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SHOPPING

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Waiting and Watching

BY JOAN TUPPONCE
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Becky Bieschke began her Monday afternoon shift at the Village Ukrop's with a light heart.

Right before going to work, Bieschke had stopped by the T.G.I. Friday's where her 24-year-old daughter, De'Nora Hill, worked to bring her some blue holiday lights that she had left at home.

Before Bieschke left the restaurant, she, Hill and her co-workers had a group hug. "It was the first time I saw Dee smile ear to ear, like she normally would do. I had the sense she felt OK again."

The last few weeks had been terrifying for Hill and her mom.

Hill, a University of Richmond student, was trying to pull away from a three-year relationship with her boyfriend, 30-year-old Joe Casuccio. His behavior had become erratic and threatening. Hill was frightened by his sudden outbursts of anger, tire slashing, window smashing, incessant telephone calls and the fact that Casuccio tracked and followed her when she was driving.

But over the weekend those incidences had stopped thanks to a preliminary protective order issued on Dec. 2, which ordered Casuccio to stop the stalking and forbade him from having any contact with Hill or her family.

Bieschke hoped that the fear that had shrouded their lives for weeks had lifted. She had prayed, "Dear Lord, please let this man understand that what he is doing is wrong."

She was happy that Hill finally seemed herself again, laughing and smiling with her work buddies, some of whom she had worked with for five years.

Halfway into her Ukrop's shift, Bieschke's manager asked her to come upstairs to his office.

She worried that she had done something wrong in her job.

As she entered her manager's office, a Henrico County police detective approached her. "He asked me my name and where I lived. Then I knew, I just knew."

An hour earlier, her daughter had been shot eight times and left to die in the parking lot outside the apartment they shared.

Bieschke pulls a table under the roofline of the Ukrop's at the Village Shopping Center. She's wearing a purple ribbon on her chef's jacket to honor the memory of her daughter.

She lays down a packet containing the signatures of dozens of co-workers and friends who have signed a petition initiated by the UR students to make stalking a felony -- an effort that will reduce the burden of proof that advocates say is now put on the victim and reduce the amount of time a stalker is on the street. The students are looking for a legislator to sponsor a bill to do so.

Stalking is classified as a felony upon the first offense in 15 states; however, Virginia classifies stalking as a Class 1 misdemeanor with a penalty of not more than one year in jail and a \$2,500 fine. It becomes a Class 6 felony on a third or subsequent conviction for stalking or a similar offense within five years.

According to the Stalking Resource Center, legal expediency is of the essence. Three out of four intimate partner murders involve stalking in the previous year before the murder. And most



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victims are stalked for an average of two years.

"She's my sweetie pie," Bieschke says as she lovingly places a black-and-white portrait of her daughter on the table in front of her. She runs her finger along the edge of the photo, near her daughter's curly shoulder-length hair, and smiles. "I call her Dee. Isn't she beautiful?"

Hill, like many other victims of stalking, had been in an intimate relationship with her stalker. She had known Casuccio for six years. The two started dating soon after Hill graduated from Hermitage High School in 1999. After five months, Casuccio broke off the relationship.

"He dropped Dee for another girl," Bieschke says. "That broke her heart. He came back into her life three years ago, and they started dating again while Dee was at J. Sargeant Reynolds. [Dee attended J. Sargeant Reynolds before applying to University of Richmond.] They were getting more and more serious. It wasn't a casual on-and-off relationship."

As the relationship intensified, Bieschke and her daughter spent a great deal of time with Casuccio's family. "We used to have barbecues, watch movies and watch fireworks on the Fourth of July," she recalls. "I was really happy for both Joe and Dee. They had similar goals in life."

Hill hoped to attend Harvard and become a human rights lawyer. "She was always there for the underdog," Bieschke says. Casuccio, a social worker who counseled victims of domestic violence, wanted to open his own practice in anger management. "He seemed to be very tender and very loving," Bieschke recalls. "Initially, I thought this was a match made in heaven."

In July 2005, Hill and her mom found out that Casuccio was bipolar, a disorder characterized by extreme mood swings that include depression and manic behavior. He had been wrestling with the illness since 1999 and had three separate stays in psychiatric hospitals. "Joe was on medication. He didn't talk about it until he had a manic episode," Bieschke says. "He wasn't sleeping. He became a raw bundle of nerves."

Hill and her mom saw changes in Casuccio's demeanor. Normal behavior was interspersed with depression after he was hospitalized for a couple of weeks in 2005. "He started calling Dee and talking about suicide."

One day in September 2005, when Hill told Casuccio she couldn't see him because she was studying, he smashed a sliding glass door in her apartment. Hill tried to help Casuccio but realized she couldn't, her mom says. "I remember her saying to him, 'I can't help you. I can't fix this.'" Despite the tenuous situation, Hill continued to talk with Casuccio.

Soon, he began calling on a constant basis -- 50 times in a two-hour span -- and following Hill when she was driving. Worried, Hill finally went to the Henrico magistrate's office to obtain a warrant for arrest and an emergency protective order but ended up not pursuing it.

Weeks later, after Hill said no to a meeting with Casuccio because she was trying to distance herself, he slashed her tires and broke out windows in her car. "When I got home, Dee was a mess," Bieschke recalls. "We went to the magistrate's office and got a warrant for arrest and an emergency protective order immediately. While we were in the magistrates' office, Joe slashed the tires on my truck and went into the glove box and took my registration and glasses."

The emergency protective order was in effect for 72 hours. When it expired, Hill, after petitioning the court, was granted a preliminary protective order on Dec. 2, good for 15 days. "She didn't want to go because she was afraid that it would put Joe over the edge," Bieschke recalls. "She was afraid he would kill himself. But she did go, and she got the order."

On Dec. 5, Hill finished her shift at Friday's and headed back to her apartment. A co-worker accompanied her, a regular occurrence since the stalking started.

Casuccio was waiting in the bushes. He had rented a car, knowing that friends and neighbors in the apartment complex knew his vehicle, and had a friend buy him a gun.

When Hill arrived, according to reports from witnesses given to Bieschke, Casuccio jumped out of the bushes and aimed the gun at Hill's co-worker. Hill pleaded for him to let the man leave. He obliged and then turned the gun on Hill eight times. He saved the last bullet for himself. A neighbor heard the shots and rushed out into the snowy parking lot with a blanket, hoping to keep Hill warm until the ambulance arrived.

When Bieschke arrived at VCU Medical Center, her daughter was still breathing, says Bieschke, tears glistening on her cheeks. "And then she died."

Bieschke doesn't understand why there can't be more done for victims of stalking.

"To me it seems the victim is not only a victim of the stalker but also a victim of the law," she observes. "Why does the victim have to disrupt her whole life while the person stalking doesn't have to change his life at all? Something is seriously wrong with this picture."

With stalking classified as a misdemeanor crime, the victim may get a warrant for arrest from a magistrate before getting an emergency protective order. To have an arrest warrant for stalking issued, there must be one or more situations involving a stalking act. The victim has to be in fear of being killed, seriously harmed or sexually assaulted. In most cases, the warrant is served, but bond usually is set low and the alleged stalker is quickly back on the street.

In addition to the victim pursuing an arrest warrant through a magistrate, the police also can pursue a warrant. "In Henrico, police officers will assist stalking victims in documenting stalking incidents and when probable cause exists, will investigate stalking cases further to determine if a crime has occurred. If a crime has occurred, a law enforcement officer will obtain a warrant for the suspect's arrest," explains Beth Bonniwell, domestic violence coordinator for the Henrico Division of Police Technology.

Stalking is a nebulous activity, says Mary Langer, deputy Commonwealth Attorney for the City of Richmond. "There is a lot of qualifier language within the statute. There's a lot of grayness to the whole thing."

Currently, in order to make a misdemeanor stalking arrest without a warrant, the crime has to be committed in the officer's presence, explains attorney Diane Abato. Abato served as a deputy Commonwealth's Attorney for the City of Richmond from 1997 to 2005. "[Stalking] doesn't occur in a police officer's presence."

Eighty percent of the evidence that needs to be collected has to be collected by the victim, says Detective William Lightfoot of Richmond's Domestic Violence Unit. "You have to keep a log of your phone calls. If he sends gifts, I suggest that the person keep it unopened and call the police and let an investigator pick it up. A lot of people don't tell their neighbors because they are embarrassed, but your neighbors can be a help. They may see the stalker parked down the street. You need to tell people you are being stalked." The more people who see the stalker in the area adds credibility to the story, Lightfoot says.

Since it was enacted in 1992, Virginia's law against stalking has been revised. It used to be that the Commonwealth had to prove that the defendant knew he was putting a victim in fear. Now the prosecution has to prove that he "reasonably should know that the conduct places that other person in reasonable fear of death, criminal sexual assault or bodily injury." It made the law make more sense, Abato says.

But was that enough to make stalkers curb their behavior? Victims of stalking emphatically say no.

One in 12 women and one in 45 men will be stalked in their lifetime, according to the U.S. Department of Justice. And stalking incidents are on the rise in the Richmond region.

From January through July of this year, Chesterfield had 25 arrests for stalking. The county had a total of 49 for the 2005 calendar year. Henrico had 33 arrests between January and July, and a total of 25 arrests for calendar year 2005. Stalkers also may be convicted of other crimes such as trespassing or peeping. "It's easier to charge some of these other crimes like breaking and entering, vandalism and peeping or spying into a dwelling," says Bonniwell.

Technology -- instant messaging, e-mails, websites -- also has given the stalker more tools to use, says Lt. Adrienne Meador, services section commander for the University of Richmond Police.

Creating a profile

Trying to create a profile of a stalker is difficult. Often, victims like Hill have known the person for several years and have not seen any unusual behavior. It's not until they try to pull away from

the stalker that the Jekyll-and-Hyde behavior begins to surface.

"Breaking off the relationship infuriates the stalker," says marriage and family therapist Sharon Harris. "They try to restore the relationship or they seek revenge."

Tina Buck, who owns Guardian Angel Protection Inc., is an expert on stalking. Buck was deputy chief of the VCU Police for 25 years. She opened her consulting company after Hill's murder last December.

Buck had retired from the police force and wanted to start a new career. "When De'Nora's death occurred, a light bulb went off," she says. "I felt like I needed to do something for crime victims. Her death had an impact on the direction in which I went with my life and my company."

GAP is a consulting business, providing threat assessments, recommendations for personal safety and a plan of action for stalking victims. Stalkers, Buck says, know how to pick their victims. "They are master manipulators. Victims don't initially see the signs [that point to] control. It's all about power. ... When he feels rejected, he loses that sense of control. It's not over, until I tell you it's over."

And intimacy in a relationship raises the lethality. "Domestic stalkers prove to be more violent," she says.

Often victims of stalking suffer from post-traumatic stress disorder. It's the unpredictability, the unknown and the unanswerable that brings on stress for the victim. "The person is hyper-vigilant, always in a state of alert," Harris says.

At the University of Richmond, Meador didn't learn about Hill's problems until her mom brought copies of the protective order to Meador's police office, just a few days before Hill was murdered. "Her mom wanted us to be aware of what was going on. She told me that De'Nora felt safe on campus. We were scheduling time to call her in, but she was murdered before we made contact with her."

Meador has seen an increase in stalking and stalking-related cases being reported at UR. "So much so that we felt the need to develop a packet of information that we could give to victims," she says. "We've connected with the municipalities and trained our officers."

Langer advises victims to send a letter to the stalker that specifies one has seen the stalker doing XYZ and being at XYZ, that you are in fear and that any further contact will lead to pursuing legal avenues available to you.

"When someone commits a crime against you, you need to get a warrant," Abato says. "You need to stand up for yourself and say, 'This is not OK.' By not doing anything you are sending the message that it is OK. You are telling the other person that he or she is in control and you won't resist."

If Bieschke and students at the University of Richmond are successful in getting stalking changed to a felony, it won't stop the crime but it may act as a deterrent.

"Stalking should be taken seriously by our prosecutors and our courts," says Sandy Bromley, program attorney for the Stalking Resource Center, part of the National Center for Victims of Crime. "To that end, the SRC would like to see stalking charged as a felony because of the increase in sentencing and potential rehabilitation opportunity for the offender."

Bieschke knows that changing the law won't bring her daughter back, but she wants to help others.

"Dee wanted to change the world, make it a better place," she says, smiling. "She would have been doing something like this petition."

The De'Nora Hill Memorial Scholarship Fund was established at the University of Richmond in memory of Hill. The fund was started by the Class of 2006. Currently the fund has more than \$12,000. T.G.I. Friday's recently donated more than \$11,000 to the fund. Anyone who would like to donate to the fund can do so at www.givenow.richmond.edu.

Liz's Story

What it's like to live while being pursued

Liz, who works in Henrico, (the victim asked that her real name not be used) never takes the same route, whether she's going to the grocery store or to work.

She currently has a permanent protective order against a man she had dated for almost three years. "I didn't have a clue this would happen," she says. "He never laid a hand on me. In retrospect there were a few red flags -- asking questions that were based on jealousy -- but I didn't see them during the relationship. I guess the lesson learned is that you really don't know someone."

Liz's ex-boyfriend began stalking her when she tried to end the relationship. "He said he wanted to work things out, and I thought he was just not accepting the breakup. I thought it was normal behavior."

Then the behavior es-calated. The calls, the text messages intensified. Her house was vandalized -- she made a police report, but there was no evidence to link the stalker to the crime. The stalker would show up at her home uninvited and unannounced. "I was seeing all of this as a nuisance, a guy who wouldn't let go," she says. "Then he showed up at my house and physically assaulted me -- he flung me out of my house. Then I started having problems with gifts being left at my house in the middle of the night and anonymous text messages. He was good about not having witnesses."

During the process of getting the protective order, Liz felt as if there was more concern about protecting the stalker's rights than hers. "I felt trapped," she says. "I felt imprisoned by the system, that I was the one being punished."

For the past year, Liz has been living in constant fear. She sold her home in Henrico and relocated. She's changed her cell phone number. She's opened a post office box. She doesn't give out her telephone number or her address to anyone. "I wanted my life back," she says. "I was scared. I was afraid to be at home. I was afraid not to be at home. I didn't know what he was capable of doing. Before this happened, I lived alone. I wasn't afraid. This has changed me forever. I have to be diligent with my own behaviors. I'm less trusting. I'm more skeptical." --JT

What to know about stalking

Stalking behaviors may include:

- | Damage to a vehicle, home, or other personal property
- | Repeated telephone calls and/or hang-ups
- | Threats to harm you, family, friends, or pets
- | Driving by or showing up at home and/or work
- | Sending unwanted letters, e-mails, faxes and gifts
- | Using global positioning systems, on-line search services, and cameras to track a person's movements

What to do if you are being stalked

- | Dial 911. Call the police and make a report.
- | Document everything. Keep a notepad with dates, times, descriptions of incidents, locations of incidents, names and telephone numbers of witnesses, and police incident crime report numbers.
- | Contact agencies such as Safe Harbor or the YWCA to create a safety plan.
- | Avoid communication or interaction with the stalker. Communication with the stalker may send the stalker mixed or unclear messages.
- | Let others know about the situation. Trusted friends, co-workers and neighbors can help to keep a stalking victim safe and provide support.

How to File Charges

(Information from the Department of Criminal Justice Services, Victim Services Section)

Call police or go to the magistrate immediately and request a warrant each time the stalker breaks the law. The stalker may be arrested. If arrested, there is a possibility that the stalker will

be bonded and released. Ask that a condition of the bond be that there will be no contact with you. Obtain copies of all documents and the name of the magistrate.

How to Obtain a Protective Order

If a stalking warrant is issued, you may file for a protective order at the General District Court clerk's office. If the stalker is a family/household member, or if you have children in common, contact the Court Service Unit at the Juvenile and Domestic Relations District Court.

Protective Orders

There are three kinds of protective orders in stalking cases -- emergency protective order, preliminary protective order and permanent protective order. "The EPO is issued by a law enforcement officer on behalf of the victim," explains Beth Bonniwell, domestic violence coordinator for the Henrico Division of Police. "It's valid for 72 hours or the next day that court is in session. Both the preliminary and permanent protective orders are obtained through the court. The preliminary order lasts until a hearing is set -- it must be within 15 days. The permanent order can last up to two years." According to the Department of Criminal Justice Services, the victim must attend the protective order hearing, which is usually scheduled at the time of the initial preliminary protective order hearing.

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