

Punishment

Stalking is a MISDEMEANOR offense. When individuals are convicted of stalking, they have the following punishment [MCLA 750.411h]:

- Up to one year imprisonment, or
- Up to \$1,000 in fines, or both.
- Up to five years probation.

Aggravated stalking is a FELONY and involves at least one of the following [MCLA 750.411h]:

- One or more threats to kill or physically harm an individual - or a member of an individual's household or family - that causes the individual hearing the threat to fear for his or her safety or the safety of another.
- The violation of a condition of a pre-trial release or condition of probation or bond for stalking.
- The violation of a restraining order.
- A repeat offense.

As a victim, your best weapon against stalkers is the local law enforcement agency. They are a means of protection as well as a source for referrals. However, it is also important to have support from your friends and/or family during this emotionally distressing event.

**For Further Information Contact your
Local Law Enforcement Agency or**

any of the Following:

Michigan Women's Commission

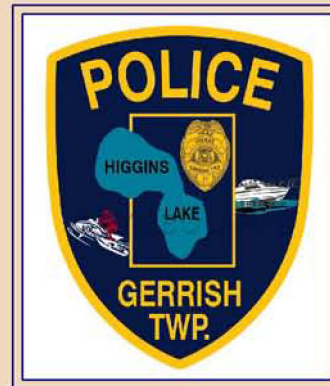
1-517-373-2884

Family Violence Help Line

1-800-799-7233

Stalking Victim Hot Line

1-855-484-2846



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(989) 821-5207
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DON'T BE A VICTIM OF

STALKING

**A Citizen's Guide to
Michigan's Anti-Stalking
Laws**

History

On January 1, 1993, Michigan joined 28 other states by criminalizing stalking behavior in an effort to protect victims of harassment and put an end to stalking. When Governor John Engler signed Public Acts 251, 260, 261 and 262 of 1992, he provided Michigan citizens with the strongest anti-stalking laws in the nation.

Due to the fact that much of the conduct of the typical non-assaultive stalker is not illegal, the legislature took extreme caution to draft a definition of stalking that will be easy to use and will not infringe on the Constitutional or other rights of citizens.

Stalking Is...

According to the anti-stalking laws, a person can be charged with stalking for willfully and repeatedly contacting another individual without permission. Under these laws, assailants could be charged with stalking for repeatedly:

- Following or appearing within the sight of another
- Approaching or confronting another individual in a public or private place
- Appearing at the work place or residence of another
- Entering or remaining on an individual's property
- Contacting by telephone, mail or Email

Definition of Stalking

Stalking is defined as 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.

- Michigan Penal Code MCLA 650.411h

Take Precautions!

Anyone can be a stalker - someone you know well, a casual acquaintance, or a total stranger. Sometimes stalkers are former romantic partners of their victims.

- Travel with friends
- Do not walk alone
- Change your telephone number to an unlisted number
- Vary the times and routes you take to get to work or class or to other frequently visited places
- Notify your family and friends and explain the situation to your employer so that they may protect you at work
- One out of every 20 adults will be stalked in their lifetime
- One-third of women in domestic violence shelters are victims of stalking

What to Do If...

Remember, you neither wanted nor deserved to be stalked. You are the victim, not the criminal. Suggestions of what to do if stalked are listed below. Every situation is different, so there are not set guidelines. Use your own judgment as to what actions to take.

Communicate to the stalker that you do not want any contact with him/her. Report to your local law enforcement agency that you are a victim of stalking. Build your case against the stalker by providing the police with any or all of the following:

- Documentation (personal journal or diary) of the stalker's activities
- Taped recording(s) of threatening telephone calls
- Videotape of stalker's actions
- Basic identifying information (i.e. license plate number, make of car, personal appearance)
- List of contacts with the stalker (i.e. time, place, what was said, letters received)

Exercise Your Legal Rights...

Get a Personal Protection Order from your local Court that states that the stalker is to have no contact with the victim; if violated, criminal penalties will follow. This will protect you and assist the law enforcement agency in enforcing the anti-stalking law.