

NATIONAL CENTER ON WOMEN & FAMILY LAW, INC.

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Item No. 38

"STALKING" STATUTES

1. CALIFORNIA

2. CONNECTICUT

C. Hays, "If That Man Is Following Her, Connecticut Is Going to Follow Him,"
The New York Times, 6/5/92, p. B1.

3. KENTUCKY

4. MASSACHUSETTS

5. NEW JERSEY

6. WEST VIRGINIA

7. "Stalking" Legislation Update of 6/9/92 from the National Conference of State Legislatures

8. E. Ross, "Problem of Men Stalking Women Spurs New Laws," *The Christian Science Monitor*, 6/11/92, p. 6.

Updated 09/92

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National Institute of Justice**

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CALIFORNIA DEERING'S PENAL

§ 646.9. Stalking (a) Any person who willfully, maliciously, and repeatedly follows or harasses another person and who makes a credible threat with the intent to place that person in reasonable fear of death or great bodily injury is guilty of the crime of stalking, punishable by imprisonment in a county jail for not more than one year or by a fine of not more than one thousand dollars (\$1,000), or by both that fine and imprisonment.

(b) Any person who violates subdivision (a) when there is a temporary restraining order or an injunction, or both, in effect prohibiting the behavior described in subdivision (a) against the same party, is punishable by imprisonment in a county jail for not more than one year or by a fine of not more than one thousand dollars (\$1,000), or by both that fine and imprisonment, or by imprisonment in the state prison.

(c) A second or subsequent conviction occurring within seven years of a prior conviction under subdivision (a) against the same victim, and involving an act of violence or "a credible threat" of violence, as defined in subdivision (e), is punishable by imprisonment in a county jail for not more than one year, or by a fine of not more than one thousand dollars (\$1,000), or by both that fine and imprisonment, or by imprisonment in the state prison.

(d) For the purposes of this section, "harasses" means a knowing and willful course of conduct directed at a specific person which seriously alarms, annoys, or harasses the person, and which serves no legitimate purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress, and must actually cause substantial emotional distress to the person. "Course of conduct" means a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of "course of conduct."

(e) For the purposes of this section, "a credible threat" means a threat made with the intent and the apparent ability to carry out the threat so as to cause the person who is the target of the threat to reasonably fear for his or her safety. The threat must be against the life of, or a threat to cause great bodily injury to, a person as defined in Section 12022.7.

This section shall not apply to conduct which occurs during labor picketing. Added Stats 1990 ch 1527 § 1 (SB 2184).

Connecticut

Conn. Law

Substitute House Bill No. 5882

PUBLIC ACT NO. 92-237

AN ACT CONCERNING STALKING.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (a) A person is guilty of stalking in the first degree when he commits stalking in the second degree as provided in section 2 of this act and (1) he has previously been convicted of this section or section 2 of this act, or (2) such conduct violates a court order in effect at the time of the offense, or (3) the other person is under sixteen years of age.

(b) Stalking in the first degree is a class B felony.

Sec. 2. (NEW) (a) A person is guilty of stalking in the second degree when, with intent to cause another person to fear for his physical safety, he wilfully and repeatedly follows or lies in wait for such other person and causes such other person to reasonably fear for his physical safety.

(b) Stalking in the second degree is a class A misdemeanor.

Certified as correct by

Legislative Commissioner.

Clerk of the Senate.

Clerk of the House.

Approved _____, 1992.

Governor, State of Connecticut.

If That Man Is Following Her, Connecticut Will Follow Him

Continued From Page B1

the point of terror by obsessed fans, she said.

The New York region has had its share of such behavior, most recently that of Margaret Ray, who has repeatedly turned up at the home of David Letterman, the talk-show host, in New Canaan, Conn.

The anti-stalking laws are supported by victims-rights advocates, who see them as additional deterrents to the kind of behavior that often precedes more violent acts, usually against women by their former spouses or boyfriends.

But the laws have been criticized by civil-liberties experts, who contend that stalking is poorly defined.

"It's possible that an overzealous prosecutor could sweep in a lot of

legally protected activity and speech while prosecuting somebody for stalking," said Philip S. Guttis, a spokesman for the American Civil Liberties Union. "This is a way for state legislators to say they are doing something to protect women, but it's a Band-Aid. It doesn't work. These women supposedly have protection under the law, but there's not enough police officers to enforce it."

The Connecticut law is unusual in that it has additional protections for children, said Thomas S. Luby, a State Representative from Meriden who introduced the bill. A convicted first-time offender would be guilty of a misdemeanor, punishable by up to one year in prison, unless the person he or she stalked was 16 years old or younger. In that case, the crime would be a felony, punishable by up to five years in prison.

Mr. Luby, a former Federal prosecutor, said he and others who drafted the bill had tried to make clear what constituted stalking. The behavior has to be repetitive, he said, and the offender has to intentionally cause fear in his victim. In addition, that fear has to be reasonable.

"It's not a crime to make a paranoid person fearful," he said. "We're trying to keep that boundary line between legitimate and illegitimate behavior."

Daughter Killed by Stalker

Connecticut's bill is broader than most, in that it requires the victim only to feel "fear for his physical safety." The California law requires a victim to fear great bodily harm or death. A West Virginia anti-stalking law, approved this year, specifies that the victim must be someone with whom the perpetrator "formerly re-

Stalking a young girl, star or anyone will be a crime.

sided or cohabited or with whom that person formerly engaged in a sexual or intimate relationship."

Erin Tavegia testified before the Legislature, as did Rosealyce Thayer, a Vermont woman whose 11-year-old daughter was followed repeatedly by a man who eventually killed her in 1983. "The Connecticut law is neat in that it is much more easily applied," Mrs. Thayer said.

Criminals who commit murder and other violent acts often stalk their victims first, by calling or following them around, said John Stein, deputy director of the National Organization for Victim Assistance in Washington. "In too many of these cases, they're willing to act out their threats," he said.

Anti-stalking bills are before the legislatures in both New York and New Jersey. The New Jersey bill, which was unanimously approved by the Senate, now goes to the Assembly. The New York bill is still in negotiation, said Leslie S. Moran, deputy press secretary to the Speaker, Saul Weprin.

As for Erin Tavegia, the Meriden teenager, the harassment persisted for months.

"She would sing before all the football games," Erin's mother, Diane,

said, "and you could see her, searching the crowd, looking for this pervert. Now she's afraid to get her driver's license. She says he could be driving behind her."

Although the police at first insisted they could do nothing, eventually the man was charged with breach of peace, and a judge has ordered him to stay away from Erin and other girls.

But Erin, now 17, remains haunted by the ordeal.

"I'm afraid of the dark," she said, "and I still can't walk around that much. I carry a blaster with me. And I look all the time. I'm always looking at all the cars."

If That Man Is Following Her, Connecticut Is Going to Follow Him

By CONSTANCE L. HAYS

Erin Tavegia was 15 years old when a man started following her back and forth from her high school in Meriden, Conn., a couple of years ago.

Erin and her family were terrorized by the man, who would park his car outside their house and appear at all hours of the day and night. As Erin walked to school, he would drive slowly behind her, sometimes inviting her to join him in the car. When she left school, he was in the parking lot or nearby, and would drive behind her as she walked home.

Nothing he did was illegal. But that would change under legislation that Gov. Lowell P. Weicker Jr. is expected to sign into law in the next few days.

The legislation, known as the anti-stalking bill, would be the first statute of its kind in the metropolitan region. It is part of a wave of such legislation, aimed at protecting the innocent, the divorced and the famous, that has swept across the country from California, where the first anti-stalking law was passed in 1990.

Laws Against Following

To date, nine states have enacted laws that prohibit repeated following and harassing of another person, and similar bills have been proposed in at least 30 others, including New York and New Jersey, said Donna Hunzeker, a criminal-justice specialist with the National Conference of State Legislatures.

In California, the law was supported by many entertainment figures because of cases in which celebrities were bothered to



Steve Miller for The New York Times

An anti-stalking bill in Connecticut is aimed at protecting people like Erin Tavegia, who said she had been terrorized for several years by a man who repeatedly followed her home from high school in Meriden. She is shown at home with her mother, Diane.

Continued on Page B5

Kentucky

92 RS BR 1593/EN



GENERAL ASSEMBLY

COMMONWEALTH OF KENTUCKY

REGULAR SESSION 1992

HOUSE BILL NO. 445

(AS ENACTED)

WEDNESDAY, APRIL 1, 1992

AN ACT relating to crimes and punishments.

Be it enacted by the General Assembly of the Commonwealth
of Kentucky:

1 SECTION 1. A NEW SECTION OF KRS CHAPTER 508 IS
2 CREATED TO READ AS FOLLOWS:

3 As used in Sections 1 to 3 of this Act, unless the
4 context requires otherwise:

5 (1) (a) To "stalk" means to engage in an intentional
6 course of conduct:

7 1. Directed at a specific person or persons;

8 2. Which seriously alarms, annoys, intimidates, or
9 harasses the person or persons; and

10 3. Which serves no legitimate purpose.

11 (b) The course of conduct shall be that which would
12 cause a reasonable person to suffer substantial mental
13 distress.

14 (2) "Course of conduct" means a pattern of conduct
15 composed of two (2) or more acts, evidencing a continuity
16 of purpose. Constitutionally-protected activity is not
17 included within the meaning of "course of conduct." If the
18 defendant claims that he was engaged in constitutionally
19 protected activity, the court shall determine the validity
20 of that claim as a matter of law and, if found valid,
21 shall exclude that activity from evidence.

1 SECTION 2. A NEW SECTION OF KRS CHAPTER 508 IS
2 CREATED TO READ AS FOLLOWS:

3 (1) A person is guilty of stalking in the first
4 degree,

5 (a) When he intentionally:

6 1. Stalks another person; and

7 2. Makes an explicit or implicit threat with the
8 intent to place that person in reasonable fear of:

9 a. Sexual contact as defined in KRS 510.010;

10 b. Serious physical injury; or

11 c. Death; and

12 (b) 1. A protective order or other judicial order as
13 provided for in KRS Chapter 403 has been issued by the
14 court to protect the same victim or victims and the
15 defendant has been served with the summons or order or has
16 been given actual notice; or

17 2. A criminal complaint is currently pending with a
18 court, law enforcement agency, or prosecutor by the same
19 victim or victims and the defendant has been served with a
20 summons or warrant or has been given actual notice; or

21 3. The defendant has been convicted of or pled
22 guilty within the previous five (5) years to a felony or
23 to a Class A misdemeanor, other than a violation of
24 Section 3 of this Act, against the same victim or victims;
25 or

26 4. The act or acts were committed while the

1 defendant had a deadly weapon on or about his person.

2 (2) Stalking in the first degree is a Class D felony.

3 SECTION 3. A NEW SECTION OF KRS CHAPTER 508 IS
4 CREATED TO READ AS FOLLOWS:

5 (1) A person is guilty of stalking in the second
6 degree when he intentionally:

7 (a) Stalks another person; and

8 (b) Makes an explicit or implicit threat with the
9 intent to place that person in reasonable fear of:

10 1. Sexual contact as defined in KRS 510.010;

11 2. Physical injury; or

12 3. Death.

13 (2) Stalking in the second degree is a Class A
14 misdemeanor.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Ninety-two

AN ACT ESTABLISHING THE CRIME OF STALKING.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 265 of the General Laws is hereby amended by adding the following section:-

Section 43. (a) Whoever willfully, maliciously, and repeatedly follows or harasses another person and who makes a threat with the intent to place that person in imminent fear of death or serious bodily injury shall be guilty of the crime of stalking and shall be punished by imprisonment in the state prison for not more than five years or by a fine of not more than one thousand dollars, or imprisonment in the house of correction for not more than two and one-half years or both.

(b) Whoever commits the crime of stalking in violation of a temporary or permanent vacate, restraining, or no-contact order or judgment issued pursuant to sections eighteen, thirty-four B, or thirty-four C of chapter two hundred and eight; or section thirty-two of chapter two hundred and nine; or sections three, four, or five of chapter two hundred and nine A; or sections fifteen or twenty of chapter two hundred and nine C; or a temporary restraining order or preliminary or permanent injunction issued by the superior court, shall be punished by imprisonment in a jail or the state prison for not less than one year and not more than five years. No sentence imposed under the provisions of this subsection shall be less than a mandatory minimum term of imprisonment of one year.

A prosecution commenced hereunder shall not be placed on file or continued without a finding, and the sentence imposed upon a person convicted of violating any provision of this subsection shall not be reduced to less than the mandatory minimum term of imprisonment as established herein, nor shall said sentence of imprisonment imposed upon any person be suspended or reduced until such person shall have served said mandatory term of imprisonment.

A person convicted of violating any provision of this subsection shall not, until he shall have served the mandatory minimum term of imprisonment established herein, be eligible for probation, parole, furlough, work release or receive any deduction from his sentence for good conduct under sections one hundred and twenty-nine, one hundred and twenty-nine C and one hundred and twenty-nine D of chapter one hundred and twenty-seven; provided, however, that the commissioner of correction may, on the recommendation of the warden, superintendent, or other person in charge of a correctional institution, grant to said offender a temporary release in the custody of an officer of such institution for the following purposes only: to attend the funeral of next of kin or spouse; to visit a critically ill close relative or spouse; or to obtain emergency medical services unavailable at said institution. The provisions of section eighty-seven of chapter two hundred and seventy-six relating to the power of the court to place certain offenders on probation shall not apply to any person seventeen years of age or over charged with a violation of this subsection. The provisions of section thirty-one of chapter two hundred and seventy-nine shall not apply to any person convicted of violating any provision of this subsection.

(c) Whoever, after having been convicted of the crime of stalking, commits a second or subsequent such crime shall be punished by imprisonment in a jail or the state prison for not less than two years and not more than ten years. No sentence imposed under the provisions of this subsection shall be less than a mandatory minimum term of imprisonment of two years.

A prosecution commenced hereunder shall not be placed on file or continued without a finding, and the sentence imposed upon a person convicted of violating any provision of this subsection shall not be reduced to less than the mandatory minimum term of imprisonment as established herein, nor shall said sentence of imprisonment imposed upon any person be suspended or reduced until such person shall have served said mandatory term of imprisonment.

A person convicted of violating any provision of this subsection shall not, until he shall have served the mandatory minimum term of imprisonment established herein, be eligible for probation, parole, furlough, work release or receive any deduction from his sentence for good conduct under sections one hundred and twenty-nine, one hundred and twenty-nine C and one hundred and twenty-nine D of chapter one hundred and twenty-seven; provided, however, that the commissioner of correction may, on the recommendation of the warden, su-

perintendent, or other person in charge of a correctional institution, grant to said offender a temporary release in the custody of an officer of such institution for the following purposes only: to attend the funeral of next of kin or spouse; to visit a critically ill close relative or spouse; or to obtain emergency medical services unavailable at said institution. The provisions of section eighty-seven of chapter two hundred and seventy-six relating to the power of the court to place certain offenders on probation shall not apply to any person seventeen years of age or over charged with a violation of this subsection. The provisions of section thirty-one of chapter two hundred and seventy-nine shall not apply to any person convicted of violating any provision of this section.

(d) For the purposes of this section, "harasses" means a knowing and willful pattern of conduct or series of acts over a period of time directed at a specific person, which seriously alarms or annoys the person. Said conduct must be such as would cause a reasonable person to suffer substantial emotional distress.

House of Representatives, May 11, 1992.

Passed to be enacted,

Charles F. McGowan, Speaker.

In Senate, May 11, 1992.

Passed to be enacted,

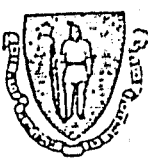
William M. Bulger, President.

18 May, 1992.

Approved,

11:33 a.m.

W. William F. Weld
Governor.



THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE DEPARTMENT

STATE HOUSE • BOSTON 02133

WILLIAM F. WELD
GOVERNOR

ARGEO PAUL CELLUCCI
LIEUTENANT GOVERNOR

May 18, 1992

The Honorable Michael Joseph Connolly
Secretary of the Commonwealth
State House
Boston, MA 02133

Dear Secretary Connolly:

I, William F. Weld, pursuant to the provisions of Article XLVIII of Amendments to the Constitution of the Commonwealth of Massachusetts, the Referendum II, Emergency Measures, hereby declare that, in my opinion, the immediate preservation of the public peace, health, safety or convenience requires that the attached Act, Chapter 31 of the Acts of 1992, entitled "An Act Establishing The Crime Of Stalking," the enactment of which received my approval on May 18, 1992, should take effect forthwith.

I further declare that, in my opinion, it is in the public interest that this Act take effect immediately in order to protect, in particular, women and children who live in fear each day of their lives. The rising tide of violence committed against women by their estranged husbands or boyfriends has made all of us painfully aware of the fact that certain individuals are not swayed by restraining orders and that new measures such as are embodied in this law must be enacted and utilized. It is necessary that this bill take effect immediately to help our community respond to the tragic epidemic of domestic violence which surrounds us.

Sincerely,

W. F. Weld

William F. Weld
Governor

OFFICE OF THE SECRETARY OF STATE, Boston, MA

May 18, 1992

I, Michael Joseph Connolly, Secretary of State, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at two o'clock and thirty minutes, P.M. on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said Chapter takes effect forthwith being Chapter thirty-one of the Acts of nineteen hundred and ninety-two.

Michael Joseph Connolly

Michael Joseph Connolly
Secretary of State

New Jersey's Act (now in effect)
S-256

AN ACT creating the crime of stalking and supplementing Title 2C of the New Jersey Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1.a. As used in this act:

(1) "Course of conduct" means a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of "course of conduct."

(2) "Credible threat" means a threat made with the intent and the apparent ability to carry out the threat, so as to cause the person who is the target of the threat to reasonably fear for the person's safety.

(3) "Harasses" means a knowing and wilful course of conduct directed at a specific person which seriously alarms, annoys or harasses the person, and which serves no legitimate purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress, and must actually cause substantial emotional distress to the person.

b. A person is guilty of stalking, a crime of the fourth degree, if he purposely and repeatedly follows or harasses another person and makes a credible threat with the intent to place that person in reasonable fear of death or serious bodily injury.

c. A person is guilty of a crime of the third degree if he commits the crime of stalking in violation of an existing court order prohibiting the behavior.

d. A person who commits a second or subsequent offense of stalking which involves an act of violence or a credible threat of violence against the same victim is guilty of a crime of the third degree.

e. This act shall not apply to conduct which occurs during labor picketing.

2. This act shall take effect immediately.

STATEMENT

This bill would make "stalking" a crime. The bill is intended to protect victims who are repeatedly followed and threatened.

The bill is modeled on a California statute enacted in September, 1990. The bill provides that a person is guilty of stalking if he purposely and repeatedly follows or harasses another person and makes a credible threat with the intent to place that person in reasonable fear of death or serious bodily injury. Stalking would be a crime of the fourth degree. A crime of the fourth degree is punishable by a term of

over →

West Virginia

Signed by the Governor
in March 1992

Enr. Com. Sub. for H. B. 4389] 64

6 two-a, chapter forty-eight, et seq., of this code and shall
7 be docketed immediately upon filing.

CHAPTER 61. CRIMES AND THEIR PUNISHMENT.

ARTICLE 2. CRIMES AGAINST THE PERSON.

§61-2-9a. Stalking; penalties; definitions.

1 (a) Any person who shall intentionally and closely
2 follow, lie in wait, or make repeated threats to cause
3 bodily injury to any person with whom that person
4 formerly resided or cohabited or with whom that person
5 formerly engaged in a sexual or intimate relationship,
6 with the intent to cause or causing said person emotional
7 distress or placing said person in fear of his or her
8 personal safety shall be guilty of a misdemeanor and
9 upon conviction thereof, shall be imprisoned in the
10 county jail for not more than six months, or be fined not
11 more than one thousand dollars, or both find and
12 imprisoned.

13 (b) Any person who violates subsection (a) when there
14 is a temporary restraining order or a restraining order,
15 or both, in effect, granted pursuant to the provisions of
16 section nine-b of this article which prohibits the conduct
17 referred to in said section, is guilty of a misdemeanor,
18 and upon conviction thereof, shall be imprisoned in the
19 county jail for not more than one year, or be fined not
20 more than three thousand dollars, or both fined and
21 imprisoned.

ARTICLE 8. CRIMES AGAINST CHASTITY, MORALITY AND DECENCY.

§61-8-13. Incest; limits on interviews of children eleven years old or less; evidence.

1 (a) In any prosecution under the provisions of section
2 twelve of this article, the court may provide by rule for
3 reasonable limits on the number of interviews to which
4 a victim who is eleven years old or less must submit for
5 law enforcement or discovery purposes. To the extent
6 possible the rule shall protect the mental and emotional
7 health of the child from the psychological damage of
8 repeated interrogation and at the same time preserve
9 the rights of the public and the defendant.



NATIONAL CONFERENCE OF STATE LEGISLATURES

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PAUL BUD BURKE
PRESIDENT OF THE SENATE
KANSAS
PRESIDENT, NCSL

TERRY C. ANDERSON
DIRECTOR
LEGISLATIVE RESEARCH COUNCIL
SOUTH DAKOTA
STAFF CHAIR, NCSL

"STALKING" LEGISLATION UPDATE

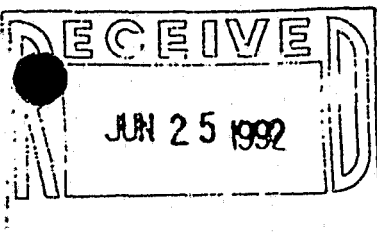
June 9, 1992
Donna Hunzeker

WILLIAM POUND
EXECUTIVE DIRECTOR

Twenty states have "stalking" laws as of this writing. California passed the first stalking law in 1990. States known to have added laws this year are: Colorado, Connecticut, Delaware, Florida, Idaho, Iowa, Kentucky, Nebraska, Massachusetts, Mississippi, Oklahoma, South Carolina, South Dakota, Tennessee, Utah, Virginia, Washington, West Virginia and Wisconsin.

At least a dozen other states have had stalking bills introduced this year. States with measures pending (and legislatures still in session) at this writing include Illinois, Louisiana, Michigan, New Jersey, New York, Ohio and Pennsylvania.

States typically have defined "stalking" as willful, malicious, and repeated following and harassing of another person. Most stalking laws enacted require that a "credible threat" of violence be made against the victim and many states extend credible threat to include threats against the immediate family of the victim. Stalking laws generally are crafted to apply to cases where women are terrorized by former boyfriends or husbands. But states typically have statute language that broadly provides that the victim could be any person or circumstance in which following, threats and intimidation are present. (For example, the 1990 California law has had support from the entertainment community because of cases of and potential for celebrities to be harassed and threatened by obsessed fans.) The West Virginia law is specific that the victim be "any person with whom that person formerly resided or cohabited or with whom that person formerly engaged in a sexual or intimate relationship."



Crime classifications and penalties created in state stalking laws are:

CALIFORNIA (1990)	Misdemeanor and felony: Up to one year jail, \$1,000.
COLORADO (1992)	Class 3 Misdemeanor: Up to 6 months imprisonment, \$750. If protective order violated, is Class 1 Misdemeanor: up to 24 months imprisonment, \$5,000.
CONNECTICUT (1992)	Class A Misdemeanor: One year imprisonment. If second or subsequent conviction, court order violated, or victim is under 16 years of age, is Class D Felony: 1-5 years imprisonment.
DELAWARE (1992)	Class F Felony. If protective order violated, 6 months imprisonment, \$1,000. Subsequent conviction within 7 years, 1 year, \$1,000.
FLORIDA (1992)	Felony 3: Up to 5 years prison, \$5,000.
IDAHO (1992)	Misdemeanor: Up to one year jail, \$1,000. Second or subsequent conviction within 7 years is a Felony: Up to 5 years prison, \$1,000.
IOWA (1992)	Simple Misdemeanor: Up to one year, \$100. If protective or bail order violated, is Serious Misdemeanor: Up to one year imprisonment, \$1,000. Second offense is Aggravated Misdemeanor: Up to 2 years, \$5,000. Third or subsequent offense is Class D Felony: Up to 5 years prison.
KENTUCKY (1992)	Class A Misdemeanor: Up to one year imprisonment. If protective order violated, second offense within 5 years or acts were committed with deadly weapon on person, is Class D Felony: 1-5 years imprisonment.
MASSACHUSETTS (1992)	Up to 2-1/2 years, \$1,000. If protective order violated, mandatory minimum of 1 year and up to 5 years. Second or subsequent offense, mandatory minimum jail
MISSISSIPPI (1992)	Up to 6 months jail, \$1,000. If protective order violated: up to one year jail, \$1,000. Second or subsequent conviction within 7 years: up to 2 years imprisonment, \$2,000.
NEBRASKA (1992)	If protective or bail order violated is Class I Misdemeanor: Up to one year, \$1,000. Subsequent offense within 7 years is Class IV Felony: up to 5 years, \$10,000.

(continued)

Other special provisions or features of stalking laws:

Washington State's 1992 law includes telephone harassment and intimidation; and specifies victim notification and local law enforcement notification when a felony stalker is released, escapes, is transferred to a less-restrictive facility, or released on furlough.

California currently is considering an amendment to the original stalking law which would redefine "credible threat" of harm to include threat of harm to one's self or his or her immediate family; and making a felony all second or subsequent stalking offenses within 7 years of a conviction for violence or threat of violence against the same party or party's immediate family. As of June 9, 1992, the California stalking amendment had passed the Senate and had gone to the Public Safety Committee in the Assembly.

#