiple responses were permitted.

\*Based on 10 or fewer sample cases.

**Appendix table 16. Stalking victims' perceptions about why police did not take action**

	Percent of victims
Didn't want to get involved	28.6%
Had no legal authority	17.7
Police were inefficient/ineffective	16.2
Didn't believe victim	13.2*
Didn't have enough evidence	11.2*
Offender was a police officer	5.7*
Could not find/identify offender	4.0*
Lacked or had incorrect protection order	3.0*
Thought it was victim's fault	2.9*
Didn't find out until too late	2.8*
Other	36.3
Number of victims	240,030

Note: Table excludes 4.9% of stalking victims due to missing data. Details sum to more than 100% because multiple responses were permitted.

\*Based on 10 or fewer sample cases.



**Appendix table 17. Victim perceptions of outcomes after first reporting stalking to police**

	Percent of victims
Total	100%
Situation got better	28.2
Situation got worse	22.9
Situation stayed the same	48.9
Number of victims	1,325,720

Note: Table excludes 3% of stalking victims due to missing data.

**Appendix table 18. Percent of stalkings in which criminal justice charges were filed and outcomes**

	Percent
Total	100%
Charges not filed	71.5
Charges filed	21.0
Still pending	33.3%**
Restraining, protection, stay away order	28.5
Jailed or imprisoned	18.0
Court intervention/counseling program	12.2*
Convicted or guilty	12.0*
Fine was imposed	11.8*
Dismissed or not guilty	9.1*
Probation	8.5*
Other	12.9*
Don't know outcome of charges filed	5.1*
Don't know if charges filed	7.5
Number of victims	1,329,790

Note: Table excludes 2.7% of stalking victims that did not respond to whether charges were filed and 9.4% of victims that did not respond to the outcome of charges filed.

\*Based on 10 or fewer sample cases.

\*\*Details sum to more than 100% because multiple responses were permitted.

**Appendix table 19. Stalking victim satisfaction with criminal justice outcome**

	Percent of victims
Total	100%
Victim satisfied with outcome	45.7
Victim not satisfied with outcome	49.0
Don't know if satisfied with outcome	5.2*
Number of victims	169,040

Note: Table excludes 13.5% of stalking victims that filed charges due to missing data. Detail may not sum to 100% due to rounding.

\*Based on 10 or fewer sample cases.

**Appendix table 20. Stalking victim perceptions about helpfulness of officials in the criminal justice system**

	Percent of victims who perceived official as—	
	Helpful	Not helpful
Patrol/police officer/sheriff	43.0%	41.9%
911 dispatcher	3.6	2.8
Detective	5.3	3.0
Prosecutor/District Attorney	6.9	7.8
Judge	7.4	7.2
Victim advocate	5.7	2.0*
Someone else	8.9	8.0
No person was helpful	36.0	~
No person was unhelpful	~	40.3
Victim did not provide response	3.3	2.7*
Number of victims	1,359,060	1,359,060

Note: Details sum to more than 100% because multiple responses were permitted.

~Not applicable.

\*Based on 10 or fewer sample cases.

**U.S. Department of Justice**  
Office of Justice Programs  
Bureau of Justice Statistics



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This report in portable document format and in ASCII and its related statistical data and tables are available at the BJS World Wide Web Internet site: <http://www.ojp.usdoj.gov/bjs/abstract/svus.htm>.

**Office of Justice Programs**

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The Bureau of Justice Statistics is the statistical agency of the U.S. Department of Justice. Michael D. Sinclair is deputy director.

This report was written by Katrina Baum, Ph.D., Shannan Catalano, Ph.D., Michael Rand, and Kristina Rose. Cathy Maston, Patsy Klaus, Lara Allen, and Thomas Cohen provided statistical review. Tina Dorsey produced the report, Catherine Bird and Jill Duncan edited the report, and Jayne E. Robinson prepared the report for final printing.

January 2009, NCJ 224527

## **EXHIBIT B**





U.S. Department of Justice  
Office of Justice Programs

Office of the General Counsel

Washington, D.C. 20531

Mr. Keith S. Labella  
64-15 Perry Ave.  
Maspeth, N.Y. 11378

MAR 22 2010

Re: OJP FOIA No. 10-00169

Dear Mr. Labella:

This responds to your Freedom of Information Act/Privacy Act request letter for copies of the following:

- "1. Any and all records relating to the Supplemental Victimization Survey (SVS) To the National Crime Victimization Survey 2006 (for your reference, a copy of the 11 page survey is annexed hereto as Exhibit "A") in which under Section F, question number 4, on page 2, of said survey, the survey participant answered "3" or more (i.e., answering 3 or more people/participants involved in the stalking) AND also in Section F, number 6a on page 2 of said survey participant answered "yes" (i.e., answering in the affirmative that ALL perpetrators acted together as a team or group).

In addition to any of the tables, statistics, graphs, compilations, or records of any kind responsive to the above request for information, requesters also requests copies of properly redacted surveys of the SVS filled out by victims answering "3" or more perpetrators AND "ALL" of the perpetrators working as a "team or group" related to their stalking. Requester expects a legal redaction effort redacting only good-faith asserted privileges such as names and other identifying particulars protecting the confidentiality of survey participant victims' identities."

The Office of Justice Programs (OJP) has conducted a search of its records and enclosed are copies of two documents, consisting of two pages, that are appropriate for release in full and without excisions. This completes the processing of your request by OJP.

Sincerely,

A handwritten signature in cursive script that reads "Dorothy A. Lee".

Dorothy A. Lee  
Paralegal Specialist  
Office of the General Counsel

Enclosures

Of the 446,790 episodes of stalking committed by 3 or more persons, 4 in 10 were committed by the offenders working together.

Did All of These People Act as a Team or a Group?

	Number	Percent
Total 3 or more offenders	446,790	100
Yes	185,050	41.2
No	230,080	51.5
Don't know	26,550	5.9
Missing	6,110	1.4

## How Many Different People Have Done Any of These Things To You in the Last 12 Months?

Number of Offenders	Number	Percent (%)
Total	3,424,110	100 %
1	2,111,220	61.7
2	619,300	18.1
3	213,770	6.2
4	98,290	2.9
5	59,370	1.7
6	13,680	0.4
7	6,290	0.2
8	3,380	0.1
10	6,560	0.2
11	3,150	0.1
12	20,790	0.6
15	7,120	0.2
20	3,150	0.1
30	5,580	0.2
50	5,670	0.2
Don't know	221,330	6.5
Missing	25,470	0.7
3 or more offenders	446,790	13.0 %

13% of all stalking incidents involved 3 or more offenders.

This table presents data from Section F Question 4 of the Supplemental Victimization Survey (SVS). This table breaks out the "3 or more" category into the actual number of offenders reported by the victim.

These estimates are generated from the National Crime Victimization Survey (NCVS): Stalking Victimization Supplement. The data and codebook are publicly available and may be downloaded from <http://www.icpsr.umich.edu/icpsrweb/ICPSR/studies/20080?archive=ICPSR&q=stalking>.

Survey weights have been applied to the numbers in the table so that they are a reflection of the overall U.S. population. Unlike the Decennial Census, the NCVS is unable to interview every individual in the United States so we rely on randomly selected samples that are a representative "slice" of the national population. In 2006 (the year the SVS was administered) our random sample included about 65,270 individuals age 18 or older. Of these individuals, approximately 980 met the criteria of stalking as defined in the report *Stalking Victimization in the United States*. When survey weights were applied to these 980 cases, they actually represented 3.4 million individuals in the United States. Of these 3.4 million individuals, roughly 447,000 stated they were stalked by three or more individuals.

## **EXHIBIT C**

## **BJS: Bureau of Justice Statistics**

**FOR IMMEDIATE RELEASE**  
**THURSDAY, DECEMBER 2, 2010**  
[HTTP://BJS.OJP.USDOJ.GOV/](http://bjs.ojp.usdoj.gov/)

**Bureau of Justice Statistics**  
**Contact: Kara McCarthy (202) 307-1241**  
**After hours: (202) 598-0556**

### **JUSTICE DEPARTMENT AGENCIES LAUNCH NEW TOOL TO EASE CRIME DATA ANALYSIS**

WASHINGTON-- The Justice Department's Bureau of Justice Statistics (BJS) and the FBI recently launched an online data tool [www.ucrdatatool.gov](http://www.ucrdatatool.gov) to make it easier to research and analyze crime data.

According to the FBI, "The [Uniform Crime Data (UCR)] Data Tool lets users perform queries on custom variables like year, agency, and type of offense. Until now, making comparisons of the [UCR] crime data required searching the annual reports and then manually crunching the numbers. The new tool aims to make it easier for users—including our law enforcement partners who supply the data—to make use of the raw numbers."

BJS developed the UCR data tool for the FBI as part of on-going collaboration between the two agencies to improve crime data accessibility and provide information to the public. The [ucrdatatool.gov](http://ucrdatatool.gov) will replace the BJS long-standing data online tool that presented crime trends from the FBI's UCR. More information about the methodology and best practices for using the new tool are available at [www.ucrdatatool.gov](http://www.ucrdatatool.gov).

For additional information about the Bureau of Justice Statistics' statistical reports and programs, please visit the BJS Web site at <http://bjs.ojp.usdoj.gov/>.

# # #

The Office of Justice Programs (OJP), headed by Assistant Attorney General Laurie O. Robinson, provides federal leadership in developing the nation's capacity to prevent and control crime, administer justice, and assist victims. OJP has seven components: the Bureau of Justice Assistance; the Bureau of Justice Statistics; the National Institute of Justice; the Office of Juvenile Justice and Delinquency Prevention; the Office for Victims of Crime; the Community Capacity Development Office, and the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking. More information about OJP can be found at <http://www.ojp.gov>.

BJS11034

## **EXHIBIT D**

## TED L. GUNDERSON & ASSOCIATES

6230-A Wilshire Blvd., Suite 6  
Los Angeles, California 90048  
Phone: (337) 344-8876

I, Ted L. Gunderson, hereby swear under the pains and penalties of perjury that the following statements are true and correct:

1. My name is Ted L. Gunderson. I am the owner and operator of Ted L. Gunderson & Associates, an international security and consulting firm based out of Santa Monica, California. I am currently a licensed private investigator in the state of California. I have performed private investigation and security work for numerous individuals, companies, and governments worldwide since founding my firm in 1979. I have worked for, amongst others, F. Lee Bailey, Esq., The California Narcotics Authority by appointment of Governor Jerry Brown, The 1984 Los Angeles Olympic Committee, and The 1979 Pan American Games in San Juan, Puerto Rico by appointment of then U.S. Attorney General Griffin Bell.
2. Previous to my work as a private investigator I spent nearly three decades in the F.B.I. Between 1951 and 1960 I was an F.B.I. Special Agent. In 1960 I was promoted as a supervisor at F.B.I. Headquarters in Washington, D.C., where I was in charge of Organized Crime and Racketeering investigations covering 26 F.B.I. Field Offices nationwide. Following the assassination of President John F. Kennedy, I was re-assigned to Special Inquiry White House Matters at F.B.I. Headquarters. In 1965 I was promoted again to Assistant Special Agent-In-Charge of Internal Security and Anti-Terrorism of the F.B.I. New Haven, Connecticut Field Office. In 1970 I was promoted to Assistant Special Agent-In-Charge of the F.B.I. Philadelphia, Pennsylvania Field Office. On July 12, 1972 I successfully negotiated with two terrorist hijackers of National Airlines Flight 496 for the release of 119 passengers at Philadelphia International Airport. In 1973 I was promoted to Chief Inspector at F.B.I. Headquarters. I also served

as Special Agent-In-Charge of the F.B.I. Memphis and Dallas Field Offices. I retired from the F.B.I. as Senior Special Agent-In-Charge of the Los Angeles Field Office of the F.B.I. with over 700 employees and a budget of over 22 million dollars in 1979.

3. I have read the Complaint in the current action of Mr. Keith Labella against F.B.I. and D.O.J. It is my professional opinion, based on information, knowledge and belief that the information sought by Mr. Labella in this F.O.I.A. suit regarding "gang stalking", "gang stalking groups" and "gang stalking methods" reasonably describes an ongoing, active, covert nationwide program that is in effect today, and, based on my investigations and experience, has been operational since at least the early 1980's. Since the 1980's gang stalking has increased in scope, intensity and sophistication by adapting to new communications and surveillance technology. These programs are using the codenames Echelon Program, Carnivore System, and Tempest Systems. The Echelon Program is administered by the N.S.A. out of Fort Meade, Maryland, and monitors all email and phone calls in the world. Carnivore System is administered by the N.S.A. out of Fort Meade, Maryland, and can download any computer system without being traced or otherwise known to the owner. Tempest Systems can decipher what is on any computer screen up to a quarter of a mile away. These programs are negatively impacting thousands of Americans and severely abusing their civil rights on a daily basis.
4. Based on my investigative work, which includes intelligence from sources such as active and former members of the Intelligence Services (including the F.B.I., the C.I.A., the N.S.A. and Military Intelligence), information from informants active in criminal enterprises, and, victim testimonies, I have come to the conclusion that thousands of victims have been targeted by an illegal government rogue criminal enterprise that is active 24 hours a day within the U.S. This conspiracy is far too active to be controlled or operated by private enterprise whose goals are achieving financial gain. These operations require extensive financing with no return on the investment. This program's operations are financed by illegal black operations, i.e., narcotics, prostitution, child



kidnapping (children sell at covert auctions for up to \$50,000 per child), human trafficking, gambling and other rackets.

5. I have documentation and know that throughout the U.S., operating 24 hours-a-day and 7 days-a-week, there is a Central Command, located within the U.S., with multiple satellite offices, whose administrators can instantly initiate surveillance, phone taps and harassment against any individual in the country. They have the technology, financing and manpower to dispense illegal surveillance and harassment against anyone at any time, day or night. I have files on numerous cases of active, programmatic, illegal government harassment currently being conducted against thousands of Americans. This makes the F.B.I.'s former COINTELPRO program, which I worked on, including in a supervisory capacity, look like a Sunday school program by comparison.
6. I firmly believe that most individuals working in the F.B.I., other intelligence agencies, and the government overall are honest, law-abiding public servants. However, a sophisticated network of rogue operatives has secretly infiltrated the F.B.I., other intelligence agencies including the C.I.A., and other key government positions. This rogue element seeks personal power and wealth and considers themselves above the law and the Constitution. They are carrying out the aforementioned surveillance and harassment activities in conjunction with organized crime, the cult movement in America including Satanic cults, other commercial and political interests, and even misguided civic organizations and neighborhood groups. This illegal surveillance and harassment program is being called gang stalking and organized stalking by the victims targeted by it. The victims are targeted for a variety of reasons including government and corporate whistleblowers, parties to financial and employment disputes, parties to marital disputes (usually divorced women), and even jilted paramours. Journalists covering controversial issues, and, even attorneys and private investigators representing unpopular clients or interests, have been targeted by this program.
7. Individuals targeted by this program have been subjected to illegal and unconstitutional phone taps, illegal re-routing of business and

private phone calls for purposes of harassment, illegal audio "bugging", surreptitious entry into home, office, and vehicle, visual surveillance in the home conducted by illegal placement of miniature remote, wireless cameras (often accessible via internet), illegal internet spyware, illegal GPS tracking (often through their own mobile phones), regular fixed and mobile surveillance, mail misdirection, mail theft and tampering, financial and employment sabotage, slander campaigns and community ostracizing, internet disinformation and smear campaigns, poisoning, assaults and murder, illegal set-ups on drug charges and other felony charges, amongst many other civil rights abuses.

8. In addition to high-ranking members of the F.B.I., other intelligence services, and the government overall, wealthy, powerful members of criminal syndicates, multi-millionaires and the corporate elite are using the government gang stalking program to harass enemies. They can get a targeted individual harassed for the rest of that individual's life (individual cases of gang stalking lasting for over a decade are common). The higher status members of the gang stalking conspiracy initiate the gang stalking and coordinate logistics and funding. Lower echelon government rogue operatives, lower ranking members of the military (in violation of Posse Comitatus), petty criminals and street thugs perform the actual grunt work of daily monitoring and harassment of individuals targeted by the program.
9. Based on my professional experience, extensive intelligence information and belief, it is my professional opinion that the F.B.I. is involved in and has investigative files on the subject of gang stalking, related gang stalking methods, and gang stalking groups in the F.B.I.'s vast intelligence files, that are responsive to Mr. Labella's F.O.I.A. Complaint. Furthermore, I have personally referred numerous victims of gang stalking to the appropriate agents at the F.B.I. for investigation of their cases. I have also furnished the F.B.I. with documentation of an active, international child kidnapping ring probably operated by rogue C.I.A. agents. The F.B.I. has ignored my requests to investigate even though it is their responsibility to investigate kidnappings. I have a contact in Germany who advises me that the C.I.A. has set up secret operations on U.S. military bases for the kidnapping, sale and

tracking of children worldwide. The F.B.I. may be using a unique codename and nomenclature for the gang stalking phenomenon in its records. However, this is a semantic difference, and, in no way changes my professional opinion that the F.B.I. has investigative files on the nationwide phenomenon of gang stalking described in reasonable and specific detail in Mr. Labella's F.O.I.A. Complaint. These F.B.I. files contain information responsive to Mr. Labella's F.O.I.A. Complaint regarding the subject of gang stalking. The F.B.I. and other intelligence agencies are administering and covering up the rogue, covert, government criminal enterprise of gang stalking. The gang stalking phenomenon appears in the records of both the F.B.I. and the N.S.A. in their records pertaining to the Echelon Program, Carnivore System, and Tempest Systems. In addition, the gang stalking phenomenon appears in the records of both the F.B.I. and the N.S.A. in their records pertaining to information collected by Narus systems. Narus is a wholly owned subsidiary of defense contractor Boeing that produces sophisticated, mass surveillance computer systems currently being used by both the F.B.I. and the N.S.A.

Dated this 26 day of April 2011.

Los Angeles, California

Ted L. Gunderson  
Ted L. Gunderson

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NOTARY

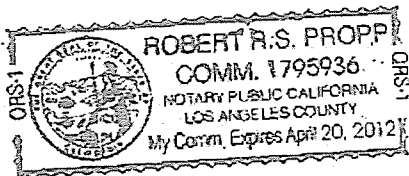
**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of Los Angeles

On 4-25-2011 before me, Robert R.S. Propp  
Date Here Insert Name and Title of the Officer

personally appeared Ted L Gunderson  
Name(s) of Signer(s)



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature]  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document: Statement of Ted L Gunderson & Associates

Document Date: 4-26-2011 Number of Pages: (5)

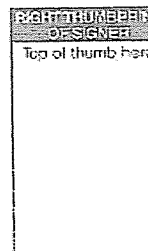
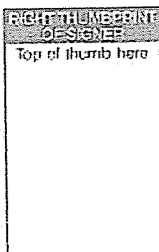
Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: Ted L Gunderson Signer's Name: \_\_\_\_\_

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Individual<br><input type="checkbox"/> Corporate Officer — Title(s): _____<br><input type="checkbox"/> Partner — <input type="checkbox"/> Limited <input type="checkbox"/> General<br><input type="checkbox"/> Attorney in Fact<br><input type="checkbox"/> Trustee<br><input type="checkbox"/> Guardian or Conservator<br><input type="checkbox"/> Other: _____ | <input type="checkbox"/> Individual<br><input type="checkbox"/> Corporate Officer — Title(s): _____<br><input type="checkbox"/> Partner — <input type="checkbox"/> Limited <input type="checkbox"/> General<br><input type="checkbox"/> Attorney in Fact<br><input type="checkbox"/> Trustee<br><input type="checkbox"/> Guardian or Conservator<br><input type="checkbox"/> Other: _____ |
|--|---|

Signer Is Representing: \_\_\_\_\_ Signer Is Representing: \_\_\_\_\_



TED L. GUNDERSON  
 FBI Bureau Chief,  
 Senior Special Agent In Charge, (Ret.)  
 Head of the Los Angeles Office of the  
 Federal Bureau of Investigation  
 6230 A Wilshire Blvd.  
 Los Angeles, CA 90048  
 Direct Line: (337)344-8876  
 California Investigation License Number: 12878

## PROFESSIONAL EXPERIENCE

1979 – Present	<p>Ted L. Gunderson &amp; Associates.          Founder, owner and operator of this international security consulting and investigation firm in 1979. Investigator for F. Lee Bailey Esq., Mr. Bailey describes Ted Gunderson as a person "whose investigative skills are unsurpassed by anyone I know or have known". At the time of retirement from the Federal Bureau of Investigations, Ted had 700 personnel under his command and he operated an annual budget of Twenty Two Million dollars (USD 22,000,000.00).</p> <p>Ted is a renowned lecturer, published author and researcher. National Television and radio appearances include "The Geraldo Show", "48 Hours Mysteries", "Unsolved Mysteries" and "Larry King Live". He has been regularly featured on Discovery Channel and Lifetime.</p>												
1984	Los Angeles Olympics Committee Consultant.												
1981 – 1982	California Narcotics Authority -- Consultant appointed by Governor Jerry Brown.												
1979	<p>Pan American Games, San Juan, Puerto Rico – Security Coordinator          Special Appointee of United States Attorney General Griffin B. Bell.</p>												
1951 – 1979	<p>Federal Bureau of Investigations</p> <table border="0" style="margin-left: 40px;"> <tr> <td style="vertical-align: top;">1977 – 79</td> <td>Senior Special Agent-In-Charge, Los Angeles, California</td> </tr> <tr> <td style="vertical-align: top;">1973 – 77</td> <td>Special Agent-In-Charge, Memphis, Tennessee and Dallas, Texas</td> </tr> <tr> <td style="vertical-align: top;">1973</td> <td>Chief Inspector</td> </tr> <tr> <td style="vertical-align: top;">1965 – 73</td> <td>Assistant Special Agent-In-Charge, New Haven, Connecticut and Philadelphia, Pennsylvania</td> </tr> <tr> <td style="vertical-align: top;">1960 – 65</td> <td>Special Agent Supervisors – Federal Bureau of Investigations Headquarters, Washington, D.C.</td> </tr> <tr> <td style="vertical-align: top;">1951 – 60</td> <td>Special Agent</td> </tr> </table>	1977 – 79	Senior Special Agent-In-Charge, Los Angeles, California	1973 – 77	Special Agent-In-Charge, Memphis, Tennessee and Dallas, Texas	1973	Chief Inspector	1965 – 73	Assistant Special Agent-In-Charge, New Haven, Connecticut and Philadelphia, Pennsylvania	1960 – 65	Special Agent Supervisors – Federal Bureau of Investigations Headquarters, Washington, D.C.	1951 – 60	Special Agent
1977 – 79	Senior Special Agent-In-Charge, Los Angeles, California												
1973 – 77	Special Agent-In-Charge, Memphis, Tennessee and Dallas, Texas												
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1965 – 73	Assistant Special Agent-In-Charge, New Haven, Connecticut and Philadelphia, Pennsylvania												
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PUBLICATIONS	<table border="0" style="margin-left: 40px;"> <tr> <td style="vertical-align: top;">1989</td> <td>"How To Locate Anyone Anywhere Without Leaving Home" – E.P. Dutton</td> </tr> </table>	1989	"How To Locate Anyone Anywhere Without Leaving Home" – E.P. Dutton										
1989	"How To Locate Anyone Anywhere Without Leaving Home" – E.P. Dutton												
EDUCATION	<table border="0" style="margin-left: 40px;"> <tr> <td style="vertical-align: top;">1950</td> <td>Bachelor of Science – University of Nebraska</td> </tr> </table>	1950	Bachelor of Science – University of Nebraska										
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AWARDS	<table border="0" style="margin-left: 40px;"> <tr> <td style="vertical-align: top;">1979</td> <td>Distinguished Alumnus Award in Recognition of Distinguished and Devoted Service to His Country – University of Nebraska</td> </tr> <tr> <td style="vertical-align: top;">1977</td> <td>Alumni Highest Effort Award in the Field of law Enforcement, Sigma Alpha Epsilon Social Fraternity</td> </tr> <tr> <td style="vertical-align: top;">1977</td> <td>Law enforcement Officer of the Year – AFL-CIO Metal Trades Counsel, Los Angeles, California</td> </tr> </table>	1979	Distinguished Alumnus Award in Recognition of Distinguished and Devoted Service to His Country – University of Nebraska	1977	Alumni Highest Effort Award in the Field of law Enforcement, Sigma Alpha Epsilon Social Fraternity	1977	Law enforcement Officer of the Year – AFL-CIO Metal Trades Counsel, Los Angeles, California						
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**EXHIBIT E**



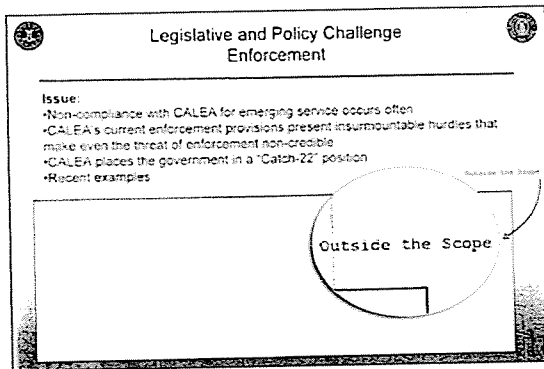


MAY 4TH, 2011

## FBI Chastised by Court for Lying About Existence of Surveillance Records

Commentary by Jennifer Lynch

An order last week from the U.S. District Court for the Central District of California has revealed the FBI lied to the court about the existence of records requested under the Freedom of Information Act (FOIA), taking the position that FOIA allows it to withhold information from the court whenever it thinks this is in the interest of national security. Using the strongest possible language, the court disagreed: **"The Government cannot, under any circumstance, affirmatively mislead the Court."** *Islamic Shura Council of S. Cal. v. FBI* ("Shura Council I"), No. 07-1088, 3 (C.D. Cal. April 27, 2011) (emphasis added).



This case may prove relevant in EFF's ongoing FOIA litigation against the FBI. As discussed further below, one of the issues in *Shura Council* was the FBI's extensive and improper use of "outside the scope" redactions. The agency has also used these heavily in at least one of our current cases — in areas where it is highly unlikely the material blocked out is actually outside the scope of our FOIA request. (see example to the left from our case seeking records on the government's push to expand federal surveillance laws). We'll be writing more about that case in the coming weeks and posting the documents we received on this site soon.

*Shura Council* started five years ago in May 2006, after widespread reporting on the FBI's programs targeting Muslims after September 11, 2001. At that time, several Muslim citizens and organizations in Southern California, including the Islamic Shura Council of Southern California and the Council on American Islamic

Relations (CAIR), submitted a broad joint FOIA request to the FBI seeking "[a]ny records relating or referring" to themselves, "including . . . records that document any collection of information about monitoring, surveillance, observation, questioning, interrogation, investigation and/or infiltration[.]" *Shura Council I* at 4.

In 2008, after the FBI produced only minimal records, the requesters filed a federal lawsuit. The FBI then searched for and located additional records for nine of the plaintiffs, but these records were heavily redacted, with much of the information withheld as "outside the scope" of the plaintiffs' FOIA request. The FBI attested, in documents and declarations it submitted under oath to the court, that these were all the records that existed about the plaintiffs and that the materials labeled "outside the scope" were "not responsive" to the plaintiffs' FOIA request.

After court ordered the FBI to submit full versions of the records *in camera*, along with a new declaration about the agency's search, the FBI revealed for the first time that it had materially and fundamentally misled the court in its earlier filings. The unaltered versions of the documents showed that the information the agency had withheld as "outside the scope" was actually well *within* the scope of the plaintiffs' FOIA request. The government also admitted it had a large number of additional responsive documents that it hadn't told the plaintiffs or the court about. *Id.* at 7-8.

If these revelations weren't bad enough, the FBI also argued FOIA allows it to mislead the court where it believes revealing information would "compromise national security." *Id.* at 9. The FBI also argued, that "its initial representations to the Court were not *technically* false" because although the information might have been "factually" responsive to the plaintiffs' FOIA request, it was "legally nonresponsive." *Id.* at 9, n. 4 (emphasis added).

The court noted, this "argument is indefensible," *id.* at 9-10, and held, "the FOIA does not permit the government to withhold responsive information from the court." (*Id.*) (upheld on appeal in *Islamic Shura Council of S. Cal. v. FBI*, \_\_\_ F.3d \_\_\_, No. 09-56035, at 4280-81 (9th Cir. Mar. 30, 2011) ("*Shura Council I*").<sup>1</sup> The court stated:

*The Government argues that there are times when the interests of national security require the Government to mislead the Court. The Court strongly disagrees. The Government's duty of honesty to the Court can never be excused, no matter what the circumstance. The Court is charged with the humbling task of defending the Constitution and ensuring that the Government does not falsely accuse people, needlessly invade their privacy or wrongfully deprive them of their liberty. The Court simply cannot perform this important task if the Government lies to it. Deception perverts justice. Truth always promotes it.*

(*Shura Council I* at 17) (emphasis added). This is an important opinion for FOIA requesters because sometimes the only protection a FOIA requester has from the government's potentially arbitrary withholding of information is a court's *in camera* review of the full versions of

documents. If the government were allowed to withhold information from the court, this protection would be meaningless and the role of judicial oversight in FOIA cases would be compromised.

Unfortunately for the plaintiffs in *Shura Council*, this seems to be a hollow victory. Although the court did not restrain itself from using the strongest possible language to criticize the government's actions (calling the FBI's arguments "untenable," *id.* at 3, "indefensible," *id.* at 10, and "not credible" *id.* at 17) it also held that "disclosing the number and nature of the documents the Government possesses could reasonably be expected to compromise national security." *Id.* 18. Therefore it did not order the government to release the records to the plaintiffs or even to reveal how many records turned up in the second search. And on appeal, the Ninth Circuit held that neither the plaintiffs nor their attorneys had the right to see the original version of the district court's order (filed under seal) because it contained information the FBI considered to be "national security and sensitive law enforcement information." (*Shura Council II* at 4286).

It seems unlikely that, five years after the plaintiffs filed their FOIA request, the release of the information the FBI has on these individuals and organizations would truly threaten national security or an ongoing criminal investigation. None of the plaintiffs appears to have been arrested or retained in conjunction with a crime or foreign terrorist plot, so it seems more likely that this is yet another example of the government valuing secrecy over transparency.

The district court's April 27, 2011 order after remand is [here](#), and the Ninth Circuit opinion remanding the case is [here](#).

- 
1. This case has a convoluted procedural history. When the district court discovered the FBI's lies it issued an order under seal on June 23, 2009 and told the parties it would unseal the order on July 7, 2009 unless further directed by the Ninth Circuit Court of Appeals. The government immediately appealed, and the Ninth Circuit issued a stay of the district court's ruling until it could hear the case. On March 30, 2011, the Ninth Circuit issued its opinion in *Islamic Shura Council of S. Cal. v. FBI*, \_\_\_ F.3d \_\_\_, No. 09-56035 (9th Cir. Mar. 30, 2011), vacating the district court's sealed order and remanding to the district court to revise its order to eliminate statements the government had designated as national security and sensitive law enforcement information. On April 27, 2011, the district court issued its revised order.

Related Issues: [FOIA Litigation for Accountable Government](#) [Privacy](#) [Transparency](#)

[Permalink: <http://www.eff.org/deeplinks/2011/05/fbi-chastised-court-lying-about-existence>]

Want to learn how you can defend free speech, stand up for privacy, fight for government transparency, support consumer rights, and protect your right to innovation in the digital world? Visit <http://eff.org/fight> to find ways to help.



**EXHIBIT F**



Published on *iWatch News* (<http://www.iwatchnews.org>)

[Home](#) > Judge orders FBI to cough up information about a previously secret computer drive

## **National Security** <sup>[1]</sup>

# **Judge orders FBI to cough up information about a previously secret computer drive** <sup>[2]</sup>

By **Aaron Mehta** <sup>[3]</sup>

June 2, 2011

June files. Zero files. I-drive. The FBI has a history of putting information in locations unknown outside the bureau, making them almost impossible to access from the outside. Now with the discovery of a new drive, a federal judge has ordered the FBI to explain by June 30 whether it is using a previously unknown record-keeping system to hide evidence from defense lawyers.

Concerns about the use of shared drives accessible only to FBI agents are not the first time this issue has come to light. The FBI's use of these drives goes back at least a decade, and has been criticized by defense lawyers for years as a way for the bureau to handpick what information is made public and what is kept secret — even from federal judges and prosecutors.

Starting in 1996, the bureau began keeping files on something known as the I-drive. The goal of the I-drive was to have FBI agents file all their information into one place. A supervisor would then review the information and decide what would go into the official FBI case files.

While it sounds like a good way to streamline the massive amounts of data gathered by the bureau in any given case, defense lawyers and judges alike have condemned the system. That's because anything not included in the official case file is not considered discoverable — it does not have to be turned over to anyone outside the bureau, including in response to FOIA requests or to defense lawyers working on a case.

After a 2004 AP article brought the existence of the I-drive to light, groups such as the National Association of Criminal Defense Lawyers <sup>[4]</sup> started directing attorneys to specifically request information from the I-drive when making requests of the FBI. But the recent revelation of an S-drive, with the same purpose as the I-drive, may have rendered that moot.

"If it wasn't such an affront to the Constitution it'd almost be humorous," said Jesse Trentadue <sup>[5]</sup>, a lawyer whose legal battles with the FBI helped bring both the I-drive and S

-drive to light. The fact that the FBI has set up another drive with the same purpose but a different name creates a “constantly moving target. You think you’ve exposed them and it’s over, and they set up another.”

On May 11, Trentadue says he was in court demanding information from the I-drive when the Department of Justice lawyer representing the FBI mentioned the existence of the S-drive — the first public mention of such a drive. Judge Clark Waddoups, a George W. Bush appointee who was presiding over the case in Utah, ordered the FBI to provide more information about the drive by the end of June.

Two days later, Waddoups issued his written order on the matter, which demanded the FBI affirm whether it had provided “incomplete or otherwise misleading information” to the court and demanded that the bureau search for anything requested by Trentadue on both the I and S drives in response to his FOIA requests.

Waddoups decision was based, in part, on a 2009 case known as *Islamic Shura Council of Southern California v. Federal Bureau of Investigation*, where a central California judge ruled that the FBI did not respond correctly to the plaintiff’s FOIA request because the agency had not searched beyond the official case files.

By not providing a full response that included information on these drives to the FOIA request, “The Government previously provided false and misleading information to the Court,” according to Judge Cormac Carney. “The Government asserts that it had to mislead the Court regarding the Government’s response to Plaintiffs’ FOIA request to avoid compromising national security. The Government’s argument is untenable. The Government cannot, under any circumstance, affirmatively mislead the Court.”

“The Court simply cannot perform its constitutional function if the Government does not tell the truth.”

Jim Dempsey<sup>[6]</sup> of the Center for Democracy and Technology, a nonprofit civil liberties group, doesn’t think there’s anything “nefarious” about the drives. To him, they sound like the most recent version of the longstanding view in the FBI that their case files represent the “cleaned up coherent version of events.”

He said the fact these drives exist is a better option than what the FBI had traditionally done. In the past, after the interview summaries were typed up and cleaned, the notes would be thrown out. And while presenting a clean interview document has its benefits, doing so may create an “overly sanitized version of reality.” Because of that, Dempsey said the files should be subject to discovery and FOIA requests.

“Clearly the average person would want to say ‘I see the nice neat version over here, let me see the messy version,’” Dempsey argued. “Once the nice neat version is called into question you want to see the messy version and maybe a different reality emerges.”

Jesse Trentadue, however, is one of many lawyers who say the system is indefensible. “They do it for two reasons,” Trentadue said, “to avoid handing info over to defense counsel in a criminal case, evidence that could be exculpatory, and to frustrate people making FOIA demands.”

The NACDL’s Jack King<sup>[7]</sup> agreed these drives are a way for the FBI to hide information. “What I think these drives are, are places to keep documents they don’t want to throw

away but they never want anyone to see," he said. "The FBI never throws anything away, but they seem to have trouble finding stuff that doesn't fit with their theory of the case."

By not including the information from these drives in their case files, the FBI is withholding information from federal prosecutors as well. While that would seem counter intuitive, King said it's simply part of how the FBI operates. "The bureau has its own culture, and part of that culture is helping the prosecutor out by not messing up the case by not giving info that would hurt the case."

The FOIA process is particularly impacted by the use of these

drives. Like other government agencies, the FBI is legally required to respond to FOIA requests to the best of their ability. However, even the most well-meaning FOIA officer may be stymied by the use of the hidden drives.

All FOIA searches are run through the FBI's automated case management system [8], which uses a computerized index to find the files. But if a file was kept on the shared I-drive and not put into the official case file, it would not come up during a search. "You could do a computer search your whole life and you would not get those documents," Trentadue said.

The FBI has a history of hiding files from discovery. In the 1970s, information requesting special internal handling was placed listed as a "June file," requiring at least one judge to directly order the FBI to search the files for information. According to case filings, the June files designation ended in 1978, but through the 1990s the FBI continued its use of "Zero" files, which were reports "containing information that the FBI would not general want declassified to the defense and were kept separate from a specific case file," according to 2001 court testimony given by a former FBI agent.

Given the FBI's past actions, King isn't hopeful the new discoveries of the S-drive will have a lasting impact. Just like when the I-drive came to light, he said, "There'll be some immediate real and cosmetic changes and then things will go back to the way they always were, with the bureau deep-sixing stuff that they don't like."

"The practice and the culture is so ingrained that I don't think things will change in our lifetimes."

The FBI did not respond to multiple telephone and email requests for comment for this story.

**Source URL:** <http://www.iwatchnews.org/2011/06/02/4790/judge-orders-fbi-cough-information-about-previously-secret-computer-drive>

## **EXHIBIT G**

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[Home](#) > [Blogs](#) > [Kerry Picket's blog](#) > New AG Choice Advocated To Stifle Speech On Web

## New AG Choice Advocated To Stifle Speech On Web

By [Kerry Picket](#)  
Created 11/21/2008 - 9:16am

By [Kerry Picket](#) | November 21, 2008 | 09:16

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In April 1999, the Columbine High School massacre happened. The shooters, Dylan Klebold and Eric Harris, reportedly learned how to construct sophisticated bombs through their internet activity. This discovery caused then Deputy Attorney General Eric Holder to say the following(audio uploaded at Eyeblast.tv.)

The court has really struck down every government effort to try to regulate it. We tried with regard to pornography. It is gonna be a difficult thing, but it seems to me that if we can come up with reasonable restrictions, reasonable regulations in how people interact on the Internet, that is something that the Supreme Court and the courts ought to favorably look at. - May 28, 1999 NPR Morning Edition

As tragic as Columbine was, Holder's reaction to stifle free speech on the internet is nonetheless disturbing. Combine his zeal for what he may consider "reasonable regulations" along with his advocacy for a [federal hate crime law](#)(H/T to [National Review](#)), and internet users may find themselves in a world of legal woe after the Obama administration takes over in January.

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[Barack Obama](#) [Eric Holder](#)

[Barack Obama](#) [Eric Holder](#)

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Source URL: <http://newsbusters.org/blogs/kerry-picket/2008/11/21/new-ag-choice-advocated-stifle-speech-web>

## EXHIBIT H





FRIDAY, JAN 15, 2010 07:16 ET

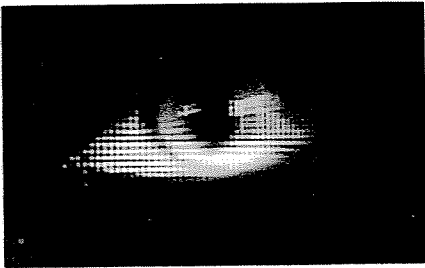
<http://www.salon.com/opinion/greenwald/2010/01/15/sunstein>

## Obama confidant's spine-chilling proposal

BY GLENN GREENWALD



GLENN GREENWALD



Salon/iStockphoto

(updated below - Update II - Update III - Update IV)

Cass Sunstein has long been one of Barack Obama's closest confidants. Often mentioned as a likely Obama nominee to the Supreme Court, Sunstein is currently Obama's **head of the Office of Information and Regulatory Affairs** where, among other things, he is responsible for "overseeing policies relating to **privacy, information quality**, and statistical programs." In 2008, while at Harvard Law School, Sunstein co-wrote a truly pernicious paper proposing that the U.S. Government employ teams of covert agents and pseudo-"independent" advocates to "**cognitively infiltrate**" online groups and websites -- as well as other activist groups -- which

advocate views that Sunstein deems "false conspiracy theories" about the Government. This would be designed to increase citizens' faith in government officials and undermine the credibility of conspiracists. The paper's abstract can be read, and the full paper downloaded, **here**.

Sunstein advocates that the Government's stealth infiltration should be accomplished by sending covert agents into "chat rooms, online social networks, or even real-space groups." He also proposes that the Government make secret payments to so-called "independent" credible voices to bolster the Government's messaging (on the ground that those who don't believe government sources will be more inclined to listen to those who **appear** independent while secretly acting on behalf of the Government). This program would target those advocating false "conspiracy theories," which they define to mean: "an attempt to explain an event or practice by reference to the machinations of powerful people, who have also managed to conceal their role." Sunstein's 2008 paper was flagged by **this blogger**, and then amplified in **an excellent report by Raw Story's Daniel Tencer**.

There's no evidence that the Obama administration has actually implemented a program exactly of the type advocated by Sunstein, though in light of this paper and the fact that Sunstein's position would include exactly such policies, that question certainly ought to be asked. Regardless, Sunstein's closeness to the President, as well as the highly influential position he occupies, merits an examination of the mentality behind what he wrote. This isn't an instance where some government official wrote a bizarre paper in college 30 years ago about matters unrelated to his official powers; this was written 18 months ago, at a time when the ascendancy of Sunstein's close friend to the Presidency looked likely, in exactly the area he now oversees. Additionally, the government-controlled messaging that Sunstein desires has been a prominent feature of U.S. Government actions over the last decade, including in some recently revealed practices of the current administration, and the mindset in which it is grounded explains a great deal about our political class. All of that makes Sunstein's paper worth examining in greater detail.

\*\*\*\*\*

Initially, note how similar Sunstein's proposal is to multiple, controversial stealth efforts by the Bush administration to secretly influence and shape our political debates. The Bush Pentagon employed teams of former Generals to pose as

"independent analysts" in the media while **secretly coordinating their talking points and messaging about wars and detention policies with the Pentagon**. Bush officials secretly paid supposedly "independent" voices, such as **Armstrong Williams and Maggie Gallagher**, to advocate pro-Bush policies while failing to disclose their contracts. In Iraq, the Bush Pentagon hired a company, Lincoln Park, which **paid newspapers to plant pro-U.S. articles while pretending it came from Iraqi citizens**. In response to all of this, **Democrats typically accused** the Bush administration of engaging in government-sponsored propaganda -- and when it was done domestically, suggested this was illegal propaganda. Indeed, there is a very strong case to make that what Sunstein is advocating is **itself illegal** under long-standing statutes prohibiting government "propaganda" within the U.S., aimed at American citizens:

As explained in a March 21, 2005 report by the Congressional Research Service, "publicity or propaganda" is defined by the U.S. Government Accountability Office (GAO) to mean either (1) self-aggrandizement by public officials, (2) purely partisan activity, or (3) "covert propaganda." By covert propaganda, GAO means **information which originates from the government but is unattributed and made to appear as though it came from a third party**.

Covert government propaganda is exactly what Sunstein craves. His mentality is indistinguishable from the Bush mindset that led to these abuses, and he hardly tries to claim otherwise. Indeed, he **favorably** cites both the covert Lincoln Park program as well as Paul Bremer's **closing of Iraqi newspapers** which published stories the U.S. Government disliked, and **justifies** them as arguably necessary to combat "false conspiracy theories" in Iraq -- the same goal Sunstein has for the U.S.

Sunstein's response to these criticisms is easy to find in what he writes, and is as telling as the proposal itself. He acknowledges that some "conspiracy theories" previously dismissed as insane and fringe have turned out to be entirely true (his examples: the CIA really did secretly administer LSD in "mind control" experiments; the DOD really did plot the commission of terrorist acts inside the U.S. with the intent to blame Castro; the Nixon White House really did bug the DNC headquarters). Given that history, how could it possibly be justified for the U.S. Government to institute covert programs designed to undermine anti-government "conspiracy theories," discredit government critics, and increase faith and trust in government pronouncements? Because, says Sunstein, such powers are warranted only when wielded by truly well-intentioned government officials who want to spread The Truth and Do Good -- i.e., when used by people like Cass Sunstein and Barack Obama:

Throughout, we assume a **well-motivated government** that aims to eliminate conspiracy theories, or draw their poison, **if and only if social welfare is improved by doing so**.

But it's precisely because the Government is so often not "well-motivated" that such powers are so dangerous. Advocating them on the ground that "we will use them well" is every authoritarian's claim. More than anything else, this is the toxic mentality that consumes our political culture: *when our side does X, X is Good, because we're Good and are working for Good outcomes*. That was what led hordes of Bush followers to endorse the same large-government surveillance programs they long claimed to oppose, and what leads so many Obama supporters now to justify actions that they spent the last eight years opposing.

\* \* \* \* \*

Consider the recent revelation that the Obama administration has been making very large, **undisclosed payments to MIT Professor Jonathan Gruber to provide consultation on the President's health care plan**. With this lucrative arrangement in place, Gruber spent the entire year offering public justifications for Obama's health care plan, typically without disclosing these payments, and far worse, was **repeatedly** held out by the White House -- falsely -- as an "independent" or "objective" authority. Obama allies in the media constantly cited Gruber's analysis to support their defenses of the President's plan, and the White House, in turn, then cited those media reports as proof that their plan

would succeed. This **created an infinite "feedback loop"** in favor of Obama's health care plan which -- unbeknownst to the public -- was all being generated by someone who was receiving hundreds of thousands of dollars in secret from the administration (**read this** to see exactly how it worked).

In other words, this arrangement was quite similar to the Armstrong Williams and Maggie Gallagher scandals which Democrats, in virtual lockstep, condemned. Paul Krugman, for instance, in 2005 **angrily lambasted** right-wing pundits and policy analysts who received secret, undisclosed payments, and said they lack "intellectual integrity"; he specifically cited the Armstrong Williams case. Yet the very same Paul Krugman last week **attacked Marcy Wheeler** for helping to uncover the Gruber payments by accusing her of being "just like the right-wingers with their endless supply of **fake scandals**." What is one key difference? Unlike Williams and Gallagher, Jonathan Gruber is a Good, Well-Intentioned Person with Good Views -- *he favors health care* -- and so massive, undisclosed payments from the same administration he's defending are dismissed as a "fake scandal."

Sunstein himself -- as part of his 2008 paper -- explicitly advocates that the Government should **pay** what he calls "credible independent experts" to advocate on the Government's behalf, a policy he says would be more effective because people don't trust the Government itself and would only listen to people they believe are "independent." In so arguing, Sunstein cites the Armstrong Williams scandal **not** as something that is wrong in itself, but as a potential risk of this tactic (*i.e.*, that it might leak out), and thus suggests that "government can supply these independent experts with information and perhaps prod them into action **from behind the scenes**," but warns that "too close a connection will be self-defeating **if it is exposed**." In other words, Sunstein wants the Government to replicate the Armstrong Williams arrangement as a means of more credibly disseminating propaganda -- *i.e.*, *pretending that someone is an "independent" expert when they're actually being "prodded" and even paid "behind the scenes" by the Government* -- but he wants to be more careful about how the arrangement is described (don't make the control explicit) so that embarrassment can be avoided if it ends up being exposed.

In this 2008 paper, then, Sunstein advocated, in essence, exactly what the Obama administration has been doing all year with Gruber: covertly paying people who can be falsely held up as "independent" analysts in order to more credibly promote the Government line. Most Democrats agreed this was a deceitful and dangerous act when Bush did it, but with Obama and some of his supporters, undisclosed arrangements of this sort seem to be different. Why? Because, as Sunstein puts it: we have "a well-motivated government" doing this so that "social welfare is improved." Thus, just like state secrets, indefinite detention, military commissions and **covert, unauthorized wars**, what was once deemed so pernicious during the Bush years -- coordinated government/media propaganda -- is instantaneously transformed into something Good.

\* \* \* \* \*

What is most odious and revealing about Sunstein's worldview is his condescending, self-loving belief that "false conspiracy theories" are largely the province of fringe, ignorant Internet masses and the Muslim world. That, he claims, is where these conspiracy theories thrive most vibrantly, and he focuses on various 9/11 theories -- both domestically and in Muslim countries -- as his prime example.

It's certainly true that one can easily find irrational conspiracy theories in those venues, but some of the most destructive "false conspiracy theories" have emanated from the very entity Sunstein wants to endow with covert propaganda power: namely, the U.S. Government itself, along with its elite media defenders. Moreover, "crazy conspiracy theorist" has long been the favorite epithet of those same parties to discredit people trying to expose elite wrongdoing and corruption.

Who is it who relentlessly spread "false conspiracy theories" of Saddam-engineered anthrax attacks and Iraq-created mushroom clouds and a **Ba'athist/Al-Qaeda alliance** -- the most destructive conspiracy theories of the last generation? And who is it who demonized as "conspiracy-mongers" people who warned that the U.S. Government was

illegally spying on its citizens, systematically torturing people, attempting to establish permanent bases in the Middle East, or engineering massive bailout plans to transfer extreme wealth to the industries which own the Government? The most chronic and dangerous purveyors of "conspiracy theory" games are the very people Sunstein thinks should be empowered to control our political debates through deceit and government resources: namely, the Government itself and the Enlightened Elite like him.

It is this history of government deceit and wrongdoing that renders Sunstein's desire to use covert propaganda to "undermine" anti-government speech so repugnant. The reason conspiracy theories resonate so much is precisely that people have learned -- rationally -- to distrust government actions and statements. Sunstein's proposed covert propaganda scheme is a perfect illustration of why that is. In other words, people don't trust the Government and "conspiracy theories" are so pervasive precisely because government is typically filled with people like Cass Sunstein, who think that systematic deceit and government-sponsored manipulation are justified by their own Goodness and Superior Wisdom.

**UPDATE:** I don't want to make this primarily about the Gruber scandal -- I cited that only as an example of the type of mischief that this mindset produces -- but just to respond quickly to the typical Gruber defenses already appearing in comments: **(1)** Gruber's work was only for HHS and had nothing to do with the White House (**false**); **(2)** he should have disclosed his payments, but the White House did nothing wrong (**false**: it repeatedly described him as "independent" and "objective" and constantly cited allied media stories based in Gruber's work); **(3)** Gruber advocated views he would have advocated anyway in the absence of payment (probably true, but wasn't that also true for life-long conservative Armstrong Williams, life-long social conservative Maggie Gallagher, and the pro-war Pentagon Generals, all of whom mounted the same defense?); and **(4)** Williams/Gallagher were explicitly paid to advocate particular views while Gruber wasn't (true: that's exactly the arrangement Sunstein advocates to avoid "embarrassment" in the event of disclosure, and it's absurd to suggest that someone being paid many hundreds of thousands of dollars is unaware of what their paymasters want said; that's why disclosure is so imperative).

The point is that there are severe dangers to the Government covertly using its resources to "infiltrate" discussions and to shape political debates using undisclosed and manipulative means. It's called "covert propaganda" and it should be opposed regardless of who is in control of it or what its policy aims are.

**UPDATE II:** Ironically, this is the same administration that **recently announced** a new regulation dictating that "bloggers who review products must disclose any connection with advertisers, including, in most cases, the receipt of free products and whether or not they were paid in any way by advertisers, as occurs frequently." Without such disclosure, the administration reasoned, the public may not be aware of important hidden incentives (h/t **pasquin**). Yet the same administration pays an MIT analyst hundreds of thousands of dollars to advocate their most controversial proposed program while they hold him out as "objective," and selects as their Chief Regulator someone who wants government agents to covertly mold political discussions **"anonymously or even with false identities."**

**UPDATE III:** Just to get a sense for what an extremist Cass Sunstein is (which itself is ironic, given that his paper calls for **"cognitive infiltration of extremist groups,"** as the Abstract puts it), marvel at this paragraph:

What can government do about conspiracy theories? Among the things it can do, what should it do? We can readily imagine a series of possible responses. (1) Government might ban conspiracy theorizing. (2) Government might impose some kind of tax, financial or otherwise, on those who disseminate such theories. (3) Government might itself engage in counterspeech, marshaling arguments to discredit conspiracy theories. (4) Government might formally hire credible private parties to engage in counterspeech. (5) Government might engage in informal communication with such parties, encouraging them to help. Each instrument has a distinctive set of potential effects, or costs and benefits, and each will have a place under imaginable conditions. However, our main policy idea is that government should engage in cognitive infiltration of the groups that produce conspiracy theories, which involves a mix of (3), (4) and (5).

So Sunstein isn't calling right now for proposals (1) and (2) -- having Government "ban conspiracy theorizing" or "impose some kind of tax on those who" do it -- but he says "each will have a place under imaginable conditions." I'd love to know the "conditions" under which the government-enforced banning of conspiracy theories or the imposition of taxes on those who advocate them will "have a place." That would require, at a bare minimum, a repeal of the First Amendment. Anyone who believes this should, for that reason alone, be barred from any meaningful government position.

**UPDATE IV:** Paul Krugman has replied to the part of this post which pertains to him and Jonathan Gruber; my response to that is [here](#).

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-- Glenn Greenwald

## **EXHIBIT I**



[<< Back](#)

## Gang Stalking, "Bullying on Steroids"

Posted: Jan 29, 2011 1:56 AM EST

Updated: Feb 11, 2011 7:22 PM EST

SALINAS, Calif - Police call it "bullying on steroids." They are referring to gang stalking, and it has nothing to do with the gangs you're probably thinking of.

According to local law enforcement, gang stalking is when multiple people organize to systematically stalk and harass a person, whether emotionally or physically.

Lawrence Guzzino claims his neighbors are gang stalking him because he plays loud music and is outspoken. He said, for the last year and a half, he's been systematically followed by a group of people. At one point, he said they climbed on his roof to bother him.

Guzzino said he's developed a paranoia that's devastated his relationships with friends, and worst of all, family.

"It makes me feel afraid...that's the worst part of it. If it was just me, I would take action," he said.

Santa Cruz Police Lieutenant Larry Richard said police are becoming more aware of gang stalking because of cyber bullying.

Richard said gang stalking is nothing new, but new technology is making it more common.

"Gang stalkers themselves have elevated themselves to technology so this is something that's been going on before Facebook and Twitter. They just now have gone into those area," Lt. Richard said.

Guzzino said he's proof the problem isn't just online, and that it can hit close to home -- a home he plans on leaving because of gang stalking.

"I want to go to the tennis courts or play ping pong without people following us. It's just nerve wracking," Guzzino said.

**Submitted by Candice Nguyen, Central Coast News**



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**EXHIBIT J**

**From:** Trisha Husome <thusome@cityofsantacruz.com>  
**To:** 'klabellaesq@aol.com' <klabellaesq@aol.com>  
**Subject:** Response to Public Records Act Request  
**Date:** Mon, Apr 4, 2011 9:12 pm

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Mr. Labella,

I am writing in response to your California Public Records Act request dated March 22, 2011, and received on March 25, 2011.

Attached you will find those releasable public records as identified in section 6254(f) of the California Government Code that are responsive to your request. As I mentioned to you on the telephone, the only other records I obtained are voice mail messages from persons outside our jurisdiction requesting contact with Lt. Richard. These persons identify themselves as crime victims. Because the messages contain their phone numbers, which are not mandated for release under the Public Records Act, I am withholding those records.

Also per our telephone conversation, you expressed an interest in speaking both with Lt. Richard and with my immediate superior so as to appeal to him about my response, following is their contact information.

Lieutenant Richard  
831-420-5842  
Hours: Wed-Thurs 2:00pm to midnight (PST)  
lrichard@cityofsantacruz.com

Deputy Chief Martinez  
831-420-5814  
rmartinez@cityofsantacruz.com

I hope that you find this information helpful.

**Trisha Husome**  
Records Manager  
**Santa Cruz Police Department**  
155 Center Street  
Santa Cruz CA 95060  
thusome@cityofsantacruz.com  
Desk (831) 420-5874  
Fax (831) 420-5871  
Lobby Hours: Tues, Wed & Thurs 9am-4pm

Attached Message

**From:** Larry Richard <lrichard@cityofsantacruz.com>  
**To:** Trisha Husome <thusome@cityofsantacruz.com>  
**Subject:** Gang Stalking  
**Date:** Wed, 30 Mar 2011 18:36:20 -0700

Candice Nguyen from KION is doing a story ion this phenomenon called "Gang Stalking". It has nothing to do with "gangs", rather it is a form of cyber-

bullying. The intent is a psychological impact and socially ostracizing the targeted person. With tools available to track someone (Facebook, Twitter, LinkedIn, etc) it has made people more vulnerable to this. It has implications to workplace violence, love relationships gone bad, etc. I told Candice it is like Mean Girls or cyber-bullying on steroids.

<http://gangstalkingworld.com/>

<http://www.urbandictionary.com/define.php?term=gang%20stalking>

Lt Larry Richard #121

Santa Cruz Police Department

155 Center Street

Santa Cruz, CA 95060

(831)420-5842

Work Schedule: Wednesday (8am-6pm) Thursday-Saturday (4pm to 2am)

PLEASE BE ADVISED THE CITY'S EMAIL ADDRESS HAS CHANGED; PLEASE UPDATE YOUR CONTACT LIST TO REFLECT "@CITYOFSANTACRUZ.COM" EFFECTIVE SEPTEMBER 1, 2010 "@ci.santa-cruz.ca.us" WILL BE REJECTED\*\*\*

**CONFIDENTIALITY NOTICE:**

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Attached Message

From: Larry Richard <lrichard@cityofsantacruz.com>  
To: Trisha Husome <thusome@cityofsantacruz.com>  
Subject: FW: Santa Cruz Police Officer testifies to Gang Stalking  
Date: Wed, 30 Mar 2011 18:32:35 -0700

Gang Stalking part 7

**From:** Donna. Lee [mailto:avataress@msn.com]  
**Sent:** Saturday, March 05, 2011 11:38 PM  
**To:** Larry Richard

**Subject:** Santa Cruz Police Officer testifies to Gang Stalking

Dear Lt. Richard,

It was so very good to speak with you! It was like meeting an oasis in the desert after thinking none existed for a very long time! Following are the websites I promised to send you. I hope they will help other victims of these atrocities! Thanks so much again! See especially, [www.areyoutargeted.com](http://www.areyoutargeted.com), and the gang stalking freedom of information act request

Yours sincerely,

Donna Lee!

<http://www.nowpublic.com/gang-stalking-freedom-information-act-request>

42 U.S.C. Sect. 1983 "Ku Klux Klan Act"

<http://www.nowpublic.com/world/gang-stalking-santa-cruz-police-lieutenant-speaks-out>

<http://zohopolls.com/peacefrog/how-long-have-you-been-a-victim-of-gang-stalking>

<http://www.areyoutargeted.com>

"So I shall never waste my life-span on a vain useless hope, seeking what cannot be, a flawless man among us all who feed on the fruits of the broad Earth. If I find him, I will bring you news.

"But I praise and love every man who does nothing base from free will. Against necessity, even gods do not fight."

from *The Praise Singer*, by Mary Renault, frontispiece

"Vocatus atque non vocatus deus aderit."

(Invoked or not invoked the god will be present).

The Oracle at Delphi

I got burned twice on [www.gigswood.com](http://www.gigswood.com) and they have stopped returning my messages asking for a refund. Don't mess with these people! It would just be throwing good money after bad!

Multi-Billion Dollar [www.amazon.com](http://www.amazon.com) unwilling to refund \$17.00 to impoverished shopper even after hearing that she would make such behavior public, and even though she returned the product and they allowed her only four business days to return the product before denying her request and they ask their customers to wait 5 to 10 business days for returns to be processed! This customer told two customer service representatives at [amazon.com](http://www.amazon.com) HQ (!) of this over two 15 minute conversations back-to-back and they simply DID NOT CARE! [www.amazon.com](http://www.amazon.com) does not care about its customers' satisfaction, only about getting every single penny it can scrounge! BOYCOTT [www.amazon.com](http://www.amazon.com) before this happens to YOU!

Get your copy of my explosively controversial book!

[Nowheresville, Everywhere, Earth](http://www.authorhouse.com/bookstore)

With which I competed for the 2009

Pulitzer Prize (unsuccessfully)

for only \$12.00 (plus shipping) at

<http://www.authorhouse.com/bookstore>

Have you ever wrestled with something much more powerful than you, a demon or an angel, or the whole world, and won, or at least come away with your life if not completely unscathed? Then you'll know my life-

long experience!

<http://www.multistalkervictims.org>

<http://www.greatdreams.com/RNM.htm>

## **EXHIBIT K**



## Stalked, drugged and raped: Is it happening in San Antonio?

by Joe Conger / KENS 5

[Bio](#) | [Email](#)

Posted on February 17, 2010 at 10:17 PM

Updated Thursday, Apr 8 at 9:52 AM

Cynthia Vurbeff is moving. Her home, she says, has become a house of horrors.

"I feel that I've lost my mind, lost my life," Vurbeff said.

Incident reports from law enforcement tell the tale: Numerous break-ins at the address. She suffered vandalism to her car, motorcycle and computer.

Vurbeff believes she was being targeted.

"Everything... They just went through everything," she said.

But sheriff's detectives had little to go on, because the vandals -- though often destructive -- stole nothing. Even from her portable safe, drilled into and torn apart, the contents -- the jewelry -- remained untouched.

### **'He told me ... I would be stalked'**

Vurbeff says her troubles didn't start until she met two men.

One would become her ex-boyfriend; the other was his partner in a San Antonio pain clinic, Dr. John Hall.

Vurbeff said: "The very first time I met him, we went to his house on the Fourth of July, and he told me that because I was already there in his house, that I would be the next victim, that I would be stalked."



Vurbeff found the doctor's prophecy to be correct. She suffered months of oddness:

Lights left on. Doors open. Furniture moved. Her clothes dryer disassembled. Her friends said they noticed the strange happenings. They tell the I-Team they even witnessed a gas oven left turned on.

"As soon as you walked in the house, you smelled gas," one friend said. "The whole house smelled of gas. Immediately turned it off, opened up the doors, but that thing doesn't turn on by itself. And it had been running a good length of time."

Another friend said she and Vurbeff were stalked at a mall.

Vurbeff said all these happenings culminated in an assault. The 39-year old believes someone drugged the food in her home and returned later to rape her.

"I know something happened to me, because... a woman knows," Vurbeff stated.

She filed a report and was briefly hospitalized with signs of sexual assault.

### **Book about 'gang stalking'**

Dr. Hall says what Vurbeff describes is known as "gang stalking." Indeed, he writes about it in his book, "A New Breed: Satellite Terrorism in America."

Vurbeff is not alone. Others in San Antonio have contacted the I-Team and described similar types of occurrences.

Linda Johnson says someone poisoned her water supply with heavy metals in northwest San Antonio. Then, there's the story of the bracelet that went missing, and then reappeared.

Police, she says, have stopped listening to her. And like Vurbeff, she, too, believes she's been sexually assaulted, although she never filed a police report.

Johnson said: "I've been to doctors many times, and I've been to the rape crisis center, yes."

Many of these so-called victims of what Hall describes as "gang stalking" meet up on the Internet, finding comfort and information from others who say they, too, suffer from electronic stalking, mind control and even rape.

Loosely defined, gang stalking is where organized groups target and harass unwilling victims to the point of paranoia, leaving the victims to deal with skeptical family members and skeptical law enforcement.

"This isn't stalking that's done by former spouse, or former boyfriend or someone you know is disgruntled at you, but stalking that's done by a total stranger in an organized fashion," Dr. Hall said.

And some Internet links take you to the book mentioned earlier, written by Dr. John Hall.

"The book is fact. It's not a book of fiction. What I've wrote about here is an isolated story in San Antonio," Dr. Hall said.

Dr. Hall says it is a story about himself, and the harassment and rapes his ex-girlfriends allegedly suffered, beginning in 1996. Dr. Hall believes the people behind it are well-organized-operatives, using government satellite technology to terrorize him and other victims.

"All voicing the same complaints: organized stalking, weird, electronic disturbances going on in their homes. Most of the women complain of drugging and sexual assault. It's a big national problem," he said.

Vurbeff bought the book. And what she read she says caused her stomach to turn: Because within the chapters in the story, she found similarities to her own situation.

Vurbeff said: "I pulled out the book and I started reading it, and I'm like, 'Oh my God, that's exactly what's happening to me.'"

### **I-Team investigates**

The account in Hall's book is chilling, and the I-Team uncovered some truth to his story.

San Antonio police reports indicate there WAS a rape reported in 2007 in the same quad of condos where one of Dr. Hall's girlfriends supposedly lived. San Antonio police say the condo rape remains under investigation.

And Bexar County detectives say Vurbeff's assault case remains open as well.

Although there are some interesting connections to Dr. Hall and the book, law enforcement won't and cannot say whether Dr. Hall is even a person of interest.

The I-Team thought the similarities were striking, and asked him if he was in fact bothering these women.

Dr. Hall responded: "That's actually one of the reasons why I got out of my ex-fiancé's life: to make sure that they weren't victimizing her to get at me."

Dr. Hall said he's been targeted by the same groups and even by fellow doctors. He said the Texas Medical Board retaliated against him for uncovering the gang stalking.

The I-Team confirmed one local hospital suspended Dr. Hall's clinical privileges for 2 months in 2006.

In 2007, the Texas Medical Board ordered two mental evaluations for Dr. Hall. The first came back normal, but a second evaluation found a "probable delusional disorder" and ordered psychiatric treatment.

And in 2008, Hall's license was suspended for testing positive for cocaine. In the book, he explains the operatives drugged him with cocaine periodically.

Dr. Hall's medical license has since been reinstated.

"If you look nationwide, almost everyone who complains of this eventually gets sent to a psychiatrist. And the psychiatrists don't look into the technology. They don't do any research into whether or not any of this is possible," Dr. Hall said.

With his book published, the Dr. Hall is taking his message nationally.

He's appeared on cable TV shows and late-night radio and even has his own radio program in the works.

Dr. Hall said: "There have been several people in my midst obviously that have been victimized. But if you look at it on a larger scale, it is a national problem."

Dr. Hall's belief is that we all face some sort of terrorism in our lives that is mostly unseen and deadly. He contends criminals are tapping into our government's surveillance systems to gain access to our lives and minds.

As for the alleged rapes mentioned in the story, no one has been charged. Both San Antonio police and Bexar County Sheriff's deputies say they continue to investigate.

[Add another comment](#)

## **EXHIBIT L**

Zoho Polls

HOW LONG HAVE YOU BEEN A VICTIM OF GANG STALKING?

Home Tags Feedback

Zoho Polls

Home > HOW LONG HAVE YOU BEEN A VICTIM OF GANG STALKING?

Search

Add to your blog/website

Export Results as CSV

## HOW LONG HAVE YOU BEEN A VICTIM OF GANG STALKING?

TO SEE THE EXTENT THAT GANG STALKING A.K.A COMMUNITY-BASED HARASSMENT IS INTRUDING INTO PEOPLE'S LIVES IN TERMS OF TIME.

- ☐ LESS THAN ONE YEAR
- ☐ LESS THAN FIVE YEARS
- ☐ OVER TEN (10) YEARS
- ☐ OVER SEVEN (7) YEARS
- ☐ OVER FIVE (5) YEARS

Poll Results Hide

Item	Vote
LESS THAN ONE YEAR	37
LESS THAN FIVE YEARS	94
OVER TEN (10) YEARS	122
OVER SEVEN (7) YEARS	45
OVER FIVE (5) YEARS	69

Tags : poll gang stalking

457 Comments (Add)

peacefrog said on September 30, 2009 @ 12:56 PM ( 632 days ago )

IF YOU ARE A GANG STALKING VICTIM CHECK OUT MY ARTICLES ON NOWPUBLIC.COM UNDER "PEACEFROG".

guest said on September 30, 2009 @ 08:04 PM ( 631 days ago )

Okay, it's TIME THIS IS BROUGHT TO THE PUBLIC AWARENESS., ENOUGH IS ENOUGH!

guest said on October 2, 2009 @ 11:37 AM ( 630 days ago )

Criminal Community policing must end, stop the citizen corps disruption gangs running in your community now!

Protest the green laser use be these thugs!

guest said on October 3, 2009 @ 03:49 PM ( 629 days ago )

Thank you for creating this poll. We need to draw attention to it and get others to comment.

guest said on October 7, 2009 @ 08:36 PM ( 624 days ago )

peace frog I have been stalked for nine years. You need to add another selection "More than five years."

guest said on October 8, 2009 @ 04:44 AM ( 624 days ago )

Fifteen years for me

jeremy said on October 11, 2009 @ 01:16 AM ( 621 days ago )

4 years.

Poll Details

Created By : peacefrog  
Created Date : 30 Sep 2009  
No. of Votes : 367  
Last Voted : 24 Jun 2011 04:49 AM  
Type : Public  
Status : Open

**EXHIBIT M**







**EXHIBIT N**



# Teenage Flash Mob Robberies on the Rise

Published June 18, 2011 | FoxNews.com

The same technologies that for years have brought together the mostly benign and goofy "flash mobs," in which groups suddenly break into dance at a mall or stumble around like zombies at train stations, is being used to plan and execute bold robberies.

Called "flash robs," these crimes are being organized by young teenagers through various social media outlets, most notably Twitter. Police say the suspects select a time and place and enter the store in droves taking what they want and leaving before security or police can catch them.

Some of the most brazen robberies take place in the light of day and on busy streets despite all the security cameras and the watchful eyes of workers.

"Young people are risk takers; they do things in groups far more than adults do. A medium like Twitter plays into the characteristics of young person's behavior," Scott Decker, a professor of criminology at Arizona State University, told FoxNews.com.

Because of these flash plots, police have begun to more closely monitor social media sites, reports the Chicago Sun Times.

The pack mentality emboldens the thieves to strike fast, so fast that the store clerks don't have time to react.

"Over 90 percent of crimes committed by young people are done so in a group," Decker told FoxNews.com

Technology hasn't just made it easy to plan and organize. It's allowed the thieves to off-load their loot. A recent survey done by a leading retail industry group shows that technology has led to a spike in organized crime, mostly as thieves find it easier to sell stolen goods online.

Of 129 retailers surveyed by the National Retail Federation, nearly 95 percent said they were victimized by organized criminals in the past year and 85 percent said the problem has worsened in the past years.

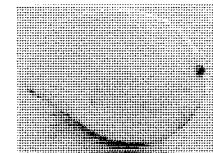
But Decker says these tech-savvy criminals could be in it for something more -- the fame. Seeing themselves on the nightly news can be a thrill to teenagers, h



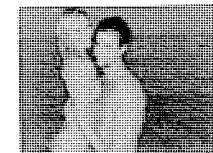
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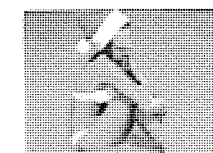
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"It's a way of bragging," Decker said. "Not only can you show your friends, you can show the whole world."

Their brazen moves are matched by their high-profile targets.

Chicago's Magnificent Mile has been targeted numerous times; Filene's Basement, The North Face and Ex robbed by these flash mobs, reports the Sun Times.

These arrests and the rise of mob robberies in Chicago has prompted Police Chief Garry McCarthy vow to robbing teens. "We can't tolerate this stuff. ... We're not going to let it go," he told the Chicago Sun-Times.

Here's a look at some of the most recent robberies.

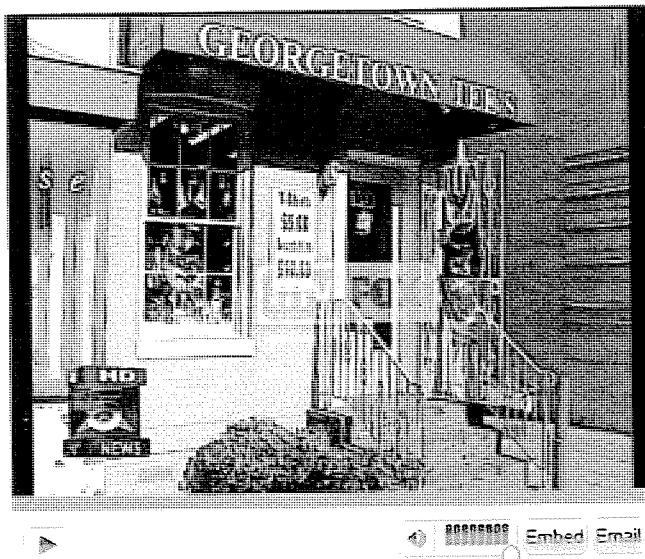
### Chicago

Last week, four violent assaults and robberies occurred in Chicago's upscale area of Streeterville. One man was beaten by a group of 15 to 20 teenage males after a baseball was thrown so hard at his head that his helmet was knocked off. Another man was robbed of his cell phone and camera after being knocked off his feet by a group of teenage males. Three teenagers were recently arrested due to their alleged involvement with these robberies, four of which occurred within a 10-minute span.

And on June 9, Jesse Andersen, the 35-year-old brother of Smashing Pumpkins frontman Billy Corgan, was robbed of his iPad and money were stolen by multiple perpetrators.

### Washington, D.C.

On April 25, G Star Raw, workers at a retail store in Dupont Circle were caught off guard as a group of about 20 teenagers swarmed the store, stopping to look through sizes, taking over \$20,000 worth of merchandise and promptly leaving. Store Manager Gregory Lennon told FoxNews.com that their staff has a heightened sense of awareness of these attacks in large groups, but there is little they can do to protect themselves from another flash mob attack. Two weeks prior, when a store owner of a small T-shirt shop was pushed out of the way as she tried to protect her store from 25 teenagers who robbed it.

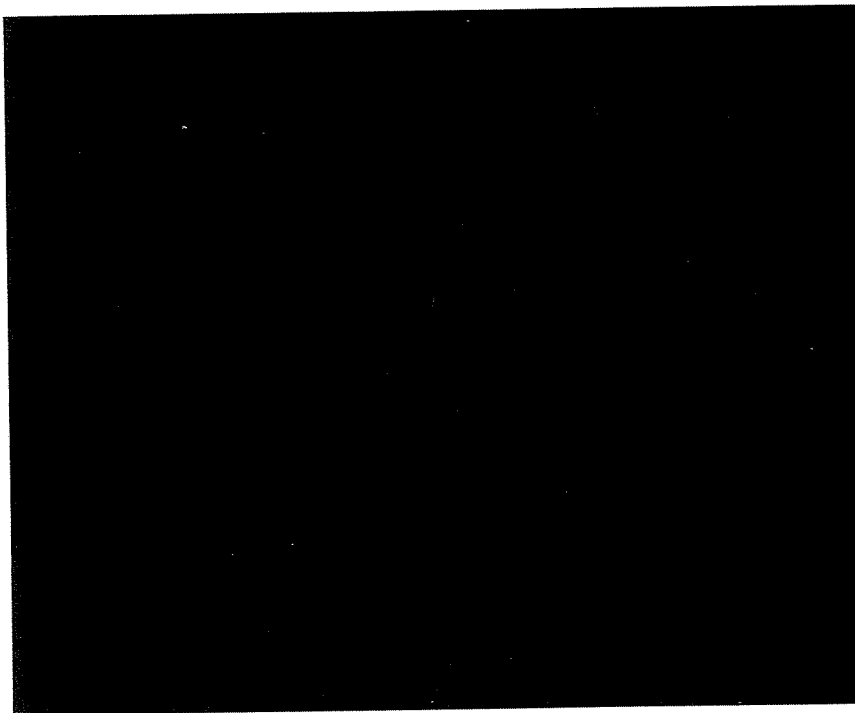


Flash Mob Robberies Not A Rare Occurrence in  
DC: MyFoxDC.com

### Las Vegas

In May, 20 teens were caught on camera as they robbed a convenience store and stole about \$600 worth of merchandise, including a clerk's cellphone. They were in and out in a matter of minutes. "It became a feeding frenzy," store owner Joe J. "They were in the store for three minutes and 30 seconds. ... It's a pretty scary thing."

Many of the employees of these stores were temporarily paralyzed by the scene, making this form of teena effective. It's "tremendously anxiety-provoking and fear-provoking when a large group of people engage in a robbery," News contributor Dr. Keith Ablow said. The workers likely were in shock, because "It takes time to realize a robbery was caught on tape and police are still investigating the crime."



### St Paul, Minn.

On Feb. 19, 50 teenagers swarmed a busy convenient store causing confusion and panic among the store employees. They stole anything they could get their hands on, food, candy, soda, juice. Although police are not sure if the two events were heard a few miles away from the robbed store, and two young people were rushed to the hospital with injuries. This is not the first time this has happened in St. Paul. A BP station was robbed by 20 teenagers four months prior, and the assailants fled the building in different directions.



St. Paul Stores Suffer 'Mob Thefts':  
MyFoxTWINCITIES.com

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**URL**

<http://www.foxnews.com/us/2011/06/18/top-five-most-brazen-flash-mob-robberies/>

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## EXHIBIT O



## Illinois Legislature Leaves Good Citizens Defenseless Against Brutal "Flash Mobs"

PR Newswire | 06 Jun 2011 | 07:45 PM ET

CHICAGO, June 6, 2011 /PRNewswire via COMTEX/ -- The following was released today by the Illinois State Rifle Association (ISRA): For the second weekend in a row, visitors to Chicago's posh Gold Coast were terrorized by so-called "flash mobs." For the uninitiated, a "flash mob" is a violent group of dozens of young people who are directed to specific locations by smart phones or social media sites for the purpose of robbing and beating unsuspecting citizens.

On Memorial Day, Chicago Mayor Rahm Emanuel ordered the very popular North Avenue Beach closed. Although the official position of the city was that it was "too hot" for people to be on the beach, indications are that the beach was closed because a flash mob was roaming the lakefront attacking unwary beachgoers.

According to CBS 2 television, several innocent citizens - including a 68-year-old man - were attacked by flash mobs near the upscale Magnificent Mile shopping district early Saturday evening. In both cases, groups of 20 or more young men swarmed their victims - kicking, punching and robbing them. The police were only able to detain 4 of the dozens of participants in the flash mob.

"The growing tide of flash mob attacks in Chicago really drives home the point that the police are not able to defend ordinary citizens from violent crime," commented ISRA Executive Director Richard Pearson. "These flash mobs are like terrorist sleeper cells. They appear out of nowhere, savagely attack their victims, then blend back into the crowd before the police can arrive. So far, these flash mobs appear content with beating and robbing their victims. But, the inability of law-enforcement agencies to protect citizens from flash mobs will only serve to embolden the mob participants. It won't be long until these mobs graduate from robbery to gang rape or even murder." "It is understandable that Mayor Emanuel and other city officials are in denial over the dangers of flash mobs," continued Pearson. "After all, tourist season is upon us and Chicago cannot afford to have tourists scared away by the specter of a violent mob attack. But whether the mayor and the city council like it or not, flash mob activity will become more commonplace with the tactics of the flash mobs exhibiting an escalation in headline-grabbing violence." "Earlier this spring, the Illinois General Assembly passed up the opportunity to enact legislation designed to discourage flash mob violence," said Pearson. "If passed and signed into law, House Bill 148 would have allowed well-qualified, well-trained, law-abiding citizens to carry defensive firearms. Certainly, an armed citizen is in a much better position to ward off a violent flash mob attack than an unarmed citizen carrying nothing more than a mocha latte.

Unfortunately, members of the gun control movement bullied legislators and the measure fell 6 votes short of passage." "As far as I'm concerned, anyone injured at the hands of a flash mob has the General Assembly to thank for their suffering," concluded Pearson. "People have the right to defend themselves against flash mob thugs and the state has no business interfering with that right to self defense." The ISRA is the state's leading advocate of safe, lawful and responsible firearms ownership. For more than a century, the ISRA has represented the interests of millions of law-abiding Illinois firearm owners.

SOURCE Illinois State Rifle Association [www.prnewswire.com](http://www.prnewswire.com) Copyright (C) 2011 PR Newswire. All rights reserved -0- KEYWORD: Illinois SUBJECT CODE: POL

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**EXHIBIT P**

## Criminal Justice

# FBI to Monitor Social Media to Fight 'Flash Mobs' of Roving Teens

Posted Mar 25, 2010 7:36 AM CDT

By [Debra Cassens Weiss](#)

Philadelphia authorities cracking down on "flash mobs" of violent, roving teens say the FBI will help them by monitoring social media networks used to recruit participants.

Flash mobs started out as performance art, the [New York Times](#) reports. People linked through social networking sites or text messages would heed calls to gather for impromptu pillow or snowball fights or for group disco routines.

But in Philadelphia, "these so-called flash mobs have taken a more aggressive and raucous turn," the Times says, "as hundreds of teenagers have been converging downtown for a ritual that is part bullying, part running of the bulls: sprinting down the block, the teenagers sometimes pause to brawl with one another, assault pedestrians or vandalize property."

As part of their crackdown, police are monitoring subways for unusual upticks in riders, enforcing curfew laws, bringing felony rather than misdemeanor charges, and holding parents responsible for their kids' wrongdoing, according to the New York Times and the [Associated Press](#).

In the last year, at least four flash mobs have broken out in Philadelphia. In the most recent one on Saturday night, as many as 2,000 teens jumped on cars and injured several bystanders.

In a Feb. 16 incident, about 150 teens "rampaged through Macy's, knocking down customers and damaging displays," the Times says. Twenty-eight teens arrested were found guilty of felony rioting this week, AP says.

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