



Most stalking cases are unique. If there are behaviors directed at you that you find harassing or threatening, trust your instincts. Since the behaviors often escalate, consider

that your life may be in danger. Most victims assaulted or murdered by former partners were first victims of stalking or harassment.

If you are being stalked or harassed,

- avoid contact with the offender.
- don't respond or react to the threats or contacts.
- document the behavior.
- keep any notes, answering machine messages, emails, or other evidence.
- contact law enforcement or your local rape crisis center or domestic violence shelter for assistance.

Take safety precautions.

- Vary your travel routes and routines.
- Try to cut off the offender's access to you by changing your phone number and email address, even moving if necessary.
- Avoid activities where you are alone in isolated areas, such as grocery store parking lots at night or on early morning walks.
- Carry a cell phone with you at all times.
- Have solid core doors with deadbolt locks and small peepholes, outside motion detection lights, trimmed bushes around doors, and an unlisted phone number.
- Use a post office box number for your address.

If you are in immediate danger,

- Call 911.
- Drive to the police station.

VICTIM SERVICES

National Sexual Violence Hotline

1-800-656-HOPE

National Domestic Violence Hotline

1-800-799-SAFE

Branches Domestic Violence Shelter

Huntington—304-529-2382

CONTACT Huntington Rape Crisis Counseling

Huntington—304-399-1111

Family Counseling Connection

Charleston—304-340-3676

Family Crisis Center

Keyser—304-788-6061

Family Crisis Intervention Center

Parkersburg—304-428-2333

Family Refuge Center

Lewisburg—304-645-6334

Hope, Inc.

Fairmont—304-367-1100

The Lighthouse

Weirton—304-797-7233

Rape & Domestic Violence Information Center

Morgantown—304-292-5100

S.A.F.E.

Welch—304-436-8117

Sexual Assault Help Center

Wheeling—304-234-8519

Shenandoah Women's Center

Martinsburg—304-263-8292

Tug Valley Recovery Center

Williamson—304-235-6121

Women's Aid In Crisis

Elkins—1-800-339-1185

Women's Resource Center

Beckley—304-255-2559

YWCA

Charleston—304-340-3549

YWCA

Wheeling—1-800-698-1247



STALKING and HARASSMENT



West Virginia Foundation for
Rape Information and Services, Inc.

www.fris.org

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OVERVIEW

Stalking and Harassment

Since offenders use a variety of methods to intimidate their targets and cause them to suffer fear and emotional distress, West Virginia's stalking code includes stalking and harassment.

West Virginia law describes the general types of actions that could be classified as stalking and harassment behaviors. The criteria for a behavior to meet the definition of stalking or harassment is based on the action of the offender (following, harassing, making credible threats) and the impact the action has on the victim (fears for safety, suffers significant emotional distress).

Since the law does not provide a list of specific actions that meet the definitions of stalking and harassment, it enables each case to be determined based on its own unique set of circumstances. West Virginia law allows for the criminal justice system to determine what specific acts meet the criteria for stalking and harassment.

West Virginia Code §61-2-9(a)(b), amended in 2008, addresses stalking, harassment, penalties and definitions. Actions identified in these sections include:

- repeatedly (two or more times) following a person, knowing that the behavior causes the person followed to reasonably fear for his or her safety or suffer significant emotional distress; OR
- repeatedly harassing (willful conduct causing emotional distress) or repeatedly making credible threats against another.

Federal stalking statutes provide additional protection from specific stalking and harassing behaviors. Federal laws make it illegal to travel across state lines, use regular mail, e-mail, or the Internet to harass, intimidate, or place the victim (or their family member or spouse/partner) in fear of death or serious bodily injury.

THE LAWS

WV Laws: Stalking and Harassment

WV Code §61-2-9(a)(b) on stalking and harassment states:

- (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.
- (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.

Definitions:

Bodily injury—substantial physical pain, illness or any impairment of physical condition

Credible threat—a threat of bodily injury made with the apparent ability to carry out the threat and with the result that a reasonable person would believe that the threat could be carried out

Harasses—willful conduct directed at a specific person or persons which would cause a reasonable person mental injury or emotional distress

Repeatedly—on two or more occasions

Federal Stalking Laws 18 U.S.C. 2261A

§2261A(1) makes it a federal crime to travel across state, tribal or international lines to stalk someone. The stalker must have the intent to kill, injure, harass, or intimidate the victim, who must be placed in reasonable fear of death or serious bodily injury. The victim's family members, spouse or intimate partners are also protected.

§2261A(2) makes it a federal crime to stalk someone across state, tribal or international lines, using regular mail, e-mail, or the Internet (i.e., cyberstalking). The stalker must have the intent to kill or injure the victim, or to place the victim, a family member, or a spouse or intimate partner of the victim in fear of death or serious bodily injury.

§2261A(1) and 2261A(2) make it a federal crime to stalk someone within the special maritime or territorial jurisdiction of the U.S. This includes federal lands such as national parks and military bases.

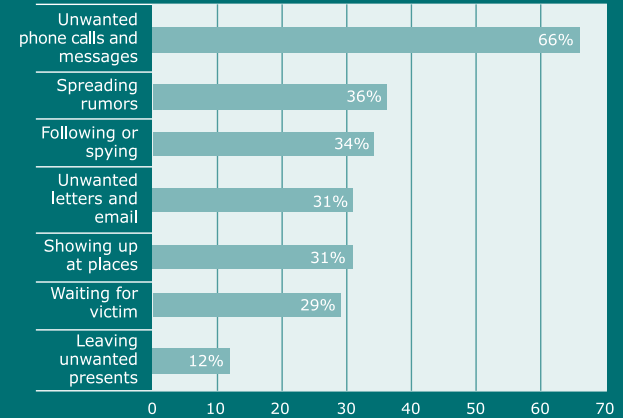
For more information visit www.fris.org or www.wv.gov

FACTS

Stalking and harassment can occur during a relationship, after a relationship or in the absence of a relationship.

WHO: Women are three times more likely than males to be stalked. The stalker is usually someone known to the victim (45%) or a current/former spouse/partner (30%). However, women and men are equally likely to experience harassment.

WHAT:



WHEN: About half (46%) of all stalking victims experience at least one unwanted contact per week. Many stalking victims report being stalked over a period of months or years, and 11% of victims are stalked for five years or more.

Stalking Victimization in the United States, BJS (2009)

TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
1	2 4 hang ups	3	4 made it past security at work	5 6 e-mails
8 3 hang ups	9 Left threatening note on car	10 sent flowers	11 2 e-mails	12
15	16 broke car window	17 followed me home	18	19 called repeatedly, left threatening messages
22 sent card	23 followed from work to school	24	25 3 hang ups	26