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Research Article

## DIGITALLY TRACKED VICTIMS AND ABUSERS: LITHUANIAN CASE LAW ON TECHNOLOGY-FACILITATED PARTNER STALKING

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### ABSTRACT

**Background.** Though technology-facilitated partner stalking is a prevalent form of abuse, prosecutorial research in this field is underdeveloped. Online and offline violence reinforce each other, but this interaction could be leveraged as technology-enabled resistance and evidence.

**Method.** This study employs a doctrinal legal research design, combined with qualitative content analysis, focused on Lithuania's national-level case law. Fifty-seven court and pre-trial decisions were compiled into a dataset for the study. The main objective of this paper is to identify typical tech stalking behaviors and the criminal law's response to them.

**Results and Conclusions.** The national case law analysis supports previous empirical findings regarding motivation, typical tactics, and effects of technology-facilitated partner stalking. Deficiencies of national anti-stalking legislation reinforce the difficulties of prosecuting tech abuse. Charging decisions are not consistent and get even more complicated in cases of polyvictimization and non-physical violence. The

*success of criminal proceedings largely depends on the active involvement of victims, thereby potentially leading to repeat, extended, and secondary victimization. The practice of lenient sanctioning and technical challenges adds constraints on effective prosecution. However, even within the existing national legal framework, there is potential to improve the criminal law's response by developing digital literacy of the population, building specialized professional capacities (both legal and technical) within law agencies, and expanding the responsibilities of tech developers.*

## 1 INTRODUCTION

Feminist research conceptualizes the utilization of technologies as a shift from traditional cybercrime to structural, gendered coercive control dynamics.<sup>1</sup> Technology-facilitated gender-based violence (TFGBV) has grown increasingly prevalent in recent years, particularly during the COVID-19 pandemic. Beyond intensifying abusive behaviors like stalking, bullying, sexual harassment, coercion, or terrorizing, information and communication technologies have accelerated new manifestations of harm.<sup>2</sup> Technology-facilitated partner stalking is the misuse of digital tools and services by a current or ex-intimate partner aimed at controlling. The most prevalent patterns and tactics employed by abusers are surveillance and tracking (both passive location tracking and active use of spyware/stalkerware); account compromise and impersonation (account takeovers, fake profiles, doxxing); social-media and communication abuse (repeated unwanted contact, threat messages, public shaming); image-based sexual abuse (sharing private intimate material without consent), etc.<sup>3</sup> EU Directive 2024/1385 defines cyber stalking as the intentional conduct of repeatedly or continuously placing a person under surveillance, without that person's consent or a legal authorization to do so, by means of information and communication technology, to track or monitor that person's movements and activities, where such conduct is likely to cause serious harm to that person (Art. 6).<sup>4</sup> Due to the diversity of victim-survivor characteristics and relationship

- 1 Molly Dragiewicz and others, 'Technology Facilitated Coercive Control: Domestic Violence and the Competing Roles of Digital Media Platforms' (2018) 18(4) Feminist Media Studies 609, doi:10.1080/14680777.2018.1447341.
- 2 Vaiddehi Bansal and others, 'Help-Seeking Behaviours of Those Experiencing Technology-Facilitated GBV in Asia: Implications for Policy and Programming' (2023) 7(2) Journal of Gender-Based Violence 352, doi:10.1332/239868021X16697232129517.
- 3 Afrodit Pina and others, *Technology-Facilitated Intimate Partner Violence: A Multidisciplinary Examination of Prevalence, Methods Used by Perpetrators and the Impact of COVID-19* (Home Office Report, University of Kent ICSS 2021) <<https://kar.kent.ac.uk/95001/>> accessed 14 November 2025; Michaela M Rogers and others, 'Technology-Facilitated Abuse in Intimate Relationships: A Scoping Review' (2023) 24(4) Trauma, Violence & Abuse 2210, doi:10.1177/15248380221090218.
- 4 Directive (EU) 2024/1385 of the European Parliament and of the Council of 14 May 2024 'On Combating Violence against Women and Domestic Violence' [2024] OJ L 1385.

contexts, findings reveal variation in manifestation and impact.<sup>5</sup> Despite the absence of widely accepted definitions and measurements, research worldwide finds digital abuse significantly prevalent.<sup>6</sup> While gender is a key determinant, intersectional vulnerabilities also shape the risk of victimization.<sup>7</sup>

The use of electronic devices and the Internet is usually combined with offline abuse and extends to post-separation, which enables perpetrators to amplify the scale of stalking and its adverse cumulative effect on victims.<sup>8</sup> It impairs health, safety, and wellbeing, e.g., mental health (elevated anxiety, depression, PTSD symptoms, chronic fear) and social impacts (disruption of work, social isolation, restriction of movements/choices).<sup>9</sup> Specific effects of cyberstalking are a sense of the perpetrator's omnipresence, isolation, and humiliation.<sup>10</sup>

Coping strategies vary from individual to policy, from technical to legal, e.g., digital safety, seeking service and support, and reporting to police.<sup>11</sup> Survivors face barriers to accessing support due to patriarchal gender norms and the nuances of TFGBV that make understanding, responding to, and preventing violence difficult.<sup>12</sup> Digital literacy is the key factor in combating cyber-violence. That is why the EU Directive 2024/1385 also requires

- 5 Hayley Boxall, Siobhan Lawler and Anthony Morgan, 'Unpacking Variation in Technology-Facilitated Intimate Partner Violence: A Conceptual and Empirical Analysis' [2025] *Journal of Family Violence*, doi:10.1007/s10896-025-00928-8.
- 6 Rogers and others (n 3); Sharon Hoi Lam Pak and others, 'Measuring Technology-Facilitated Sexual Violence and Abuse: A Scoping Review Protocol of Existing Measurements' (2024) 14 *BMJ Open* e089296, doi:10.1136/bmjopen-2024-089296; Chanell Wilson, Lorraine Sheridan and David Garratt-Reed, 'What Is Cyberstalking? A Review of Measurements' (2021) 37(11-12) *Journal of Interpersonal Violence* NP9763, doi:10.1177/0886260520985489.
- 7 Boxall, Lawler and Morgan (n 5)
- 8 *ibid*; Rogers and others (n 3).
- 9 Chuka Emezue, 'Digital or Digitally Delivered Responses to Domestic and Intimate Partner Violence during COVID-19' (2020) 6(3) *JMIR Public Health Surveill* e19831, doi:10.2196/19831; TK Logan and Jennifer Cole, '"I Felt as If My Body Wasn't Mine Anymore": Ex-Partner Stalking Victims' Overlapping Experiences of Sexual Harassment and Sexual Assault' (2023) 38(7) *Journal of Family Violence* 1341, doi:10.1007/s10896-022-00455-w; Jennifer Gatewood Owens, 'Why Definitions Matter: Stalking Victimization in the United States' (2016) 31(12) *Journal of Interpersonal Violence* 2196, doi:10.1177/0886260515573577; Pina and others (n 3); Rogers and others (n 3).
- 10 Rogers and others (n 3); Delanie Woodlock, 'The Abuse of Technology in Domestic Violence and Stalking' (2017) 23(5) *Violence Against Women* 584, doi:10.1177/1077801216646277.
- 11 Emezue (n 9); Martyna Bendlin and Lorraine Sheridan, 'Risk Factors for Severe Violence in Intimate Partner Stalking Situations: An Analysis of Police Records' (2021) 36(17-18) *Journal of Interpersonal Violence* 7895, doi:10.1177/0886260519847776; Alison Gregory and Emma Williamson, '"I Think It Just Made Everything Very Much More Intense": A Qualitative Secondary Analysis Exploring the Role of Friends and Family Providing Support to Survivors of Domestic Abuse during the COVID-19 Pandemic' (2022) 37 *Journal of Family Violence* 991, doi:10.1007/s10896-021-00292-3; TK Logan and Robert Walker, 'Stalking: A Multidimensional Framework for Assessment and Safety Planning' (2017) 18(2) *Trauma, Violence & Abuse* 200, doi:10.1177/1524838015603210.
- 12 Bansal and others (n 2).

measures to develop skills that enable users to identify and address cyber abuse, seek support, and prevent its perpetration.

The legal response to TFGBV is evolving across many jurisdictions, but enforcement and forensic technical capacity vary. Research advocates for improved legislation and cooperation from tech developers.<sup>13</sup> Legislative changes do not necessarily increase the rates of prosecution,<sup>14</sup> therefore, a full spectrum of efforts must be operationalized: better understanding, enhanced multi-sectoral capacities, and victim support.<sup>15</sup> The EU Directive 2024/1385 criminalizes physical violence, as well as psychological, economic, and sexual violence against women across the EU, both offline and online. Due to the spread and serious impact, criminalization covers the most widespread forms of cyber-violence, including the non-consensual sharing of intimate images (including deepfakes), cyber-stalking, cyber-harassment, misogynous hate speech, and “cyber-flashing”. Cyber abuse was already addressed in the jurisprudence of the European Court of Human Rights as a form of partner violence. The state’s failure to protect against it may constitute a violation of the right to privacy or non-discrimination.<sup>16</sup> Research report challenges for national law-enforcement systems in prosecuting digital stalking, including the failure to recognize this form of abuse as a tactic of coercive control; inadequate training; constraints on time, personnel, and technical resources; and difficulties in evidence collection.<sup>17</sup>

- 13 Kathryn Brookfield, Rachel Fyson and Murray Goulden, “Technology-Facilitated Domestic Abuse: An Under-Recognised Safeguarding Issue?” (2024) 54(1) *British Journal of Social Work* 419, doi:10.1093/bjsw/bcad206; Brett Eterovic-Soric and others, ‘Stalking the Stalkers – Detecting and Detering Stalking Behaviours Using Technology: A Review’ (2017) 70 *Computers & Security* 278, doi:10.1016/j.cose.2017.06.008.
- 14 Leana A Bouffard and others, ‘Still in the Shadows: The Unresponsiveness of Stalking Prosecution Rates to Increased Legislative Attention’ (2021) 73 *Journal of Criminal Justice* 101794, doi:10.1016/j.jcrimjus.2021.101794.
- 15 Stavros Chatzysymeonidis and Afrodit Pina, ‘Exploring Police Attitudes on Victims’ Delayed Reporting and Victim Blame in Technology-Facilitated IPV’ (2024) 13(12) *Crime Science* 12, doi:10.1186/s40163-024-00213-x; Wendy O’Brien and Marie-Helen Maras, ‘Technology-Facilitated Coercive Control: Response, Redress, Risk, and Reform’ (2024) 38(2) *International Review of Law, Computers & Technology* 174, doi:10.1080/13600869.2023.2295097.
- 16 *Buturugă v Romania* App No 56867/15 (ECtHR, 11 February 2020) <<https://hudoc.echr.coe.int/fre?i=001-201342>> accessed 14 November 2025; *Volodina v Russia* App No 41261/17 (ECtHR, 9 July 2019) <<https://hudoc.echr.coe.int/eng?i=001-194321>> accessed 14 November 2025; *Volodina v Russia* (No 2) App No 40419/19 (ECtHR, 14 September 2021) <<https://hudoc.echr.coe.int/eng?i=001-211794>> accessed 14 November 2025.
- 17 Heather Douglas and others, ‘Policing Technology-Facilitated Domestic Abuse (TFDA): Views of Service Providers in Australia and the United Kingdom’ (2025) 40 *Journal of Family Violence* 341, doi:10.1007/s10896-023-00619-2; Brianna O’Shea, Nicole L Asquith and Jeremy Prichard, ‘Mapping Cyber-Enabled Crime: Understanding Police Responses’ (2022) 11(4) *Crime, Justice & Social Democracy* 25, doi: 10.5204/ijcsd.2096; Carlotta Rigotti, Clare McGlynn and Franziska Benning, ‘Image-Based Sexual Abuse and EU Law: A Critical Analysis’ (2024) 25(9) *German Law Journal* 1472, doi:10.1017/glj.2024.49.

Online and offline abuse can reinforce each other but this interaction could be leveraged as technology facilitated resistance and a tool that leads to perpetrators' liability,<sup>18</sup> e.g., to establish persistent communication (screenshots, exported messages, recordings, IPs, login times); surveillance (photos/videos, hidden cameras, shared devices, cloud backups); monitoring and tracking (GPS logs, location sharing, account credentials, stalkerware); impersonation/online harassment (fake accounts, coordinated messaging, platform records, IP/metadata). Images of devices preserving metadata and timestamps; provider records/metadata (telco logs, platform message headers, IPs, login times); app/spyware artifacts (installation traces, persistence mechanisms, server communications); correlation of timelines; witness statements – all of these are forensic evidence found most useful in court.<sup>19</sup> With the potential of new evidence, the utilization of technologies has greatly complicated prosecution. Due to rapid technological developments and emerging issues (e.g., the Internet of things), the legal system often offers a delayed response, leading to underreporting and legal uncertainty about definitions, admissibility, property access, and search powers.<sup>20</sup> However, prosecutorial research on tech abuse is underdeveloped. Most empirical studies focus on prevalence, typology, victim experience, and police or social work responses. Studies in Lithuania tackle tech abuse in the more general discourse on partner violence or stalking (prevalence, tactics) or focus on legislation.<sup>21</sup>

## 2 METHODOLOGY

This study employs a doctrinal legal research design combined with qualitative content analysis. The doctrinal component examines the interpretation of national and international legislation related to stalking. The qualitative component identifies patterns in judicial reasoning, evidentiary approaches, and legal qualification of technology-facilitated behaviors. The research focuses on Lithuania's national-level case law.

Open-access online databases of national legislation and case law, "Infollex" and "Liteko", were employed as a source and a tool to gather sample cases. "Art. 148-1", "in the motivational part" [of the court decision], "Criminal Code", and "criminal case" were used as keywords for a search strategy. The number of cases was relatively small, so to increase the study's representativeness, decisions of courts of all instances were used, although the

18 Eterovic-Soric and others (n 13); Rogers and others (n 3).

19 Woodlock (n 10).

20 Rogers and others (n 3); Lisa Sugiura and others, 'The Technification of Domestic Abuse: Methods, Tools and Criminal Justice Responses' [2024] *Criminology & Criminal Justice*, doi:10.1177/17488958241266760.

21 Ilona Laurinaitytė, Ilona Michailovič and Liubovė Jarutienė, 'Dealing with Stalking Cases in Lithuania: The Role of Public Perceptions and Legal Response' (2022) 40(5) *Behavioral Sciences & the Law* 660, doi:10.1002/bsl.2597; Ramunė Jakštienė, 'A New Norm on Stalking: Is This the New Normal in Lithuania?' (2022) 15(2) *Baltic Journal of Law & Politics* 29, doi:10.2478/bjlp-2022-0009.

Supreme Court shapes judicial practice in Lithuania. To reach data saturation and follow the progress of the cases (i.e., pretrial investigation, court proceedings, probation), final decisions in pre-trial investigations were requested from the Kaunas Regional Prosecution Office (the largest territorial unit of a state) under the established procedure, depersonalized, and under the duty of confidentiality. These documents (i.e., applications for termination of criminal proceedings by court order, indictments, decisions to discontinue criminal proceedings; n=28) covered the period November 2021 – September 2023. During the initial screening, irrelevant cases were removed. The pool of potential samples was filtered to ensure that different decisions related to the same criminal proceeding (e.g., the same case at different stages of the criminal procedure). Cases that did not meet the eligibility criteria (i.e., technology-facilitated partner stalking) were eliminated. Accordingly, n=35 court cases and n=22 decisions from pre-trial investigation (n=57 samples in total) covering the period of November 2021 – July 2025 were compiled into a dataset for the analysis (Annex). When referring to a court case, its number is specified. There was limited access to documents from pre-trial investigations; therefore, they are randomly assigned numbers.

Several thematic fields for the analysis emerged from the data: types of technology used (e.g., internet, devices), behavioral patterns (e.g., monitoring, impersonation, repeat contacts), judicial interpretation of technology facilitated partner stalking (e.g., elements of offense), legal qualification (crime category, protection orders), and emerging legal gaps and challenges.

To respond to the diversity of stalking types,<sup>22</sup> for this article, the concept of partner violence is interpreted more broadly than the definition provided in the Criminal Code,<sup>23</sup> which provides an exhaustive list of relationships that fall within the scope of domestic violence and does not cover, e.g., ex-spouses. While earlier cases (2022–2023) prosecuted intimate partner or ex-partner stalking predominantly, the most recent ones (2024–2025) address a wide range of perpetrators, thereby justifying the legislator's decision to adopt a broad definition. Therefore, this study covers victimization of all partners related cases: an ex-partner, wife of perpetrator's intimate partner, son's dating partner, partner's ex-partner, a person with whom the perpetrator seeks intimacy, etc. (#1A-216-397/2025; 2K-42-719/2024; #3; 1A-398-898/2024; 1-1350-1057/2024). The author's position is consistent with the concept of domestic violence established in the Law on Protection Against Domestic Violence,<sup>24</sup> international practices, and research-based evidence about the specifics of the phenomenon.

22 Michael A Zona, Kaushal Kishore Sharma and John C Lane, 'A Comparative Study of Erotomantic and Obsessional Subjects in a Forensic Sample' (1993) 38(4) *Journal of Forensic Science* 894.

23 Criminal Code of the Republic of Lithuania No VIII-1968 of 26 September 2000 [2000] *Official Gazette* 89/2741.

24 Law of the Republic of Lithuania No XI-1425 of 26 May 2011 'On Protection Against Domestic Violence' [2011] *Official Gazette* 72/3475.

The study is informed by a human rights theoretical framework. A victim-sensitive approach was taken to determine the effectiveness of tech abuse prosecution in Lithuania to respond to victims' experiences. As the national case law is assessed in the context of international standards, the study takes comparative aspects. Given the specifics of the phenomenon, the research adopts a transdisciplinary perspective.

### 3 PATTERNS OF TECH STALKING: TACTICS AND DYNAMICS

While most pre-trial sample cases were discontinued, almost all court cases resulted in convictions. The results of the research support the doctrinal findings regarding motivation, typical stalking pattern, and its context. Predominantly, it was clearly gendered (male perpetrators and female victims) post-intimate relational multidimensional abuse. Previous research in Lithuania showed that written threats by electronic means (e.g., texting, emailing, communication in social networks, as well as phone calls) are one of the most prevalent stalking behaviors.<sup>25</sup> In addition to these, sample cases revealed other tactics: following a victim on foot or by car, blackmailing, non-consensual sharing of intimate material, hacking and using fake social media profiles, misappropriation of personal information and data online or by secret video and audio recording, smear campaigns, false accusations of child neglect, tax fraud, theft, breach of contract, or ethical violations, on-the-job harassment, proxy cyber-stalking, leaving unwanted gifts, property damage, restricting free movement (blocking the way, locking the door). In all sample cases beyond physical approach, a range of technical devices and services were used to stalk a victim: phone calls, text messages, emails, contacts through intercom and social media, doorbell, GPS tracking, damaging the car (deflating the car tire, damaging fuel tank or hose, removing the car's battery or wheels), disconnecting the power supply, etc. These patterns support research findings that stalking, including digital ones is not a replacement but rather an extension of violence,<sup>26</sup> e.g., in 1-1350-1057/2024, every time the perpetrator was active on social media, it was only when he was away from Lithuania; in 1-2358-1132/2023 and #2, the abusers contacted victims while being imprisoned. Certain professional activities of the victim (e.g., social content creators, medical or beauty service workers) become an additional risk factor for cyber-stalking (due to the person's public profile and greater accessibility on the Internet, social networks, public spaces), increase victim's vulnerability, lead to more serious consequences (e.g., damaged professional reputation (1-1350-1057/2024; #5). *Inter alia*, criminal records, medical conditions, and alcohol abuse were frequent traits among perpetrators (e.g., M1-791-1156/2024; eT-136-900/2023; 1-2358-1132/2023; e1-1169-903/2021; #1, etc.). These indicators can also be related to potential risk.<sup>27</sup>

25 Laurinaitytė, Michailovič and Jarutienė (n 21).

26 Renee Fiolet and others, 'Exploring the Impact of Technology-Facilitated Abuse and Its Relationship with Domestic Violence: A Qualitative Study on Experts' Perceptions' (2021) 8 *Global Qualitative Nursing Research*, doi:10.1177/23333936211028176.

27 Bendlin and Sheridan (n 11).

Persistent, obsessive, systemic, repeat stalking targeting multiple victims was reported in most cases, even violating a court order not to approach the victim, and even after multiple verdicts (1-723-1242/2025; 1A-311-1121/2024; 1A-206-926/2024; 1-1350-1057/2024; 1-2358-1132/2023; e1-1515-408/2023; e1-1169-903/2021). This indicates that the criminal instruments are still underutilized (when court orders not to approach the victim are not issued) and/or protection orders are not adequately enforced (when recidivism is not effectively prevented and sanctioned). Sometimes preventative measures are not fully tailored to the pattern of abuse: e.g., in cases of multiform stalking, including cyber stalking, the court imposed only a physical no-approaching order, not a prohibition of technology-facilitated contacts specifically (1A-216-397/2025; 2K-42-719/2024). Ordering an anti-violence intervention program (Criminal Code, Art. 72-2) rather than a contact prohibition (as, e.g., in 1A-75-1069/2024; 1A-95-898/2024; 1-723-1242/2025) is not sufficiently justified as these mechanisms differ in terms of objectives and benefits for the victim. This is especially important in stalking cases where non-consensual contact is at the core of criminal actions. In some cases, none of these were imposed even when a civil protection order was violated (e1-943-865/2025). Only in one sample case of violation of a restriction order was it considered among other grounds for revoking the suspension of the sentence and sending the perpetrator to prison (1S-31-923/2025). Again, in just one case was the prohibition to approach a victim order changed to a stricter preventive measure - intensive monitoring (1A-193-879/2024). Often, family members of direct victims are also involved, especially children, when they are directly targeted or affected by witnessing tech abuse. However, in all sample cases, only directly injured people were considered victims. Research argues that in cases of technology-facilitated parental stalking, children should be seen as victims/survivors of parental coercive control in their own right.<sup>28</sup> On the other hand, in some sample cases, restriction orders were extended to protect both the direct victim and her children (1A-206-926/2024).

### 3.1. Concept of Stalking under Lithuania's law

The Lithuanian legal system does not have specific criminal legislation on cyber stalking; accordingly, a generic anti-stalking provision of the Criminal Code (Art. 148-1) covers it. The courts' jurisprudence also acknowledges a diversity of stalking: physical contact (waiting near the victim's home, following in public places, etc.) and cyber-stalking (multiple phone calls, text messages, emails, or other means of electronic communication (1A-10-957/2025; 2K-42-719/2024; 1-136-1011/2024; 1A-398-898/2024; 1A-311-1121/2024).

28 Bendlin and Sheridan (n 11); Anna Nikupeteri and Merja Laitinen, 'Addressing Post-Separation Parental Stalking: A Multimethod Qualitative Approach to Producing Knowledge of Stalking in Children's Lives' (2023) 38 *Journal of Family Violence* 1165, doi:10.1007/s10896-023-00537-3; Anna Nikupeteri, Emma Katz and Merja Laitinen, 'Coercive Control and Technology-Facilitated Parental Stalking in Children's and Young People's Lives' (2021) 5(3) *Journal of Gender-Based Violence* 395, doi:10.1332/239868021X16285243258834.

Due to this, even when ordering preventive measures, the courts usually define prohibition to approach the victim in broad terms, e.g., no contacts in any form by any means (1-1823-667/2025; 1A-398-898/2024; 1-1350-1057/2024; 1-136-1011/2024; 2K-242-594/2023; 1A-201-309/2023), and only sometimes specifying the details, e.g., verbally, in writing, by phone, SMS messages, or other electronic correspondence programs (1A-206-926/2024).

Though the law establishes the elements of the violation, it does not provide a definition or an exhaustive list of stalking behaviors, and, as the courts correctly conclude, this is impossible (2K-242-594/2023). Therefore, its concept is interpreted in courts' jurisprudence according to which stalking, as a criminal offense, is characterized by active, persistent contact seeking with the victim who has expressed a clear will to have no contact with the perpetrator (1-136-1011/2024). The Judicial system refers to stalking as systematic phone calls, emails, immoral text messages, following, overt tracking of a person on the way to or from work or home, waiting at a person's home, workplace, or other places frequented by the victim, disclosing personal information to third parties, and similar actions (2K-88-942/2016; 1A-216-397/2025; 2K-42-719/2024). According to the case law, stalking is a systematic criminal activity carried out against a person's clearly expressed will, which has an adverse impact on that person's social life and/or emotional state, disrupting their daily activities, violating their privacy, restricting their freedom of action, causing then constant tension, and damaging their professional life and social relationships (which may force victims to change their place of residence, work or study, circle of friends, etc.). In cases of stalking, it is not the content of the actions (threats to kill, injure, etc.) that is frightening, but the persistent unwanted actions of the stalker, which cause psychological and emotional harm (1A-216-397/2025; 2K-42-719/2024; 1A-398-898/2024; 1A-311-1121/2024). The case-law has already explained the constituent elements of stalking misdemeanor in terms of *mens rea* (direct and indirect intent; irrelevance of the perpetrator's motives and objectives for incriminating stalking) and *actus reus* (clear will to go no-contact to be established on an *ad hoc* basis; approaching without legal basis; stalking behaviors and systematicity; adverse effect on victim's social life and/or emotional wellbeing; causal link between action and impact (2K-42-719; 1A-10-957/2025; 1A-398-898/2024; #6; 2K-242-594/2023; 1A-201-309/2023; 1-1350-1057/2024; 1-2358-1132/2023).

The trend of lenient sanctioning is becoming more pronounced in legislation. Art. 148-1 does not impose imprisonment. The recent amendment to the Criminal Code established less severe sentences by introducing alternatives to imprisonment (arrest and restriction of freedom) for terrorizing a person (Art. 145.2), which can be incriminated when stalking escalates. This was promptly implemented into practice, even in cases of repeated multiple violent criminal offenses against the same victim while a protection order was in force (1-723-1242/2025; 1-26-457/2025). Therefore, in recent years, the sentences imposed by courts have not differed significantly, even though criminal acts are of different categories of severity: stalking is a misdemeanor, and terrorizing is classified as a more serious crime.

Thus, the most prevalent sentence for stalking found in sample cases was a fine and/or restriction of liberty.

In some cases, the court suspended the sentence even when the person was convicted both for stalking and terrorizing (1A-206-926/2024; 1-723-1242/2025). Only in two sample cases did the court increase the penalties from a restriction of liberty to arrest or imprisonment (1S-31-923/2025; e1S-126-354/2022). In most sample cases, the courts held that post-conviction stalking, violations of probation, and restriction orders were not particularly gross and malign (1A-665-383/2022; T-1605-336/2023; eT-136-900/2023; 1-1112-667/2022). These findings support the discussion that probation conditions in Lithuania are not sufficiently individualized.<sup>29</sup> Imprisonment was sanctioned in only three cases on the grounds of multiple crimes and/or recidivism (1A-279-485/2023; 1-2358-1132/2023). Such a punishment practice is not well balanced and, combined with small prosecution rates as well as courts' reluctance to impose restriction orders, does not ensure an adequate level of stalking prevention and victim protection. This mechanism hardly meets the minimum standards of due diligence, deterrent sentencing, and adequate response to special protection needs of domestic violence victims that are established in the Victims' Rights Directive<sup>30</sup> and EU Directive 2024/1385.

### 3.2. Legal qualification of tech stalking

Empirical data indicate that legal system is normally capable of recognizing stalking behaviors. Inaccuracies were noticed just in several sample cases: e.g., where prosecutors failed to identify stalking as a form of domestic violence (#6) or where unwanted flowers left by the perpetrator were interpreted as a means of apology (#7) but not as an episode of research-based stalking pattern.

Lithuania was one of the last EU states to criminalize stalking specifically. Due to systemic inconsistencies and poor legal technique, anti-stalking legislation in Lithuania creates competition between stalking (Art. 148-1) and the more serious crime of threatening and terrorizing a person (Art. 145.<sup>31</sup> The Supreme Court has already indicated the factors that are relevant to differentiate terrorizing from stalking: 1) subject of violation (whether a person's life and health or freedom), 2) intensity, 3) content, 4) motivation and intention of the actions, 5) victim's perception of the actions, 6) current or former victim-perpetrator relationship (2K-242-594/2023). Recently, the courts elaborated on this: the violation specified in Art. 148-1.1 is classified as a misdemeanor, indicating that it is considered by

29 Simonas Nikartas and Liubovė Jarutienė, 'Individualising Probation Conditions in Cases of Domestic Violence: The Study of Sentencing Practice in Lithuania' (2022) 14(2) *European Journal of Probation* 128, doi:10.1177/20662203221106408.

30 Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 Establishing Minimum Standards on the Rights, Support and Protection of Victims of Crime, and Replacing Council Framework Decision 2001/220/JHA [2012] OJ L 315/57.

31 Jakštienė (n 21).

the legislator to be significantly less dangerous; accordingly, liability under this legal norm is possible only when the actions of the accused, similar in content, do not meet the criteria of the crime established in Art. 145.2 (1A-10-957/2025; 2K-242-594/2023). Cases in which intimidation is expressed not by threats targeting life, health, or property, but by other actions (insults, intimidating phone calls, making noise to cause fear or anxiety, etc.) are even more complicated (1A-311-1121/2024; 1A-75-1069/2024; 2K-242-594/2023). Therefore, the difficulty of delineation between the criminal offenses persists. Pre-trial investigation officers more often than the courts stumbled in qualifying stalking and interpreting both the constituent elements of Article 148-1.1 and the evidence. Sometimes, even after judicial review, inaccurate charging decisions could not be overruled due to the principle of *non bis in idem* (1A-398-898/2024). Though the courts consistently follow the interpretation rules, however, in some cases, courts also failed to convincingly justify decision to incriminate stalking (Art. 148-1.1) instead of threatening and terrorizing a person (Art. 145): e. g., in case 1A-10-957/2025 the court relied on messages where the accused person expressed her wish to harm rather than directly threatened to injure and never escalated into actual physical contact; therefore, the court concluded that messages were not objectively real and dangerous; in 1-2358-1132/2023, though the court established that the abuser systematically stalked, intimidated, terrorized, threatened to harm the victim and her relatives, but held him liable just for stalking. Nonconsensual use of personal data (creation of fake profiles on social media using victim's pictures (M1-791-1156/2024), collecting of personal information by GPS tracking (1A-201-309/2023; M1-791-1156/2024) did not always receive a proper legal assessment, though the Criminal Code establishes criminal liability for crimes against the individual's privacy (e.g., Art. 167, 168) and categorizes them as more severe criminal offenses than stalking. The good practice is to press multiple charges (e.g., Art. 140; 148-1; 165; 167 in 1A-193-879/2024; Art. 140; 145, 148-1; 187 in 1-723-1242/2025; Art. 145, 253, 284 in 1-26-457/2025), as stalking misdemeanors do not cover more severe crimes against privacy, damage or destruction of property, violation of public order and other offenses. However, these behaviors often overlap or are experienced simultaneously in stalking cases.

When stalking targets values of different natures (liberty, privacy, property, honor, health), legal qualification is not particularly challenging, but when it comes to similar legal goods, it becomes complicated. Multiple criminal charges are possible, e.g., both Art. 145 and 148-1, but each charge should be substantiated separately ( e.g., in 1A-206-926/2024; 1-723-1242/2025; 1-1350-1057/2024). As stalking patterns often manifest as polyvictimization,<sup>32</sup> Art. 148-1 does not always fully cover perpetrators' behaviors. Therefore, multiple violations must be prosecuted, e.g., Arts. 140.1, 148-1.1, 154 (libel), and 178 (theft; e1-627-1023/2023); Arts. 140.2, 148-1.1, and 167 (collecting information about a person's private life; #1); 145.2 str., 148-1, 168 (unauthorized disclosure or use of

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32 Rogers and others (n 3).

information about a person's private life; 1A-279-485/2023); Arts. 140.1; 148-1; 165 (unlawful break in); 167; Art. 140.2; 145.1, 148-1; 187.1 (property damage; 1-723-1242/2025); Arts. 145, 253.1 (illegal possession of firearms), 284 (violation of public order; 1-26-457/2025). However, in some sample cases, the charges were not accurately drafted resulting in some of the perpetrator's actions not being properly qualified: e.g., GPS tracking (collecting the information about a person's private life (1A-201-309/2023; #3; 4), using victim's pictures on social media (unlawful disclosure or use of information about a person's private life (1-1350-1057/2024, e1-574-671/2022).

Thus, legal qualification of stalking became more elaborate and grounded in the courts' jurisprudence. However, victim-blaming attitude was evident in several sample cases, e.g., in 1-1350-1057/2024, the court qualified the victim's behavior as risky, provocative, and even incompatible with moral standards, simply because she accepted gifts, and money transfers and was not verbally passive during arguments with the perpetrator. This is a case where moral judgment is unduly preferred over the human rights approach. Therefore, the court of appeals reached the opposite conclusion (1A-193-879/2024).

Violent behavior in sample cases often manifested as sexual abuse (harassment, sexting, blackmail, shaming, nonconsensual sharing of private data and intimate content, etc.). This pattern was qualified as stalking (1-124-721/2023; e1-867-749/2022; e1-1688-900/2022) and/or terrorizing a person (1A-75-1069/2024; 1A-279-485/2023).

Many sample cases tackled different forms of economic abuse (employment sabotage, economic control or exploitation), and they were mostly interpreted as episodes of stalking or terrorizing (e.g., on-the-job harassment, unreasonable financial claims, impeding ownership rights (2K-42-719/204; 1A-206-926/2024; 1-2358-1132/2023; 1-1112-667/2022) or its adverse effect (e.g., involuntary job change (1-136-1011/2024). These empirical data support the argument that the Lithuanian criminal law's response to economic abuse as a separate ground for criminal charges is very limited and is mainly addressed in the context of physical or psychological violence.<sup>33</sup>

Ensuring adequate victim protection is especially complicated in cases when the accused person cannot be held criminally liable due to a mental condition and/or addiction (#1). In M1-791-1156/2024, a male, while being previously tried for terrorizing a person (Art. 145.2) and subjected to a compulsory medical treatment – outpatient monitoring – committed a new criminal act – stalking – and the same measure was applied by a new court decision.

The literature suggests that gender stereotypes, previous training, and personal and/or professional experience dealing with stalking cases are significant variables concerning law

33 Ramunė Jakštienė, 'Economic Abuse and Criminal Responsibility: Lithuanian Case Law on Domestic Violence' (2022) 22(2) *International and Comparative Law Review* 215, doi:10.2478/iclr-2022-0023.

enforcement perceptions.<sup>34</sup> These considerations substantiate the need for specific, comprehensive, and targeted training for law enforcement officers.

### 3.3. Evidencing Technology Enabled Stalking

In line with previous studies,<sup>35</sup> the national case law analysis showed that the success of criminal proceedings (prosecution and conviction) was closely related to the victim's engagement and her contribution in gathering and submitting evidence. This can be explained by the inadequate competencies and resources of legal agents.<sup>36</sup> Moreover, a focus on the evidence shifts the spotlight from the dynamics of abuse.<sup>37</sup> Nonetheless, in sample cases the probability of proving stalking and establishing a clear victim's no-contact intent increased where the victim saved and provided multiple text messages, pictures, audio, and video records. Examination of an electronic device (e.g., cell phone; SMS card) can provide evidence of its use at a specific time, even when it is impossible to determine the content of messages, e.g., when they have been deleted (#1). However, claims for no-contact, unsupported by technologically facilitated evidence, were not validated (#3; 5), even when the victim followed the advice of victim support staff and met the perpetrator to declare the end of the relationship face-to-face (#11). The use of devices served as evidence to prove the adverse effect of stalking, e.g., the victim installed video cameras to monitor who entered the stairwell and her apartment just because she was intimidated and felt unsafe (2K-42-719/2024) or had to change personal phone number, email address, social media profile, and delete profile from the dating app, as she was unable to work and live his personal life, including online, calmly and undisturbed (e1-627-1023/2023). These examples suggest that criminal proceedings are more likely to be successful when a victim is actively engaged in data gathering. On one hand, it is recommended by experts,<sup>38</sup> but on the other hand, this shifts the burden of evidence on a victim (the evidence may be inaccessible, ephemeral, or destroyed due to technical functionality<sup>39</sup> and may manifest victim blaming, further privacy invasion, secondary victimization, or stereotyping that cause additional inconvenience and legal battles: e.g., in #5 and 12 the victim was blamed for mixed signals for texting back; in 1A-193-879/2024 the accused person claimed property rights when the victim found a GPS tracking device secretly attached to her car by the

34 Rita Mesquita and others, 'Post Break-up Stalking: Police-Officers' Perceptions' (2022) 40(5) *Behavioral Sciences & the Law* 677, doi:10.1002/bsl.2595; Tim Boehnlein and others, 'Responding to Stalking Victims: Perceptions, Barriers, and Directions for Future Research' (2020) 35 *Journal of Family Violence* 755, doi:10.1007/s10896-020-00147-3.

35 e.g., Pina and others (n 3); Joakim Petersson and Susanne JM Strand, 'Victim Retraction from Police Investigations of Intimate Partner Violence' (2024) 14(1) *Psychology of Violence* 45, doi:10.1037/vio0000492.

36 Douglas and others (n 17).

37 O'Brien and Maras (n 15).

38 Boehnlein and others (n 34).

39 Fiolet and others (n 26).

perpetrator and handed it over to the police to secure evidence; in 1-136-1011/2024 the defense blamed the victim for inactivity to take protective measures using e-mail functions (blocking, deleting emails sent by perpetrator, etc.) though she followed an opposite advice by lawyers. The courts duly conclude, in this regard, that the law does not impose a specific obligation on victims to take action to prevent stalking. Moreover, blocking is useless when a perpetrator uses different accounts, multiple SIM cards, or employs proxy stalking (1-136-1011/2024; 1A-357-876/2023; 1A-665-383/2022; #10). However, active mutual communication via electronic means and failure to save its content may be grounds for dropping charges (1-207-1133/2024).

Other technologically facilitated evidence was also successfully utilized in sample cases to support charges, e.g., video recordings (both private and public (e.g., shopping mall, clinic), pictures, police officers' body camera recordings, and recordings of calls to the general assistance center. Criminal justice heavily relies on evidence; therefore, investigations and trial of tech abuse cases can involve the proceedings with a large volume of evidence (e.g., 816 SMS messages and 712 phone calls, 2567 messages and 1261 calls just in one case (1-723-1242/2025; e1-471-367/2022), additional legal, forensic, and technical procedures. Research reports that evidence may also be impeded by device ownership and consent disputes, lack of provider cooperation, jurisdictional issues, or the need for specialized digital expertise.<sup>40</sup>

The case law analysis revealed several problematic aspects of substantiating cyber-stalking. One of them concerns technological issues, e.g., identifying of the perpetrator when a person uses unidentified accounts or SIM cards. In this case, it might be impossible to relate unspecified phone numbers to their owners and users. The jurisprudence of Lithuania's courts is inconsistent in this regard. In some cases, the courts relied on the full context of the evidence (multidimensional stalking, the quantity and intensity of contacts) and reasonably linked incognito communication to the perpetrator. But in other cases, the accused person took advantage of the doubt, leading to the dismissal of charges. Attribution problems are also reported in other jurisdictions.<sup>41</sup>

Sometimes it is a combination of technical, legislative limitations, and/or defective practices that prevents stopping illegal activity. A year ago in Lithuania, there was a case where a woman trying to escape her stalker changed her place of residence and phone number, but did not report the matter to the police. The perpetrator then started using bank transfers as a platform for correspondence, transferring symbolic amounts of money and leaving threatening messages in the transfer description field. When the woman requested that the bank block the unwanted transfers, she was denied, as the law required that the funds

40 Pina and others (n 3); Woodlock (n 10).

41 David M Adamson and others, 'Cyberstalking: A Growing Challenge for the US Legal System' (*RAND Corporation*, 29 June 2023) <[https://www.rand.org/pubs/research\\_reports/RRA2637-1.html](https://www.rand.org/pubs/research_reports/RRA2637-1.html)> accessed 14 November 2025.

transferred by the payer be credited to the recipient's account. She was advised to close the bank account, thus intensifying the adverse social effects of the abuse she experienced. The only positive aspect of this story is that online banking secured evidence in this way.<sup>42</sup>

Another challenging factor is the legitimacy of evidence generated by technologically. In some cases, the defense questioned if recordings of phone calls met legal requirements, e.g., when the victim, advised by the pre-trial investigation officer, recorded conversations with the perpetrator on their own initiative without informing the perpetrator. Referring to the fact that the phone calls were always initiated by the perpetrator to the parties of recorded calls (just the victim and perpetrator), the timing (even before reporting to the police), motive (to protect herself, defend her rights, and present evidence), the Supreme Court ruled that this was legitimate evidence gathering and cannot be considered disproportionate to the offender's right to respect for private life. Even if this later became known to the authorities, this does not *per se* mean that the victim was performing a task for the law enforcement authorities, which is subject to the strict requirement of legality (2K-42-719). Such assessment of evidence is consistent with the practice of both the European Court of Human Rights and national courts: different procedural rules applied when assessing the admissibility of data collected by state institutions and private individuals and presented as evidence in criminal proceedings is not, as a rule, in itself a violation of the right to privacy when all the requirements for a fair trial are met in relation to the evidence in question (*Turquin v. France*, 2002; *Shannon v. the United Kingdom*, 2004;<sup>43</sup> 2K-63-511/2021; 2K-250/2012). It is a good approach to ground such judicial practice on the specific nature of domestic violence, particularly its latent nature, which makes it difficult, and sometimes even impossible, to collect such data with the assistance of law enforcement agencies (2K-63-511/2021; 2K-42-719/2024). However, sometimes law enforcement officers misinterpreted the use of technologies by perpetrators and admitted them as lawful evidence gathering rather than illegal stalking behavior, e.g., in #4, despite the established case law regarding spouses' rights to privacy (1A-357-876/2023; 2K-198/2013), the prosecutor justified secret GPS tracking and recording on the grounds of evidencing the wife's infidelity; in #3, GPS use was related to securing the car's location due to property claims, disregarding the data of the case indicating its ownership by the victim.

Interpretation of cyber-stalking in comparison to traditional patterns also caused difficulties for the law enforcement system and lacks consistency. In several sample cases, cyberstalking was underestimated and simplified by treating it as less severe than a face-to-

42 'Į moters sąskaitą plaukia šimtai eurų, tačiau jai didžiausią nerimą kelia siuntėjo paliekamos žinutės' (*Lrytas.lt*, 28 March 2024) <<https://www.lrytas.lt/bendraukime/isklausykite/2024/03/28/news/i-moters-saskaita-plaukia-simtai-euru-taciau-jai-didziausia-nerima-kelia-siuntejo-paliekamos-zinutes-31145369>> accessed 14 November 2025.

43 *Turquin v France* App no 43467/98 (ECtHR, 24 January 2002) <<https://hudoc.echr.coe.int/fre?i=001-43225>> accessed 14 November 2025; *Shannon v the United Kingdom* App no 67537/01 (ECtHR, 6 April 2004) <<https://hudoc.echr.coe.int/eng?i=001-23863>> accessed 14 November 2025.

face physical approach, arguing that it does not actually endanger the victim's life and health (1-124-721/2023; #8). However, such a perspective disregards the courts' recognition of the adverse impact of stalking not only on the content of actions but especially on their persistent and unsolicited nature (2K-42-719/2024; 1A-357-876/2023; 1-2358-1132/2023). Moreover, it ignores doctrinal knowledge about cyberstalking, its tactics, prevalence, gravity, effects (e.g., a sense of the perpetrator's omnipresence, isolation, humiliation, amplified fear, etc.), and failures to recognize this.<sup>44</sup> Minimization of digital abuse stems from a fixation on physical violence and bodily harm and looks the other way on power dynamics.<sup>45</sup> An inappropriate approach was sometimes extended to substantiating cyberstalking as a course of conduct. Though according to the long-established case-law of the Supreme Court intimidation and/or stalking is systemic if it is repetitive, involves at least three episodes which are related by common intent and are not distant in time (e.g., 2K-42-719/2024; 2K-172-495/2023; 1-124-721/2023), yet in some sample cases contacting victim by phone was unduly regarded as not intensive enough to be considered as stalking (i.e., in case of 46 phone calls and 6 text messages in 3 months (#5) and GPS tracking was unreasonably associated to long-term and was not established on the ground that the suspect used the equipment for a relatively short period of time (approximately 2 months or 2 days (#3; 4). On the contrary, in some cases, victim's contacts with perpetrators by phone or email were unjustifiably overemphasized and misinterpreted as initiation, maintaining, or even encouragement of the communication, while disregarding the whole context of data indicating a victim's intent of no-contact (e.g., uninstalling GPS tracking equipment, trying to avoid the suspect's visits at work; violation of restriction order by perpetrator or neglecting the official warning of the police officer not to approach the victim (#3; 4; 8). Strict no-contact conditions seem like a double standard, as in some cases, victims were ordered to participate in face-to-face confrontations with the suspect as part of a criminal procedure during pre-trial investigation (1A-357-876/2023; 1A-665-383/2022), which, on the other hand, might trigger secondary victimization. Moreover, such an approach disregards the diversity of coping mechanisms and relationships as sometimes, unfortunately, victims of stalking are legally obligated to communicate with perpetrators, e.g., in case of shared child custody.

44 Kelly Bracewell, Paul Hargreaves and Nicky Stanley, 'The Consequences of the COVID-19 Lockdown on Stalking Victimisation' (2022) 37 *Journal of Family Violence* 951, doi:10.1007/s10896-020-00201-0; Douglas and others (n 17); Fiolet and others (n 26); Woodlock (n 10).

45 O'Brien and Maras (n 15); Anastasia Powell and Nicola Henry, 'Policing Technology-Facilitated Sexual Violence against Adult Victims: Police and Service Sector Perspectives' (2018) 28(3) *Policing and Society* 291, doi:10.1080/10439463.2016.1154964.

## 4 CONCLUSIONS

The case law analysis supports research findings regarding high prevalence, recidivism, motivation, and typical tactics of technology-facilitated partner stalking, employed as a prolonged extension of partner abuse in the course of coercive control. Deficiencies in national anti-stalking legislation reinforce the difficulties of prosecuting cases of tech abuse. The small number of court cases and high rates of discontinued pre-trial investigations indicate that the law enforcement system has insufficient capacities to recognize and adequately respond to this form of violence, particularly non-physical violence in general. Generic criminal law applies to cases of technology-enabled stalking. However, charging decisions are not consistent and become more complicated in cases of polyvictimization and non-physical violence. Lenient penalties, widespread practice of suspended sentences, and reluctance to order protection measures, even in the case of repeat offending or breaches of restraining orders, results in soft sanctioning system. While tech stalking is generally acknowledged as a form of partner abuse, sometimes it is minimized or overemphasized, ignoring its content and the context of other data. Criminal justice is focused on evidence with a high threshold, thus increasing the burden criminal agents and shifting the burden of proof onto victims, which may result in repeat, extended, or secondary victimization and delayed legal response. Courts respond best to multi-source (online and offline), time-aligned evidence. Beyond legal challenges (establishing the constituent elements of stalking, competition among different provisions of the Criminal Code, and the admissibility of evidence), technical nuances (accessibility, securing, and attribution of data) create additional hardship in criminal procedure. Nonetheless, even within the current legal framework, there is potential to improve prosecutions by relying on specialized knowledge and a victim-sensitive, trauma-informed approach.

Increasing the population's digital literacy of population offers good prospects for preventing the spread of tech abuse and its harms. Education should specifically target groups that are especially vulnerable to digital partner violence, e.g., minors, elderly women, and other people with intersectional vulnerabilities. First and foremost, they should be instructed on online safety, privacy protection strategies, how to secure evidence of violations, and to report them. It is worth considering including such awareness-raising in the victim support services. However, advice from law agencies or support organizations must be professional, consistent, coordinated, and lead to efficient resistance and empowerment of survivors, rather than overburdening them with evidence gathering. A key recommendation at the legislative level is to shift from reactive lawmaking to a timely response to the digital evolution. Transposing EU regulations into national law without delay would contribute to this. Multi-sectoral cooperation is also a promising approach to enhancing legal responses to this form of violence. Tech developers should be included, and their legal responsibility should be extended for certain technical functionality related to the availability, accessibility, identification, storage, etc. of data or services. Law enforcement

officers must be equipped with specialized professional capacities (both legal and technical) and adequate resources. When legislation and jurisprudence address tech abuse in the context of power dynamics and coercive control, it enables better tailoring of redress for victims. The findings of this research are subject to some limitations. Published case law excludes unreported cases; therefore, not all authentic experiences may receive an adequate legal response. Some of the sampled cases may be subject to appellate review. The national courts' jurisprudence regarding stalking laws is still being shaped; therefore, the results should be verified through more detailed case law and a larger sample size, with a longitudinal perspective. Comparative analysis with criminal cases prosecuted as other crimes (e.g., terrorizing, violations of the right to privacy, or crimes against the security of electronic data and information systems) might provide new, context-specific insights into prosecuting technology-facilitated partner stalking. Rapid technological change, reinforcing emerging stalking patterns, may outpace judicial interpretation. Accordingly, there is a clear need for future research and practice development in this field.

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## ANNEX. Sample Cases and Case Law

# 1 indictment (Kaunas Regional Prosecution Office)

# 2 – # 22 decisions to terminate the pre-trial investigation  
(Kaunas Regional Prosecution Office)

Case No 2K-250/2012 (Supreme Court of Lithuania, 29 May 2012)  
<https://www-infolex-lt.skaitykla.mruni.eu/tp/380546?id=20&item=doc&aktoid=380546>  
accessed 4 December 2025

Case No 2K-198/2013 (Supreme Court of Lithuania, 23 April 2013)  
<https://www-infolex-lt.skaitykla.mruni.eu/tp/Default.aspx?Id=20&item=results&BylosNr=2K-198/2013&Teismas=1&order=1&desc=1&#middle> accessed 5 November 2025

Case No 2K-88-942/2016 (Supreme Court of Lithuania, 24 February 2016)  
<https://www-infolex-lt.skaitykla.mruni.eu/tp/1219006> accessed 6 October 2025

Case No 2K-63-511/2021 (Supreme Court of Lithuania, 3 March 2021)  
<https://www-infolex-lt.skaitykla.mruni.eu/tp/1979750> accessed 1 November 2025

Case No 2K-172-495/2023 (Supreme Court of Lithuania, 20 June 2023)  
<https://liteko.teismai.lt/viesasprendimupaieska/tekstas.aspx?id=dc9e0a10-f618-4d64-aa17-db0f48b066c4> accessed 6 October 2025

Case No 2K-242-594/2023 (Supreme Court of Lithuania, 31 October 2023)  
<https://liteko.teismai.lt/viesasprendimupaieska/tekstas.aspx?id=4f535059-f4b7-4407-806e-fe5b5eea89c2> accessed 6 October 2025

Case No 2K-42-719/2024 (Supreme Court of Lithuania, 28 February 2024)  
<https://www-infolex-lt.skaitykla.mruni.eu/tp/2228725> accessed 5 November 2025

Case No 1-1112-667/2022 (Kaunas district court, 11 November 2022) <https://liteko.teismai.lt/viasasprendimupaieska/tekstas.aspx?id=dd3f3834-55a2-4844-a638-cc66e155a204> accessed 6 October 2025

Case No 1A-665-383/2022 (Kaunas district court, 29 November 2022) <https://www-infolex-lt.skaitykla.mruni.eu/tp/2187060?id=20&item=doc&aktoid=2187060> accessed 6 October 2025

Case No e1-627-1023/2023 (Kaunas district court, 5 January 2023) <https://liteko.teismai.lt/viasasprendimupaieska/tekstas.aspx?id=289c0d93-956b-4c6f-a978-46e045b25528> accessed 6 October 2025

Case No e1-1515-408/2023 (Kaunas district court, 3 April 2023) <https://liteko.teismai.lt/viasasprendimupaieska/tekstas.aspx?id=bafae067-176f-48f6-93ea-55c5fd5a9667> accessed 6 October 2025

Case No 1-2358-1132/2023 (Kaunas district court, 24 August 2023) <https://www-infolex-lt.skaitykla.mruni.eu/tp/2187060?id=20&item=doc&aktoid=2187060> accessed 6 October 2025

Case No T-1605-336/2023 (Kaunas district court, 1 June 2023) <https://www-infolex-lt.skaitykla.mruni.eu/tp/2170917> accessed 6 October 2025

Case No 1-1823-667/2025 (Kaunas district court, 30 July 2025) <https://www-infolex-lt.skaitykla.mruni.eu/tp/2332248?id=20&item=doc&aktoid=2332248> accessed 6 October 2025

Case No 1A-279-485/2023 (Kaunas regional court, 6 June 2023) <https://www-infolex-lt.skaitykla.mruni.eu/tp/2168867> accessed 6 October 2025

Case No 1A-357-876/2023 (Kaunas regional court, 29 June 2023) <https://liteko.teismai.lt/viasasprendimupaieska/tekstas.aspx?id=3e52e56d-1ef9-4428-bf4e-0bf1ca322ca1> accessed 6 October 2025

Case No 1A-206-926/2024 (Kaunas regional court, 18 April 2024) <https://www-infolex-lt.skaitykla.mruni.eu/tp/2239732?id=20&item=doc&aktoid=2239732> accessed 6 October 2025

Case No 1S-31-923/2025 (Kaunas regional court, 23 January 2025) <https://www-infolex-lt.skaitykla.mruni.eu/tp/2292607?id=20&item=doc&aktoid=2292607> accessed 6 October 2025

Case No 1A-216-397/2025 (Kaunas regional court, 29 April 2025) <https://www-infolex-lt.skaitykla.mruni.eu/tp/2313917> accessed 5 October 2025

Case No e1-1169-903/2021 (Klaipėda district court, 23 December 2021) <https://www-infolex-lt.skaitykla.mruni.eu/tp/2056210> accessed 6 October 2025

Case No 1A-75-1069/2024 (Klaipėda regional court, 18 April 2024) <https://www-infolex-lt.skaitykla.mruni.eu/tp/2239742?id=20&item=doc&aktoid=2239742> accessed 6 October 2025

Case No e1-867-749/2022 (Panevėžys district court, 10 August 2022) <https://liteko.teismai.lt/viasasprendimupaieska/tekstas.aspx?id=fbbc64d9-98fe-405a-95bd-1d1b86cfbb47> accessed 6 October 2025

Case No 1A-193-879/2024 (Panevėžys regional court, 10 December 2024) <https://www-infolex-lt.skaitykla.mruni.eu/tp/2284241> accessed 6 October 2025

Case No e1S-126-354/2022 (Šiauliai regional court, 9 November 2022) <https://liteko.teismai.lt/viasasprendimupaieska/tekstas.aspx?id=81bd3c4e-0c19-488b-8f0e-82f237ed807e> accessed 5 October 2025

Case No e1-1688-900/2022 (Šiauliai district court, 5 December 2022) <https://www-infolex-lt.skaitykla.mruni.eu/tp/2130966> accessed 6 October 2025

Case No eT-136-900/2023 (Šiauliai district court, 1 February 2023) <https://www-infolex-lt.skaitykla.mruni.eu/tp/2142956> accessed 6 October 2025

Case No 1A-201-309/2023 (Šiauliai regional court, 18 October 2023) <https://www-infolex-lt.skaitykla.mruni.eu/tp/2197646?id=20&item=doc&aktoid=2197646> accessed 6 October 2025

Case No 1-26-457/2025 (Šiauliai district court, 5 March 2025) <https://www-infolex-lt.skaitykla.mruni.eu/tp/2304510?id=20&item=doc&aktoid=2304510> accessed 6 October 2025

Case No e1-471-367/2022 (Tauragė district court, 2 August 2022) <https://liteko.teismai.lt/viasasprendimupaieska/tekstas.aspx?id=ee4418c5-3b97-46f5-bd16-e43db458d8d3> accessed 6 October 2025

Case No e1-574-671/2022 (Telšiai district court, 4 November 2022) <https://liteko.teismai.lt/viasasprendimupaieska/tekstas.aspx?id=d26ad040-4cf9-40bd-b220-9b4a14169b03> accessed 6 October 2025

Case No 1-124-721/2023 (Telšiai district Mažeikiai court, 23 February 2023) <https://www-infolex-lt.skaitykla.mruni.eu/tp/2150721> accessed 6 October 2025

Case No 1-207-1133/2024 (Vilnius district court, 27 March 2024) <https://www-infolex-lt.skaitykla.mruni.eu/tp/2272576?id=20&item=doc&aktoid=2272576> accessed 6 October 2025

Case No 1-136-1011/2024 (Vilnius district court, 2 April 2024) <https://www-infolex-lt.skaitykla.mruni.eu/tp/2241917?id=20&item=doc&aktoid=2241917> accessed 6 October 2025

Case No 1-1350-1057/2024 (Vilnius district court, 26 September 2024) <https://www-infolex-lt.skaitykla.mruni.eu/tp/2273802?id=20&item=doc&aktoid=2273802> accessed 6 October 2025

Case No e1-943-865/2025 (Vilnius district court, 13 February 2025) <https://www-infolex-lt.skaitykla.mruni.eu/tp/2324003?id=20&item=doc&aktoid=2324003> accessed 6 October 2025

Case No 1-723-1242/2025 (Vilnius district court, 10 April 2025)  
<https://www-infolex-lt.skaitykla.mruni.eu/tp/2327602?id=20&item=doc&aktoid=2327602>  
accessed 6 October 2025

Case No M1-791-1156/2024 (Vilnius district Švenčionys court, 1 July 2024)  
<https://www-infolex-lt.skaitykla.mruni.eu/tp/2259775?id=20&item=doc&aktoid=2259775>  
accessed 6 October 2025

Case No 1A-95-898/2024 (Vilnius regional court, 25 January 2023)  
<https://www-infolex-lt.skaitykla.mruni.eu/tp/2222325> accessed 5 October 2025

Case No 1A-311-1121/2024 (Vilnius regional court, 3 September 2024)  
<https://www-infolex-lt.skaitykla.mruni.eu/tp/2266024> accessed 5 October 2025

Case No 1A-398-898/2024 (Vilnius regional court, 23 October 2024)  
<https://www-infolex-lt.skaitykla.mruni.eu/tp/2275057> accessed 5 October 2025

Case No 1A-10-957/2025 (Vilnius regional court, 11 February 2025)  
<https://www-infolex-lt.skaitykla.mruni.eu/tp/2295445> accessed 5 October 2025

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## АНОТАЦІЯ УКРАЇНСЬКОЮ МОВОЮ

Дослідницька стаття

### ЦИФРОВЕ ВІДСТЕЖЕННЯ ЖЕРТВ ТА ЗЛОЧИНЦІВ: СУДОВА ПРАКТИКА ЛИТВИ ЩОДО ПЕРЕСЛІДУВАННЯ ПАРТНЕРА ЗА ДОПОМОГОЮ ТЕХНОЛОГІЙ

**Рамуне Якштієне**

#### АНОТАЦІЯ

**Вступ.** Хоча переслідування партнерів за допомогою технологій є поширеною формою насильства, дослідження у сфері кримінального переслідування є недостатньо розвиненими. Онлайн- та офлайн-насильство підкріплюють одне одного, але ця взаємодія може бути використана як форма технологічно опосередкованого спротиву та як докази.

**Методи.** У цій статті використовується доктринальний юридичний дослідницький підхід у поєднанні з якісним контент-аналізом, зосередженим на національній судовій практиці Литви. Для дослідження було зібрано 57 судових та досудових рішень. Головною метою цієї праці є визначення типових форм переслідування з використанням технологій та реакції кримінального законодавства на них.

**Результати та висновки.** Аналіз національної судової практики підтверджує попередні емпіричні висновки щодо мотивації, типової тактики та наслідків переслідування партнера за допомогою технологій. Недоліки національного законодавства про боротьбу з переслідуванням посилюють труднощі зумовлені технологічними зловживаннями. Рішення щодо висування обвинувачень не є

послідовними та стають ще складнішими у випадках полівіктимізації та нефізичного насильства. Успіх кримінального провадження здебільшого залежить від активної участі жертв, що потенційно призводить до повторної, тривалої та вторинної віктимізації. Практика м'якого покарання та технічні проблеми додають обмежень для ефективного судового переслідування. Однак, навіть у межах наявної національної правової бази існує потенціал для покращення реагування кримінального законодавства за допомогою розвитку цифрової грамотності населення, нарощування спеціалізованого професійного потенціалу (як юридичного, так і технічного) у правоохоронних органах та розширення обов'язків розробників технологій.

**Ключові слова.** Переслідування партнера за допомогою технологій; кіберпереслідування; переслідування інтимного партнера.