

Stalking: Against the 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?

- ⇒ **Aggravated Misdemeanor: 1st Offense.** Punishable by up to 2 years in prison and/or a fine of \$500 to \$5,000.
- ⇒ **Class "D" Felony: Stalking in Violation of a No Contact Order, Stalking With a Dangerous Weapon, Stalking a Minor.** Punishable by up to 5 years in prison and/or a \$500 to \$7,500 fine.
- ⇒ **Class "C" Felony: 3rd Offense.** Punishable by up to 10 years in prison and/or a \$500 to \$10,000 fine.

A judge may issue a No Contact Order requiring that the defendant have "no contact" with the victim or the victim's family or household members. This order will be in effect for 5 years and can be renewed.



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 below.

– Iowa Attorney General Tom Miller

Crime Victim Assistance Division
Iowa Attorney General's Office

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STALKING

ARE YOU BEING STALKED?



STALKING IS A CRIME

Attorney General Tom Miller
Iowa Department of Justice
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What is Stalking?

What To Do If You Are Being Stalked

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; and
- ⇒ Repeatedly show up, with no legitimate purpose at places where you are present.

Don't communicate with the stalker.

If you are in immediate danger **call 911**.

Trust your instincts and don't downplay the danger. If you feel unsafe, you probably are. Danger generally is higher when the stalker talks about suicide or murder, or when a victim tries to leave or end the relationship.

Keep evidence of the stalking. When the stalker follows you or contacts you, write down the time, date, and place in a notebook. Document and keep all communication from the stalker. Photograph anything damaged or any injuries. 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.

A STALKER CAN BE SOMEONE YOU KNOW WELL OR NOT AT ALL.

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.

Contact a crisis hotline, victim service agency, or a domestic violence or sexual assault program. They can help you create a safety plan, give you information about state laws, refer you to other services, and weigh your options on protective orders, notification programs or other available resources.

WOMEN ARE STALKED AT A RATE THREE TIMES HIGHER THAN MEN

YOU ARE NOT TO BLAME FOR A STALKER'S BEHAVIOR

