

## Domestic Violence Related Crimes

### **Stalking §5-71-229 (1<sup>st</sup> Degree)**

- Purposely engages in course of conduct that harasses another person & makes a terroristic threat with the intent of placing that person in imminent fear of death or serious bodily injury or placing that person in imminent fear of the death or serious bodily injury of his immediate family &
  - Does so in contravention of an order of protection or a no contact order or any other order protecting the same victim or victims, or
  - Has been convicted within the previous 10 years of:
    - Stalking 2<sup>nd</sup> degree; or
    - Violating § 5-13-301 or § 5-13-310; or
    - Stalking or threats against another person's safety under another state's law; or
  - Is armed with a deadly weapon or represents by word or conduct that he is so armed.
- B felony (5 to 20 years)
- No contact order shall be entered upon pretrial release

### **Stalking §5-71-229 (2<sup>nd</sup> Degree)**

- Purposely engages in a course of conduct that harasses another person & makes a terroristic threat with the intent of placing that person in imminent fear of death or serious bodily injury or placing that person in imminent fear of the death or serious bodily injury of his or her immediate family.
- C felony (3 to 10 years)
- No contact order shall be entered upon pretrial release

### **Terroristic Threatening §5-13-301 (1<sup>st</sup> degree)**

- With the purpose of terrorizing another person - threatens to cause death or serious physical injury or substantial property damage to another person
- With the purpose of terrorizing another person - threatens to cause physical injury or property damage to teacher or school employee acting in the line of duty.
- D felony (0 to 6 years)
- No contact order shall be entered upon pretrial release

### **Terroristic Threatening §5-13-301 (2<sup>nd</sup> degree)**

- With the purpose of terrorizing another person - threatens to cause physical injury or property damage to another person.
- A misdemeanor (Up to 1 year in jail)
- No contact order shall be entered upon pretrial release

### **Harassment §5-71-208**

- With purpose to harass, annoy, or alarm another person, without good cause, he:
  - Strikes, shoves, kicks, or otherwise touches a person, subjects him to offensive physical contact or attempts or threatens to do so; or
  - In a public place, directs obscene language or makes an obscene gesture to or at another person in a manner likely to provoke a violent or disorderly response; or
  - Follows a person in or about a public place; or
  - In a public place repeatedly insults, taunts, or challenges another in a manner likely to provoke a violent or disorderly response; or
  - Engages in conduct or repeatedly commits acts that alarm or seriously annoy another person and serve no legitimate purpose; or
  - Places the person under surveillance by remaining present outside his school, place of employment, vehicle, other place occupied by the person, or residence, other than the residence of the D, for no purpose other than to harass, alarm, or annoy.
- A misdemeanor
- No contact order shall be entered upon pretrial release

### **Harassing Communications §5-71-209**

- With the purpose to harass, annoy, or alarm another person, he:
  - Communicates with a person, anonymously or otherwise, by telephone, telegraph, mail, or any other form of written communication, in a manner likely to harass, annoy, or cause alarm; or
  - Makes a telephone call or causes a telephone to ring repeatedly, with no purpose of legitimate communication, regardless of whether a conversation ensues; or
  - Knowingly permits any telephone under his control to be used for any purpose prohibited by this section.
- A misdemeanor
- No contact order shall be entered upon pretrial release

### **Unlawful Computerized Communications §5-41-108**

- With the purpose to frighten, intimidate, threaten, abuse, or harass another person - sends a message to the person via e-mail or other computerized communication and in that message threatens to cause physical injury to any person or damage to the property of any person
- With the purpose to frighten, intimidate, threaten, abuse, or harass another person - sends a message via e-mail or other computerized communication with the reasonable expectation that the person will receive the message and in that message threatens to cause physical injury to any person or damage to the property of any person

- With the purpose to frighten, intimidate, threaten, abuse, or harass another person - sends a message to another person via an e-mail or other computerized communication and in that message uses any obscene, lewd, or profane language
- With the purpose to frighten, intimidate, threaten, abuse, or harass another person - sends a message via e-mail or other computerized communication with the reasonable expectation that the person will receive the message and in that message uses any obscene, lewd, or profane language
- A misdemeanor
- No contact order shall be entered upon pretrial release