



Voices Unhidden, Inc.

A Maryland Nonprofit Corporation

Technology-Facilitated Stalking & Harassment Reform

The Digital Stalking Clarification Act of 2026

A Legislative Modernization Proposal Block Means Stop™ Initiative

**Clarifying cumulative digital conduct analysis to support timely intervention and victim
safety**

February 2026
Elkton, Maryland



Voices Unhidden Inc.

Block Means Stop™- Technology-Facilitated Stalking and Harassment Reform

Policy Brief

SECTION I

Historical Development and Structural Tension

Stalking statutes emerged in the late twentieth century in response to persistent, proximity-based harassment that often preceded physical violence. Early legislative models were designed to address repeated following, unwanted in-person contact, and explicit threats occurring within identifiable geographic boundaries.

Over time, statutory language evolved to include broader phrasing such as “course of conduct” and “pattern of behavior,” reflecting legislative recognition that stalking is cumulative and escalating rather than isolated.

Federal law similarly expanded. 18 U.S.C. § 2261A, originally enacted in 1996, was amended to incorporate electronic communications and interstate digital conduct, acknowledging that harassment and surveillance could occur through technological means rather than solely through physical pursuit.

While statutory language has evolved, interpretive frameworks in many jurisdictions continue to reflect assumptions rooted in physical-world paradigms. Enforcement responses often remain reactive — triggered by explicit threats or physical proximity — rather than preventive, triggered by escalating behavioral patterns.



High-profile incidents, including the 2020 homicide of Amie Harwick, renewed public attention to the prevention function of stalking statutes. Prior to her death, Harwick had publicly discussed concerns about harassment and had sought protective measures. Public reporting following her death reflected concerns that warning indicators had not resulted in sustained protective intervention.

Such cases underscore a broader structural concern: when escalation indicators are documented but not evaluated through a pattern-based and preventive lens, intervention may remain reactive rather than proactive.

Stalking statutes were designed to interrupt escalation. Modernization requires aligning interpretation and enforcement with that preventive purpose in the context of digital behavioral environments.

SECTION II

Definitional Gaps in Existing Stalking Statutes

Most stalking statutes require proof of a “course of conduct” directed at a specific individual and resulting in fear or substantial emotional distress. While these statutory elements appear adaptable, their application has historically been interpreted through paradigms developed in pre-digital contexts.

Judicial and enforcement interpretations frequently emphasize physical following, repeated direct communication, or explicit threats as central indicators of actionable stalking. As a result, digital behaviors that manifest through surveillance architecture rather than overt confrontation may fall into interpretive gray areas.

This tension between statutory language and digital behavioral patterns creates definitional gaps that undermine preventive intent.

A. Course of Conduct in Digital Environments



The statutory concept of a “course of conduct” contemplates repeated acts directed toward a specific individual over time. In traditional paradigms, repetition has often been inferred from overt contact — messages, phone calls, physical following, or explicit communication.

In digital ecosystems, repetition may manifest differently.

Persistent viewing, cross-platform monitoring, coordinated third-party engagement, sequential references to personal data, screen recording, amplification, or deliberate circumvention of platform safeguards may collectively constitute repetition even in the absence of repeated direct messaging.

Silence does not negate targeting.

Digital persistence may occur without overt contact. An individual may repeatedly monitor, capture, archive, or track a target’s activity while avoiding direct communication. Where such conduct demonstrates focus, continuity, and awareness of the target, it may satisfy the structural logic of repetition embedded in stalking statutes.

Repetition should not be defined solely by the target’s contemporaneous awareness of each act.

Stalking statutes regulate patterns of conduct, not merely moments of perception. A course of conduct may exist even if certain acts occur outside the target’s immediate knowledge, provided the conduct demonstrates continuity, directionality, and cumulative targeting over time.

To require that each act be directly experienced or contemporaneously perceived by the target risks narrowing statutory protection in ways inconsistent with legislative design. Surveillance, monitoring, archiving, coordinated observation, and cross-platform persistence may be no less repetitive or intentional simply because they occur without immediate detection.



Boundary events further recalibrate course-of-conduct analysis. When a target blocks an individual or otherwise communicates non-consent, continued monitoring, recording, or circumvention may convert what might otherwise appear observational into post-notice repetition.

The sequence matters.

Repetition following expressed non-consent reflects awareness and continuation, strengthening the inference that conduct is directed and purposeful.

Stalking statutes were designed to interrupt escalating patterns, not merely overt confrontation. If repetition is interpreted narrowly to require direct messaging, explicit threats, or continuous victim awareness, digital surveillance behaviors that functionally replicate traditional pursuit may remain underrecognized.

Course-of-conduct analysis must therefore account for cumulative monitoring, distributed persistence, safeguard circumvention, cross-platform continuity, and repetition independent of immediate detection as potential forms of pattern-based conduct consistent with legislative intent.

Failure to adapt repetition analysis to digital environments risks privileging visible confrontation over persistent targeting, thereby narrowing statutory protection contrary to preventive design.

B. Intent and Inference Standards

Stalking statutes typically require proof that the defendant acted intentionally or knowingly. This mens rea requirement is central to criminal liability and serves as a safeguard against accidental or incidental conduct being mischaracterized as unlawful.

In physical-world paradigms, intent is often inferred from explicit threats, repeated unwanted communication, or overt acts of pursuit. However, digital targeting frequently manifests through



behaviors that communicate awareness, surveillance capacity, and escalation without direct threat expression.

Courts routinely infer intent from circumstantial evidence. Repetition, sequencing, knowledge of personal details, boundary circumvention, coordinated timing, responsive escalation, and post-notice persistence may collectively demonstrate purposeful targeting even in the absence of explicit statements of harm.

When interpretive frameworks rely primarily on express threat language as a proxy for intent, they risk substituting a narrow evidentiary shortcut for comprehensive analysis.

Intent in digital contexts may be embedded in behavioral patterning rather than declarative expression.

Failure to apply circumstantial inference standards consistently across digital and physical contexts creates an asymmetry in statutory enforcement. Digital conduct should not be held to a higher expressiveness threshold for intent than analogous physical conduct.

Modern interpretation must reaffirm that intent may be inferred through pattern, context, and cumulative behavioral evidence consistent with established principles of circumstantial proof.

This framework preserves existing mens rea requirements and does not lower the statutory mental-state threshold. Rather, it clarifies how intent may be inferred from cumulative digital conduct consistent with established principles of circumstantial proof.

C. Fear and Harm Threshold Interpretation

Many stalking statutes require proof that the conduct would cause a reasonable person to fear bodily harm or suffer substantial emotional distress. This objective standard prevents purely subjective reactions from defining criminal liability.



However, the reasonable person standard is inherently contextual. Courts evaluate reasonableness based on the circumstances surrounding the conduct, not in abstraction.

In digital stalking scenarios, the contextual baseline must account for contemporary technological realities. An individual familiar with digital platforms, data aggregation tools, cross-platform monitoring capabilities, and amplification pathways may reasonably perceive risk where a digitally uninitiated observer might not.

Reasonableness cannot be measured against technological ignorance.

Repeated monitoring, knowledge signaling, boundary circumvention, coordinated amplification, post-notice persistence, and aggregation of personal information may rationally contribute to fear of physical convergence, reputational harm, or third-party mobilization.

In networked environments, geographic distance does not eliminate escalation potential.

Accordingly, the appropriate inquiry is whether an objectively situated person — informed by modern digital capabilities and aware of cumulative behavioral indicators — would reasonably perceive potential harm.

Failure to calibrate the reasonable person standard to contemporary digital risk dynamics risks narrowing statutory protection through contextual underestimation rather than legislative intent.

D. Aggregation Versus Atomization of Conduct

Digital conduct is frequently evaluated atomistically — message by message, post by post, interaction by interaction.

Stalking statutes, however, are explicitly cumulative. The statutory requirement of a “course of conduct” does not contemplate isolated acts; it requires assessment of behavior over time. Courts



routinely apply totality-of-the-circumstances analysis in pattern-based offenses precisely because individual acts may appear benign when divorced from context.

When digital evidence is segmented into discrete incidents, the analytical framework shifts in a way that materially alters statutory application. Instead of asking whether the overall conduct demonstrates repetition, targeting focus, and escalation, the inquiry becomes whether any single digital act independently resembles traditional stalking behavior.

This methodological shift effectively narrows the statute beyond legislative design.

The protective function of stalking law depends on recognizing cumulative escalation before violence occurs. Atomization delays recognition by requiring each digital act to independently satisfy heightened thresholds, thereby obscuring pattern formation.

In digital environments, escalation often manifests through aggregation — repetition across platforms, sequential references to personal data, coordinated observation, boundary circumvention, post-notice recording, and contextual signaling. The qualitative transformation from incidental interaction to targeted surveillance emerges through layering, not singular overt confrontation.

To apply a series-of-incidents lens to a course-of-conduct statute is not merely incomplete analysis; it risks misapplying the statute's central structural element.

Modern interpretation must therefore reaffirm aggregation principles consistent with legislative intent and established totality-of-the-circumstances doctrine.

E. Multi-Actor Coordination, Active Participation, and Evidentiary Evaluation

Modern digital targeting may involve distributed actors communicating regarding monitoring, data collection, amplification, or targeting strategy.



Pattern-based statutes are not inherently limited to singular-actor conduct. Across civil and criminal law, courts recognize principles of concerted action and coordinated advancement of a shared objective. These doctrines do not impose liability by mere association; they require active and knowing contribution to a common course of conduct.

In digital environments, pattern formation may occur through coordinated participation, where multiple individuals contribute distinct acts that collectively advance sustained targeting. When analysis remains confined to actor-by-actor evaluation, the cumulative nature of the conduct may be obscured.

However, constitutional safeguards require clear boundaries. Passive exposure to content, incidental re-sharing without knowledge of a broader targeting focus, or generalized commentary absent purposeful involvement does not, standing alone, establish participation in a course of conduct.

The relevant inquiry is whether an individual knowingly and actively contributes to the advancement of targeted repetition.

Indicators of active participation may include engagement in monitoring despite boundary signals, participation in coordinated information-sharing regarding the target, dissemination of personal data with awareness of targeting focus, post-notice screen recording or archiving to facilitate continued surveillance, or repeated involvement that reinforces escalation dynamics.

Communications between participants discussing monitoring, data collection, amplification strategies, or targeting objectives may not be sent directly to the target. However, such communications may be probative of shared intent, planning, and escalation.

The evidentiary relevance of inter-actor communication lies not in whether it was delivered to the target, but in what it demonstrates regarding coordination, knowledge, and purposeful participation.



Failure to incorporate coordinated communications into pattern analysis risks creating a structural gap in which distributed escalation remains insulated from recognition.

F. Jurisdictional and Platform Fragmentation

Digital stalking frequently spans jurisdictions and platforms. A single targeting pattern may involve actors residing in different states, communications transmitted through interstate networks, and conduct unfolding across multiple digital environments.

Traditional enforcement authority remains territorially structured. When digital conduct crosses state lines, responsibility may become diffused among agencies operating under different statutory frameworks, evidentiary thresholds, and enforcement priorities.

This diffusion can produce structural delay.

Each jurisdiction may assess only the portion of conduct occurring within its territorial scope. When pattern-based offenses are evaluated in fragmented segments, escalation dynamics may remain partially visible yet institutionally unaggregated.

Jurisdictional fragmentation therefore does not merely complicate enforcement; it can structurally interfere with the preventive design of stalking statutes.

When digital targeting is partitioned across sovereign and technological boundaries, escalation may be recognized only after conduct becomes localized, physical, or overtly threatening within a single jurisdiction.

By that stage, the preventive function of pattern-based statutes has already been compromised.

G. Geographic Distance and Amplification Potential



Geographic separation has historically been treated as a mitigating factor in stalking analysis. In networked digital environments, amplification pathways allow communication to mobilize individuals within closer physical proximity to a target.

Distance no longer functions as a reliable proxy for reduced risk.

A geographically distant actor may initiate conduct that results in reputational damage, economic interference, third-party harassment, or physical convergence facilitated by local participants.

The appropriate inquiry is not whether the actor resides near the target, but whether the conduct meaningfully increases risk of harm, mobilization, or sustained targeting.

H. Boundary Circumvention and Post-Notice Escalation

Digital platforms provide blocking features and privacy controls that allow users to communicate non-consent to continued interaction.

Blocking is an affirmative boundary declaration.

When a user blocks another individual, the action constitutes clear notice that access is revoked.

Where an individual knowingly circumvents that boundary — through alternate accounts, anonymous viewing tools, login avoidance, third-party monitoring, screen recording, archiving, or technological workarounds — the conduct becomes post-notice persistence.

The sequence matters.

Once non-consent is expressed, continued monitoring combined with recording reflects awareness of objection and a decision to override it.



Post-notice screen recording is not merely observational. It preserves access that has been revoked. It enables retention, manipulation, selective editing, amplification, or redeployment independent of platform safeguards.

Such conduct may strengthen inference of intent, contribute to course-of-conduct analysis, and heighten reasonable fear by signaling that safeguards are ineffective against determined persistence.

A Block Means Stop framework recognizes that revocation of access is not symbolic. It is an assertion of autonomy.

Repeated efforts to override that revocation constitute meaningful escalation indicators within pattern-based statutory analysis.

I. AI-Enabled Escalation, Synthetic Media, Automation, and Identity Manipulation

Advancements in generative artificial intelligence and automated digital systems have materially altered the mechanisms through which technology-facilitated stalking and harassment may manifest. These tools do not create a wholly new category of harm; rather, they accelerate, scale, and distort existing behavioral patterns already contemplated within stalking statutes.

Digital targeting has historically included monitoring, amplification, impersonation, reputational interference, and cross-platform persistence. AI-enabled systems expand the capacity to engage in such conduct through automation, synthetic media generation, selective editing, and manipulation of authentic expressive material.

1. Synthetic Media and Identity Distortion

Generative systems permit the creation of synthetic images, audio, video, and text capable of simulating an individual's voice, likeness, writing style, or expressive cadence. Such content may be wholly fabricated or may incorporate authentic source material in altered or recontextualized form.



Unlike traditional impersonation, AI-assisted distortion may begin with genuine publicly available speech, imagery, or written expression. Tools may extract tone, phrasing, visual likeness, or communicative patterns and generate derivative content that appears authentic while conveying altered meaning, distorted intent, or fabricated context.

When deployed as part of a targeted pattern, such conduct may:

- Undermine credibility and reputational stability;
- Blur the distinction between authentic and manipulated content;
- Amplify defamatory or misleading narratives;
- Facilitate intimidation without overt threat language;
- Complicate evidentiary assessment by interweaving truth with distortion.

Existing statutory frameworks often address impersonation, defamation, fraud, intellectual property, and right-of-publicity violations as distinct categories. However, when synthetic media or manipulated authentic expression is used within a broader course of conduct directed at a specific individual, it may function as a component of stalking behavior.

Interpretive frameworks that fail to recognize identity distortion within cumulative pattern analysis risk narrowing statutory protection inconsistent with legislative design.

2. Automation, Archiving, Selective Editing, and Scaled Repetition

AI-enabled systems and digital tools reduce the effort required to sustain persistent targeting while increasing the scope, durability, and impact of harmful conduct. Screen recording software, transcription tools, content-scraping programs, and automated reposting mechanisms allow individuals to capture, archive, analyze, edit, and selectively redistribute a target's digital presence independent of platform safeguards.



Unlike transient viewing, screen recording and transcription preserve content for later manipulation. Selective editing may materially alter perceived meaning, particularly where statements are redistributed without original context, sequencing, or explanatory framing.

When combined with generative systems, captured material may be:

- Transcribed and reformatted for redistribution;
- Selectively edited to emphasize or distort portions of speech;
- Recontextualized to convey unintended meaning;
- Amplified across multiple platforms;
- Incorporated into derivative synthetic content;
- Repurposed in ways that undermine credibility, stability, or professional standing.

Such practices may contribute to repetition and escalation even in the absence of repeated direct communication with the target.

Automation and archival capacity allow targeting to persist beyond platform-imposed boundaries. Content may be stored, manipulated, and reintroduced after blocking or revocation of access, effectively bypassing technological safeguards and extending the life cycle of targeting conduct.

Stalking statutes regulate cumulative behavior. Automated repetition, archival persistence, selective editing, redistributed distortion, and AI-assisted amplification should therefore be evaluated within the broader course-of-conduct framework when they demonstrate continuity, targeting focus, and purposeful escalation.

Interpretive analysis must distinguish constitutionally protected speech from technologically assisted pattern-based targeting. Nothing in this clarification alters existing intent requirements or lowers statutory thresholds; rather, it ensures that AI-enabled conduct is evaluated consistently within established course-of-conduct principles when used as part of targeted harassment.



3. Economic Interference and Professional Destabilization

In contemporary digital environments, individuals increasingly rely on online platforms for professional visibility, advocacy, and income generation. AI-assisted manipulation of authentic expression or identity may therefore extend beyond reputational injury to measurable economic harm.

Distorted, selectively edited, or synthetic content may:

- Interfere with audience trust;
- Disrupt business relationships;
- Undermine monetized digital presence;
- Create instability within professional networks;
- Generate reputational damage with financial consequence.

Legal doctrines often treat intellectual property infringement, right-of-publicity violations, economic interference, and harassment as distinct silos. However, AI-enabled identity manipulation may operate at the intersection of these domains.

When distortion of authentic expression is deployed as part of a persistent targeting pattern, it may constitute not merely reputational dispute but a component of course-of-conduct harassment with economic implications.

Structural Implication for Statutory Interpretation

Statutory interpretation frameworks were developed prior to the widespread availability of generative AI systems, synthetic media tools, transcription automation, and algorithm-driven amplification architectures. As a result, interpretive frameworks may not explicitly account for identity distortion, scaled automation, or technologically accelerated persistence.



The issue is not absence of statutory language prohibiting course-of-conduct targeting. The issue is whether interpretive application evolves alongside technological capability.

Failure to incorporate AI-enabled conduct into cumulative pattern analysis risks treating technologically accelerated targeting as isolated or novel behavior rather than recognizing it as an intensified manifestation of established stalking dynamics.

Modern statutory interpretation must therefore clarify that synthetic media manipulation, selective editing of authentic expression, automated repetition, archival persistence, and AI-assisted identity distortion may satisfy course-of-conduct analysis when they form part of targeted, cumulative behavior consistent with legislative intent.

SECTION III

Consequences of Statutory Gaps: Predictable Harm, Escalation Risk, and Institutional Cost

The structural lag described above does not remain confined to interpretive debate. It produces measurable consequences across public health systems, workforce stability, and criminal justice infrastructure.

When statutory interpretation defaults toward reactive thresholds — waiting for overt threats, physical convergence, or catastrophic harm — intervention occurs only after escalation has progressed.

The scope of that impact is not speculative.

According to the U.S. Bureau of Justice Statistics, an estimated 3.4 million individuals experience stalking victimization annually in the United States, with approximately two-thirds reporting at least one technology-facilitated behavior, including unwanted digital communication, monitoring, electronic tracking, or online surveillance.¹



Technology has not replaced stalking.

It has scaled it.

When interpretive frameworks fail to recognize persistent digital surveillance, boundary circumvention, coordinated monitoring, and cross-platform targeting as early-stage pattern indicators, intervention is delayed. That delay is not neutral. It allows cumulative harm to compound.

A. Public Health Impact and Psychological Injury

Stalking victimization is strongly associated with anxiety disorders, depressive disorders, hypervigilance, sleep disruption, and trauma-related symptomology.² The Centers for Disease Control and Prevention document significant psychological distress, safety planning behavior, and employment disruption among stalking victims.³

In technology-facilitated environments, targeting may intensify psychological impact due to:

- Perceived omnipresence of monitoring
- Cross-platform persistence
- Reputational amplification
- Boundary circumvention following non-consent
- Inability to achieve digital separation

Prolonged exposure to unpredictable monitoring and escalation dynamics may contribute to sustained trauma responses, including symptoms consistent with Post-Traumatic Stress Disorder (PTSD) and complex trauma patterns.



These harms are cumulative.

When statutory interpretation requires explicit threats or physical convergence before meaningful intervention, psychological injury has often already materialized. Prevention becomes containment. Early disruption becomes crisis management.

The delay is structural.

B. Escalation Risk and Violence Correlation

Empirical research supported by the National Institute of Justice demonstrates that stalking behavior is a significant risk factor in escalation to serious violence.⁴ Studies examining intimate partner homicide cases have found that prior stalking behavior was present in a substantial proportion of cases — frequently ranging from more than half to nearly three-quarters, depending on methodology and jurisdiction.⁵

Stalking does not inevitably result in lethal violence.

However, documented pattern-based targeting significantly increases risk prob

ability when escalation indicators are ignored or minimized.

Importantly, stalking is not confined to intimate partner relationships. Bureau of Justice Statistics data reflects that stalking victimization occurs across relationship categories, including acquaintances, former dating contacts, co-workers, and individuals known primarily through digital interaction.¹ Stalking statutes apply to conduct directed at any individual; risk is defined by behavioral pattern, not relationship status.



Technology-facilitated environments have expanded the range of stalking contexts. Individuals may become targets through social media interaction, content creation platforms, professional networking spaces, gaming communities, or brief dating application contact without any sustained personal relationship.

Digital-first stalking may precede physical acquaintance entirely. In some cases, prolonged monitoring, data aggregation, or cross-platform surveillance occurs before any in-person contact is attempted. The first physical convergence may therefore follow an extended period of digital targeting rather than initiate it.

Pattern-based targeting frequently evolves in stages:

1. Monitoring
2. Knowledge signaling
3. Boundary testing
4. Circumvention
5. Amplification or reputational targeting
6. Convergence or overt threat

Failure to recognize early-stage digital surveillance as actionable conduct allows escalation pathways to mature.

Geographic distance no longer mitigates risk. Networked environments permit amplification, third-party mobilization, and reputational harm independent of physical proximity. Pew Research Center reports that 41% of U.S. adults have experienced some form of online harassment, with more severe forms involving sustained targeting patterns.⁶

When law lags behavior, harm becomes predictable rather than accidental.



C. Economic and Institutional Cost

Delayed recognition of technology-facilitated stalking produces measurable economic burden, including:

- Increased mental health service utilization
- Workplace productivity loss
- Employment disruption
- Relocation expenses
- Law enforcement resource escalation after crisis point
- Multi-jurisdictional investigative duplication
- Long-term trauma treatment

Stalking victimization has been associated with substantial employment interference and financial instability.^{1 3}

Prevention is less costly than post-escalation intervention.

When enforcement frameworks atomize conduct rather than aggregate pattern evidence, agencies expend greater resources reconstructing harm after escalation rather than disrupting escalation before harm intensifies.

Structural delay redistributes cost from early intervention to emergency containment.

D. Structural Causation and Policy Choice



The harm described above does not persist solely because stalking exists. It persists because statutory interpretation remains tethered to physical-world paradigms in a digitally accelerated environment.

When digital monitoring is dismissed as trivial,

when boundary circumvention is minimized,

when repetition is defined narrowly by overt messaging,

when escalation indicators are evaluated incident-by-incident rather than cumulatively,

the preventive architecture of stalking law weakens.

Under-recognition delays intervention.

Delayed intervention permits escalation.

Escalation multiplies harm.

The prevalence is documented.¹

The escalation pathway is documented.^{4 5}

The psychological injury is documented.^{2 3}

The digital amplification environment is documented.⁶

The risk is foreseeable.

The cost is measurable.



The trajectory is patterned.

When warning indicators are consistently identifiable yet structurally under-recognized, continued harm is not accidental.

It is predictable.

And when predictable harm persists within an identifiable statutory framework, the question is no longer whether modernization is necessary.

It becomes whether inaction is defensible.

Selected Authorities

1. Bureau of Justice Statistics, Stalking Victimization, 2019 (U.S. Dep't of Justice, 2022).
2. American Psychological Association, research on stalking and trauma-related symptomology.
3. Centers for Disease Control and Prevention, National Intimate Partner and Sexual Violence Survey (NISVS).
4. National Institute of Justice, research on stalking and violence escalation.
5. Jacquelyn C. Campbell et al., Risk Factors for Femicide in Abusive Relationships, National Institute of Justice (2003), and subsequent NIJ-supported studies on stalking as a precursor to lethal violence.
6. Pew Research Center, The State of Online Harassment (2021).

SECTION IV

Legislative Modernization Framework



SEC. 1. SHORT TITLE.

This Act may be cited as the “Digital Stalking Clarification Act of 2026.”

SEC. 2. FINDINGS AND PURPOSE.

(a) Findings.

Congress finds that—

1. Stalking statutes were enacted to prevent escalating patterns of targeted conduct before serious harm occurs.
2. Digital technologies have altered the mechanisms through which stalking behavior manifests, including cross-platform monitoring, electronic surveillance, data aggregation, screen recording, technological circumvention of access controls, and coordinated digital targeting.
3. Contemporary digital environments now include generative artificial intelligence systems, synthetic media tools, automated transcription and redistribution mechanisms, archival persistence tools, and algorithm-driven amplification architectures capable of accelerating, scaling, and distorting conduct directed at specific individuals.
4. Section 2261A of title 18, United States Code, incorporates electronic communications and interstate conduct; however, interpretive inconsistencies have resulted in fragmented and reactive enforcement in digitally networked contexts.
5. Pattern-based offenses require cumulative evaluation of conduct. Atomized analysis of digital acts may obscure escalation dynamics inconsistent with statutory design.
6. Clarifying statutory interpretation to reflect contemporary technological realities will strengthen preventive enforcement while preserving constitutional protections and existing intent requirements.

(b) Purpose.

The purpose of this Act is—

1. to clarify the cumulative, pattern-based nature of stalking offenses in digitally networked environments;



2. to ensure that electronic, automated, AI-enabled, and technologically amplified conduct may be evaluated within course-of-conduct analysis when consistent with existing statutory elements;
3. to promote consistent interstate enforcement without expanding the substantive elements of 18 U.S.C. § 2261A;
4. to reinforce the preventive function of federal stalking law by ensuring that evolving digital conduct is evaluated in a manner that supports timely intervention and victim safety; and
5. to preserve First Amendment protections and existing intent standards while strengthening the law's capacity to respond to technologically mediated escalation.

SEC. 3. CLARIFICATION OF DIGITAL COURSE OF CONDUCT.

Section 2266 of title 18, United States Code, is amended by adding the following:

“For purposes of section 2261A, the term ‘course of conduct’ includes conduct carried out through electronic communication systems, automated technological processes, digital monitoring tools, or algorithmically amplified distribution mechanisms, when such conduct forms part of a pattern directed at a specific person.”

SEC. 4. POST-NOTICE PERSISTENCE.

In determining whether a course of conduct exists, courts may consider continued contact, digital monitoring, or technological circumvention of access controls following explicit notice to cease communication or access.

SEC. 5. AGGREGATION.

Nothing in this Act shall be construed to require each individual act within a course of conduct to independently satisfy statutory harm thresholds where cumulative evaluation demonstrates targeted escalation.

SEC. 6. COORDINATED PARTICIPATION.



Coordinated or networked participation, including distributed digital conduct by multiple actors directed toward a specific individual, may be considered within course-of-conduct analysis when consistent with existing intent requirements.

SEC. 7. PROTECTION OF REPORTING PARTICIPANTS.

For purposes of course-of-conduct analysis under section 2261A of title 18, United States Code, conduct directed toward an individual who has provided information, documentation, digital evidence, or other assistance to law enforcement in connection with a stalking investigation may be considered as part of a targeted pattern when such conduct is undertaken with intent to intimidate, retaliate against, silence, or deter such reporting.

Nothing in this section creates new criminal liability or alters the intent requirements of section 2261A, but clarifies that retaliatory digital targeting of reporting participants may be evaluated cumulatively under existing statutory elements.

SEC. 8. RULE OF CONSTRUCTION.

Nothing in this Act shall—

1. create new categories of criminal liability;
2. alter the intent requirements of section 2261A;
3. diminish constitutional protections; or
4. expand federal jurisdiction beyond existing statutory authority.