

Barbara Hibbins, Director, IT Security, Office of the CIO, MSER

Speaking Notes:

"Cyberstalking" Conference 2004 Update re Joelle Ligon/Ivan Orton

Last year.... Joelle Ligon a Public Relations Specialist, with the City of Seattle, and Ivan Orten, Senior Deputy Prosecuting Attorney, King County Fraud Division, presented our opening keynote session entitled "Cyber Stalking: A Study in Frustration and Vindication." Joelle shared with us her personal cyber stalking experience and her story was so riveting that you could literally have heard a pin drop in this room as the audience was so entranced.

Cyberstalking can take many forms -- unsolicited e-mail, including hate, obscene, or threatening email, is one of the most common forms of harassment. With news groups, the cyberstalker can create inappropriate postings about you or start unpleasant rumors, which are spread through bulletin boards. More complex forms of harassment include mail bombs, sending the victim malicious code or electronic junk mail (spamming). These forms of cyberstalking can easily escalate into physical stalking incidents such as threatening phone calls, vandalism of your property, threatening mail and even physical attacks. Joelle's story is one that is often experienced, never told and seldom is the perpetrator found and charged.

Shortly after the conference, Joelle contacted us and provided an update on her personal cyber stalking case and the legislation that was signed into law.

On March 24, 2004, Gov. Gary Locke signed House Bill 2771, making cyber stalking a crime in the state of Washington. This new law will make it illegal to use the Internet to stalk, harass and intimidate. As of July 1, 2004, cyber stalking is a gross misdemeanor punishable by up to one year in jail, a \$5,000 fine or both. It becomes a felony if the victim has an existing restraining order against the perpetrator, or if the

perpetrator makes a death threat. For the first time, Washington state law enforcement will have a tool with which they can apprehend and charge cyber stalkers – prosecutors a criminal code with which they can prosecute.

Personally for Joelle there was also good news in her quest for justice against her cyber stalker:

- On April 7, 2004: The Federal Bureau of Investigation indicted James Robert Murphy, 38, of Columbia, South Carolina, charged with 26 counts of using a telecommunications device to stalk and harass.
- April 9, 2004: Murphy was arrested, charged and made a full statement to the FBI.
- April 22, 2004, Murphy was arraigned at the federal courthouse in Seattle. Joelle saw him at the arraignment for the first time in 13 years. He plead not guilty.
- July 2004: Murphy plead guilty to two counts of violating Title 47 of the U.S. Criminal Code (using a telecommunications device to stalk and harass). Each count carried a maximum sentence of 2 years in prison and a \$250,000 fine.
- October 2004: Murphy was sentenced to 5 years probation, 500 hours of community service and had to pay \$12,000 in fines. (He has since appealed his sentence.)

A personal note from Joelle:

"After so many years of trying desperately to end my ordeal, 2004 was the year when my efforts finally paid off. So many people were instrumental in helping me -- including many at the conference this year. Sharing my story with conference attendees last year bolstered my confidence to move forward. I am deeply grateful for the outpouring of concern and support I received here. It was a wonderful and powerful experience to have so many people wishing me well and cheering me on. I would especially to thank the conference organizers who gave me the opportunity to be with you. My best to each of you."

It was our pleasure having Joelle share her poignant story with us. I believe we all felt her frustration and admired her courage in pursuing some form of resolution. Joelle's experience shows us that one person with persistence can make a difference. We are pleased that laws in some jurisdictions are being changed to make cyber stalking a chargeable offense and hope that other jurisdictions will follow.