

New York State Coalition Against Domestic Violence  
2004 Domestic Violence Handbook

Stalking

Stalking occurs when your batterer, or anyone, intentionally and repeatedly does things that cause you to fear for your safety, the safety of an immediate family member or someone you know, or your property. If he causes harm to your mental or emotional health, he may also be guilty of stalking if he has been previously warned to stop his behavior.

Stalking is a criminal offense that requires a pattern of repeated acts. Individual acts within the pattern do not have to be criminal offenses. When a pattern of non-criminal behavior is directed at a particular person, it becomes the criminal act of stalking. Stalking can also consist of a criminal act like assault in addition to an otherwise non-criminal act like sending you flowers. Examples of stalking behavior may include:

- unwanted phone calls, letters, gifts, flowers, email or faxes;
- following you or showing up at the places that you frequent (such as home, work, school, etc.);
- verbal, written or implied threats directed at you, an immediate family member or someone you know;
- acts that cause you to fear that your business, employment or career are threatened;
- vandalism of property that belongs to you, an immediate family member or someone you know;
- actual assaults or other acts of violence directed at you, an immediate family member or someone you know, including sexual assault.

These are only a few examples of stalking behavior. Any repeated unwanted contact, harassment or violent act directed at you, an immediate family member or someone you know may be stalking.

You should keep track of all acts of stalking. Even if your batterer is being prosecuted for other crimes, he can also be charged with stalking since it is separate and distinct from other criminal acts like assault or harassment.

Stalking can be extremely dangerous so you should talk to your local domestic violence program about specific steps you can take to protect yourself.