



---

## Stalking and Harassment

Stalking is a crime. Harassment is a crime. Arkansas law separates these two, but some states do not. In Arkansas, stalking is a more serious crime defined as a persistent, invasive crime that includes threats of serious bodily injury or death to the victim or the victim's loved ones, surveillance, and a continuous pattern of behavior. Stalking also involves the threat, either expressed or implied, of the use of a weapon. Harassment includes actual physical contact with the victim, following/surveillance, and making obscene gestures or comments to cause annoyance or alarm to the victim. New ways of stalking and harassment develop often; therefore, no list of warning signs would ever be complete.

Often, stalking and harassment include some of the following:

- Surveillance
- Information gathering about the victim
- Inappropriate confrontation
- Refuses to accept “no” for an answer
- Appearing at the victim's workplace or residence
- Unwanted telephone calls
- Unwanted gifts
- Threats to victim, victim's family, friends, property
- Damage to property or vandalism
- Unwanted letters, emails, text messages
- Physical assault
- Sexual assault

So what do you do if you think you are being stalked or harassed? For more specific information and about stalking and harassment, visit [www.aardvarc.org/stalking/states/arkst.shtml](http://www.aardvarc.org/stalking/states/arkst.shtml). There are also many other sites that offer further information. Many people say that they are not going to change their lives just because some idiot is stalking them. Well, guess what? Their life **has** changed. Unless you change your life, you will be helping the stalker. There are several precautions you can take.

- Have local police do a security survey of your home and surrounding areas. This is a free service.
- Sign up for an extra patrol log. Each police shift will do a spot check of your home for suspicious people and vehicles.
- Tell the stalker or harasser “no” once and only once. The more you respond, the more the stalker learns he/she can get a reaction (attention) from you; this only reinforces the stalking.
- Get a dog
- Block your address and the DMV and Voter Registration; if you don't, **anyone** can get this information just by asking.
- Never give out your address or phone number to people you don't trust. Get a post office box and an unlisted number. An interesting way to document harassing phone calls is to keep your old number as the stalker's “private line.” Have your answering machine pick up all his/her calls. This way you will have taped documentation of the frequency and content of the calls.
- Don't put your name on your mailbox.
- Consider trading cars or changing your license plate.
- **Document everything.** Keep answering machine tapes, letters, emails, text messages, gifts, etc. If you are being watched or followed, document that as well with times, places, witnesses, etc. The STAR Central Office has a sample incident log if you would like one.
- Call the police. Have them document each incident especially if you decide to take legal action.

- Take a self-defense class.
- Don't accept packages that you did not personally order.
- Shred any discarded mail.
- Equip your car with a locking gas cap and ALWAYS lock your car.
- Get a cell phone and keep it with you at all times. Stalkers and harassers will sometimes cut phone lines.
- Vary your routes. If you think you are being followed, NEVER go home or to a friend's house. Drive to the nearest police station.
- Contact your phone company to see if they can put a line tracer on your telephone. This is usually a free service and will give another documentation of harassing phone calls.
- Inform neighbors and friends that you are being harassed or stalked. Have them document incidences as well.
- Think about getting a restraining or protective order.

A restraining order and a protective order are two different things in the state of Arkansas. Restraining orders are typically issued in divorce cases only, and violations are enforced by the issuing court. Protective orders are issued in stalking and harassment cases. Violators of protective orders may be arrested by the police. Both of these may be obtained through a private attorney in either the Washington or Benton County Circuit Court. Additionally, orders of protection may be obtained by contacting the Victim Advocate of whatever county the incident occurred in. Many people who get restraining or protective orders believe that the stalking will finally end. This is rarely the case. About ¼ of all stalking victims get restraining orders. In 2/3 of those cases, the order is violated. Remember that the restraining order is a piece of paper. It cannot physically protect you. It merely serves as a deterrent, probable cause for arrest, and as evidence in a legal case. Also remember that the police will not be there when the stalker violates the order...they will be there only after the violation. Therefore, you need to be aware of your surroundings and take necessary precautions. Have a plan about what to do to protect yourself while you are waiting for the police to arrive. Restraining orders can escalate stalking and harassment in some instances. Some stalkers will view the order as an announcement to the world that the victim wants nothing to do with him/her. This can mean that the stalker will pursue harder or more vengefully, especially if the stalker is of the delusional type. Getting a restraining order needs to be weighed carefully before following through with it. You may always call your county Victim Advocate, local domestic violence shelter, or the STAR Central office to get help determining whether or not an order of protection is right for you and your situation.

Information adapted from The Springdale Arkansas City Attorney's Office ([www.springdaleark.org/cosa/faq.htm](http://www.springdaleark.org/cosa/faq.htm)) retrieved 7/18/2006,  
 The Antistalking Web Site ([www.antistalking.com](http://www.antistalking.com)), retrieved 6/1/2006,  
 The Aurora Center for Advocacy and Education of the University of Minnesota,  
 The Los Angeles County District Attorney's Office ([www.lovenot.org](http://www.lovenot.org)), and  
 Doreen Orion, MD. *I Know You Really Love Me: A Psychiatrist's Account of Stalking and Obsessive Love*. 1998, Dell Publishing

---

**STAR Central – Office of Support, Training, Advocacy, & Resources on Sexual Assault and Relationship Violence**  
*a program of*



Updated: July 2006