



STALKING

According to the Texas Penal Code, someone commits the offense of stalking if on more than one occasion the individual knowingly engages in conduct, including following another person, that the offender knows or a reasonable person would believe the other person will regard as threatening: bodily injury or death for the person, their family or home members, or their property.

What is Stalking?

A stalker tries to control his or her victim through behavior or threats intended to intimidate and terrify. A stalker can be an unknown person, an acquaintance or a former intimate partner. A stalker's state of mind can range from obsessive love to obsessive hatred. A stalker may follow a victim off and on for a period of days, weeks, or even years. A stalking victim feels reasonable fear of bodily injury or death to self or to a family or household member or damage to property. Stalking can be perpetrated by the stalker or by someone acting on her/his behalf. Stalking can take the form of verbal threats or threats conveyed by the stalker's conduct, threatening mail, property damage, surveillance of the victim, or by following the victim.

What is a Terroristic Threat?

According to the Texas Penal Code, a person commits the offense of Terroristic Threat if he or she threatens to commit any offense involving violence to any person or property with the intent to place a person in fear of imminent serious bodily injury.

What is Harassment?

According to the Texas Penal Code, someone commits the offense of harassment if this person initiates communication by telephone, text, in writing, or by electronic communication with intent to harass, annoy, alarm, abuse, torment, or embarrass another. *See also "Harassment."*

If You Are Being Stalked

Notify Law Enforcement

All stalking incidents should be reported to the police. Request that each incident be documented. Request a copy of the report from your local law enforcement agency. Give police any written correspondence and report any phone threats. Put dates received on all correspondence from the stalker. Know the name of the law enforcement officer in each incident.

Keep a Diary

Obtain the names and addresses of witnesses. Complete records are essential to the successful prosecution of stalking cases. Write a description of each incident.

Get a Protective Order if you are related to the stalker by blood or marriage, if you ever lived together, or if you have a child in common. To get a Pro Se Protective Order Packet call 800-777-3247. This packet will help you obtain a protective order barring the stalker from certain areas near your home, your work, or your child's school.

Record Telephone Conversations

Tell the stalker to stop calling and hang up. Screen your calls. Write down the time and date the stalker calls. Keep recorded messages and give them to law enforcement.

Take Pictures of the Stalker

Take pictures of the stalker if it can be done safely and write time, date, and place on the back of each picture.

Keep All Correspondence

Make a copy of anything you receive from the stalker. Touching the letter as little as possible will preserve fingerprints.

Tell Everyone

Give friends, co-workers, and neighbors a description of the stalker. Ask them to document each time the stalker is seen by them.

Important Safety Measures

- **Be Alert** and aware of your surroundings, including people and things happening around you.
- **Vary Routes** of travel when you come and go from work or home.
- **Park Securely** and in well-lit areas. Ask someone to escort you to your car.
- **Be Aware** of vehicles following you. If you are followed drive to a police station, fire department, or busy shopping center and sound the horn to attract attention.
- **Alert Managers** or security at your place of business. Provide a picture or description of the stalker.
- **Have a Security Check** by law enforcement of your home to ensure your home can be locked safely. Secure all doors and windows in both your home and vehicle.
- **Maintain and Unlisted** Number and if Caller ID is available in your area, obtain the service for your phone.
- **Do Not Dismiss Any Threat** written or verbal. Call law enforcement and save any documentation.
- **Maintain Privacy** and never give out personal information to anyone where the information can be overheard. Remove phone number and social security number from as many items as possible.
- **Develop a Safety Plan** for yourself and family members in case of emergency. Decide on a safe place to meet and someone to call if problems do arise.

If you are or have been stalked you may be affected in different ways. You may experience different reactions such as anger, frustration, sadness, guilt and other feelings. Everyone reacts to stressful situations differently so know that whatever you are feeling or experiencing is normal. If you seem to have trouble for more than a few weeks, you might want to look into

getting some professional counseling. Should you qualify, Crime Victims' Compensation through the Attorney General's Office can assist with the costs of counseling.

What does the law say?

See: <http://www.statutes.legis.state.tx.us>

Select:

<u>Code:</u>	Penal Code
<u>Article/Chapter:</u>	Chapter 42. Disorderly Conduct and Related Offenses
<u>Art. /Sec.:</u>	Sec. 42.07. Harassment Sec. 42.072. Stalking

Also

<u>Code:</u>	Penal Code
<u>Article/Chapter:</u>	Chapter 22. Assaultive Offenses
<u>Art. /Sec.:</u>	Sec. 22.07. Terroristic Threat

Available Resources

If you believe you are being stalked, Call 911

First Call For Help (Capital Area United Way): Dial 211

www.211centraltexas.org

Provides callers with information and referral to non-profit agencies and participating businesses based on individual resource needs

Office of the Attorney General - Crime Victims' Compensation: 1-800-983-9933

www.oag.state.tx.us/victims/about_comp.shtml

National Domestic Violence Hotline: 1-800-799-SAFE (7233)

www.thehotline.org

Helpful Websites

Internet Safety www.oag.state.tx.us/criminal/cybersafety.shtml

www.wiredsafety.org

Phone/Text Safety www.oag.state.tx.us/criminal/wirelesscontrols.shtml

www.oag.state.tx.us/teens/index.shtml

Information and Advocacy www.womenslaw.org

"What is Stalking" through "Important Safety Measures" adapted on 1/27/11 from the Office of the Attorney General website:
<https://www.oag.state.tx.us/victims/stalking.shtml>

*Neither TCSO nor the information presented on this web site are endorsed by the State of Texas or any state agency.