What if the stalker is a former spouse or partner?

If you are being stalked in a domestic abuse situation, there is a network of domestic abuse programs throughout the state of Iowa that can advise and assist you.

Domestic abuse programs offer free, confidential advocacy and counseling. Programs provide shelter to victims who are not safe in their own home. These programs also offer advocacy with the criminal justice system.

Call your local domestic abuse program or the statewide Iowa Domestic Abuse Hotline at 1-800-942-0333. The phone is answered by advocates 24 hours a day every day of the year.

You may also want to seek a domestic abuse protection order through your local county clerk of court. This is a court order signed by a judge telling the stalker to stay away from you and not to have contact with you in person, in writing, or by phone. You do not need an attorney to obtain a domestic abuse protection order but may want to consult with one depending on your situation.

Other protection orders can be issued in connection with a criminal case. A protection order connected to a criminal case is called a no-contact order. Protection orders can also be issued in connection with a civil case such as a lawsuit or a divorce.

A person who violates an order can be found in contempt of court and jailed or fined. To find out more about protection orders, contact your local domestic abuse program, a private attorney, legal aid or legal services, the county attorney, or the clerk of court.

Contact the Crime Victim Compensation Program at 1-800-373-5044 if you are being stalked or harassed and if the crime has been reported to law enforcement. The program may be able to assist you with medical and counseling expenses related to the crime.

A message from Attorney General **Tom Miller**

Stalking is a form of terrorism. It can be a sign of pending danger and can change a victim's way of life. Hundreds of Iowans feel that terror every year.

This pamphlet will help you understand the law and what the law can do for you. Information about other resources and action you can take if you are victim of stalking are also included in this pamphlet.

If you need more information, please call the Crime Victim Assistance Division at 1-800-373-5044 or visit our website at www.state.ia.us/government/ag/CVAD.

Local contact

Phone number

December 2007

Stalking

ARE YOU BEING STALKED?

STALKING IS A CRIME

Iowa Attorney General's
Crime Victim Assistance Division
Lucas Building, Ground Floor
321 East 12th
Des Moines, Iowa 50319
(515) 281-5044
(800) 373-5044
(515) 281-8199 (fax)

What is Stalking?

Stalking involves intentional and repeated behaviors that place an individual in reasonable fear for his or her safety. Stalking is a course of conduct used to maintain contact with, or exercise power and control over, another individual. Stalking is serious, often violent, and can escalate over time. Stalking is a crime.

Some Things Stalkers Do:

- → Follow you and show up wherever you are;
- → Repeatedly call you, including hang ups;
- → Damage your home, car, or other property;
- → Send unwanted gifts, letters, cards, or emails;
- → Monitor your phone calls or computer use;
- → Threaten you or someone close to you;
- → Drive by or hang around at your home, school, or work;
- → Find out about you by using public records or on line search services, hiring investigators, going through your garbage, or contacting friends, family, neighbors, or co-workers;
- → Repeatedly show up, with no legitimate purpose at places where you are present; and
- → Other actions that control, track, or frighten you.

Important Facts

- 1 in 12 women and 1 in 45 men are stalked at some point in their life
- A woman is 3 times more likely to be stalked than raped
- 76% of women killed by their intimate partners were stalked by these partners before they were killed
- 1.4 million people are stalked every year in the United States
- 80% of all restraining orders obtained against stalkers are violated
- More than 13% of college women indicate they have been stalked
- 59% of female victims are stalked by current or former intimate partners

What Is The Stalking Law?

Under Iowa code section 708.11 a person commits stalking when all of the following occur:

1. The person purposefully engages in a course of conduct directed at a specific person that would cause a reasonable person to fear bodily injury to, or the death of, that specific person or a member of the specific person's immediate family.
2. The person has knowledge or should have knowledge that the specific person will be placed in reasonable fear of 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.
3. The person's course of conduct induces fear in the specific person of bodily injury to, or the death of, the specific person or a member of the specific person's immediate family.

What Are The Penalties For a Stalking Conviction?

First-offense stalking is usually an aggravated misdemeanor, punishable by up to two years in prison and /or a fine of $500 to $5,000. However, for any of the following situations stalking is a Class "D" felony, punishable by up to five years in prison and/or a $500 to $7,500 fine: stalking in violation of a no-contact order, stalking with a dangerous weapon, or stalking someone under age eighteen. Third-offense stalking is a Class "C" felony, punishable by up to ten years in prison and/or a $500 to $10,000 fine.

At the initial court appearance after a person is arrested for stalking or harassment a magistrate may order that the defendant have "no contact" with the victim or the victim's family or household members. This order will be in affect for 5 years and can be renewed.

What To Do If You Are Being Stalked?

- Don't communicate with the stalker or respond to attempts to contact you.
- If you are in immediate danger call 911
- Trust your instincts. Don't downplay the danger. If you feel unsafe, you probably are.
- Keep evidence of the stalking. When the stalker follows you or contacts you, write down the time, date, and place in a notebook. Keep e-mails, phone messages, letters, or notes. Photograph anything of yours the stalker damages and any injuries the stalker causes. Ask witnesses to write down what they saw.
- Contact the police. The stalker may also have broken other laws by doing things like assaulting you or stealing or destroying your property.
- Consider getting a no contact order that tells the stalker to stay away from you. Keep copies of the order with you at all times.
- Tell family, friends, and co-workers about the stalking and seek their support. Tell the security staff at your job or school. Ask them to help watch out for your safety.
- Develop a safety plan, including things like changing your routine, arranging a place to stay, and having a friend or relative go places with you. Also, decide in advance what to do if the stalker shows up at your home, work, school, or somewhere else. Tell people how they can help you.
- Take threats seriously. Danger generally is higher when the stalker talks about suicide or murder, or when a victim tries to leave or end the relationship.
- Contact a crisis hotline, victim service agency, or a domestic violence or rape program. They can help you devise a safety plan, give you information about state laws, refer you to other services, and weigh your options such as seeking a no contact order.