

# MS 242 Stalking of a Volunteer

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**Effective Date:** June 20, 2016

**Responsible Office:** Office of Safety and Security (OSS) and Office of Global Operations (OGO)

**New Manual Section**

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**Issuance Memo** (06/20/2016)

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## 1.0 Purpose

The purpose of this Manual Section is to set out the Peace Corps policy on stalking of Volunteers. This policy provides for an immediate, effective, and thorough response by Peace Corps of any incident of stalking of a Volunteer, adequate training for Volunteers on whom to report incidents of stalking to at post, and the protection of the confidentiality to the maximum extent practicable of Volunteers who report stalking.

## 2.0 Authority

22 U.S.C. §2507f.

## 3.0 Definitions

- (a) **Course of conduct** means threatening behavior of two or more acts across a period of time, however short, showing a continuity of purpose.
- (b) **Personally Identifying Information** or **PII** means individually identifying information for or about a Volunteer who is a victim of stalking. This includes, but is not limited to, first and last name, home or physical address (including site location), contact information (such as postal address, email, IP address, telephone or fax number), social security number, date of birth, ethnicity, race, religious affiliation, the location of the incident, the victim's sector, entry on service date, close of service date, time since swearing-in and any other information that, either individually or in combination with other information, would serve to identify the Volunteer.
- (c) **Stalking** means engaging in a course of conduct directed at a specific person that would cause a reasonable person (including the Volunteer or staff) to either (a) fear for his or her safety or the safety of others or (b) suffer substantial emotional distress. See Sections 4.1 and 4.2 for examples. Stalking behaviors defined in this policy may also violate U.S. criminal laws and offenders may be subject to prosecution.
- (d) **Volunteer** means Peace Corps Volunteer or Trainee.

## 4.0 Policy

- (a) The Peace Corps takes allegations of stalking seriously and provides an immediate, effective, thorough response to reports, acts and allegations of stalking.
- (b) The Peace Corps will support Volunteers who become the victims of stalking through medical, counseling, advocacy, and safety services.
- (c) The Peace Corps strongly encourages Volunteers to report stalking incidents to Peace Corps staff at post. In cases where a Volunteer suspects that another Volunteer or staff member is engaging in stalking behavior against another Volunteer, a Volunteer may report the stalking behavior to the Office of Inspector General (OIG) and Office of Civil Rights and Diversity regardless of whether the Volunteer chooses to notify post about the stalking incident.
- (d) The Peace Corps will take appropriate action against any Volunteer found to have engaged in stalking another Volunteer. In accordance with IPS 1-12 Volunteer/Trainee Sexual Misconduct, a Volunteer who is found to have engaged in stalking against another Volunteer will be subject to disciplinary action up to and including administrative separation.
- (e) The Peace Corps will take appropriate action if a Peace Corps staff member is found to have engaged in stalking a Volunteer, up to and including adverse personnel or administrative action.
- (f) The Peace Corps must safeguard to the maximum extent possible the identity of a Volunteer who seeks assistance and reports stalking to post. Only staff that have a specific need to know in order to provide support or manage the incident will have access to the Volunteer's PII. Those individuals must not, without written consent of the Volunteer, share either the PII of the Volunteer or the details of the incident with other staff who do not provide support or management of stalking incidents, or otherwise have a specific need to know. However, stalking allegations by a Volunteer must be reported to the OIG immediately where the alleged perpetrator is Peace Corps staff, a Volunteer or a contractor or other individual who conducts transactions with the Peace Corps or receives Peace Corps funds.
- (g) After consultation among the Office of Safety and Security, Office of Victim Advocacy, post staff, and the Volunteer, post may report an incident of stalking to appropriate authorities if necessary for the protection of the Volunteer or others.

## 5.0 Stalking

Stalking behavior includes any verbal or behavioral activities occurring on more than one occasion that collectively instills fear in the Volunteer's or others' safety or cause a Volunteer to suffer substantial emotional distress. Even if one of the foregoing behaviors may appear to be non-threatening or not serious, such behavior may constitute stalking when it occurs repeatedly or in combination with other behaviors. Under some circumstances, behavior constituting

stalking may be a crime. A behavior that may be a part of a course of conduct involving stalking may also violate other Peace Corps policies, such as MS 645 *Prevention and Elimination of Harassment, Including Sexual Harassment*.

## **5.1 Examples of Stalking**

Examples of stalking include, but are not limited to, the following:

- (a) Unwanted communication or contact, including face-to-face, telephone calls, voice messages, text messages, electronic mail, instant messaging, postal mail, messages through third parties, unwanted items, gifts or flowers, etc.
- (b) Harassment, either by the individual initiating the stalking or through a third party.
- (c) Pursuing, following, or appearing within sight of the target either in-person or through electronic surveillance.
- (d) Trespassing on the Volunteer's host family's property or the Volunteer's home or workplace without express permission (if needed).
- (e) Vandalizing or otherwise injuring or destroying the Volunteer's property.
- (f) Unwanted physical touching.
- (g) Direct or indirect verbal or physical threats to harm the Volunteer, the Volunteer's host or biological/marital family, colleagues, friends or pets.
- (h) Threatening or obscene gestures towards the Volunteer.
- (i) Defamation or spreading malicious rumors about the Volunteer to others (e.g. rumors of infidelity, etc.).
- (j) Gathering or obtaining personal information about the Volunteer by accessing public records; hiring private investigators; going through the Volunteer's garbage; or contacting the Volunteer's colleagues, community members, host family, friends, etc.
- (k) Contacting witnesses or any other party to an incident of crime to intimidate them or to get them to change their testimony.

## **5.2 Examples of Cyberstalking**

Cyberstalking is an extension of the physical form of stalking that involves the act of repeatedly using electronic media such as the Internet, pagers, cell phones, or other similar devices or software to cause someone emotional distress, or to pursue, harass or make unwanted contact with another person in an unsolicited fashion. Cyberstalking can be in combination with or in lieu of any person-to-person contact. Examples of cyberstalking include, but are not limited to, use of online, electronic, or digital technologies to do the following:

- (a) Posting pictures, videos, or information in chat rooms, forums, or on websites about the Volunteer without the Volunteer's consent or knowledge.
- (b) Sending unwanted or unsolicited email, text messages, instant messages, or messages on social media sites.
- (c) Installing hardware or software on a Volunteer's computer, laptop, tablet, mobile phone, or other equipment for the purposes of tracking the Volunteer's whereabouts.
- (d) Using a Global Positioning System (GPS) tracking device to monitor the Volunteer.
- (e) Stealing the Volunteer's, or another's, identity to harass the Volunteer.

## **6.0 Roles and Responsibilities**

### **6.1 Post Staff**

- (a) The Country Director is responsible for ensuring that post staff take appropriate actions to provide immediate, effective, thorough response to address the requested safety, counseling, advocacy, and medical concerns of the Volunteer who has been the target of stalking.
- (b) The Country Director is responsible for ensuring delivery of training to post staff in how to respond to stalking incidents.
- (c) Any post staff member receiving a report of stalking from a Volunteer will first take immediate action to ensure the Volunteer is in a safe location and will then promptly notify the Safety and Security Manager.
- (d) The Safety and Security Manager is responsible for promptly making positive voice contact with a Volunteer who has reported an incident of stalking and assessing the degree of risk posed to the Volunteer.
- (e) In any circumstance that represents an imminent threat of bodily harm to the Volunteer, post shall follow the procedures set forth in SSI 202, *Response to Threatening Situations*.
- (f) If the alleged perpetrator is Peace Corps staff, a Volunteer or a contractor or other individual who conducts transactions with the Peace Corps or receives Peace Corps funds, in accordance with MS 861 paragraph 7.3, the Country Director must also notify the Office of Inspector General immediately.
- (g) Post staff must report stalking incidents in accordance with the Consolidated Incident Reporting Guide.
- (h) Information on stalking, whom to report stalking to, and risk reduction measures provided by the Office of Safety and Security must be incorporated into the post's safety and security training of Volunteers.

## **6.2 Volunteers**

Volunteers are strongly encouraged to report stalking incidents and concerns to post staff pursuant to the post-specific incident reporting procedures. (See MS 270 *Volunteer/Trainee Safety and Security*.)

## **6.3 Office of Safety and Security**

The Office of Safety and Security will be responsible for:

- (a) Providing guidance and direction to post staff responding to stalking incidents.
- (b) Developing, with assistance from Office of Victim Advocacy, stalking awareness and response training for post staff and Volunteers.
- (c) Monitoring and evaluating the effectiveness of the policy and procedures.

## **6.4 Office of Victim Advocacy**

The Office of Victim Advocacy shall:

- (a) Give priority to cases involving stalking by assisting the Volunteers, making them aware of the services available to them pursuant to paragraph 7.0, and facilitating their access to such services.
- (b) Assist Office of Safety and Security in developing the stalking awareness and response training for post staff and Volunteers.

## **7.0 Safety for Volunteers**

Post staff should offer Volunteers who report incidents of stalking additional assistance as required in one or more of the following areas:

- (a) Developing a safety plan;
- (b) Understanding the legal options, including assistance with local law enforcement;
- (c) Understanding of administrative options under IPS 1-12 *Volunteer/Trainee Sexual Misconduct*;
- (d) Consulting with a Victim Advocate in the Office of Victim Advocacy;

- (e) Providing the contact information for the Office of Inspector General and Office of Civil Rights and Diversity to report allegations of stalking in circumstances described in 5.1(e);
- (f) Obtaining medical and/or counseling support; and,
- (g) Changing in housing location, site, and/or host family.

## **8.0 Procedures**

Procedures implementing this Manual Section will be contained in the MS 242 *Stalking of a Volunteer Procedures*, which must be approved by the Office of Victim Advocacy, the Office of Safety and Security, the Office of Global Operations, and the Office of the General Counsel.

## **9.0 Effective Date**

- (a) The effective date is the date of issuance.
- (b) The Office of Victim Advocacy, the Office of Global Operations, and the Office of Safety and Security will put in place mechanisms to monitor and evaluate the effectiveness of the MS 242 *Stalking of a Volunteer* and MS 242 *Stalking of a Volunteer Procedures*, periodically reviewing data from these mechanisms.