

Park securely and in well-lit areas. Ask someone to escort you to your car.

Be aware of vehicles following you. If you are followed, drive to a police station, fire department or busy shopping center and sound the horn to attract attention.

Alert managers or security at your place of business. Provide a picture or description of the stalker.

Have a security check of your home made by law enforcement to ensure it can be locked safely. Secure all doors and windows in your home and vehicle.

Maintain an unlisted number. If Caller ID is available in your area, obtain the service for your phone.

Do not dismiss any threat, written or verbal. Call the police or sheriff's department and save any documentation.

Maintain privacy. Never give out personal information to anyone in places where the information can be overheard. Remove your phone number and Social Security number from as many items as possible.

Develop a safety plan for yourself and family members in case of emergency. Decide on a safe place to meet and someone to call if problems do arise.

## WHAT is stalking?

Stalking can be perpetrated by the stalker or by someone acting on her/his behalf. Stalking can take the form of verbal threats or threats conveyed by the stalker's conduct, such as following the victim, sending threatening mail, property damage or surveillance of the victim.

-Texas Stalking Law

### CRIME VICTIM services division

The Crime Victim Services Division consists of four sections: the Sexual Assault Prevention and Crisis Services Program, the Grant and Contract Management Section, the Statewide Automated Victim Notification Program (Texas VINE), and the Crime Victims' Compensation Program.

### CRIME VICTIMS' compensation

If you are a victim of stalking, you may be eligible for reimbursement of certain out-of-pocket expenses related to the crime. Please check our website or call for information and an application form.

Office of the Attorney General  
P.O. Box 12198  
Austin, Texas 78711-2198

(800) 983-9933 Statewide  
(512) 936-1200 in Austin  
(512) 936-1800 Fax  
[www.oag.state.tx.us](http://www.oag.state.tx.us)

Texas VINE provides victims and concerned members of the community with up-to-date information about offenders' county jail custody and/or court status, 24 hours a day. Users register with the Texas VINE service by calling 1-877-TX4-VINE/1-877-894-8463 or by logging on to [www.VINElink.com](http://www.VINElink.com).



REV 08/05

DEFENDING YOURSELF  
AGAINST STALKING



# WHAT IS STALKING?

what is  
stalking?

A stalker tries to control his or her victim through behavior or threats intended to intimidate and terrify. A stalker can be an unknown person, an acquaintance or a former intimate partner. A stalker's state of mind can range from obsessive love to obsessive hatred. A stalker may follow a victim off and on for a period of days, weeks or even years. Stalking victims feel reasonable fear of bodily injury or death to themselves, family or household members, or may fear damage to property.

## HOW DO I KNOW if I am being stalked?

The stalker may on more than one occasion:

- follow the victim and/or victim's family or household members;
- do damage to property - perhaps by vandalizing a car, harming a pet, or breaking windows at the victim's home;
- make threatening calls or send threatening mail; or
- drive by or park near the victim's home, office or other place familiar to the victim.

## WHAT IS a terroristic threat?

A terroristic threat is a Penal Code offense. A person makes a terroristic threat if he or she threatens to commit any offense involving violence to any person or property with the intent to place someone in fear of imminent serious bodily injury.

### **Terroristic Threat Law: Section 22.07, Penal Code**

**Penalty: Class B misdemeanor**

**Punishment: Fine of up to \$2,000 and up to six months in jail**

## HOW IS stalking proven?

- Intent of stalker: The stalker has the intent or the knowledge that his/her actions will instill fear of death or bodily injury to the victim or a member of the victim's family or household. Threats can be explicit (e.g.—stating that he or she is going to kill the victim) or implied (e.g.—veiled threats, hurting a family pet). Threats have to be aimed at a specific person; they cannot be general threats. Threats may be conveyed by the stalker or by someone acting on behalf of the stalker.
- Conduct of stalker: The conduct has to occur on more than one occasion and be directed toward the victim and/or the victim's family or household members. More than one police report is not required. The acts may include threatening contact by mail or phone or causing damage to the victim's property.

## **Texas Stalking Law: Section 42.072, Penal Code**

**Penalty: 3rd degree felony**

**Punishment: Two to 10 years in prison and a fine of up to \$10,000; if there is a prior conviction for stalking, the penalty is upgraded to a 2nd degree felony with two to 20 years in prison and a possible fine of up to \$10,000**

If the stalker is being released or escapes from prison, the releasing officer is required to make a "reasonable effort" (one attempt) to get in touch with the victim. It is the victim's responsibility to notify law enforcement officials of any change of phone number or address.

## IF YOU are being stalked...

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

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

Get a Protective Order. If you are related to the stalker by blood or marriage, if you ever lived together, if you have a child in common, or if you have or used to have a relationship of a romantic or intimate nature with the offender, you may be

eligible to obtain a protective order. Contact your local county or district attorney, Legal Aid Office or call the Family Violence Legal Line (800) 374-HOPE (4673). This order can help keep the stalker from certain areas near your home, your work or your child's school.

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

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

Keep all correspondence. Make a copy of anything you receive from the stalker. Touching materials as little as possible will preserve fingerprints.

Tell everyone. Give friends, co-workers and neighbors a description of the stalker. Ask them to document each time they see the stalker.

## IMPORTANT safety measures...

Stay alert. Be aware of your surroundings and the people and things happening around you.

Change your routine. Vary routes of travel when you come and go from work or home.