

# Guide for Targets of Stalking

## **What Is Stalking?**

Stalking is intentional, unwanted contact between a stalker and a target that directly or indirectly communicates a threat or causes the target to be fearful. Stalkers can include your former or current spouse, partners, friends, acquaintances or strangers. Stalking is a crime that can touch anyone, and it is not the target's fault.

Stalking can include:

- Following a person
- Waiting outside home, school or work
- Vandalizing property
- Use of technical surveillance
- Making threats
- Unwanted phone calls, emails, letters, gifts or other communications
- Contacting the target's family, friends, neighbors, teachers or employer
- Harming pets of the target or someone s/he knows

## **Is Stalking a Crime?**

Yes. According to Minnesota Statute 609.749, harassment is defined as engaging in intentional conduct where the actor knows or has reason to know that under the circumstances it will cause the target to feel frightened, threatened, oppressed, persecuted or intimidated, and causes this reaction on the part of the target.

*Harassment and Stalking Crimes Include:*

Gross Misdemeanor Crimes (punishable by up to one year in jail)

- Directly or indirectly manifesting a purpose or intent to injure the person, property or rights of another by committing an unlawful act.
- Stalking, following, monitoring, or pursuing someone in person, or through technological or other means.
- Returning to the property of another without right, consent or authority.
- Repeatedly making telephone calls whether a conversation arises or not.
- Causing another's telephone to ring repeatedly or continuously.
- Repeatedly mailing or delivering (including electronically) letters, emails, messages, packages, or any other objects.

Felony Crimes (punishable by up to five years in jail, and/or fines of up to \$10,000)

- Committing any of the Gross Misdemeanor Crimes listed above based on the target's actual or perceived race, color, religion, sex, sexual orientation, disability, age, or national origin.
- Committing any of the Gross Misdemeanor Crimes listed above by falsely impersonating another.

- Committing any of the Gross Misdemeanor Crimes listed above while possessing a dangerous weapon at the time of the offense.
- Committing any of the Gross Misdemeanor Crimes listed above against a target under the age of 18 where the actor is at least 36 months older.

### **How Can You Ensure Your Safety?**

- Call 911 whenever an incident occurs.
- Obtain an Order for Protection (OFP) or a Harassment Restraining Order (HRO).
- Notify family and friends and develop a safety plan.
- Always travel with someone, if possible.
- Do not ignore or underestimate a stalker. Trust your perceptions and treat all threats as legitimate.
- Change your passwords and pin numbers often.
- Press \*57 after any unwanted phone calls. There is a charge for this service. This will prompt the telephone company to trace the call.
- Say “NO” once, then, do not respond.
- Do not give out your address (home and email) or telephone number.
- Make sure to always have a cell phone with you.
- Maintain an unlisted phone number.
- Contact advocates through your county attorney’s office.
- Document Everything.
  - Write down the details of all incidents. Dates, times, places, what the stalker did or said, clothing descriptions, and plate numbers will all be helpful when prosecuting.
  - When you see the stalker, if you can do so without endangering yourself, take a picture.
  - Save and date all physical evidence including: notes, letters, envelopes, answering machine messages, caller ID information, text messages, and emails.
  - Make a list of all possible witnesses to the incidents.

### ***What is an Order for Protection (OFP)?***

An Order for Protection (OFP) is a court order that forbids someone from causing immediate physical harm and fear to the target. OFPs are a type of restraining order for targets of domestic abuse. If you are being stalked by a family member or a past or present romantic partner you may be eligible for an OFP.

#### *How does it protect me?*

An OFP may require the stalker to:

Stop stalking you.

Stay away from where you live, work or go to school.

Enter a counseling program.

#### *How do I get an OFP?*

- Contact the Court Administrator’s Office in the county where you reside.

**Duluth Area**

St Louis County- 218-726-2436

100 N. Fifth Avenue W.  
Duluth, MN 55802

To file paperwork go to **RM 320, Intake Office**

- You will first get a temporary OFP. This will go into effect once the stalker has been served with a copy. The temporary OFP will be in effect until the court hearing, which is usually seven days after the initial paperwork is filed.
- At the hearing the court meets with both parties to decide if the OFP should stay in effect for up to one year.

*How much money does an OFP cost?*

- There is no fee for filing an OFP in St Louis County.

### ***What is a Harassment Restraining Order (HRO)?***

A Harassment Restraining Order (HRO) is a court order designed to prohibit someone from harassing or having contact with the target.

*How does it protect me?*

When filing an HRO you may request:

- The harasser has no contact with the target or family members.
- Stay away from home, place of employment or school.
- Other specific reliefs may be requested and considered.

*How do I get an HRO?*

- Contact your Court Administrator's Office in the county where you reside.

#### **Duluth Area**

St Louis County- 218-726-2436  
100 N. Fifth Avenue W.  
Duluth, MN 55802

To file paperwork go to **RM 320, Intake Office**

- You will first get a temporary order, which will go into effect until the court hearing, which will be held within 14 days.
- At the hearing, the court meets with both parties to decide if the HRO should stay in effect for up to two years.

*How much does an HRO cost?*

- In St Louis County there is a filing fee of \$250. Some people may be eligible to have the fee waived. To obtain forms to apply to have the fee waived go to room 320 (Intake Office) at the St Louis County Court House.

## Who Can Help?

### University of Minnesota Duluth Phone Numbers

UMD Campus Police	(218) 726-7000
UMD Office of Equal Opportunity	(218) 726-6849
UMD Women's Resource and Action Center	(218) 726-6292

### Helpful Local Telephone Numbers

St Louis County Harassment Filing	(218) 726-2436
St Louis County Sheriff's Office	(218) 726-2338
Women's Coalition	(218) 728-6481
Domestic Abuse Intervention Program (assistance for men)	(218) 722-2781
Duluth City Attorney	(218) 723-3368
Hermantown City Attorney	(218) 726-0805
Proctor City Attorney	(218) 7275384

### Helpful National Numbers

National Domestic Violence Hotline	1-800-799-SAFE
Minnesota Coalition for Battered Women	1-800-289-6177
Sexual Assault Crisis Line	1-800-247-0390
Crime Victim Ombudsman Referral Hotline	1-800-247-0390