



Stalking Protection Orders

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All states reference online stalking behavior as part of their definition of stalking, albeit in varying degrees, such as first degree or second degree, and use different terms such as cyber stalking, use of electronics, and/or digital media. Some states have separate civil stalking protection orders available when filing for a stalking protection order. Among these states are New York, New Jersey, California, And Pennsylvania (see *table for full list*). In terms of relief granted in stalking protection orders, five states specifically mention relief against human trafficking: California, Kansas, Maine, Tennessee, And Texas. However, the relief granted typically includes a range of provisions such as no contact orders, housing relief, temporary possession of vehicles, financial support, and child visitation arrangements. It is worth noting that in arizona, relief may also include prohibiting the defendant from purchasing a firearm if the plaintiff's physical safety is deemed to be at risk.

State	Civil is Separate		State	Civil is Separate
ALABAMA	Yes		NEW HAMPSHIRE	Yes
ARIZONA	Yes		NEW JERSEY	Yes
ARKANSAS	Yes		NEW YORK	Yes
CALIFORNIA	Yes		NORTH CAROLINA	Yes
COLORADO	Yes		OHIO	Yes
FLORIDA	Yes		OREGON	Yes
GEORGIA	Yes		PENNSYLVANIA	Yes
IDAHO	Yes		RHODE ISLAND	Yes
ILLINOIS	Yes		SOUTH CAROLINA	Yes
INDIANA	Yes		SOUTH DAKOTA	Yes
LOUISIANA	Yes		TENNESSEE	Yes
MASSACHUSETTS	Yes		TEXAS	Yes
MONTANA	Yes		UTAH	Yes
			VERMONT	Yes

STATE	DEFINITION OF STALKING	WHO QUALIFIES FOR AN ORDER?	RELIEF AVAILABLE	PENALTIES AND SANCTIONS
ALABAMA	<p>ALA. CODE § 30-5-2 <i>Abuse Definition-Stalking.</i></p> <p>Stalking. Stalking as defined under Sections 13A-6-90 to 13A-6-94, inclusive.</p> <p>ALA. CODE § 13A-6-90 <i>Stalking in the first degree.</i></p> <p>(a) A person who intentionally and repeatedly follows or harasses another person and who makes a threat, either expressed or implied, with the intent to place that person in reasonable fear of death or serious bodily harm is guilty of the crime of stalking in the first degree. (b) The crime of stalking in the first degree is a Class C felony.</p> <p>ALA. CODE § 13A-6-90.1 <i>Stalking in the second degree.</i></p> <p>(a) A person who, acting with an improper purpose, intentionally and repeatedly follows, harasses, telephones, or initiates communication, verbally, electronically, or otherwise, with another person, any member of the other person’s immediate family, or any third party with whom the other person is acquainted, and causes material harm to the mental or emotional health of the other person, or causes such person to reasonably fear that his or her employment, business, or career is threatened, and the perpetrator was previously informed to cease that conduct is guilty of the crime of stalking in the second degree.</p>	<p>ALA. CODE § 30-5-5 <i>Standing to file sworn petition for protection order; disclosure of information; costs and fees.</i></p> <p>(a) The following persons have standing to file a sworn petition for a protection order under this chapter as a plaintiff: (1) A person who is at least 18 years old or is otherwise emancipated and is the victim of abuse, as defined in Section 30-5-2, or has reasonable cause to believe he or she is in imminent danger of becoming the victim of any act of abuse. (2) A parent, legal guardian, next friend, or the State Department of Human Resources may petition for relief on behalf of the following: a. A minor child. b. Any person prevented by physical or mental incapacity from seeking a protection order.</p>	<p>ALA. CODE § 30-5-7(c) <i>Remedies generally.</i></p> <p>(c) The court may grant any of the following relief in a final protection order or a modification of a protection order after notice and a hearing, whether or not the defendant appears: (1) Grant the relief available in subsection (b). (2) Specify arrangements for visitation of any children by the defendant on a basis that gives primary consideration to the safety of the plaintiff or any children, or both, and require supervision by a third party or deny visitation if necessary to protect the safety of the plaintiff or any children, or both. (3) Order the defendant to pay attorney’s fees and court costs. (4) When the defendant has a duty to support the plaintiff or any children living in the residence or household and the defendant is the sole owner or lessee, grant to the plaintiff possession of the residence or household to the exclusion of the defendant by evicting the defendant or restoring possession to the plaintiff, or both, or by consent agreement allowing the defendant to provide suitable alternate housing.</p>	<p>ALA. CODE § 13A-6-130 <i>Domestic violence in the first degree.</i></p> <p>(a) (1) A person commits the crime of domestic violence in the first degree if the person commits the crime of assault in the first degree pursuant to Section 13A-6-20; aggravated stalking pursuant to Section 13A-6-91; or burglary in the first degree pursuant to Section 13A-7-5 and the victim is a current or former spouse, parent, step-parent, child, step-child, any person with whom the defendant has a child in common, a present household member, or a person who has or had a dating relationship with the defendant. (2) For the purposes of this section, a household member excludes non-romantic or non-intimate co-residents, and a dating relationship means a current or former relationship of a romantic or intimate nature characterized by the expectation of affectionate or sexual involvement by either party. (b) Domestic violence in the first degree is a Class A felony, except that the defendant shall serve a minimum term of imprisonment of one year without consideration of probation, parole, good time credits, or any other reduction in time for any second or subsequent conviction under this subsection. (c) The minimum term of imprisonment imposed under subsection (b) shall be double without</p>

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	<p>(b) The crime of stalking in the second degree is a Class B misdemeanor.</p> <p>ALA. CODE § 13A-6-91 <i>Aggravated Stalking in the first degree.</i></p> <p>(a) A person who violates the provisions of Section 13A-6-90(a) and whose conduct in doing so also violates any court order or injunction is guilty of the crime of aggravated stalking in the first degree.</p> <p>(b) The crime of aggravated stalking in the first degree is a Class B felony.</p> <p>ALA. CODE § 13A-6-91.1 <i>Aggravated Stalking in the second degree</i></p> <p>(a) A person who violates the provisions of Section 13A-6-90.1 and whose conduct in doing so also violates any court order or injunction is guilty of the crime of aggravated stalking in the second degree.</p> <p>(b) The crime of aggravated stalking in the second degree is a Class C felony.</p>		<p>(5) Order the defendant to pay temporary reasonable support for the plaintiff or any children in the plaintiff’s custody, or both, when the defendant has a legal obligation to support such persons. The amount of temporary support awarded shall be in accordance with Child Support Guidelines found in Rule 32 of the Alabama Rules of Judicial Administration.</p> <p>(6) Order the defendant to provide temporary possession of a vehicle to the plaintiff, if the plaintiff has no other means of transportation of his or her own and the defendant either has control of more than one vehicle or has alternate means of transportation.</p>	<p>consideration of probation, parole, good time credits, or any reduction in time if either of the following occurs:</p> <p>(1) A defendant willfully violates a protection order issued by a court of competent jurisdiction and in the process of violating the order commits domestic violence in the first degree.</p> <p>(2) The offense was committed in the presence of a child under the age of 14 years at the time of the offense, who is the victim’s child or step-child, the defendant’s child or step-child, or who is a child residing in or visiting the household of the victim or defendant. For purposes of this subsection, “in the presence of a child” means that the child was in a position to see or hear the act.</p> <p>(d) The court shall make a written finding of fact, to be made part of the record upon conviction or adjudication, of whether or not the act was committed in the presence of a child. If a defendant has a trial by jury and the jury finds the defendant guilty, the jury shall also render a special verdict as to whether or not the defendant committed the act in the presence of a child.</p> <p>ALA. CODE § 13A-6-131 <i>Domestic violence in the second degree.</i></p> <p>(a) (1) A person commits the crime of domestic violence in the second degree if the person commits the crime</p>

STATE	DEFINITION OF STALKING	WHO QUALIFIES FOR AN ORDER?	RELIEF AVAILABLE	PENALTIES AND SANCTIONS
				<p>of assault in the second degree pursuant to Section 13A-6-21; the crime of intimidating a witness pursuant to Section 13A-10-123; the crime of stalking pursuant to Section 13A-6-90; the crime of burglary in the second or third degree pursuant to Sections 13A-7-6 and 13A-7-7; or the crime of criminal mischief in the first degree pursuant to Section 13A-7-21 and the victim is a current or former spouse, parent, step-parent, child, step-child, any person with whom the defendant has a child in common, a present household member, or a person who has or had a dating relationship with the defendant.</p> <p>(2) For the purposes of this section, a household member excludes non-romantic or non-intimate co-residents, and a dating relationship means a current or former relationship of a romantic or intimate nature characterized by the expectation of affectionate or sexual involvement by either party.</p> <p>(b) Domestic violence in the second degree is a Class B felony, except the defendant shall serve a minimum term of imprisonment of six months without consideration of probation, parole, good time credits, or any reduction in time for any second or subsequent conviction under this subsection.</p> <p>(c) The minimum term of imprisonment imposed under subsection (b) shall be double without consideration of probation, parole, good time credits, or any reduction in</p>

STATE	DEFINITION OF STALKING	WHO QUALIFIES FOR AN ORDER?	RELIEF AVAILABLE	PENALTIES AND SANCTIONS
				<p>time if either of the following applies:</p> <p>(1) A defendant willfully violates a protection order issued by a court of competent jurisdiction and in the process of violating the order commits domestic violence in the second degree.</p> <p>(2) The offense was committed in the presence of a child under the age of 14 years at the time of the offense, who is the victim’s child or step-child, the defendant’s child or step-child, or who is a child residing in or visiting the household of the victim or defendant. For purposes of this subsection, “in the presence of a child” means that the child was in a position to see or hear the act.</p> <p>(d) The court shall make a written finding of fact, to be made part of the record upon conviction or adjudication, of whether or not the act was committed in the presence of a child. If a defendant has a trial by jury and the jury finds the defendant guilty, the jury shall also render a special verdict as to whether or not the defendant committed the act in the presence of a child.</p> <p>ALA. CODE § 13A-6-132 <i>Domestic violence in the third degree.</i></p> <p>(a) (1) A person commits domestic violence in the third degree if the person commits the crime of assault in the third degree pursuant to Section 13A-6-22; the crime of menacing</p>

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				<p>pursuant to Section 13A-6-23; the crime of reckless endangerment pursuant to Section 13A-6-24; the crime of criminal coercion pursuant to Section 13A-6-25; the crime of harassment pursuant to subsection (a) of Section 13A-11-8; the crime of criminal surveillance pursuant to Section 13A-11-32; the crime of harassing communications pursuant to subsection (b) of Section 13A-11-8; the crime of criminal trespass in the third degree pursuant to Section 13A-7-4; the crime of criminal mischief in the second or third degree pursuant to Sections 13A-7-22 and 13A-7-23; or the crime of arson in the third degree pursuant to Section 13A-7-43; and the victim is a current or former spouse, parent, step-parent, child, step-child, any person with whom the defendant has a child in common, a present household member, or a person who has or had a dating relationship with the defendant.</p> <p>(2) For the purpose of this section, a household member excludes non-romantic or non-intimate co-residents, and a dating relationship means a current or former relationship of a romantic or intimate nature characterized by the expectation of affectionate or sexual involvement by either party.</p> <p>(b) Domestic violence in the third degree is a Class A misdemeanor. The minimum term of imprisonment imposed under subsection (a) shall be 30 days without consideration of</p>

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				<p>reduction in time if a defendant willfully violates a protection order issued by a court of competent jurisdiction and in the process of violating the order commits domestic violence in the third degree.</p> <p>(c) A second conviction under subsection (a) is a Class A misdemeanor, except the defendant shall serve a minimum term of imprisonment of 10 days in a city or county jail or detention facility without consideration for any reduction in time.</p> <p>(d) A third or subsequent conviction under subsection (a) is a Class C felony.</p> <p>(e) If the defendant has a previous conviction for domestic violence in the first degree pursuant to Section 13A-6-130, domestic violence in the second degree pursuant to Section 13A-6-131, domestic violence by strangulation or suffocation pursuant to Section 13A-6-138, or a domestic violence conviction or other substantially similar conviction from another state or jurisdiction, a conviction under subsection (a) is a Class C felony.</p> <p>(f) For purposes of determining second, third, or subsequent number of convictions, convictions in municipal court shall be included</p> <p>ALA. CODE § 13A-6-143 <i>Arrests for violation of article.</i></p> <p>A law enforcement officer may arrest any person for the violation of this article if the officer has probable cause</p>

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				<p>to believe that the person has violated any provision of a valid domestic violence protection order, whether temporary or permanent. The presentation of a domestic violence protection order constitutes probable cause for an officer to believe that a valid order exists. For purposes of this article, the domestic violence protection order may be inscribed on a tangible copy or may be stored in an electronic or other medium if it is retrievable in a detectable form. Presentation of a certified copy of the domestic violence protection order is not required for enforcement or to allow a law enforcement officer to effect a warrantless arrest. If a domestic violence protection order is not presented to or otherwise confirmed by a law enforcement officer, the officer may consider other information in determining whether there is probable cause to believe that a valid domestic violence protection order exists. The law enforcement officer may arrest the defendant without a warrant although he or she did not personally see the violation. Knowledge by the officer of the existence or contents of, or both, or presentation to the officer by the complainant of, a domestic violence protection order shall constitute prima facie evidence of the validity of the order.</p> <p>If a law enforcement officer of this state determines that an otherwise</p>

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				valid domestic violence protection order cannot be enforced because the defendant has not been notified or served with the domestic violence protection order, the law enforcement officer shall inform the defendant of the order and allow the person a reasonable opportunity to comply with the order's provisions before enforcing the order. In the event the law enforcement officer provides notice of the domestic violence protection order to the defendant, the officer shall document this fact in the written report.
ALASKA	<p>ALASKA STAT. § 18.65.870 Definitions.</p> <p>(4) "Stalking" means a violation of AS 11.41.260 or 11.41.270.</p> <p>ALASKA STAT. § 11.41.260. Stalking in the first degree.</p> <p>(a) A person commits the crime of stalking in the first degree if the person violates AS 11.41.270 and</p> <p>(1) the actions constituting the offense are in violation of an order issued or filed under AS 18.66.100 -- 18.66.180 or issued under former AS 25.35.010(b) or 25.35.020;</p> <p>(2) the actions constituting the offense are in violation of a condition of probation, release before trial, release after conviction, or parole;</p> <p>(3) the victim is under 16 years of age;</p> <p>(4) at any time during the course of conduct constituting the offense, the</p>	<p>ALASKA STAT. § 18.65.850(a) Protective orders for stalking and sexual assault.</p> <p>(a) A person who reasonably believes that the person is a victim of stalking or sexual assault that is not a crime involving domestic violence may file a petition in the district or superior court for a protective order against a respondent who is alleged to have committed the stalking or sexual assault. A parent or guardian may file a petition on behalf of a minor.</p> <p>ALASKA STAT. § 18.66.100 Protective orders; eligible petitioners; relief</p> <p>(a) A person who is or has been a victim of a crime</p>	<p>ALASKA STAT. § 18.65.850 (c) Protective orders for stalking and sexual assault.</p> <p>(c) A protective order issued under this section may</p> <p>(1) prohibit the respondent from threatening to commit or committing stalking or sexual assault;</p> <p>(2) prohibit the respondent from telephoning, contacting, or otherwise communicating directly or indirectly with the petitioner or a designated household member of the petitioner specifically named by the court;</p> <p>(3) direct the respondent to stay away from the residence, school, or place of employment of the petitioner, or any specified place frequented by the petitioner; however, the court may order the</p>	<p>ALASKA STAT. § 11.56.740 Violating a protective order.</p> <p>(a) A person commits the crime of violating a protective order if the person is subject to a protective order</p> <p>(1) issued or filed under AS 18.66 and containing a provision listed in AS 18.66.100(c)(1) -- (7) and knowingly commits or attempts to commit an act with reckless disregard that the act violates or would violate a provision of the protective order;</p> <p>(2) issued under AS 18.65.850, 18.65.855, or 18.65.860 and knowingly commits or attempts to commit an act that violates or would violate a provision listed in AS 18.65.850(c)(1) -- (3); or</p> <p>(3) issued under AS 13.26.207 -- 13.26.209 and knowingly commits or attempts to commit an act with reckless disregard that the act violates or would violate a provision of the</p>

STATE	DEFINITION OF STALKING	WHO QUALIFIES FOR AN ORDER?	RELIEF AVAILABLE	PENALTIES AND SANCTIONS
	<p>defendant possessed a deadly weapon; (5) the defendant has been previously convicted of a crime under this section, AS 11.41.270, or AS 11.56.740, or a law or ordinance of this or another jurisdiction with elements similar to a crime under this section, AS 11.41.270, or AS 11.56.740; or (6) the defendant has been previously convicted of a crime, or an attempt or solicitation to commit a crime, under (A) AS 11.41.100 -- 11.41.250, 11.41.300 -- 11.41.460, AS 11.56.807, 11.56.810, AS 11.61.118, 11.61.120, or (B) a law or an ordinance of this or another jurisdiction with elements similar to a crime, or an attempt or solicitation to commit a crime, under AS 11.41.100 -- 11.41.250, 11.41.300 -- 11.41.460, AS 11.56.807, 11.56.810, AS 11.61.118, or 11.61.120, involving the same victim as the present offense. (b) In this section, "course of conduct" and "victim" have the meanings given in AS 11.41.270(b). (c) Stalking in the first degree is a class C felony.</p> <p>ALASKA STAT. § 11.41.270 <i>Stalking in the Second Degree</i></p> <p>(a) A person commits the crime of stalking in the second degree if the person knowingly engages in a course of conduct that recklessly places another person in fear of death or physical injury, or in fear of the death or physical injury of a family member. (b) In this section,</p>	<p>involving domestic violence may file a petition in the district or superior court for a protective order against a household member. A parent, guardian, or other representative appointed by the court under this section may file a petition for a protective order on behalf of a minor. The court may appoint a guardian ad litem or attorney to represent the minor. Notwithstanding AS 25.24.310 or this section, the office of public advocacy may not be appointed as a guardian ad litem or attorney for a minor in a petition filed under this section unless the petition has been filed on behalf of the minor. (b) When a petition for a protective order is filed, the court shall schedule a hearing and provide at least 10 days' notice to the respondent of the hearing and of the respondent's right to appear and be heard, either in person or by an attorney. If the court finds by a preponderance of evidence that the respondent has committed a crime involving domestic violence against the petitioner, regardless of whether the respondent appears at the hearing, the court may order</p>	<p>respondent to stay away from the respondent's own residence, school, or place of employment only if the respondent has been provided actual notice of the opportunity to appear and be heard on the petition; (4) order other relief the court determines to be necessary to protect the petitioner or the designated household member.</p>	<p>protective order. (b) Violation of this section is a class A misdemeanor.</p> <p>ALASKA STAT. § 12.55.135 <i>Sentences of imprisonment for misdemeanors.</i></p> <p>(a) A defendant convicted of a class A misdemeanor may be sentenced to a definite term of imprisonment of not more than one year. (b) A defendant convicted of a class B misdemeanor may be sentenced to a definite term of imprisonment of not more than 90 days unless otherwise specified in the provision of law defining the offense. (c) A defendant convicted of assault in the fourth degree that is a crime involving domestic violence committed in violation of the provisions of an order issued or filed under AS 12.30.027 or AS 18.66.100 — 18.66.180 and not subject to sentencing under (g) of this section shall be sentenced to a minimum term of imprisonment of 20 days. (d) A defendant convicted of assault in the fourth degree or harassment in the first degree who knowingly directed the conduct constituting the offense at (1) a uniformed or otherwise clearly identified peace officer, firefighter, correctional employee, emergency medical technician, paramedic, ambulance attendant, or other emergency responder or medical professional who was engaged in the</p>

STATE	DEFINITION OF STALKING	WHO QUALIFIES FOR AN ORDER?	RELIEF AVAILABLE	PENALTIES AND SANCTIONS
	<p>(1) "course of conduct" means repeated acts of nonconsensual contact involving the victim or a family member;</p> <p>(2) "device" includes software;</p> <p>(3) "family member" means a</p> <p>(A) spouse, child, grandchild, parent, grandparent, sibling, uncle, aunt, nephew, or niece, of the victim, whether related by blood, marriage, or adoption;</p> <p>(B) person who lives, or has previously lived, in a spousal relationship with the victim;</p> <p>(C) person who lives in the same household as the victim; or</p> <p>(D) person who is a former spouse of the victim or is or has been in a dating, courtship, or engagement relationship with the victim;</p> <p>(4) "nonconsensual contact" means any contact with another person that is initiated or continued without that person's consent, that is beyond the scope of the consent provided by that person, or that is in disregard of that person's expressed desire that the contact be avoided or discontinued; "nonconsensual contact" includes</p> <p>(A) following or appearing within the sight of that person;</p> <p>(B) approaching or confronting that person in a public place or on private property;</p> <p>(C) appearing at the workplace or residence of that person;</p> <p>(D) entering onto or remaining on property owned, leased, or occupied by that person;</p> <p>(E) contacting that person by telephone;</p>	<p>any relief available under (c) of this section. The provisions of a protective order issued under</p> <p>(1) (c)(1) of this section are effective until further order of the court;</p> <p>(2) (c)(2) — (16) of this section are effective for one year unless earlier dissolved by court order.</p> <p>(c) A protective order under this section may</p> <p>(1) prohibit the respondent from threatening to commit or committing domestic violence, stalking, or harassment;</p> <p>(2) prohibit the respondent from telephoning, contacting, or otherwise communicating directly or indirectly with the petitioner;</p> <p>(3) remove and exclude the respondent from the residence of the petitioner, regardless of ownership of the residence;</p> <p>(4) direct the respondent to stay away from the residence, school, or place of employment of the petitioner or any specified place frequented by the petitioner or any designated household member;</p> <p>(5) prohibit the respondent from entering a propelled</p>		<p>performance of official duties at the time of the assault or harassment shall be sentenced to a minimum term of imprisonment of</p> <p>(A) 60 days if the defendant violated AS 11.41.230(a)(1) or (2) or AS 11.61.118;</p> <p>(B) 30 days if the defendant violated AS 11.41.230(a)(3);</p> <p>(2) a person who was on school grounds during school hours or during a school function or a school-sponsored event, on a school bus, at a school-sponsored event, or in the administrative offices of a school district, if students are educated at that office, shall be sentenced to a minimum term of imprisonment of 60 days if the defendant violated AS 11.41.230(a)(1) or (2); in this paragraph,</p> <p>(A) "school bus" has the meaning given in AS 11.71.900;</p> <p>(B) "school district" has the meaning given in AS 47.07.063;</p> <p>(C) "school grounds" has the meaning given in AS 11.71.900.</p> <p>(e) If a defendant is sentenced under (c), (d), or (h) of this section,</p> <p>(1) execution of sentence may not be suspended and probation or parole may not be granted until the minimum term of imprisonment has been served;</p> <p>(2) imposition of a sentence may not be suspended except upon condition that the defendant be imprisoned for no less than the minimum term of imprisonment provided in the section; and</p> <p>(3) the minimum term of imprisonment may not otherwise be</p>

STATE	DEFINITION OF STALKING	WHO QUALIFIES FOR AN ORDER?	RELIEF AVAILABLE	PENALTIES AND SANCTIONS
	<p>(F) sending mail or electronic communications to that person;</p> <p>(G) placing an object on, or delivering an object to, property owned, leased, or occupied by that person;</p> <p>(H) following or monitoring that person with a global positioning device or similar technological means;</p> <p>(I) using, installing, or attempting to use or install a device for observing, recording, or photographing events occurring in the residence, vehicle, or workplace used by that person, or on the personal telephone or computer used by that person;</p> <p>(5) "victim" means a person who is the target of a course of conduct.</p> <p>(c) Stalking in the second degree is a class A misdemeanor.</p>	<p>vehicle in the possession of or occupied by the petitioner;</p> <p>(6) prohibit the respondent from using or possessing a deadly weapon if the court finds the respondent was in the actual possession of or used a weapon during the commission of domestic violence;</p> <p>(7) direct the respondent to surrender any firearm owned or possessed by the respondent if the court finds that the respondent was in the actual possession of or used a firearm during the commission of the domestic violence;</p> <p>(8) request a peace officer to accompany the petitioner to the petitioner's residence to ensure that the petitioner (A) safely obtains possession of the petitioner's residence, vehicle, or personal items; and</p> <p>(B) is able to safely remove a vehicle or personal items from the petitioner's residence;</p> <p>(9) award temporary custody of a minor child to the petitioner and may arrange for visitation with a minor child if the safety of the child and the petitioner can be protected; if visitation is allowed, the court may order</p>		<p>reduced.</p> <p style="text-align: center;">***</p> <p>(g) A defendant convicted of assault in the fourth degree that is a crime involving domestic violence shall be sentenced to a minimum term of imprisonment of</p> <p>(1) 30 days if the defendant has been previously convicted of a crime against a person or a crime involving domestic violence;</p> <p>(2) 60 days if the defendant has been previously convicted two or more times of a crime against a person or a crime involving domestic violence, or a combination of those crimes.</p> <p>ALASKA STAT. § 11.41.260 Stalking in the first degree</p> <p>(c) Stalking in the first degree is a class C felony.</p> <p>ALASKA STAT. § 12.55.125 Sentences of imprisonment for felonies.</p> <p>(c) Except as provided in (i) of this section, a defendant convicted of a class A felony may be sentenced to a definite term of imprisonment of not more than 20 years, and shall be sentenced to a definite term within the following presumptive ranges, subject to adjustment as provided in AS 12.55.155--12.55.175:</p> <p>(1) if the offense is a first felony conviction and does not involve circumstances described in (2) of this</p>

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		<p>visitation under the conditions provided in AS 25.20.061;</p> <p>(10) give the petitioner possession and use of a vehicle and other essential personal items, including a pet, regardless of ownership of the items;</p> <p>(11) prohibit the respondent from consuming controlled substances;</p> <p>(12) require the respondent to pay support for the petitioner, a minor child in the care of the petitioner, or a pet in the care of the petitioner if there is an independent legal obligation of the respondent to support the petitioner, child, or pet;</p> <p>(13) require the respondent to reimburse the petitioner or other person for expenses associated with the domestic violence, including medical expenses, counseling, shelter, and repair or replacement of damaged property;</p> <p>(14) require the respondent to pay costs and fees incurred by the petitioner in bringing the action under this chapter;</p> <p>(15) order the respondent, at the respondent's expense, to participate in (A) a program for the rehabilitation of perpetrators of domestic violence that meets the</p>		<p>subsection, three to six years;</p> <p>(2) if the offense is a first felony conviction and the defendant possessed a firearm, used a dangerous instrument, or caused serious physical injury or death during the commission of the offense, or knowingly directed the conduct constituting the offense at a uniformed or otherwise clearly identified peace officer, firefighter, correctional employee, emergency medical technician, paramedic, ambulance attendant, or other emergency responder who was engaged in the performance of official duties at the time of the offense, five to nine years;</p> <p>(3) if the offense is a second felony conviction, eight to 12 years;</p> <p>(4) if the offense is a third felony conviction and the defendant is not subject to sentencing under (1) of this section, 13 to 20 years.</p>

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		<p>standards set by, and that is approved by, the Department of Corrections under AS 44.28.020(b), or (B) treatment for the abuse of alcohol or controlled substances, or both; a protective order under this section may not require a respondent to participate in a program for the rehabilitation of perpetrators of domestic violence unless the program meets the standards set by, and that is approved by, the Department of Corrections under AS 44.28.020(b);</p> <p>(16) order other relief the court determines necessary to protect the petitioner or any household member.</p> <p>(d) If the court issues a protective order under this section, it shall</p> <p>(1) make reasonable efforts to ensure that the order is understood by the petitioner and by the respondent, if present; and</p> <p>(2) have the order delivered to the appropriate local law enforcement agency for expedited service and for entry into the central registry of protective orders under AS 18.65.540.</p> <p>(e) A court may not deny a petition for a protective order under this section solely because</p>		

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		<p>(1) there is a lapse of time between an act of domestic violence and the filing of the petition;</p> <p>(2) the act of domestic violence was the basis for a previous protective order; or</p> <p>(3) a court previously found that the incident was a crime of domestic violence committed against the petitioner but declined to order relief under this section, if the petition alleges a change in circumstances since the court's previous finding.</p> <p>(f) Within 30 days before, or within 60 days after, the expiration of a protective order issued or extended under (b)(2) of this section, a petitioner may petition the court for an extension of the protective order. The court shall schedule a hearing and provide at least 10 days' notice to the respondent of the hearing and of the respondent's right to appear and be heard, either in person or through an attorney. If the court finds that an extension of the provisions of the order is necessary to protect the petitioner from domestic violence, regardless of whether the respondent appears at the hearing, the</p>		

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		<p>court may extend the provisions of the order. An extension granted under this subsection is effective for one year unless earlier dissolved by court order. If the court grants an extension before the protective order expires, the extension takes effect on the day the protective order would have expired.</p>		
<p>ARIZONA</p>	<p>ARIZ. REV. STAT. § 13-2923 <i>Stalking; classification; exceptions; definitions.</i></p> <p>A. A person commits stalking if the person intentionally or knowingly engages in a course of conduct that is directed toward another person and if that conduct causes the victim to:</p> <p>1. Suffer emotional distress or reasonably fear that either:</p> <p>(a) The victim's property will be damaged or destroyed.</p> <p>(b) Any of the following will be physically injured:</p> <p>(i) The victim.</p> <p>(ii) The victim's family member, domestic animal or livestock.</p> <p>(iii) A person with whom the victim has or has previously had a romantic or sexual relationship.</p> <p>(iv) A person who regularly resides in the victim's household or has resided in the victim's household within the six months before the last conduct occurred.</p> <p>2. Reasonably fear death or the death of any of the following:</p>	<p>ARIZ. REV. STAT. § 13-3601 <i>Domestic violence; definition; classification; sentencing option; arrest and procedure for violation; weapon seizure.</i></p> <p>A. "Domestic violence" means any act that is a dangerous crime against children as defined in section 13-705 or an offense prescribed in section 13-1102, 13-1103, 13-1104, 13-1105, 13-1201, 13-1202, 13-1203, 13-1204, 13-1302, 13-1303, 13-1304, 13-1406, 13-1425, 13-1502, 13-1503, 13-1504, 13-1602 or 13-2810, section 13-2904, subsection A, paragraph 1, 2, 3 or 6, section 13-2910, subsection A, paragraph 8 or 9, section 13-2915, subsection A, paragraph 3 or section 13-2916, 13-2921, 13-2921.01, 13-2923, 13-3019, 13-3601.02 or 13-3623, if any of the following applies:</p>	<p>ARIZ. REV. STAT. § 13-3602(G), (T) <i>Order of protection; procedure' contents' arrest for violation; penalty; protection order from another jurisdiction.</i></p> <p>G. If a court issues an order of protection, the court may do any of the following:</p> <p>1. Enjoin the defendant from committing a violation of one or more of the offenses included in domestic violence.</p> <p>2. Grant one party the use and exclusive possession of the parties' residence on a showing that there is reasonable cause to believe that physical harm may otherwise result. If the other party is accompanied by a law enforcement officer, the other party may return to the residence on one occasion to retrieve belongings. A law enforcement officer is not liable for any act or omission in the good faith exercise of the officer's duties under this paragraph. While the</p>	<p>ARIZ. REV. STAT. § 13-3602(R), (S) <i>Order of protection; procedure; contents; arrest for violation; penalty; protection order from another jurisdiction.</i></p> <p>R. A peace officer, with or without a warrant, may arrest a person if the peace officer has probable cause to believe that the person has violated section 13-2810 by disobeying or resisting an order that is issued in any jurisdiction in this state pursuant to this section, whether or not such violation occurred in the presence of the officer. Criminal violations of an order issued pursuant to this section shall be referred to an appropriate law enforcement agency. The provisions for release under section 13-3883, subsection A, paragraph 4 and section 13-3903 do not apply to an arrest made pursuant to this section. For the purposes of this section, any court in this state has jurisdiction to enforce a valid order of protection that is issued in this state and that has been violated in any jurisdiction in this state.</p>

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	<p>(a) The victim's family member, domestic animal or livestock.</p> <p>(b) A person with whom the victim has or has previously had a romantic or sexual relationship.</p> <p>(c) A person who regularly resides in the victim's household or has resided in the victim's household within the six months before the last conduct occurred.</p> <p>B. This section does not apply to an interactive computer service, as defined in 47 United States Code section 230(f)(2), or to an information service or telecommunications service, as defined in 47 United States Code section 153, for content that is provided by another person.</p> <p>C. Stalking under subsection A, paragraph 1 of this section is a class 5 felony. Stalking under subsection A, paragraph 2 of this section is a class 3 felony.</p> <p>D. For the purposes of this section:</p> <p>1. "Course of conduct":</p> <p>(a) Means directly or indirectly, in person or through one or more third persons or by any other means, to do any of the following:</p> <p>(i) Maintain visual or physical proximity to a specific person or direct verbal, written or other threats, whether express or implied, to a specific person on two or more occasions over a period of time, however short.</p> <p>(ii) Use any electronic, digital or global positioning system device to surveil a specific person or a specific person's internet or wireless activity</p>	<p>1. The relationship between the victim and the defendant is one of marriage or former marriage or of persons residing or having resided in the same household.</p> <p>2. The victim and the defendant have a child in common.</p> <p>3. The victim or the defendant is pregnant by the other party.</p> <p>4. The victim is related to the defendant or the defendant's spouse by blood or court order as a parent, grandparent, child, grandchild, brother or sister or by marriage as a parent-in-law, grandparent-in-law, stepparent, step-grandparent, stepchild, step-grandchild, brother-in-law or sister-in-law.</p> <p>5. The victim is a child who resides or has resided in the same household as the defendant and is related by blood to a former spouse of the defendant or to a person who resides or who has resided in the same household as the defendant.</p> <p>6. The relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship. The following factors may be considered in</p>	<p>order of protection is in effect, if a party was granted the use and exclusive possession of the parties' residence and subsequently moves out of the house, the party must file a notice in writing with the court within five days after moving out of the residence. After receiving the notification from the plaintiff, the court shall provide notice to the defendant that the plaintiff has moved out of the residence and of the defendant's right to request a hearing pursuant to subsection L of this section.</p> <p>3. Restrain the defendant from contacting the plaintiff or other specifically designated persons and from coming near the residence, place of employment or school of the plaintiff or other specifically designated locations or persons on a showing that there is reasonable cause to believe that physical harm may otherwise result.</p> <p>4. If the court finds that the defendant is a credible threat to the physical safety of the plaintiff or other specifically designated persons, prohibit the defendant from possessing or purchasing a firearm for the duration of the order. If the court prohibits the defendant from possessing a firearm, the court shall also order the defendant to transfer any firearm owned or possessed by</p>	<p>S. A person who is arrested pursuant to subsection R of this section may be released from custody in accordance with the Arizona rules of criminal procedure or any other applicable statute. An order for release, with or without an appearance bond, shall include pretrial release conditions that are necessary to provide for the protection of the alleged victim and other specifically designated persons and may provide for any other additional conditions that the court deems appropriate, including participation in any counseling programs available to the defendant. The agency with custody of the defendant shall make reasonable efforts to contact the victim and other specifically designated persons in the order of protection, if known to the custodial agency, who requested notification immediately on release of the arrested person from custody.</p>

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	<p>continuously for twelve hours or more or on two or more occasions over a period of time, however short, without authorization.</p> <p>(iii) Communicate, or cause to be communicated, on more than one occasion words, images or language by or through the use of electronic mail or an electronic communication that is directed at a specific person without authorization and without a legitimate purpose.</p> <p>(b) Does not include constitutionally protected activity or other activity authorized by law, the other person, the other person's authorized representative or if the other person is a minor, the minor's parent or guardian.</p> <p>2. "Emotional distress" means significant mental suffering or distress that may, but does not have to, require medical or other professional treatment or counseling.</p>	<p>determining whether the relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship:</p> <p>(a) The type of relationship.</p> <p>(b) The length of the relationship.</p> <p>(c) The frequency of the interaction between the victim and the defendant</p> <p>(d) If the relationship has terminated, the length of time since the termination.</p>	<p>the defendant immediately after service of the order to the appropriate law enforcement agency for the duration of the order. If the defendant does not immediately transfer the firearm, the defendant shall transfer the firearm within twenty-four hours after service of the order.</p> <p>5. If the order was issued after notice and a hearing at which the defendant had an opportunity to participate, require the defendant to complete a domestic violence offender treatment program that is provided by a facility approved by the department of health services or a probation department or any other program deemed appropriate by the court.</p> <p>6. Grant relief that is necessary for the protection of the alleged victim and other specifically designated persons and that is proper under the circumstances.</p> <p>7. Grant the plaintiff the exclusive care, custody or control of any animal that is owned, possessed, leased, kept or held by the plaintiff, the defendant or a minor child residing in the residence or household of the plaintiff or the defendant, and order the defendant to stay away from the animal and forbid the defendant from taking, transferring, encumbering,</p>	

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			<p>concealing, committing an act of cruelty or neglect in violation of section 13-2910 or otherwise disposing of the animal.</p> <p>T. The remedies provided in this section for enforcement of the orders of the court are in addition to any other civil and criminal remedies available. The superior court shall have exclusive jurisdiction to issue orders of protection in all cases if it appears from the petition that an action for maternity or paternity, annulment, legal separation or dissolution of marriage is pending between the parties. A municipal court or justice court shall not issue an order of protection if it appears from the petition that an action for maternity or paternity, annulment, legal separation or dissolution of marriage is pending between the parties. After issuance of an order of protection, if the municipal court or justice court determines that an action for maternity or paternity, annulment, legal separation or dissolution of marriage is pending between the parties, the municipal court or justice court shall stop further proceedings in the action and forward all papers, together with a certified copy of docket entries or any other record in the action,</p>	

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			<p>to the superior court where they shall be docketed in the pending superior court action and shall proceed as though the petition for an order of protection had been originally brought in the superior court. Notwithstanding any other law and unless prohibited by an order of the superior court, a municipal court or justice court may hold a hearing on all matters relating to its ex parte order of protection if the hearing was requested before receiving written notice of the pending superior court action. No order of protection shall be invalid or determined to be ineffective merely because it was issued by a lower court at a time when an action for maternity or paternity, annulment, legal separation or dissolution of marriage was pending in a higher court. After a hearing with notice to the affected party, the court may enter an order requiring any party to pay the costs of the action, including reasonable attorney fees, if any. An order that is entered by a justice court or municipal court after a hearing pursuant to this section may be appealed to the superior court as provided in title 22, chapter 2, article 4, section 22-425, subsection B and the superior court rules of civil appellate procedure without regard to an</p>	

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			<p>amount in controversy. No fee may be charged to either party for filing an appeal. For the purposes of this subsection, “pending” means, with respect to an action for annulment, legal separation or dissolution of marriage or for maternity or paternity, either that:</p> <ol style="list-style-type: none"> 1. An action has been commenced but a final judgment, decree or order has not been entered. 2. A post-decree proceeding has been commenced but a judgment, decree or order finally determining the proceeding has not been entered. 	
<p>ARKANSAS</p>	<p>ARK. CODE ANN. §5-71-229 <i>Stalking</i></p> <p>(a) (1) A person commits stalking in the first degree if he or she knowingly engages in a course of conduct that would place a reasonable person in the victim's position under emotional distress and in fear for his or her safety or a third person's safety, and the actor: (A) Does so in contravention of an order of protection consistent with the Domestic Abuse Act of 1991, § 9-15-101 et seq., or a no contact order as set out in subdivision (a)(2)(A) of this section, protecting the same victim, or any other order issued by any court protecting the same victim;</p>	<p>ARK. CODE ANN. §5-71-229 <i>Stalking.</i></p> <p>There is no relationship requirement.</p>	<p>ARK. CODE ANN. §5-71-229(2) <i>Stalking.</i></p> <p>(2) (A) Upon pretrial release of the defendant, a judicial officer shall enter a no contact order in writing consistent with Rules 9.3 and 9.4 of the Arkansas Rules of Criminal Procedure and shall give notice to the defendant of penalties contained in Rule 9.5 of the Arkansas Rules of Criminal Procedure. (B) The no contact order remains in effect during the pendency of any appeal of a conviction under this subsection. (C) The judicial officer or prosecuting attorney shall</p>	<p>ARK. CODE ANN. §5-71-229 <i>Stalking.</i></p> <p>(a)(3) Stalking in the first degree is a Class C felony. (b)(3) Stalking in the second degree is a Class D felony. (c)(3) Stalking in the third degree is a Class A misdemeanor.</p> <p>ARK. CODE ANN. § 16-85-714(d) <i>No contact orders.</i></p> <p>(d) Upon conviction, violation of a no contact order issued under this section is a Class A misdemeanor.</p>

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	<p>(B) Has been convicted within the previous ten (10) years of:</p> <p>(i) Stalking in the second degree;</p> <p>(ii) Terroristic threatening, § 5-13-301, or terroristic act, § 5-13-310; or</p> <p>(iii) Stalking or threats against another person's safety under the statutory provisions of any other state jurisdiction; or</p> <p>(C) Is armed with a deadly weapon or represents by word or conduct that he or she is armed with a deadly weapon.</p> <p>(2)</p> <p>(A) Upon pretrial release of the defendant, a judicial officer shall enter a no contact order in writing consistent with Rules 9.3 and 9.4 of the Arkansas Rules of Criminal Procedure and shall give notice to the defendant of penalties contained in Rule 9.5 of the Arkansas Rules of Criminal Procedure.</p> <p>(B) The no contact order remains in effect during the pendency of any appeal of a conviction under this subsection.</p> <p>(C) The judicial officer or prosecuting attorney shall provide a copy of the no contact order to the victim and the arresting law enforcement agency without unnecessary delay.</p> <p>(D) If the judicial officer has reason to believe that mental disease or defect of the defendant will or has become an issue in the case, the judicial officer shall enter orders consistent with § 5-2-327 or § 5-2-328, or both.</p> <p>(3) Stalking in the first degree is a Class B felony.</p> <p>(b)</p>		<p>provide a copy of the no contact order to the victim and arresting law enforcement agency without unnecessary delay.</p> <p>(D) If the judicial officer has reason to believe that mental disease or defect of the defendant will or has become an issue in the case, the judicial officer shall enter orders consistent with § 5-2-327 or § 5-2-328, or both.</p>	

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	<p>(1) A person commits stalking in the second degree if he or she knowingly engages in a course of conduct that harasses another person and makes a terroristic threat with the purpose of placing that person in imminent fear of death or serious bodily injury or placing that person in imminent fear of the death or serious bodily injury of his or her immediate family.</p> <p style="text-align: center;">***</p> <p>(3) Stalking in the second degree is a Class C felony.</p> <p>(c)</p> <p>(1) A person commits stalking in the third degree if he or she knowingly commits an act that would place a reasonable person in the victim's position under emotional distress and in fear for his or her safety or a third person's safety.</p> <p>(2)</p> <p>(A) Upon pretrial release of the defendant, a judicial officer shall enter a no contact order in writing consistent with Rules 9.3 and 9.4 of the Arkansas Rules of Criminal Procedure and shall give notice to the defendant of penalties contained in Rule 9.5 of the Arkansas Rules of Criminal Procedure.</p> <p>(B) The no contact order remains in effect during the pendency of any appeal of a conviction under this subsection.</p> <p>(C) The judicial officer or prosecuting attorney shall provide a copy of the no contact order to the victim and arresting</p>			

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	<p>law enforcement agency without unnecessary delay.</p> <p>(D) If the judicial officer has reason to believe that mental disease or defect of the defendant will or has become an issue in the case, the judicial officer shall enter orders consistent with § 5-2-327 or § 5-2-328, or both.</p> <p>(3) Stalking in the third degree is a Class A misdemeanor.</p> <p>(d) It is an affirmative defense to prosecution under this section if the actor is a law enforcement officer, licensed private investigator, attorney, process server, licensed bail bondsman, or a store detective acting within the reasonable scope of his or her duty while conducting surveillance on an official work assignment.</p> <p>(e) It is not a defense to a prosecution under this section that the actor was not given actual notice by the victim that the actor's conduct was not wanted.</p> <p>(f) As used in this section:</p> <p>(1)</p> <p>(A) "Course of conduct" means a pattern of conduct composed of two (2) or more acts, separated by at least thirty-six (36) hours, but occurring within one (1) year, including without limitation an act in which the actor directly, indirectly, or through a third party by any action, method, device, or means follows, monitors, observes, places under surveillance, threatens, or communicates to or about a person or interferes with a person's property.</p> <p>(B)</p>			

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	<p>(i) "Course of conduct" does not include constitutionally protected activity.</p> <p>(ii) If the defendant claims that he or she was engaged in a constitutionally protected activity, the court shall determine the validity of that claim as a matter of law and, if found valid, shall exclude that activity from evidence;</p> <p>(2)</p> <p>(A) "Emotional distress" means significant mental suffering or distress.</p> <p>(B) "Emotional distress" does not require that the victim sought or received medical or other professional treatment or counseling; and</p> <p>(3) "Harasses" means an act of harassment as prohibited by § 5-71-208.</p>			
<p>CALIFORNIA</p>	<p>CAL. CIV. PROC. CODE § 527.6(a)-(b) - Temporary restraining order and order after hearing prohibiting harassment; Notice, service, and hearing; Possession of firearm or ammunition by person subject to protective order; Forms, instructions, and rules</p> <p>(b) For purposes of this section, the following terms have the following meanings:</p> <p>(1) "Course of conduct" is a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose, including following or stalking an individual, making harassing telephone calls to an individual, or sending harassing correspondence to an individual by any means, including, but not limited to, the use of public or private mails, interoffice mail, facsimile,</p>	<p>CAL. CIV. PROC. CODE § 527.6 (a) -Temporary restraining order and order after hearing prohibiting harassment; Notice, service, and hearing; Possession of firearm or ammunition by person subject to protective order; Forms, instructions, and rules</p> <p>(a)</p> <p>(1) A person who has suffered harassment as defined in subdivision (b) may seek a temporary restraining order and an order after hearing prohibiting harassment as provided in this section.</p> <p>(2) A minor, under 12 years of age, accompanied by a duly appointed and acting guardian ad litem, shall be</p>	<p>CAL. CIV. PROC. CODE § 527.6 (a)(6) -Temporary restraining order and order after hearing prohibiting harassment; Notice, service, and hearing; Possession of firearm or ammunition by person subject to protective order; Forms, instructions, and rules</p> <p>(6) "Temporary restraining order" and "order after hearing" mean orders that include any of the following restraining orders, whether issued ex parte or after notice and hearing:</p> <p>(A) An order enjoining a party from harassing, intimidating, molesting, attacking, striking, stalking, threatening, sexually assaulting, battering, abusing, telephoning, including, but not</p>	<p>CAL. PENAL CODE § 646.9 (a)-(d) - Stalking.</p> <p>(a) Any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family is guilty of the crime of stalking, punishable by imprisonment in a county jail for not more than one year, or by a fine of not more than one thousand dollars (\$1,000), or by both that fine and imprisonment, or by imprisonment in the state prison.</p> <p>(b) Any person who violates subdivision (a) when there is a temporary restraining order, injunction, or any other court order in</p>

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	<p>or email. Constitutionally protected activity is not included within the meaning of “course of conduct.”</p> <p>(2) “Credible threat of violence” is a knowing and willful statement or course of conduct that would place a reasonable person in fear for the person’s safety or the safety of the person’s immediate family, and that serves no legitimate purpose.</p> <p>(3) “Harassment” is unlawful violence, a credible threat of violence, or a knowing and willful course of conduct directed at a specific person that seriously alarms, annoys, or harasses the person, and that serves no legitimate purpose. The course of conduct must be that which would cause a reasonable person to suffer substantial emotional distress, and must actually cause substantial emotional distress to the petitioner.</p> <p>(4) “Petitioner” means the person to be protected by the temporary restraining order and order after hearing and, if the court grants the petition, the protected person.</p> <p>(5) “Respondent” means the person against whom the temporary restraining order and order after hearing are sought and, if the petition is granted, the restrained person.</p> <p>(6) “Temporary restraining order” and “order after hearing” mean orders that include any of the following restraining orders, whether issued ex parte or after notice and hearing:</p> <p>(A) An order enjoining a party from harassing, intimidating, molesting, attacking, striking, stalking, threatening,</p>	<p>permitted to appear in court without counsel for the limited purpose of requesting or opposing a request for a temporary restraining order or order after hearing, or both, under this section as provided in Section 374.</p>	<p>limited to, making annoying telephone calls, as described in Section 653m of the Penal Code, destroying personal property, contacting, either directly or indirectly, by mail or otherwise, or coming within a specified distance of, or disturbing the peace of, the petitioner. On a showing of good cause, in an order issued pursuant to this subparagraph in connection with an animal owned, possessed, leased, kept, or held by the petitioner, or residing in the residence or household of the petitioner, the court may do either or both of the following:</p> <p>(i) Grant the petitioner exclusive care, possession, or control of the animal.</p> <p>(ii) Order the respondent to stay away from the animal and refrain from taking, transferring, encumbering, concealing, molesting, attacking, striking, threatening, harming, or otherwise disposing of the animal.</p> <p>(B) An order enjoining a party from specified behavior that the court determines is necessary to effectuate orders described in subparagraph (A).</p>	<p>effect prohibiting the behavior described in subdivision (a) against the same party, shall be punished by imprisonment in the state prison for two, three, or four years.</p> <p>(c)(1) Every person who, after having been convicted of a felony under Section 273.5, 273.6, or 422, commits a violation of subdivision (a) shall be punished by imprisonment in a county jail for not more than one year, or by a fine of not more than one thousand dollars (\$1,000), or by both that fine and imprisonment, or by imprisonment in the state prison for two, three, or five years.</p> <p>(2) Every person who, after having been convicted of a felony under subdivision (a), commits a violation of this section shall be punished by imprisonment in the state prison for two, three, or five years.</p> <p>(d) In addition to the penalties provided in this section, the sentencing court may order a person convicted of a felony under this section to register as a sex offender pursuant to Section 290.006.</p>

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	<p>sexually assaulting, battering, abusing, telephoning, including, but not limited to, making annoying telephone calls, as described in Section 653m of the Penal Code, destroying personal property, contacting, either directly or indirectly, by mail or otherwise, or coming within a specified distance of, or disturbing the peace of, the petitioner. On a showing of good cause, in an order issued pursuant to this subparagraph in connection with an animal owned, possessed, leased, kept, or held by the petitioner, or residing in the residence or household of the petitioner, the court may do either or both of the following:</p> <p>(i) Grant the petitioner exclusive care, possession, or control of the animal.</p> <p>(ii) Order the respondent to stay away from the animal and refrain from taking, transferring, encumbering, concealing, molesting, attacking, striking, threatening, harming, or otherwise disposing of the animal.</p> <p>(B) An order enjoining a party from specified behavior that the court determines is necessary to effectuate orders described in subparagraph (A).</p> <p>(7) “Unlawful violence” is any assault or battery, or stalking as prohibited in Section 646.9 of the Penal Code, but does not include lawful acts of self-defense or defense of others.</p> <p>CAL. PENAL CODE § 646.9(a) Stalking.</p> <p>(a) Any person who willfully, maliciously, and repeatedly follows or</p>			

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	willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family is guilty of the crime of stalking, punishable by imprisonment in a county jail for not more than one year, or by a fine of not more than one thousand dollars (\$1,000), or by both that fine and imprisonment, or by imprisonment in the state prison.			
COLORADO	<p>COLO. REV. STAT. §13-14-101(3) - Definitions.</p> <p>(3) "Stalking" means any act, attempted act, or threatened act of stalking as described in section 18-3-602, C.R.S.</p> <p>COLO. REV. STAT. § 18-3-602(1) Stalking- Penalty- definitions- Vonnie's law.</p> <p>(1) A person commits stalking if directly, or indirectly through another person, the person knowingly:</p> <p>(a) Makes a credible threat to another person and, in connection with the threat, repeatedly follows, approaches, contacts, or places under surveillance that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship; or</p> <p>(b) Makes a credible threat to another person and, in connection with the threat, repeatedly makes any form of communication with that person, a member of that person's immediate</p>	<p>COLO. REV. STAT. § 13-14-101 Definitions. (2)</p> <p>(2) "Domestic abuse" means any act, attempted act, or threatened act of violence, stalking, harassment, or coercion that is committed by any person against another person to whom the actor is currently or was formerly related, or with whom the actor is living or has lived in the same domicile, or with whom the actor is involved or has been involved in an intimate relationship. A sexual relationship may be an indicator of an intimate relationship but is never a necessary condition for finding an intimate relationship. For purposes of this subsection (2), "coercion" includes compelling a person by force, threat of force, or intimidation to engage in</p>	<p>COLO. REV. STAT. 13-14-105 Provisions relating to civil protection orders.</p> <p>(1) A municipal court of record that is authorized by its municipal governing body to issue protection or restraining orders and any county court, in connection with issuing a civil protection order, has original concurrent jurisdiction with the district court to include any provisions in the order that the municipal or county court deems necessary for the protection of persons, including but not limited to orders:</p> <p>(a) Restraining a party from threatening, molesting, or injuring any other party or the minor child of either of the parties;</p> <p>(b) Restraining a party from contacting any other party or the minor child of either of the parties;</p>	<p>COLO. REV. STAT. § 18-3-602 (3)-(5) - Stalking- Penalty- definitions- Vonnie's law.</p> <p>(3) A person who commits stalking:</p> <p>(a) Commits a class 5 felony for a first offense except as otherwise provided in subsection (5) of this section; or</p> <p>(b) Commits a class 4 felony for a second or subsequent offense, if the offense occurs within seven years after the date of a prior offense for which the person was convicted.</p> <p>(4) Stalking is an extraordinary risk crime that is subject to the modified presumptive sentencing range specified in section 18-1.3-401 (10).</p> <p>(5) If, at the time of the offense, there was a temporary or permanent protection order, injunction, or condition of bond, probation, or parole or any other court order in effect against the person, prohibiting the behavior described in this section, the person commits a class 4 felony.</p>

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	<p>family, or someone with whom that person has or has had a continuing relationship, regardless of whether a conversation ensues; or</p> <p>(c) Repeatedly follows, approaches, contacts, places under surveillance, or makes any form of communication with another person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship in a manner that would cause a reasonable person to suffer serious emotional distress and does cause that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship to suffer serious emotional distress. For purposes of this paragraph (c), a victim need not show that he or she received professional treatment or counseling to show that he or she suffered serious emotional distress.</p>	<p>conduct from which the person has the right or privilege to abstain, or to abstain from conduct in which the person has a right or privilege to engage.</p> <p>"Domestic abuse" may also include any act, attempted act, or threatened act of violence against:</p> <p>(a) The minor children of either of the parties; or</p> <p>(b) An animal owned, possessed, leased, kept, or held by either of the parties or by a minor child of either of the parties, which threat, act, or attempted act is intended to coerce, control, punish, intimidate, or exact revenge upon either of the parties or a minor child of either of the parties.</p> <p>COLO. REV. STAT. § 13-14-104.5 (1) <i>Procedure for temporary civil protection order.</i></p> <p>(1) (a) Any municipal court of record, if authorized by the municipal governing body; any county court; and any district, probate, or juvenile court shall have original concurrent jurisdiction to issue a temporary or permanent civil protection order against an adult or</p>	<p>(c) Excluding a party from the family home upon a showing that physical or emotional harm would otherwise result;</p> <p>(d) Excluding a party from the home of another party upon a showing that physical or emotional harm would otherwise result;</p> <p>(e)(I) Awarding temporary care and control of any minor children of either party involved for a period of not more than one year.</p> <p>(II) If temporary care and control is awarded, the order may include parenting time rights for the other party involved and any conditions of such parenting time, including the supervision of parenting time by a third party who agrees to the terms of the supervised parenting time and any costs associated with supervised parenting time, if necessary. If the restrained party is unable to pay the ordered costs, the court shall not place such responsibility with publicly funded agencies. If the court finds that the safety of any child or the protected party cannot be ensured with any form of parenting time reasonably available, the court may deny parenting time.</p> <p>(III) The court may award interim decision-making responsibility of a child to a person entitled to bring an action for the allocation</p>	

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		<p>against a juvenile who is ten years of age or older for any of the following purposes:</p> <ul style="list-style-type: none"> (I) To prevent assaults and threatened bodily harm; (II) To prevent domestic abuse; (III) To prevent emotional abuse of the elderly or of an at-risk adult; (IV) To prevent sexual assault or abuse; and (V) To prevent stalking. <p>(b) To be eligible for a protection order, the petitioner does not need to show that he or she has reported the act that is the subject of the complaint to law enforcement, that charges have been filed, or that the petitioner is participating in the prosecution of a criminal matter.</p>	<p>of parental responsibilities under section 14-10-123, C.R.S., when such award is reasonably related to preventing domestic abuse as defined in section 13-14-101 (2), or preventing the child from witnessing domestic abuse.</p> <p>(IV) Temporary care and control or interim decision-making responsibility must be determined in accordance with the standard contained in section 14-10-124, C.R.S.</p> <p>(f) Restraining a party from interfering with a protected person at the person's place of employment or place of education or from engaging in conduct that impairs the protected person's employment, educational relationships, or environment;</p> <p>(g) Restraining a party from molesting, injuring, killing, taking, transferring, encumbering, concealing, disposing of or threatening harm to an animal owned, possessed, leased, kept, or held by any other party or a minor child of any other party;</p> <p>(h) Specifying arrangements for possession and care of an animal owned, possessed, leased, kept, or held by any other party or a minor child of any other party;</p> <p>(i) Granting such other relief as the court deems appropriate;</p> <p>(j)(I) Entering a temporary</p>	

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			<p>injunction restraining the respondent from ceasing to make payments for mortgage or rent, insurance, utilities or related services, transportation, medical care, or child care when the respondent has a prior existing duty or legal obligation or from transferring, encumbering, concealing, or in any way disposing of personal effects or real property, except in the usual course of business or for the necessities of life and requiring the restrained party to account to the court for all extraordinary expenditures made after the injunction is in effect.</p> <p>(II) Any injunction issued pursuant to this paragraph (j) is effective upon personal service or upon waiver and acceptance of service by the respondent for a period of time determined appropriate by the court not to exceed one year after the issuance of the permanent civil protection order.</p> <p>(III) The provisions of the injunction must be printed on the summons, and the petition and the injunction become an order of the court upon fulfillment of the requirements of subparagraph (l) of this paragraph (j).</p> <p>(IV) Nothing in this paragraph (j) precludes either party from applying to the district court for</p>	

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			<p>further temporary orders, an expanded temporary injunction, or modification or revocation. Any subsequent order issued by the district court as part of a domestic matter involving the parties supersedes an injunction made pursuant to this paragraph (j).</p> <p>(2) Any order for temporary care and control issued pursuant to subsection (1) of this section is governed by the "Uniform Child-custody Jurisdiction and Enforcement Act", article 13 of title 14, C.R.S.</p> <p>COLO. REV. STAT. § 13-14-103 Emergency Protection Orders.</p> <p>(1) (a) Any county or district court shall have the authority to enter an emergency protection order pursuant to the provisions of this subsection (1).</p> <p>(b) An emergency protection order issued pursuant to this subsection (1) may include:</p> <p>(I) Restraining a party from contacting, harassing, injuring, intimidating, threatening, molesting, touching, stalking, sexually assaulting or abusing any other party, a minor child of either of the parties, or a minor child who is in danger in the reasonably foreseeable future of being a victim of an unlawful sexual offense or domestic</p>	

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			abuse; (II) Excluding a party from the family home or from the home of another party upon a showing that physical or emotional harm would otherwise result; (III) Awarding temporary care and control of any minor child of a party involved; (IV) Enjoining an individual from contacting a minor child at school, at work, or wherever he or she may be found; (V) Restraining a party from molesting, injuring, killing, taking, transferring, encumbering, concealing, disposing of or threatening harm to an animal owned, possessed, leased, kept, or held by any other party, a minor child of either of the parties, or an elderly or at-risk adult; or (VI) Specifying arrangements for possession and care of an animal owned, possessed, leased, kept, or held by any other party, a minor child of either of the parties, or an elderly or at-risk adult.	
CONNECTICUT	CONN. GEN. STAT. § 46b-15(a) <i>Relief from physical abuse, stalking or pattern of threatening by family or household member. Application. Court orders. Duration. Service of application, affidavit, any ex parte order and notice of hearing. Copies. Expedited hearing for violation of order. Other remedies.</i>	CONN. GEN. STAT. § 46b-38a <i>Family violence prevention and response Definition.</i> (2) “Family or household member” means any of the following persons, regardless of the age of such person:	CONN. GEN. STAT. § 46b-15(a),(b) <i>Relief from physical abuse, stalking or pattern of threatening by family or household member. Application. Court orders. Duration. Service of application, affidavit, any ex parte order and notice of hearing. Copies. Expedited</i>	CONN. GEN. STAT. § 54-1k (b) <i>Issuance of protective orders in cases of stalking, harassment, sexual assault, risk of injury to or impairing morals of a child.</i> (b) A protective order issued under this section may include provisions necessary to protect the victim from

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	<p>(a) Any family or household member, as defined in section 46b-38a, as amended by this act, who is the victim of domestic violence, as defined in section 46b-1, as amended by this act, by another family or household member may make an application to the Superior Court for relief under this section. The court shall provide any person who applies for relief under this section with the information set forth in section 46b-15b.</p> <p>CONN. GEN. STAT. § 53a-181c Stalking in the First Degree: Class D felony.</p> <p>(a) A person is guilty of stalking in the first degree when such person commits stalking in the second degree as provided in section 53a-181d, and (1) such person has previously been convicted of a violation of section 53a-181d, (2) such conduct violates a court order in effect at the time of the offense, (3) such person is twenty-two years of age or older and the other person is under sixteen years of age, or (4) such person intentionally directs such conduct at the other person, in whole or in part, because of the actual or perceived race, religion, ethnicity, disability, sex, sexual orientation or gender identity or expression of such other person.</p> <p>(b) Stalking in the first degree is a class D felony.</p> <p>CONN. GEN. STAT. § 53a-181d</p>	<p>(A) Spouses or former spouses;</p> <p>(B) parents or their children;</p> <p>(C) persons related by blood or marriage;</p> <p>(D) persons other than those persons described in subparagraph © of this subdivision presently residing together or who have resided together;</p> <p>(E) persons who have a child in common regardless of whether they are or have been married or have lived together at any time; and</p> <p>(F) persons in, or who have recently been in, a dating relationship.</p>	<p>hearing for violation of order. Other remedies.</p> <p>(a) Any family or household member, as defined in section 46b-38a, as amended by this act, who is the victim of domestic violence, as defined in section 46b-1, as amended by this act, by another family or household member may make an application to the Superior Court for relief under this section. The court shall provide any person who applies for relief under this section with the information set forth in section 46b-15b.</p> <p>(b) The application form shall allow the applicant, at the applicant's option, to indicate whether the respondent holds a permit to carry a pistol or revolver, an eligibility certificate for a pistol or revolver, a long gun eligibility certificate or an ammunition certificate or possesses one or more firearms or ammunition. The application shall be accompanied by an affidavit made under oath which includes a brief statement of the conditions from which relief is sought. Upon receipt of the application the court shall order that a hearing on the application be held not later than fourteen days from the date of the order except that, if the application indicates that the respondent</p>	<p>threats, harassment, injury or intimidation by the defendant, including but not limited to, an order enjoining the defendant from (1) imposing any restraint upon the person or liberty of the victim, (2) threatening, harassing, assaulting, molesting or sexually assaulting the victim, or (3) entering the dwelling of the victim. A protective order issued under this section may include provisions necessary to protect any animal owned or kept by the victim including, but not limited to, an order enjoining the defendant from injuring or threatening to injure such animal. Such order shall be made a condition of the bail or release of the defendant and shall contain the following language: "In accordance with section 53a-223 of the Connecticut general statutes, any violation of this order constitutes criminal violation of a protective order which is punishable by a term of imprisonment of not more than ten years, a fine of not more than ten thousand dollars, or both. Additionally, in accordance with section 53a-107 of the Connecticut general statutes, entering or remaining in a building or any other premises in violation of this order constitutes criminal trespass in the first degree which is punishable by a term of imprisonment of not more than one year, a fine of not more than two thousand dollars, or both. Violation of this order also violates a condition of your bail or release and may result in</p>

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	<p><i>Stalking in the Second Degree: Class A misdemeanor.</i></p> <p>(a) For the purposes of this section:</p> <p>(1) “Course of conduct” means two or more acts, including, but not limited to, acts in which a person directly, indirectly or through a third party, by any action, method, device or means, including, but not limited to, electronic or social media, (A) follows, lies in wait for, monitors, observes, surveils, threatens, harasses, communicates about or with or sends unwanted gifts to, a person, or (B) interferes with a person’s property;</p> <p>(2) “Emotional distress” means significant mental or psychological suffering or distress that may or may not require medical or other professional treatment or counseling; and</p> <p>(3) “Personally identifying information” means:</p> <p>(A) Any information that can be used to distinguish or trace an individual’s identity, such as name, prior legal name, alias, mother’s maiden name, Social Security number, date or place of birth, address, telephone number or biometric data;</p> <p>(B) Any information that is linked or linkable to an individual, such as medical, financial, education, consumer or employment information, data or records; or</p> <p>(C) Any other sensitive private information that is linked or linkable to a specific identifiable individual, such as</p>		<p>holds a permit to carry a pistol or revolver, an eligibility certificate for a pistol or revolver, a long gun eligibility certificate or an ammunition certificate or possesses one or more firearms or ammunition, and the court orders an ex parte order, the court shall order that a hearing be held on the application not later than seven days from the date on which the ex parte order is issued. The court, in its discretion, may make such orders as it deems appropriate for the protection of the applicant and such dependent children or other persons as the court sees fit. In making such orders ex parte, the court, in its discretion, may consider relevant court records if the records are available to the public from a clerk of the Superior Court or on the Judicial Branch’s Internet web site. In addition, at the time of the hearing, the court, in its discretion, may also consider a report prepared by the family services unit of the Judicial Branch, provided the person who prepared such report is available to testify at the hearing and is subject to cross examination. The report may include, as available: Any existing or prior orders of protection obtained from the protection order registry; information on any pending</p>	<p>raising the amount of bail or revoking release.”</p> <p>CONN. GEN. STAT. § 46b-15 (a) <i>Relief from physical abuse, stalking or pattern of threatening by family or household member. Application. Court orders. Duration. Service of application, affidavit, any ex parte order and notice of hearing. Copies. Expedited hearing for violation of order. Other remedies.</i></p> <p>(a) Any family or household member, as defined in section 46b-38a, as amended by this act, who is the victim of domestic violence, as defined in section 46b-1, as amended by this act, by another family or household member may make an application to the Superior Court for relief under this section. The court shall provide any person who applies for relief under this section with the information set forth in section 46b-15b.</p>

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	<p>gender identity, sexual orientation or any sexually intimate visual depiction.</p> <p>(b) A person is guilty of stalking in the second degree when:</p> <p>(1) Such person knowingly engages in a course of conduct directed at or concerning a specific person that would cause a reasonable person to (A) fear for such specific person’s physical safety or the physical safety of a third person; (B) suffer emotional distress; or (C) fear injury to or the death of an animal owned by or in possession and control of such specific person;</p> <p>(2) Such person with intent to harass, terrorize or alarm, and for no legitimate purpose, engages in a course of conduct directed at or concerning a specific person that would cause a reasonable person to fear that such person’s employment, business or career is threatened, where (A) such conduct consists of the actor telephoning to, appearing at or initiating communication or contact to such other person’s place of employment or business, including electronically, through video-teleconferencing or by digital media, provided the actor was previously and clearly informed to cease such conduct, and (B) such conduct does not consist of constitutionally protected activity; or</p> <p>(3) Such person, for no legitimate purpose and with intent to harass, terrorize or alarm, by means of electronic communication, including, but not limited to, electronic or social</p>		<p>criminal case or past criminal case in which the respondent was convicted of a violent crime; any outstanding arrest warrant for the respondent; and the respondent’s level of risk based on a risk assessment tool utilized by the Court Support Services Division. The report may also include information pertaining to any pending or disposed family matters case involving the applicant and respondent. Any report provided by the Court Support Services Division to the court shall also be provided to the applicant and respondent. Such orders may include temporary child custody or visitation rights, and such relief may include, but is not limited to, an order enjoining the respondent from (1) imposing any restraint upon the person or liberty of the applicant; (2) threatening, harassing, assaulting, molesting, sexually assaulting or attacking the applicant; or (3) entering the family dwelling or the dwelling of the applicant. Such order may include provisions necessary to protect any animal owned or kept by the applicant including, but not limited to, an order enjoining the respondent from injuring or threatening to injure such animal. If an applicant alleges an immediate and</p>	

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	<p>media, discloses a specific person’s personally identifiable information without consent of the person, knowing, that under the circumstances, such disclosure would cause a reasonable person to:</p> <p>(A) Fear for such person’s physical safety or the physical safety of a third person; or</p> <p>(B) Suffer emotional distress.</p> <p>(c) For the purposes of this section, a violation may be deemed to have been committed either at the place where the communication originated or at the place where it was received.</p> <p>(d) Stalking in the second degree is a class A misdemeanor.</p> <p>CONN. GEN. STAT. § 53a-181e <i>Stalking in the Third Degree: Class B misdemeanor.</i></p> <p>(a) A person is guilty of stalking in the third degree when such person recklessly causes another person to reasonably (1) fear for his or her physical safety, or (2) suffer emotional distress, as defined in section 53a-181d, by wilfully and repeatedly following or lying in wait for such other person.</p> <p>(b) Stalking in the third degree is a class B misdemeanor.</p>		<p>present physical danger to the applicant, the court may issue an ex parte order granting such relief as it deems appropriate. If a postponement of a hearing on the application is requested by either party and granted, the ex parte order shall not be continued except upon agreement of the parties or by order of the court for good cause shown. If a hearing on the application is scheduled or an ex parte order is granted and the court is closed on the scheduled hearing date, the hearing shall be held on the next day the court is open and any such ex parte order shall remain in effect until the date of such hearing. If the applicant is under eighteen years of age, a parent, guardian or responsible adult who brings the application as next friend of the applicant may not speak on the applicant’s behalf at such hearing unless there is good cause shown as to why the applicant is unable to speak on his or her own behalf, except that nothing in this subsection shall preclude such parent, guardian or responsible adult from testifying as a witness at such hearing. As used in this subsection, “violent crime” includes: (A) An incident resulting in physical harm, bodily injury or assault; (B) an act of threatened</p>	

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			violence that constitutes fear of imminent physical harm, bodily injury or assault, including, but not limited to, stalking or a pattern of threatening; (C) verbal abuse or argument if there is a present danger and likelihood that physical violence will occur; and (D) cruelty to animals as set forth in section 53-247.	
DELAWARE	<p>DEL. CODE ANN. tit. 11, § 1312(a) Stalking; class G felony, class F felony, class c felony.</p> <p>(a) A person is guilty of stalking when the person knowingly engages in a course of conduct directed at a specific person and that conduct would cause a reasonable person to:</p> <p>(1) Fear physical injury to himself or herself or that of another person; or</p> <p>(2) Suffer other significant mental anguish or distress that may, but does not necessarily, require medical or other professional treatment or counseling.</p>	<p>DEL. CODE ANN. Tit.10 § 1041 (2), (3) Definitions.</p> <p>(2) "Domestic violence" means abuse perpetrated by 1 member against another member of the following protected classes:</p> <p>a. Family, as that term is defined in § 901(12) of this title, regardless, however, of state of residence of the parties, or whether parental rights have been terminated; or</p> <p>b. Former spouses; persons cohabitating together who are holding themselves out as a couple, with or without a child in common; persons living separate and apart with a child in common; or persons in a current or former substantive dating relationship. For purposes of this paragraph, neither a casual acquaintanceship nor ordinary fraternization</p>	<p>DEL. CODE ANN. Tit. 10 § 1045 (a) Relief available; duration of orders, modification and termination</p> <p>(a) After consideration of a petition for a protective order, the Court may grant relief as follows:</p> <p>(1) Restrain the respondent from committing acts of domestic violence, as defined in § 1041 of this title;</p> <p>(2) Restrain the respondent from contacting or attempting to contact the petitioner;</p> <p>(3) Grant exclusive possession of the residence or household to the petitioner or other resident, regardless of in whose name the residence is titled or leased. Such relief shall not affect title to any real property;</p> <p>(4) Order that the petitioner be given temporary possession of specified personal property solely or jointly owned by respondent or petitioner, including but not limited to,</p>	<p>DEL. CODE ANN. Tit.10 § 1046 (c) Enforcement; sanctions for violation of order.</p> <p>(c) A law-enforcement officer shall arrest, with or without a warrant, any individual whom the officer has probable cause to believe has violated a protective order issued under this part or a valid foreign protection order under Part E of this subchapter and who has notice or knowledge of the protective order. Presentation of a protective order that identifies both the protected person and the respondent and, on its face, is currently in effect constitutes probable cause to believe that a protective order exists. The protective order may be either in tangible form or stored in DELJIS or other electronic medium if it is retrievable in perceivable form. Probable cause for arrest may be established by a good faith reliance on information contained in DELJIS. If a protective order is not presented, the law-enforcement officer may consider other information in determining</p>

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		<p>between 2 individuals in business or social contexts shall be deemed to constitute a substantive dating relationship. Factors to consider for a substantive dating relationship may include the length of the relationship, or the type of relationship, or the frequency of interaction between the parties.</p> <p>(3) "Petitioner" means:</p> <p>a. A person who is a member of a protected class and files a petition alleging domestic violence against such person or against such person's minor child or an adult who is impaired;</p> <p>b. The Division of Child Protective Services acting in the interest of a minor child and files a petition alleging domestic violence; or</p> <p>c. The Division of Adult Protective Services acting in the interest of an adult who is impaired and files a petition alleging domestic violence.</p>	<p>motor vehicles, checkbooks, keys and other personal effects;</p> <p>(5) Grant temporary custody of the children of the parties to the petitioner or to another family member. Either party may request visitation at any time during the proceeding. The Court may provide for visitation by separate interim visitation order pursuant to Title 13, which order shall be binding upon and enforceable against both parties. Such interim visitation order may include third-party supervision of any visitation, if necessary, in accordance with Chapters 7 and 19 of Title 13;</p> <p>(6) Order the respondent to pay support for the petitioner and/or for the parties' children, in accordance with Chapter 5 of Title 13, including temporary housing costs;</p> <p>(7) Order the respondent to pay to the petitioner or any other family member monetary compensation for losses suffered as a direct result of domestic violence committed by the respondent, including medical, dental and counseling expenses, loss of earnings or other support, cost of repair or replacement of real or personal property damaged or taken, moving or other travel expenses and litigation costs, including attorney's fees;</p>	<p>whether there is probable cause to believe that a protective order exists.</p> <p>DEL. CODE ANN. tit. 11, § 1312 (f)-(j) Stalking; class G felony, class F felony, class c felony.</p> <p>(f) Notwithstanding any contrary provision of § 4205 of this title, any person who commits the crime of stalking by engaging in a course of conduct which includes any act or acts which have previously been prohibited by a then-existing court order or sentence shall receive a minimum sentence of 6 months incarceration at Level V. The first 6 months of said period of incarceration shall not be subject to suspension.</p> <p>(g) Notwithstanding any contrary provision of § 4205 of this title, any person who is convicted of stalking within 5 years of a prior conviction of stalking shall receive a minimum sentence of 1 year incarceration at Level V. The first year of said period of incarceration shall not be subject to suspension.</p> <p>(h) In any prosecution under this law, it shall not be a defense that the perpetrator was not given actual notice that the course of conduct was unwanted; or that the perpetrator did not intend to cause the victim fear or other emotional distress.</p> <p>(i) In any prosecution under this section, it is an affirmative defense that the person charged was engaged in lawful picketing.</p>

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			<p>(8) Order the respondent to temporarily relinquish to a police officer or a federally-licensed firearms dealer located in Delaware the respondent's firearms and to refrain from purchasing or receiving additional firearms for the duration of the order. The Court shall inform the respondent that he or she is prohibited from receiving, transporting, or possessing firearms for so long as the protective order is in effect;</p> <p>(9) Prohibit the respondent from transferring, encumbering, concealing or in any way disposing of specified property owned or leased by parties;</p> <p>(10) Order the respondent, petitioner and other protected class members, individually and/or as a group, to participate in treatment or counseling programs;</p> <p>(11) Issue an order directing any law-enforcement agency to forthwith search for and seize firearms of the respondent upon a showing by the petitioner that the respondent has possession of a firearm, and</p> <p>a. Petitioner can describe, with sufficient particularity, both the type and location of the firearm or firearms; and</p> <p>b. Respondent has used or threatened to use a firearm against the petitioner, or the</p>	<p>(j) This section shall not apply to conduct which occurs in furtherance of legitimate activities of law-enforcement, private investigators, security officers or private detectives as those activities are defined in Chapter 13 of Title 24.</p>

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			<p>petitioner expresses a fear that the respondent may use a firearm against them;</p> <p>(12) Grant any other reasonable relief necessary or appropriate to prevent or reduce the likelihood of future domestic violence.</p>	
<p>DISTRICT OF COLUMBIA</p>	<p>D.C. CODE § 22-3133 Stalking.</p> <p>(a) It is unlawful for a person to purposefully engage in a course of conduct directed at a specific individual:</p> <p>(1) With the intent to cause that individual to:</p> <p>(A) Fear for his or her safety or the safety of another person;</p> <p>(B) Feel seriously alarmed, disturbed, or frightened; or</p> <p>(C) Suffer emotional distress;</p> <p>(2) That the person knows would cause that individual reasonably to:</p> <p>(A) Fear for his or her safety or the safety of another person;</p> <p>(B) Feel seriously alarmed, disturbed, or frightened; or</p> <p>(C) Suffer emotional distress; or</p> <p>(3) That the person should have known would cause a reasonable person in the individual’s circumstances to:</p> <p>(A) Fear for his or her safety or the safety of another person;</p> <p>(B) Feel seriously alarmed, disturbed, or frightened; or</p> <p>(C) Suffer emotional distress.</p> <p>(b) This section does not apply to constitutionally protected activity.</p> <p>(c) Where a single act is of a continuing nature, each 24-hour period constitutes</p>	<p>D.C. Code § 16-1061. Definitions.</p> <p>For the purposes of this chapter, the term:</p> <p>(1) “Attorney General” means the Attorney General for the District of Columbia</p> <p>(2) “Court” means the Superior Court of the District of Columbia.</p> <p>(3) “Judicial officer” means the Chief Judge, a Senior Judge, an Associate Judge, or a Magistrate Judge of the court.</p> <p>(4) “Minor” means a person under 18 years of age.</p> <p>(5) “Petitioner” means the person for whom an anti-stalking order is sought under this chapter.</p> <p>(6) “Respondent” means any person against whom a petition for an anti-stalking order is filed under this chapter.</p> <p>(7) “Stalked” means any course of conduct prohibited by § 22-3133.</p>	<p>D.C. Code § 16-1064(c). Hearing; evidence; anti-stalking order.</p> <p>© If, after a hearing, the judicial officer finds by a preponderance of the evidence that the respondent stalked the petitioner, with at least one occasion of the course of conduct occurring within the 90 days prior to the date of petitioning, or after receiving the parties’ consent, a judicial officer may issue an anti-stalking order that:</p> <p>(1) Directs the respondent to refrain from committing or threatening to commit criminal offenses against the petitioner and other individuals specified in the order;</p> <p>(2) Requires the respondent to stay away from or have no contact with the petitioner and any other individuals or locations specified in the order;</p> <p>(3) Directs the respondent to relinquish possession or use of certain personal property owned jointly by the parties or by the petitioner individually;</p> <p>(4) Awards costs and attorney</p>	<p>D.C. Code § 16-1064(g)-(j). Hearing; evidence; anti-stalking order.</p> <p>(g)</p> <p>(1) Violation of any temporary anti-stalking order or anti-stalking order issued under this chapter, or respondent’s failure to appear as required by subsection (a) of this section, shall be punishable as criminal contempt.</p> <p>(2) Upon conviction, criminal contempt shall be punished by a fine of not more than the amount set forth in § 22-3571.01, imprisonment for not more than 180 days, or both.</p> <p>(h)</p> <p>(1) Violation of any temporary anti-stalking order or anti-stalking order issued under this chapter shall be chargeable as a misdemeanor.</p> <p>(2) Upon conviction, violation of any temporary anti-stalking order or anti-stalking order shall be punished by a fine of not more than the amount set forth in § 22-3571.01, imprisonment for not more than 180 days, or both.</p> <p>(i)</p> <p>(1) No person shall be found to violate a temporary anti-stalking order or anti-stalking order as described in</p>

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	<p>a separate occasion.</p> <p>(d) The conduct on each of the occasions need not be the same as it is on the others.</p>	<p>D.C. Code § 16-1062.</p> <p>Petition for anti-stalking order; representation.</p> <p>(a) A person 16 years of age or older may petition the court for an anti-stalking order against another person who has allegedly stalked the petitioner, with at least one occasion of the course of conduct occurring within the 90 days prior to the date of petitioning.</p> <p>(b) A minor who is less than 16 years of age may not petition the court for an anti-stalking order on their own behalf.</p> <p>(c)</p> <p>(1) The parent, legal guardian, or legal custodian of a minor may file a petition for an anti-stalking order on the minor's behalf.</p> <p>(2) A person 18 years of age or older to whom the minor is related by blood, adoption, legal custody, marriage, or domestic partnership may, at the request of a minor 13 years of age or older, petition for an anti-stalking order on the minor's behalf:</p> <p>(d)</p> <p>(1) The Office of Attorney General may:</p> <p>(A) If the petitioner is unable to petition on the petitioner's own behalf, intervene in a</p>	<p>fees;</p> <p>(5) Orders the Metropolitan Police Department to take such action as the judicial officer deems necessary to enforce its orders;</p> <p>(6) In connection with an animal owned, possessed, or controlled by the petitioner, orders the respondent to stay away from the animal and refrain from possessing, controlling, harming or threatening to harm, or otherwise disposing of the animal;</p> <p>(7) Directs the respondent to perform or refrain from other actions as may be appropriate to the effective resolution of the matter;</p> <p>(8) Directs the respondent to relinquish possession of any firearms or ammunition and prohibits the respondent from having possession or control of, purchasing, or receiving any firearm or ammunition while the anti-stalking order is in effect; or</p> <p>(9) Combines 2 or more of the preceding provisions.</p>	<p>subsection (g)(1) or (h)(1) of this section, unless the person was personally served with or received actual notice of the temporary anti-stalking order or anti-stalking order.</p> <p>(2) For the purposes of establishing a violation under subsection (f) or (g) of this section, an oral or written statement made by the respondent located outside the District of Columbia to a person located in the District of Columbia by means of telecommunication, mail, or any other method of communication shall be deemed to be made in the District of Columbia.</p> <p>(j) Violations of temporary anti-stalking orders or anti-stalking orders entered with the consent of the respondent but without an admission that the conduct occurred shall be punishable under subsection (f) or (g) of this section.</p>

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		<p>case and represent the interests of the District of Columbia at the request of the petitioner, a person petitioning on the petitioner's behalf, or a government agency; or</p> <p>(B) At the request of the petitioner or a person petitioning on the petitioner's behalf, provide individual legal representation to the petitioner in proceedings under this chapter.</p> <p>(2) If the Office of the Attorney General intervenes in a case under paragraph (1)(A) of this subsection, the intervention shall continue until:</p> <p>(A) The court denies the petition for an anti-stalking order;</p> <p>(B) The Office of the Attorney General withdraws from the intervention.</p> <p>(e) The court may appoint attorneys to represent a party if the party:</p> <p>(1) Is a minor;</p> <p>(2) Is not represented by an attorney; and</p> <p>(3) The appointment would not unreasonably delay a determination on the issuance or denial of a temporary anti-stalking order or anti-stalking order.</p>		

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<p>FLORIDA</p>	<p>FLA. STAT. §741.28(2) <i>Domestic violence; definitions.</i></p> <p>(2) “Domestic violence” means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member.</p> <p>FLA. STAT. § 784.048 (d) <i>Stalking; definitions; penalties.</i></p> <p>(1) As used in this section, the term:</p> <p>(a) “Harass” means to engage in a course of conduct directed at a specific person which causes substantial emotional distress to that person and serves no legitimate purpose.</p> <p>(b) “Course of conduct” means a pattern of conduct composed of a series of acts over a period of time, however short, which evidences a continuity of purpose. The term does not include constitutionally protected activity such as picketing or other organized protests.</p> <p>(c) “Credible threat” means a verbal or nonverbal threat, or a combination of the two, including threats delivered by electronic communication or implied by a pattern of conduct, which places the person who is the target of the threat in reasonable fear for his or her safety or the safety of his or her family members or individuals closely associated with</p>	<p>FLA. STAT. § 741.30(1)(a) <i>Domestic violence; injunction; powers and duties of court and clerk; petition; notice and hearing; temporary injunction; issuance of injunction; statewide verification system; enforcement; public records exemption.</i></p> <p>(1) (a) Any person described in paragraph (e), who is either the victim of domestic violence as defined in s. 741.28 or has reasonable cause to believe he or she is in imminent danger of becoming the victim of any act of domestic violence, has standing in the circuit court to file a sworn petition for an injunction for protection against domestic violence.</p> <p>FLA. STAT. § 784.0485. <i>Stalking; injunction; powers and duties of court and clerk; petition; notice and hearing; temporary injunction; issuance of injunction; statewide verification system; enforcement.</i></p> <p>(1) There is created a cause of action for an injunction for protection against stalking.</p>	<p>FLA. STAT. § 741.30(6)(a) <i>Domestic violence; injunction; powers and duties of court and clerk; petition; notice and hearing; temporary injunction; issuance of injunction; statewide verification system; enforcement; public records exemption.</i></p> <p>(6) (a) Upon notice and hearing, when it appears to the court that the petitioner is either the victim of domestic violence as defined by s. 741.28 or has reasonable cause to believe he or she is in imminent danger of becoming a victim of domestic violence, the court may grant such relief as the court deems proper, including an injunction:</p> <ol style="list-style-type: none"> 1. Restraining the respondent from committing any acts of domestic violence. 2. Awarding to the petitioner the exclusive use and possession of the dwelling that the parties share or excluding the respondent from the residence of the petitioner. 3. On the same basis as provided in chapter 61, providing the petitioner with 100 percent of the time-sharing in a temporary parenting plan that remains in effect until the order expires or an order is entered by a court of 	<p>FLA. STAT. §741.30 <i>Domestic violence; injunction; powers and duties of court and clerk; petition; notice and hearing; temporary injunction; issuance of injunction; statewide verification system; enforcement; public records exemption.</i></p> <p>(9)(a) The court may enforce a violation of an injunction for protection against domestic violence through a civil or criminal contempt proceeding, or the state attorney may prosecute it as a criminal violation under s. 741.31. The court may enforce the respondent’s compliance with the injunction through any appropriate civil and criminal remedies, including, but not limited to, a monetary assessment or a fine. The clerk of the court shall collect and receive such assessments or fines. On a monthly basis, the clerk shall transfer the moneys collected pursuant to this paragraph to the State Treasury for deposit in the Domestic Violence Trust Fund established in s. 741.01.</p> <p>(b) If the respondent is arrested by a law enforcement officer under s. 901.15(6) or for a violation of s. 741.31, the respondent shall be held in custody until brought before the court as expeditiously as possible for the purpose of enforcing the injunction and for admittance to bail in accordance with chapter 903 and the</p>

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	<p>the person, and which is made with the apparent ability to carry out the threat to cause such harm. It is not necessary to prove that the person making the threat had the intent to actually carry out the threat. The present incarceration of the person making the threat is not a bar to prosecution under this section.</p> <p>(d) “Cyberstalk” means:</p> <ol style="list-style-type: none"> 1. To engage in a course of conduct to communicate, or to cause to be communicated, directly or indirectly, words, images, or language by or through the use of electronic mail or electronic communication, directed at or pertaining to a specific person; or 2. To access, or attempt to access, the online accounts or Internet-connected home electronic systems of another person without that person’s permission, causing substantial emotional distress to that person and serving no legitimate purpose. <p>(2) A person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person commits the offense of stalking, a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.</p> <p>(3) A person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person and makes a credible threat to that person commits the offense of aggravated stalking, a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.</p>	<p>For the purposes of injunctions for protection against stalking under this section, the offense of stalking shall include the offense of cyberstalking.</p> <p>(a) A person who is the victim of stalking or the parent or legal guardian of a minor child who is living at home who seeks an injunction for protection against stalking on behalf of the minor child has standing in the circuit court to file a sworn petition for an injunction for protection against stalking.</p> <p>(b) The cause of action for an injunction for protection may be sought regardless of whether any other cause of action is currently pending between the parties. However, the pendency of any such cause of action shall be alleged in the petition.</p> <p>(c) The cause of action for an injunction may be sought by any affected person.</p> <p>(d) The cause of action for an injunction does not require either party to be represented by an attorney.</p> <p>(e) The court may not issue mutual orders of protection; however, the court is not precluded from issuing separate injunctions for protection against stalking if</p>	<p>competent jurisdiction in a pending or subsequent civil action or proceeding affecting the placement of, access to, parental time with, adoption of, or parental rights and responsibilities for the minor child.</p> <p>4. On the same basis as provided in chapter 61, establishing temporary support for a minor child or children or the petitioner. An order of temporary support remains in effect until the order expires or an order is entered by a court of competent jurisdiction in a pending or subsequent civil action or proceeding affecting child support.</p> <p>5. Ordering the respondent to participate in treatment, intervention, or counseling services to be paid for by the respondent. When the court orders the respondent to participate in a batterers’ intervention program, the court, or any entity designated by the court, must provide the respondent with a list of batterers’ intervention programs from which the respondent must choose a program in which to participate.</p> <p>6. Referring a petitioner to a certified domestic violence center. The court must provide the petitioner with a list of</p>	<p>applicable rules of criminal procedure, pending a hearing.</p> <p>FLA. STAT. § 784.0487. Violation of an injunction for protection against stalking or cyberstalking.</p> <p>(1) If the injunction for protection against stalking or cyberstalking has been violated and the respondent has not been arrested, the petitioner may contact the clerk of the circuit court of the county in which the violation is alleged to have occurred. The clerk shall assist the petitioner in preparing an affidavit in support of reporting the violation or directing the petitioner to the office operated by the court that has been designated by the chief judge of that circuit as the central intake point for violations of injunctions for protection where the petitioner can receive assistance in the preparation of the affidavit in support of the violation.</p> <p>(2) The affidavit shall be immediately forwarded by the office assisting the petitioner to the state attorney of that circuit and to such judge as the chief judge determines to be the recipient of affidavits of violations of an injunction. If the affidavit alleges that a crime has been committed, the office assisting the petitioner shall also forward a copy of the petitioner’s affidavit to the appropriate law enforcement agency for investigation. No later than 20 days after receiving the initial report, the local law enforcement agency shall complete its investigation and forward a report to the state attorney. The</p>

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	<p>(4) A person who, after an injunction for protection against repeat violence, sexual violence, or dating violence pursuant to s. 784.046, or an injunction for protection against domestic violence pursuant to s. 741.30, or after any other court-imposed prohibition of conduct toward the subject person or that person's property, knowingly, willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person commits the offense of aggravated stalking, a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.</p> <p>(5) A person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks a child under 16 years of age commits the offense of aggravated stalking, a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.</p>	<p>each party has complied with this section. Compliance with this section may not be waived.</p> <p>(f) Notwithstanding chapter 47, a petition for an injunction for protection against stalking may be filed in the circuit where the petitioner currently or temporarily resides, where the respondent resides, or where the stalking occurred. There is no minimum requirement of residency to petition for an injunction for protection.</p>	<p>certified domestic violence centers in the circuit which the petitioner may contact.</p> <p>7. Awarding to the petitioner the exclusive care, possession, or control of an animal that is owned, possessed, harbored, kept, or held by the petitioner, the respondent, or a minor child residing in the residence or household of the petitioner or respondent. The court may order the respondent to have no contact with the animal and prohibit the respondent from taking, transferring, encumbering, concealing, harming, or otherwise disposing of the animal. This subparagraph does not apply to an animal owned primarily for a bona fide agricultural purpose, as defined under s. 193.461, or to a service animal, as defined under s. 413.08, if the respondent is the service animal's handler.</p> <p>8. Ordering such other relief as the court deems necessary for the protection of a victim of domestic violence, including injunctions or directives to law enforcement agencies, as provided in this section.</p> <p>FLA. STAT. § 784.0485(6)(a), (b) Stalking; injunction power and duties of court and clerk; petition; notice and hearing; temporary injunction; issuance</p>	<p>policy adopted by the state attorney in each circuit under s. 741.2901(2) shall include a policy regarding intake of alleged violations of injunctions for protection against stalking or cyberstalking under this section. The intake shall be supervised by a state attorney who has been designated and assigned to handle stalking or cyberstalking cases. The state attorney shall determine within 30 working days whether his or her office will file criminal charges or prepare a motion for an order to show cause as to why the respondent should not be held in criminal contempt, or prepare both as alternative findings, or file notice that the case remains under investigation or is pending subject to some other action.</p> <p>(3) If the court has knowledge that the petitioner or another person is in immediate danger if the court does not act before the decision of the state attorney to proceed, the court shall immediately issue an order of appointment of the state attorney to file a motion for an order to show cause as to why the respondent should not be held in contempt. If the court does not issue an order of appointment of the state attorney, it shall immediately notify the state attorney that the court is proceeding to enforce the violation through criminal contempt.</p> <p>(4) (a) A person who willfully violates an injunction for protection against</p>

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			<p><i>of injunction; statewide verification system; enforcement.</i></p> <p>(6) (a) Upon notice and hearing, when it appears to the court that the petitioner is the victim of stalking, the court may grant such relief as the court deems proper, including an injunction:</p> <ol style="list-style-type: none"> 1. Restraining the respondent from committing any act of stalking. 2. Ordering the respondent to participate in treatment, intervention, or counseling services to be paid for by the respondent. 3. Referring a petitioner to appropriate services. The court may provide the petitioner with a list of certified domestic violence centers, certified rape crisis centers, and other appropriate referrals in the circuit which the petitioner may contact. 4. Ordering such other relief as the court deems necessary for the protection of a victim of stalking, including injunctions or directives to law enforcement agencies, as provided in this section. <p>(b) The terms of an injunction restraining the respondent under subparagraph (a)1. or ordering other relief for the protection of the victim under subparagraph</p>	<p>stalking or cyberstalking issued pursuant to s. 784.0485, or a foreign protection order accorded full faith and credit pursuant to s. 741.315, by:</p> <ol style="list-style-type: none"> 1. Going to, or being within 500 feet of, the petitioner’s residence, school, place of employment, or a specified place frequented regularly by the petitioner and any named family members or individuals closely associated with the petitioner; 2. Committing an act of stalking against the petitioner; 3. Committing any other violation of the injunction through an intentional unlawful threat, word, or act to do violence to the petitioner; 4. Telephoning, contacting, or otherwise communicating with the petitioner, directly or indirectly, unless the injunction specifically allows indirect contact through a third party; 5. Knowingly and intentionally coming within 100 feet of the petitioner’s motor vehicle, whether or not that vehicle is occupied; 6. Defacing or destroying the petitioner’s personal property, including the petitioner’s motor vehicle; or 7. Refusing to surrender firearms or ammunition if ordered to do so by the court, <p>commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, except as provided in paragraph (b).</p> <p>(b) A person who has two or more prior convictions for violation of an</p>

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			(a)4. shall remain in effect until modified or dissolved. Either party may move at any time to modify or dissolve the injunction. Specific allegations are not required. Such relief may be granted in addition to other civil or criminal remedies.	injunction or foreign protection order, and who subsequently commits a violation of any injunction or foreign protection order against the same victim, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. For purposes of this paragraph, the term "conviction" means a determination of guilt that is the result of a plea or a trial, regardless of whether adjudication is withheld or a plea of nolo contendere is entered. (5) A person who suffers an injury or loss as a result of a violation of an injunction for protection against stalking or cyberstalking may be awarded economic damages for that injury or loss by the court issuing the injunction. Damages include costs and attorney fees for enforcement of the injunction.
GEORGIA	<p>GA. CODE ANN. § 16-5-90(a) Stalking.</p> <p>(a)(1) A person commits the offense of stalking when he or she follows, places under surveillance, or contacts another person at or about a place or places without the consent of the other person for the purpose of harassing and intimidating the other person. For the purpose of this article, the terms "computer" and "computer network" shall have the same meanings as set out in Code Section 16-9-92; the term "contact" shall mean any communication including without being limited to communication in person, by</p>	<p>GA. CODE ANN. § 16-5-94 Stalking orders; proactive orders.</p> <p>(a) A person who is not a minor who alleges stalking by another person may seek a restraining order by filing a petition alleging conduct constituting stalking as defined in Code Section 16-5-90. A person who is not a minor may also seek relief on behalf of a minor by filing such a petition. (b) Jurisdiction for such a petition shall be the same as</p>	<p>GA. CODE ANN. § 16-5-94(d) Stalking orders; proactive orders.</p> <p>(d) The court may grant a protective order or approve a consent agreement to bring about a cessation of conduct constituting stalking. Orders or agreements may: (1) Direct a party to refrain from such conduct; (2) Order a party to refrain from harassing or interfering with the other; (3) Award costs and attorney's fees to either party; and</p>	<p>GA. CODE ANN. § 16-5-95 (b)-(c) Offense of violating family violence order; penalty.</p> <p>(b) A person commits the offense of violating a civil family violence order or criminal family violence order when such person knowingly and in a nonviolent manner violates the terms of such order issued against that person, which: (1) Excludes, evicts, or excludes and evicts the person from a residence or household; (2) Directs the person to stay away from a residence, workplace, or school; (3) Restrains the person from</p>

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	<p>telephone, by mail, by broadcast, by computer, by computer network, or by any other electronic device; and the place or places that contact by telephone, mail, broadcast, computer, computer network, or any other electronic device is deemed to occur shall be the place or places where such communication is received. For the purpose of this article, the term "place or places" shall include any public or private property occupied by the victim other than the residence of the defendant. For the purposes of this article, the term "harassing and intimidating" means a knowing and willful course of conduct directed at a specific person which causes emotional distress by placing such person in reasonable fear for such person's safety or the safety of a member of his or her immediate family, by establishing a pattern of harassing and intimidating behavior, and which serves no legitimate purpose. This Code section shall not be construed to require that an overt threat of death or bodily injury has been made.</p> <p>(2) A person commits the offense of stalking when such person, in violation of a bond to keep the peace posted pursuant to Code Section 17-6-110, standing order issued under Code Section 19-1-1, temporary restraining order, temporary protective order, permanent restraining order, permanent protective order, preliminary injunction, or permanent injunction or condition of pretrial release, condition</p>	<p>for family violence petitions as set out in Code Section 19-13-2.</p> <p>GA. CODE ANN. § 19-13-1 <i>"Family violence" defined.</i></p> <p>As used in this article, the term "family violence" means the occurrence of one or more of the following acts between past or present spouses, persons who are parents of the same child, parents and children, stepparents and stepchildren, foster parents and foster children, or other persons living or formerly living in the same household:</p> <p>(1) Any felony; or (2) Commission of offenses of battery, simple battery, simple assault, assault, stalking, criminal damage to property, unlawful restraint, or criminal trespass.</p> <p>The term "family violence" shall not be deemed to include reasonable discipline administered by a parent to a child in the form of corporal punishment, restraint, or detention.</p>	<p>(4) Order either or all parties to receive appropriate psychiatric or psychological services as a further measure to prevent the recurrence of stalking.</p> <p>(e) The provisions of subsections (c) and (d) of Code Section 19-13-3, subsections (b), (c), and (d) of Code Section 19-13-4, and Code Section 19-13-5, relating to family violence petitions, shall apply to petitions filed pursuant to this Code section, except that the clerk of court may provide forms for petitions and pleadings to persons alleging conduct constituting stalking and to any other person designated by the superior court pursuant to this Code section as authorized to advise persons alleging conduct constituting stalking on filling out and filing such petitions and pleadings.</p> <p>GA. CODE ANN. § 19-13-4 (a) <i>Protective orders and consent agreements; contents; issuing copy of order to sheriff; expiration; enforcement.</i></p> <p>(a) The court may, upon the filing of a verified petition, grant any protective order or approve any consent agreement to bring about a cessation of acts of family violence. The court shall not have the authority to issue or approve mutual protective</p>	<p>approaching within a specified distance of another person; or</p> <p>(4) Restricts the person from having any contact, direct or indirect, by telephone, pager, facsimile, e-mail, or any other means of communication with another person, except as specified in such order.</p> <p>(c) Any person convicted of a violation of subsection (b) of this Code section shall be guilty of a misdemeanor.</p> <p>GA. CODE ANN. § 16-5-90 (b)-(c) <i>Stalking; psychological evaluation.</i></p> <p>(b) Except as provided in subsection (c) of this Code section, a person who commits the offense of stalking is guilty of a misdemeanor.</p> <p>(c) Upon the second conviction, and all subsequent convictions, for stalking, the defendant shall be guilty of a felony and shall be punished by imprisonment for not less than one year nor more than ten years.</p> <p>GA. CODE ANN. § 16-5-91 (b) <i>Aggravated Stalking.</i></p> <p>(b) Any person convicted of a violation of subsection (a) of this Code section shall be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment for not less than one nor more than ten years and by a fine of not more than \$10,000.00. The provisions of subsection (d) of Code Section 16-5-90 apply to sentencing for conviction of aggravated stalking.</p>

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	<p>of probation, or condition of parole in effect prohibiting the harassment or intimidation of another person, broadcasts or publishes, including electronic publication, the picture, name, address, or phone number of a person for whose benefit the bond, order, or condition was made and without such person's consent in such a manner that causes other persons to harass or intimidate such person and the person making the broadcast or publication knew or had reason to believe that such broadcast or publication would cause such person to be harassed or intimidated by others.</p> <p>GA. CODE ANN. § 16-5-91(a) <i>Aggravated Stalking.</i></p> <p>(a) A person commits the offense of aggravated stalking when such person, in violation of a bond to keep the peace posted pursuant to Code Section 17-6-110, temporary restraining order, temporary protective order, permanent restraining order, permanent protective order, preliminary injunction, good behavior bond, or permanent injunction or condition of pretrial release, condition of probation, or condition of parole in effect prohibiting the behavior described in this subsection, follows, places under surveillance, or contacts another person at or about a place or places without the consent of the other person for the purpose of harassing and intimidating the other person.</p>		<p>orders concerning paragraph (1), (2), (5), (9), or (11) of this subsection, or any combination thereof, unless the respondent has filed a verified petition as a counter petition pursuant to Code Section 19-13-3 no later than three days, not including Saturdays, Sundays, and legal holidays, prior to the hearing and the provisions of Code Section 19-13-3 have been satisfied. The orders or agreements may:</p> <p>(1) Direct the respondent to refrain from such acts;</p> <p>(2) Grant to a party possession of the residence or household of the parties and exclude the other party from the residence or household;</p> <p>(3) Require a party to provide suitable alternate housing for a spouse, former spouse, or parent and the parties' child or children;</p> <p>(4) Award temporary custody of minor children and establish temporary visitation rights;</p> <p>(5) Order the eviction of a party from the residence or household and order assistance to the victim in returning to it, or order assistance in retrieving personal property of the victim if the respondent's eviction has not been ordered;</p> <p>(6) Order either party to make payments for the support of a minor child as required by law;</p> <p>(7) Order either party to make</p>	

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			<p>payments for the support of a spouse as required by law; (8) Provide for possession of personal property of the parties; (9) Order the respondent to refrain from harassing or interfering with the victim; (10) Award costs and attorney's fees to either party; and (11) Order the respondent to receive appropriate psychiatric or psychological services as a further measure to prevent the recurrence of family violence.</p> <p>GA. CODE ANN. § 42-8-35.3 <i>Conditions of probation for stalking or aggravated stalking.</i></p> <p>Notwithstanding any other terms or conditions of probation which may be imposed, a court sentencing a defendant to probation for a violation of Code Section 16-5-90 or 16-5-91 may impose one or more of the following conditions on such probation: (1) Prohibit the defendant from engaging in conduct in violation of Code Section 16-5-90 or 16-5-91; (2) Require the defendant to undergo a mental health evaluation and, if it is determined by the court from the results of such evaluation that the defendant is in need of treatment or counseling, require the</p>	

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			<p>defendant to undergo mental health treatment or counseling by a court approved mental health professional, mental health facility, or facility of the Department of Behavioral Health and Developmental Disabilities. Unless the defendant is indigent, the cost of any such treatment shall be borne by the defendant; or</p> <p>(3) Prohibit the defendant from entering or remaining present at the victim's school, place of employment, or other specified places at times when the victim is present.</p>	
<p>GUAM</p>	<p>7 GCA § 40101 Definitions.</p> <p>As used in this Chapter:</p> <p>(a) Abuse means the occurrence of one (1) or more of the following acts between family or household members:</p> <p>(1) attempting to cause or intentionally or knowingly or recklessly causing bodily injury or serious bodily injury with or without a deadly weapon;</p> <p>(2) placing by physical menace another in fear of imminent serious bodily injury; or</p> <p>(3) sexually abusing minor children.</p>	<p>7 GCA § 40103 Commencement of Proceedings.</p> <p>A person may seek relief under this Chapter for himself or herself or on behalf of another person if he has personal knowledge that such person has been abused or any parent or adult household member may seek relief under this Chapter on behalf of minor children by filing a petition with the court alleging abuse by the defendant.</p>	<p>7 GCA § 40105 Relief.</p> <p>(a) The court shall be empowered to grant protection by appropriate order or approve any consent agreement to bring about a cessation of abuse of the plaintiff or minor children, which are not limited to but may include:</p> <p>(1) directing the defendant to refrain from abusing the plaintiff or minor children;</p> <p>(2) granting possession to the plaintiff of the residence or household to the exclusion of the defendant by evicting the defendant or restoring possession to the plaintiff when the residence or household is</p>	<p>7 GCA § 40109 Contempt.</p> <p>Upon violation of a protection order or a court approved consent agreement, the Superior Court may hold the defendant in contempt.</p>

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			jointly owned or leased by the parties; (3) when the defendant has a duty to support the plaintiff or minor children living in the residence or household and the defendant is the sole owner or lessee, granting possession to the plaintiff of the residence or household to the exclusion of the defendant by evicting the defendant to restoring possession to the plaintiff or by consent agreement allowing the defendant to provide suitable, alternative housing; or (4) awarding temporary custody or establishing temporary visitation rights with regard to minor children.	
HAWAII	<p>HAW. REV. STAT. ANN. § 586-1 Definitions.</p> <p>“Domestic abuse” means: (1) Physical harm, bodily injury, assault, or the threat of imminent physical harm, bodily injury, or assault, extreme psychological abuse or malicious property damage between family or household members; or; (2) Any act which would constitute an offense under section 709-906, or under part V or VI of chapter 707 committed against a minor family or household member by an adult family or household member.</p> <p>HAW. REV. STAT. ANN. § 711-1106.5 Harassment by stalking.</p>	<p>HAW. REV. STAT. ANN. § 586-3 (b) Order of protection.</p> <p>(b) A petition for relief under this chapter may be made by: (1) Any family or household member on the member's own behalf or on behalf of a family or household member who is a minor or who is an incapacitated person as defined in section 560:5-102 or who is physically unable to go to the appropriate place to complete or file the petition; or (2) Any state agency on behalf of a person who is a minor or who is an incapacitated</p>	<p>HAW. REV. STAT. ANN. § 586-5.5 (a) Protective order; additional orders.</p> <p>(a) If, after hearing all relevant evidence, the court finds that the respondent has failed to show cause why the order should not be continued and that a protective order is necessary to prevent domestic abuse or a recurrence of abuse, the court may order that a protective order be issued for a further fixed reasonable period as the court deems appropriate.</p> <p>The protective order may include all orders stated in the temporary</p>	<p>HAW. REV. STAT. ANN. § 586-11(a) Violation of an order for protection.</p> <p>(a) Whenever an order for protection is granted pursuant to this chapter, a respondent or person to be restrained who knowingly or intentionally violates the order for protection is guilty of a misdemeanor. A person convicted under this section shall undergo domestic violence intervention at any available domestic violence program as ordered by the court. The court additionally shall sentence a person convicted under this section as follows: (1) For a first conviction for violation of the order for protection: (A) That is in the nature of non-domestic abuse, the person may be</p>

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	<p>(1) A person commits the offense of harassment by stalking if, with intent to harass, annoy, or alarm another person, or in reckless disregard of the risk thereof, that person engages in a course of conduct involving pursuit, surveillance, or nonconsensual contact upon the other person on more than one occasion without legitimate purpose.</p> <p style="text-align: center;">***</p> <p>(3) For purposes of this section, “nonconsensual contact” means any contact that occurs without that individual's consent or in disregard of that person's express desire that the contact be avoided or discontinued. Nonconsensual contact includes direct personal visual or oral contact and contact via telephone, facsimile, or any form of electronic communication, as defined in section 711-1111(2), including electronic mail transmission.</p> <p>(4) Harassment by stalking is a misdemeanor.</p> <p>HAW. REV. STAT. ANN. § 711-1106.4 <i>Aggravated harassment by stalking.</i></p> <p>(1) A person commits the offense of aggravated harassment by stalking if that person commits the offense of harassment by stalking as provided in section 711-1106.5 and has been convicted previously of harassment by stalking under section 711-1106.5 within five years of the instant offense.</p>	<p>person as defined in section 560:5-102 or a person who is physically unable to go to the appropriate place to complete or file the petition on behalf of that person.</p> <p>HAW. REV. STAT. ANN. § 586-1 <i>Definitions.</i></p> <p>“Family or household member”:</p> <p>(1) Means spouses or reciprocal beneficiaries, former spouses or former reciprocal beneficiaries, persons who have a child in common, parents, children, persons related by consanguinity, persons jointly residing or formerly residing in the same dwelling unit, and persons who have or have had a dating relationship; and</p> <p>(2) Does not include those who are, or were, adult roommates or cohabitants only by virtue of an economic or contractual affiliation.</p> <p>A dating relationship.</p> <p>HAW. REV. STAT. ANN. § 604-10.5 (c). <i>Power to enjoin and temporarily restrain harassment.</i></p>	<p>restraining order and may provide for further relief as the court deems necessary to prevent domestic abuse or a recurrence of abuse, including orders establishing temporary visitation and custody with regard to minor children of the parties and orders to either or both parties to participate in domestic violence intervention services. If the court finds that the party meets the requirements under section 334-59(a)(2), the court further may order that the party be taken to the nearest facility for emergency examination and treatment.</p> <p>HAW. REV. STAT. ANN. § 604-10.5 <i>Power to enjoin and temporarily restrain harassment.</i></p> <p>(b) The district courts shall have the power to enjoin, prohibit, or temporarily restrain harassment.</p>	<p>sentenced to a jail sentence of forty-eight hours and be fined not more than \$150; provided that the court shall not sentence a defendant to pay a fine unless the defendant is or will be able to pay the fine;</p> <p>(B) That is in the nature of domestic abuse, the person shall be sentenced to a mandatory minimum jail sentence of not less than forty-eight hours and be fined not less than \$150 nor more than \$500; provided that the court shall not sentence a defendant to pay a fine unless the defendant is or will be able to pay the fine;</p> <p>(2) For a second conviction for violation of the order for protection:</p> <p>(A) That is in the nature of non-domestic abuse, and occurs after a first conviction for violation of the same order that was in the nature of non-domestic abuse, the person shall be sentenced to a mandatory minimum jail sentence of not less than forty-eight hours and be fined not more than \$250; provided that the court shall not sentence a defendant to pay a fine unless the defendant is or will be able to pay the fine;</p> <p>(B) That is in the nature of domestic abuse, and occurs after a first conviction for violation of the same order that was in the nature of domestic abuse, the person shall be sentenced to a mandatory minimum jail sentence of not less than thirty days and be fined not less than \$250 nor more than \$1,000; provided that the court shall not sentence a</p>

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	<p>HAW. REV. STAT. ANN. § 711-1106 (1) Harassment.</p> <p>(1) A person commits the offense of harassment if, with intent to harass, annoy, or alarm any other person, that person:</p> <p>(a) Strikes, shoves, kicks, or otherwise touches another person in an offensive manner or subjects the other person to offensive physical contact;</p> <p>(b) Insults, taunts, or challenges another person in a manner likely to provoke an immediate violent response or that would cause the other person to reasonably believe that the actor intends to cause bodily injury to the recipient or another or damage to the property of the recipient or another;</p> <p>(c) Repeatedly makes telephone calls, facsimile transmissions, or any form of electronic communication as defined in section 711-1111(2), including electronic mail transmissions, without purpose of legitimate communication;</p> <p>(d) Repeatedly makes a communication anonymously or at an extremely inconvenient hour;</p> <p>(e) Repeatedly makes communications, after being advised by the person to whom the communication is directed that further communication is unwelcome; or;</p> <p>(f) Makes a communication using offensively coarse language that would cause the recipient to reasonably believe that the actor intends to cause bodily injury to the recipient or another or damage to the property of the</p>	<p>(c) Any person who has been subjected to harassment may petition the district court of the district in which the petitioner resides for a temporary restraining order and an injunction from further harassment.</p>		<p>defendant to pay a fine unless the defendant is or will be able to pay the fine;</p> <p>(C) That is in the nature of non-domestic abuse, and occurs after a first conviction for violation of the same order that was in the nature of domestic abuse, the person shall be sentenced to a mandatory minimum jail sentence of not less than forty-eight hours and be fined not more than \$250; provided that the court shall not sentence a defendant to pay a fine unless the defendant is or will be able to pay the fine;</p> <p>(D) That is in the nature of domestic abuse, and occurs after a first conviction for violation of the same order that is in the nature of non-domestic abuse, the person shall be sentenced to a mandatory minimum jail sentence of not less than forty-eight hours and be fined not more than \$150; provided that the court shall not sentence a defendant to pay a fine unless the defendant is or will be able to pay the fine;</p> <p>(3) For any subsequent violation that occurs after a second conviction for violation of the same order for protection, the person shall be sentenced to a mandatory minimum jail sentence of not less than thirty days and be fined not less than \$250 nor more than \$1,000; provided that the court shall not sentence a defendant to pay a fine unless the defendant is or will be able to pay the fine.</p>

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	recipient or another.			<p>Upon conviction and sentencing of the defendant, the court shall order that the defendant immediately be incarcerated to serve the mandatory minimum sentence imposed; provided that the defendant may be admitted to bail pending appeal pursuant to chapter 804. The court may stay the imposition of the sentence if special circumstances exist.</p> <p>The court may suspend any jail sentence under subparagraphs (1)(A) and (2)(C), upon condition that the defendant remain alcohol and drug-free, conviction-free, or complete court-ordered assessments or intervention. Nothing in this section shall be construed as limiting the discretion of the judge to impose additional sanctions authorized in sentencing for a misdemeanor offense. All remedies for the enforcement of judgments shall apply to this chapter.</p> <p>HAW. REV. STAT. ANN. § 604-10.5 <i>Power to enjoin and temporarily restrain harassment.</i></p> <p>(i) A knowing or intentional violation of a restraining order or injunction issued pursuant to this section is a misdemeanor. The court shall sentence a violator to appropriate counseling and shall sentence a person convicted under this section as follows: (1) For a violation of an injunction or restraining order that occurs after a</p>

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				<p>conviction for a violation of the same injunction or restraining order, the person shall be sentenced to a mandatory minimum jail sentence of not less than forty-eight hours; and (2) For any subsequent violation that occurs after a second conviction for violation of the same injunction or restraining order, the person shall be sentenced to a mandatory minimum jail sentence of not less than thirty days.</p> <p>The court may suspend any jail sentence, except for the mandatory sentences under paragraphs (1) and (2), upon appropriate conditions, such as that the defendant remain alcohol- and drug-free, conviction-free, or complete court-ordered assessments or counseling. The court may suspend the mandatory sentences under paragraphs (1) and (2) where the violation of the injunction or restraining order does not involve violence or the threat of violence. Nothing in this section shall be construed as limiting the discretion of the judge to impose additional sanctions authorized in sentencing for a misdemeanor offense.</p>
<p>IDAHO</p>	<p>Idaho Code 18 § 18-7905 <i>Stalking in the first degree.</i></p> <p>(1) A person commits the crime of stalking in the first degree if the person violates section 18-7906, Idaho Code, and: (a) The actions constituting the offense</p>	<p>Idaho Code § 18-7906(2)(b) <i>Stalking in the second degree.</i></p> <p>(b) "Family or household member" means: (i) A spouse or former spouse of the victim, a person who</p>	<p>Idaho Code § 18-7907(4) Action for protection:</p> <p>(4) Upon a showing by a preponderance of the evidence that a person for whom protection is sought in the petition was the victim of</p>	<p>Idaho Code § 18-7907(8) Action for protection.</p> <p>(8) Whenever a protection order, or an ex parte temporary protection order issued pursuant to this chapter, is granted and the respondent or person to be restrained was served a copy of</p>

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	<p>are in violation of a temporary restraining order, protection order, no contact order or injunction, or any combination thereof; or</p> <p>(b) The actions constituting the offense are in violation of a condition of probation or parole; or</p> <p>(c) The victim is under the age of sixteen (16) years; or</p> <p>(d) At any time during the course of conduct constituting the offense, the defendant possessed a deadly weapon or instrument; or</p> <p>(e) The defendant has been previously convicted of a crime under this section or section 18-7906, Idaho Code, or a substantially conforming foreign criminal violation within seven (7) years, notwithstanding the form of the judgment or withheld judgment; or</p> <p>(f) The defendant has been previously convicted of a crime, or an attempt, solicitation or conspiracy to commit a crime, involving the same victim as the present offense under any of the following provisions of Idaho Code or a substantially conforming foreign criminal violation within seven (7) years, notwithstanding the form of the judgment or withheld judgment:</p> <p>(i) Chapter 9, title 18;</p> <p>(ii) Chapter 15, title 18;</p> <p>(iii) Chapter 61, title 18;</p> <p>(iv) Section 18-4014 (administering poison with intent to kill);</p> <p>(v) Section 18-4015 (assault with intent to murder);</p> <p>(vi) Section 18-4501 (kidnapping);</p> <p>(vii) Section 18-5501 (poisoning);</p>	<p>has a child in common with the victim regardless of whether they have been married, a person with whom the victim is cohabiting whether or not they have married or have held themselves out to be husband or wife, and persons related to the victim by blood, adoption or marriage; or</p> <p>(ii) A person with whom the victim is or has been in a dating relationship, as defined in section 39-6303, Idaho Code; or</p> <p>(iii) A person living in the same residence as the victim.</p> <p>Idaho Code § 18-7907 Action for protection:</p> <p>(1) There shall exist an action known as a “petition for a protection order” in cases where a person intentionally engages in the following conduct:</p> <p>(a) Stalks, in any degree, as described in sections 18-7905 and 18-7906, Idaho Code;</p> <p>(b) Telephones another with the intent to terrify, threaten, or intimidate such other person and addresses to such other person any threat to inflict injury or physical harm to the person addressed or any member of his family and engages in such conduct with</p>	<p>conduct committed by the respondent that constitutes conduct as described in subsection (1) of this section, within ninety (90) days immediately preceding the filing of the petition, and that such conduct is likely to occur in the future to such person, the court may issue a protection order. Such protection order may:</p> <p>(a) Direct the respondent to refrain from conduct described in subsection (1) of this section;</p> <p>(b) Order the respondent to refrain from contacting the petitioner or any other person for whom the petition sought protection; and</p> <p>(c) Grant such other relief and impose such other restrictions as the court deems proper, that may include a requirement that the respondent not knowingly remain within a certain distance of the protected person, which distance restriction may not exceed one thousand five hundred (1,500) feet.</p>	<p>the order in the manner provided in section 39-6310, Idaho Code, a violation of the provisions of the order shall be a misdemeanor punishable by not to exceed one (1) year in jail and a fine not to exceed five thousand dollars (\$5,000). A peace officer may arrest without a warrant and take into custody a person who the peace officer has probable cause to believe has violated such order.</p> <p>Idaho Code §18-7905(4) Stalking in the first degree.</p> <p>(4) Stalking in the first degree is a felony punishable by a fine not exceeding ten thousand dollars (\$ 10,000) or imprisonment in the state prison for not less than one (1) year nor more than five (5) years, or by both such fine and imprisonment.</p> <p>Idaho Code §18-7906 Stalking in the second degree.</p> <p>(3) Stalking in the second degree is punishable by imprisonment in the county jail for not more than one (1) year or by a fine of not more than one thousand dollars (\$ 1,000), or by both such fine and imprisonment.</p> <p>Idaho Code §18-7903 Penalties—Criminal and Civil.</p> <p>(a) Malicious harassment is punishable by imprisonment in the</p>

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	<p>(viii) Section 18-6608 (forcible sexual penetration by use of foreign object); (ix) Section 18-7902 (malicious harassment); or (x) Section 18-8103 (act of terrorism).</p> <p>Idaho Code §18-7906 <i>Stalking in the second degree.</i></p> <p>(1) A person commits the crime of stalking in the second degree if the person knowingly and maliciously: (a) Engages in a course of conduct that seriously alarms, annoys or harasses the victim and is such as would cause a reasonable person substantial emotional distress; or (b) Engages in a course of conduct such as would cause a reasonable person to be in fear of death or physical injury, or in fear of the death or physical injury of a family or household member. (2) As used in this section: (a) “Course of conduct” means repeated acts of nonconsensual contact involving the victim or a family or household member of the victim, provided however, that constitutionally protected activity is not included within the meaning of this definition. (b) “Family or household member” means: (i) A spouse or former spouse of the victim, a person who has a child in common with the victim regardless of whether they have been married, a person with whom the victim is cohabiting whether or not they have married or have held themselves out to</p>	<p>any device that provides transmission of messages, signals, facsimiles, video images, or other communication by means of telephone, telegraph, cable, wire, or the projection of energy without physical connection between persons who are physically separated from each other; or (c) Based upon another person’s race, color, religion, ancestry, or national origin, intimidates or harasses another person or causes, or threatens to cause, physical injury to another person or damage to any real or personal property of another person. (2) A person may seek relief from such conduct for himself, his children or his ward by filing a verified petition for a protection order with the magistrate division of the district court, alleging specific facts that a person for whom protection is sought was the victim of such conduct within the ninety (90) days immediately preceding the filing of the petition and that such conduct is likely to occur in the future. Evidence of such conduct occurring prior to such ninety (90) day period may be admissible to</p>		<p>state prison for a period not to exceed five (5) years or by fine not exceeding five thousand dollars (\$ 5,000) or by both. (b) In addition to the criminal penalty provided in subsection (a) of this section, there is hereby created a civil cause of action for malicious harassment. A person may be liable to the victim of malicious harassment for both special and general damages, including but not limited to damages for emotional distress, reasonable attorney fees and costs, and punitive damages. (c) The penalties provided in this section for malicious harassment do not preclude victims from seeking any other remedies, criminal or civil, otherwise available under law.</p>

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	<p>be husband or wife, and persons related to the victim by blood, adoption or marriage; or</p> <p>(ii) A person with whom the victim is or has been in a dating relationship, as defined in section 39-6303, Idaho Code; or</p> <p>(iii) A person living in the same residence as the victim.</p> <p>(c) “Nonconsensual contact” means any contact with the victim that is initiated or continued without the victim's consent, that is beyond the scope of the consent provided by the victim, or that is in disregard of the victim's expressed desire that the contact be avoided or discontinued. “Nonconsensual contact” includes, but is not limited to:</p> <p>(i) Following the victim or maintaining surveillance, including by electronic means, on the victim;</p> <p>(ii) Contacting the victim in a public place or on private property;</p> <p>(iii) Appearing at the workplace or residence of the victim;</p> <p>(iv) Entering onto or remaining on property owned, leased or occupied by the victim;</p> <p>(v) Contacting the victim by telephone or causing the victim's telephone to ring repeatedly or continuously regardless of whether a conversation ensues;</p> <p>(vi) Sending mail or electronic communications to the victim; or</p> <p>(vii) Placing an object on, or delivering an object to, property owned, leased or occupied by the victim.</p> <p>(d) “Victim” means a person who is the target of a course of conduct.</p>	<p>show that conduct committed within the ninety (90) day period is part of a course or pattern of conduct as described in subsection (1) of this section and may be admissible as otherwise permitted in accordance with court rule and decisional law.</p>		

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ILLINOIS	<p>720 ILL. COMP. STAT. ANN. 5/12-7.3(a) Stalking.</p> <p>(a) A person commits stalking when he or she knowingly engages in a course of conduct directed at a specific person, and he or she knows or should know that this course of conduct would cause a reasonable person to:</p> <p>(1) fear for his or her safety or the safety of a third person; or</p> <p>(2) suffer other emotional distress.</p> <p>(a-3) A person commits stalking when he or she, knowingly and without lawful justification, on at least 2 separate occasions follows another person or places the person under surveillance or any combination thereof and:</p> <p>(1) at any time transmits a threat of immediate or future bodily harm, sexual assault, confinement or restraint and the threat is directed towards that person or a family member of that person; or</p> <p>(2) places that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement or restraint to or of that person or a family member of that person.</p> <p>(a-5) A person commits stalking when he or she has previously been convicted of stalking another person and knowingly and without lawful justification on one occasion:</p> <p>(1) follows that same person or places that same person under surveillance; and</p> <p>(2) transmits a threat of immediate or</p>	<p>740 ILL. COMP. STAT. ANN. 21/15 Persons protected by this Act.</p> <p>A petition for a stalking no contact order may be filed when relief is not available to the petitioner under the Illinois Domestic Violence Act of 1986:</p> <p>(1) by any person who is a victim of stalking; or</p> <p>(2) by a person on behalf of a minor child or an adult who is a victim of stalking but, because of age, disability, health, or inaccessibility, cannot file the petition.</p> <p>750 ILL. COMP. STAT. ANN. 60/201 Persons protected by this act.</p> <p>(a) The following persons are protected by this Act:</p> <p>(i) any person abused by a family or household member;</p> <p>(ii) any high-risk adult with disabilities who is abused, neglected, or exploited by a family or household member;</p> <p>(iii) any minor child or dependent adult in the care of such person; and</p> <p>(iv) any person residing or employed at a private home or public shelter which is</p>	<p>740 ILL. COMP. STAT. ANN. 21/80 Stalking no contact orders; remedies.</p> <p>(a) If the court finds that the petitioner has been a victim of stalking, a stalking no contact order shall issue; provided that the petitioner must also satisfy the requirements of Section 95 [740 ILCS 21/95] on emergency orders or Section 100 [740 ILCS 21/100] on plenary orders. The petitioner shall not be denied a stalking no contact order because the petitioner or the respondent is a minor. The court, when determining whether or not to issue a stalking no contact order, may not require physical injury on the person of the petitioner. Modification and extension of prior stalking no contact orders shall be in accordance with this Act.</p> <p>(b) A stalking no contact order shall order one or more of the following:</p> <p>(1) prohibit the respondent from threatening to commit or committing stalking;</p> <p>(2) order the respondent not to have any contact with the petitioner or a third person specifically named by the court;</p> <p>(3) prohibit the respondent from knowingly coming within, or knowingly remaining within a specified distance of the</p>	<p>740 ILL. COMP. STAT. ANN. 21/125 Violation.</p> <p>An initial knowing violation of a stalking no contact order is a Class A misdemeanor. A second or subsequent knowing violation is a Class 4 felony.</p> <p>750 ILL. COMP. STAT. ANN. 60/223 Enforcement of orders of protection. (eff. 01/01/23)</p> <p>(a) When violation is crime. A violation of any order of protection, whether issued in a civil or criminal proceeding, shall be enforced by a criminal court when:</p> <p>(1) The respondent commits the crime of violation of an order of protection pursuant to Section 12-3.4 or 12-30 of the Criminal Code of 1961 or the Criminal Code of 2012 [720 ILCS 5/12-3.4 or 720 ILCS 5/12-30], by having knowingly violated:</p> <p>(i) remedies described in paragraphs (1), (2), (3), (14), or (14.5) of subsection (b) of Section 214 of this Act [750 ILCS 60/214]; or</p> <p>(ii) a remedy, which is substantially similar to the remedies authorized under paragraphs (1), (2), (3), (14), and (14.5) of subsection (b) of Section 214 of this Act, in a valid order of protection which is authorized under the laws of another state, tribe, or United States territory; or</p> <p>(iii) any other remedy when the act constitutes a crime against the protected parties as defined by the</p>

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	<p>future bodily harm, sexual assault, confinement or restraint to that person or a family member of that person.</p> <p>720 ILL. COMP. STAT. ANN. 5/12-7.4 Aggravated Stalking.</p> <p>(a) A person commits aggravated stalking when he or she commits stalking and:</p> <p>(1) causes bodily harm to the victim;</p> <p>(2) confines or restrains the victim; or</p> <p>(3) violates a temporary restraining order, an order of protection, a stalking no contact order, a civil no contact order, or an injunction prohibiting the behavior described in subsection (b)(1) of Section 214 of the Illinois Domestic Violence Act of 1986 [750 ILCS 60/214].</p> <p>(a-1) A person commits aggravated stalking when he or she is required to register under the Sex Offender Registration Act [730 ILCS 150/1 et seq.] or has been previously required to register under that Act and commits the offense of stalking when the victim of the stalking is also the victim of the offense for which the sex offender is required to register under the Sex Offender Registration Act or a family member of the victim.</p> <p>750 ILL. COMP. STAT. ANN. 60/103 Definitions.</p> <p>For the purposes of this Act, the following terms shall have the following meanings:</p> <p>(1) "Abuse" means physical abuse,</p>	<p>housing an abused family or household member.</p> <p>(b) A petition for an order of protection may be filed only:</p> <p>(i) by a person who has been abused by a family or household member or by any person on behalf of a minor child or an adult who has been abused by a family or household member and who, because of age, health, disability, or inaccessibility, cannot file the petition, or (ii) by any person on behalf of a high-risk adult with disabilities who has been abused, neglected, or exploited by a family or household member.</p> <p>However, any petition properly filed under this Act may seek protection for any additional persons protected by this Act.</p>	<p>petitioner or the petitioner's residence, school, daycare, or place of employment, or any specified place frequented by the petitioner; however, the court may order the respondent to stay away from the respondent's own residence, school, or place of employment only if the respondent has been provided actual notice of the opportunity to appear and be heard on the petition;</p> <p>(4) prohibit the respondent from possessing a Firearm Owners Identification Card, or possessing or buying firearms; and</p> <p>(5) order other injunctive relief the court determines to be necessary to protect the petitioner or third party specifically named by the court.</p> <p>740 ILL. COMP. STAT. ANN. 21/95 Emergency Stalking No Contact Order.</p> <p>(a) An emergency stalking no contact order shall issue if the petitioner satisfies the requirements of this subsection (a). The petitioner shall establish that:</p> <p>(1) the court has jurisdiction under Section 50 [740 ILCS 21/50];</p> <p>(2) the requirements of Section 80 [740 ILCS 21/80] are satisfied; and</p>	<p>Criminal Code of 1961 or the Criminal Code of 2012 [720 ILCS 5/1-1 et seq.]. Prosecution for a violation of an order of protection shall not bar concurrent prosecution for any other crime, including any crime that may have been committed at the time of the violation of the order of protection; or</p> <p>(2) The respondent commits the crime of child abduction pursuant to Section 10-5 of the Criminal Code of 1961 or the Criminal Code of 2012 [720 ILCS 5/10-5], by having knowingly violated:</p> <p>(i) remedies described in paragraphs (5), (6) or (8) of subsection (b) of Section 214 of this Act; or</p> <p>(ii) a remedy, which is substantially similar to the remedies authorized under paragraphs (5), (6), or (8) of subsection (b) of Section 214 of this Act, in a valid order of protection which is authorized under the laws of another state, tribe, or United States territory.</p> <p>(b) When violation is contempt of court. A violation of any valid Illinois order of protection, whether issued in a civil or criminal proceeding, may be enforced through civil or criminal contempt procedures, as appropriate, by any court with jurisdiction, regardless where the act or acts which violated the order of protection were committed, to the extent consistent with the venue provisions of this Act. Nothing in this Act shall preclude any Illinois court from enforcing any valid order of protection issued in another state. Illinois courts may enforce orders of protection through both</p>

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	<p>harassment, intimidation of a dependent, interference with personal liberty or willful deprivation but does not include reasonable direction of a minor child by a parent or person in loco parentis.</p> <p style="text-align: center;">***</p> <p>(7) “Harassment” means knowing conduct which is not necessary to accomplish a purpose that is reasonable under the circumstances; would cause a reasonable person emotional distress; and does cause emotional distress to the petitioner. Unless the presumption is rebutted by a preponderance of the evidence, the following types of conduct shall be presumed to cause emotional distress:</p> <p>(i) creating a disturbance at petitioner’s place of employment or school;</p> <p>(ii) repeatedly telephoning petitioner’s place of employment, home or residence;</p> <p>(iii) repeatedly following petitioner about in a public place or places;</p> <p>(iv) repeatedly keeping petitioner under surveillance by remaining present outside his or her home, school, place of employment, vehicle or other place occupied by petitioner or by peering in petitioner’s windows;</p> <p>(v) improperly concealing a minor child from petitioner, repeatedly threatening to improperly remove a minor child of petitioner’s from the jurisdiction or from the physical care of petitioner, repeatedly threatening to conceal a minor child from petitioner, or making a single such threat following an actual or</p>		<p>(3) there is good cause to grant the remedy, regardless of prior service of process or of notice upon the respondent, because the harm which that remedy is intended to prevent would be likely to occur if the respondent were given any prior notice, or greater notice than was actually given, of the petitioner’s efforts to obtain judicial relief.</p> <p>An emergency stalking no contact order shall be issued by the court if it appears from the contents of the petition and the examination of the petitioner that the averments are sufficient to indicate stalking by the respondent and to support the granting of relief under the issuance of the stalking no contact order.</p> <p>An emergency stalking no contact order shall be issued if the court finds that items (1), (2), and (3) of this subsection (a) are met.</p>	<p>criminal prosecution and contempt proceedings, unless the action which is second in time is barred by collateral estoppel or the constitutional prohibition against double jeopardy.</p> <p>(1) In a contempt proceeding where the petition for a rule to show cause sets forth facts evidencing an immediate danger that the respondent will flee the jurisdiction, conceal a child, or inflict physical abuse on the petitioner or minor children or on dependent adults in petitioner’s care, the court may order the attachment of the respondent without prior service of the rule to show cause or the petition for a rule to show cause. Conditions of release shall be set unless specifically denied in writing.</p> <p>(2) A petition for a rule to show cause for violation of an order of protection shall be treated as an expedited proceeding.</p> <p>720 ILL. COMP. STAT. ANN. 5/12-7.3 <i>Stalking.</i></p> <p>(b) Sentence. Stalking is a Class 4 felony; a second or subsequent conviction is a Class 3 felony.</p> <p>720 ILL. COMP. STAT. ANN. 5/12-7.4 <i>Aggravated Stalking.</i></p> <p>(b) Sentence. Aggravated stalking is a Class 3 felony; a second or subsequent conviction is a Class 2 felony.</p>

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	<p>attempted improper removal or concealment, unless respondent was fleeing an incident or pattern of domestic violence; or (vi) threatening physical force, confinement or restraint on one or more occasions.</p>			
<p>INDIANA</p>	<p>IND. CODE ANN. § 35-45-10-1 Violation- Penalties.</p> <p>As used in this chapter, “stalk” means a knowing or an intentional course of conduct involving repeated or continuing harassment of another person that would cause a reasonable person to feel terrorized, frightened, intimidated, or threatened and that actually causes the victim to feel terrorized, frightened, intimidated, or threatened. The term does not include statutorily or constitutionally protected activity.</p>	<p>IND. CODE ANN. § 34-26-5-2(a)-(c) Persons against whom petitions may be filed.</p> <p>(a) A person who is or has been a victim of domestic or family violence may file a petition for an order for protection against a: (1) family or household member who commits an act of domestic or family violence; or (2) person who has committed stalking under IC 35-45-10-5 or a sex offense under IC 35-42-4 against the petitioner. (b) A person who is or has been subjected to harassment may file a petition for an order for protection against a person who has committed repeated acts of harassment against the petitioner. (c) A parent, a guardian, or another representative may file a petition for an order for protection on behalf of a child against a:</p>	<p>IND. CODE ANN. § 34-26-5-9 (a)-(d), (h) Relief.</p> <p>(a) If it appears from a petition for an order for protection or from a petition to modify an order for protection that domestic or family violence has occurred or that a modification of an order for protection is required, a court may: (1) without notice or hearing, immediately issue an order for protection ex parte or modify an order for protection ex parte; or (2) upon notice and after a hearing, whether or not a respondent appears, issue or modify an order for protection. (b) If it appears from a petition for an order for protection or from a petition to modify an order for protection that harassment has occurred, a court: (1) may not, without notice and a hearing, issue an order for protection ex parte or modify an order for protection ex parte; but (2) may, upon notice and after a hearing, whether or not a</p>	<p>IND. CODE ANN. § 35-45-10-5 Violation- Penalties.</p> <p>(a) A person who stalks another person commits stalking, a Level 6 felony. (b) The offense is a Level 5 felony if at least one (1) of the following applies: (1) A person: (A) stalks a victim; and (B) makes an explicit or an implicit threat with the intent to place the victim in reasonable fear of: (i) sexual battery (as defined in IC 35-42-4-8); (ii) serious bodily injury; or (iii) death. (2) A protective order to prevent domestic or family violence, a no contact order, or other judicial order under any of the following statutes has been issued by the court to protect the same victim or victims from the person and the person has been given actual notice of the order: (A) IC 31-15 and IC 34-26-5 or IC 31-1-11.5 before its repeal (dissolution of marriage and legal separation). (B) IC 31-34, IC 31-37, or IC 31-6-4 before its repeal (delinquent children and children in need of services). (C) IC 31-32 or IC 31-6-7 before its</p>

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		<p>(1) family or household member who commits an act of domestic or family violence;</p> <p>(2) person who has committed stalking under IC 35-45-10-5 or a sex offense under IC 35-42-4 against the child;</p> <p>(3) person who has committed repeated acts of harassment against the child; or</p> <p>(4) person who engaged in a course of conduct involving repeated or continuing contact with a child that is intended to prepare or condition a child for sexual activity (as defined in IC 35-42-4-13).</p>	<p>respondent appears, issue or modify an order for protection. A court must hold a hearing under this subsection not later than thirty (30) days after the petition for an order for protection or the petition to modify an order for protection is filed.</p> <p>(c) A court may grant the following relief without notice and hearing in an ex parte order for protection or in an ex parte order for protection modification under subsection (a):</p> <p>(1) Enjoin a respondent from threatening to commit or committing acts of domestic or family violence against a petitioner and each designated family or household member.</p> <p>(2) Prohibit a respondent from harassing, annoying, telephoning, contacting, or directly or indirectly communicating with a petitioner.</p> <p>(3) Remove and exclude a respondent from the residence of a petitioner, regardless of ownership of the residence.</p> <p>(4) Order a respondent to stay away from the residence, school, or place of employment of a petitioner or a specified place frequented by a petitioner and each designated family or household member.</p> <p>(5) Order that a petitioner has the exclusive possession, care,</p>	<p>repeal (procedure in juvenile court).</p> <p>(D) IC 34-26-5 or IC 34-26-2 and IC 34-4-5.1 before their repeal (protective order to prevent abuse).</p> <p>(E) IC 34-26-6 (workplace violence restraining orders).</p> <p>(3) The person's stalking of another person violates an order issued as a condition of pretrial release, including release on bail or personal recognizance, or pretrial diversion if the person has been given actual notice of the order.</p> <p>(4) The person's stalking of another person violates a no contact order issued as a condition of probation if the person has been given actual notice of the order.</p> <p>(5) The person's stalking of another person violates a protective order issued under IC 31-14-16-1 and IC 34-26-5 in a paternity action if the person has been given actual notice of the order.</p> <p>(6) The person's stalking of another person violates an order issued in another state that is substantially similar to an order described in subdivisions (2) through (5) if the person has been given actual notice of the order.</p> <p>(7) The person's stalking of another person violates an order that is substantially similar to an order described in subdivisions (2) through (5) and is issued by an Indian:</p> <p>(A) tribe;</p> <p>(B) band;</p> <p>(C) pueblo;</p>

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			<p>custody, or control of any animal owned, possessed, kept, or cared for by the petitioner, respondent, minor child of either the petitioner or respondent, or any other family or household member.</p> <p>(6) Prohibit a respondent from removing, transferring, injuring, concealing, harming, attacking, mistreating, threatening to harm, or otherwise disposing of an animal described in subdivision (5).</p> <p>(7) Order possession and use of the residence, an automobile, and other essential personal effects, regardless of the ownership of the residence, automobile, and essential personal effects. If possession is ordered under this subdivision or subdivision (5), the court may direct a law enforcement officer to accompany a petitioner to the residence of the parties to:</p> <p>(A) ensure that a petitioner is safely restored to possession of the residence, automobile, animal, and other essential personal effects; or</p> <p>(B) supervise a petitioner's or respondent's removal of personal belongings and animal.</p> <p>(8) Order other relief necessary to provide for the safety and welfare of a petitioner and each designated family or household member.</p>	<p>(D) nation; or</p> <p>(E) organized group or community, including an Alaska Native village or regional or village corporation as defined in or established under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.); that is recognized as eligible for the special programs and services provided by the United States to Indians because of their special status as Indians if the person has been given actual notice of the order.</p> <p>(8) A criminal complaint of stalking that concerns an act by the person against the same victim or victims is pending in a court and the person has been given actual notice of the complaint.</p> <p>(c) The offense is a Level 4 felony if:</p> <p>(1) the act or acts were committed while the person was armed with a deadly weapon; or</p> <p>(2) the person has an unrelated conviction for an offense under this section against the same victim or victims.</p>

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			<p>(d) A court may grant the following relief after notice and a hearing, whether or not a respondent appears, in an order for protection or in a modification of an order for protection:</p> <p>(1) Grant the relief under subsection (c).</p> <p>(2) Specify arrangements for parenting time of a minor child by a respondent and:</p> <p>(A) require supervision by a third party; or</p> <p>(B) deny parenting time; if necessary to protect the safety of a petitioner or child.</p> <p>(3) Order a respondent to:</p> <p>(A) pay attorney’s fees;</p> <p>(B) pay rent or make payment on a mortgage on a petitioner’s residence;</p> <p>(C) if the respondent is found to have a duty of support, pay for the support of a petitioner and each minor child;</p> <p>(D) reimburse a petitioner or other person for expenses related to the domestic or family violence or harassment, including:</p> <p>(i) medical expenses;</p> <p>(ii) counseling;</p> <p>(iii) shelter; and</p> <p>(iv) repair or replacement of damaged property;</p> <p>(E) pay the costs and expenses incurred in connection with the use of a GPS tracking device</p>	

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			<p>under subsection (k); or (F) pay the costs and fees incurred by a petitioner in bringing the action. (4) Prohibit a respondent from using or possessing a firearm, ammunition, or a deadly weapon specified by the court, and direct the respondent to surrender to a specified law enforcement agency the firearm, ammunition, or deadly weapon for the duration of the order for protection unless another date is ordered by the court. (5) Permit the respondent and petitioner to occupy the same location for any purpose that the court determines is legitimate or necessary. The court may impose terms and conditions upon a respondent when granting permission under this subdivision. An order issued under subdivision (4) does not apply to a person who is exempt under 18 U.S.C. 925.</p> <p style="text-align: center;">***</p> <p>(h) A finding that domestic or family violence or harassment has occurred sufficient to justify the issuance of an order under this section means that a respondent represents a credible threat to the safety of a petitioner or a member of a petitioner's household. Upon a showing of domestic or family</p>	

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			<p>violence or harassment by a preponderance of the evidence, the court shall grant relief necessary to bring about a cessation of the violence or the threat of violence. The relief may include an order directing a respondent to surrender to a law enforcement officer or agency all firearms, ammunition, and deadly weapons:</p> <p>(1) in the control, ownership, or possession of a respondent; or</p> <p>(2) in the control or possession of another person on behalf of a respondent;</p> <p>for the duration of the order for protection unless another date is ordered by the court.</p> <p style="text-align: center;">***</p> <p>(h) A finding that domestic or family violence or harassment has occurred sufficient to justify the issuance of an order under this section means that a respondent represents a credible threat to the safety of a petitioner or a member of a petitioner's household. Upon a showing of domestic or family violence or harassment by a preponderance of the evidence, the court shall grant relief necessary to bring about a cessation of the violence or the threat of violence. The relief may include an order directing a respondent to surrender to a law enforcement officer or agency all</p>	

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			firearms, ammunition, and deadly weapons: (1) in the control, ownership, or possession of a respondent; or (2) in the control or possession of another person on behalf of a respondent; for the duration of the order for protection unless another date is ordered by the court.	
IOWA	<p>Iowa Code § 708.11(1)-(2) Stalking.</p> <p>1. As used in this section, unless the context otherwise requires:</p> <p>a. “Accompanying offense” means any public offense committed as part of the course of conduct engaged in while committing the offense of stalking.</p> <p>b. “Course of conduct” means repeatedly maintaining a visual or physical proximity to a person without legitimate purpose, repeatedly utilizing a technological device to locate, listen to, or watch a person without legitimate purpose, or repeatedly conveying oral or written threats, threats implied by conduct, or a combination thereof, directed at or toward a person.</p> <p>c. “Immediate family member” means a spouse, parent, child, sibling, or any other person who regularly resides in the household of a specific person, or who within the prior six months regularly resided in the household of a specific person.</p> <p>d. “Repeatedly” means on two or more occasions.</p>	<p>Iowa Code § 664A.1 Definitions</p> <p>For purposes of this chapter:</p> <p>1. “No-contact order” means a court order issued in a criminal proceeding requiring the defendant to have no contact with the alleged victim, persons residing with the alleged victim, or members of the alleged victim’s immediate family, and to refrain from harassing the alleged victim, persons residing with the alleged victim, or members of the alleged victim’s family.</p> <p>2. “Protective order” means a protective order issued pursuant to chapter 232, a court order or court-approved consent agreement entered pursuant to this chapter or chapter 235F, a court order or court-approved consent agreement entered pursuant to chapter 236 or 236A,</p>	<p>IOWA CODE § 664A.3 (3) Entry of temporary no-contact order.</p> <p>3. A no-contact order issued pursuant to this section shall be issued in addition to any other conditions of release imposed by a magistrate pursuant to section 811.2. The no-contact order has force and effect until it is modified or terminated by subsequent court action in a contempt proceeding or criminal or juvenile court action and is reviewable in the manner prescribed in section 811.2. Upon final disposition of the criminal or juvenile court action, the court shall terminate or modify the no-contact order pursuant to section 664A.5.</p>	<p>Iowa Code §708.11 (3) Stalking</p> <p>3.a. A person who commits stalking in violation of this section commits a class “C” felony for a third or subsequent offense.</p> <p>b. A person who commits stalking in violation of this section commits a class “D” felony if any of the following apply:</p> <p>(1) The person commits stalking while subject to restrictions contained in a criminal or civil protective order or injunction, or any other court order which prohibits contact between the person and the victim, or while subject to restrictions contained in a criminal or civil protective order or injunction or other court order which prohibits contact between the person and another person against whom the person has committed a public offense.</p> <p>(2) The person commits stalking while in possession of a dangerous weapon, as defined in section 702.7.</p> <p>(3) The person commits stalking by</p>

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	<p>2. A person commits stalking when all of the following occur:</p> <p>a. The person purposefully engages in a course of conduct directed at a specific person that would cause a reasonable person to feel terrorized, frightened, intimidated, or threatened or to fear that the person intends to cause bodily injury to, or the death of, that specific person or a member of the specific person’s immediate family.</p> <p>b. The person has knowledge or should have knowledge that a reasonable person would feel terrorized, frightened, intimidated, or threatened or fear that the person intends to cause bodily injury to, or the death of, that specific person or a member of the specific person’s immediate family by the course of conduct.</p>	<p>including a valid foreign protective order under section 236.19, subsection 3, or section 236A.19, subsection 3, a temporary or permanent protective order or order to vacate the homestead under chapter 598, or an order that establishes conditions of release or is a protective order or sentencing order in a criminal prosecution arising from a domestic abuse assault under section 708.2A or older individual assault under section 708.2D, or a civil injunction issued pursuant to section 915.22.</p> <p>3. “Victim” means a person who has suffered physical, emotional, or financial harm as a result of a public offense, as defined in section 701.2, committed in this state.</p> <p>Iowa Code § 664A.2 Applicability.</p> <p>1. This chapter applies to no-contact orders issued for violations or alleged violations of sections 708.2A, 708.2D, 708.7, 708.11, 709.2, 709.3, and 709.4, and any other public offense for which there is a victim.</p> <p>2. A protective order issued in a civil proceeding shall be issued pursuant to chapter</p>		<p>directing a course of conduct at a specific person who is under eighteen years of age.</p> <p>(4) The offense is a second offense.</p> <p>c. A person who commits stalking in violation of this section commits an aggravated misdemeanor if the offense is a first offense which is not included in paragraph “b”.</p>

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		232, 235F, 236, 236A, 598, or 915. Punishment for a violation of a protective order shall be imposed pursuant to section 664A.7.		
KANSAS	<p>KAN. STAT. ANN. 21-5427(a) Stalking.</p> <p>(a) Stalking is:</p> <p>(1) Recklessly engaging in a course of conduct targeted at a specific person which would cause a reasonable person in the circumstances of the targeted person to fear for such person’s safety, or the safety of a member of such person’s immediate family and the targeted person is actually placed in such fear;</p> <p>(2) engaging in a course of conduct targeted at a specific person with knowledge that the course of conduct will place the targeted person in fear for such person’s safety or the safety of a member of such person’s immediate family;</p> <p>(3) after being served with, or otherwise provided notice of, any protective order included in K.S.A. 21-3843, prior to its repeal or K.S.A. 2020 Supp. 21-5924, and amendments thereto, that prohibits contact with a targeted person, recklessly engaging in at least one act listed in subsection (f)(1) that violates the provisions of the order and would cause a reasonable person to fear for such person’s safety, or the safety of a member of such person’s immediate</p>	<p>KAN. STAT. ANN. § 60-31a04 (a), (b) Commencement of proceedings; persons seeking relief on behalf of minor; forms; no docket fee; confidentiality exceptions.</p> <p>(a) A person may seek relief under the protection from stalking, sexual assault or human trafficking act by filing a verified petition with any judge of the district court or clerk of the court. A verified petition must allege facts sufficient to show the following:</p> <p>(1) The name of the stalking victim, sexual assault victim or human trafficking victim;</p> <p>(2) the name of the defendant;</p> <p>(3) the dates on which the alleged stalking, sexual assault or human trafficking behavior occurred; and</p> <p>(4) the acts committed by the defendant that are alleged to constitute stalking, sexual assault or human trafficking.</p> <p>(b) The following persons may seek relief under the</p>	<p>KAN. STAT. ANN. 60-31a06 Orders; time periods; extension of orders; amendments; costs.</p> <p>(a) The court may issue a protection from stalking, sexual assault or human trafficking order granting any one or more of the following orders:</p> <p>(1) Restraining the defendant from following, harassing, telephoning, contacting or otherwise communicating with the victim. The order shall contain a statement that, if the order is violated, the violation may constitute stalking as defined in K.S.A. 2017 Supp. 21-5427, and amendments thereto,</p> <p>(2) Restraining the defendant from abusing, molesting or interfering with the privacy rights of the victim. The order shall contain a statement that, if the order is violated, the violation may constitute stalking as defined in K.S.A. 2017 Supp. 21-5427, and amendments thereto,</p>	<p>KAN. STAT. ANN. 21-5427 (b) Stalking.</p> <p>(b) Stalking as defined in:</p> <p>(1) Subsection (a)(1) is a:</p> <p>(A) Class A person misdemeanor, except as provided in subsection (b)(1)(B); and</p> <p>(B) severity level 7, person felony upon a second or subsequent conviction;</p> <p>(2) subsection (a)(2) is a:</p> <p>(A) Class A person misdemeanor, except as provided in subsection (b)(2)(B); and</p> <p>(B) severity level 5, person felony upon a second or subsequent conviction; and</p> <p>(3) subsection (a)(3) is a:</p> <p>(A) Severity level 9, person felony, except as provided in subsection (b)(3)(B); and</p> <p>(B) severity level 5, person felony, upon a second or subsequent conviction.</p> <p>KAN. STAT. ANN. 60-31a09 Contempt.</p> <p>If upon hearing, the court finds a violation of any order under the protection from stalking act, the court may find the defendant in contempt pursuant to K.S.A. 20-1204a, and amendments thereto.</p>

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	<p>family and the targeted person is actually placed in such fear; or (4) intentionally engaging in a course of conduct targeted at a specific child under the age of 14 that would cause a reasonable person in the circumstances of the targeted child, or a reasonable person in the circumstances of an immediate family member of such child, to fear for such child’s safety.</p> <p>KAN. STAT. ANN. 60-31a02 (d) Definitions.</p> <p>(d) “Stalking” means an intentional harassment of another person that places the other person in reasonable fear for that person’s safety. (1) “Harassment” means a knowing and intentional course of conduct directed at a specific person that seriously alarms, annoys, torments or terrorizes the person, and that serves no legitimate purpose. “Harassment” shall include any course of conduct carried out through the use of an unmanned aerial system over or near any dwelling, occupied vehicle or other place where one may reasonably expect to be safe from uninvited intrusion or surveillance. (2) “Course of conduct” means conduct consisting of two or more separate acts over a period of time, however short, evidencing a continuity of purpose which would cause a reasonable person to suffer substantial emotional distress. Constitutionally protected activity is not included within the meaning of “course of conduct.”</p>	<p>protection from stalking, sexual assault or human trafficking act on behalf of a minor child by filing a verified petition with the judge of the district court or with the clerk of the court in the county where the stalking, sexual assault or human trafficking occurred: (1) A parent of the minor child; (2) an adult residing with the minor child; or (3) the child’s court-appointed legal custodian or court-appointed legal guardian.</p>	<p>Supp. 21-5412(a), and amendments thereto, battery as defined in K.S.A. 2017 Supp. 21-5413(a), and amendments thereto, and violation of a protective order as defined in K.S.A. 2017 Supp. 21-5924, and amendments thereto. (3) Restraining the defendant from entering upon or in the victim’s residence or the immediate vicinity thereof. The order shall contain a statement that, if the order is violated, the violation shall constitute criminal trespass as defined in K.S.A. 2017 Supp. 21-5808(a)(1)(C), and amendments thereto, and violation of a protective order as defined in K.S.A. 2017 Supp. 21-5924, and amendments thereto. (4) Restraining the defendant from committing or attempting to commit a sexual assault upon the victim. The order shall contain a statement that, if the order is violated, the violation shall constitute violation of a protective order as defined in K.S.A. 2017 Supp. 21-5924, and amendments thereto. The order shall also contain a statement that, if the order is violated, the violation may constitute a sex offense under article 55 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, and the accused may be prosecuted, convicted of and</p>	

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			<p>punished for such sex offense.</p> <p>(5) Restraining the defendant from following, harassing, telephoning, contacting, recruiting, harboring, transporting, or committing or attempting to commit human trafficking upon the human trafficking victim, or otherwise communicating with the human trafficking victim. The order shall contain a statement that, if the order is violated, the violation shall constitute violation of a protective order as defined in K.S.A. 2017 Supp. 21-5924, and amendments thereto. The order shall also contain a statement that, if the order is violated, the violation may constitute an offense under chapter 21 of the Kansas Statutes Annotated, and amendments thereto, and the accused may be prosecuted, convicted of and punished for such offense.</p> <p>(6) Any other order deemed necessary by the court to carry out the provisions of this act.</p>	
<p>KENTUCKY</p>	<p>Ken. Rev. Stat. § 508.130 Definitions for KRS 508.130 to 508.150.</p> <p>As used in KRS 508.130 to 508.150, unless the context requires otherwise: (1)(a) To “stalk” means to engage in an intentional course of conduct: 1. Directed at a specific person or</p>	<p>508.155(1) Restraining order or interpersonal protective order to be issued upon violation of KRS 508.140 to 508.150.</p> <p>(1)</p>	<p>Ken. Rev. Stat. § 508.155 (4) Restraining order or interpersonal protective order to be issued upon violation of KRS 508.140 to 508.150.</p> <p>(4) A restraining order may grant the following specific relief:</p>	<p>Ken. Rev. Stat. § 508.140(2) Stalking in the first degree.</p> <p>(2) Stalking in the first degree is a Class D felony.</p> <p>Ken. Rev. Stat. § 508.150. (2) Stalking in the second degree.</p>

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	<p>persons;</p> <p>2. Which seriously alarms, annoys, intimidates, or harasses the person or persons; and</p> <p>3. Which serves no legitimate purpose.</p> <p>(b) The course of conduct shall be that which would cause a reasonable person to suffer substantial mental distress.</p> <p>Ken. Rev. Stat. § 508.140 Stalking in the first degree.</p> <p>(1) A person is guilty of stalking in the first degree,</p> <p>(a) When he intentionally:</p> <ol style="list-style-type: none"> 1. Stalks another person; and 2. Makes an explicit or implicit threat with the intent to place that person in reasonable fear of: <ol style="list-style-type: none"> a. Sexual contact as defined in KRS 510.010; b. Serious physical injury; or c. Death; and <p>(b)</p> <ol style="list-style-type: none"> 1. A protective order has been issued by the court to protect the same victim or victims and the defendant has been served with the summons or order or has been given actual notice; or 2. A criminal complaint is currently pending with a court, law enforcement agency, or prosecutor by the same victim or victims and the defendant has been served with a summons or warrant or has been given actual notice; or 3. The defendant has been convicted of or pled guilty within the previous five (5) years to a felony or to a Class A 	<p>(a) Before January 1, 2016, a verdict of guilty or a plea of guilty to KRS 508.140 or 508.150 shall operate as an application for a restraining order utilizing the provisions of this section and limiting the contact of the defendant and the victim who was stalked, unless the victim requests otherwise.</p> <p>(b) Beginning January 1, 2016, a verdict of guilty or a plea of guilty to KRS 508.140 or 508.150 shall operate as an application for an interpersonal protective order issued under KRS Chapter 456, unless the victim requests otherwise. Notwithstanding the provisions of KRS Chapter 456:</p> <ol style="list-style-type: none"> 1. An interpersonal protective order requested under this subsection may be issued by the court that entered the judgment of conviction; 2. The judgment of conviction shall constitute sufficient cause for the entry of the order without the necessity of further proof being taken; and 3. The order may be effective for up to ten (10) years, with further renewals in increments of up to ten (10) years. 	<p>(a) An order restraining the defendant from entering the residence, property, school, or place of employment of the victim; or</p> <p>(b) An order restraining the defendant from making contact with the victim, including an order forbidding the defendant from personally, or through an agent, initiating any communication likely to cause serious alarm, annoyance, intimidation, or harassment, including but not limited to personal, written, telephonic, or any other form of written or electronic communication or contact with the victim. An order issued pursuant to this subsection relating to a school, place of business, or similar nonresidential location shall be sufficiently limited to protect the stalking victim but shall also protect the defendant's right to employment, education, or the right to do legitimate business with the employer of a stalking victim as long as the defendant does not have contact with the stalking victim. The provisions of this subsection shall not apply to a contact by an attorney regarding a legal matter.</p>	<p>(2) Stalking in the second degree is a Class A misdemeanor.</p> <p>Ken. Rev. Stat. § 508.155(10)</p> <p>(10) A violation by the defendant of an order issued pursuant to this section shall be a Class A misdemeanor. Nothing in this section shall preclude the filing of a criminal complaint for stalking based on the same act which is the basis for the violation of the restraining order.</p>

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	<p>misdemeanor against the same victim or victims; or</p> <p>4. The act or acts were committed while the defendant had a deadly weapon on or about his person.</p> <p>Ken. Rev. Stat. § 508.150. Stalking in the second degree.</p> <p>(1) A person is guilty of stalking in the second degree when he intentionally:</p> <p>(a) Stalks another person; and</p> <p>(b) Makes an explicit or implicit threat with the intent to place that person in reasonable fear of:</p> <p>1. Sexual contact as defined in KRS 510.010;</p> <p>2. Physical injury; or</p> <p>3. Death.</p>			
LOUISIANA	<p>LA. REV. STAT. ANN. § 46:2132 (3) - Definitions.</p> <p>(3) “Domestic abuse” includes but is not limited to physical or sexual abuse and any offense against the person, physical or non-physical, as defined in the Criminal Code of Louisiana, except negligent injury and defamation, committed by one family member, household member, or dating partner against another. “Domestic abuse” also includes abuse of adults as defined in R.S. 15:1503 when committed by an adult child or adult grandchild.</p> <p>LA. REV. STAT. ANN. § 46:2151(c) Dating violence.</p> <p>C. For purposes of this Section, “dating</p>	<p>LA. REV. STAT. ANN. § 46:2121.1 Definitions.</p> <p>As used in this Part:</p> <p>(1) “Family or household members” means spouses, former spouses, parents, children, stepparents, stepchildren, foster parents, and foster children. “Family or household members” also means grandparents or their grandchildren.</p> <p>(2) “Family violence” means any assault, battery, or other physical abuse which occurs between family or household members, who reside together or who formerly</p>	<p>LA. REV. STAT. ANN. § 46:2136 (a) Protective orders; content; modification; service.</p> <p>A. The court may grant any protective order or approve any consent agreement to bring about a cessation of domestic abuse as defined in R.S. 46:2132 (3), or the threat or danger thereof, to a party, any minor children, or any person alleged to be incompetent, which relief may include but is not limited to:</p> <p>(1) Granting the relief enumerated in R.S. 46:2135.</p> <p>(2) Where there is a duty to support a party, any minor children, or any person alleged to</p>	<p>LA. REV. STAT. ANN. § 14:40.2 (b) Stalking.</p> <p>B.(1)(a) Notwithstanding any law to the contrary, on first conviction, whoever commits the crime of stalking shall be fined not less than five hundred dollars nor more than one thousand dollars and shall be imprisoned for not less than thirty days nor more than one year. Notwithstanding any other sentencing provisions, any person convicted of stalking shall undergo a psychiatric evaluation. Imposition of the sentence shall not be suspended unless the offender is placed on probation and participates in a court-approved counseling which could include but shall not be limited to anger</p>

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	<p>violence” includes but is not limited to physical or sexual abuse and any offense against the person as defined in the Criminal Code of Louisiana, except negligent injury and defamation, committed by one dating partner against the other.</p> <p>LA. REV. STAT. ANN. § 14:40.2 (a) Stalking.</p> <p>A. Stalking is the intentional and repeated following or harassing of another person that would cause a reasonable person to feel alarmed or to suffer emotional distress. Stalking shall include but not be limited to the intentional and repeated uninvited presence of the perpetrator at another person’s home, workplace, school, or any place which would cause a reasonable person to be alarmed, or to suffer emotional distress as a result of verbal, written, or behaviorally implied threats of death, bodily injury, sexual assault, kidnapping, or any other statutory criminal act to himself or any member of his family or any person with whom he is acquainted.</p> <p>LA. REV. STAT. ANN. § 14:40.3 (b) - Cyberstalking.</p> <p>B. Cyberstalking is action of any person to accomplish any of the following: (1) Use in electronic mail or electronic communication of any words or language threatening to inflict bodily harm to any person or to such person’s</p>	<p>resided together. (3) “Victim of family violence” means the family or household member abused and his or her children who might be in danger if left in the domicile.</p>	<p>be incompetent living in the residence or household, ordering payment of temporary support or provision of suitable housing for them, or granting possession to the petitioner of the residence or household to the exclusion of the defendant, by evicting the defendant or restoring possession to the petitioner where the residence is solely owned by the defendant and the petitioner has been awarded the temporary custody of the minor children born of the parties. (3) Awarding temporary custody of or establishing temporary visitation rights and conditions with regard to any minor children or person alleged to be incompetent. (4)(a) Ordering a medical evaluation of the defendant or the abused person, or both, to be conducted by an independent court-appointed evaluator who qualifies as an expert in the field of domestic abuse. The evaluation shall be conducted by a person who has no family, financial, or prior medical relationship with the defendant or abused person, or their attorneys of record. (b) If the medical evaluation is ordered for both the defendant and abused person, two separate evaluators shall be appointed.</p>	<p>management, abusive behavior intervention groups, or any other type of counseling deemed appropriate by the courts. (b) Whoever commits the crime of stalking against a victim under the age of eighteen when the provisions of Paragraph (6) of this Subsection are not applicable shall be imprisoned for not more than three years, with or without hard labor, and fined not more than two thousand dollars, or both. (2)(a) Any person who commits the offense of stalking and who is found by the trier of fact, whether the jury at a jury trial, the judge in a bench trial, or the judge at a sentencing hearing following a jury trial, beyond a reasonable doubt to have placed the victim of the stalking in fear of death or bodily injury by the actual use of or the defendant’s having in his possession during the instances which make up the crime of stalking a dangerous weapon or is found beyond a reasonable doubt to have placed the victim in reasonable fear of death or bodily injury, shall be imprisoned for not less than one year nor more than five years, with or without hard labor, without benefit of probation, parole, or suspension of sentence and may be fined one thousand dollars, or both. Whether or not the defendant’s use of or his possession of the dangerous weapon is a crime or, if a crime, whether or not he is charged for that offense separately or in addition to the crime of stalking shall have no bearing</p>

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	<p>child, sibling, spouse, or dependent, or physical injury to the property of any person, or for the purpose of extorting money or other things of value from any person.</p> <p>(2) Electronically mail or electronically communicate to another repeatedly, whether or not conversation ensues, for the purpose of threatening, terrifying, or harassing any person.</p> <p>(3) Electronically mail or electronically communicate to another and to knowingly make any false statement concerning death, injury, illness, disfigurement, indecent conduct, or criminal conduct of the person electronically mailed or of any member of the person’s family or household with the intent to threaten, terrify, or harass.</p> <p>(4) Knowingly permit an electronic communication device under the person’s control to be used for the taking of an action in Paragraph (1), (2), or (3) of this Subsection.</p>		<p>(c) After an independent medical evaluation has been completed and a report issued, the court may order counseling or other medical treatment as deemed appropriate.</p>	<p>or relevance as to the enhanced sentence under the provisions of this Paragraph.</p> <p>(b) If the victim is under the age of eighteen, and when the provisions of Paragraph (6) of this Subsection are not applicable, the offender shall be imprisoned for not less than two years nor more than five years, with or without hard labor, without benefit of probation, parole, or suspension of sentence and may be fined not less than one thousand nor more than two thousand dollars, or both.</p> <p>(3) Any person who commits the offense of stalking against a person for whose benefit a protective order, a temporary restraining order, or any lawful order prohibiting contact with the victim issued by a judge or magistrate is in effect in either a civil or criminal proceeding, protecting the victim of the stalking from acts by the offender which otherwise constitute the crime of stalking, shall be punished by imprisonment with or without hard labor for not less than ninety days and not more than two years or fined not more than five thousand dollars, or both.</p> <p>(4) Upon a second conviction occurring within seven years of a prior conviction for stalking, the offender shall be imprisoned with or without hard labor for not less than five years nor more than twenty years, without benefit of probation, parole, or suspension of sentence, and may be fined not more than five thousand</p>

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				<p>dollars, or both.</p> <p>(5) Upon a third or subsequent conviction, the offender shall be imprisoned with or without hard labor for not less that ten years and not more than forty years and may be fined not more than five thousand dollars, or both.</p> <p>(6)(a) Any person thirteen years of age or older who commits the crime of stalking against a child twelve years of age or younger and who is found by the trier of fact, whether the jury at a jury trial, the judge in a bench trial, or the judge at a sentencing hearing following a jury trial, beyond a reasonable doubt to have placed the child in reasonable fear of death or bodily injury, or in reasonable fear of the death or bodily injury of a family member of the child shall be punished by imprisonment with or without hard labor for not less than one year and not more than three years and fined not less than fifteen hundred dollars and not more than five thousand dollars, or both.</p> <p>(b) Lack of knowledge of the child’s age shall not be a defense.</p>
<p>MAINE</p>	<p>ME. REV. STAT. tit. 5, § 4651 (1), (2) Definitions.</p> <p>As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.</p> <p>1. Court. “Court” means any District Court and, with regard to section 4659, the tribal court of the Passamaquoddy</p>	<p>ME. REV. STAT. tit. 19-A, § 4103(1), (2) (eff. 01/01/23)</p> <p>Eligibility</p> <p>The following persons are eligible to seek relief under this chapter:</p> <p>1. Adult. An adult:</p> <p>A. Who has been a victim of abuse as defined in section</p>	<p>ME. REV. STAT. tit. 19-A, § 4110(3), (4) Relief. (eff. 01/01/23)</p> <p>3. Relief. Relief granted under this section may include:</p> <p>A. Directing the defendant not to threaten, assault, molest, harass, attack or otherwise abuse the plaintiff and any minor children</p>	<p>ME. REV. STAT. tit. 19-A, § 4113 Violation. (eff. 01/01/23)</p> <p>1. Crime committed. Except as provided in subsections 2, 4 and 5, violation of an order is a Class D crime when the defendant has prior actual notice, which may be notice by means other than service in hand, of the order.</p>

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	<p>Tribe or the Penobscot Nation.</p> <p>2. Harassment. “Harassment” means:</p> <p>A. Three or more acts of intimidation, confrontation, physical force or the threat of physical force directed against any person, family or business that are made with the intention of causing fear, intimidation or damage to personal property and that do in fact cause fear, intimidation or damage to personal property; or</p> <p>B. Repealed</p> <p>C. A single act or course of conduct constituting a violation of section 4681; Title 17, section 2931; or Title 17-A, section 201, 202, 203, 204, 207, 208, 209, 210, 210-A, 211, 253, 254, 255-A, 256, 258, 259-A, 259-B, 260, 261, 282, 283, 301, 302, 303, 506, 506-A, 511, 511-A, 556, 802, 805, 806, 852 or 853. This definition does not include any act protected by law.</p> <p>ME. REV. STAT. tit. 17-A, § 210-A(1) Stalking (eff. 01/01/23)</p> <p>1. A person is guilty of stalking if:</p> <p>A. The actor intentionally or knowingly engages in a course of conduct directed at or concerning a specific person that would cause a reasonable person:</p> <p>(1) To suffer serious inconvenience or emotional distress;</p> <p>(2) To fear bodily injury or to fear bodily injury to a close relation;</p> <p>(3) To fear death or to fear the death of a close relation;</p> <p>(4) To fear damage or destruction to or tampering with property; or</p>	<p>4102, subsection 1 by a family or household member, a dating partner or an individual related by consanguinity or affinity; or</p> <p>B. Who has been a victim of conduct:</p> <p>(1) Described as stalking in Title 17-A, section 210-A;</p> <p>(2) Constituting any crime described in Title 17-A, chapter 11;</p> <p>(3) Described as unauthorized dissemination of certain private images in Title 17-A, section 511-A; or</p> <p>(4) Described as aggravated sex trafficking or sex trafficking in Title 17-A, section 852 or 853, respectively.</p> <p>For purposes of this paragraph, the conduct need not have been perpetrated by a family or household member, a dating partner or an individual related by consanguinity or affinity;</p> <p>2. Minor child. A person responsible for a child, as defined in Title 22, section 4002, subsection 9, or a representative of the department when a minor child has been:</p> <p>A. A victim of abuse as defined in section 4102, subsection 1 by a family or household member, a dating</p>	<p>residing in the household;</p> <p>B. Directing the defendant not to possess a firearm, muzzle-loading firearm, bow, crossbow or other dangerous weapon for the duration of the order;</p> <p>C. Prohibiting the defendant from the use, attempted use or threatened use of physical force that would reasonably be expected to cause bodily injury against the plaintiff or a minor child residing in the household;</p> <p>D. Directing the defendant not to go upon the premises of the plaintiff’s residence;</p> <p>E. Directing the defendant to refrain from repeatedly and without reasonable cause:</p> <p>(1) Following the plaintiff;</p> <p>(2) Being at or in the vicinity of the plaintiff’s home, school, business or place of employment; or</p> <p>(3) Engaging in conduct defined as stalking in Title 17-A, section 210-A;</p> <p>F. Directing the defendant not to have any direct or indirect contact with the plaintiff, including via social media;</p> <p>G. When the mutual residence or household of the parties is jointly owned or jointly leased or when one party has a duty to support the other or their minor children living in the residence or household and that party is the sole owner or lessee:</p>	<p>2. Exception. When the only provision of the order that is violated concerns relief authorized under section 4110, subsection 3, paragraphs K to U, the violation must be treated as contempt and punished in accordance with law.</p> <p>3. Warrantless arrest. Notwithstanding any provision of law to the contrary, an arrest for criminal violation of an order may be without warrant upon probable cause whether or not the violation is committed in the presence of a law enforcement officer. The law enforcement officer may verify, if necessary, the existence of the order, including by telephone or radio communication with a law enforcement agency with knowledge of the order.</p> <p>4. Reckless conduct; assault. A defendant who violates a final protection order issued pursuant to section 4110, an order issued pursuant to former section 4007 or an order that is similar to a protective order pursuant to section 4110 issued by a court of the United States or of another state, territory, commonwealth or federally recognized Indian tribe through conduct that is reckless and that creates a substantial risk of death or serious bodily injury to the plaintiff named in the final protection order or who assaults the plaintiff named in the final protection order commits a Class C crime.</p> <p>5. Repeat violations. A person who commits a violation under subsection 1 and has 2 or more prior convictions</p>

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	<p>(5) To fear injury to or the death of an animal owned by or in the possession and control of that specific person. Violation of this paragraph is a Class D crime;</p> <p>ME. REV. STAT. tit. 17-A, § 210-C Domestic Violence Stalking. (eff. 01/01/23)</p> <p>1. A person is guilty of domestic violence stalking if:</p> <p>A. The person violates section 210-A and the victim is a family or household member as defined in Title 19-A, section 4102, subsection 6. Violation of this paragraph is a Class D crime; or</p> <p>B. The person violates paragraph A and at the time of the offense:</p> <p>(1) Has one or more prior convictions for violating paragraph A or for violating section 207-A, 208-D, 208-E, 208-F, 209-A, 210-B or 211-A or one or more prior convictions for engaging in conduct substantially similar to that contained in paragraph A or in section 207-A, 208-D, 208-E, 208-F, 209-A, 210-B or 211-A in another jurisdiction;</p> <p>(2) Has one or more prior convictions for violating Title 19-A, former section 4011, subsection 1 or Title 19-A, section 4113, subsection 1 or one or more prior convictions for engaging in conduct substantially similar to that contained in Title 19-A, section 4113, subsection 1 in another jurisdiction;</p> <p>(3) Has one or more prior convictions for violating Title 15, section 1092, subsection 1, paragraph B when the</p>	<p>partner or an individual related by consanguinity or affinity;</p> <p>B. A victim of conduct:</p> <p>(1) Described as stalking in Title 17-A, section 210-A;</p> <p>(2) Constituting any crime described in Title 17-A, chapter 11;</p> <p>(3) Described as unauthorized dissemination of certain private images in Title 17-A, section 511-A;</p> <p>(4) Described as aggravated sex trafficking or sex trafficking in Title 17-A, section 852 or 853, respectively;</p> <p>(5) Described as sexual exploitation of a minor or dissemination of sexually explicit material in Title 17-A, section 282 or 283, respectively; or</p> <p>(6) Described as harassment by telephone or by electronic communication device in Title 17-A, section 506, subsection 1, paragraph A-1 or A-2;</p> <p>For purposes of this paragraph, the conduct need not have been perpetrated by a family or household member, a dating partner or an individual related by consanguinity or affinity;</p>	<p>(1) Granting or restoring possession of the residence or household to one party, excluding the other; or</p> <p>(2) A consent agreement, allowing the party with the duty to support to provide suitable alternate housing;</p> <p>H. Directing the defendant not to injure or threaten to injure any animal owned, possessed, leased, kept or held by either party or a minor child residing in the household;</p> <p>I. Either awarding some or all temporary parental rights and responsibilities with regard to minor children or awarding temporary rights of contact with regard to minor children, or both, under such conditions that the court finds in the best interest of the child pursuant to section 1653, subsections 3 to 6-B. The court's award of parental rights and responsibilities or rights of contact is not binding in any separate action involving an award of parental rights and responsibilities pursuant to chapter 55 or in a similar action brought in another jurisdiction exercising child custody jurisdiction in accordance with the Uniform Child Custody Jurisdiction and Enforcement Act;</p> <p>J. With respect to unauthorized dissemination of certain private</p>	<p>under subsection 1 or former section 4011, subsection 1 or 2 or more convictions for engaging in substantially similar conduct in another jurisdiction commits a Class C crime. Title 17-A, section 9-A governs the use of prior convictions when determining a sentence.</p> <p>ME. REV. STAT. tit. 5, § 4659 Violation.</p> <p>1. Crime committed. Violation of a temporary, emergency, interim or final protective order, an order of a tribal court of the Passamaquoddy Tribe or the Penobscot Nation or a court-approved consent agreement, when the defendant has prior actual notice of the order or agreement, is a Class D crime, except when the only provision that is violated concerns relief authorized under section 4655, subsection 1, paragraphs D to F. Violation of these paragraphs must be treated as contempt and punished in accordance with law.</p> <p>2. Warrantless arrest. Notwithstanding any statutory provision to the contrary, an arrest for criminal violation as defined in this section of an order or consent agreement may be made without warrant upon probable cause whether or not the violation is committed in the presence of the law enforcement officer. The law enforcement officer may verify, if necessary, the existence of a protective order by telephone or radio</p>

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	<p>condition of release violated is specified in Title 15, section 1026, subsection 3, paragraph A, subparagraph (5) or (8) when the alleged victim in the case for which the defendant was on bail was a family or household member as defined in Title 19-A, section 4102, subsection 6; or</p> <p>(4) Has one or more prior convictions for violating section 208, 208-B or 208-C, and the State had pled and proved that the victim of the applicable prior conviction was a family or household member, as defined in Title 19-A, section 4102, subsection 6, or has one or more prior convictions in another jurisdiction for engaging in conduct substantially similar to that contained in section 208, 208-B or 208-C and it had been pled and proved that the victim was a family or household member.</p> <p>Violation of this paragraph is a Class C crime.</p> <p>2. Section 9-A governs the use of prior convictions when determining a sentence.</p>	<p>ME. REV. STAT. tit. 5, § 4653(1) Commencement of proceedings.</p> <p>1. Filing. A person who has been a victim of harassment, including a business, may seek relief by filing in an appropriate court:</p> <p>A. A sworn complaint alleging harassment; and</p> <p>B. If the alleged harassment does not meet the definition in section 4651, subsection 2, paragraph C or is not related to an allegation of domestic violence, violence against a dating partner, sexual assault, stalking or harassment as described in Title 17-A, section 506, subsection 1, paragraph A-1 or A-2, a copy of a notice to stop harassing the plaintiff issued to the defendant pursuant to Title 17-A, section 506-A, subsection 1, paragraph A, subparagraph (1), division (a) or subparagraph (3) or a statement of good cause why such a notice was not sought or obtained. The court has discretion, based on the nature of the allegations as well as any further inquiry that the court may make of the plaintiff, to issue an order even if notice to stop</p>	<p>images as described in Title 17-A, section 511-A, entering any orders determined necessary or appropriate in the discretion of the court, including but not limited to:</p> <p>(1) Prohibiting the defendant from disseminating the private images;</p> <p>(2) Ordering the defendant to remove, destroy or return or to direct the removal, destruction or return of the private images; or</p> <p>(3) Ordering the defendant to pay costs associated with removal, destruction or return of the private images;</p> <p>K. Ordering a division of the personal property and household goods and furnishings of the parties and placing any protective orders considered appropriate by the court, including an order to refrain from taking, converting or damaging property in which the plaintiff has a legal interest;</p> <p>L. Ordering the termination of a life insurance policy or rider under that policy owned by the defendant if the plaintiff is the insured life under the policy or rider. Upon issuance, a copy of the order must be sent to the insurer that issued the policy;</p> <p>M. Requiring the defendant to attend a certified domestic violence intervention program, to receive counseling from a social</p>	<p>communication with a law enforcement agency with knowledge of the order.</p>

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		<p>harassing the plaintiff has not been issued to the defendant as described in Title 17-A, section 506-A, subsection 1, paragraph A, subparagraph (1), division (a) or subparagraph (3).</p>	<p>worker, family service agency, mental health center, psychiatrist or to participate in any other guidance service that the court considers appropriate. The court may not order and the State may not pay for the defendant to attend a certified domestic violence intervention program unless the program is certified under section 4116;</p> <p>N. Ordering the payment of temporary support for a dependent party when the defendant has a legal obligation to support that dependent party;</p> <p>O. Ordering the payment of temporary support:</p> <p>(1) For a child in the dependent party's custody in accordance with chapter 63, when the defendant has a legal obligation to support that child; or</p> <p>(2) To the State as provided in chapters 63, 65 and 67.</p> <p>In all proceedings under this chapter, the court shall apply the child support guidelines in chapter 63 using the information the plaintiff is able to provide the court. Failure of a party to file an income affidavit may not unnecessarily delay a proceeding and does not preclude the issuance of an order for child support, except that the court shall require the plaintiff to complete and file an income affidavit at a final hearing</p>	

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			<p>involving child support even if the defendant does not appear for the hearing;</p> <p>P. Ordering payment of monetary relief to the plaintiff for losses suffered as a result of the defendant's conduct. Monetary relief includes but is not limited to loss of earnings or support, reasonable expenses incurred for personal injuries or property damage, transitional living expenses and reasonable moving expenses. Upon the motion of either party, for sufficient cause, the court may set a later hearing on the issue of the amount of monetary relief, if any, to be awarded. Nothing in this paragraph may be construed to limit the court's discretion to enter any of the other available relief under this chapter. Nothing in this paragraph may be construed to preclude a plaintiff from seeking monetary relief through other actions as permissible by law;</p> <p>Q. Ordering the defendant to pay court costs or reasonable attorney's fees;</p> <p>R. Ordering the plaintiff to pay court costs or reasonable attorney's fees, or both, only if a judgment is entered against the plaintiff after a hearing in which both the plaintiff and the defendant are present and the court finds that the complaint is</p>	

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			<p>frivolous;</p> <p>S. Directing the care, custody or control of any animal owned, possessed, leased, kept or held by either party or a minor child residing in the household;</p> <p>T. With regard to conduct described as aggravated sex trafficking or sex trafficking as described in Title 17-A, section 852 or 853, respectively, entering any other orders determined necessary or appropriate in the discretion of the court, including, but not limited to, requiring the defendant to pay economic damages related to the return or restoration of the plaintiff's passport or other immigration document and any debts of the plaintiff arising from the trafficking relationship; or</p> <p>U. Entering any other orders determined necessary or appropriate in the discretion of the court.</p> <p>4. No possession of firearm, muzzle-loading firearm, bow or crossbow or dangerous weapons for duration of final protection order. If the court prohibits the defendant from possessing a dangerous weapon other than a firearm, muzzle-loading firearm, bow or crossbow, the court shall specify the type of weapon the defendant is prohibited from possessing.</p> <p>If the court prohibits the</p>	

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			<p>defendant from possessing a firearm, muzzle-loading firearm, bow, crossbow or other dangerous weapon, the court shall direct the defendant to relinquish, within 24 hours after service of the final protection order on the defendant or such earlier time as the court specifies in the final protection order, all firearms, muzzle-loading firearms, bows, crossbows and specified dangerous weapons in the possession of the defendant to a law enforcement officer or other individual for the duration of the final protection order. If the weapons are relinquished to an individual other than a law enforcement officer, the defendant must file, within 24 hours after such relinquishment, with the court or local law enforcement agency designated in the final protection order a written statement that contains the name and address of the individual holding the weapons and a description of all weapons held by that individual. The court may subsequently issue a search warrant authorizing a law enforcement officer to seize any firearms, muzzle-loading firearms, bows, crossbows and other dangerous weapons at any location if there is probable cause to believe such firearms, muzzle-loading firearms, bows,</p>	

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			<p>crossbows or dangerous weapons have not been relinquished by the defendant.</p> <p>ME. REV. STAT. tit. 5, § 4655 Relief.</p> <p>1. Protection order; consent agreement. The court, after a hearing and upon finding that the defendant has committed the harassment alleged, may grant any protection order or approve any consent agreement to bring about a cessation of harassment, which may include:</p> <p>A. Directing the defendant to refrain from harassing, threatening, assaulting, molesting, attacking or otherwise abusing the plaintiff or the plaintiff's employees;</p> <p>B. Directing the defendant to refrain from going on the premises of the plaintiff's residence or property, provided that the court may not use this subsection to evict a defendant from the rental premises in an action brought by a plaintiff;</p> <p>C. Directing the defendant to refrain from interference with or destruction of the plaintiff's property;</p> <p>C-1. Directing the defendant to refrain from repeatedly and without reasonable cause:</p> <p>(1) Following the plaintiff; or</p> <p>(2) Being at or in the vicinity of</p>	

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			<p>the plaintiff's home, school, business or place of employment;</p> <p>C-2. Directing the defendant to refrain from having any direct or indirect contact with the plaintiff;</p> <p>D. Ordering payment of monetary compensation to the plaintiff for losses suffered as a direct result of the harassment. Compensatory losses are limited to loss of earnings or support; reasonable expenses incurred for safety protection; reasonable expenses incurred for personal injuries or property damage; and reasonable moving expenses. Upon the motion of either party, for sufficient cause, the court may set a later hearing on the issue of the amount of damages, if any, to be awarded. If it appears from the complaint that an order under this paragraph may be granted, the plaintiff or defendant may remove the issue of monetary compensation to the Superior Court where a jury trial may be had. Removal must be requested by motion prior to a hearing under section 4654;</p> <p>E. Ordering the defendant to pay court costs or reasonable attorney's fees;</p> <p>F. Entering any other orders determined necessary or appropriate in the discretion of the court ;</p> <p>G. With respect to unauthorized</p>	

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			<p>dissemination of certain private images as described in Title 17-A, section 511-A, ordering the defendant to remove, destroy or return or to direct the removal, destruction or return of the private images, ordering the defendant to cease the dissemination of the private images and prohibiting the defendant from disseminating the private images; or</p> <p>H. With respect to unauthorized dissemination of certain private images as described in Title 17-A, section 511-A, entering any orders determined necessary or appropriate in the discretion of the court, including but not limited to ordering the defendant to pay costs associated with removal, destruction or return of the private images.</p>	
<p>MARYLAND</p>	<p>MD. CODE ANN., CRIM. LAW § 3-802 (a) <i>Stalking.</i> (effective 10/01/22)</p> <p>(a) In this section:</p> <p>(1) “stalking” means a malicious course of conduct that includes approaching or pursuing another where:</p> <p>(i) the person intends to place or knows or reasonably should have known the conduct would place another in reasonable fear:</p> <p>1.</p> <p>A. of serious bodily injury;</p> <p>B. of an assault in any degree;</p> <p>C. of rape or sexual offense as defined by §§ 3-303 through 3-308 of this title or</p>	<p>MD. CODE ANN., FAM. LAW §4-501 (m) <i>Definitions.</i></p> <p>(m) "Person eligible for relief" includes:</p> <p>(1) the current or former spouse of the respondent;</p> <p>(2) a cohabitant of the respondent;</p> <p>(3) a person related to the respondent by blood, marriage, or adoption;</p> <p>(4) a parent, stepparent, child, or stepchild of the respondent or the person</p>	<p>MD. CODE ANN., FAM. LAW § 4-506(d) <i>Protective orders.</i></p> <p>(d) The final protective order may include any or all of the following relief:</p> <p>(1) order the respondent to refrain from abusing or threatening to abuse any person eligible for relief;</p> <p>(2) order the respondent to refrain from contacting, attempting to contact, or harassing any person eligible for relief;</p>	<p>MD. CODE ANN., CRIM. LAW § 3-802 (d) <i>Stalking.</i></p> <p>(d) A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding \$ 5,000 or both.</p> <p>MD. CODE ANN., FAM. LAW § 4-508 <i>Sanctions for violating order.</i></p> <p>(a) An interim protective order, temporary protective order, and final protective order issued under this</p>

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	<p>attempted rape or sexual offense in any degree; D. of false imprisonment; or E. of death; or 2. that a third person likely will suffer any of the acts listed in item 1 of this item; or (ii) the person intends to cause or knows or reasonably should have known that the conduct would cause serious emotional distress to another; and (2) “stalking” includes conduct described in item (1) of this subsection that occurs: (i) in person; (ii) by electronic communication, as defined in § 3-805 of this subtitle; or (iii) through the use of a device that can pinpoint or track the location of another without the person’s knowledge or consent.</p>	<p>eligible for relief who resides or resided with the respondent or person eligible for relief for at least 90 days within 1 year before the filing of the petition; (5) a vulnerable adult; (6) an individual who has a child in common with the respondent; or (7) an individual who has had a sexual relationship with the respondent within 1 year before the filing of the petition. (8) an individual who alleges that the respondent committed, within 6 months before the filing of the petition, any of the following acts against the individual: (i) rape or a sexual offense under § 3-303, § 3-304, § 3-307, or § 3-308 of the Criminal Law Article; or (ii) attempted rape or sexual offense in any degree.</p> <p>MD. CODE ANN., CTS. & JUD. PROC. § 3-1502 <i>Exclusivity; applicability of subtitle.</i></p> <p>(a) By proceeding under this subtitle, a petitioner is not limited to or precluded from pursuing any other legal remedy. (b) This subtitle does not</p>	<p>(3) order the respondent to refrain from entering the residence of any person eligible for relief; (4) where the person eligible for relief and the respondent are residing together at the time of the abuse, order the respondent to vacate the home immediately and award temporary use and possession of the home to the person eligible for relief or, in the case of alleged abuse of a child or alleged abuse of a vulnerable adult, award temporary use and possession of the home to an adult living in the home, provided that the court may not grant an order to vacate and award temporary use and possession of the home to a nonspouse person eligible for relief unless the name of the person eligible for relief appears on the lease or deed to the home or the person eligible for relief has shared the home with the respondent for a period of at least 90 days within 1 year before the filing of the petition; (5) order the respondent to remain away from the place of employment, school, or temporary residence of a person eligible for relief or home of other family members; (6) order the respondent to remain away from a child care provider of a person eligible for</p>	<p>subtitle shall state that a violation of the order may result in: (1) criminal prosecution; and (2) imprisonment or fine or both. (b) A temporary protective order and final protective order issued under this subtitle shall state that a violation of the order may result in a finding of contempt.</p> <p>MD. CODE ANN., CTS. & JUD. PROC. § 3-1508 <i>Penalties.</i></p> <p>(a) An individual who fails to comply with the relief granted in an interim peace order under § 3-1503.1 of this subtitle, a temporary peace order under § 3-1504(a)(2) of this subtitle, or a final peace order under § 3-1505(d)(1)(i), (ii), (iii), or (iv) of this subtitle is guilty of a misdemeanor and on conviction is subject to: (1) For a first offense, a fine not exceeding \$1,000 or imprisonment not exceeding 90 days or both; and (2) For a second or subsequent offense, a fine not exceeding \$2,500 or imprisonment not exceeding 1 year or both. (b) For the purpose of second or subsequent offender penalties provided under subsection (a)(2) of this section, a prior conviction under § 4-509 of the Family Law Article shall be considered a conviction under this section. (c) A law enforcement officer shall arrest with or without a warrant and</p>

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		<p>apply to:</p> <p>(1) A petitioner or a petitioner’s employee who is a person eligible for relief, as defined in § 4-501 of the Family Law Article; or</p> <p>(2) A respondent who is a child at the time of the alleged commission of an act specified in § 3-1503(a) of this subtitle.</p>	<p>relief while a child of the person is in the care of the child care provider;</p> <p>(7) award temporary custody of a minor child of the respondent and a person eligible for relief;</p> <p>(8) establish temporary visitation with a minor child of the respondent and a person eligible for relief on a basis which gives primary consideration to the welfare of the minor child and the safety of any other person eligible for relief. If the court finds that the safety of a person eligible for relief will be jeopardized by unsupervised or unrestricted visitation, the court shall condition or restrict visitation as to time, place, duration, or supervision, or deny visitation entirely, as needed to guard the safety of any person eligible for relief;</p> <p>(9) award emergency family maintenance as necessary to support any person eligible for relief to whom the respondent has a duty of support under this article, including an immediate and continuing withholding order on all earnings of the respondent in the amount of the ordered emergency family maintenance in accordance with the procedures specified in Title 10, Subtitle 1, Part III of this article;</p> <p>(10) award temporary use and</p>	<p>take into custody an individual who the officer has probable cause to believe is in violation of an interim peace order, temporary peace order, or final peace order in effect at the time of the violation.</p>

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			<p>possession of a vehicle jointly owned by the respondent and a person eligible for relief to the person eligible for relief if necessary for the employment of the person eligible for relief or for the care of a minor child of the respondent or a person eligible for relief;</p> <p>(11) except when a protective order is issued for a person eligible for relief described in § 4-501(m)(7) of this subtitle, direct the respondent or any or all of the persons eligible for relief to participate in professionally supervised counseling or a domestic violence program;</p> <p>(12) order the respondent to pay filing fees and costs of a proceeding under this subtitle;</p> <p>(13) award temporary possession of any pet of the person eligible for relief or the respondent; or</p> <p>(14) order any other relief that the judge determines is necessary to protect a person eligible for relief from abuse.</p> <p>MD. CODE ANN., CTS. & JUD. PROC. § 3-1505(d) <i>Respondent's opportunity to be heard; peace order hearing; forms of relief.</i> (d)</p>	

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			<p>(1) The final peace order may include any or all of the following relief:</p> <p>(i) Order the respondent to refrain from committing or threatening to commit an act specified in § 3-1503(a) of this subtitle against the petitioner or the petitioner’s employee;</p> <p>(ii) Order the respondent to refrain from contacting, attempting to contact, or harassing the petitioner or the petitioner’s employee;</p> <p>(iii) Order the respondent to refrain from entering the residence of the petitioner or the petitioner’s employee;</p> <p>(iv) Order the respondent to remain away from the place of employment, school, or temporary residence of the petitioner or the petitioner’s employee;</p> <p>(v) Direct the respondent or petitioner to participate in professionally supervised counseling or, if the parties are amenable, mediation; and</p> <p>(vi) Order either party to pay filing fees and costs of a proceeding under this subtitle.</p> <p>(2) If the judge issues an order under this section, the order shall contain only the relief that is minimally necessary to protect the petitioner or the petitioner’s employee.</p>	

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<p>MASSACHUSETTS</p>	<p>Mass. ANN. LAWS ch. 258E, § 1 Definitions.</p> <p>As used in this chapter the following words shall, unless the context clearly requires otherwise, have the following meanings:- “Abuse”, attempting to cause or causing physical harm to another or placing another in fear of imminent serious physical harm. “Harassment”, (i) 3 or more acts of willful and malicious conduct aimed at a specific person committed with the intent to cause fear, intimidation, abuse or damage to property and that does in fact cause fear, intimidation, abuse or damage to property; or (ii) an act that: (A) by force, threat or duress causes another to involuntarily engage in sexual relations; or (B) constitutes a violation of section 13B, 13F, 13H, 22, 22A, 23, 24, 24B, 26C, 43 or 43A of chapter 265 or section 3 of chapter 272.</p> <p>Mass. ANN. LAWS ch. 265, § 43(a) Stalking.</p> <p>(a) Whoever (1) willfully and maliciously engages in a knowing pattern of conduct or series of acts over a period of time directed at a specific person which seriously alarms or annoys that person and would cause a reasonable person to suffer substantial emotional distress, and (2) makes a threat with the intent to place the person in imminent fear of death or bodily injury, shall be guilty of the crime of stalking and shall be</p>	<p>Mass. ANN. LAWS ch. 258E, § 3 (a) Filing a complaint.</p> <p>(a) A person suffering from harassment may file a complaint in the appropriate court requesting protection from such harassment.</p>	<p>Mass. ANN. LAWS ch. 258E, § 3 Filing a complaint.</p> <p>(a) A person suffering from harassment may file a complaint in the appropriate court requesting protection from such harassment. A person may petition the court under this chapter for an order that the defendant: (i) refrain from abusing or harassing the plaintiff, whether the defendant is an adult or minor; (ii) refrain from contacting the plaintiff, unless authorized by the court, whether the defendant is an adult or minor; (iii) remain away from the plaintiff’s household or workplace, whether the defendant is an adult or minor; and (iv) pay the plaintiff monetary compensation for the losses suffered as a direct result of the harassment; provided, however, that compensatory damages shall include, but shall not be limited to, loss of earnings, out-of-pocket losses for injuries sustained or property damaged, cost of replacement of locks, medical expenses, cost for obtaining an unlisted phone number and reasonable attorney’s fees. (b) The court may order that</p>	<p>Mass. ANN. LAWS ch. 265 § 43 Stalking</p> <p>(a) Whoever (1) willfully and maliciously engages in a knowing pattern of conduct or series of acts over a period of time directed at a specific person which seriously alarms or annoys that person and would cause a reasonable person to suffer substantial emotional distress, and (2) makes a threat with the intent to place the person in imminent fear of death or bodily injury, shall be guilty of the crime of stalking and shall be punished by imprisonment in the state prison for not more than 5 years or by a fine of not more than \$1,000, or imprisonment in the house of correction for not more than 2 ½ years or by both such fine and imprisonment. The conduct, acts or threats described in this subsection shall include, but not be limited to, conduct, acts or threats conducted by mail or by use of a telephonic or telecommunication device or electronic communication device including, but not limited to, any device that transfers signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications. (b) Whoever commits the crime of stalking in violation of a temporary or</p>

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	<p>punished by imprisonment in the state prison for not more than 5 years or by a fine of not more than \$1,000, or imprisonment in the house of correction for not more than 2½ years or by both such fine and imprisonment. The conduct, acts or threats described in this subsection shall include, but not be limited to, conduct, acts or threats conducted by mail or by use of a telephonic or telecommunication device or electronic communication device including, but not limited to, any device that transfers signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications.</p>		<p>information in the case record be impounded in accordance with court rule.</p> <p>(c) No filing fee shall be charged for the filing of the complaint. The plaintiff shall not be charged for certified copies of any orders entered by the court, or any copies of the file reasonably required for future court action or as a result of the loss or destruction of plaintiff's copies.</p> <p>(d) Any relief granted by the court shall not extend for a period exceeding 1 year. Every order shall, on its face, state the time and date the order is to expire and shall include the date and time that the matter will again be heard. If the plaintiff appears at the court at the date and time the order is to expire, the court shall determine whether or not to extend the order for any additional time reasonably necessary to protect the plaintiff or to enter a permanent order. When the expiration date stated on the order is on a date when the court is closed to business, the order shall not expire until the next date that the court is open to business. The plaintiff may appear on such next court business day at the time designated by the order to request that the order be extended. The court may also</p>	<p>permanent vacate, restraining, or no-contact order or judgment issued pursuant to sections eighteen, thirty-four B, or thirty-four C of chapter two hundred and eight; or section thirty-two of chapter two hundred and nine; or sections three, four, or five of chapter two hundred and nine A; or sections fifteen or twenty of chapter two hundred and nine C or a protection order issued by another jurisdiction; or a temporary restraining order or preliminary or permanent injunction issued by the superior court, shall be punished by imprisonment in a jail or the state prison for not less than one year and not more than five years. No sentence imposed under the provisions of this subsection shall be less than a mandatory minimum term of imprisonment of one year. A prosecution commenced hereunder shall not be placed on file or continued without a finding, and the sentence imposed upon a person convicted of violating any provision of this subsection shall not be reduced to less than the mandatory minimum term of imprisonment as established herein, nor shall said sentence of imprisonment imposed upon any person be suspended or reduced until such person shall have served said mandatory term of imprisonment. A person convicted of violating any provision of this subsection shall not, until he shall have served the mandatory minimum term of imprisonment established herein, be</p>

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			<p>extend the order upon motion of the plaintiff, for such additional time as it deems necessary to protect the plaintiff from harassment. The fact that harassment has not occurred during the pendency of an order shall not, in itself, constitute sufficient ground for denying or failing to extend the order, or allowing an order to expire or be vacated or for refusing to issue a new order.</p> <p>(e) The court may modify its order at any subsequent time upon motion by either party; provided, however, that the non-moving party shall receive sufficient notice and opportunity to be heard on said modification. When the plaintiff's address is inaccessible to the defendant as provided in section 10 and the defendant has filed a motion to modify the court's order, the court shall be responsible for notifying the plaintiff. In no event shall the court disclose any such inaccessible address.</p> <p>(f) The court shall not deny any complaint filed under this chapter solely because it was not filed within a particular time period after the last alleged incident of harassment.</p> <p>(g) An action commenced under this chapter shall not preclude any other civil or criminal remedies. A party filing a</p>	<p>eligible for probation, parole, furlough, work release or receive any deduction from his sentence for good conduct under sections one hundred and twenty-nine, one hundred and twenty-nine C and one hundred and twenty-nine D of chapter one hundred and twenty-seven; provided, however, that the commissioner of correction may, on the recommendation of the warden, superintendent, or other person in charge of a correctional institution, grant to said offender a temporary release in the custody of an officer of such institution for the following purposes only: to attend the funeral of next of kin or spouse; to visit a critically ill close relative or spouse; or to obtain emergency medical services unavailable at said institution. The provisions of section eighty-seven of chapter two hundred and seventy-six relating to the power of the court to place certain offenders on probation shall not apply to any person 18 years of age or over charged with a violation of this subsection. The provisions of section thirty-one of chapter two hundred and seventy-nine shall not apply to any person convicted of violating any provision of this subsection.</p> <p>(c) Whoever, after having been convicted of the crime of stalking, commits a second or subsequent such crime shall be punished by imprisonment in a jail or the state prison for not less than two years and not more than ten years. No sentence</p>

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			<p>complaint under this chapter shall be required to disclose any prior or pending actions involving the parties; including, but not limited to, court actions, administrative proceedings and disciplinary proceedings.</p>	<p>imposed under the provisions of this subsection shall be less than a mandatory minimum term of imprisonment of two years. A prosecution commenced hereunder shall not be placed on file or continued without a finding, and the sentence imposed upon a person convicted of violating any provision of this subsection shall not be reduced to less than the mandatory minimum term of imprisonment as established herein, nor shall said sentence of imprisonment imposed upon any person be suspended or reduced until such person shall have served said mandatory term of imprisonment. A person convicted of violating any provision of this subsection shall not, until he shall have served the mandatory minimum term of imprisonment established herein, be eligible for probation, parole, furlough, work release or receive any deduction from his sentence for good conduct under sections one hundred and twenty-nine, one hundred and twenty-nine C and one hundred and twenty-nine D of chapter one hundred and twenty-seven; provided, however, that the commissioner of correction may, on the recommendation of the warden, superintendent, or other person in charge of a correctional institution, grant to said offender a temporary release in the custody of an officer of such institution for the following purposes only: to attend the funeral of next of kin or spouse; to visit a critically</p>

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				ill close relative or spouse; or to obtain emergency medical services unavailable at said institution. The provisions of section eighty-seven of chapter two hundred and seventy-six relating to the power of the court to place certain offenders on probation shall not apply to any person 18 years of age or over charged with a violation of this subsection. The provisions of section thirty-one of chapter two hundred and seventy-nine shall not apply to any person convicted of violating any provision of this section.
MICHIGAN	<p>MICH. COMP. LAWS § 750.411h (1) Stalking; definitions; violation as misdemeanor; penalties; probation; conditions; evidence of continued conduct as rebuttable presumption; additional penalties.</p> <p>(1) As used in this section: (d) “Stalking” means a willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested and that actually causes the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested.</p> <p>MICH. COMP. LAWS § 750.411i (2) Definitions.</p> <p>(2) An individual who engages in stalking is guilty of aggravated stalking if the violation involves any of the</p>	<p>MICH. COMP. LAWS § 600.2950 Personal protection order . . .</p> <p>(1) Except as provided in subsections (26) and (27), by commencing an independent action to obtain relief under this section, by joining a claim to an action, or by filing a motion in an action in which the petitioner and the individual to be restrained or enjoined are parties, an individual may petition the family division of circuit court to enter a personal protection order to restrain or enjoin a spouse, a former spouse, an individual with whom he or she has had a child in common, an individual with whom he or she has or has had a dating relationship, or an individual residing or having resided in the same</p>	<p>MICH. COMP. LAWS § 600.2950 (1-3) Personal protection order . . .</p> <p>(1) Except as otherwise provided in subsections (26) and (27), by commencing an independent action to obtain relief under this section, by joining a claim to an action, or by filing a motion in an action in which the petitioner and the individual to be restrained or enjoined are parties, an individual may petition the family division of circuit court to enter a personal protection order to restrain or enjoin a spouse, a former spouse, an individual with whom he or she has had a child in common, an individual with whom he or she has or has had a dating relationship, or an individual residing or having resided in the same household as the petitioner</p>	<p>MICH. COMP. LAWS § 750.411h (2) Stalking; definitions; violation as misdemeanor; penalties...</p> <p>(2) An individual who engages in stalking is guilty of a crime as follows: (a) Except as provided in subdivision (b), a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$1,000.00, or both. (b) If the victim was less than 18 years of age at any time during the individual’s course of conduct and the individual is 5 or more years older than the victim, a felony punishable by imprisonment for not more than 5 years or a fine of not more than \$10,000.00, or both. (3) The court may place an individual convicted of violating this section on probation for a term of not more than 5 years. If a term of probation is ordered, the court may, in addition to any other lawful condition of probation, order</p>

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	<p>following circumstances:</p> <p>(a) At least 1 of the actions constituting the offense is in violation of a restraining order and the individual has received actual notice of that restraining order or at least 1 of the actions is in violation of an injunction or preliminary injunction.</p> <p>(b) At least 1 of the actions constituting the offense is in violation of a condition of probation, a condition of parole, a condition of pretrial release, or a condition of release on bond pending appeal.</p> <p>(c) The course of conduct includes the making of 1 or more credible threats against the victim, a member of the victim’s family, or another individual living in the same household as the victim.</p> <p>(d) The individual has been previously convicted of a violation of this section or section 411h.</p>	<p>household as the petitioner from doing 1 or more of the following...</p> <p>MICH. COMP. LAWS § 600.2950a <i>Personal protection order restraining or enjoining individual from engaging in conduct prohibited under MCL 750.411h, 750.411i, or 750.411s...</i></p> <p>(1) Except as provided in subsections (27), (28), and (30), by commencing an independent action to obtain relief under this section, by joining a claim to an action, or by filing a motion in an action in which the petitioner and the individual to be restrained or enjoined are parties, an individual may petition the family division of circuit court to enter a personal protection order to restrain or enjoin an individual from engaging in conduct that is prohibited under section 411h, 411i, or 411s of the Michigan penal code, 1931 PA 328, MCL 750.411h, 750.411i, and 750.411s. Relief under this subsection shall not be granted unless the petition alleges facts that constitute stalking as defined in section 411h or 411i, or conduct that</p>	<p>from doing 1 or more of the following:</p> <p>(a) Entering onto premises.</p> <p>(b) Assaulting, attacking, beating, molesting, or wounding a named individual.</p> <p>(c) Threatening to kill or physically injure a named individual.</p> <p>(d) Removing minor children from the individual having legal custody of the children, except as otherwise authorized by a custody or parenting time order issued by a court of competent jurisdiction.</p> <p>(e) Purchasing or possessing a firearm.</p> <p>(f) Interfering with petitioner’s efforts to remove petitioner’s children or personal property from premises that are solely owned or leased by the individual to be restrained or enjoined.</p> <p>(g) Interfering with petitioner at petitioner’s place of employment or education or engaging in conduct that impairs petitioner’s employment or educational relationship or environment.</p> <p>(h) If the petitioner is a minor who has been the victim of sexual assault, as that term is defined in section 2950a, by the respondent and if the petitioner is enrolled in a public or nonpublic school that operates any of grades K to 12,</p>	<p>the defendant to do any of the following:</p> <p>(a) Refrain from stalking any individual during the term of probation.</p> <p>(b) Refrain from having any contact with the victim of the offense.</p> <p>(c) Be evaluated to determine the need for psychiatric, psychological, or social counseling and if, determined appropriate by the court, to receive psychiatric, psychological, or social counseling at his or her own expense.</p> <p>MICH. COMP. LAWS § 750.411i (3), (4) Definitions.</p> <p>(3) Aggravated stalking is a felony punishable as follows:</p> <p>(a) Except as provided in subdivision (b), by imprisonment for not more than 5 years or a fine of not more than \$10,000.00, or both.</p> <p>(b) If the victim was less than 18 years of age at any time during the individual’s course of conduct and the individual is 5 or more years older than the victim, by imprisonment for not more than 10 years or a fine of not more than \$15,000.00, or both.</p> <p>(4) The court may place an individual convicted of violating this section on probation for any term of years, but not less than 5 years. If a term of probation is ordered, the court may, in addition to any other lawful condition of probation, order the defendant to do any of the following:</p> <p>(a) Refrain from stalking any</p>

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		<p>is prohibited under section 411s, of the Michigan penal code, 1931 PA 328, MCL 750.411h, 750.411i, and 750.411s. Relief may be sought and granted under this subsection whether or not the individual to be restrained or enjoined has been charged or convicted under section 411h, 411i, or 411s of the Michigan penal code, 1931 PA 328, MCL 750.411h, 750.411i, and 750.411s, for the alleged violation.</p>	<p>attending school in the same building as the petitioner.</p> <p>(i) Having access to information in records concerning a minor child of both petitioner and respondent that will inform respondent about the address or telephone number of petitioner and petitioner’s minor child or about petitioner’s employment address.</p> <p>(j) Engaging in conduct that is prohibited under section 411h or 411i of the Michigan penal code, 1931 PA 328, MCL 750.411h and 750.411i.</p> <p>(k) Any of the following with the intent to cause the petitioner mental distress or to exert control over the petitioner with respect to an animal in which the petitioner has an ownership interest:</p> <p>(i) Injuring, killing, torturing, neglecting, or threatening to injure, kill, torture, or neglect the animal. A restraining order that enjoins conduct under this subparagraph does not prohibit the lawful killing or other use of the animal as described in section 50(11) of the Michigan penal code, 1931 PA 328, MCL 750.50.</p> <p>(ii) Removing the animal from the petitioner’s possession.</p> <p>(iii) Retaining or obtaining possession of the animal.</p>	<p>individual during the term of probation.</p> <p>(b) Refrain from any contact with the victim of the offense.</p> <p>(c) Be evaluated to determine the need for psychiatric, psychological, or social counseling and, if determined appropriate by the court, to receive psychiatric, psychological, or social counseling at his or her own expense.</p>

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			<p>(l) Any other specific act or conduct that imposes upon or interferes with personal liberty or that causes a reasonable apprehension of violence.</p> <p>MICH. COMP. LAWS § 600.2950a(1), (3) <i>Personal protection orders; stalking or aggravated stalking</i></p> <p>(1) Except as provided in subsections (27), (28), and (30), by commencing an independent action to obtain relief under this section, by joining a claim to an action, or by filing a motion in an action in which the petitioner and the individual to be restrained or enjoined are parties, an individual may petition the family division of circuit court to enter a personal protection order to restrain or enjoin an individual from engaging in conduct that is prohibited under section 411h, 411i, or 411s of the Michigan penal code, 1931 PA 328, MCL 750.411h, 750.411i, and 750.411s. A court shall not grant relief under this subsection unless the petition alleges facts that constitute stalking as defined in section 411h or 411i, or conduct that is prohibited under section 411s, of the Michigan penal code, 1931 PA 328, MCL 750.411h, 750.411i, and 750.411s. Relief</p>	

STATE	DEFINITION OF STALKING	WHO QUALIFIES FOR AN ORDER?	RELIEF AVAILABLE	PENALTIES AND SANCTIONS
			<p>may be sought and granted under this subsection whether or not the individual to be restrained or enjoined has been charged or convicted under section 411h, 411i, or 411s of the Michigan penal code, 1931 PA 328, MCL 750.411h, 750.411i, and 750.411s, for the alleged violation.</p> <p style="text-align: center;">***</p> <p>(3) The court may restrain or enjoin an individual against whom a protection order is sought under subsection (2) from 1 or more of the following:</p> <p>(a) Entering onto premises.</p> <p>(b) Threatening to sexually assault, kill, or physically injure petitioner or a named individual.</p> <p>(c) Purchasing or possessing a firearm.</p> <p>(d) Interfering with the petitioner's efforts to remove the petitioner's children or personal property from premises that are solely owned or leased by the individual to be restrained or enjoined.</p> <p>(e) Interfering with the petitioner at the petitioner's place of employment or education or engaging in conduct that impairs the petitioner's employment or educational relationship or environment.</p> <p>(f) Following or appearing within the sight of the petitioner.</p> <p>(g) Approaching or confronting</p>	

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			<p>the petitioner in a public place or on private property.</p> <p>(h) Appearing at the petitioner's workplace or residence.</p> <p>(i) Entering onto or remaining on property owned, leased, or occupied by the petitioner.</p> <p>(j) Contacting the petitioner by telephone.</p> <p>(k) If the petitioner is a minor who is enrolled in a public or nonpublic school that operates any of grades K to 12, attending school in the same building as the petitioner.</p> <p>(l) Sending mail or electronic communications to the petitioner.</p> <p>(m) Placing an object on, or delivering an object to, property owned, leased, or occupied by the petitioner.</p> <p>(n) Engaging in conduct that is prohibited under section 411s of the Michigan penal code, 1931 PA 328, MCL 750.411s.</p> <p>(o) Any other specific act or conduct that imposes upon or interferes with personal liberty or that causes a reasonable apprehension of violence or sexual assault.</p> <p style="text-align: center;">***</p> <p>(26) A personal protection order issued under this section may enjoin or restrain an individual from purchasing or possessing a firearm.</p>	

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MINNESOTA	<p>MINN. STAT. § 609.749 Stalking; Penalties.</p> <p>Subd. 5. Stalking. (a) A person who engages in stalking with respect to a single victim or one or more members of a single household which the actor knows or has reason to know would cause the victim under the circumstances to feel terrorized or to fear bodily harm and which does cause this reaction on the part of the victim, is guilty of a felony and may be sentenced to imprisonment for not more than ten years or to payment of a fine of not more than \$20,000, or both. (b) For purposes of this subdivision, “stalking” means two or more acts within a five-year period that violate or attempt to violate the provisions of any of the following or a similar law of another state, the United States, the District of Columbia, tribe, or United States territories: (1) this section; (2) sections 609.185 to 609.205 (first- to third-degree murder and first- and second-degree manslaughter); (3) section 609.713 (terroristic threats); (4) section 609.224 (fifth-degree assault); (5) section 609.2242 (domestic assault); (6) section 518B.01, subdivision 14 (violations of domestic abuse orders for protection); (7) section 609.748, subdivision 6 (violations of harassment restraining orders);</p>	<p>MINN. STAT. § 609.748 Harassment; Restraining Order.</p> <p>Subd. 2. Restraining order; court jurisdiction.</p> <p>(a) A person who is a victim of harassment or the victim’s guardian or conservator may seek a restraining order from the district court in the manner provided in this section. (b) The parent, guardian or conservator, or stepparent of a minor who is a victim of harassment may seek a restraining order from the district court on behalf of the minor. (c) A minor may seek a restraining order if the minor demonstrates that the minor is emancipated and the court finds that the order is in the best interests of the emancipated minor. A minor demonstrates the minor is emancipated by a showing that the minor is living separate and apart from parents and managing the minor’s own financial affairs, and shows, through an instrument in writing or other agreement, or by the conduct of the parties that all parents who have a legal parent and</p>	<p>MINN. STAT. § 609.748 Harassment; Restraining Order.</p> <p>Subd. 5. Restraining order.</p> <p>(a) The court may issue a restraining order that provides any or all of the following: (1) orders the respondent to cease or avoid the harassment of another person; or (2) orders the respondent to have no contact with another person. (b) The court may issue an order under paragraph (a) if all of the following occur: (1) the petitioner has filed a petition under subdivision 3; (2) a peace officer has served respondent with a copy of the temporary restraining order obtained under subdivision 4, and with notice of the right to request a hearing, or service has been made by publication under subdivision 3, paragraph (b); and (3) the court finds at the hearing that there are reasonable grounds to believe that the respondent has engaged in harassment. A restraining order may be issued only against the respondent named in the petition; except that if the respondent is an organization, the order may be issued against and apply to all of the members of the organization.</p>	<p>See MINN. STAT. § 609.749 Stalking; Penalties.</p> <p>Subd. 1c. Arrest. — For all violations under this section, except a violation of subdivision 2, clause (7), a peace officer may make an arrest under the provisions of section 629.34. A peace officer may not make a warrantless, custodial arrest of any person for a violation of subdivision 2, clause (7).</p> <p>Subd. 3. Aggravated violations. (a) A person who commits any of the following acts is guilty of a felony and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$ 10,000, , or both: (1) commits any offense described in subdivision 2 because of the victim’s or another’s actual or perceived race, color, religion, sex, sexual orientation, disability as defined in section 363A.03, age, or national origin; (2) commits any offense described in subdivision 2 by falsely impersonating another; (3) commits any offense described in subdivision 2 and a dangerous weapon was used in any way in the commission of the offense; (4) commits any offense described in subdivision 2 with intent to influence or otherwise tamper with a juror or a judicial proceeding or with intent to retaliate against a judicial officer, as defined in section 609.415, or a prosecutor, defense attorney, or officer</p>

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	<p>(8) section 609.605, subdivision 1, paragraph (b), clauses (3), (4), and (7) (certain trespass offenses);</p> <p>(9) section 609.78, subdivision 2 (interference with an emergency call);</p> <p>(10) section 609.79 (obscene or harassing telephone calls);</p> <p>(11) section 609.795 (letter, telegram, or package; opening; harassment);</p> <p>(12) section 609.582 (burglary);</p> <p>(13) section 609.595 (damage to property);</p> <p>(14) section 609.765 (criminal defamation);</p> <p>(15) sections 609.342 to 609.3451 (first- to fifth-degree criminal sexual conduct);</p> <p>or</p> <p>(16) section 629.75, subdivision 2 (violations of domestic abuse no contact orders).</p> <p>(c) Words set forth in parentheses after references to statutory sections in paragraph (b) are mere catchwords included solely for convenience in reference. They are not substantive and may not be used to construe or limit the meaning of the cited statutory provision.</p> <p>MINN. STAT. § 609.748 HARASSMENT; RESTRAINING ORDER</p> <p>Subdivision 1. Definition. — For the purposes of this section, the following terms have the meanings given them in this subdivision.</p> <p>(a) “Harassment” includes:</p> <p>(1) a single incident of physical or sexual assault, a single incident of stalking under section 609.749, subdivision 2,</p>	<p>child relationship with the minor have relinquished control and authority over the minor.</p> <p>(d) An application for relief under this section may be filed in the county of residence of either party or in the county in which the alleged harassment occurred. There are no residency requirements that apply to a petition for a harassment restraining order.</p>	<p>If the court finds that the petitioner has had two or more previous restraining orders in effect against the same respondent or the respondent has violated a prior or existing restraining order on two or more occasions, relief granted by the restraining order may be for a period of up to 50 years. In all other cases, relief granted by the restraining order must be for a fixed period of not more than two years. When a referee presides at the hearing on the petition, the restraining order becomes effective upon the referee’s signature.</p> <p>(c) An order issued under this subdivision must be personally served upon the respondent.</p> <p>(d) If the court orders relief for a period of up to 50 years under paragraph (a), the respondent named in the restraining order may request to have the restraining order vacated or modified if the order has been in effect for at least five years and the respondent has not violated the order. Application for relief under this paragraph must be made in the county in which the restraining order was issued. Upon receipt of the request, the court shall set a hearing date. Personal service must be made upon the petitioner named in the restraining order not less than 30</p>	<p>of the court, because of that person’s performance of official duties in connection with a judicial proceeding; or</p> <p>(5) commits any offense described in subdivision 2 against a victim under the age of 18, if the actor is more than 36 months older than the victim.</p> <p>(b) A person who commits any offense described in subdivision 2 against a victim under the age of 18, if the actor is more than 36 months older than the victim, and the act is committed with sexual or aggressive intent, is guilty of a felony and may be sentenced to imprisonment for not more than ten years or to payment of a fine of not more than \$20,000, or both.</p> <p>Subd. 4. Second or subsequent violations; felony.</p> <p>(a) A person is guilty of a felony who violates any provision of subdivision 2 within ten years of a previous qualified domestic violence-related offense conviction or adjudication of delinquency, and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$ 10,000, or both.</p> <p>(b) A person is guilty of a felony who violates any provision of subdivision 2 within ten years of the first of two or more previous qualified domestic violence-related offense convictions or adjudications of delinquency, and may be sentenced to imprisonment for not more than ten years or to payment of a fine of not more than \$ 20,000, or both.</p>

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	<p>clause (8), a single incident of nonconsensual dissemination of private sexual images under section 617.261, or repeated incidents of intrusive or unwanted acts, words, or gestures that have a substantial adverse effect or are intended to have a substantial adverse effect on the safety, security, or privacy of another, regardless of the relationship between the actor and the intended target;</p> <p>(2) targeted residential picketing; and</p> <p>(3) a pattern of attending public events after being notified that the actor's presence at the event is harassing to another.</p>		<p>days before the date of the hearing. At the hearing, the respondent named in the restraining order has the burden of proving by a preponderance of the evidence that there has been a material change in circumstances and that the reasons upon which the court relied in granting the restraining order no longer apply and are unlikely to occur. If the court finds that the respondent named in the restraining order has met the burden of proof, the court may vacate or modify the order. If the court finds that the respondent named in the restraining order has not met the burden of proof, the court shall deny the request and no request may be made to vacate or modify the restraining order until five years have elapsed from the date of denial. An order vacated or modified under this paragraph must be personally served on the petitioner named in the restraining order.</p>	<p>Subd. 5. Stalking</p> <p>(a) A person who engages in a pattern of stalking conduct with respect to a single victim or one or more members of a single household which the actor knows or has reason to know would cause the victim under the circumstances to feel terrorized or to fear bodily harm and which does cause this reaction on the part of the victim, is guilty of a felony and may be sentenced to imprisonment for not more than ten years or to payment of a fine of not more than \$ 20,000 or both.</p> <p>MINN. STAT. § 609.748 Harassment; Restraining Order.</p> <p>Subd. 6. Violation of restraining order.</p> <p>(a) A person who violates a restraining order issued under this section is subject to the penalties provided in paragraphs (b) to (d).</p> <p>(b) Except as otherwise provided in paragraphs (c) and (d), when a temporary restraining order or a restraining order is granted under this section and the respondent knows of the order, violation of the order is a misdemeanor.</p> <p>(c) A person is guilty of a gross misdemeanor who violates the order within ten years of a previous qualified domestic violence-related offense conviction or adjudication of delinquency.</p> <p>(d) A person is guilty of a felony and</p>

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				<p>may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$ 10,000, or both, if the person violates the order:</p> <p>(1) within ten years of the first of two or more previous qualified domestic violence-related offense convictions or adjudications of delinquency;</p> <p>(2) because of the victim's or another's actual or perceived race, color, religion, sex, sexual orientation, disability as defined in section 363A.03, age, or national origin;</p> <p>(3) by falsely impersonating another;</p> <p>(4) while possessing a dangerous weapon;</p> <p>(5) with an intent to influence or otherwise tamper with a juror or a judicial proceeding or with intent to retaliate against a judicial officer, as defined in section 609.415, or a prosecutor, defense attorney, or officer of the court, because of that person's performance of official duties in connection with a judicial proceeding; or</p> <p>(6) against a victim under the age of 18, if the respondent is more than 36 months older than the victim.</p> <p>(e) A person who commits violations in two or more counties may be prosecuted in any county in which one of the acts was committed for all acts in violation of this section.</p> <p>(f) A person may be prosecuted at the place where any call is made or received or, in the case of wireless or electronic communication or any communication made through any</p>

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				<p>available technologies, where the actor or victim resides, or in the jurisdiction of the victim's designated address if the victim participates in the address confidentiality program established under chapter 5B.</p> <p>(g) A peace officer shall arrest without a warrant and take into custody a person whom the peace officer has probable cause to believe has violated an order issued under subdivision 4 or 5 if the existence of the order can be verified by the officer.</p> <p>(h) A violation of a temporary restraining order or restraining order shall also constitute contempt of court.</p> <p>(i) Upon the filing of an affidavit by the petitioner, any peace officer, or an interested party designated by the court, alleging that the respondent has violated an order issued under subdivision 4 or 5, the court may issue an order to the respondent requiring the respondent to appear within 14 days and show cause why the respondent should not be held in contempt of court. The court also shall refer the violation of the order to the appropriate prosecuting authority for possible prosecution under paragraph (b), (c), or (d).</p>
<p>MISSISSIPPI</p>	<p>Miss. CODE. ANN. § 93-21-3 Definitions.</p> <p>As used in this chapter, unless the context otherwise requires:</p> <p>(a) "Abuse" means the occurrence of one or more of the following acts between spouses, former spouses,</p>	<p>Miss. CODE. ANN. § 93-21-7(1), (2) Petition to seek domestic abuse protection order; proper forum for petition alleging domestic abuse; waiver of filing fees in domestic abuse cases.</p>	<p>Miss. CODE. ANN. § 93-21-15 Temporary domestic abuse protection orders; relief; duration; final domestic abuse protection order or consent agreements...</p> <p>(1)</p>	<p>Miss. CODE. ANN. § 97-3-107 (1) Stalking; aggravated stalking; penalties; definitions.</p> <p>(1) (a) Any person who purposefully engages in a course of conduct directed at a specific person, or who</p>

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	<p>persons living as spouses or who formerly lived as spouses, persons having a child or children in common, other individuals related by consanguinity or affinity who reside together or who formerly resided together or between individuals who have a current or former dating relationship:</p> <p>(iv) Stalking within the meaning of Section 97-3-107; (v) Cyberstalking within the meaning of Section 97-45-15...</p> <p>MISS. CODE. ANN. § 97-3-107 (1), (2) Stalking; aggravated stalking; penalties; definitions.</p> <p>(1)(a) Any person who purposefully engages in a course of conduct directed at a specific person, or who makes a credible threat, and who knows or should know that the conduct would cause a reasonable person to fear for his or her own safety, to fear for the safety of another person, or to fear damage or destruction of his or her property, is guilty of the crime of stalking.</p> <p>(2)(a) A person who commits acts that would constitute the crime of stalking as defined in this section is guilty of the crime of aggravated stalking if any of the following circumstances exist: (i) At least one (1) of the actions constituting the offense involved the use or display of a deadly weapon with the intent to place the victim of the stalking in reasonable fear of death or</p>	<p>(1) Any person may seek a domestic abuse protection order for himself by filing a petition alleging abuse by the respondent. Any parent, adult household member, or next friend of the abused person may seek a domestic abuse protection order on behalf of any minor children or any person alleged to be incompetent by filing a petition with the court alleging abuse by the respondent. Cases seeking relief under this chapter shall be priority cases on the court's docket and the judge shall be immediately notified when a case is filed in order to provide for expedited proceedings.</p> <p>(2) A petition seeking a domestic abuse protection order may be filed in any of the following courts: municipal, justice, county or chancery. A chancery court shall not prohibit the filing of a petition which does not seek emergency relief on the basis that the petitioner did not first seek or obtain temporary relief in another court. A petition requesting emergency relief pending a hearing shall not be filed in chancery court unless</p>	<p>(a) After a hearing is held as provided in Section 93-21-11 for which notice and opportunity to be heard has been granted to the respondent, and upon a finding that the petitioner has proved the existence of abuse by a preponderance of the evidence, the municipal and justice courts shall be empowered to grant a temporary domestic abuse protection order to bring about a cessation of abuse of the petitioner, any minor children, or any person alleged to be incompetent. The relief the court may provide includes, but is not limited to, the following: (i) Directing the respondent to refrain from abusing the petitioner, any minor children, or any person alleged to be incompetent; (ii) Prohibiting or limiting respondent's physical proximity to the abused or other household members as designated by the court, including residence and place of work; (iii) Prohibiting or limiting contact by the respondent with the abused or other household members designated by the court, whether in person, by telephone or by other electronic communication; (iv) Granting possession to the petitioner of the residence or household to the exclusion of the</p>	<p>makes a credible threat, and who knows or should know that the conduct would cause a reasonable person to fear for his or her own safety, to fear for the safety of another person, or to fear damage or destruction of his or her property, is guilty of the crime of stalking.</p> <p>(b) A person who is convicted of the crime of stalking under this section shall be punished by imprisonment in the county jail for not more than one (1) year or by a fine of not more than One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.</p> <p>(c) Any person who is convicted of a violation of this section when there is in effect at the time of the commission of the offense a valid temporary restraining order, ex parte protective order, protective order after hearing, court approved consent agreement, or an injunction issued by a municipal, justice, county, circuit or chancery court, federal or tribal court or by a foreign court of competent jurisdiction prohibiting the behavior described in this section against the same party, shall be punished by imprisonment in the county jail for not more than one (1) year and by a fine of not more than One Thousand Five Hundred Dollars (\$1,500.00).</p> <p>(2)(b) Aggravated stalking is a felony punishable as follows: (i) Except as provided in subparagraph (ii), by imprisonment in the custody of the Department of Corrections for not</p>

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	<p>great bodily injury to self or a third person;</p> <p>(ii) Within the past seven (7) years, the perpetrator has been previously convicted of stalking or aggravated stalking under this section or a substantially similar law of another state, political subdivision of another state, of the United States, or of a federally recognized Indian tribe, whether against the same or another victim; or</p> <p>(iii) At the time of the offense, the perpetrator was a person required to register as a sex offender pursuant to state, federal, military or tribal law and the victim was under the age of eighteen (18) years.</p> <p>MISS. CODE ANN. § 97-45-15 “Cyberstalking”; Penalties.</p> <p>(1) It is unlawful for a person to:</p> <p>(a) Use in electronic mail or electronic communication any words or language threatening to inflict bodily harm to any person or to that person's child, sibling, spouse or dependent, or physical injury to the property of any person, or for the purpose of extorting money or other things of value from any person.</p> <p>(b) Electronically mail or electronically communicate to another repeatedly, whether or not conversation ensues, for the purpose of threatening, terrifying or harassing any person.</p> <p>(c) Electronically mail or electronically communicate to another and to knowingly make any false statement</p>	<p>specifically permitted by the chancellor under the circumstances or as a separate pleading in an ongoing chancery action between the parties. Nothing in this section shall:</p> <p>(a) Be construed to require consideration of emergency relief by a chancery court; or</p> <p>(b) Preclude a chancery court from entering an order of emergency relief.</p>	<p>respondent by evicting the respondent or restoring possession to the petitioner, or both; or</p> <p>(v) Prohibiting the transferring, encumbering or otherwise disposing of property mutually owned or leased by the parties, except when in the ordinary course of business.</p> <p>(b) The duration of any temporary domestic abuse protection order issued by a municipal or justice court shall not exceed thirty (30) days. However, if the party to be protected and the respondent do not have minor children in common, the duration of the temporary domestic abuse protection order may exceed thirty (30) days but shall not exceed one (1) year.</p> <p>(c) Procedures for an appeal of the issuance of a temporary domestic abuse protection order are set forth in Section 93-21-15.1.</p> <p>(2)</p> <p>(a) After a hearing is held as provided in Section 93-21-11 for which notice and opportunity to be heard has been granted to the respondent, and upon a finding that the petitioner has proved the existence of abuse by a preponderance of the evidence,</p>	<p>more than five (5) years and a fine of not more than Three Thousand Dollars (\$ 3,000.00).</p> <p>(ii) If, at the time of the offense, the perpetrator was required to register as a sex offender pursuant to state, federal, military or tribal law, and the victim was under the age of eighteen (18) years, by imprisonment for not more than six (6) years in the custody of the Department of Corrections and a fine of Four Thousand Dollars (\$ 4,000.00).</p> <p>MISS. CODE ANN. § 97-45-15 (2) Cyberstalking</p> <p>(2) Whoever commits the offense of cyberstalking shall be punished, upon conviction:</p> <p>(a) Except as provided herein, the person is guilty of a felony punishable by imprisonment for not more than two (2) years or a fine of not more than Five Thousand Dollars (\$ 5,000.00), or both.</p> <p>(b) If any of the following apply, the person is guilty of a felony punishable by imprisonment for not more than five (5) years or a fine of not more than Ten Thousand Dollars (\$ 10,000.00), or both:</p> <p>(i) The offense is in violation of a restraining order and the person has received actual notice of that restraining order or posting the message is in violation of an injunction or preliminary injunction.</p> <p>(ii) The offense is in violation of a</p>

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	<p>concerning death, injury, illness, disfigurement, indecent conduct, or criminal conduct of the person electronically mailed or of any member of the person's family or household with the intent to threaten, terrify or harass.</p> <p>(d) Knowingly permit an electronic communication device under the person's control to be used for any purpose prohibited by this section.</p>		<p>the chancery or county court shall be empowered to grant a final domestic abuse protection order or approve any consent agreement to bring about a cessation of abuse of the petitioner, any minor children, or any person alleged to be incompetent. In granting a final domestic abuse protection order, the chancery or county court may provide for relief that includes, but is not limited to, the following:</p> <p>(i) Directing the respondent to refrain from abusing the petitioner, any minor children, or any person alleged to be incompetent;</p> <p>(ii) Granting possession to the petitioner of the residence or household to the exclusion of the respondent by evicting the respondent or restoring possession to the petitioner, or both;</p> <p>(iii) When the respondent has a duty to support the petitioner, any minor children, or any person alleged to be incompetent living in the residence or household and the respondent is the sole owner or lessee, granting possession to the petitioner of the residence or household to the exclusion of the respondent by evicting the respondent or restoring possession to the petitioner, or</p>	<p>condition of probation, a condition of parole, a condition of pretrial release or a condition of release on bond pending appeal.</p> <p>(iii) The offense results in a credible threat being communicated to the victim, a member of the victim's family, or another individual living in the same household as the victim.</p> <p>(iv) The person has been previously convicted of violating this section or a substantially similar law of another state, a political subdivision of another state, or of the United States.</p>

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			<p>both, or by consent agreement allowing the respondent to provide suitable, alternate housing;</p> <p>(iv) Awarding temporary custody of or establishing temporary visitation rights with regard to any minor children or any person alleged to be incompetent, or both;</p> <p>(v) If the respondent is legally obligated to support the petitioner, any minor children, or any person alleged to be incompetent, ordering the respondent to pay temporary support for the petitioner, any minor children, or any person alleged to be incompetent;</p> <p>(vi) Ordering the respondent to pay to the abused person monetary compensation for losses suffered as a direct result of the abuse, including, but not limited to, medical expenses resulting from such abuse, loss of earnings or support, out-of-pocket losses for injuries sustained, moving expenses, a reasonable attorney's fee, or any combination of the above;</p> <p>(vii) Prohibiting the transferring, encumbering, or otherwise disposing of property mutually owned or leased by the parties, except when in the ordinary course of business;</p> <p>(viii) Prohibiting or limiting respondent's physical proximity</p>	

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			<p>to the abused or other household members designated by the court, including residence, school and place of work;</p> <p>(ix) Prohibiting or limiting contact by the respondent with the abused or other household members designated by the court whether in person, by telephone or by electronic communication; and</p> <p>(x) Ordering counseling or professional medical treatment for the respondent, including counseling or treatment designed to bring about the cessation of domestic abuse.</p> <p>(b) Except as provided below, a final domestic abuse protection order issued by a chancery or county court under the provisions of this chapter shall be effective for such time period as the court deems appropriate. The expiration date of the order shall be clearly stated in the order.</p> <p>(c) Temporary provisions addressing temporary custody, visitation or support of minor children contained in a final domestic abuse protection order issued by a chancery or county court shall be effective for one hundred eighty (180) days. A party seeking relief beyond that period must initiate appropriate proceedings in the chancery court of appropriate jurisdiction. If at the end of the one-hundred-</p>	

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			<p>eighty-day period, neither party has initiated such proceedings, the custody, visitation or support of minor children will revert to the chancery court order addressing such terms that was in effect at the time the domestic abuse protection order was granted. The chancery court in which custody, visitation or support proceedings have been initiated may provide for any temporary provisions addressing custody, visitation or support as the court deems appropriate.</p>	
<p>MISSOURI</p>	<p>Mo. REV. STAT. § 455.010 (1), (5), (14) - Definitions.</p> <p>As used in this chapter, unless the context clearly indicates otherwise, the following terms shall mean:</p> <p>(1) “Abuse” includes but is not limited to the occurrence of any of the following acts, attempts or threats against a person who may be protected pursuant to this chapter, except abuse shall not include abuse inflicted on a child by accidental means by an adult household member or discipline of a child, including spanking, in a reasonable manner...</p> <p style="text-align: center;">***</p> <p>(5) “Domestic violence”, abuse or stalking committed by a family or household member, as such terms are defined in this section;</p> <p style="text-align: center;">***</p> <p>(14) “Stalking” is when any person purposely engages in an unwanted</p>	<p>Mo. REV. STAT. § 455.010 (2), (7), (11) Definitions.</p> <p>(2) “Adult”, any person seventeen years of age or older or otherwise emancipated;</p> <p style="text-align: center;">***</p> <p>(7) “Family” or “household member”, spouses, former spouses, any person related by blood or marriage, persons who are presently residing together or have resided together in the past, any person who is or has been in a continuing social relationship of a romantic or intimate nature with the victim, and anyone who has a child in common regardless of whether they have been</p>	<p>Mo. REV. STAT. § 455.045 Temporary Relief available</p> <p>Any ex parte order of protection granted pursuant to sections 455.010 to 455.085 shall be to protect the petitioner from domestic violence, stalking, or sexual assault and may include:</p> <p>(1) Restraining the respondent from committing or threatening to commit domestic violence, molesting, stalking, sexual assault, or disturbing the peace of the petitioner;</p> <p>(2) Restraining the respondent from entering the premises of the dwelling unit of petitioner when the dwelling unit is:</p> <p>(a) Jointly owned, leased or rented or jointly occupied by both parties; or</p> <p>(b) Owned, leased, rented or occupied by petitioner individually; or</p>	<p>Mo. REV. STAT. § 565.225(5) Crime of stalking- definitions- penalties.</p> <p>5. The offense of stalking in the first degree is a class E felony, unless the defendant has previously been found guilty of a violation of this section or section 565.227, or any offense committed in another jurisdiction which, if committed in this state, would be chargeable or indictable as a violation of any offense listed in this section or section 565.227, in which case stalking in the first degree is a class D felony.</p> <p>Mo. REV. STAT. § 455.085 (1), (7), (8) - Arrest for violation of order- penalties- good faith immunity for law enforcement officials.</p> <p>1. When a law enforcement officer has probable cause to believe a party has</p>

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	<p>course of conduct that causes alarm to another person, or a person who resides together in the same household with the person seeking the order of protection when it is reasonable in that person's situation to have been alarmed by the conduct. As used in this subdivision:</p> <p>(a) "Alarm" means to cause fear of danger of physical harm; and</p> <p>(b) "Course of conduct" means a pattern of conduct composed of two or more acts over a period of time, however short, that serves no legitimate purpose. Such conduct may include, but is not limited to, following the other person or unwanted communication or unwanted contact.</p> <p>Mo. REV. STAT. § 565.225 (2) - Definitions--stalking, first degree--penalty</p> <p>2. A person commits the offense of stalking in the first degree if he or she purposely, through his or her course of conduct, disturbs or follows with the intent of disturbing another person and:</p> <p>(1) Makes a threat communicated with the intent to cause the person who is the target of the threat to reasonably fear for his or her safety, the safety of his or her family or household member, or the safety of domestic animals or livestock as defined in section 276.606 kept at such person's residence or on such person's property. The threat shall be against the life of, or a threat to cause physical injury to, or the kidnapping of the person, the person's</p>	<p>married or have resided together at any time;</p> <p>***</p> <p>(11) "Petitioner", a family or household member who has been a victim of domestic violence, or any person who has been the victim of stalking or sexual assault, or a person filing on behalf of a child pursuant to section 455.503 who has filed a verified petition pursuant to the provisions of section 455.020 or section 455.505;</p> <p>Mo. REV. STAT § 455.020. Relief may be sought — order of protection effective, where</p> <p>1. Any person who has been subject to domestic violence by a present or former family or household member, or who has been the victim of stalking or sexual assault, may seek relief under sections 455.010 to 455.085 by filing a verified petition alleging such domestic violence, stalking, or sexual assault by the respondent.</p> <p>2. A person's right to relief under sections 455.010 to 455.085 shall not be affected by the person leaving the residence or household to avoid domestic violence.</p> <p>3. Any protection order issued pursuant to sections 455.010</p>	<p>(c) Jointly owned, leased or rented by petitioner and a person other than respondent; provided, however, no spouse shall be denied relief pursuant to this section by reason of the absence of a property interest in the dwelling unit; or</p> <p>(d) Jointly occupied by the petitioner and a person other than the respondent; provided that the respondent has no property interest in the dwelling unit;</p> <p>(3) Restraining the respondent from communicating with the petitioner in any manner or through any medium;</p> <p>(4) A temporary order of custody of minor children where appropriate;</p> <p>(5) A temporary order of possession of pets where appropriate.</p> <p>Mo. REV. STAT. § 455.050(1), (3). Full or ex parte order of protection, abuse or stalking, contents — relief available</p> <p>1. Any full or ex parte order of protection granted pursuant to sections 455.010 to 455.085 shall be to protect the petitioner from domestic violence, stalking, or sexual assault and may include such terms as the court reasonably deems necessary to ensure the petitioner's safety, including but not limited to:</p>	<p>committed a violation of law amounting to domestic violence, as defined in section 455.010, against a family or household member, the officer may arrest the offending party whether or not the violation occurred in the presence of the arresting officer. When the officer declines to make arrest pursuant to this subsection, the officer shall make a written report of the incident completely describing the offending party, giving the victim's name, time, address, reason why no arrest was made and any other pertinent information. Any law enforcement officer subsequently called to the same address within a twelve-hour period, who shall find probable cause to believe the same offender has again committed a violation as stated in this subsection against the same or any other family or household member, shall arrest the offending party for this subsequent offense. The primary report of nonarrest in the preceding twelve-hour period may be considered as evidence of the defendant's intent in the violation for which arrest occurred. The refusal of the victim to sign an official complaint against the violator shall not prevent an arrest under this subsection.</p> <p>***</p> <p>7. A violation of the terms and conditions, with regard to domestic violence, stalking, child custody, communication initiated by the respondent or entrance upon the</p>

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	<p>family or household members, or the person's domestic animals or livestock as defined in section 276.606 kept at such person's residence or on such person's property; or</p> <p>(2) At least one of the acts constituting the course of conduct is in violation of an order of protection and the person has received actual notice of such order; or</p> <p>(3) At least one of the actions constituting the course of conduct is in violation of a condition of probation, parole, pretrial release, or release on bond pending appeal; or</p> <p>(4) At any time during the course of conduct, the other person is seventeen years of age or younger and the person disturbing the other person is twenty-one years of age or older; or</p> <p>(5) He or she has previously been found guilty of domestic assault, violation of an order of protection, or any other crime where the other person was the victim; or</p> <p>(6) At any time during the course of conduct, the other person is a participant of the address confidentiality program under sections 589.660 to 589.681, and the person disturbing the other person knowingly accesses or attempts to access the address of the other person.</p>	<p>to 455.085 shall be effective throughout the state in all cities and counties.</p>	<p>(1) Temporarily enjoining the respondent from committing or threatening to commit domestic violence, molesting, stalking, sexual assault, or disturbing the peace of the petitioner, including violence against a pet;</p> <p>(2) Temporarily enjoining the respondent from entering the premises of the dwelling unit of the petitioner when the dwelling unit is:</p> <p>(a) Jointly owned, leased or rented or jointly occupied by both parties; or</p> <p>(b) Owned, leased, rented or occupied by petitioner individually; or</p> <p>(c) Jointly owned, leased, rented or occupied by petitioner and a person other than respondent; provided, however, no spouse shall be denied relief pursuant to this section by reason of the absence of a property interest in the dwelling unit; or</p> <p>(d) Jointly occupied by the petitioner and a person other than respondent; provided that the respondent has no property interest in the dwelling unit; or</p> <p>(3) Temporarily enjoining the respondent from communicating with the petitioner in any manner or through any medium.</p> <p style="text-align: center;">***</p> <p>3. When the court has, after a hearing for any full order of</p>	<p>premises of the petitioner's dwelling unit or place of employment or school, or being within a certain distance of the petitioner or a child of the petitioner, of an ex parte order of protection of which the respondent has notice, shall be a class A misdemeanor unless the respondent has previously pleaded guilty to or has been found guilty in any division of the circuit court of violating an ex parte order of protection or a full order of protection within five years of the date of the subsequent violation, in which case the subsequent violation shall be a class D felony. Evidence of prior pleas of guilty or findings of guilt shall be heard by the court out of the presence of the jury prior to submission of the case to the jury. If the court finds the existence of such prior pleas of guilty or finding of guilt beyond a reasonable doubt, the court shall decide the extent or duration of sentence or other disposition and shall not instruct the jury as to the range of punishment or allow the jury to assess and declare the punishment as a part of its verdict.</p> <p>8. A violation of the terms and conditions, with regard to domestic violence, stalking, child custody, communication initiated by the respondent or entrance upon the premises of the petitioner's dwelling unit or place of employment or school, or being within a certain distance of the petitioner or a child of the petitioner, of a full order of protection shall be a class A misdemeanor, unless</p>

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			<p>protection, issued an order of protection, it may, in addition:</p> <p>(1) Award custody of any minor child born to or adopted by the parties when the court has jurisdiction over such child and no prior order regarding custody is pending or has been made, and the best interests of the child require such order be issued;</p> <p>(2) Establish a visitation schedule that is in the best interests of the child;</p> <p>(3) Award child support in accordance with supreme court rule 88.01 and chapter 452;</p> <p>(4) Award maintenance to petitioner when petitioner and respondent are lawfully married in accordance with chapter 452;</p> <p>(5) Order respondent to make or to continue to make rent or mortgage payments on a residence occupied by the petitioner if the respondent is found to have a duty to support the petitioner or other dependent household members;</p> <p>(6) Order the respondent to pay the petitioner's rent at a residence other than the one previously shared by the parties if the respondent is found to have a duty to support the petitioner and the petitioner requests alternative housing;</p> <p>(7) Order that the petitioner be given temporary possession of specified personal property, such</p>	<p>the respondent has previously pleaded guilty to or has been found guilty in any division of the circuit court of violating an ex parte order of protection or a full order of protection within five years of the date of the subsequent violation, in which case the subsequent violation shall be a class D felony. Evidence of prior pleas of guilty or findings of guilt shall be heard by the court out of the presence of the jury prior to submission of the case to the jury. If the court finds the existence of such prior plea of guilty or finding of guilt beyond a reasonable doubt, the court shall decide the extent or duration of the sentence or other disposition and shall not instruct the jury as to the range of punishment or allow the jury to assess and declare the punishment as a part of its verdict. For the purposes of this subsection, in addition to the notice provided by actual service of the order, a party is deemed to have notice of an order of protection if the law enforcement officer responding to a call of a reported incident of domestic violence, stalking, or violation of an order of protection presented a copy of the order of protection to the respondent.</p>

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			<p>as automobiles, checkbooks, keys, and other personal effects;</p> <p>(8) Prohibit the respondent from transferring, encumbering, or otherwise disposing of specified property mutually owned or leased by the parties;</p> <p>(9) Order the respondent to participate in a court-approved counseling program designed to help batterers stop violent behavior or to participate in a substance abuse treatment program;</p> <p>(10) Order the respondent to pay a reasonable fee for housing and other services that have been provided or that are being provided to the petitioner by a shelter for victims of domestic violence;</p> <p>(11) Order the respondent to pay court costs;</p> <p>(12) Order the respondent to pay the cost of medical treatment and services that have been provided or that are being provided to the petitioner as a result of injuries sustained to the petitioner by an act of domestic violence committed by the respondent;</p> <p>(13) Award possession and care of any pet, along with any moneys necessary to cover medical costs that may have resulted from abuse of the pet.</p> <p style="text-align: center;">***</p> <p>9.</p>	

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			<p>(1) The court may, in order to ensure that a petitioner can maintain an existing wireless telephone number or numbers, issue an order, after notice and an opportunity to be heard, directing a wireless service provider to transfer the billing responsibility for and rights to the wireless telephone number or numbers to the petitioner, if the petitioner is not the wireless service accountholder.</p> <p>(2)</p> <p>(a) The order transferring billing responsibility for and rights to the wireless telephone number or numbers to the petitioner shall list the name and billing telephone number of the accountholder, the name and contact information of the person to whom the telephone number or numbers will be transferred, and each telephone number to be transferred to that person. The court shall ensure that the contact information of the petitioner is not provided to the accountholder in proceedings held under this chapter.</p> <p>(b) Upon issuance, a copy of the full order of protection shall be transmitted, either electronically or by certified mail, to the wireless service provider's registered agent listed with the secretary of state, or</p>	

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			<p>electronically to the email address provided by the wireless service provider. Such transmittal shall constitute adequate notice for the wireless service provider acting under this section and section 455.523.</p> <p>(c) If the wireless service provider cannot operationally or technically effectuate the order due to certain circumstances, the wireless service provider shall notify the petitioner within three business days. Such circumstances shall include, but not be limited to, the following:</p> <ul style="list-style-type: none"> a. The accountholder has already terminated the account; b. The differences in network technology prevent the functionality of a device on the network; or c. There are geographic or other limitations on network or service availability. <p>(3)</p> <p>(a) Upon transfer of billing responsibility for and rights to a wireless telephone number or numbers to the petitioner under this subsection by a wireless service provider, the petitioner shall assume all financial responsibility for the transferred wireless telephone number or numbers, monthly service costs, and costs for any mobile device associated with the wireless telephone number or numbers.</p>	

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			<p>(b) This section shall not preclude a wireless service provider from applying any routine and customary requirements for account establishment to the petitioner as part of this transfer of billing responsibility for a wireless telephone number or numbers and any devices attached to that number or numbers including, but not limited to, identification, financial information, and customer preferences.</p> <p>(4) This section shall not affect the ability of the court to apportion the assets and debts of the parties as provided for in law, or the ability to determine the temporary use, possession, and control of personal property.</p> <p>(5) No cause of action shall lie against any wireless service provider, its officers, employees, or agents, for actions taken in accordance with the terms of a court order issued under this section.</p> <p>(6) As used in this section and section 455.523, a “wireless service provider” means a provider of commercial mobile service under Section 332(d) of the Federal Telecommunications Act of 1996 (47 U.S.C. Section 151, et seq.).</p>	
MONTANA	MONT. CODE. ANN. § 40-15-116 (6) <i>Definitions.</i>	MONT. CODE. ANN. § 40-15-102 (2)-(5)	MONT. CODE. ANN. § 40-15-201 (2) <i>Temporary order of protection.</i>	MONT. CODE. ANN. § 40-15-204 (9) <i>(Written orders of protection.</i>

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	<p>As used in 40-15-115 through 40-15-121, the following definitions apply:</p> <p>(6) “Stalking” has the meaning provided in 45-5-220.</p> <p>MONT. CODE ANN. § 45-5-220 (1) - Stalking- exemption- penalty.</p> <p>(1) A person commits the offense of stalking if the person purposely or knowingly causes another person substantial emotional distress or reasonable apprehension of bodily injury or death by repeatedly:</p> <p>(a) following the stalked person; or</p> <p>(b) harassing, threatening, or intimidating the stalked person, in person or by mail, electronic communication, as defined in 45-8-213, or any other action, device, or method.</p> <p>(2) For the purposes of this section, the following definitions apply:</p> <p>(a) “Course of conduct” means two or more acts, including but not limited to acts in which the offender directly or indirectly, by any action, method, communication, or physical or electronic devices or means, follows, monitors, observes, surveils, threatens, harasses, or intimidates a person or interferes with a person’s property.</p> <p>(b) “Reasonable person” means a reasonable person under similar circumstances as the victim. This is an objective standard.</p> <p>(c) “Substantial emotional distress” means significant mental suffering or</p>	<p>Eligibility for order of protection.</p> <p>(2) The following individuals are eligible to file a petition for an order of protection against the offender regardless of the individual’s relationship to the offender:</p> <p>(a) a victim of assault as defined in 45-5-201, aggravated assault as defined in 45-5-202, assault on a minor as defined in 45-5-212, stalking as defined in 45-5-220, incest as defined in 45-5-507, sexual assault as defined in 45-5-502, or sexual intercourse without consent as defined in 45-5-503; or</p> <p>(b) a partner or family member of a victim of deliberate homicide as defined in 45-5-102 or mitigated deliberate homicide as defined in 45-5-103.</p> <p>(3) A parent, guardian ad litem, or other representative of the petitioner may file a petition for an order of protection on behalf of a minor petitioner against the petitioner’s abuser. At its discretion, a court may appoint a guardian ad litem for a minor petitioner.</p> <p style="text-align: center;">***</p> <p>(6) A petitioner is eligible for</p>	<p>(2) Upon a review of the petition and a finding that the petitioner is in danger of harm if the court does not act immediately, the court shall issue a temporary order of protection that grants the petitioner appropriate relief. The temporary order of protection may include any or all of the following orders:</p> <p>(a) prohibiting the respondent from threatening to commit or committing acts of violence against the petitioner and any designated family member;</p> <p>(b) prohibiting the respondent from harassing, annoying, disturbing the peace of, telephoning, contacting, or otherwise communicating, directly or indirectly, with the petitioner, any named family member, any other victim of this offense, or a witness to the offense;</p> <p>(c) prohibiting the respondent from removing a child from the jurisdiction of the court;</p> <p>(d) directing the respondent to stay 1,500 feet or other appropriate distance away from the petitioner, the petitioner’s residence, the school or place of employment of the petitioner, or any specified place frequented by the petitioner and by any other designated family or household member;</p> <p>(e) removing and excluding the</p>	<p>(9) Any temporary order of protection or order of protection must conspicuously bear the following: "Violation of this order is a criminal offense under 45-5-220 or 45-5-626 and may carry penalties of up to \$ 10,000 in fines and up to a 5-year jail sentence. This order is issued by the court, and the respondent is forbidden to do any act listed in the order, even if invited by the petitioner or another person. This order may be amended only by further order of this court or another court that assumes jurisdiction over this matter."</p>

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	<p>distress that may, but does not necessarily, require medical or other professional treatment or counseling</p>	<p>an order of protection whether or not: (a) the petitioner reports the abuse to law enforcement; (b) charges are filed; or (c) the petitioner participates in a criminal prosecution.</p>	<p>respondent from the residence of the petitioner, regardless of ownership of the residence; (f) prohibiting the respondent from possessing or using the firearm used in the assault; (g) prohibiting the respondent from transferring, encumbering, concealing, or otherwise disposing of any property except in the usual course of business or for the necessities of life and, if so restrained, requiring the respondent to notify the petitioner, through the court, of any proposed extraordinary expenditures made after the order is issued; (h) directing the transfer of possession and use of the residence, an automobile, and other essential personal property, regardless of ownership of the residence, automobile, or essential personal property, and directing an appropriate law enforcement officer to accompany the petitioner to the residence to ensure that the petitioner safely obtains possession of the residence, automobile, or other essential personal property or to supervise the petitioner's or respondent's removal of essential personal property; (i) directing the respondent to complete violence counseling, which may include alcohol or</p>	

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			<p>chemical dependency counseling or treatment, if appropriate; (j) directing other relief considered necessary to provide for the safety and welfare of the petitioner or other designated family member.</p> <p>MONT. CODE. ANN. § 40-15-204 <i>Written orders of protection.</i></p> <p>(1) The court may, on the basis of the respondent's history of violence, the severity of the offense at issue, and the evidence presented at the hearing, determine that to avoid further injury or harm, the petitioner needs permanent protection. The court may order that the order of protection remain in effect permanently.</p> <p>(2) In a dissolution proceeding, the district court may, upon request, issue either an order of protection for an appropriate period of time or a permanent order of protection.</p> <p>(3) An order of protection may include all of the relief listed in 40-15-201, when appropriate.</p> <p>(4) An order of protection may include restraining the respondent from any other named family member who is a minor. If this restriction is included, the respondent must be restrained from having contact with the minor for an</p>	

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			<p>appropriate time period as directed by the court or permanently if the court finds that the minor was a victim of abuse, a witness to abuse, or endangered by the environment of abuse.</p> <p>(5) An order of protection issued under this section may continue for an appropriate time period as directed by the court or be made permanent under subsection (1), (2), or (4). The order may be terminated upon the petitioner's request that the order be dismissed.</p> <p>(6) An order of protection must include a section that indicates whether there are any other civil or criminal actions pending involving the parties, a brief description of the action, and the court in which the action is filed.</p> <p>(7) An amendment to a temporary order of protection or to an order of protection is effective only after it has been served in writing on the opposing party.</p> <p>(8) There is no cost to file a petition for an order of protection or for service of an order of protection whether served inside or outside the jurisdiction of the court issuing the order.</p> <p>(9) Any temporary order of protection or order of protection must conspicuously bear the</p>	

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			<p>following: "Violation of this order is a criminal offense under 45-5-220 or 45-5-626 and may carry penalties of up to \$ 10,000 in fines and up to a 5-year jail sentence. This order is issued by the court, and the respondent is forbidden to do any act listed in the order, even if invited by the petitioner or another person. This order may be amended only by further order of this court or another court that assumes jurisdiction over this matter."</p>	
<p>NEBRASKA</p>	<p>Neb. Rev. Stat. § 28-311.03 (2) - Stalking.</p> <p>Any person who willfully harasses another person or a family or household member of such person with the intent to injure, terrify, threaten, or intimidate commits the offense of stalking.</p> <p>Neb. Rev. Stat. § 28-311.02 Stalking and harassment; legislative intent; terms, defined.</p> <p>(2) For purposes of sections 28-311.02 to 28-311.05, 28-311.09, and 28-311.10:</p> <p>(a) Harass means to engage in a knowing and willful course of conduct directed at a specific person which seriously terrifies, threatens, or intimidates the person and which serves no legitimate purpose;</p> <p>(b) Course of conduct means a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose,</p>	<p>Neb. Rev. Stat. § 28-311.09 (1) - Harassment protection order; violation; penalty; procedure; costs; enforcement.</p> <p>(1) Any victim who has been harassed as defined by section 28-311.02 may file a petition and affidavit for a harassment protection order as provided in subsection (3) of this section. Upon the filing of such a petition and affidavit in support thereof, the court may issue a harassment protection order without bond enjoining the respondent from (a) imposing any restraint upon the person or liberty of the petitioner, (b) harassing, threatening, assaulting, molesting, attacking, or otherwise disturbing the peace of the</p>	<p>Neb. Rev. Stat. § 28-311.09 Harassment protection order; violation; penalty; procedure; costs; enforcement.</p> <p>(1) Any victim who has been harassed as defined by section 28-311.02 may file a petition and affidavit for a harassment protection order as provided in subsection (3) of this section. Upon the filing of such a petition and affidavit in support thereof, the court may issue a harassment protection order without bond enjoining the respondent from (a) imposing any restraint upon the person or liberty of the petitioner, (b) harassing, threatening, assaulting, molesting, attacking, or otherwise disturbing the peace of the petitioner, or (c) telephoning, contacting, or otherwise communicating with the</p>	<p>Neb. Rev. Stat. § 28-311.04 Stalking; violations; penalties.</p> <p>(1) Except as provided in subsection (2) of this section, any person convicted of violating section 28-311.03 is guilty of a Class I misdemeanor.</p> <p>(2) Any person convicted of violating section 28-311.03 is guilty of a Class IIIA felony if:</p> <p>(a) The person has a prior conviction under such section or a substantially conforming criminal violation within the last seven years;</p> <p>(b) The victim is under sixteen years of age;</p> <p>(c) The person possessed a deadly weapon at any time during the violation;</p> <p>(d) The person was also in violation of section 28-311.09, 42-924, or 42-925 at any time during the violation; or</p> <p>(e) The person has been convicted of any felony in this state or has been convicted of a crime in another</p>

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	<p>including a series of acts of following, detaining, restraining the personal liberty of, or stalking the person or telephoning, contacting, or otherwise communicating with the person...</p>	<p>petitioner, or (c) telephoning, contacting, or otherwise communicating with the petitioner.</p> <p>Neb. Rev. Stat. § 42-924 (1) - Protection Order; when authorized; term; violation; penalty; constructed of sections.</p> <p>(1) Any victim of domestic abuse may file a petition and affidavit for a protection order as provided in this section.</p>	<p>petitioner.</p> <p>(2) The petition for a harassment protection order shall state the events and dates of acts constituting the alleged harassment.</p> <p>(3) A petition for a harassment protection order shall be filed with the clerk of the district court, and the proceeding may be heard by the county court or the district court as provided in section 25-2740.</p> <p>(4) A petition for a harassment protection order filed pursuant to subsection (1) of this section may not be withdrawn except upon order of the court. An order issued pursuant to subsection (1) of this section shall specify that it is effective for a period of one year unless otherwise dismissed or modified by the court. Any person who knowingly violates an order issued pursuant to subsection (1) of this section after service or notice as described in subdivision (8)(b) of this section shall be guilty of a Class II misdemeanor.</p> <p>(5)(a) Fees to cover costs associated with the filing of a petition for a harassment protection order or the issuance or service of a harassment protection order seeking only the relief provided by this section shall not be charged, except that a court may assess such fees and</p>	<p>jurisdiction which, if committed in this state, would constitute a felony and the victim or a family or household member of the victim was also the victim of such previous felony.</p> <p>Neb. Rev. Stat. § 42-924 (4) - Protection Order; when authorized; term; violation; penalty; constructed of sections.</p> <p>(4) Any person, except the petitioner, who knowingly violates a protection order issued pursuant to this section or section 42-931 after service or notice as described in subsection (2) of section 42-926 shall be guilty of a Class I misdemeanor, except that any person convicted of violating such order who has a prior conviction for violating a protection order shall be guilty of a Class IV felony.</p>

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			<p>costs if the court finds, by clear and convincing evidence, that the statements contained in the petition were false and that the harassment protection order was sought in bad faith.</p> <p>(b) A court may also assess costs associated with the filing of a petition for a harassment protection order or the issuance or service of a harassment protection order seeking only the relief provided by this section against the respondent.</p> <p>(6) The clerk of the district court shall make available standard application and affidavit forms for a harassment protection order with instructions for completion to be used by a petitioner. The clerk and his or her employees shall not provide assistance in completing the forms. The State Court Administrator shall adopt and promulgate the standard application and affidavit forms provided for in this section as well as the standard temporary and final harassment protection order forms and provide a copy of such forms to all clerks of the district courts in this state. These standard temporary and final harassment protection order forms shall be the only such forms used in this state.</p> <p>(7) Any order issued under subsection (1) of this section may</p>	

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			<p>be issued ex parte without notice to the respondent if it reasonably appears from the specific facts shown by affidavit of the petitioner that irreparable harm, loss, or damage will result before the matter can be heard on notice. If the specific facts included in the affidavit (a) do not show that the petitioner will suffer irreparable harm, loss, or damage or (b) show that, for any other compelling reason, an ex parte order should not be issued, the court may forthwith cause notice of the application to be given to the respondent stating that he or she may show cause, not more than fourteen days after service, why such order should not be entered. If such ex parte order is issued without notice to the respondent, the court shall forthwith cause notice of the petition and order and a form with which to request a show-cause hearing to be given the respondent stating that, upon service on the respondent, the order shall remain in effect for a period of one year unless the respondent shows cause why the order should not remain in effect for a period of one year. If the respondent wishes to appear and show cause why the order should not remain in effect for a period of one year, he or she shall affix his or her current address,</p>	

STATE	DEFINITION OF STALKING	WHO QUALIFIES FOR AN ORDER?	RELIEF AVAILABLE	PENALTIES AND SANCTIONS
			<p>telephone number, and signature to the form and return it to the clerk of the district court within five days after service upon him or her. Upon receipt of the request for a show-cause hearing, the court shall immediately schedule a show-cause hearing to be held within thirty days after the receipt of the request for a show-cause hearing and shall notify the petitioner and respondent of the hearing date.</p> <p>(8)(a) Upon the issuance of any harassment protection order, the clerk of the court shall forthwith provide the petitioner, without charge, with two certified copies of such order. The clerk of the court shall also forthwith provide the local police department or local law enforcement agency and the local sheriff's office, without charge, with one copy each of such order and one copy each of the sheriff's return thereon. The clerk of the court shall also forthwith provide a copy of the harassment protection order to the sheriff's office in the county where the respondent may be personally served together with instructions for service. Upon receipt of the order and instructions for service, such sheriff's office shall forthwith serve the harassment protection order upon the</p>	

STATE	DEFINITION OF STALKING	WHO QUALIFIES FOR AN ORDER?	RELIEF AVAILABLE	PENALTIES AND SANCTIONS
			<p>respondent and file its return thereon with the clerk of the court which issued the harassment protection order within fourteen days of the issuance of the harassment protection order. If any harassment protection order is dismissed or modified by the court, the clerk of the court shall forthwith provide the local police department or local law enforcement agency and the local sheriff's office, without charge, with one copy each of the order of dismissal or modification.</p> <p>(b) If the respondent is present at a hearing convened pursuant to this section and the harassment protection order is not dismissed, such respondent shall be deemed to have notice by the court at such hearing that the protection order will be granted and remain in effect and further service of such notice described in this subsection shall not be required for purposes of prosecution under this section. If the respondent has been properly served with the ex parte order and fails to appear at the hearing, the temporary order shall be deemed to be granted and remain in effect and the service of the ex parte order will serve as notice required under this section.</p>	

STATE	DEFINITION OF STALKING	WHO QUALIFIES FOR AN ORDER?	RELIEF AVAILABLE	PENALTIES AND SANCTIONS
			<p>Neb. Rev. Stat. § 42-924(1)(a) <i>Protection Order; when authorized; term; violation; penalty; construction of sections.</i></p> <p>(1) (a) Any victim of domestic abuse may file a petition and affidavit for a protection order as provided in this section. Upon the filing of such a petition and affidavit in support thereof, the court may issue a protection order without bond granting the following relief:</p> <ul style="list-style-type: none"> (i) Enjoining the respondent from imposing any restraint upon the petitioner or upon the liberty of the petitioner; (ii) Enjoining the respondent from threatening, assaulting, molesting, attacking, or otherwise disturbing the peace of the petitioner; (iii) Enjoining the respondent from telephoning, contacting, or otherwise communicating with the petitioner; (iv) Removing and excluding the respondent from the residence of the petitioner, regardless of the ownership of the residence; (v) Ordering the respondent to stay away from any place specified by the court; (vi) Awarding the petitioner temporary custody of any minor 	

STATE	DEFINITION OF STALKING	WHO QUALIFIES FOR AN ORDER?	RELIEF AVAILABLE	PENALTIES AND SANCTIONS
			children not to exceed ninety days; (vii) Enjoining the respondent from possessing or purchasing a firearm as defined in section 28-1201; or (viii) Ordering such other relief deemed necessary to provide for the safety and welfare of the petitioner and any designated family or household member.	
NEVADA	<p>NEV. REV. STAT. ANN. § 33.018 (1) - Acts which constitute domestic violence.</p> <p>1. Domestic violence occurs when a person commits one of the following acts against or upon the person’s spouse or former spouse, any other person to whom the person is related by blood or marriage, any other person with whom the person has had or is having a dating relationship, any other person with whom the person has a child in common, the minor child of any of those persons, the person’s minor child or any other person who has been appointed the custodian or legal guardian for the person’s minor child: (a) A battery. (b) An assault. (c) Coercion pursuant to NRS 207.190. (d) A sexual assault. (e) A knowing, purposeful or reckless course of conduct intended to harass the other person. Such conduct may include, but is not limited to: (1) Stalking.</p>	<p>NEV. REV. STAT. ANN 200.591 (1) - Court may impose temporary or extended order to restrict conduct of alleged perpetrator, defendant or convicted person; penalty for violation of order; dissemination of order; notice provided in order.</p> <p>1. In addition to any other remedy provided by law, a person who reasonably believes that the crime of stalking, aggravated stalking or harassment is being committed against him or her by another person may petition any court of competent jurisdiction for a temporary or extended order directing the person who is allegedly committing the crime to: (a) Stay away from the home, school, business or place of</p>	<p>NEV. REV. STAT. ANN. 200.591 (1) -Court may impose temporary or extended order to restrict conduct of alleged perpetrator, defendant or convicted person; penalty for violation of order; dissemination of order; notice provided in order.</p> <p>1. In addition to any other remedy provided by law, a person who reasonably believes that the crime of stalking, aggravated stalking or harassment is being committed against him or her by another person may petition any court of competent jurisdiction for a temporary or extended order directing the person who is allegedly committing the crime to: (a) Stay away from the home, school, business or place of employment of the victim of the alleged crime and any other</p>	<p>NEV. REV. STAT. ANN.200.575 (1)-(5) Stalking: Definitions; penalties.</p> <p>1. A person who, without lawful authority, willfully or maliciously engages in a course of conduct directed towards a victim that would cause a reasonable person under similar circumstances to feel terrorized, frightened, intimidated, harassed or fearful for his or her immediate safety or the immediate safety of a family or household member, and that actually causes the victim to feel terrorized, frightened, intimidated, harassed or fearful for his or her immediate safety or the immediate safety of a family or household member, commits the crime of stalking. Except where the provisions of subsection 2, 3 or 4 are applicable, a person who commits the crime of stalking: (a) For the first offense, is guilty of a misdemeanor. (b) For the second offense, is guilty of a gross misdemeanor.</p>

STATE	DEFINITION OF STALKING	WHO QUALIFIES FOR AN ORDER?	RELIEF AVAILABLE	PENALTIES AND SANCTIONS
	<p>(2) Arson. (3) Trespassing. (4) Larceny. (5) Destruction of private property. (6) Carrying a concealed weapon without a permit. (7) Injuring or killing an animal. (8) Burglary. (9) An invasion of the home. (f) A false imprisonment. (g) Pandering.</p> <p>NEV. REV. STAT. ANN. 200.575 (1), (2) - Stalking: Definitions; penalties; entry of finding in judgment of conviction or admonishment of rights.</p> <p>1. A person who, without lawful authority, willfully or maliciously engages in a course of conduct directed towards a victim that would cause a reasonable person under similar circumstances to feel terrorized, frightened, intimidated, harassed or fearful for his or her immediate safety or the immediate safety of a family or household member, and that actually causes the victim to feel terrorized, frightened, intimidated, harassed or fearful for his or her immediate safety or the immediate safety of a family or household member, commits the crime of stalking. Except where the provisions of subsection 2, 3 or 4 are applicable, a person who commits the crime of stalking: (a) For the first offense, is guilty of a misdemeanor.</p>	<p>employment of the victim of the alleged crime and any other location specifically named by the court. (b) Refrain from contacting, intimidating, threatening or otherwise interfering with the victim of the alleged crime and any other person named in the order, including, without limitation, a member of the family or the household of the victim of the alleged crime. (c) Comply with any other restriction which the court deems necessary to protect the victim of the alleged crime or to protect any other person named in the order, including, without limitation, a member of the family or the household of the victim of the alleged crime.</p>	<p>location specifically named by the court. (b) Refrain from contacting, intimidating, threatening or otherwise interfering with the victim of the alleged crime and any other person named in the order, including, without limitation, a member of the family or the household of the victim of the alleged crime. (c) Comply with any other restriction which the court deems necessary to protect the victim of the alleged crime or to protect any other person named in the order, including, without limitation, a member of the family or the household of the victim of the alleged crime.</p>	<p>(c) For the third or any subsequent offense, is guilty of a category C felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 5 years, and may be further punished by a fine of not more than \$5,000. 2. Except as otherwise provided in subsection 3 or 4 and unless a more severe penalty is prescribed by law, a person who commits the crime of stalking where the victim is under the age of 16 and the person is 5 or more years older than the victim: (a) For the first offense, is guilty of a gross misdemeanor. (b) For the second offense, is guilty of a category C felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 5 years, and may be further punished by a fine of not more than \$5,000. (c) For the third or any subsequent offense, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years, and may be further punished by a fine of not more than \$5,000. 3. A person who commits the crime of stalking and in conjunction therewith threatens the person with the intent to cause the person to be placed in reasonable fear of death or substantial bodily harm commits the crime of</p>

STATE	DEFINITION OF STALKING	WHO QUALIFIES FOR AN ORDER?	RELIEF AVAILABLE	PENALTIES AND SANCTIONS
	<p>(b) For the second offense, is guilty of a gross misdemeanor.</p> <p>(c) For the third or any subsequent offense, is guilty of a category C felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 5 years, and may be further punished by a fine of not more than \$5,000.</p> <p>2. Except as otherwise provided in subsection 3 or 4 and unless a more severe penalty is prescribed by law, a person who commits the crime of stalking where the victim is under the age of 16 and the person is 5 or more years older than the victim:</p> <p>(a) For the first offense, is guilty of a gross misdemeanor.</p> <p>(b) For the second offense, is guilty of a category C felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 5 years, and may be further punished by a fine of not more than \$5,000.</p> <p>(c) For the third or any subsequent offense, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years, and may be further punished by a fine of not more than \$5,000.</p>			<p>aggravated stalking. A person who commits the crime of aggravated stalking shall be punished for a category B felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years, and may be further punished by a fine of not more than \$5,000.</p> <p>4. A person who commits the crime of stalking with the use of an Internet or network site, electronic mail, text messaging or any other similar means of communication to publish, display or distribute information in a manner that substantially increases the risk of harm or violence to the victim shall be punished for a category C felony as provided in NRS 193.130.</p> <p>5. If any act engaged in by a person was part of the course of conduct that constitutes the crime of stalking and was initiated or had an effect on the victim in this State, the person may be prosecuted in this State.</p> <p>NEV. REV. STAT. ANN.200.591 (5) - Court may impose temporary or extended order to restrict conduct of alleged perpetrator; defendant or convicted person; penalty for violation of order; dissemination of order; notice provided in order.</p> <p>5. Unless a more severe penalty is prescribed by law for the act that constitutes the violation of the order, any person who intentionally violates:</p> <p>(a) A temporary order is guilty of a</p>

STATE	DEFINITION OF STALKING	WHO QUALIFIES FOR AN ORDER?	RELIEF AVAILABLE	PENALTIES AND SANCTIONS
				gross misdemeanor. (b) An extended order is guilty of a category C felony and shall be punished as provided in NRS 193.130.
NEW HAMPSHIRE	<p>N.H. REV. STAT. ANN. § 173-B:1 (I) - Definitions.</p> <p>I. “Abuse” means the commission or attempted commission of one or more of the acts described in subparagraphs (a) through (h) by a family or household member or by a current or former sexual or intimate partner, where such conduct is determined to constitute a credible present threat to the petitioner’s safety. The court may consider evidence of such acts, regardless of their proximity in time to the filing of the petition, which, in combination with recent conduct, reflects an ongoing pattern of behavior which reasonably causes or has caused the petitioner to fear for his or her safety or well-being:</p> <p>(a) Assault or reckless conduct as defined in RSA 631:1 through RSA 631:3.</p> <p>(b) Criminal threatening as defined in RSA 631:4.</p> <p>(c) Sexual assault as defined in RSA 632-A:2 through RSA 632-A:5.</p> <p>(d) Interference with freedom as defined in RSA 633:1 through RSA 633:3-a</p> <p>(e) Destruction of property as defined in RSA 634:1 and RSA 634:2.</p> <p>(f) Unauthorized entry as defined in RSA 635:1 and RSA 635:2.</p> <p>(g) Harassment as defined in RSA 644:4.</p> <p>(h) Cruelty to animals as defined in RSA 644:8.</p>	<p>N.H. REV. STAT. ANN. § 173-B:1 (X) - Definitions.</p> <p>X. “Family or household member” means:</p> <p>(a) Spouses, ex-spouses, persons cohabiting with each other, and persons who cohabited with each other but who no longer share the same residence.</p> <p>(b) Parents and other persons related by consanguinity or affinity, other than minor children who reside with the defendant.</p> <p>N.H. REV. STAT. ANN. § 633:3-a (III)- Stalking.</p> <p>III-a. A person who has been the victim of stalking as defined in this section may seek relief by filing a civil petition in the district court in the district where the plaintiff or defendant resides. Upon a showing of stalking by a preponderance of the evidence, the court shall grant such relief as is necessary to bring about a</p>	<p>N.H. REV. STAT. ANN. § 173-B:5 Relief.</p> <p>I. A finding of abuse shall mean the defendant represents a credible threat to the safety of the plaintiff. Upon a showing of abuse of the plaintiff by a preponderance of the evidence, the court shall grant such relief as is necessary to bring about a cessation of abuse. Such relief shall direct the defendant to relinquish to the peace officer any and all firearms and ammunition in the control, ownership, or possession of the defendant, or any other person on behalf of the defendant for the duration of the protective order. Other relief may include:</p> <p>(a) Protective orders:</p> <p>(1) Restraining the defendant from abusing the plaintiff.</p> <p>(2) Restraining the defendant from entering the premises and curtilage where the plaintiff resides, except when the defendant is accompanied by a peace officer and is allowed entry by the plaintiff for the sole purpose of retrieving personal property specified by the court.</p> <p>(3) Restraining the defendant from contacting the plaintiff or</p>	<p>N.H. REV. STAT. ANN. § 633:3-a (VI) - Stalking.</p> <p>VI.(a) Any person convicted of a violation of this section and who has one or more prior stalking convictions in this state or another state when the second or subsequent offense occurs within 7 years following the date of the first or prior offense shall be guilty of a class B felony.</p> <p>(b) In all other cases, any person who is convicted of a violation of this section shall be guilty of a class A misdemeanor.</p>

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	<p>N.H. REV. STAT. ANN. § 633:3-a (I)-(II) Stalking.</p> <p>I. A person commits the offense of stalking if such person:</p> <p>(a) Purposely, knowingly, or recklessly engages in a course of conduct targeted at a specific person which would cause a reasonable person to fear for his or her personal safety or the safety of a member of that person's immediate family, and the person is actually placed in such fear;</p> <p>(b) Purposely or knowingly engages in a course of conduct targeted at a specific individual, which the actor knows will place that individual in fear for his or her personal safety or the safety of a member of that individual's immediate family; or</p> <p>(c) After being served with, or otherwise provided notice of, a protective order pursuant to RSA 173-B, RSA 458:16, or paragraph III-a of this section, or an order pursuant to RSA 597:2 that prohibits contact with a specific individual, purposely, knowingly, or recklessly engages in a single act of conduct that both violates the provisions of the order and is listed in paragraph II(a).</p> <p>II. As used in this section:</p> <p>(a) "Course of conduct" means 2 or more acts over a period of time, however short, which evidences a continuity of purpose. A course of conduct shall not include</p>	<p>cessation of stalking. The types of relief that may be granted, the procedures and burdens of proof to be applied in such proceedings, the methods of notice, service, and enforcement of such orders, and the penalties for violation thereof shall be the same as those set forth in RSA 173-B.</p>	<p>entering the plaintiff's place of employment, school, or any specified place frequented regularly by the plaintiff or by any family or household member.</p> <p>(4) Restraining the defendant from abusing the plaintiff, plaintiff's relatives, regardless of their place of residence, or plaintiff's household members in any way.</p> <p>(5) Restraining the defendant from taking, converting, or damaging property in which the plaintiff may have a legal or equitable interest.</p> <p>(6) Directing the defendant to relinquish to the peace officer, in addition to the relief specified in RSA 173-B:5, I, any and all deadly weapons specified in the protective order that are in the control, ownership, or possession of the defendant, or any other person on behalf of the defendant.</p> <p>(7) Granting the petitioner exclusive care, custody, or control of any animal owned, possessed, leased, kept, or held by the petitioner, defendant, or a minor child in either household, and ordering the defendant to stay away from the animal and forbidding the defendant from taking, transferring, encumbering, concealing, committing an act of cruelty or neglect, or disposing of the</p>	

STATE	DEFINITION OF STALKING	WHO QUALIFIES FOR AN ORDER?	RELIEF AVAILABLE	PENALTIES AND SANCTIONS
	<p>constitutionally protected activity, nor shall it include conduct that was necessary to accomplish a legitimate purpose independent of making contact with the targeted person. A course of conduct may include, but not be limited to, any of the following acts or a combination thereof:</p> <p>(1) Threatening the safety of the targeted person or an immediate family member.</p> <p>(2) Following, approaching, or confronting that person, or a member of that person's immediate family.</p> <p>(3) Appearing in close proximity to, or entering the person's residence, place of employment, school, or other place where the person can be found, or the residence, place of employment or school of a member of that person's immediate family.</p> <p>(4) Causing damage to the person's residence or property or that of a member of the person's immediate family.</p> <p>(5) Placing an object on the person's property, either directly or through a third person, or that of an immediate family member.</p> <p>(6) Causing injury to that person's pet, or to a pet belonging to a member of that person's immediate family.</p> <p>(7) Any act of communication, as defined in RSA 644:4, II.</p> <p>(b) "Immediate family" means father, mother, stepparent, child, stepchild, sibling, spouse, or grandparent of the targeted person, any person residing in the household of the targeted person, or</p>		<p>animal.</p> <p>(b) Other relief including, but not limited to:</p> <p>(1) Granting the plaintiff the exclusive use and possession of the premises and curtilage of the plaintiff's place of residence, unless the defendant exclusively owns or leases and pays for the premises and the defendant has no legal duty to support the plaintiff or minor children on the premises.</p> <p>(2) Restraining the defendant from withholding items of the plaintiff's personal property specified by the court. A peace officer shall accompany the plaintiff in retrieving such property to protect the plaintiff.</p> <p>(3) Granting to the plaintiff the exclusive right of use and possession of the household furniture, furnishings, or a specific automobile, unless the defendant exclusively owns such personal property and the defendant has no legal duty to support the plaintiff or minor children.</p> <p>(4) Ordering the defendant to make automobile, insurance, health care, utilities, rent, or mortgage payments.</p> <p>(5) Awarding temporary custody of the parties' minor children to either party or, where appropriate, to the department, provided that:</p>	

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	any person involved in an intimate relationship with the targeted person.		<p>(A) Where custody of the parties' minor children with the department may be appropriate, the department shall receive actual notice of the hearing 10 days prior to such hearing provided that, if necessary, such hearing may be continued 10 days to provide the department adequate notice.</p> <p>(B) The department may move at any time to rescind its custody of the parties' minor children.</p> <p>(6) Establishing visitation rights with regard to the parties' minor children. The court shall consider, and may impose on a custody award, conditions necessary to assure the safety of the plaintiff and minor children. This may include orders denying visitation, requiring supervised visitation that shall take place only at a visitation center that uses a metal detection device and has trained security personnel on-site, or requiring supervised visitation, where such order can be entered consistent with the following requirements. In determining whether visitation shall be granted, the court shall consider whether visitation can be exercised by the non-custodial parent without risk to the plaintiff's or children's safety. In making such determination, the court shall consider, in addition to any other relevant factors, the</p>	

STATE	DEFINITION OF STALKING	WHO QUALIFIES FOR AN ORDER?	RELIEF AVAILABLE	PENALTIES AND SANCTIONS
			<p>following:</p> <p>(A) The degree to which visitation exposes the plaintiff or the children to physical or psychological harm.</p> <p>(B) Whether the risk of physical or psychological harm can be removed by ordering supervised visitation or by ordering supervised visitation at a center that uses a metal detection device and has trained security personnel on-site.</p> <p>(C) Whether visitation can be ordered without requiring the plaintiff and defendant to have contact regarding the exchange of children.</p> <p>(7) Directing the defendant to pay financial support to the plaintiff or minor children, unless the defendant has no legal duty to support the plaintiff or minor children.</p> <p>(8) Directing the abuser to engage in a batterer's intervention program or personal counseling. If available, such intervention and counseling program shall focus on alternatives to aggression. The court shall not direct the plaintiff to engage in joint counseling services with the defendant. Court-ordered and court-referred mediation of cases involving domestic violence shall be prohibited.</p> <p>(9) Ordering the defendant to</p>	

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			<p>pay the plaintiff monetary compensation for losses suffered as a direct result of the abuse which may include, but not be limited to, loss of earnings or support, medical and dental expenses, damage to property, out-of-pocket losses for injuries sustained, and moving and shelter expenses.</p> <p>(10) Ordering the defendant to pay reasonable attorney's fees.</p> <p>N.H. REV. STAT. ANN. § 633:3-a Stalking.</p> <p>III-a. A person who has been the victim of stalking as defined in this section may seek relief by filing a civil petition in the district court in the district where the plaintiff or defendant resides. Upon a showing of stalking by a preponderance of the evidence, the court shall grant such relief as is necessary to bring about a cessation of stalking. The types of relief that may be granted, the procedures and burdens of proof to be applied in such proceedings, the methods of notice, service, and enforcement of such orders, and the penalties for violation thereof shall be the same as those set forth in RSA 173-B.</p>	
NEW JERSEY	N.J. STAT. ANN. § 2C:25-19(a)(14) Definition.	N.J. STAT. ANN. § 2C:25-19 (d) Definition.	N.J. STAT. ANN. § 2C:12-10.1 (a) - Stalking conviction to operate	N.J. STAT. ANN. § 2C:12-10.1 (f)- Stalking conviction to operate as

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	<p>As used in this act:</p> <p>a. “Domestic violence” means the occurrence of one or more of the following acts inflicted upon a person protected under this act by an adult or an emancipated minor:</p> <p style="text-align: center;">***</p> <p>(14) Stalking P.L.1992, c.209 (C.2C:12-10)</p> <p>N.J. STAT. ANN. § 2C:12-10 (b)-(e) - Definitions; stalking designated a crime; degrees.</p> <p>b. A person is guilty of stalking, a crime of the fourth degree, if he purposefully or knowingly engages in a course of conduct directed at a specific person that would cause a reasonable person to fear for his safety or the safety of a third person or suffer other emotional distress.</p> <p>c. A person is guilty of a crime of the third degree if he commits the crime of stalking in violation of an existing court order prohibiting the behavior.</p> <p>d. A person who commits a second or subsequent offense of stalking against the same victim is guilty of a crime of the third degree.</p> <p>e. A person is guilty of a crime of the third degree if he commits the crime of stalking while serving a term of imprisonment or while on parole or probation as the result of a conviction for any indictable offense under the laws of this State, any other state or the United States.</p>	<p>d. “Victim of domestic violence” means a person protected under this act and shall include any person who is 18 years of age or older or who is an emancipated minor and who has been subjected to domestic violence by a spouse, former spouse, or any other person who is a present household member or was at any time a household member. “Victim of domestic violence” also includes any person, regardless of age, who has been subjected to domestic violence by a person with whom the victim has a child in common, or with whom the victim anticipates having a child in common, if one of the parties is pregnant. “Victim of domestic violence” also includes any person who has been subjected to domestic violence by a person with whom the victim has had a dating relationship.</p>	<p>as application for permanent restraining order; hearing; dissolution of order; notice; violations</p> <p>a. A judgment of conviction for stalking shall operate as an application for a permanent restraining order limiting the contact of the defendant and the victim who was stalked.</p> <p>N.J. STAT. ANN. § 2C:25-29 (b) - Hearing; factors considered; orders for relief</p> <p>b. In proceedings in which complaints for restraining orders have been filed, the court shall grant any relief necessary to prevent further abuse. In addition to any other provisions, any restraining order issued by the court shall bar the defendant from purchasing, owning, possessing or controlling a firearm and from receiving or retaining a firearms purchaser identification card or permit to purchase a handgun pursuant to N.J.S.2C:58-3 during the period in which the restraining order is in effect or two years, whichever is greater. The order shall require the immediate surrender of any firearm or other weapon belonging to the defendant. The order shall include notice to the defendant</p>	<p>application for permanent restraining order; hearing; dissolution of order; notice; violations</p> <p>f. A violation by the defendant of an order issued pursuant to this act shall constitute an offense under subsection a. of N.J.S.2C:29-9 and each order shall so state. Violations of these orders may be enforced in a civil or criminal action initiated by the stalking victim or by the court, on its own motion, pursuant to applicable court rules. Nothing in this act shall preclude the filing of a criminal complaint for stalking based on the same act which is the basis for the violation of the permanent restraining order.</p>

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			<p>of the penalties for a violation of any provision of the order, including but not limited to the penalties for contempt of court and unlawful possession of a firearm or other weapon pursuant to N.J.S.2C:39-5. A law enforcement officer shall accompany the defendant, or may proceed without the defendant if necessary, to any place where any firearm or other weapon belonging to the defendant is located to ensure that the defendant does not gain access to any firearm or other weapon, and a law enforcement officer shall take custody of any firearm or other weapon belonging to the defendant. If the order prohibits the defendant from returning to the scene of domestic violence or other place where firearms or other weapons belonging to the defendant are located, any firearm or other weapon located there shall be seized by a law enforcement officer. The provisions of this subsection requiring the surrender or removal of a firearm, card, or permit shall not apply to any law enforcement officer while actually on duty, or to any member of the Armed Forces of the United States or member of the National Guard while actually on duty or traveling to or from an</p>	

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			<p>authorized place of duty. At the hearing the judge of the Family Part of the Chancery Division of the Superior Court may issue an order granting any or all of the following relief:</p> <p>(1) An order restraining the defendant from subjecting the victim to domestic violence, as defined in this act.</p> <p>(2) An order granting exclusive possession to the plaintiff of the residence or household regardless of whether the residence or household is jointly or solely owned by the parties or jointly or solely leased by the parties. This order shall not in any manner affect title or interest to any real property held by either party or both jointly. If it is not possible for the victim to remain in the residence, the court may order the defendant to pay the victim's rent at a residence other than the one previously shared by the parties if the defendant is found to have a duty to support the victim and the victim requires alternative housing.</p> <p>(3) An order providing for parenting time. The order shall protect the safety and well-being of the plaintiff and minor children and shall specify the place and frequency of parenting time. Parenting time arrangements shall not</p>	

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			<p>compromise any other remedy provided by the court by requiring or encouraging contact between the plaintiff and defendant. Orders for parenting time may include a designation of a place of parenting time away from the plaintiff, the participation of a third party, or supervised parenting time.</p> <p>(a) The court shall consider a request by a custodial parent who has been subjected to domestic violence by a person with parenting time rights to a child in the parent's custody for an investigation or evaluation by the appropriate agency to assess the risk of harm to the child prior to the entry of a parenting time order. Any denial of such a request must be on the record and shall only be made if the judge finds the request to be arbitrary or capricious.</p> <p>(b) The court shall consider suspension of the parenting time order and hold an emergency hearing upon an application made by the plaintiff certifying under oath that the defendant's access to the child pursuant to the parenting time order has threatened the safety and well-being of the child.</p> <p>(4) An order requiring the defendant to pay to the victim monetary compensation for losses suffered as a direct result</p>	

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			<p>of the act of domestic violence. The order may require the defendant to pay the victim directly, to reimburse the Victims of Crime Compensation Office for any and all compensation paid by the Victims of Crime Compensation Office directly to or on behalf of the victim, and may require that the defendant reimburse any parties that may have compensated the victim, as the court may determine. Compensatory losses shall include, but not be limited to, loss of earnings or other support, including child or spousal support, out-of-pocket losses for injuries sustained, cost of repair or replacement of real or personal property damaged or destroyed or taken by the defendant, cost of counseling for the victim, moving or other travel expenses, reasonable attorney's fees, court costs, and compensation for pain and suffering. Where appropriate, punitive damages may be awarded in addition to compensatory damages.</p> <p>(5) An order requiring the defendant to receive professional domestic violence counseling from either a private source or a source appointed by the court and, in that event, requiring the defendant to provide the court at specified intervals with</p>	

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			<p>documentation of attendance at the professional counseling. The court may order the defendant to pay for the professional counseling. No application by the defendant to dissolve a final order which contains a requirement for attendance at professional counseling pursuant to this paragraph shall be granted by the court unless, in addition to any other provisions required by law or conditions ordered by the court, the defendant has completed all required attendance at such counseling.</p> <p>(6) An order restraining the defendant from entering the residence, property, school, or place of employment of the victim or of other family or household members of the victim and requiring the defendant to stay away from any specified place that is named in the order and is frequented regularly by the victim or other family or household members.</p> <p>(7) An order restraining the defendant from making contact with the plaintiff or others, including an order forbidding the defendant from personally or through an agent initiating any communication likely to cause annoyance or alarm including, but not limited to, personal, written, or telephone contact</p>	

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			<p>with the victim or other family members, or their employers, employees, or fellow workers, or others with whom communication would be likely to cause annoyance or alarm to the victim.</p> <p>(8) An order requiring that the defendant make or continue to make rent or mortgage payments on the residence occupied by the victim if the defendant is found to have a duty to support the victim or other dependent household members; provided that this issue has not been resolved or is not being litigated between the parties in another action.</p> <p>(9) An order granting either party temporary possession of specified personal property, such as an automobile, checkbook, documentation of health insurance, an identification document, a key, and other personal effects.</p> <p>(10) An order awarding emergency monetary relief, including emergency support for minor children, to the victim and other dependents, if any. An ongoing obligation of support shall be determined at a later date pursuant to applicable law.</p> <p>(11) An order awarding temporary custody of a minor child. The court shall presume that the best interests of the</p>	

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			<p>child are served by an award of custody to the non-abusive parent.</p> <p>(12) An order requiring that a law enforcement officer accompany either party to the residence or any shared business premises to supervise the removal of personal belongings in order to ensure the personal safety of the plaintiff when a restraining order has been issued. This order shall be restricted in duration.</p> <p>(13) (Deleted by amendment, P.L.1995, c. 242).</p> <p>(14) An order granting any other appropriate relief for the plaintiff and dependent children, provided that the plaintiff consents to such relief, including relief requested by the plaintiff at the final hearing, whether or not the plaintiff requested such relief at the time of the granting of the initial emergency order.</p> <p>(15) An order that requires that the defendant report to the intake unit of the Family Part of the Chancery Division of the Superior Court for monitoring of any other provision of the order.</p> <p>(16) In addition to the order required by this subsection prohibiting the defendant from possessing any firearm, the court may also issue an order prohibiting the defendant from possessing any other weapon enumerated in subsection r.</p>	

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			<p>of N.J.S.2C:39-1 and ordering the search for and seizure of any firearm or other weapon at any location where the judge has reasonable cause to believe the weapon is located. The judge shall state with specificity the reasons for and scope of the search and seizure authorized by the order.</p> <p>(17) An order prohibiting the defendant from stalking or following, or threatening to harm, to stalk or to follow, the complainant or any other person named in the order in a manner that, taken in the context of past actions of the defendant, would put the complainant in reasonable fear that the defendant would cause the death or injury of the complainant or any other person. Behavior prohibited under this act includes, but is not limited to, behavior prohibited under the provisions of P.L.1992, c. 209 (C.2C:12-10).</p> <p>(18) An order requiring the defendant to undergo a psychiatric evaluation.</p> <p>(19) An order directing the possession of any animal owned, possessed, leased, kept, or held by either party or a minor child residing in the household. Where a person has abused or threatened to abuse such animal, there shall be a presumption that</p>	

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			possession of the animal shall be awarded to the non-abusive party.	
NEW MEXICO	<p>N.M. STAT. ANN. § 40-13-2 (d) Definitions.</p> <p>D. “domestic abuse”:</p> <p>(1) means an incident of stalking or sexual assault whether committed by a household member or not;</p> <p>(2) means an incident by a household member against another household member consisting of or resulting in:</p> <p>(a) physical harm;</p> <p>(b) severe emotional distress;</p> <p>(c) bodily injury or assault;</p> <p>(d) a threat causing imminent fear of bodily injury by any household member;</p> <p>(e) criminal trespass;</p> <p>(f) criminal damage to property;</p> <p>(g) repeatedly driving by a residence or work place;</p> <p>(h) telephone harassment;</p> <p>(i) harassment; or</p> <p>(j) harm or threatened harm to children as set forth in this paragraph; and</p> <p>(3) does not mean the use of force in self-defense or the defense of another;</p> <p>N.M. STAT. ANN. § 30-3A-3 (a) Stalking; penalties.</p> <p>A. Stalking consists of knowingly pursuing a pattern of conduct, without lawful authority, directed at a specific individual when the person intends that the pattern of conduct would place the individual in reasonable apprehension of death, bodily harm, sexual assault,</p>	<p>N.M. STAT. ANN. § 40-13-4 (c) Temporary order of protection; hearing; dismissal.</p> <p>C. Except for petitions alleging stalking or sexual assault, if the court finds that the alleged perpetrator is not a household member, the court shall dismiss the petition.</p> <p>N.M. STAT. ANN. § 40-13-2 (F) Definitions.</p> <p>F. “household member” means a spouse, former spouse, parent, present or former stepparent, present or former parent-in-law, grandparent, grandparent-in-law, child, stepchild, grandchild, co-parent of a child or a person with whom the petitioner has had a continuing personal relationship. Cohabitation is not necessary to be deemed a household member for purposes of this section;</p>	<p>N.M. STAT. ANN. § 40-13-5 Order of protection; contents; remedies; title to property not affected; mutual order of protection.</p> <p>A. Upon finding that domestic abuse has occurred or upon stipulation of the parties, the court shall enter an order of protection ordering the restrained party to refrain from abusing the protected party or any other household member. The court shall specifically describe the acts the court has ordered the restrained party to do or refrain from doing. As a part of any order of protection, the court may:</p> <p>(1) grant sole possession of the residence or household to the protected party during the period the order of protection is effective or order the restrained party to provide temporary suitable alternative housing for the protected party and any children to whom the restrained party owes a legal obligation of support</p> <p>(2) award temporary custody of any children involved when appropriate and provide for visitation rights, child support and temporary support for the</p>	<p>N.M. STAT. ANN. § 30-3A-3 (C), (D) Stalking; penalties.</p> <p>C. Whoever commits stalking is guilty of a misdemeanor. Upon a second or subsequent conviction, the offender is guilty of a fourth degree felony.</p> <p>D. In addition to any punishment provided pursuant to the provisions of this section, the court shall order a person convicted of stalking to participate in and complete a program of professional counseling at the person’s own expense or a domestic violence offender treatment or intervention program.</p> <p>N.M. STAT. ANN. § 30-3A-3.1 (b), (c) Aggravated Stalking; penalties.</p> <p>B. Whoever commits aggravated stalking is guilty of a fourth degree felony. Upon a second or subsequent conviction, the offender is guilty of a third degree felony.</p> <p>C. In addition to any punishment provided pursuant to the provisions of this section, the court shall order a person convicted of aggravated stalking to participate in and complete a program of professional counseling at his own expense.</p>

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	<p>confinement or restraint of the individual or another individual.</p> <p>N.M. STAT. ANN. § 30-3A-3.1 (a) <i>Aggravated Stalking; penalties.</i></p> <p>A. Aggravated stalking consists of stalking perpetrated by a person:</p> <p>(1) who knowingly violates a permanent or temporary order of protection issued by a court, except that mutual violations of such orders may constitute a defense to aggravated stalking;</p> <p>(2) in violation of a court order setting conditions of release and bond;</p> <p>(3) when the person is in possession of a deadly weapon; or</p> <p>(4) when the victim is less than sixteen years of age.</p>		<p>protected party on a basis that gives primary consideration to the safety of the protected party and the children;</p> <p>(3) order that the restrained party shall not initiate contact with the protected party;</p> <p>(4) restrain a party from transferring, concealing, encumbering or otherwise disposing of the other party's property or the joint property of the parties except in the usual course of business or for the necessities of life and require the parties to account to the court for all such transferences, encumbrances and expenditures made after the order is served or communicated to the restrained party;</p> <p>(5) order the restrained party to reimburse the protected party or any other household member for expenses reasonably related to the occurrence of domestic abuse, including medical expenses, counseling expenses, the expense of seeking temporary shelter, expenses for the replacement or repair of damaged property or the expense of lost wages;</p> <p>(6) order the restrained party to participate in, at the restrained party's expense, professional counseling programs deemed appropriate by the court, including counseling programs</p>	

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			<p>for perpetrators of domestic abuse, alcohol abuse or abuse of controlled substances; and</p> <p>(7) order other injunctive relief as the court deems necessary for the protection of a party, including orders to law enforcement agencies as provided by this section.</p> <p>B. The order of protection shall contain a notice that violation of any provision of the order constitutes contempt of court and may result in a fine or imprisonment or both.</p> <p>C. If the order of protection supersedes or alters prior orders of the court pertaining to domestic matters between the parties, the order shall say so on its face. If an action relating to child custody or child support is pending or has concluded with entry of an order at the time the petition for an order of protection was filed, the court may enter an initial order of protection, but the portion of the order dealing with child custody or child support will then be transferred to the court that has or continues to have jurisdiction over the pending or prior custody or support action.</p> <p>D. A mutual order of protection shall be issued only in cases where both parties have petitioned the court and the court makes detailed findings of</p>	

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			<p>fact indicating that both parties acted primarily as aggressors and that neither party acted primarily in self-defense.</p> <p>E. No order issued under the Family Violence Protection Act [40-13-1 NMSA 1978] shall affect title to any property or allow a party to transfer, conceal, encumber or otherwise dispose of another party's property or the joint or community property of the parties.</p> <p>F. Either party may request a review hearing to amend an order of protection. An order of protection involving child custody or support may be modified without proof of a substantial or material change of circumstances.</p> <p>G. An order of protection shall not be issued unless a petition or a counter petition has been filed.</p>	
<p>NEW YORK</p>	<p>N.Y. PENAL LAW § 120.45 <i>Stalking in the fourth degree.</i></p> <p>A person is guilty of stalking in the fourth degree when he or she intentionally, and for no legitimate purpose, engages in a course of conduct directed at a specific person, and knows or reasonably should know that such conduct:</p> <p>1. is likely to cause reasonable fear of material harm to the physical health, safety or property of such person, a member of such person's immediate family or a third party with whom such</p>	<p>N.Y. FAM. CT. § 812(1) <i>Procedures for family offense proceedings.</i></p> <p>Jurisdiction. The family court and the criminal courts shall have concurrent jurisdiction over any proceeding concerning acts which would constitute disorderly conduct, unlawful dissemination or publication of an intimate image, harassment in the first degree, harassment in the second degree, aggravated harassment in the second</p>	<p>N.Y. FAM. CT. ACT § 842 <i>Order of protection.</i></p> <p>An order of protection under section eight hundred forty-one of this part shall set forth reasonable conditions of behavior to be observed for a period not in excess of two years by the petitioner or respondent or for a period not in excess of five years upon (i) a finding by the court on the record of the existence of aggravating circumstances as defined in paragraph (vii) of subdivision (a)</p>	<p>N.Y. PENAL LAW § 120.45 <i>Stalking in the fourth degree.</i></p> <p>Stalking in the fourth degree is a class B misdemeanor.</p> <p>N.Y. PENAL LAW § 120.50 <i>Stalking in the third degree.</i></p> <p>Stalking in the third degree is a class A misdemeanor.</p> <p>N.Y. PENAL LAW § 120.55 <i>Stalking in the second degree.</i></p>

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	<p>person is acquainted; or</p> <p>2. causes material harm to the mental or emotional health of such person, where such conduct consists of following, telephoning or initiating communication or contact with such person, a member of such person’s immediate family or a third party with whom such person is acquainted, and the actor was previously clearly informed to cease that conduct; or</p> <p>3. is likely to cause such person to reasonably fear that his or her employment, business or career is threatened, where such conduct consists of appearing, telephoning or initiating communication or contact at such person’s place of employment or business, and the actor was previously clearly informed to cease that conduct</p> <p>For the purposes of subdivision two of this section, “following” shall include the unauthorized tracking of such person’s movements or location through the use of a global positioning system or other device.</p> <p>Stalking in the fourth degree is a class B misdemeanor.</p> <p>N.Y. PENAL LAW § 120.50 <i>Stalking in the third degree.</i></p> <p>A person is guilty of stalking in the third degree when he or she:</p> <p>1. Commits the crime of stalking in the fourth degree in violation of section 120.45 of this article against three or more persons, in three or more separate</p>	<p>degree, sexual misconduct, forcible touching, sexual abuse in the third degree, sexual abuse in the second degree as set forth in subdivision one of section 130.60 of the penal law, stalking in the first degree, stalking in the second degree, stalking in the third degree, stalking in the fourth degree, criminal mischief, menacing in the second degree, menacing in the third degree, reckless endangerment, criminal obstruction of breathing or blood circulation, strangulation in the second degree, strangulation in the first degree, assault in the second degree, assault in the third degree, an attempted assault, identity theft in the first degree, identity theft in the second degree, identity theft in the third degree, grand larceny in the fourth degree, grand larceny in the third degree, coercion in the second degree or coercion in the third degree as set forth in subdivisions one, two and three of section 135.60 of the penal law between spouses or former spouses, or between parent and child or between members of the same family or household except that if</p>	<p>of section eight hundred twenty-seven of this article; or (ii) a finding by the court on the record that the conduct alleged in the petition is in violation of a valid order of protection. Any finding of aggravating circumstances pursuant to this section shall be stated on the record and upon the order of protection. The court may also, upon motion, extend the order of protection for a reasonable period of time upon a showing of good cause or consent of the parties. The fact that abuse has not occurred during the pendency of an order shall not, in itself, constitute sufficient ground for denying or failing to extend the order. The court must articulate a basis for its decision on the record. The duration of any temporary order shall not by itself be a factor in determining the length or issuance of any final order. Any order of protection issued pursuant to this section shall specify if an order of probation is in effect. Any order of protection issued pursuant to this section may require the petitioner or the respondent:</p> <p>(a) to stay away from the home, school, business or place of employment of any other party, the other spouse, the other parent, or the child, and to stay away from any other specific</p>	<p>Stalking in the second degree is a class E felony.</p> <p>N.Y. PENAL LAW § 120.60</p> <p>Stalking in the first degree is a class D felony.</p>

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	<p>transactions, for which the actor has not been previously convicted; or</p> <p>2. Commits the crime of stalking in the fourth degree in violation of section 120.45 of this article against any person, and has previously been convicted, within the preceding ten years of a specified predicate crime, as defined in subdivision five of section 120.40 of this article, and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or</p> <p>3. With intent to harass, annoy or alarm a specific person, intentionally engages in a course of conduct directed at such person which is likely to cause such person to reasonably fear physical injury or serious physical injury, the commission of a sex offense against, or the kidnapping, unlawful imprisonment or death of such person or a member of such person's immediate family; or</p> <p>4. Commits the crime of stalking in the fourth degree and has previously been convicted within the preceding ten years of stalking in the fourth degree.</p> <p>N.Y. PENAL LAW § 120.55 <i>Stalking in the second degree.</i></p> <p>A person is guilty of stalking in the second degree when he or she:</p> <p>1. Commits the crime of stalking in the third degree as defined in subdivision three of section 120.50 of this article and in the course of and in furtherance of the commission of such offense: (i) displays, or possesses and threatens the</p>	<p>the respondent would not be criminally responsible by reason of age pursuant to section 30.00 of the penal law, then the family court shall have exclusive jurisdiction over such proceeding. Notwithstanding a complainant's election to proceed in family court, the criminal court shall not be divested of jurisdiction to hear a family offense proceeding pursuant to this section. In any proceeding pursuant to this article, a court shall not deny an order of protection, or dismiss a petition, solely on the basis that the acts or events alleged are not relatively contemporaneous with the date of the petition, the conclusion of the fact-finding or the conclusion of the dispositional hearing. For purposes of this article, "disorderly conduct" includes disorderly conduct not in a public place. For purposes of this article, "members of the same family or household" shall mean the following:</p> <p>(a) persons related by consanguinity or affinity;</p> <p>(b) persons legally married to one another;</p> <p>(c) persons formerly married to one another regardless of</p>	<p>location designated by the court, provided that the court shall make a determination, and shall state such determination in a written decision or on the record, whether to impose a condition pursuant to this subdivision, provided further, however, that failure to make such a determination shall not affect the validity of such order of protection. In making such determination, the court shall consider, but shall not be limited to consideration of, whether the order of protection is likely to achieve its purpose in the absence of such a condition, conduct subject to prior orders of protection, prior incidents of abuse, extent of past or present injury, threats, drug or alcohol abuse, and access to weapons;</p> <p>(b) to permit a parent, or a person entitled to visitation by a court order or a separation agreement, to visit the child at stated periods;</p> <p>(c) to refrain from committing a family offense, as defined in subdivision one of section eight hundred twelve of this article, or any criminal offense against the child or against the other parent or against any person to whom custody of the child is awarded, or from harassing, intimidating or threatening such persons;</p> <p>(d) to permit a designated party</p>	

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	<p>use of, a firearm, pistol, revolver, rifle, shotgun, machine gun, electronic dart gun, electronic stun gun, cane sword, billy, blackjack, bludgeon, <i>plastic knuckles</i>, metal knuckles, chuka stick, sand bag, sandclub, slingshot, slungshot, shirken, “Kung Fu Star”, dagger, dangerous knife, dirk, razor, stiletto, imitation pistol, dangerous instrument, deadly instrument or deadly weapon; or (ii) displays what appears to be a pistol, revolver, rifle, shotgun, machine gun or other firearm; or</p> <p>2. Commits the crime of stalking in the third degree in violation of subdivision three of section 120.50 of this article against any person, and has previously been convicted, within the preceding five years, of a specified predicate crime as defined in subdivision five of section 120.40 of this article, and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or</p> <p>3. Commits the crime of stalking in the fourth degree and has previously been convicted of stalking in the third degree as defined in subdivision four of section 120.50 of this article against any person; or</p> <p>4. Being twenty-one years of age or older, repeatedly follows a person under the age of fourteen or engages in a course of conduct or repeatedly commits acts over a period of time intentionally placing or attempting to place such person who is under the age of fourteen in reasonable fear of physical injury, serious physical injury or</p>	<p>whether they still reside in the same household;</p> <p>(d) persons who have a child in common regardless of whether such persons have been married or have lived together at any time; and</p> <p>(e) persons who are not related by consanguinity or affinity and who are or have been in an intimate relationship regardless of whether such persons have lived together at any time.</p> <p>Factors the court may consider in determining whether a relationship is an “intimate relationship” include but are not limited to: the nature or type of relationship, regardless of whether the relationship is sexual in nature; the frequency of interaction between the persons; and the duration of the relationship.</p> <p>Neither a casual acquaintance nor ordinary fraternization between two individuals in business or social contexts shall be deemed to constitute an “intimate relationship”.</p> <p>N.Y. FAM. CT. ACT § 822 <i>Person who may originate proceedings.</i></p> <p>(a) Any person in the relation to the respondent of spouse,</p>	<p>to enter the residence during a specified period of time in order to remove personal belongings not in issue in this proceeding or in any other proceeding or action under this act or the domestic relations law;</p> <p>(e) to refrain from acts of commission or omission that create an unreasonable risk to the health, safety or welfare of a child;</p> <p>(f) to pay the reasonable counsel fees and disbursements involved in obtaining or enforcing the order of the person who is protected by such order if such order is issued or enforced;</p> <p>(g) to require the respondent to participate in a batterer’s education program designed to help end violent behavior, which may include referral to drug and alcohol counselling, and to pay the costs thereof if the person has the means to do so, provided however that nothing contained herein shall be deemed to require payment of the costs of any such program by the petitioner, the state or any political subdivision thereof;</p> <p>(h) to provide, either directly or by means of medical and health insurance, for expenses incurred for medical care and treatment arising from the incident or incidents forming the basis for the issuance of the order;</p>	

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	<p>death 1 ; or</p> <p>5. Commits the crime of stalking in the third degree, as defined in subdivision three of section 120.50 of this article, against ten or more persons, in ten or more separate transactions, for which the actor has not been previously convicted.</p> <p>Stalking in the second degree is a class E felony.</p> <p>N.Y. PENAL LAW § 120.60</p> <p>A person is guilty of stalking in the first degree when he or she commits the crime of stalking in the third degree as defined in subdivision three of section 120.50 or <i>stalking in the second degree as defined in section 120.55</i> of this article and, in the course and furtherance thereof, he or she:</p> <p>1. intentionally or recklessly causes physical injury to 1 <i>the victim of such crime</i>; or</p> <p>2. commits a class A misdemeanor defined in article 1 <i>one hundred thirty</i> of this chapter, or a class E felony defined in 2 <i>section 130.25, 130.40 or 130.85</i> of this chapter, or a class D felony 3 <i>defined in section 130.30 or 130.45</i> of this chapter.</p> <p>Stalking in the first degree is a class D felony.</p>	<p>or former spouse, parent, child, or member of the same family or household;</p> <p>(b) A duly authorized agency, association, society, or institution;</p> <p>(c) A peace officer, acting pursuant to his special duties, or a police officer;</p> <p>(d) A person on the court's own motion.</p>	<p>(i)</p> <p>1. to refrain from intentionally injuring or killing, without justification, any companion animal the respondent knows to be owned, possessed, leased, kept or held by the petitioner or a minor child residing in the household.</p> <p>2. "Companion animal", as used in this section, shall have the same meaning as in subdivision five of section three hundred fifty of the agriculture and markets law;</p> <p>(j)</p> <p>1. to promptly return specified identification documents to the protected party, in whose favor the order of protection or temporary order of protection is issued; provided, however, that such order may: (A) include any appropriate provision designed to ensure that any such document is available for use as evidence in this proceeding, and available if necessary for legitimate use by the party against whom such order is issued; and (B) specify the manner in which such return shall be accomplished.</p> <p>2. For purposes of this subdivision, "identification document" shall mean any of the following: (A) exclusively in the name of the protected party: birth certificate, passport, social</p>	

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			<p>security card, health insurance or other benefits card, a card or document used to access bank, credit or other financial accounts or records, tax returns, any driver's license, and immigration documents including but not limited to a United States permanent resident card and employment authorization document; and (B) upon motion and after notice and an opportunity to be heard, any of the following, including those that may reflect joint use or ownership, that the court determines are necessary and are appropriately transferred to the protected party: any card or document used to access bank, credit or other financial accounts or records, tax returns, and any other identifying cards and documents;</p> <p>(k)</p> <ol style="list-style-type: none"> 1. to refrain from remotely controlling any connected devices affecting the home, vehicle or property of the person protected by the order. 2. For purposes of this subdivision, "connected device" shall mean any device, or other physical object that is capable of connecting to the internet, directly or indirectly, and that is assigned an internet protocol address or bluetooth address; and 	

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			<p>(l) to observe such other conditions as are necessary to further the purposes of protection.</p> <p>The court may also award custody of the child, during the term of the order of protection to either parent, or to an appropriate relative within the second degree. Nothing in this section gives the court power to place or board out any child or to commit a child to an institution or agency.</p> <p>Notwithstanding the provisions of section eight hundred seventeen of this article, where a temporary order of child support has not already been issued, the court may in addition to the issuance of an order of protection pursuant to this section, issue an order for temporary child support in an amount sufficient to meet the needs of the child, without a showing of immediate or emergency need. The court shall make an order for temporary child support notwithstanding that information with respect to income and assets of the respondent may be unavailable. Where such information is available, the court may make an award for temporary child support pursuant to the formula set forth in subdivision one of section four hundred thirteen of</p>	

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			<p>this act. Temporary orders of support issued pursuant to this article shall be deemed to have been issued pursuant to section four hundred thirteen of this act. Upon making an order for temporary child support pursuant to this subdivision, the court shall advise the petitioner of the availability of child support enforcement services by the support collection unit of the local department of social services, to enforce the temporary order and to assist in securing continued child support, and shall set the support matter down for further proceedings in accordance with article four of this act.</p> <p>Where the court determines that the respondent has employer-provided medical insurance, the court may further direct, as part of an order of temporary support under this subdivision, that a medical support execution be issued and served upon the respondent's employer as provided for in section fifty-two hundred forty-one of the civil practice law and rules.</p> <p>Notwithstanding the provisions of section eight hundred seventeen of this article, where a temporary order of spousal support has not already been issued, the court may, in addition to the issuance of an order of</p>	

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			<p>protection pursuant to this section, issue an order directing the parties to appear within seven business days of the issuance of the order in the family court, in the same action, for consideration of an order for temporary spousal support in accordance with article four of this act. If the court directs the parties to so appear, the court shall direct the parties to appear with information with respect to income and assets, but a temporary order for spousal support may be issued pursuant to article four of this act on the return date notwithstanding the respondent's default upon notice and notwithstanding that information with respect to income and assets of the petitioner or respondent may be unavailable.</p> <p>In any proceeding in which an order of protection or temporary order of protection or a warrant has been issued under this section, the clerk of the court shall issue to the petitioner and respondent and his or her counsel and to any other person affected by the order a copy of the order of protection or temporary order of protection and ensure that a copy of the order of protection or temporary order of protection is transmitted to the local correctional facility</p>	

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			<p>where the individual is or will be detained, the state or local correctional facility where the individual is or will be imprisoned, and the supervising probation department or the department of corrections and community supervision where the individual is under probation or parole supervision.</p> <p>Notwithstanding the foregoing provisions, an order of protection, or temporary order of protection where applicable, may be entered against a former spouse and persons who have a child in common, regardless of whether such persons have been married or have lived together at any time, or against a member of the same family or household as defined in subdivision one of section eight hundred twelve of this article.</p> <p>In addition to the foregoing provisions, the court may issue an order, pursuant to section two hundred twenty-seven-c of the real property law, authorizing the party for whose benefit any order of protection has been issued to terminate a lease or rental agreement pursuant to section two hundred twenty-seven-c of the real property law.</p> <p>The protected party in whose favor the order of protection or temporary order of protection is issued may not be held to violate</p>	

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			an order issued in his or her favor nor may such protected party be arrested for violating such order.	
<p>NORTH CAROLINA</p>	<p>N.C. GEN. STAT. § 50C-1 (6) - Definitions.</p> <p>(6) Stalking.-- On more than one occasion, following or otherwise harassing, as defined in G.S. 14-277.3A(b)(2), another person without legal purpose with the intent to do any of the following:</p> <p>a. Place the person in reasonable fear either for the person's safety or the safety of the person's immediate family or close personal associates.</p> <p>b. Cause that person to suffer substantial emotional distress by placing that person in fear of death, bodily injury, or continued harassment and that in fact causes that person substantial emotional distress.</p> <p>N.C. GEN. STAT. § 14-277.3A (c) Stalking.</p> <p>(c) Offense.-- A defendant is guilty of stalking if the defendant willfully on more than one occasion harasses another person without legal purpose or willfully engages in a course of conduct directed at a specific person without legal purpose and the defendant knows or should know that the harassment or the course of conduct would cause a reasonable person to do any of the following:</p> <p>(1) Fear for the person's safety or the</p>	<p>N.C. GEN. STAT. § 50C-2 (a) - Commencement of action; filing fees not permitted; assistance.</p> <p>(a) An action is commenced under this Chapter by filing a verified complaint for a civil no-contact order in district court or by filing a motion in any existing civil action, by any of the following:</p> <p>(1) A person who is a victim of unlawful conduct that occurs in this State.</p> <p>(2) A competent adult who resides in this State on behalf of a minor child or an incompetent adult who is a victim of unlawful conduct that occurs in this State.</p>	<p>N.C. GEN. STAT. § 50C-5 Civil no-contact order; remedy.</p> <p>(a) Upon a finding that the victim has suffered unlawful conduct committed by the respondent, the court may issue temporary or permanent civil no-contact orders as authorized in this Chapter. In determining whether or not to issue a civil no-contact order, the court shall not require physical injury to the victim.</p> <p>(b) The court may grant one or more of the following forms of relief in its orders under this Chapter:</p> <p>(1) Order the respondent not to visit, assault, molest, or otherwise interfere with the victim.</p> <p>(2) Order the respondent to cease stalking the victim, including at the victim's workplace.</p> <p>(3) Order the respondent to cease harassment of the victim.</p> <p>(4) Order the respondent not to abuse or injure the victim.</p> <p>(5) Order the respondent not to contact the victim by telephone, written communication, or electronic means.</p> <p>(6) Order the respondent to</p>	<p>N.C. GEN. STAT. § 14-277.3A Stalking. (d) -</p> <p>(d) Classification. -- A violation of this section is a Class A1 misdemeanor. A defendant convicted of a Class A1 misdemeanor under this section, who is sentenced to a community punishment, shall be placed on supervised probation in addition to any other punishment imposed by the court. A defendant who commits the offense of stalking after having been previously convicted of a stalking offense is guilty of a Class F felony. A defendant who commits the offense of stalking when there is a court order in effect prohibiting the conduct described under this section by the defendant against the victim is guilty of a Class H felony.</p> <p>N.C. GEN. STAT. § 50C-10 Violation.</p> <p>A knowing violation of an order entered pursuant to this Chapter is punishable by civil or criminal contempt as provided in Chapter 5A of the General Statutes.</p>

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	<p>safety of the person's immediate family or close personal associates. (2) Suffer substantial emotional distress by placing that person in fear of death, bodily injury, or continued harassment.</p>		<p>refrain from entering or remaining present at the victim's residence, school, place of employment, or other specified places at times when the victim is present. (7) Order other relief deemed necessary and appropriate by the court, including assessing attorneys' fees to either party. (c) A civil no-contact order shall include the following notice, printed in conspicuous type: "A knowing violation of a civil no-contact order shall be punishable as contempt of court which may result in a fine or imprisonment."</p>	
<p>NORTH DAKOTA</p>	<p>N.D. CENT. CODE § 12.1-17-07.1 (c) Stalking.</p> <p>c. "Stalk" means: (1) To engage in an intentional course of conduct directed at a specific person which frightens, intimidates, or harasses that person and which serves no legitimate purpose. The course of conduct may be directed toward that person or a member of that person's immediate family and must cause a reasonable person to experience fear, intimidation, or harassment; or (2) The unauthorized tracking of the person's movements or location through the use of a global positioning system or other electronic means that would cause a reasonable person to be frightened, intimidated, or harassed and which serves no legitimate purpose.</p>	<p>N.D. CENT. CODE § 14-07.1-01 (4) Definitions.</p> <p>4. "Family or household member" means a spouse, family member, former spouse, parent, child, persons related by blood or marriage, persons who are in a dating relationship, persons who are presently residing together or who have resided together in the past, persons who have a child in common regardless of whether they are or have been married or have lived together at any time, and, for the purpose of the issuance of a domestic violence protection order, any other person with a sufficient</p>	<p>N.D. CENT. CODE § 14-07.1-02 Domestic violence protection order.</p> <p>1. An action for a protection order commenced by a verified application alleging the existence of domestic violence may be brought in district court by any family or household member or by any other person if the court determines that the relationship between that person and the alleged abusing person is sufficient to warrant the issuance of a domestic violence protection order. An action may be brought under this section, regardless of whether a petition for legal separation, annulment, or divorce has been filed. 2. Upon receipt of the</p>	<p>N.D. CENT. CODE § 12.1-17-07.1 (6) Stalking.</p> <p>6.a. A person who violates this section is guilty of a class C felony if: (1) The person previously has been convicted of violating section 12.1-17-01, 12.1-17-01.1, 12.1-17-02, 12.1-17-04, 12.1-17-05, or 12.1-17-07, or a similar offense from another court in North Dakota, a court of record in the United States, or a tribal court, involving the victim of the stalking; (2) The stalking violates a court order issued under chapter 14-07.1 protecting the victim of the stalking, if the person had notice of the court order; or (3) The person previously has been convicted of violating this section.</p>

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	<p>2. A person may not intentionally stalk another person.</p>	<p>relationship to the abusing person as determined by the court under section 14-07.1-02.</p>	<p>application, the court shall order a hearing to be held not later than fourteen days from the date of the hearing order.</p> <p>3. Service must be made upon the respondent at least five days prior to the hearing. If service cannot be made, the court may set a new date.</p> <p>4. Upon a showing of actual or imminent domestic violence, the court may enter a protection order after due notice and full hearing. The relief provided by the court may include any or all of the following:</p> <p>a. Restraining any party from threatening, molesting, injuring, harassing, or having contact with any other person.</p> <p>b. Excluding either the respondent or any person with whom the respondent lives from the dwelling they share, from the residence of another person against whom the domestic violence is occurring, or from a domestic violence care facility, if this exclusion is necessary to the physical or mental well-being of the applicant or others.</p> <p>c. Awarding temporary custody or establishing temporary visitation rights with regard to minor children.</p> <p>d. Recommending or requiring that either or both parties undergo counseling with a domestic violence program or</p>	<p>b. If subdivision a does not apply, a person who violates this section is guilty of a class A misdemeanor.</p>

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			<p>other agency that provides professional services that the court deems appropriate. The court may request a report from the designated agency within a time period established by the court. The costs of the court-ordered initial counseling assessment and subsequent reports must be borne by the parties or, if indigent, by the respondent's county of residence.</p> <p>e. Requiring a party to pay such support as may be necessary for the support of a party and any minor children of the parties and reasonable attorney's fees and costs.</p> <p>f. Awarding temporary use of personal property, including motor vehicles, to either party.</p> <p>g. Requiring the respondent to surrender for safekeeping any firearm or other specified dangerous weapon, as defined in section 12.1-01-04, in the respondent's immediate possession or control or subject to the respondent's immediate control, if the court has probable cause to believe that the respondent is likely to use, display, or threaten to use the firearm or other dangerous weapon in any further acts of violence. If so ordered, the respondent shall surrender the firearm or other dangerous</p>	

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			<p>weapon to the sheriff, or the sheriff's designee, of the county in which the respondent resides or to the chief of police, or the chief's designee, of the city in which the respondent resides.</p> <p>N.D. CENT. CODE § 14-07.1-03.1 Notification of stalking law.</p> <p>When an order is issued under section 14-07.1-02 or 14-07.1-03, the order must include or have attached to it a copy of section 12.1-17-07.1.</p>	
OHIO	<p>OHIO REV. CODE ANN. § 2903.211 (a), (b) - Menacing by stalking.</p> <p>(A)(1) No person by engaging in a pattern of conduct shall knowingly cause another person to believe that the offender will cause physical harm to the other person or a family or household member of the other person or cause mental distress to the other person or a family or household member of the other person. In addition to any other basis for the other person's belief that the offender will cause physical harm to the other person or the other person's family or household member or mental distress to the other person or the other person's family or household member, the other person's belief or mental distress may be based on words or conduct of the offender that are directed at or identify a corporation, association, or other organization that employs the other person or to which</p>	<p>OHIO REV. CODE ANN. § 2903.214 (c) - Petition for protection order to protect victim of menacing by stalking or sexually oriented offense.</p> <p>(C) A person may seek relief under this section for the person, or any parent or adult household member may seek relief under this section on behalf of any other family or household member, by filing a petition with the court. The petition shall contain or state all of the following:</p> <p>(1) An allegation that the respondent is eighteen years of age or older and engaged in a violation of section 2903.211 of the Revised Code against the person to be protected by the protection</p>	<p>OHIO REV. CODE ANN. § 2919.26 (a) - Motion for temporary protection order; form.</p> <p>(A)(1) Upon the filing of a complaint that alleges a violation of section 2909.06, 2909.07, 2911.12, or 2911.211 of the Revised Code if the alleged victim of the violation was a family or household member at the time of the violation, a violation of a municipal ordinance that is substantially similar to any of those sections if the alleged victim of the violation was a family or household member at the time of the violation, any offense of violence if the alleged victim of the offense was a family or household member at the time of the commission of the offense, or any sexually oriented offense if</p>	<p>OHIO REV. CODE ANN. § 2903.211 (b) - Menacing by stalking.</p> <p>(B) Whoever violates this section is guilty of menacing by stalking.</p> <p>(1) Except as otherwise provided in divisions (B)(2) and (3) of this section, menacing by stalking is a misdemeanor of the first degree.</p> <p>(2) Menacing by stalking is a felony of the fourth degree if any of the following applies...</p> <p>OHIO REV. CODE ANN. § 2903.213 (h) - Motion for protection order as pretrial condition of release.</p> <p>(H) Upon a violation of a protection order issued pursuant to this section, the court may issue another protection order under this section, as a pretrial condition of release, that modifies the terms of the order that was violated.</p>

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	<p>the other person belongs.</p> <p>(2) No person, through the use of any form of written communication or any electronic method of remotely transferring information, including, but not limited to, any computer, computer network, computer program, computer system, or telecommunication device shall post a message or use any intentionally written or verbal graphic gesture with purpose to do either of the following:</p> <p>(a) Violate division (A)(1) of this section;</p> <p>(b) Urge or incite another to commit a violation of division (A)(1) of this section.</p> <p>(3) No person, with a sexual motivation, shall violate division (A)(1) or (2) of this section.</p> <p>(B) Whoever violates this section is guilty of menacing by stalking.</p>	<p>order or committed a sexually oriented offense against the person to be protected by the protection order, including a description of the nature and extent of the violation;</p> <p>(2) If the petitioner seeks relief in the form of electronic monitoring of the respondent, an allegation that at any time preceding the filing of the petition the respondent engaged in conduct that would cause a reasonable person to believe that the health, welfare, or safety of the person to be protected was at risk, a description of the nature and extent of that conduct, and an allegation that the respondent presents a continuing danger to the person to be protected;</p> <p>(3) A request for relief under this section.</p>	<p>the alleged victim of the offense was a family or household member at the time of the commission of the offense, the complainant, the alleged victim, or a family or household member of an alleged victim may file, or, if in an emergency the alleged victim is unable to file, a person who made an arrest for the alleged violation or offense under section 2935.03 of the Revised Code may file on behalf of the alleged victim, a motion that requests the issuance of a temporary protection order as a pretrial condition of release of the alleged offender, in addition to any bail set under Criminal Rule 46. The motion shall be filed with the clerk of the court that has jurisdiction of the case at any time after the filing of the complaint.</p>	
<p>OKLAHOMA</p>	<p>OKLA. STAT. tit. 22, § 60.1(9) Definitions. [eff. 11/01/22]</p> <p>9. “Stalking” means the willful, malicious, and repeated following or harassment of a person by an adult, emancipated minor, or minor thirteen (13) years of age or older, in a manner that would cause a reasonable person to feel frightened, intimidated, threatened, harassed, or molested and actually causes the person being followed or harassed to feel terrorized, frightened,</p>	<p>OKLA. STAT. tit. 22, § 60.2(A) - Protective Order—Petition—Form—Filing Fee—Preparation—Protection of Animal [Eff. 11/01/22]</p> <p>A. A victim of domestic abuse, a victim of stalking, a victim of harassment, a victim of rape, any adult or emancipated minor household member on behalf of any other family or household member who is a</p>	<p>OKLA. STAT. tit. 22, § 60.3(A) - Emergency Ex parte order-hearing.</p> <p>A. If a plaintiff requests an emergency ex parte order pursuant to Section 60.2 of this title, the court shall hold an ex parte hearing on the same day the petition is filed, if the court finds sufficient grounds within the scope of the Protection from Domestic Abuse Act stated in the petition to hold such a hearing.</p>	<p>OKLA. STAT. tit. 21, § 1173 Penalties for stalking- definitions. eff. 11/01/22]</p> <p>A. Any person who willfully, maliciously, and repeatedly follows or harasses another person in a manner that:</p> <p>1. Would cause a reasonable person or a member of the immediate family of that person as defined in subsection F of this section to feel frightened, intimidated, threatened, harassed, or molested; and</p>

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	<p>intimidated, threatened, harassed or molested. Stalking also means a course of conduct composed of a series of two or more separate acts over a period of time, however short, evidencing a continuity of purpose or unconsented contact with a person that is initiated or continued without the consent of the individual or in disregard of the expressed desire of the individual that the contact be avoided or discontinued. Unconsented contact or course of conduct includes, but is not limited to:</p> <ul style="list-style-type: none"> a. maintaining a visual or physical proximity to the individual, b. approaching or confronting that individual in a public place or on private property, c. appearing at the workplace of the individual or contacting the employer or coworkers of the individual, d. appearing at the residence of the individual or contacting the neighbors of the individual, e. entering onto or remaining on property owned, leased or occupied by the individual, f. contacting the individual by telephone, text message, electronic message, electronic mail, or other means of electronic communication or causing the telephone or electronic device of the individual or the telephone or electronic device of any other person to ring or generate notifications repeatedly or continuously, regardless of whether a conversation ensues, g. photographing, videotaping, audiotaping, or, through any other 	<p>minor or incompetent, any minor age sixteen (16) or seventeen (17) years, or any adult victim of a crime may seek relief under the provisions of the Protection from Domestic Abuse Act.</p>	<p>The court may, for good cause shown at the hearing, issue any emergency ex parte order that it finds necessary to protect the victim from immediate and present danger of domestic abuse, stalking, or harassment. The emergency ex parte order shall be in effect until after the full hearing is conducted. Provided, if the defendant, after having been served, does not appear at the hearing, the emergency ex parte order shall remain in effect until the defendant is served with the permanent order. If the terms of the permanent order are the same as those in the emergency order, or are less restrictive, then it is not necessary to serve the defendant with the permanent order. The Administrative Office of the Courts shall develop a standard form for emergency ex parte protective orders.</p> <p>OKLA. STAT. tit. 22, § 60.4 (c), (e) Hearing- Service of Process- Emergency ex parte orders- protective orders- period of relief- title to real property.</p> <p>C. 1. At the hearing, the court may impose any terms and conditions in the protective order that the court reasonably believes are necessary to bring about the</p>	<p>2. Actually causes the person being followed or harassed to feel terrorized, frightened, intimidated, threatened, harassed, or molested, shall, upon conviction, be guilty of the crime of stalking, which is a felony punishable by imprisonment in the custody of the Department of Corrections for a term not to exceed three (3) years, or by a fine not to exceed Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment. Any person convicted of a second violation of the provisions of this subsection shall be punished by imprisonment in the custody of the Department of Corrections for a term not to exceed six (6) years, or by a fine not to exceed Ten Thousand Dollars (\$10,000.00), or by both such fine and imprisonment. Any person convicted of a third or subsequent violation of the provisions of this subsection shall be punished by imprisonment in the custody of the Department of Corrections for a term not to exceed twelve (12) years, or by a fine not to exceed Fifteen Thousand Dollars (\$15,000.00), or by both such fine and imprisonment.</p> <p>B. Any person who violates the provisions of subsection A of this section when:</p> <p>1. There is a permanent or temporary restraining order, a protective order, an emergency ex parte protective order, or an injunction in effect prohibiting the behavior described in subsection A of this section against the</p>

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	<p>electronic means, monitoring or recording the activities of the individual. This subparagraph applies regardless of where the act occurs,</p> <p>h. sending any physical or electronic material or contacting the individual by any means, including any message, comment, or other content posted on any Internet site or web application,</p> <p>i. sending to a family member or member of the household of the individual, or any current or former employer of the individual, or any current or former coworker of the individual, or any friend of the individual, any physical or electronic material or contacting such person by any means, including any message, comment, or other content posted on any Internet site or web application, for the purpose of obtaining information about, disseminating information about, or communicating with the individual,</p> <p>j. placing an object on, or delivering an object to, property owned, leased or occupied by the individual,</p> <p>k. delivering an object to a family member or member of the household of the individual, or an employer, coworker, or friend of the individual, or placing an object on, or delivering an object to, property owned, leased, or occupied by such a person with the intent that the object be delivered to the individual, or</p> <p>l. causing a person to engage in any of the acts described in subparagraphs a through k of this paragraph; and</p>		<p>cessation of domestic abuse against the victim or stalking or harassment of the victim or the immediate family of the victim but shall not impose any term and condition that may compromise the safety of the victim including, but not limited to, mediation, couples counseling, family counseling, parenting classes or joint victim-offender counseling sessions. The court may order the defendant to obtain domestic abuse counseling or treatment in a program certified by the Attorney General at the expense of the defendant pursuant to Section 644 of Title 21 of the Oklahoma Statutes.</p> <p>E.</p> <p>1. After notice and hearing, protective orders authorized by this section may require the defendant to undergo treatment or participate in the court-approved counseling services necessary to bring about cessation of domestic abuse against the victim pursuant to Section 644 of Title 21 of the Oklahoma Statutes but shall not order any treatment or counseling that may compromise the safety of the victim including, but not limited to, mediation, couples counseling, family</p>	<p>same party, when the person violating the provisions of subsection A of this section has actual notice of the issuance of such order or injunction;</p> <p>2. Said person is on probation or parole, a condition of which prohibits the behavior described in subsection A of this section against the same party or under the conditions of a community or alternative punishment; or</p> <p>3. Said person, within ten (10) years preceding the violation of subsection A of this section, completed the execution of sentence for a conviction of a crime involving the use or threat of violence against the same party, or against any member of the immediate family of such party, shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for a term not to exceed fifteen (15) years, or by a fine not to exceed Twenty Thousand Dollars (\$20,000.00), or by both such fine and imprisonment.</p> <p>C. Any person who:</p> <p>1. Commits a second act of stalking within ten (10) years of the completion of sentence for a prior conviction of stalking; or</p> <p>2. Has a prior conviction of stalking and, after being served with a protective order that prohibits contact with an individual, knowingly makes unconsented contact with the same individual,</p>

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			counseling, parenting classes or joint victim-offender counseling sessions.	shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for a term not to exceed twenty (20) years, or by a fine not to exceed Twenty-five Thousand Dollars (\$25,000.00), or by both such fine and imprisonment. D. Any person who commits an act of stalking within ten (10) years of the completion of execution of sentence for a prior conviction under subsection B or C of this section shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for a term not to exceed twenty-five (25) years, or by a fine not to exceed Thirty Thousand Dollars (\$30,000.00), or by both such fine and imprisonment.
OREGON	<p>OR. REV. STAT. § 163.732 (1) -Stalking</p> <p>(1) A person commits the crime of stalking if:</p> <p>(a) The person knowingly alarms or coerces another person or a member of that person’s immediate family or household by engaging in repeated and unwanted contact with the other person;</p> <p>(b) It is objectively reasonable for a person in the victim’s situation to have been alarmed or coerced by the contact; and</p> <p>(c) The repeated and unwanted contact causes the victim reasonable apprehension regarding the personal safety of the victim or a member of the</p>	<p>OR. REV. STAT. § 163.738 (2) - Contents of citation; hearing; protective order</p> <p>(2) (a) The hearing shall be held as indicated in the citation. At the hearing, the petitioner may appear in person or by telephonic appearance. The respondent shall be given the opportunity to show cause why a court’s stalking protective order should not be entered. The hearing may be continued for up to 30 days. The court may enter:</p> <p>(A) A temporary stalking</p>	<p>OR. REV. STAT. § 30.866 (1), (4), (8) - Action for issuance or violation of stalking protective order; attorney fees.</p> <p>(1) A person may bring a civil action in a circuit court for a court’s stalking protective order or for damages, or both, against a person if:</p> <p>(a) The person intentionally, knowingly or recklessly engages in repeated and unwanted contact with the other person or a member of that person’s immediate family or household thereby alarming or coercing the</p>	<p>OR. REV. STAT. § 163.732 (2) - Stalking</p> <p>(2)(a) Stalking is a Class A misdemeanor.</p> <p>(b) Notwithstanding paragraph (a) of this subsection, stalking is a Class C felony if the person has a prior conviction for:</p> <p>(A) Stalking; or</p> <p>(B) Violating a court’s stalking protective order.</p> <p>(c) When stalking is a Class C felony pursuant to paragraph (b) of this subsection, stalking shall be classified as a person felony and as crime category 8 of the sentencing guidelines</p>

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	victim's immediate family or household.	<p>protective order pending further proceedings; or</p> <p>(B) A court's stalking protective order if the court finds by a preponderance of the evidence that:</p> <p>(i) The person intentionally, knowingly or recklessly engages in repeated and unwanted contact with the other person or a member of that person's immediate family or household thereby alarming or coercing the other person;</p> <p>(ii) It is objectively reasonable for a person in the victim's situation to have been alarmed or coerced by the contact; and</p> <p>(iii) The repeated and unwanted contact causes the victim reasonable apprehension regarding the personal safety of the victim or a member of the victim's immediate family or household.</p> <p>(b) In the order, the court shall specify the conduct from which the respondent is to refrain, which may include all contact listed in ORS 163.730 and any attempt to make contact listed in ORS 163.730. The order is of unlimited duration unless limited by law. If the respondent was provided notice and an</p>	<p>other person;</p> <p>(b) It is objectively reasonable for a person in the victim's situation to have been alarmed or coerced by the contact; and</p> <p>(c) The repeated and unwanted contact causes the victim reasonable apprehension regarding the personal safety of the victim or a member of the victim's immediate family or household.</p> <p style="text-align: center;">***</p> <p>(4) The plaintiff may recover:</p> <p>(a) Both special and general damages, including damages for emotional distress;</p> <p>(b) Punitive damages; and</p> <p>(c) Reasonable attorney fees and costs.</p> <p style="text-align: center;">***</p> <p>(8) The remedy provided by this section is in addition to any other remedy, civil or criminal, provided by law for the conduct giving rise to the claim.</p>	<p>grid of the Oregon Criminal Justice Commission.</p> <p>OR. REV. STAT. § 163.750 (2) - Violating a court's stalking protective order.</p> <p>(2)(a) Violating a court's stalking protective order is a Class A misdemeanor.</p> <p>(b) Notwithstanding paragraph (a) of this subsection, violating a court's stalking protective order is a Class C felony if the person has a prior conviction for:</p> <p>(A) Stalking; or</p> <p>(B) Violating a court's stalking protective order.</p> <p>(c) When violating a court's stalking protective order is a Class C felony pursuant to paragraph (b) of this subsection, violating a court's stalking protective order shall be classified as a person felony and as crime category 8 of the sentencing guidelines grid of the Oregon Criminal Justice Commission.</p>

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		<p>opportunity to be heard, the court shall also include in the order, when appropriate, terms and findings sufficient under 18 U.S.C. 922 (d)(8) and (g)(8) to affect the respondent's ability to possess firearms and ammunition or engage in activities involving firearms.</p>		
<p>PENNSYLVANIA</p>	<p>TIT. 18 PA. CON. STAT. § 2709.1 (a) - Stalking.</p> <p>(a) Offense defined. — A person commits the crime of stalking when the person either:</p> <p>(1) engages in a course of conduct or repeatedly commits acts toward another person, including following the person without proper authority, under circumstances which demonstrate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person; or</p> <p>(2) engages in a course of conduct or repeatedly communicates to another person under circumstances which demonstrate or communicate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person.</p>	<p>TIT. 23 PA. CON. STAT. § 6106 Commencement of proceedings.</p> <p>(a) General rule. — An adult or an emancipated minor may seek relief under this chapter for that person or any parent, adult household member or guardian ad litem may seek relief under this chapter on behalf of minor children, or a guardian of the person of an adult who has been declared incompetent under 20 Pa.C.S. Ch. 51 Subch. B (relating to appointment of guardian) may seek relief on behalf of the incompetent adult, by filing a petition with the court alleging abuse by the defendant.</p>	<p>TIT. 23 PA. CON. STAT. § 6108 Relief.</p> <p>(a) General rule. — Subject to subsection (a.1), the court may grant any protection order or approve any consent agreement to bring about a cessation of abuse of the plaintiff or minor children. The order or agreement may include:</p> <p>(1) Directing the defendant to refrain from abusing the plaintiff or minor children.</p> <p>(2) Granting possession to the plaintiff of the residence or household to the exclusion of the defendant by evicting the defendant or restoring possession to the plaintiff if the residence or household is jointly owned or leased by the parties, is owned or leased by the entireties or is owned or leased solely by the plaintiff.</p> <p>(3) If the defendant has a duty to support the plaintiff or minor children living in the residence or household and the defendant is</p>	<p>TIT. 18 PA. CON. STAT. § 2709.1 (c) - Stalking.</p> <p>(c) Grading.</p> <p>(1) Except as otherwise provided for in paragraph (2), a first offense under this section shall constitute a misdemeanor of the first degree.</p> <p>(2) A second or subsequent offense under this section or a first offense under subsection (a) if the person has been previously convicted of a crime of violence involving the same victim, family or household member, including, but not limited to, a violation of section 2701 (relating to simple assault), 2702 (relating to aggravated assault), 2705 (relating to recklessly endangering another person), 2718 (relating to strangulation), 2901 (relating to kidnapping), 3121 (relating to rape) or 3123 (relating to involuntary deviate sexual intercourse), an order issued under section 4954 (relating to protective orders) or an order issued under 23 Pa.C.S. § 6108 (relating to relief) shall constitute a felony of the third degree.</p>

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			<p>the sole owner or lessee, granting possession to the plaintiff of the residence or household to the exclusion of the defendant by evicting the defendant or restoring possession to the plaintiff or, with the consent of the plaintiff, ordering the defendant to provide suitable alternate housing.</p> <p>(4) Awarding temporary custody of or establishing temporary visitation rights with regard to minor children. In determining whether to award temporary custody or establish temporary visitation rights pursuant to this paragraph, the court shall consider any risk posed by the defendant to the children as well as risk to the plaintiff. The following shall apply:</p> <p>(i) A defendant shall not be granted custody, partial custody or unsupervised visitation where it is alleged in the petition, and the court finds after a hearing under this chapter, that the defendant:</p> <p>(A) abused the minor children of the parties or poses a risk of abuse toward the minor children of the parties; or</p> <p>(B) has been convicted of violating 18 Pa.C.S. § 2904 (relating to interference with custody of children) within two calendar years prior to the filing of the petition for protection</p>	

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			<p>order or that the defendant poses a risk of violating 18 Pa.C.S. § 2904.</p> <p>(ii) Where the court finds after a hearing under this chapter that the defendant has inflicted abuse upon the plaintiff or a child, the court may require supervised custodial access by a third party. The third party must agree to be accountable to the court for supervision and execute an affidavit of accountability.</p> <p>(iii) Where the court finds after a hearing under this chapter that the defendant has inflicted serious abuse upon the plaintiff or a child or poses a risk of abuse toward the plaintiff or a child, the court may:</p> <p>(A) award supervised visitation in a secure visitation facility; or</p> <p>(B) deny the defendant custodial access to a child.</p> <p>(iv) If a plaintiff petitions for a temporary order under section 6107(b) (relating to hearings) and the defendant has partial, shared or full custody of the minor children of the parties by order of court or written agreement of the parties, the custody shall not be disturbed or changed unless the court finds that the defendant is likely to inflict abuse upon the children or to remove the children from the jurisdiction of the court prior to the hearing under section 6107(a). Where the</p>	

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			<p>defendant has forcibly or fraudulently removed any minor child from the care and custody of a plaintiff, the court shall order the return of the child to the plaintiff unless the child would be endangered by restoration to the plaintiff.</p> <p>(v) Nothing in this paragraph shall bar either party from filing a petition for custody under Chapter 53 (relating to custody) or under the Pennsylvania Rules of Civil Procedure.</p> <p>(vi) In order to prevent further abuse during periods of access to the plaintiff and child during the exercise of custodial rights, the court shall consider, and may impose on a custody award, conditions necessary to assure the safety of the plaintiff and minor children from abuse.</p> <p>18 PA. CON. STAT. § 4954 <i>Protective orders.</i></p> <p>Any court with jurisdiction over any criminal matter may, after a hearing and in its discretion, upon substantial evidence, which may include hearsay or the declaration of the prosecutor that a witness or victim has been intimidated or is reasonably likely to be intimidated, issue protective orders, including, but not limited to, the following:</p>	

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			(1) An order that a defendant not violate any provision of this subchapter or section 2709 (relating to harassment) or 2709.1 (relating to stalking).	
RHODE ISLAND	<p>R.I. GEN. LAWS § 15-15-1(3), (4), (9) Definitions.</p> <p>(3) “Cyberstalking” means transmitting any communication by computer to any person or causing any person to be contacted for the sole purpose of harassing that person or his or her family.</p> <p>(4) “Domestic abuse” means: The occurrence of one or more of the following acts between present or former family members, parents, stepparents, a plaintiff parent’s minor child(ren) to which the defendant is not a blood relative or relative by marriage, adult plaintiffs who are or have been in a substantive dating or engagement relationship within the past one year and who are (either individually or together) parents of minor children, or persons who are or have been in a substantive dating or engagement relationship within the past one year in which at least one of the persons is a minor:</p> <p>(i) Attempting to cause or causing physical harm;</p> <p>(ii) Placing another in fear of imminent serious physical harm;</p> <p>(iii) Causing another to engage involuntarily in sexual relations by force, threat of force, or duress; or</p> <p>(iv) Stalking or cyberstalking.</p>	<p>R.I. GEN. LAWS § 15-15-3(a) - Protective orders – Penalty – Jurisdiction.</p> <p>(a) A person, or a parent, custodian, or legal guardian on behalf of a minor child or the director of the department of children, youth and families (“DCYF”) or its designee for a child in the custody of DCYF, pursuant to §§ 40-11-7 and 40-11-7.1, suffering from domestic abuse or sexual exploitation as defined in § 15-15-1, may file a complaint in the family court requesting any order that will protect and support her or him from abuse or sexual exploitation . . .</p>	<p>R.I. GEN. LAWS § 15-15-3 (a) - Protective orders—Penalty—Jurisdiction.</p> <p>(a) A person, or a parent, custodian, or legal guardian on behalf of a minor child or the director of the department of children, youth and families (“DCYF”) or its designee for a child in the custody of DCYF, pursuant to §§ 40-11-7 and 40-11-7.1, suffering from domestic abuse or sexual exploitation as defined in § 15-15-1, may file a complaint in the family court requesting any order that will protect and support her or him from abuse or sexual exploitation, including, but not limited to, the following:</p> <p>(1) Ordering that the defendant be restrained and enjoined from contacting, assaulting, molesting, sexually exploiting, or interfering with the plaintiff at home, on the street, or elsewhere, whether the defendant is an adult or a minor;</p> <p>(2) Ordering the defendant to vacate the household immediately, and further providing in the order for the safety and welfare of all</p>	<p>R.I. GEN. LAWS § 11-59-2 (b) - Stalking prohibited.</p> <p>(b) Stalking shall be deemed a felony punishable by imprisonment for not more than five (5) years, by a fine of not more than ten thousand dollars (\$ 10,000), or both.</p> <p>R.I. GEN. LAWS § 11-52-4.2 Cyberstalking and cyberharassment prohibited.</p> <p>(a) Whoever transmits any communication by computer or other electronic device to any person or causes any person to be contacted for the sole purpose of harassing that person or his or her family is guilty of a misdemeanor, and shall be punished by a fine of not more than five hundred dollars (\$ 500), by imprisonment for not more than one year, or both. For the purpose of this section, "harassing" means any knowing and willful course of conduct directed at a specific person which seriously alarms, annoys, or bothers the person, and which serves no legitimate purpose. The course of conduct must be of a kind that would cause a reasonable person to suffer substantial emotional distress, or be in fear of bodily injury. "Course of conduct" means a pattern of conduct</p>

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	<p style="text-align: center;">***</p> <p>(9) “Stalking” means harassing another person or willfully, maliciously, and repeatedly following another person with the intent to place that person in reasonable fear of bodily injury.</p> <p>R.I. GEN. LAWS § 11-59-2 (a) - Stalking prohibited.</p> <p>(a) Any person who: (1) harasses another person; or (2) willfully, maliciously, and repeatedly follows another person with the intent to place that person in reasonable fear of bodily injury, is guilty of the crime of stalking.</p>		<p>household animals and pets;</p> <p>(3) Awarding the plaintiff custody of the minor children of the parties, if any;</p> <p>(4) Ordering the defendant to surrender physical possession of all firearms in his or her possession, care, custody, or control and shall further order a person restrained not to purchase or receive, or attempt to purchase or receive, any firearms while the protective order is in effect. The defendant shall surrender said firearms within twenty-four (24) hours of notice of the protective order to the Rhode Island state police or local police department or to a federally licensed firearms dealer.</p> <p>(i) A person ordered to surrender possession of any firearm(s) pursuant to this section shall, within seventy-two (72) hours after being served with the order, either:</p> <p>(A) File with the court a receipt showing the firearm(s) was physically surrendered to the Rhode Island state police or local police department, or to a federally licensed firearms dealer; or</p> <p>(B) Attest to the court that, at the time of the order, the person had no firearms in his or her immediate physical possession or control, or subject to their</p>	<p>composed of a series of acts over a period of time, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of "course of conduct."</p> <p>(b) A second or subsequent conviction under subsection (a) of this section shall be deemed a felony punishable by imprisonment for not more than two (2) years, by a fine of not more than six thousand dollars (\$ 6,000), or both.</p> <p>R.I. GEN. LAWS § 11-52-4.3 Violation of restraining order.</p> <p>(a) Whenever there is a restraining order or injunction issued by a court of competent jurisdiction enjoining one person from harassing another person, and the person so enjoined is convicted of the crime as set forth in section 11-52-4.2 for actions against the person protected by the court order or injunction, he or she shall be guilty of a felony which shall be punishable by imprisonment for not more than two (2) years, or by a fine of not more than six thousand dollars (\$ 6,000), or both.</p> <p>(b) A second or subsequent conviction under subsection (a) of this section shall be punishable by imprisonment for not more than five (5) years, by a fine of not more than ten thousand dollars (\$ 10,000), or both.</p> <p>R.I. GEN. LAWS § 15-15-3 (m)-(n)</p>

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			<p>immediate physical possession or control, and that the person, at the time of the attestation, has no firearms in their immediate physical possession or control, or subject to their immediate physical possession or control.</p> <p>(ii) If a person restrained under this section transfers a firearm(s) to a federally licensed firearms dealer pursuant to this section, the person restrained under this section may instruct the federally licensed firearms dealer to sell the firearm(s) or to transfer ownership, in accordance with state and federal law, to a qualified named individual who is not a member of the person's dwelling house, who is not related to the person by blood, marriage, or relationship as defined by § 15-15-1(7), and who is not prohibited from possessing firearms under state or federal law. The owner of any firearm(s) sold shall receive any financial value received from its sale, less the cost associated with taking possession of, storing, and transferring of the firearm(s).</p> <p>(iii) Every individual to whom ownership of a firearm(s) is transferred pursuant to this subsection shall be prohibited from transferring or returning any firearm(s) to the person restrained under this section while the protective order</p>	<p>Protective orders—Penalty—Jurisdiction.</p> <p>(m)</p> <p>(1) Any violation of the protective orders in subsection (a) of this section shall subject the defendant to being found in contempt of court.</p> <p>(2) The contempt order shall not be exclusive and shall not preclude any other available civil or criminal remedies. Any relief granted by the court shall be for a fixed period of time not to exceed three (3) years, at the expiration of which time the court may extend any order, upon motion of the plaintiff, for any additional time, that it deems necessary to protect the plaintiff from abuse. The court may modify its order at any time upon motion of either party.</p> <p>(n)</p> <p>(1) Any violation of a protective order under this chapter of which the defendant has actual notice shall be a misdemeanor that shall be punished by a fine of no more than one thousand dollars (\$1,000) or by imprisonment for not more than one year, or both.</p> <p>(2) The penalties for violation of this section shall also include the penalties as provided by § 12-29-5.</p>

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			<p>remains in effect and shall be informed of this prohibition, Any knowing violation of this subsection is a felony that shall be punishable by a fine of not more than one thousand dollars (\$1,000), or by imprisonment for a term of not less than one year and not more than five (5) years, or both.</p> <p>(iv) An individual to whom ownership of a firearm(s) is transferred pursuant to this subsection shall return a firearm(s) to the person formerly restrained under this section only if the person formerly restrained under this section provides documentation issued by a court indicating that the restraining order issued pursuant to this section that prohibited the person from purchasing, carrying, transporting, or possessing firearms has expired and has not been extended;</p> <p>(5) After notice to the respondent and a hearing, ordering either party to make payments for the support of a minor child or children of the parties as required by law for a period not to exceed ninety (90) days, unless the child support order is for a child or children receiving public assistance pursuant to chapter 5.1 of title 40. In these cases, legal counsel for the division of taxation, child support</p>	

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			<p>enforcement, shall be notified as a party in interest to appear for the purpose of establishing a child support order under a new or existing docket number previously assigned to the parties and not under the protective docket number. The child support order shall remain in effect until the court modifies or suspends the order.</p> <p>R.I. GEN. LAWS § 9-1-2.1 (a) - Civil liability for stalking.</p> <p>(a) Any person who suffers harm pursuant to chapter 59 of title 11 may recover his or her damages in a civil action against the offender.</p>	
<p>SOUTH CAROLINA</p>	<p>S.C. CODE ANN. § 16-3-1700 (c) - Definitions.</p> <p>(C) "Stalking" means a pattern of words, whether verbal, written, or electronic, or a pattern of conduct that serves no legitimate purpose and is intended to cause and does cause a targeted person and would cause a reasonable person in the targeted person's position to fear:</p> <p>(1) death of the person or a member of his family;</p> <p>(2) assault upon the person or a member of his family;</p> <p>(3) bodily injury to the person or a member of his family;</p> <p>(4) criminal sexual contact on the person or a member of his family;</p> <p>(5) kidnapping of the person or a</p>	<p>S.C. CODE ANN. § 16-3-1750 (c) - Action seeking a restraining order against a person engaged in harassment or stalking; jurisdiction and venue; forms; enforceability.</p> <p>(C) A complaint and motion for a restraining order may be filed by any person. . . .</p>	<p>S.C. CODE ANN. § 16-3-1770. Form and content of temporary restraining order.</p> <p>(B) The terms of the restraining order must protect the plaintiff and may include temporarily enjoining the defendant from:</p> <p>(1) abusing, threatening to abuse, or molesting the plaintiff or members of the plaintiff's family;</p> <p>(2) entering or attempting to enter the plaintiff's place of residence, employment, education, or other location; and</p> <p>(3) communicating or attempting to communicate with the plaintiff</p>	<p>S.C. CODE ANN. § 16-3-1700 (h) - Definitions.</p> <p>(H) A person who commits the offense of harassment in any degree or stalking, as defined in this section, while subject to the terms of a restraining order issued by the family court may be charged with a violation of this article and, upon conviction, may be sentenced pursuant to the provisions of Section 16-3-1710, 16-3-1720, or 16-3-1730.</p> <p>S.C. CODE ANN. § 16-3-1730 Penalties for conviction of stalking.</p> <p>(A) A person who engages in stalking is guilty of a felony and, upon conviction,</p>

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	<p>member of his family; or (6) damage to the property of the person or a member of his family.</p>		<p>in a way that would violate the provisions of this article.</p> <p>S.C. CODE ANN. § 16-3-1780. Expiration of temporary restraining orders and restraining orders; extensions and modifications.</p> <p>(A) A temporary restraining order remains in effect until the hearing on the Rule to Show Cause why the order should not be extended for the full one-year period. The temporary restraining order must be for a fixed period in accordance with subsection (B) if the court finds the defendant in default at the hearing.</p> <p>(B) In cases not provided for in subsection (A), a restraining order must be for a fixed period not to exceed one year but may be extended by court order on a motion by the plaintiff, showing good cause, with notice to the defendant. The defendant is entitled to a hearing on the extension of an order issued pursuant to this subsection within thirty days of the date upon which the order will expire.</p> <p>(C) Notwithstanding subsection (B), the provisions included in a restraining order granting relief pursuant to Section 16-3-1770 dissolve one year following the issuance of the order unless,</p>	<p>must be fined not more than five thousand dollars, imprisoned not more than five years, or both.</p> <p>(B) A person who engages in stalking when an injunction or restraining order, including a restraining order issued by the family court, is in effect prohibiting this conduct is guilty of a felony and, upon conviction, must be fined not more than seven thousand dollars, imprisoned not more than ten years, or both.</p> <p>(C) A person who engages in stalking and who has a prior conviction of harassment or stalking within the preceding ten years is guilty of a felony and, upon conviction, must be fined not more than ten thousand dollars, imprisoned not more than fifteen years, or both.</p> <p>(D) In addition to the penalties provided in this section, a person convicted of stalking who received licensing or registration information pursuant to Article 4, Chapter 3 of Title 56 and used the information in furtherance of the commission of the offense pursuant to this section must be fined one thousand dollars or imprisoned one year, or both.</p>

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			<p>prior to the expiration of this period, the court has charged the defendant with the crime of harassment in the first or second degree or stalking and has scheduled a date for trial on the charge. If the trial has been scheduled, relief granted pursuant to Section 16-3-1770 remains in effect beyond the one-year period only until the conclusion of the trial.</p> <p>S.C. CODE ANN. § 16-3-1830. Availability of other civil and criminal remedies. A proceeding commenced pursuant to this article is in addition to other civil and criminal remedies.</p>	
<p>SOUTH DAKOTA</p>	<p>S.D. CODIFIED LAWS § 25-10-1 Definitions.</p> <p>Terms used in this chapter mean: (1) “Domestic abuse,” physical harm, bodily injury, or attempts to cause physical harm or bodily injury, or the infliction of fear of imminent physical harm or bodily injury when occurring between persons in a relationship described in § 25-10-3.1. Any violation of § 25-10-13 or chapter 22-19A or any crime of violence as defined in subdivision 22-1-2(9) constitutes domestic abuse if the underlying criminal act is committed between persons in such a relationship;</p> <p>S.D. CODIFIED LAWS § 22-19A-1</p>	<p>S.D. CODIFIED LAWS § 25-10-3 Petition for protection order.</p> <p>There exists an action known as a petition for a protection order in cases of domestic abuse. Procedures for the action are as follows: (1) A petition under this section may be made by any person in a relationship described in § 25-10-3.1 against any other person in such a relationship; (2) A petition shall allege the existence of domestic abuse and shall be accompanied by an affidavit made under oath stating the specific facts and</p>	<p>S.D. CODIFIED LAWS § 25-10-5 Relief authorized on finding abuse- Time limitation.</p> <p>Upon notice and a hearing, if the court finds by a preponderance of the evidence that domestic abuse has taken place, the court may provide relief as follows: (1) Restrain any party from committing acts of domestic abuse; (2) Exclude the abusing party from the dwelling which the parties share or from the residence of the petitioner; (3) Award temporary custody or establish temporary visitation with regards to minor children of</p>	<p>S.D. CODIFIED LAWS § 22-19A-1 Elements- Penalty.</p> <p>A violation of this section constitutes the crime of stalking. Stalking is a Class 1 misdemeanor. However, any second or subsequent conviction occurring within ten years of a prior conviction under this section is a Class 6 felony. Any conviction for, or plea of guilty to, an offense in another state which, if committed in this state, would be a violation of this section and occurring within ten years prior to the date of the violation being charged, shall be used to determine if the violation being charged is a second or subsequent offense.</p>

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	<p>Elements- Penalty.</p> <p>No person may:</p> <p>(1) Willfully, maliciously, and repeatedly follow or harass another person;</p> <p>(2) Make a credible threat to another person with the intent to place that person in reasonable fear of death or great bodily injury; or</p> <p>(3) Willfully, maliciously, and repeatedly harass another person by means of any verbal, electronic, digital media, mechanical, telegraphic, or written communication.</p> <p>S.D. CODIFIED LAWS § 22-19A-7 Stalking a child twelve or younger-- Felony</p> <p>Any person who willfully, maliciously, and repeatedly follows or harasses a child twelve years of age or younger or who makes a credible threat to a child twelve years of age or younger with the intent to place that child in reasonable fear of death or great bodily injury or with the intent to cause the child to reasonably fear for the child's safety is guilty of the crime of felony stalking. Felonious stalking is a Class 6 felony.</p>	<p>circumstances of the domestic abuse; and</p> <p>(3) A petition for relief may be made whether or not there is a pending lawsuit, complaint, petition, or other action between the parties. However, if there is any other lawsuit, complaint, petition, or other action pending between the parties, any new petition made pursuant to this section shall be made to the judge previously assigned to the pending lawsuit, petition, or other action, unless good cause is shown for the assignment of a different judge. The clerk of the circuit court shall make available standard petition forms with instructions for completion to be used by a petitioner.</p> <p>S.D. CODIFIED LAWS § 22-19A-8 Petition for protection order- Procedure.</p> <p>There exists an action known as a petition for a protection order in cases of stalking, in cases of physical injury as a result of an assault, or in cases of a crime of violence as defined in subdivision 22-1-2(9). Procedures for the action are as follows:</p> <p>(1) A petition under this</p>	<p>the parties;</p> <p>(4) Establish temporary support for minor children of the parties or a spouse;</p> <p>(5) Order that the abusing party obtain counseling;</p> <p>(6) Order other relief as the court deems necessary for the protection of the person to whom relief is being granted, including orders or directives to a sheriff or constable. Any relief granted by the order for protection shall be for a fixed period and may not exceed five years.</p> <p>If any minor child resides with either party, the court shall order that the restrained person receive instruction on parenting approved or provided by the Department of Social Services as part of any relief granted.</p> <p>S.D. CODIFIED LAWS § 22-19A-11 Petition for protection order- Relief.</p> <p>Upon notice and a hearing, if the court finds by a preponderance of the evidence that stalking has taken place, the court may provide relief as follows:</p> <p>(1) Restrain any party from committing acts of stalking or physical injury as a result of an assault or a crime of violence as defined in subdivision 22-1-2(9);</p>	<p>S.D. CODIFIED LAWS § 22-19A-2 Violation when restraining or protection order in effect- Penalty.</p> <p>Any person who violates § 22-19A-1 when there is a temporary restraining order, or an injunction, or a protection order, or a no contact order issued pursuant to § 25-10-23 or § 25-10-25 in effect prohibiting the behavior described in § 22-19A-1 against the same party, is guilty of a Class 6 felony.</p> <p>S.D. CODIFIED LAWS § 22-19A-7 Felonious stalking- Penalty.</p> <p>Any person who willfully, maliciously, and repeatedly follows or harasses a child twelve years of age or younger or who makes a credible threat to a child twelve years of age or younger with the intent to place that child in reasonable fear of death or great bodily injury or with the intent to cause the child to reasonably fear for the child's safety is guilty of the crime of felony stalking. Felonious stalking is a Class 6 felony.</p> <p>S.D. CODIFIED LAWS § 22-19A-16 Violation of protection order- Penalties.</p> <p>If a temporary protection order or a protection order is granted pursuant to §§ 22-19A-8 to 22-19A-16, inclusive, and the respondent or person restrained knows of the order, a violation of the order is a Class 1 misdemeanor.</p>

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		<p>section may be made against any person who violates § 22-19A-1 or against any other person against whom stalking or physical injury as a result of an assault or in cases where a crime of violence is alleged;</p> <p>(2) A petition shall allege the existence of (a) stalking or (b) physical injury as a result of an assault or (c) a crime of violence, and shall be accompanied by an affidavit made under oath stating the specific facts and circumstances of the stalking or the physical injury as a result of an assault or crime of violence;</p> <p>(3) A petition for relief may be made whether or not there is a pending lawsuit, complaint, petition, or other action between the parties.</p> <p>The clerk of the circuit court shall make available standard petition forms with instructions for completion to be used by a petitioner. The attorney general shall prepare the standard petition form.</p>	<p>(2) Order other relief as the court deems necessary for the protection of the person seeking the protection order, including orders or directives to law enforcement officials.</p> <p>Any relief granted by the order for protection shall be for a fixed period and may not exceed five years.</p> <p>S.D. CODIFIED LAWS § 22-19A-17 <i>Defendant prohibited from contacting victim prior to court appearance.</i></p> <p>While in custody after arrest for assault or stalking, no defendant may have or be permitted any contact or communications, either directly or by means of a third party, with the victim or the family or household members of the victim, until the defendant's initial court appearance or until such contact or communication is specifically authorized by the court. Willful violation of this section is a Class 1 misdemeanor.</p>	<p>If the acts constituting a violation of this section also constitute an assault, as defined in § 22-18-1, the violation of this section is a Class 6 felony.</p> <p>If a respondent or person restrained has been convicted of, or entered a plea of guilty to, two or more prior violations of this section, § 21-65-19, or § 25-10-13, or the comparable laws of any other state, within ten years of committing the current offense, and the factual basis for the current offense occurred after the date of the second conviction or guilty plea, the respondent or person restrained is guilty of a Class 6 felony for a third offense, a Class 5 felony for a fourth offense, and a Class 4 felony for a fifth or subsequent offense.</p> <p>Any proceeding under §§ 22-19A-8 to 22-19A-16, inclusive, is in addition to other civil or criminal remedies.</p> <p>S.D. CODIFIED LAWS § 22-19A-17 <i>Defendant prohibited from contacting victim prior to court appearance.</i></p> <p>While in custody after arrest for assault or stalking, no defendant may have or be permitted any contact or communications, either directly or by means of a third party, with the victim or the family or household members of the victim, until the defendant's initial court appearance or until such contact or communication is specifically authorized by the court. Willful violation of this section is a Class 1 misdemeanor.</p>

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<p>TENNESSEE</p>	<p>TENN. CODE ANN. § 36-3-601 (11) - Parts definition.</p> <p>(11) "Stalking victim" means any person, regardless of the relationship with the perpetrator, who has been subjected to, threatened with, or placed in fear of the offense of stalking, as defined in § 39-17-315; and...</p> <p>TENN. CODE ANN. § 39-17-315 Stalking; aggravated staling, and especially aggravated stalking.</p> <p>(a) As used in this section, unless the context otherwise requires:</p> <p>(4) "Stalking" means a willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested, and that actually causes the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested...</p> <p>(b)(1) A person commits an offense who intentionally engages in stalking.</p> <p>(c) (1) A person commits aggravated stalking who commits the offense of stalking as prohibited by subsection (b), and:</p> <p>(A) In the course and furtherance of stalking, displays a deadly weapon;</p>	<p>TENN. CODE ANN. § 39-17-315 (h) - Stalking; aggravated staling, and especially aggravated stalking.</p> <p>(h) Any person who reasonably believes they are a victim of an offense under this section, regardless of whether the alleged perpetrator has been arrested, charged or convicted of a stalking-related offense, shall be entitled to seek and obtain an order of protection in the same manner, and under the same circumstances, as is provided for victims of domestic abuse by title 36, chapter 3, part 6.</p> <p>TENN. CODE ANN. § 36-3-602 (a) - Application of part—venue.</p> <p>(a) Any domestic abuse victim, stalking victim or sexual assault victim who has been subjected to, threatened with, or placed in fear of, domestic abuse, stalking, sexual exploitation of a minor, sexual assault, or a human trafficking offense, may seek relief under this part by filing a sworn petition alleging domestic abuse, stalking, sexual exploitation</p>	<p>TENN. CODE ANN. § 36-3-606 (a), (b) - Scope of protection order</p> <p>(a) A protection order granted under this part to protect the petitioner from domestic abuse, stalking, sexual exploitation of a minor, sexual assault, or a human trafficking offense may include, but is not limited to:</p> <p>(1) Directing the respondent to refrain from committing domestic abuse, stalking, sexual exploitation of a minor, sexual assault, or a human trafficking offense against the petitioner or the petitioner's minor children;</p> <p>(2) Prohibiting the respondent from coming about the petitioner for any purpose, from telephoning, contacting, or otherwise communicating with the petitioner, directly or indirectly;</p> <p>(3) Prohibiting the respondent from stalking the petitioner, as defined in § 39-17-315;</p> <p>(4) Granting to the petitioner possession of the residence or household to the exclusion of the respondent by evicting the respondent, by restoring possession to the petitioner, or by both;</p>	<p>TENN. CODE ANN. § 39-17-315- Stalking; aggravated stalking, and especially aggravated stalking.</p> <p>(b)(2) Stalking is a Class A misdemeanor.</p> <p>(b)(3) Stalking is a Class E felony if the defendant, at the time of the offense, was required to or was registered with the Tennessee bureau of investigation as a sexual offender, violent sexual offender or violent juvenile sexual offender, as defined in § 40-39-202.</p> <p>(c)(1)(E)(2) Aggravated stalking is a Class E felony.</p> <p>(d)(1)(E)(2) Especially aggravated stalking is a Class C felony.</p> <p>TENN. CODE ANN. § 36-3-610 (a)-(c) - Contempt</p> <p>(a) Upon violation of the order of protection or a court-approved consent agreement, the court may hold the defendant in civil or criminal contempt and punish the defendant in accordance with the law. A judge of the general sessions court shall have the same power as a court of record to punish the defendant for contempt when exercising jurisdiction pursuant to this part or when exercising concurrent jurisdiction with a court of record. A judge of the general sessions court who is not a licensed attorney shall appoint an attorney referee to hear charges of criminal contempt.</p>

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	<p>(B) The victim of the offense was less than eighteen (18) years of age at any time during the person's course of conduct, and the person is five (5) or more years older than the victim;</p> <p>(C) Has previously been convicted of stalking within seven (7) years of the instant offense;</p> <p>(D) Makes a credible threat to the victim, the victim's child, sibling, spouse, parent or dependents with the intent to place any such person in reasonable fear of death or bodily injury; or</p> <p>(E) At the time of the offense, was prohibited from making contact with the victim under a restraining order or injunction for protection, an order of protection, or any other court-imposed prohibition of conduct toward the victim or the victim's property, and the person knowingly violates the injunction, order or court-imposed prohibition.</p> <p style="text-align: center;">***</p> <p>(d) (1) A person commits especially aggravated stalking who:</p> <p>(A) Commits the offense of stalking or aggravated stalking, and has previously been convicted of stalking or aggravated stalking involving the same victim of the instant offense; or</p> <p>(B) Commits the offense of aggravated stalking, and intentionally or recklessly causes serious bodily injury to the victim of the offense or to the victim's child, sibling, spouse, parent or dependent.</p> <p>(C) Commits the offense of stalking or aggravated stalking, the person is</p>	<p>of a minor, sexual assault, or a human trafficking offense by the respondent.</p>	<p>(5) Directing the respondent to provide suitable alternate housing for the petitioner when the respondent is the sole owner or lessee of the residence or household;</p> <p>(6) Awarding temporary custody of, or establishing temporary visitation rights with regard to, any minor children born to or adopted by the parties;</p> <p>(7) Awarding financial support to the petitioner and such persons as the respondent has a duty to support. Except in cases of paternity, the court shall not have the authority to order financial support unless the petitioner and respondent are legally married. Such order may be enforced pursuant to chapter 5 of this title;</p> <p>(8) Directing the respondent to attend available counseling programs that address violence and control issues or substance abuse problems. A violation of a protection order or part of such order that directs counseling pursuant to this subdivision (a)(8) may be punished as criminal or civil contempt. Section 36-3-610(a) applies with respect to a nonlawyer general sessions judge who holds a person in criminal contempt for violating this subdivision (a)(8);</p> <p>(9) Directing the care, custody, or control of any animal owned,</p>	<p>(b)(1) In addition to the authorized punishments for contempt of court, the judge may assess any person who violates an order of protection or a court-approved consent agreement a civil penalty of fifty dollars (\$50.00). The judge may further order that any support payment made pursuant to an order of protection or a court-approved consent agreement be made under an income assignment to the clerk of court.</p> <p>(2) The judge upon finding a violation of an order of protection or a court-approved consent order shall require a bond of the respondent until such time as the order of protection expires. Such bond shall not be less than two thousand five hundred dollars (\$2,500) and shall be payable upon forfeit as provided. Bond shall be set at whatever the court determines is necessary to reasonably assure the safety of the petitioner as required. Any respondent for whom bond has been set may deposit with the clerk of the court before which the proceeding is pending a sum of money in cash equal to the amount of the bond. The clerk of the court may deposit funds received in lieu of bonds, or any funds received from the forfeiture of bonds, in an interest bearing account. Any interest received from such accounts shall be payable to the office of the clerk. Failure to comply with this subsection (b) may be punished by the court as a contempt of court as provided in title 29, chapter 9.</p>

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	<p>eighteen (18) years of age or older, and the victim of the offense was less than twelve (12) years of age at any time during the person's course of conduct.</p>		<p>possessed, leased, kept, or held by either party or a minor residing in the household. In no instance shall the animal be placed in the care, custody, or control of the respondent, but shall instead be placed in the care, custody or control of the petitioner or in an appropriate animal foster situation;</p> <p>(10) Directing the respondent to immediately and temporarily vacate a residence shared with the petitioner, pending a hearing on the matter, notwithstanding any provision of this part to the contrary;</p> <p>(11) Directing the respondent to pay the petitioner all costs, expenses and fees pertaining to the petitioner's breach of a lease or rental agreement for residential property if the petitioner is a party to the lease or rental agreement and if the court finds that continuing to reside in the rented or leased premises may jeopardize the life, health and safety of the petitioner or the petitioner's children. Nothing in this subdivision (a)(11) shall be construed as altering the terms of, liability for, or parties to such lease or rental agreement; or</p> <p>(12) Ordering a wireless service provider to transfer the billing responsibility for and rights to the wireless telephone number</p>	<p>(3) If a respondent posting bond under this subsection (b) does not comply with the conditions of the bond, the court having jurisdiction shall enter an order declaring the bond to be forfeited. Notice of the order of forfeiture shall be mailed forthwith by the clerk to the respondent at the respondent's last known address. If the respondent does not within thirty (30) days from the date of the forfeiture satisfy the court that compliance with the conditions of the bond was met, the court shall enter judgment for the state against the defendant for the amount of the bond and costs of the court proceedings. The judgment and costs may be enforced and collected in the same manner as a judgment entered in a civil action.</p> <p>(4) Nothing in this section shall be construed to limit or affect any remedy in effect on July 1, 2010.</p> <p>(c) Upon collecting the civil penalty imposed by subsection (b), the clerk shall, on a monthly basis, send the money to the state treasurer who shall deposit it in the domestic violence community education fund created by § 36-3-616.</p>

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			<p>or numbers to a petitioner pursuant to § 36-3-621.</p> <p>(b) Relief granted pursuant to subdivisions (a)(4)-(8) shall be ordered only after the petitioner and respondent have been given an opportunity to be heard by the court.</p>	
<p>TEXAS</p>	<p>TEX. PENAL CODE ANN. § 42.072 (a) - Stalking.</p> <p>(a) A person commits an offense if the person, on more than one occasion and pursuant to the same scheme or course of conduct that is directed specifically at another person, knowingly engages in conduct that:</p> <p>(1) constitutes an offense under Section 42.07, or that the actor knows or reasonably should know the other person will regard as threatening:</p> <p>(A) bodily injury or death for the other person;</p> <p>(B) bodily injury or death for a member of the other person’s family or household or for an individual with whom the other person has a dating relationship; or</p> <p>(C) that an offense will be committed against the other person’s property;</p> <p>(2) causes the other person, a member of the other person’s family or household, or an individual with whom the other person has a dating relationship to be placed in fear of bodily injury or death or in fear that an offense will be committed against the other person’s property, or to feel harassed, annoyed, alarmed, abused,</p>	<p>Texas Fam Code § 82.002. Who May File Application.</p> <p>(a) With regard to family violence under Section 71.004(1) or (2), an adult member of the family or household may file an application for a protective order to protect the applicant or any other member of the applicant’s family or household.</p> <p>(b) [2 Versions: As amended by Acts 2011, 82nd Leg., ch. 632 (S.B. 819)] With regard to family violence under Section 71.004(3), an application for a protective order to protect the applicant may be filed by a member of the dating relationship, regardless of whether the member is an adult or a child.</p> <p>(b) [2 Versions: As amended by Acts 2011, 82nd Leg., ch. 872 (S.B. 116)] With regard to family violence under Section 71.004(3), an application for a protective order to protect the applicant may be filed by:</p>	<p>Tex. Fam. Code § 85.022. Requirements of Order Applying to Person Who Committed Family Violence.</p> <p>(a) In a protective order, the court may order the person found to have committed family violence to perform acts specified by the court that the court determines are necessary or appropriate to prevent or reduce the likelihood of family violence and may order that person to:</p> <p>(1) complete a battering intervention and prevention program accredited under Article 42.141, Code of Criminal Procedure;</p> <p>(2) beginning on September 1, 2008, if the referral option under Subdivision (1) is not available, complete a program or counsel with a provider that has begun the accreditation process described by Subsection (a-1); or</p> <p>(3) if the referral option under Subdivision (1) or, beginning on September 1, 2008, the referral option under Subdivision (2) is</p>	<p>TEX. PENAL CODE ANN. § 42.072 (b) - Stalking.</p> <p>(b) An offense under this section is a felony of the third degree, except that the offense is a felony of the second degree if the actor has previously been convicted of an offense under this section or of an offense under any of the following laws that contains elements that are substantially similar to the elements of an offense under this section:</p> <p>(1) the laws of another state;</p> <p>(2) the laws of a federally recognized Indian tribe;</p> <p>(3) the laws of a territory of the United States; or</p> <p>(4) federal law.</p> <p>TEX. PENAL CODE ANN. § 25.07 (a), (g) - Violation of certain court orders or conditions of bond in a family violence, sexual assault or abuse, stalking, or trafficking case.</p> <p>(a) A person commits an offense if, in violation of a condition of bond set in a family violence, sexual assault or abuse, stalking, or trafficking case and related to the safety of a victim or the</p>

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	<p>tormented, embarrassed, or offended; and</p> <p>(3) would cause a reasonable person to:</p> <p>(A) fear bodily injury or death for himself or herself;</p> <p>(B) fear bodily injury or death for a member of the person’s family or household or for an individual with whom the person has a dating relationship;</p> <p>(C) fear that an offense will be committed against the person’s property; or</p> <p>(D) feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended.</p> <p>Texas Fam Code § 71.004. Family Violence.</p> <p>“Family violence” means:</p> <p>(1) an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself;</p> <p>(2) abuse, as that term is defined by Sections 261.001(1)(C), (E), (G), (H), (I), (J), (K), and (M), by a member of a family or household toward a child of the family or household; or</p> <p>(3) dating violence, as that term is defined by Section 71.0021.</p>	<p>(1) an adult member of the dating relationship; or</p> <p>(2) an adult member of the marriage, if the victim is or was married as described by Section 71.0021(a)(1)(B).</p> <p>(c) Any adult may apply for a protective order to protect a child from family violence.</p> <p>(d) In addition, an application may be filed for the protection of any person alleged to be a victim of family violence by:</p> <p>(1) a prosecuting attorney; or</p> <p>(2) the Department of Family and Protective Services.</p> <p>(e) The person alleged to be the victim of family violence in an application filed under Subsection (c) or (d) is considered to be the applicant for a protective order under this subtitle.</p> <p>Tex. Code Crim. Proc. Art. 7B.001. Application for Protective Order.</p> <p>(a) The following persons may file an application for a protective order under this subchapter without regard to the relationship between the applicant and the alleged offender:</p> <p>(1) a person who is the victim of an offense under Section 20A.02, 20A.03, 21.02, 21.11, 22.011, 22.012, 22.021, 42.072,</p>	<p>not available, counsel with a social worker, family service agency, physician, psychologist, licensed therapist, or licensed professional counselor who has completed family violence intervention training that the community justice assistance division of the Texas Department of Criminal Justice has approved, after consultation with the licensing authorities described by Chapters 152, 501, 502, 503, and 505, Occupations Code, and experts in the field of family violence.</p> <p>(a-1) Beginning on September 1, 2009, a program or provider serving as a referral option for the courts under Subsection (a)(1) or (2) must be accredited under Section 4A, Article 42.141, Code of Criminal Procedure, as conforming to program guidelines under that article.</p> <p>(b) In a protective order, the court may prohibit the person found to have committed family violence from:</p> <p>(1) committing family violence;</p> <p>(2) communicating:</p> <p>(A) directly with a person protected by an order or a member of the family or household of a person protected by an order, in a threatening or harassing manner;</p> <p>(B) a threat through any person to a person protected by an order</p>	<p>safety of the community, an order issued under Chapter 7A, Code of Criminal Procedure, an order issued under Article 17.292, Code of Criminal Procedure, an order issued under Section 6.504, Family Code, Chapter 83, Family Code, if the temporary ex parte order has been served on the person, or Chapter 85, Family Code, or an order issued by another jurisdiction as provided by Chapter 88, Family Code, the person knowingly or intentionally:</p> <p>(1) commits family violence or an act in furtherance of an offense under Section 20A.02, 22.011, 22.021, or 42.072;</p> <p>(g) As amended by Acts 2021, 87th Leg., ch. 787 (HB 39) An offense under this section is a Class A misdemeanor, except the offense is:</p> <p>(1) subject to Subdivision (2), a state jail felony if it is shown at the trial of the offense that the defendant violated an order issued under Subchapter A, Chapter 7B, Code of Criminal Procedure, following the defendant’s conviction of or placement on deferred adjudication community supervision for an offense, if the order was issued with respect to a victim of that offense; or</p> <p>(2) a felony of the third degree if it is shown on the trial of the offense that the defendant:</p> <p>(A) has previously been convicted two or more times of an offense under this section or two or more times of an</p>

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		<p>or 43.05, Penal Code;</p> <p>(2) any adult, including a parent or guardian, who is acting on behalf of a victim described by Subdivision (1), if the victim is younger than 18 years of age or an adult ward; or</p> <p>(3) a prosecuting attorney acting on behalf of a person described by Subdivision (1) or (2).</p>	<p>or a member of the family or household of a person protected by an order; and</p> <p>(C) if the court finds good cause, in any manner with a person protected by an order or a member of the family or household of a person protected by an order, except through the party's attorney or a person appointed by the court;</p> <p>(3) going to or near the residence or place of employment or business of a person protected by an order or a member of the family or household of a person protected by an order;</p> <p>(4) going to or near the residence, child-care facility, or school a child protected under the order normally attends or in which the child normally resides;</p> <p>(5) engaging in conduct directed specifically toward a person who is a person protected by an order or a member of the family or household of a person protected by an order, including following the person, that is reasonably likely to harass, annoy, alarm, abuse, torment, or embarrass the person;</p> <p>(6) possessing a firearm, unless the person is a peace officer, as defined by Section 1.07, Penal Code, actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision; and</p>	<p>offense under Section 25.072, or has previously been convicted of an offense under this section and an offense under Section 25.072; or</p> <p>(B) has violated the order or condition of bond by committing an assault or the offense of stalking.</p> <p>(g) As amended by Acts 2021, 87th Leg., ch. 915 (HB 3607) An offense under this section is a Class A misdemeanor, except the offense is:</p> <p>(1) subject to Subdivision (2), a state jail felony if it is shown at the trial of the offense that the defendant violated an order issued as a result of an application filed under Article 7B.001(a-1), Code of Criminal Procedure; or</p> <p>(2) a felony of the third degree if it is shown on the trial of the offense that the defendant:</p> <p>(A) has previously been convicted two or more times of an offense under this section or two or more times of an offense under Section 25.072, or has previously been convicted of an offense under this section and an offense under Section 25.072; or</p> <p>(B) has violated the order or condition of bond by committing an assault or the offense of stalking.</p> <p>Tex. Fam. Code § 85.026. Warning on Protective Order.</p> <p>(a) Each protective order issued under this subtitle, including a temporary ex parte order, must contain the following prominently displayed statements in boldfaced type, capital letters, or</p>

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			<p>(7) harming, threatening, or interfering with the care, custody, or control of a pet, companion animal, or assistance animal, as defined by Section 121.002, Human Resources Code, that is possessed by or is in the actual or constructive care of a person protected by an order or by a member of the family or household of a person protected by an order.</p> <p>(c) In an order under Subsection (b)(3) or (4), the court shall specifically describe each prohibited location and the minimum distances from the location, if any, that the party must maintain. This subsection does not apply to an order in which Section 85.007 applies.</p> <p>(d) In a protective order, the court shall suspend a license to carry a handgun issued under Subchapter H, Chapter 411, Government Code, that is held by a person found to have committed family violence.</p> <p>TEX. CODE ANN. § 85.001 (b) - Required findings and orders.</p> <p>(b) If the court finds that family violence has occurred and that family violence is likely to occur in the future, the court:</p> <p>(1) shall render a protective order as provided by Section 85.022 applying only to a person</p>	<p>underlined: “A PERSON WHO VIOLATES THIS ORDER MAY BE PUNISHED FOR CONTEMPT OF COURT BY A FINE OF AS MUCH AS \$500 OR BY CONFINEMENT IN JAIL FOR AS LONG AS SIX MONTHS, OR BOTH.”</p> <p>“NO PERSON, INCLUDING A PERSON WHO IS PROTECTED BY THIS ORDER, MAY GIVE PERMISSION TO ANYONE TO IGNORE OR VIOLATE ANY PROVISION OF THIS ORDER. DURING THE TIME IN WHICH THIS ORDER IS VALID, EVERY PROVISION OF THIS ORDER IS IN FULL FORCE AND EFFECT UNLESS A COURT CHANGES THE ORDER.”</p> <p>“IT IS UNLAWFUL FOR ANY PERSON, OTHER THAN A PEACE OFFICER, AS DEFINED BY SECTION 1.07, PENAL CODE, ACTIVELY ENGAGED IN EMPLOYMENT AS A SWORN, FULL-TIME PAID EMPLOYEE OF A STATE AGENCY OR POLITICAL SUBDIVISION, WHO IS SUBJECT TO A PROTECTIVE ORDER TO POSSESS A FIREARM OR AMMUNITION.”</p> <p>“IF A PERSON SUBJECT TO A PROTECTIVE ORDER IS RELEASED FROM CONFINEMENT OR IMPRISONMENT FOLLOWING THE DATE THE ORDER WOULD HAVE EXPIRED, OR IF THE ORDER WOULD HAVE EXPIRED NOT LATER THAN THE FIRST ANNIVERSARY OF THE DATE THE PERSON IS RELEASED FROM CONFINEMENT OR IMPRISONMENT, THE ORDER IS AUTOMATICALLY EXTENDED TO EXPIRE ON: “(1) THE FIRST ANNIVERSARY OF THE</p>

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			<p>found to have committed family violence; and (2) may render a protective order as provided by Section 85.021 applying to both parties that is in the best interest of the person protected by the order or member of the family or household of the person protected by the order.</p> <p>Tex. Code Crim. Proc.Art. 7B.005. Conditions Specified by Protective Order. (a) In a protective order issued under this subchapter, the court may: (1) order the alleged offender to take action as specified by the court that the court determines is necessary or appropriate to prevent or reduce the likelihood of future harm to the applicant or a member of the applicant’s family or household; or (2) prohibit the alleged offender from: (A) communicating: (i) directly or indirectly with the applicant or any member of the applicant’s family or household in a threatening or harassing manner; or (ii) in any manner with the applicant or any member of the applicant’s family or household except through the applicant’s attorney or a person appointed</p>	<p>DATE THE PERSON IS RELEASED, IF THE PERSON WAS SENTENCED TO CONFINEMENT OR IMPRISONMENT FOR A TERM OF MORE THAN FIVE YEARS; OR “(2) THE SECOND ANNIVERSARY OF THE DATE THE PERSON IS RELEASED, IF THE PERSON WAS SENTENCED TO CONFINEMENT OR IMPRISONMENT FOR A TERM OF FIVE YEARS OR LESS.” “A VIOLATION OF THIS ORDER BY COMMISSION OF AN ACT PROHIBITED BY THE ORDER MAY BE PUNISHABLE BY A FINE OF AS MUCH AS \$4,000 OR BY CONFINEMENT IN JAIL FOR AS LONG AS ONE YEAR, OR BOTH. AN ACT THAT RESULTS IN FAMILY VIOLENCE MAY BE PROSECUTED AS A SEPARATE MISDEMEANOR OR FELONY OFFENSE. IF THE ACT IS PROSECUTED AS A SEPARATE FELONY OFFENSE, IT IS PUNISHABLE BY CONFINEMENT IN PRISON FOR AT LEAST TWO YEARS.”</p> <p>Tex. Code Crim. Proc. Art. 7B.006 (a) Each protective order issued under this subchapter, including a temporary ex parte order, must contain the following prominently displayed statements in boldfaced type, in capital letters, or underlined: “A PERSON WHO VIOLATES THIS ORDER MAY BE PUNISHED FOR CONTEMPT OF COURT BY A FINE OF AS MUCH AS \$500 OR BY CONFINEMENT IN JAIL FOR AS LONG AS SIX MONTHS, OR BOTH.” “NO PERSON, INCLUDING A PERSON</p>

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			<p>by the court, if the court finds good cause for the prohibition;</p> <p>(B) going to or near the residence, place of employment or business, or child-care facility or school of the applicant or any member of the applicant’s family or household;</p> <p>(C) engaging in conduct directed specifically toward the applicant or any member of the applicant’s family or household, including following the person, that is reasonably likely to harass, annoy, alarm, abuse, torment, or embarrass the person; and</p> <p>(D) possessing a firearm, unless the alleged offender is a peace officer, as defined by Section 1.07, Penal Code, actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision.</p>	<p>WHO IS PROTECTED BY THIS ORDER, MAY GIVE PERMISSION TO ANYONE TO IGNORE OR VIOLATE ANY PROVISION OF THIS ORDER. DURING THE TIME IN WHICH THIS ORDER IS VALID, EVERY PROVISION OF THIS ORDER IS IN FULL FORCE AND EFFECT UNLESS A COURT CHANGES THE ORDER.”</p> <p>“IT IS UNLAWFUL FOR ANY PERSON, OTHER THAN A PEACE OFFICER, AS DEFINED BY SECTION 1.07, PENAL CODE, ACTIVELY ENGAGED IN EMPLOYMENT AS A SWORN, FULL-TIME PAID EMPLOYEE OF A STATE AGENCY OR POLITICAL SUBDIVISION, WHO IS SUBJECT TO A PROTECTIVE ORDER TO POSSESS A FIREARM OR AMMUNITION.”</p> <p>(b) Each protective order issued under this subchapter, except for a temporary ex parte order, must contain the following prominently displayed statement in boldfaced type, in capital letters, or underlined: “A VIOLATION OF THIS ORDER BY COMMISSION OF AN ACT PROHIBITED BY THE ORDER MAY BE PUNISHABLE BY A FINE OF AS MUCH AS \$4,000 OR BY CONFINEMENT IN JAIL FOR AS LONG AS ONE YEAR, OR BOTH. AN ACT THAT RESULTS IN A SEPARATE OFFENSE MAY BE PROSECUTED AS A SEPARATE OFFENSE IN ADDITION TO A VIOLATION OF THIS ORDER.” (Code Crim. Proc., Art. 7A.06.)</p>
U.S. VIRGIN ISLANDS	<p>5 V.I.C. § 1472: Definitions As used in this chapter:</p> <p>(1) “Stalking” means purposely and repeatedly following another person</p>	<p>5 V.I.C. § 1473: Procedural Requirements</p> <p>(a) An adult person who is a victim of stalking may seek</p>	<p>5 V.I.C. § 1475. Orders, duration of orders and costs</p> <p>(a) The Superior Court may issue a protection from stalking order</p>	<p>5 V.I.C. § 1475(b). Orders, duration of orders and costs</p> <p>(b) All protection from stalking orders must contain language stating that if</p>

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	<p>and engaging in a course of conduct or making a credible threat with the intent of annoying or placing that person in reasonable fear of death or bodily harm or injury and causing emotional distress.</p> <p>(2) “Credible threat” means an explicit or implicit threat made with the intent and the apparent ability to carry out the threat, so as to cause the targeted person to reasonably fear for personal safety or the safety of a family member.</p> <p>(3) “Course of conduct” means an act that happens more than once, however brief, within a year, directed at a specific person, evidencing a continuity of purpose which would cause a reasonable person to suffer substantial emotional distress; which includes but is not limited to the stalker’s directly or indirectly, by any action, method or device, following, monitoring, observing, pursuing, threatening, or communicating to, or about a person, or interfering with a person’s property.</p> <p>(4) “Harassment” means engaging in a knowing and intentional course of conduct directed at a specific person which alarms annoys torments or terrorizes the person and would cause a reasonable person to suffer emotional distress.</p> <p>(5) “cyberstalk” means to communicate, or to cause to be communicated, words, images, or language through the use of electronic mail or electronic communication directed to a specific person which serves no legitimate purpose, but causes that person substantial emotional distress.</p>	<p>relief under this chapter by filing with the Magistrate Division of the Superior Court a verified petition on a form provided by the court. A verified petition must allege sufficient facts to establish the following:</p> <p>(1) The name of the stalking victim;</p> <p>(2) The name or physical description of the alleged perpetrator;</p> <p>(3) The dates on which the alleged stalking behavior occurred; and</p> <p>(4) The acts that the victim alleges constitute stalking.</p> <p>(b) A minor who is a stalking victim may have a parent, guardian, or adult residing with the minor file a verified petition on the minor’s behalf, as prescribed in subsection (a).</p>	<p>granting any or all of the following relief:</p> <p>(1) Restraining the defendant or anyone acting on behalf of the defendant from following, harassing by personal, telephonic, or computerized contact, or by any other form of communication with the victim.</p> <p>(2) Restraining the defendant or anyone acting on behalf of the defendant from abusing, molesting, or interfering with the privacy rights of the victim.</p> <p>(3) Restraining the defendant or anyone acting on behalf of the defendant from entering upon the victim’s property, residence, or place of employment, or within fifty feet thereof.</p> <p>(4) Providing any further relief that the court considers necessary based on the facts of the case.</p>	<p>the order is violated the violation may constitute stalking pursuant to 14 V.I.C. § 2072 and must remain in effect for a period not to exceed two years or until amended, modified or dismissed by the court.</p> <p>5 V.I.C. § 2072. Stalking prohibited; degrees of offense; punishment</p> <p>(a) A person is guilty of the crime of stalking who purposely and repeatedly follows another person and engages in a course of conduct or makes a credible threat with the intent of annoying or placing that person in reasonable fear of death or bodily harm or injury. Any person convicted of the crime of stalking shall be imprisoned for a period not to exceed 18 months, or may be fined up to \$7,500, or both.</p> <p>(b) A person who commits a second or subsequent offense of stalking shall be imprisoned for a period not to exceed 5 years, or may be fined up to \$15,000, or both and shall be required to obtain psychological or emotional assistance as determined by the court. Provided, however, a person who is convicted of a third or subsequent offense, shall be imprisoned for not less than one month and not more than 5 years, or may be fined up to \$15,000, or both.</p> <p>(c) A person is guilty of the crime of aggravated stalking who commits the crime of stalking in violation of an existing court order prohibiting the behavior and shall be imprisoned for a</p>

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				<p>period not to exceed 5 years, or may be fined up to \$15,000, or both.</p> <p>(d) A person is guilty of the crime of aggravated stalking who commits the crime of stalking which involves a crime of violence as defined in Title 23, section 451, subsection (e) of this code and shall be imprisoned for a period not to exceed 5 years, or may be fined up to \$15,000, or both.</p> <p>(e) The provisions of this section shall not apply to conduct which occurs during organized group picketing.</p>
<p>UTAH</p>	<p>UTAH CODE ANN. § 76-5-106.5 (2) - Stalking – Definitions – Injunction – Penalties – Duties of law enforcement officer.</p> <p>(2) An actor commits stalking if the actor intentionally or knowingly:</p> <p>(a) engages in a course of conduct directed at a specific individual and knows or should know that the course of conduct would cause a reasonable person:</p> <p>(i) to fear for the individual’s own safety or the safety of a third individual; or</p> <p>(ii) to suffer other emotional distress; or</p> <p>(b) violates:</p> <p>(i) a stalking injunction issued under Title 78B, Chapter 7, Part 7, Civil Stalking Injunctions; or</p> <p>(ii) a permanent criminal stalking injunction issued under Title 78B, Chapter 7, Part 9, Criminal Stalking Injunctions.</p>	<p>Utah Code Ann. § 78B-7-701. Ex parte civil stalking injunction – Civil stalking injunction.</p> <p>(1)</p> <p>(a)</p> <p>(i) Except as provided in Subsection (1)(b), an individual who believes that the individual is the victim of stalking may file a verified written petition for a civil stalking injunction against the alleged stalker with the district court in the district in which the individual or respondent resides, is temporarily domiciled, or in which any of the events occurred.</p> <p>(ii) A minor with the minor’s parent or guardian may file a petition on the minor’s own behalf, or a parent, guardian, or custodian may file a</p>	<p>UTAH CODE ANN. § 78B-7-701(3). Ex parte civil stalking injunction – Civil stalking injunction.</p> <p>(3)</p> <p>(a) If the court determines that there is reason to believe that an offense of stalking has occurred, an ex parte civil stalking injunction may be issued by the court that includes any of the following:</p> <p>(i) respondent may be enjoined from committing stalking;</p> <p>(ii) respondent may be restrained from coming near the residence, place of employment, or school of the other party or specifically designated locations or persons;</p> <p>(iii) respondent may be restrained from contacting, directly or indirectly, the other party, including personal, written or telephone contact with the other party, the other party’s</p>	<p>UTAH CODE ANN. § 78B-7-903: Penalties.</p> <p>(1) A violation of a permanent criminal stalking injunction issued under this part is a third degree felony in accordance with Subsection 76-5-106.5(3)(b).</p> <p>(2) A violation of a permanent criminal stalking injunction issued under this part may be enforced in a civil action initiated by the stalking victim, a criminal action initiated by a prosecuting attorney, or both.</p>

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		<p>petition on the minor's behalf.</p> <p>(b) A stalking injunction may not be obtained against a law enforcement officer, governmental investigator, or licensed private investigator, who is acting in official capacity.</p>	<p>employers, employees, fellow workers or others with whom communication would be likely to cause annoyance or alarm to the other party; or</p> <p>(iv) any other relief necessary or convenient for the protection of the petitioner and other specifically designated individuals under the circumstances.</p> <p>(b)</p> <p>(i) If the petitioner and respondent have minor children, the court shall follow the provisions of Section 78B-7-603 and take into consideration the respondent's custody and parent-time rights while ensuring the safety of the victim and the minor children.</p> <p>(ii) If the court issues a civil stalking injunction, but declines to address custody and parent-time issues, a copy of the stalking injunction shall be filed in any action in which custody and parent-time issues are being considered.</p> <p>UTAH CODE ANN. § 76-5-106.5(8) - Stalking — Definitions — Injunction — Penalties — Duties of law enforcement officer.</p> <p>Utah Code Ann. § 78B-7-902: Permanent criminal stalking injunction — Modification.</p>	

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			<p>(2) The court shall issue a permanent criminal stalking injunction granting the following relief where appropriate:</p> <p>(a) an order:</p> <p>(i) restraining the defendant from entering the residence, property, school, or place of employment of the victim; and</p> <p>(ii) requiring the defendant to stay away from the victim, except as provided in Subsection (4), and to stay away from any specified place that is named in the order and is frequented regularly by the victim;</p> <p>(b) an order restraining the defendant from making contact with or regarding the victim, including an order forbidding the defendant from personally or through an agent initiating any communication, except as provided in Subsection (3), likely to cause annoyance or alarm to the victim, including personal, written, or telephone contact with or regarding the victim, with the victim's employers, employees, coworkers, friends, associates, or others with whom communication would be likely to cause annoyance or alarm to the victim; and</p> <p>(c) any other orders the court considers necessary to protect the victim and members of the victim's immediate family or household.</p>	

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<p>VERMONT</p>	<p>Vt. STAT. ANN. tit. 12, § 5131 (6) - Definitions.</p> <p>(6) “Stalk” means to engage purposefully in a course of conduct directed at a specific person that the person engaging in the conduct knows or should know would cause a reasonable person to:</p> <p>(A) fear for his or her safety or the safety of a family member; or</p> <p>(B) suffer substantial emotional distress as evidenced by:</p> <p>(i) a fear of unlawful sexual conduct, unlawful restraint, bodily injury, or death; or</p> <p>(ii) significant modifications in the person’s actions or routines, including moving from an established residence, changes to established daily routes to and from work that cause a serious disruption in the person’s life, changes to the person’s employment or work schedule, or the loss of a job or time from work.</p> <p>Vt. STAT. ANN. tit. 13, § 1061(4) Definitions.</p> <p>(4) “Stalk” means to engage purposefully in a course of conduct directed at a specific person that the person engaging in the conduct knows or should know would cause a reasonable person to fear for his or her safety or the safety of another or would cause a reasonable person substantial emotional distress.</p>	<p>Vt. STAT. ANN. tit. 12, § 5133 (a) - Requests for an order against staling or sexual assault.</p> <p>(a) A person, other than a family or household member as defined in 15 V.S.A. § 1101(2), may seek an order against stalking or sexual assault on behalf of himself or herself or his or her children by filing a complaint under this chapter. A minor 16 years of age or older may file a complaint under this chapter seeking relief on his or her own behalf. The plaintiff shall submit an affidavit in support of the order.</p>	<p>12 V.S.A. § 5133(d)-(e): Requests for an order against stalking or sexual assault</p> <p>(d) If the court finds by a preponderance of evidence that the defendant has stalked or sexually assaulted the plaintiff, or has been convicted of stalking or sexually assaulting the plaintiff, the court shall order the defendant to stay away from the plaintiff or the plaintiff’s children, or both, and may make any other order it deems necessary to protect the plaintiff or the plaintiff’s children, or both.</p> <p>(e) Relief shall be granted for a fixed period, at the expiration of which time the court may extend any order, upon motion of the plaintiff, for such additional time as it deems necessary to protect the plaintiff or the plaintiff’s children, or both. It is not necessary for the court to find that the defendant stalked or sexually assaulted the plaintiff during the pendency of the order to extend the terms of the order. The court may modify its order at any subsequent time upon motion by either party and a showing of a substantial change in circumstance.</p> <p>Vt. STAT. ANN. tit. 15, § 1103 (c) - Requests for relief.</p>	<p>Vt. STAT. ANN. tit. 13, § 1062 Stalking.</p> <p>Any person who intentionally stalks another person shall be imprisoned not more than two years or fined not more than \$ 5,000.00, or both.</p> <p>Vt. STAT. ANN. tit. 13, § 1063 Aggravated Stalking.</p> <p>(b) A person who commits the crime of aggravated stalking shall be imprisoned not more than five years or be fined not more than \$ 25,000.00, or both.</p> <p>Vt. STAT. ANN. tit. 12, § 5138 (b) - Enforcement.</p> <p>(b) In addition to the provisions of subsection (a) of this section, violation of an order issued under this chapter may be prosecuted as a criminal contempt under Rule 42 of Vermont Rules of Criminal Procedure. The prosecution for criminal contempt may be initiated by the State's Attorney in the Criminal or Civil Division of the Superior Court in the unit or county in which the violation occurred. The maximum penalty which may be imposed under this subsection shall be a fine of \$ 1,000.00 or imprisonment for six months, or both. A sentence of imprisonment upon conviction for criminal contempt may be stayed in the discretion of the court, pending the</p>

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	<p>Vt. STAT. ANN. tit. 13, § 1063 <i>Aggravated Stalking.</i></p> <p>(a) A person commits the crime of aggravated stalking if the person intentionally stalks another person, and:</p> <p>(1) such conduct violates a court order that prohibits stalking and is in effect at the time of the offense; or</p> <p>(2) has been previously convicted of stalking or aggravated stalking; or</p> <p>(3) has been previously convicted of an offense an element of which involves an act of violence against the same person; or</p> <p>(4) the person being stalked is under the age of 16 years; or</p> <p>(5) had a deadly weapon, as defined in section 1021 of this title, in his or her possession while engaged in the act of stalking.</p>		<p>(c)</p> <p>(1) The court shall make such orders as it deems necessary to protect the plaintiff or the children, or both, if the court finds that the defendant has abused the plaintiff, and:</p> <p>(A) there is a danger of further abuse; or</p> <p>(B) the defendant is currently incarcerated and has been convicted of one of the following: murder, attempted murder, kidnapping, domestic assault, aggravated domestic assault, sexual assault, aggravated sexual assault, stalking, aggravated stalking, lewd or lascivious conduct with a child, use of a child in a sexual performance, or consenting to a sexual performance.</p> <p>(2) The court order may include the following:</p> <p>(A) An order that the defendant refrain from abusing the plaintiff or his or her children, or both, and from interfering with their personal liberty, including restrictions on the defendant's ability to contact the plaintiff or the plaintiff's children, or both, in any way, whether directly, indirectly, or through a third party, with the purpose of making contact with the plaintiff, including in writing or by telephone, e-mail, or other electronic communication, and</p>	<p>expiration of the time allowed for filing notice of appeal or pending appeal if any appeal is taken. After two years have passed from conviction under this subsection, the court may on motion of the defendant expunge the record of the criminal proceeding and conviction unless the defendant has been convicted of a felony or misdemeanor involving moral turpitude or a violation of a protection order after such initial adjudication.</p>

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			<p>restrictions prohibiting the defendant from coming within a fixed distance of the plaintiff, the children, the plaintiff's residence, or other designated locations where the plaintiff or the plaintiff's children are likely to spend time.</p> <p>(B) An order that the defendant immediately vacate the household and that the plaintiff be awarded sole possession of a residence.</p> <p>(C) A temporary award of parental rights and responsibilities in accordance with the criteria in section 665 of this title.</p> <p>(D) An order for parent-child contact under such conditions as are necessary to protect the child or the plaintiff, or both, from abuse. An order for parent-child contact may if necessary include conditions under which the plaintiff may deny parent-child contact pending further order of the court.</p> <p>(E) If the court finds that the defendant has a duty to support the plaintiff, an order that the defendant pay the plaintiff's living expenses for a fixed period of time not to exceed three months.</p> <p>(F) If the court finds that the defendant has a duty to support the child or children, a temporary order of child support pursuant</p>	

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			<p>to chapter 5 of this title, for a period not to exceed three months. A support order granted under this section may be extended if the relief from abuse proceeding is consolidated with an action for legal separation, divorce, or parentage.</p> <p>(G) An order concerning the possession, care, and control of any animal owned, possessed, leased, kept, or held as a pet by either party or a minor child residing in the household.</p> <p>(H) An order that the defendant return any personal documentation in his or her possession, including immigration documentation, birth certificates, and identification cards:</p> <p>(i) pertaining to the plaintiff; or</p> <p>(ii) pertaining to the plaintiff's children if relief is sought for the children or for good cause shown.</p>	
<p>VIRGINIA</p>	<p>VA. CODE ANN. § 19.2-152.7:1 Definitions.</p> <p>As used in this chapter: "Act of violence, force, or threat" means any act involving violence, force, or threat that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury. Such act includes, but is not limited to, any forceful detention, stalking, criminal sexual assault in violation of Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2,</p>	<p>VA. CODE ANN. § 16.1-228 Definitions.</p> <p>When used in this chapter, unless the context otherwise requires: "Family or household member" means (i) the person's spouse, whether or not he or she resides in the same home with the person, (ii) the person's former spouse, whether or not he or</p>	<p>VA. CODE ANN. § 19.2-152.10 (a) - Protective Order.</p> <p>A. The court may issue a protective order pursuant to this chapter to protect the health and safety of the petitioner and family or household members of a petitioner upon (i) the issuance of a petition or warrant for, or a conviction of, any criminal offense resulting from the commission of an act of violence,</p>	<p>VA. CODE ANN. § 18.2-60.4 Violation of protective orders; penalty.</p> <p>A. Any person, except a law-enforcement officer, as defined in § 9.1-101, and acting in the performance of his official duties, and a registered private investigator, as defined in § 9.1-138, who is regulated in accordance with § 9.1-139 and acting in the course of his legitimate business, who on more than one occasion engages in conduct, either in person or through</p>

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	<p>or any criminal offense that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury.</p> <p>VA. CODE ANN. § 16.1-228 Definitions.</p> <p>“Family abuse” means any act involving violence, force, or threat that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury and that is committed by a person against such person’s family or household member. Such act includes, but is not limited to, any forceful detention, stalking, criminal sexual assault in violation of Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2, or any criminal offense that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury.</p>	<p>she resides in the same home with the person, (iii) the person's parents, stepparents, children, stepchildren, brothers, sisters, half-brothers, half-sisters, grandparents and grandchildren, regardless of whether such persons reside in the same home with the person, (iv) the person's mother-in-law, father-in-law, sons-in-law, daughters-in-law, brothers-in-law and sisters-in-law who reside in the same home with the person, (v) any individual who has a child in common with the person, whether or not the person and that individual have been married or have resided together at any time, or (vi) any individual who cohabits or who, within the previous 12 months, cohabited with the person, and any children of either of them then residing in the same home with the person.</p> <p>VA. CODE ANN. § 18.2-60.3 (a) - Stalking; penalty.</p> <p>A. Any person, except a law-enforcement officer, as defined in § 9.1-101, and acting in the performance of his official duties, and a registered private</p>	<p>force, or threat or (ii) a hearing held pursuant to subsection D of § 19.2-152.9. A protective order issued under this section may include any one or more of the following conditions to be imposed on the respondent:</p> <ol style="list-style-type: none"> 1. Prohibiting acts of violence, force, or threat or criminal offenses that may result in injury to person or property; 2. Prohibiting such contacts by the respondent with the petitioner or family or household members of the petitioner as the court deems necessary for the health or safety of such persons; 3. Any other relief necessary to prevent (i) acts of violence, force, or threat, (ii) criminal offenses that may result in injury to person or property, or (iii) communication or other contact of any kind by the respondent; and 4. Granting the petitioner the possession of any companion animal as defined in § 3.2-6500 if such petitioner meets the definition of owner in § 3.2-6500. <p>VA. CODE ANN. § 16.1-279.1 (a) - Protective order in cases of family abuse.</p> <p>A. In cases of family abuse, including any case involving an incarcerated or recently incarcerated respondent against</p>	<p>any other means, including by mail, telephone, or an electronically transmitted communication, directed at another person with the intent to place, or when he knows or reasonably should know that the conduct places that other person in reasonable fear of death, criminal sexual assault, or bodily injury to that other person or to that other person’s family or household member is guilty of a Class 1 misdemeanor. If the person contacts or follows or attempts to contact or follow the person at whom the conduct is directed after being given actual notice that the person does not want to be contacted or followed, such actions shall be prima facie evidence that the person intended to place that other person, or reasonably should have known that the other person was placed, in reasonable fear of death, criminal sexual assault, or bodily injury to himself or a family or household member.</p> <p>B. Any person who is convicted of a second offense of subsection A occurring within five years of a prior conviction of such an offense under this section or for a substantially similar offense under the law of any other jurisdiction is guilty of a Class 6 felony.</p> <p>C. If the respondent commits an assault and battery upon any party protected by the protective order, other than a protective order issued pursuant to subsection C of § 19.2-152.10, resulting in bodily injury to the</p>

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		<p>investigator, as defined in § 9.1-138, who is regulated in accordance with § 9.1-139 and acting in the course of his legitimate business, who on more than one occasion engages in conduct, either in person or through any other means, including by mail, telephone, or an electronically transmitted communication, directed at another person with the intent to place, or when he knows or reasonably should know that the conduct places that other person in reasonable fear of death, criminal sexual assault, or bodily injury to that other person or to that other person's family or household member is guilty of a Class 1 misdemeanor. If the person contacts or follows or attempts to contact or follow the person at whom the conduct is directed after being given actual notice that the person does not want to be contacted or followed, such actions shall be prima facie evidence that the person intended to place that other person, or reasonably should have known that the other person was placed, in reasonable fear of death, criminal sexual assault, or</p>	<p>whom a preliminary protective order has been issued pursuant to § 16.1-253.1, the court may issue a protective order to protect the health and safety of the petitioner and family or household members of the petitioner. A protective order issued under this section may include any one or more of the following conditions to be imposed on the respondent:</p> <ol style="list-style-type: none"> 1. Prohibiting acts of family abuse or criminal offenses that result in injury to person or property; 2. Prohibiting such contacts by the respondent with the petitioner or family or household members of the petitioner as the court deems necessary for the health or safety of such persons; 3. Granting the petitioner possession of the residence occupied by the parties to the exclusion of the respondent; however, no such grant of possession shall affect title to any real or personal property; 4. Enjoining the respondent from terminating any necessary utility service to the residence to which the petitioner was granted possession pursuant to subdivision 3 or, where appropriate, ordering the respondent to restore utility services to that residence; 5. Granting the petitioner and, 	<p>party or stalks any party protected by the protective order in violation of § 18.2-60.3, he is guilty of a Class 6 felony. Any person who violates such a protective order, other than a protective order issued pursuant to subsection C of § 19.2-152.10, by furtively entering the home of any protected party while the party is present, or by entering and remaining in the home of the protected party until the party arrives, is guilty of a Class 6 felony, in addition to any other penalty provided by law.</p> <p>D. Upon conviction of any offense hereunder for which a mandatory minimum term of confinement is not specified, the person shall be sentenced to a term of confinement and in no case shall the entire term imposed be suspended.</p> <p>E. Upon conviction, the court shall, in addition to the sentence imposed, enter a protective order pursuant to § 19.2-152.10 for a specified period not exceeding two years from the date of conviction.</p> <p>F. A violation of this section may be prosecuted in the jurisdiction where the protective order was issued or in any county or city where any act constituting the violation of the protective order occurred.</p>

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		<p>bodily injury to himself or a family or household member.</p>	<p>where appropriate, any other family or household member of the petitioner, exclusive use and possession of a cellular telephone number or electronic device. The court may enjoin the respondent from terminating a cellular telephone number or electronic device before the expiration of the contract term with a third-party provider. The court may enjoin the respondent from using a cellular telephone or other electronic device to locate the petitioner;</p> <p>6. Granting the petitioner temporary possession or use of a motor vehicle owned by the petitioner alone or jointly owned by the parties to the exclusion of the respondent and enjoining the respondent from terminating any insurance, registration, or taxes on the motor vehicle and directing the respondent to maintain the insurance, registration, and taxes, as appropriate; however, no such grant of possession or use shall affect title to the vehicle;</p> <p>7. Requiring that the respondent provide suitable alternative housing for the petitioner and, if appropriate, any other family or household member and where appropriate, requiring the respondent to pay deposits to connect or restore necessary utility services in the alternative</p>	

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			<p>housing provided;</p> <p>8. Ordering the respondent to participate in treatment, counseling or other programs as the court deems appropriate;</p> <p>9. Granting the petitioner the possession of any companion animal as defined in § 3.2-6500 if such petitioner meets the definition of owner in § 3.2-6500; and</p> <p>10. Any other relief necessary for the protection of the petitioner and family or household members of the petitioner, including a provision for temporary custody or visitation of a minor child.</p> <p>VA. CODE ANN. § 19.2-152.9(A) - Preliminary Protective Orders.</p> <p>A. Upon the filing of a petition alleging that (i) the petitioner is or has been, within a reasonable period of time, subjected to an act of violence, force, or threat, or (ii) a petition or warrant has been issued for the arrest of the alleged perpetrator for any criminal offense resulting from the commission of an act of violence, force, or threat, the court may issue a preliminary protective order against the alleged perpetrator in order to protect the health and safety of the petitioner or any family or</p>	

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			<p>household member of the petitioner. The order may be issued in an ex parte proceeding upon good cause shown when the petition is supported by an affidavit or sworn testimony before the judge or intake officer. If an ex parte order is issued without an affidavit or a completed form as prescribed by subsection D of § 19.2-152.8 being presented, the court, in its order, shall state the basis upon which the order was entered, including a summary of the allegations made and the court's findings. Immediate and present danger of any act of violence, force, or threat or evidence sufficient to establish probable cause that an act of violence, force, or threat has recently occurred shall constitute good cause.</p> <p>A preliminary protective order may include any one or more of the following conditions to be imposed on the respondent:</p> <ol style="list-style-type: none"> 1. Prohibiting acts of violence, force, or threat or criminal offenses that may result in injury to person or property; 2. Prohibiting such other contacts by the respondent with the petitioner or the petitioner's family or household members as the court deems necessary for the health and safety of such 	

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			persons; 3. Such other conditions as the court deems necessary to prevent (i) acts of violence, force, or threat, (ii) criminal offenses that may result in injury to person or property, or (iii) communication or other contact of any kind by the respondent; and 4. Granting the petitioner the possession of any companion animal as defined in § 3.2-6500 if such petitioner meets the definition of owner in § 3.2-6500.	
WASHINGTON	7.105.010. Definitions. (34) “Stalking” means any of the following: (a) Any act of stalking as defined under RCW 9A.46.110; (b) Any act of cyber harassment as defined under RCW 9A.90.120; or (c) Any course of conduct involving repeated or continuing contacts, attempts to contact, monitoring, tracking, surveillance, keeping under observation, disrupting activities in a harassing manner, or following of another person that: (i) Would cause a reasonable person to feel intimidated, frightened, under duress, significantly disrupted, or threatened and that actually causes such a feeling; (ii) Serves no lawful purpose; and (iii) The respondent knows, or reasonably should know, threatens, frightens, or intimidates the person, even if the respondent did not intend to	WASH. CODE REV. § 7.105.100(1)(A)-(C) (1) There exists an action known as a petition for a protection order. The following types of petitions for a protection order may be filed: (a) A petition for a domestic violence protection order, which must allege the existence of domestic violence committed against the petitioner or petitioners by an intimate partner or a family or household member. The petitioner may petition for relief on behalf of himself or herself and on behalf of family or household members who are minors or vulnerable adults. A petition for a domestic violence protection order must specify whether	WASH. CODE REV. § 7.105.310. Relief for temporary and full protection orders – Other than for extreme risk protection orders. (1) In issuing any type of protection order, other than an ex parte temporary antiharassment protection order as limited by subsection (2) of this section, and other than an extreme risk protection order, the court shall have broad discretion to grant such relief as the court deems proper, including an order that provides relief as follows: (a) Restrain the respondent from committing any of the following acts against the petitioner and other persons protected by the order: Domestic violence; nonconsensual sexual conduct or nonconsensual sexual	WASH. CODE REV. § 7.105.450(2) Enforcement and penalties – Other than antiharassment protection orders and extreme risk protection orders. (2) A law enforcement officer shall arrest without a warrant and take into custody a person whom the law enforcement officer has probable cause to believe has violated a domestic violence protection order, a sexual assault protection order, a stalking protection order, or a vulnerable adult protection order, or an order issued under chapter 9A.40, 9A.44, 9A.46, 9A.88, 9.94A, 10.99, 26.09, 26.26A, or 26.26B RCW, or a valid foreign protection order as defined in RCW 26.52.020, or a Canadian domestic violence protection order as defined in RCW 26.55.010, that restrains the person or excludes the person from a residence, workplace, school, or day care, or prohibits the person from

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	<p>intimidate, frighten, or threaten the person.</p> <p>Rev. Code Wash. § 9A.46.110. Stalking.</p> <p>(1) A person commits the crime of stalking if, without lawful authority and under circumstances not amounting to a felony attempt of another crime:</p> <p>(a) He or she intentionally and repeatedly harasses or repeatedly follows another person; and</p> <p>(b) The person being harassed or followed is placed in fear that the stalker intends to injure the person, another person, or property of the person or of another person. The feeling of fear must be one that a reasonable person in the same situation would experience under all the circumstances; and</p> <p>(c) The stalker either:</p> <p>(i) Intends to frighten, intimidate, or harass the person; or</p> <p>(ii) Knows or reasonably should know that the person is afraid, intimidated, or harassed even if the stalker did not intend to place the person in fear or intimidate or harass the person.</p> <p style="text-align: center;">***</p> <p>(4) Attempts to contact or follow the person after being given actual notice that the person does not want to be contacted or followed constitutes prima facie evidence that the stalker intends to intimidate or harass the person. “Contact” includes, in addition to any other form of contact or communication, the sending of an</p>	<p>the petitioner and the respondent are intimate partners or family or household members. A petitioner who has been sexually assaulted or stalked by an intimate partner or a family or household member should, but is not required to, seek a domestic violence protection order, rather than a sexual assault protection order or a stalking protection order.</p> <p style="text-align: center;">***</p> <p>(c) A petition for a stalking protection order, which must allege the existence of stalking committed against the petitioner or petitioners by the respondent. A petitioner who has been stalked by an intimate partner or a family or household member should, but is not required to, seek a domestic violence protection order, rather than a stalking protection order. The petitioner may petition for a stalking protection order on behalf of:</p> <p>(i) Himself or herself;</p> <p>(ii) A minor child, where the petitioner is the parent, legal guardian, or custodian;</p> <p>(iii) A vulnerable adult, where the petitioner is an interested person; or</p>	<p>penetration; sexual abuse; stalking; acts of abandonment, abuse, neglect, or financial exploitation against a vulnerable adult; and unlawful harassment;</p> <p>(b) Restrain the respondent from making any attempts to have contact, including nonphysical contact, with the petitioner or the petitioner’s family or household members who are minors or other members of the petitioner’s household, either directly, indirectly, or through third parties regardless of whether those third parties know of the order;</p> <p>(c) Exclude the respondent from the residence that the parties share;</p> <p>(d) Exclude the respondent from the residence, workplace, or school of the petitioner; or from the day care or school of a minor child;</p> <p>(e) Restrain the respondent from knowingly coming within, or knowingly remaining within, a specified distance from a specified location including, but not limited to, a residence, school, day care, workplace, the protected party’s person, and the protected party’s vehicle. The specified distance shall presumptively be at least 1,000 feet, unless the court for good cause finds that a shorter specified distance is appropriate;</p>	<p>knowingly coming within, or knowingly remaining within, a specified distance of a location, a protected party’s person, or a protected party’s vehicle, if the person restrained knows of the order. Presence of the order in the law enforcement computer-based criminal intelligence information system is not the only means of establishing knowledge of the order.</p> <p>(3) A violation of a domestic violence protection order, a sexual assault protection order, a stalking protection order, or a vulnerable adult protection order, or an order issued under chapter 9A.40, 9A.44, 9A.46, 9A.88, 9.94A, 10.99, 26.09, 26.26A, or 26.26B RCW, or a valid foreign protection order as defined in RCW 26.52.020, or a Canadian domestic violence protection order as defined in RCW 26.55.010, shall also constitute contempt of court, and is subject to the penalties prescribed by law.</p> <p>(4) Any assault that is a violation of a domestic violence protection order, a sexual assault protection order, a stalking protection order, or a vulnerable adult protection order, or an order issued under chapter 9A.40, 9A.44, 9A.46, 9A.88, 9.94A, 10.99, 26.09, 26.26A, or 26.26B RCW, or a valid foreign protection order as defined in RCW 26.52.020, or a Canadian domestic violence protection order as defined in RCW 26.55.010, and that does not amount to assault in the first or second degree under RCW 9A.36.011 or 9A.36.021 is a class C felony, and any conduct in violation of such an order</p>

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	<p>electronic communication to the person.</p>	<p>(iv) Any other adult for whom the petitioner demonstrates to the court's satisfaction that the petitioner is interested in the adult's well-being, the court's intervention is necessary, and the adult cannot file the petition because of age, disability, health, or inaccessibility.</p>	<p>(f) If the parties have children in common, make residential provisions with regard to their minor children on the same basis as is provided in chapter 26.09 RCW. However, parenting plans as specified in chapter 26.09 RCW must not be required under this chapter. The court may not delay or defer relief under this chapter on the grounds that the parties could seek a parenting plan or modification to a parenting plan in a different action. A protection order must not be denied on the grounds that the parties have an existing parenting plan in effect. A protection order may suspend the respondent's contact with the parties' children under an existing parenting plan, subject to further orders in a family law proceeding;</p> <p>(g) Order the respondent to participate in a state-certified domestic violence perpetrator treatment program approved under RCW 43.20A.735 or a state-certified sex offender treatment program approved under RCW 18.155.070;</p> <p>(h) Order the respondent to obtain a mental health or chemical dependency evaluation. If the court determines that a mental health evaluation is necessary, the court shall clearly document the reason for this determination and</p>	<p>that is reckless and creates a substantial risk of death or serious physical injury to another person is a class C felony.</p> <p>(5) A violation of a domestic violence protection order, a sexual assault protection order, a stalking protection order, or a vulnerable adult protection order, or a court order issued under chapter 9A.40, 9A.44, 9A.46, 9A.88, 9.94A, 10.99, 26.09, 26.26A, or 26.26B RCW, or a valid foreign protection order as defined in RCW 26.52.020, or a Canadian domestic violence protection order as defined in RCW 26.55.010, is a class C felony if the offender has at least two previous convictions for violating the provisions of a domestic violence protection order, a sexual assault protection order, a stalking protection order, or a vulnerable adult protection order, or an order issued under chapter 9A.40, 9A.44, 9A.46, 9A.88, 9.94A, 10.99, 26.09, 26.26A, or 26.26B RCW, or a valid foreign protection order as defined in RCW 26.52.020, or a Canadian domestic violence protection order as defined in RCW 26.55.010. The previous convictions may involve the same victim or other victims specifically protected by the orders the offender violated.</p> <p>(6)</p> <p>(a) A defendant arrested for violating a domestic violence protection order, sexual assault protection order, stalking protection order, or vulnerable adult protection order, or an order</p>

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			<p>provide a specific question or questions to be answered by the mental health professional. The court shall consider the ability of the respondent to pay for an evaluation. Minors are presumed to be unable to pay. The parent or legal guardian is responsible for costs unless the parent or legal guardian demonstrates inability to pay;</p> <p>(i) In cases where the petitioner and the respondent are students who attend the same public or private elementary, middle, or high school, the court, when issuing a protection order and providing relief, shall consider, among the other facts of the case, the severity of the act, any continuing physical danger, emotional distress, or educational disruption to the petitioner, and the financial difficulty and educational disruption that would be caused by a transfer of the respondent to another school. The court may order that the respondent not attend the public or private elementary, middle, or high school attended by the petitioner. If a minor respondent is prohibited attendance at the minor's assigned public school, the school district must provide the student comparable educational services in another setting. In such a case, the</p>	<p>granted under chapter 9A.40, 9A.44, 9A.46, 9A.88, 9.94A, 10.99, 26.09, 26.26A, or 26.26B RCW, or a valid foreign protection order as defined in RCW 26.52.020, or a Canadian domestic violence protection order as defined in RCW 26.55.010, is required to appear in person before a magistrate within one judicial day after the arrest. At the time of the appearance, the court shall determine the necessity of imposing a no-contact order or other conditions of pretrial release.</p> <p>(b) A defendant who is charged by citation, complaint, or information with violating any protection order identified in (a) of this subsection and not arrested shall appear in court for arraignment in person as soon as practicable, but in no event later than 14 days after the next day on which court is in session following the issuance of the citation or the filing of the complaint or information.</p>

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			<p>district shall provide transportation at no cost to the respondent if the respondent's parent or legal guardian is unable to pay for transportation. The district shall put in place any needed supports to ensure successful transition to the new school environment. The court shall send notice of the restriction on attending the same school as the petitioner to the public or private school the respondent will attend and to the school the petitioner attends;</p> <p>(j) Require the respondent to pay the administrative court costs and service fees, as established by the county or municipality incurring the expense, and to reimburse the petitioner for costs incurred in bringing the action, including reasonable attorneys' fees or limited license legal technician fees when such fees are incurred by a person licensed and practicing in accordance with state supreme court admission and practice rule 28, the limited practice rule for limited license legal technicians. Minors are presumed to be unable to pay. The parent or legal guardian is responsible for costs unless the parent or legal guardian demonstrates inability to pay;</p> <p>(k) Restrain the respondent from harassing, following, monitoring,</p>	

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			<p>keeping under physical or electronic surveillance, cyber harassment as defined in RCW 9A.90.120, and using telephonic, audiovisual, or other electronic means to monitor the actions, location, or communication of the petitioner or the petitioner's family or household members who are minors or other members of the petitioner's household. For the purposes of this subsection, "communication" includes both "wire communication" and "electronic communication" as defined in RCW 9.73.260;</p> <p>(l) Other than for respondents who are minors, require the respondent to submit to electronic monitoring. The order must specify who shall provide the electronic monitoring services and the terms under which the monitoring must be performed. The order also may include a requirement that the respondent pay the costs of the monitoring. The court shall consider the ability of the respondent to pay for electronic monitoring;</p> <p>(m) Consider the provisions of RCW 9.41.800, and order the respondent to surrender, and prohibit the respondent from accessing, having in his or her custody or control, possessing, purchasing, attempting to</p>	

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			<p>purchase or receive, or receiving, all firearms, dangerous weapons, and any concealed pistol license, as required in RCW 9.41.800;</p> <p>(n) Order possession and use of essential personal effects. The court shall list the essential personal effects with sufficient specificity to make it clear which property is included. Personal effects may include pets. The court may order that a petitioner be granted the exclusive custody or control of any pet owned, possessed, leased, kept, or held by the petitioner, respondent, or minor child residing with either the petitioner or respondent, and may prohibit the respondent from interfering with the petitioner's efforts to obtain the pet. The court may also prohibit the respondent from knowingly coming within, or knowingly remaining within, a specified distance of specified locations where the pet is regularly found;</p> <p>(o) Order use of a vehicle;</p> <p>(p) Enter an order restricting the respondent from engaging in abusive litigation as set forth in chapter 26.51 RCW or in frivolous filings against the petitioner, making harassing or libelous communications about the petitioner to third parties, or making false reports to investigative agencies. A petitioner may request this relief</p>	

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			<p>in the petition or by separate motion. A petitioner may request this relief by separate motion at any time within five years of the date the protection order is entered even if the order has since expired. A stand-alone motion for an order restricting abusive litigation may be brought by a party who meets the requirements of chapter 26.51 RCW regardless of whether the party has previously sought a protection order under this chapter, provided the motion is made within five years of the date the order that made a finding of domestic violence was entered. In cases where a finding of domestic violence was entered pursuant to an order under chapter 26.09, *26.26, or 26.26A RCW, a motion for an order restricting abusive litigation may be brought under the family law case or as a stand-alone action filed under this chapter, when it is not reasonable or practical to file under the family law case;</p> <p>(q) Restrain the respondent from committing acts of abandonment, abuse, neglect, or financial exploitation against a vulnerable adult;</p> <p>(r) Require an accounting by the respondent of the disposition of the vulnerable adult's income or other resources;</p> <p>(s) Restrain the transfer of either</p>	

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			<p>the respondent's or vulnerable adult's property, or both, for a specified period not exceeding 90 days;</p> <p>(t) Order financial relief and restrain the transfer of jointly owned assets;</p> <p>(u) Restrain the respondent from possessing or distributing intimate images, as defined in RCW 9A.86.010, depicting the petitioner including, but not limited to, requiring the respondent to: Take down and delete all intimate images and recordings of the petitioner in the respondent's possession or control; and cease any and all disclosure of those intimate images. The court may also inform the respondent that it would be appropriate to ask third parties in possession or control of the intimate images of this protection order to take down and delete the intimate images so that the order may not inadvertently be violated; or</p> <p>(v) Order other relief as it deems necessary for the protection of the petitioner and other family or household members who are minors or vulnerable adults for whom the petitioner has sought protection, including orders or directives to a law enforcement officer, as allowed under this chapter.</p>	

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<p>WEST VIRGINIA</p>	<p>W. VA. CODE § 48-27-202 (3) - Domestic violence defined.</p> <p>“Domestic violence” or “abuse” means the occurrence of one or more of the following acts between family or household members, as that term is defined in section two hundred four [§ 48-27-204] of this article:</p> <p>(3) Creating fear of physical harm by harassment, stalking, psychological abuse or threatening acts;</p> <p>W. VA. CODE § 61-2-9a (a), (b) - Stalking; harassment; penalties; definitions.</p> <p>(a) Any person who repeatedly follows another knowing or having reason to know that the conduct causes the person followed to reasonably fear for his or her safety or suffer significant emotional distress, is guilty of a misdemeanor and, upon conviction thereof, shall be incarcerated in the county or regional jail for not more than six months or fined not more than one thousand dollars, or both.</p> <p>(b) Any person who repeatedly harasses or repeatedly makes credible threats against another is guilty of a misdemeanor and, upon conviction thereof, shall be incarcerated in the county or regional jail for not more than six months or fined not more than one thousand dollars, or both.</p>	<p>W. VA. CODE § 48-27-202 Domestic violence defined.</p> <p>“Domestic violence” or “abuse” means the occurrence of one or more of the following acts between family or household members, as that term is defined in section two hundred four [§ 48-27-204] of this article:</p> <p>(1) Attempting to cause or intentionally, knowingly or recklessly causing physical harm to another with or without dangerous or deadly weapons;</p> <p>(2) Placing another in reasonable apprehension of physical harm;</p> <p>(3) Creating fear of physical harm by harassment, stalking, psychological abuse or threatening acts;</p> <p>(4) Committing either sexual assault or sexual abuse as those terms are defined in articles eight-b [§§ 61-8B-1 et seq.] and eight-d [§§ 61-8D-1 et seq.], chapter sixty-one of this code; and</p> <p>(5) Holding, confining, detaining or abducting another person against that person's will.</p> <p>W. VA. CODE § 48-27-204</p>	<p>W. VA. CODE § 48-27-502 (a), (b) - Mandatory provisions in protective order.</p> <p>(a) A protective order must order the respondent to refrain from abusing, harassing, stalking, threatening or otherwise intimidating the petitioner or the minor children, or engaging in other conduct that would place the petitioner or the minor children in reasonable fear of bodily injury.</p> <p>(b) The protective order must prohibit the respondent from possessing any firearm or ammunition.</p>	<p>W. VA. CODE § 61-2-9a(a)-(g) Stalking; harassment; penalties; definitions.</p> <p>(a) Any person who engages in a course of conduct directed at another person with the intent to cause the other person to fear for his or her personal safety, the safety of others, or suffer substantial emotional distress, or causes a third person to so act, is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$1,000, confined in jail for not more than six months, or both fined and confined.</p> <p>(b) Any person who harasses or repeatedly makes credible threats against another is guilty of a misdemeanor and, upon conviction thereof, shall be confined in jail for not more than six months, or fined not more than \$1,000, or both fined and confined.</p> <p>(c) Notwithstanding any provision of this code to the contrary, any person who violates the provisions of subsection (a) or (b) of this section in violation of an order entered by a circuit court, magistrate court, or family court judge, in effect and entered pursuant to §48-5-501, §48-5-601, or §48-27-403 of this code, is guilty of a misdemeanor and, upon conviction thereof, shall be confined in jail for not less than 90 days nor more than one year, or fined not less than \$2,000 nor more than \$5,000, or both fined and confined.</p>

STATE	DEFINITION OF STALKING	WHO QUALIFIES FOR AN ORDER?	RELIEF AVAILABLE	PENALTIES AND SANCTIONS
		<p>Family or household members defined</p> <p>“Family or household members” means persons who:</p> <p>(1) Are or were married to each other;</p> <p>(2) Are or were living together as spouses;</p> <p>(3) Are or were sexual or intimate partners;</p> <p>(4) Are or were dating: Provided, That a casual acquaintance or ordinary fraternization between persons in a business or social context does not establish a dating relationship;</p> <p>(5) Are or were residing together in the same household;</p> <p>(6) Have a child in common regardless of whether they have ever married or lived together;</p> <p>(7) Have the following relationships to another person:</p> <p>(A) Parent;</p> <p>(B) Stepparent;</p> <p>(C) Brother or sister;</p> <p>(D) Half-brother or half-sister;</p> <p>(E) Stepbrother or stepsister;</p> <p>(F) Father-in-law or mother-in-law;</p> <p>(G) Stepfather-in-law or stepmother-in-law;</p>		<p>(d) A second or subsequent conviction for a violation of subsection (a) or (b) of this section is a felony punishable by imprisonment in a state correctional facility for not less than one year nor more than five years, or fined not less than \$3,000 nor more than \$10,000, or both fined and imprisoned.</p> <p>(e) Notwithstanding any provision of this code to the contrary, any person against whom a protective order is in effect for injunctive relief pursuant to the provisions of §48-5-608 or §48-27-501 of this code, who has been served with a copy of said order, who commits a violation of the provisions of this section, in which the subject in the protective order is the victim, shall be guilty of a felony and, upon conviction thereof, be imprisoned in a state correctional facility for not less than one year nor more than five years, or fined not less than \$3,000 nor more than \$10,000, or both fined and imprisoned.</p> <p>(f) Notwithstanding any provision of this code to the contrary, any person against whom a protective order is in effect pursuant to the provisions of §53-8-7 of this code, who has been previously served with a copy of said order, who commits a violation of the provisions of this section, in which the subject in the protective order is the victim, is guilty of a felony and punishable by imprisonment in a state correctional facility for not less than one year nor more than five years, or fined not less than \$3,000 nor more</p>

STATE	DEFINITION OF STALKING	WHO QUALIFIES FOR AN ORDER?	RELIEF AVAILABLE	PENALTIES AND SANCTIONS
		<p>(H) Child or stepchild; (I) Daughter-in-law or son-in-law; (J) Stepdaughter-in-law or stepson-in-law; (K) Grandparent; (L) Step grandparent; (M) Aunt, aunt-in-law or step aunt; (N) Uncle, uncle-in-law or step uncle; (O) Niece or nephew; (P) First or second cousin; or (8) Have the relationships set forth in paragraphs (A) through (P), subdivision (7) of this section to a family or household member, as defined in subdivisions (1) through (6) of this section.</p>		<p>than \$10,000, or both fined and confined. (g) Notwithstanding any provision of this code to the contrary, any person who harasses another person with the intent to cause the person to physically injure himself or herself, or to take his or her own life, or who continues to harass another, knowing or having reason to know that the person is likely to physically injure himself or herself, or to take his or her own life based, in whole or in part, on such harassment, is guilty of a felony and, upon conviction, shall be imprisoned in a state correctional facility for a determinate sentence of not less than two years nor more than 10 years.</p>
<p>WISCONSIN</p>	<p>Wis. STAT. § 813.125 (1) - Harassment Restraining Order and injunctions.</p> <p>(1) Definitions. (am) In this section: 3. “Elder person” means any individual who is 60 years of age or older. 4. “Harassment” means any of the following: a. Striking, shoving, kicking or otherwise subjecting another person to physical contact; engaging in an act that would constitute abuse under s. 48.02 (1), sexual assault under s. 940.225, or stalking under s. 940.32; or attempting or threatening to do the same. b. Engaging in a course of conduct or repeatedly committing acts which</p>	<p>Wis. STAT. § 813.125 (2) - Harassment Restraining Order and injunctions.</p> <p>(2) Commencement of action. (a) An action under this section may be commenced by filing a petition described under sub. (5) (a). No action under this section may be commenced by service of summons. The action commences with service of the petition upon the respondent if a copy of the petition is filed before service or promptly after service. If the judge or a circuit court commissioner extends the</p>	<p>Wis. STAT. § 813.125 Harassment Restraining Order and injunctions.</p> <p>(3) TEMPORARY RESTRAINING ORDER. (a) A judge or circuit court commissioner may issue a temporary restraining order ordering the respondent to avoid contacting or causing any person other than a party's attorney or a law enforcement officer to contact the petitioner without the petitioner's written consent; to cease or avoid the harassment of another person; to avoid the petitioner's residence, except as provided in par. (am), or any</p>	<p>Wis. STAT. § 813.125 Harassment Restraining Order and injunctions.</p> <p>(4m) RESTRICTION ON FIREARM POSSESSION; SURRENDER OF FIREARMS. (a) If a judge or circuit court commissioner issues an injunction under sub. (4) and the judge or circuit court commissioner determines, based on clear and convincing evidence presented at the hearing on the issuance of the injunction, that the respondent may use a firearm to cause physical harm to another or to endanger public safety, the judge or circuit court commissioner may prohibit the respondent from</p>

STATE	DEFINITION OF STALKING	WHO QUALIFIES FOR AN ORDER?	RELIEF AVAILABLE	PENALTIES AND SANCTIONS
	<p>harass or intimidate another person and which serve no legitimate purpose.</p> <p>Wis. STAT. § 940.32 -Stalking.</p> <p>(1) In this section:</p> <p>(a) “Course of conduct” means a series of 2 or more acts carried out over time, however short or long, that show a continuity of purpose, including any of the following:</p> <ol style="list-style-type: none"> 1. Maintaining a visual or physical proximity to the victim. 2. Approaching or confronting the victim. 3. Appearing at the victim’s workplace or contacting the victim’s employer or coworkers. 4. Appearing at the victim’s home or contacting the victim’s neighbors. 5. Entering property owned, leased, or occupied by the victim. 6. Contacting the victim by telephone, text message, electronic message, electronic mail, or other means of electronic communication or causing the victim’s telephone or electronic device or any other person’s telephone or electronic device to ring or generate notifications repeatedly or continuously, regardless of whether a conversation ensues. 6m. Photographing, videotaping, audiotaping, or, through any other electronic means, monitoring or recording the activities of the victim. This subdivision applies regardless of where the act occurs. <p>7. Sending to the victim any physical or</p>	<p>time for a hearing under sub. (3) (c) and the petitioner files an affidavit with the court stating that personal service by the sheriff or a private server under s. 801.11 (1) (a) or (b) was unsuccessful because the respondent is avoiding service by concealment or otherwise, the judge or circuit court commissioner shall inform the petitioner that he or she may serve the respondent by publication of a summary of the petition as a class 1 notice, under ch. 985, and by mailing or sending a facsimile if the respondent’s post-office address or facsimile number is known or can with due diligence be ascertained. The mailing or sending of a facsimile may be omitted if the post-office address or facsimile number cannot be ascertained with due diligence. A summary of the petition published as a class 1 notice shall include the name of the respondent and of the petitioner, notice of the temporary restraining order, and notice of the date, time, and place of the hearing regarding the injunction. The court shall inform the petitioner in writing that, if the petitioner chooses to</p>	<p>premises temporarily occupied by the petitioner or both; or any combination of these remedies requested in the petition, if all of the following occur:</p> <ol style="list-style-type: none"> 1. The petitioner files a petition alleging the elements set forth under sub. (5) (a). 2. The judge or circuit court commissioner finds reasonable grounds to believe that the respondent has engaged in harassment with intent to harass or intimidate the petitioner. <p>(am) If the petitioner and the respondent are not married, and the respondent owns the premises where the petitioner resides, and the petitioner has no legal interest in the premises, in lieu of ordering the respondent to avoid the petitioner’s residence under par. (a) the judge or circuit court commissioner may order the respondent to avoid the premises for a reasonable time until the petitioner relocates and shall order the respondent to avoid the new residence for the duration of the order.</p> <p>(4) INJUNCTION.</p> <p>(a) A judge or circuit court commissioner may grant an injunction ordering the respondent to avoid contacting or causing any person other than a party’s attorney or a law enforcement officer to contact the petitioner without the</p>	<p>possessing a firearm.</p> <p>(7) PENALTY. Whoever violates a temporary restraining order or injunction issued under this section shall be fined not more than 10,000 or imprisoned not more than 9 months or both.</p> <p>Wis. Stat. § 940.32: Stalking</p> <p>(2) Whoever meets all of the following criteria is guilty of a Class I felony:</p> <p>(a) The actor intentionally engages in a course of conduct directed at a specific person that would cause a reasonable person under the same circumstances to suffer serious emotional distress or to fear bodily injury to or the death of himself or herself or a member of his or her family or household.</p> <p>(b) The actor knows or should know that at least one of the acts that constitute the course of conduct will cause the specific person to suffer serious emotional distress or place the specific person in reasonable fear of bodily injury to or the death of himself or herself or a member of his or her family or household.</p> <p>(c) The actor’s acts cause the specific person to suffer serious emotional distress or induce fear in the specific person of bodily injury to or the death of himself or herself or a member of his or her family or household.</p> <p>(2e) Whoever meets all of the following criteria is guilty of a Class I felony:</p> <p>(a) After having been convicted of</p>

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	<p>electronic material or contacting the victim by any means, including any message, comment, or other content posted on any Internet site or web application.</p> <p>7m. Sending to a member of the victim's family or household, or any current or former employer of the victim, or any current or former coworker of the victim, or any friend of the victim any physical or electronic material or contacting such person by any means, including any message, comment, or other content posted on any Internet site or web application for the purpose of obtaining information about, disseminating information about, or communicating with the victim.</p> <p>8. Placing an object on or delivering an object to property owned, leased, or occupied by the victim.</p> <p>9. Delivering an object to a member of the victim's family or household or an employer, coworker, or friend of the victim or placing an object on, or delivering an object to, property owned, leased, or occupied by such a person with the intent that the object be delivered to the victim.</p> <p>10. Causing a person to engage in any of the acts described in subds. 1. to 9.</p>	<p>have the documents in the action served by the sheriff, the petitioner should contact the sheriff to verify the proof of service of the petition.</p> <p>Section 813.06 does not apply to an action under this section.</p> <p>(b) Notwithstanding s. 803.01 (3) (a), a child, as defined in s. 813.122 (1) (b), or a parent, stepparent, or legal guardian of a child may be a petitioner under this section.</p>	<p>petitioner's written consent; to cease or avoid the harassment of another person; to avoid the petitioner's residence, except as provided in par. (am), or any premises temporarily occupied by the petitioner or both; to refrain from removing, hiding, damaging, harming, or mistreating, or disposing of, a household pet; to allow the petitioner or a family member or household member of the petitioner acting on his or her behalf to retrieve a household pet; or any combination of these remedies requested in the petition, if all of the following occur:</p> <p>1. The petitioner has filed a petition alleging the elements set forth under sub. (5) (a).</p> <p>2. The petitioner serves upon the respondent a copy of a restraining order obtained under sub. (3) and notice of the time for the hearing on the issuance of the injunction under sub. (3) (c). The restraining order or notice of hearing served under this subdivision shall inform the respondent that, if the judge or circuit court commissioner issues an injunction, the judge or circuit court commissioner may also order the respondent not to possess a firearm while the injunction is in effect. The person who serves the respondent with</p>	<p>sexual assault under s. 940.225, 948.02, 948.025, or 948.085 or a domestic abuse offense, the actor engages in any of the acts listed in sub. (1) (a) 1. to 10., if the act is directed at the victim of the sexual assault or the domestic abuse offense.</p> <p>(b) The actor knows or should know that the act will cause the specific person to suffer serious emotional distress or place the specific person in reasonable fear of bodily injury to or the death of himself or herself or a member of his or her family or household.</p> <p>(c) The actor's act causes the specific person to suffer serious emotional distress or induces fear in the specific person of bodily injury to or the death of himself or herself or a member of his or her family or household.</p> <p>(2m) Whoever violates sub. (2) is guilty of a Class H felony if any of the following applies:</p> <p>(a) The actor has a previous conviction for a violent crime, as defined in s. 939.632 (1) (e) 1., or a previous conviction under this section or s. 947.013 (1r), (1t), (1v), or (1x).</p> <p>(b) The actor has a previous conviction for a crime, the victim of that crime is the victim of the present violation of sub. (2), and the present violation occurs within 7 years after the prior conviction.</p> <p>(c) The actor intentionally gains access or causes another person to gain access to a record in electronic format that contains personally identifiable</p>

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			<p>the order or notice shall also provide the respondent with all of the following information:</p> <p>a. Notice of the requirements and penalties under s. 941.29 and notice of any similar applicable federal laws and penalties.</p> <p>b. An explanation of s. 813.1285, including the procedures for surrendering a firearm and the circumstances listed under s. 813.1285 under which a respondent must appear at a hearing to surrender firearms.</p> <p>c. A firearm possession form developed under s. 813.1285 (5) (a), with instructions for completing and returning the form.</p>	<p>information regarding the victim in order to facilitate the violation.</p> <p>(d) The person violates s. 968.31 (1) or 968.34 (1) in order to facilitate the violation.</p> <p>(e) The victim is under the age of 18 years at the time of the violation.</p> <p>(3) Whoever violates sub. (2) is guilty of a Class F felony if any of the following applies:</p> <p>(a) The act results in bodily harm to the victim or a member of the victim’s family or household.</p> <p>(b) The actor has a previous conviction for a violent crime, as defined in s. 939.632 (1) (e) 1., or a previous conviction under this section or s. 947.013 (1r), (1t), (1v) or (1x), the victim of that crime is the victim of the present violation of sub. (2), and the present violation occurs within 7 years after the prior conviction.</p> <p>(c) The actor uses a dangerous weapon in carrying out any of the acts listed in sub. (1) (a) 1. to 9.</p>
<p>WYOMING</p>	<p>Wyo. STAT. ANN. § 7-3-506 (a)(iv) - Definitions.</p> <p>(a) As used in W.S. 7-3-506 through 7-3-512:</p> <p style="text-align: center;">***</p> <p>(iv) “Stalking” means conduct as defined by W.S. 6-2-506(b).</p> <p>Wyo. STAT. ANN. § 6-2-506(a)-(b) - Stalking; penalty.</p> <p>(a) As used in this section:</p> <p>(i) “Course of conduct” means a pattern of conduct composed of a series of acts</p>	<p>Wyo. STAT. ANN. § 35-21-102 Definitions.</p> <p>(a) As used in this act:</p> <p>(i) “Adult” means a person who is sixteen (16) years of age or older, or legally married;</p> <p>(ii) “Court” means the circuit court or, if the county does not have a circuit court, the district court in the county where an alleged victim of domestic abuse resides or is</p>	<p>Wyo. STAT. ANN. § 7-3-510 Service of order; duration and extension of order; violation; remedies not exclusive.</p> <p>(a) An order of protection granted under W.S. 7-3-509 shall be served upon the respondent pursuant to the Wyoming Rules of Civil Procedure. A copy of the order of protection shall be filed with the sheriff of the county.</p> <p>(b) An order of protection granted by the court under W.S.</p>	<p>Wyo. STAT. ANN. § 6-2-506 (d), (e) - Stalking; penalty.</p> <p>(d) Except as provided under subsection (e) of this section, stalking is a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than seven hundred fifty dollars (\$750.00), or both.</p> <p>(e) A person convicted of stalking under subsection (b) of this section is guilty of felony stalking punishable by imprisonment for not more than ten (10) years, if:</p>

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	<p>over any period of time evidencing a continuity of purpose;</p> <p>(ii) “Harass” means to engage in a course of conduct, including but not limited to verbal threats, written threats, lewd or obscene statements or images, vandalism or nonconsensual physical contact, directed at a specific person that the defendant knew or should have known would cause:</p> <p>(A) A reasonable person to suffer substantial emotional distress;</p> <p>(B) A reasonable person to suffer substantial fear for their safety or the safety of another person; or</p> <p>(C) A reasonable person to suffer substantial fear for the destruction of their property.</p> <p>(b) Unless otherwise provided by law, a person commits the crime of stalking if, with intent to harass another person, the person engages in a course of conduct reasonably likely to harass that person, including but not limited to any combination of the following:</p> <p>(i) Communicating, anonymously or otherwise, or causing a communication with another person by verbal, electronic, mechanical, telegraphic, telephonic or written means in a manner that harasses;</p> <p>(ii) Following a person, other than within the residence of the defendant;</p> <p>(iii) Placing a person under surveillance by remaining present outside his or her school, place of employment, vehicle, other place occupied by the person, or residence other than the residence of the defendant;</p>	<p>found;</p> <p>(iii) “Domestic abuse” means the occurrence of one (1) or more of the following acts by a household member but does not include acts of self defense:</p> <p>(A) Physically abusing, threatening to physically abuse, attempting to cause or causing physical harm or acts which unreasonably restrain the personal liberty of any household member;</p> <p>(B) Placing a household member in reasonable fear of imminent physical harm; or</p> <p>(C) Causing a household member to engage involuntarily in sexual activity by force, threat of force or duress.</p> <p>(iv) “Household member” includes:</p> <p>(A) Persons married to each other;</p> <p>(B) Persons living with each other as if married;</p> <p>(C) Persons formerly married to each other;</p> <p>(D) Persons formerly living with each other as if married;</p> <p>(E) Parents and their adult children;</p> <p>(F) Other adults sharing common living quarters;</p> <p>(G) Persons who are the parents of a child but who are not living with each other;</p>	<p>7-3-509 shall be effective for a fixed period of time not to exceed one (1) year. Either party may move to modify, terminate or extend the order. The order may be extended repetitively upon a showing of good cause for additional periods of time not to exceed one (1) year each.</p> <p>(c) Willful violation of a temporary order of protection issued under W.S. 7-3-508 or of an order of protection issued under W.S. 7-3-509 is a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than seven hundred fifty dollars (\$750.00), or both. A temporary order of protection issued under W.S. 7-3-508 and an order of protection issued under W.S. 7-3-509 shall have statewide applicability and a criminal prosecution under this subsection may be commenced in any county in which the respondent commits an act in violation of the order.</p> <p>(d) The remedies provided by W.S. 7-3-506 through 7-3-511 are in addition to any other civil or criminal remedy available under the law.</p> <p>Wyo. STAT. ANN. § 7-3-509 (a), (b)</p> <p>-</p>	<p>(i) The act or acts leading to the conviction occurred within five (5) years of a prior conviction under this subsection, or under subsection (b) of this section, or under a substantially similar law of another jurisdiction;</p> <p>(ii) The defendant caused serious bodily harm to the victim or another person in conjunction with committing the offense of stalking;</p> <p>(iii) The defendant committed the offense of stalking in violation of any condition of probation, parole or bail; or</p> <p>(iv) The defendant committed the offense of stalking in violation of a temporary or permanent order of protection issued pursuant to W.S. 7-3-508 or 7-3-509, or pursuant to a substantially similar law of another jurisdiction.</p> <p>Wyo. STAT. ANN. § 1-1-126 (a) - Civil Liability for stalking.</p> <p>(a) A person who is the victim of stalking as defined by W.S. 6-2-506 may maintain a civil action against an individual who engages in a course of conduct that is prohibited under W.S. 6-2-506 for damages incurred by the victim as a result of that conduct. The aggrieved party may also seek and be awarded exemplary damages, reasonable attorney's fees and costs of the action.</p> <p>Wyo. STAT. ANN. § 6-4-404 (a), (b) -</p>

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	<p>(iv) Using any electronic, digital or global positioning system device or other electronic means to place another person under surveillance or to surveil another person's internet or wireless activity without authorization from the other person; or</p> <p>(v) Otherwise engaging in a course of conduct that harasses another person.</p>	<p>and</p> <p>(H) Persons who are in, or have been in, a dating relationship</p> <p>Wyo. STAT. ANN. § 7-3-507 Petition for orders of protection; contents; requisites; indigent petitioners.</p> <p>(a) A petition for an order of protection may be filed by a victim of stalking, or the district attorney on behalf of the alleged victim. A petition for an order of protection for a victim of sexual assault may be filed by:</p> <p>(i) The victim;</p> <p>(ii) If the victim consents, the district attorney on behalf of the victim; or</p> <p>(iii) Any person with legal authority to act on behalf of the victim if the victim is:</p> <p>(A) A minor;</p> <p>(B) A vulnerable adult as defined in W.S. 35-20-102(a)(xviii);</p> <p>(C) Any other adult who, because of age, disability, health or inaccessibility, cannot file the petition.</p>	<p>Order of protection; contents; remedies; order not to affect title to property.</p> <p>(a) Following a hearing under W.S. 7-3-508(a) and upon a finding that conduct constituting stalking has been committed, the court shall enter an order of protection ordering the respondent to refrain from any further acts of stalking involving the victim or any other person. As a part of any order of protection, the court may direct that the respondent:</p> <p>(i) Stay away from the home, school, business or place of employment of the victim or any other locations the court may describe in the order; and</p> <p>(ii) Refrain from contacting, intimidating, threatening or otherwise interfering with the victim of the alleged offense and any other persons, including but not limited to members of the family or household of the victim, as the court may describe in the order.</p> <p>(b) The order shall contain a notice that willful violation of any provision of the order constitutes a crime as defined by W.S. 7-3-510(c), can result in immediate arrest and may in some cases subject the perpetrator to enhanced penalties for felony stalking under W.S. 6-2-506(e).</p>	<p>Violation of order of protection; penalty.</p> <p>(a) Any person who willfully violates a protection order or valid foreign protection order as defined in W.S. 35-21-109(a), is guilty of a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than seven hundred fifty dollars (\$750.00), or both.</p> <p>(b) For purposes of subsection (a) of this section, "protection order" means an order of protection issued pursuant to W.S. 35-21-104 or 35-21-105 or any injunction or other order issued for the purpose of preventing violent or threatening acts or harassment against, or contact or communication with or physical proximity to, another person, including temporary and final orders issued by civil and criminal courts, other than support or child custody orders, whether obtained by filing an independent action or as a pendente lite order in another proceeding so long as any civil order was issued in response to a complaint, petition or motion filed by or on behalf of a person seeking protection.</p>

