



BEING STALKED

- » Stalking in Texas is a felony. It requires proving more than one event, so survivors should consider keeping a “stalking log” to help them remember and document their abuser’s actions. Check out the Stalking Resource Center’s Stalking [Safety Plan](#), [Incident and Behavior Log](#), and series of [Response Tips](#).
- » Survivors should keep all evidence of stalking, even if it seems minor or embarrassing, and report it to police when they feel safe. Never erase emails or texts or destroy property from the abuser. Advocates should work with local law enforcement to learn their preferred method of evidence collection (i.e. printed copies of emails versus loaded on a flash drive) so they can advise their clients.
- » Victims and advocates can learn more and plan for tech safety at www.techsafety.org. Survivors of stalking have many legal options for protection aside from criminal cases, including obtaining a protective order and terminating a lease.
- » A survivor can apply for a Stalking Protective Order that would restrict the other person from harassing, communicating directly or indirectly (through another person), coming physically near the survivor, and more. Check out WomensLaw.org for more information on Stalking Protective Orders.

HELP WITH HARASSMENT

- » Harassment is a misdemeanor offense and defined very broadly in Texas. It occurs when a person calls, writes, or e-mails someone with the intention of scaring, embarrassing, annoying, or tormenting them. If the case involves threats of violence, the charge can become stalking, which is a felony.
 - Stalking is any repeated conduct that gives the reasonable fear of physical harm or death, or even property damage. Conduct does not have to be done in person.
- » Survivors can log all harassing behavior and collect any evidence to support a claim of harassment if they choose to report to law enforcement.
- » There are several laws that can help survivors who are being harassed by their abuser or their abuser’s family or friends. Some options that survivors can talk to prosecutors about:
 - Continued harassment can now be charged as stalking in Texas
 - If a survivor does not feel safe going to court because they are being harassed, they can explain or provide evidence of threats or actions by the abuser. The prosecutor may be able to use other evidence in the survivor’s absence.
 - It is crime to harass or use someone else’s accounts or persona online or through social media.
- » Survivors can seek a Stalking Protective Order, if the harassing behavior involves threats of violence to a person or property.

HELP WITH CYBERBULLYING

- » “Cyberbullying” is defined as a person using any electronic communication device to engage in bullying or intimidation, such as statements made through social media and text messages.
 - Cyberbullying can be criminally prosecuted as “harassment,” “online impersonation,” or “disruptive activities.”
 - » Review the tip sheet on Technology for more information.
 - » Victims of cyberbullying can also file a lawsuit against perpetrators for money damages.
 - » Under [Texas Education Code 37.001](#), all schools are required to have a student code of conduct that prohibits bullying and harassment.
 - » Bullying is defined as engaging in written or verbal expression, expression through electronic means (a.k.a. “cyberbullying”), or physical conduct that has the effect of physically harming a student, damaging a student’s property or placing a person in fear of harm. This conduct is sufficiently severe, persistent and pervasive enough that the action or threat creates an intimidating, threatening or abusive educational environment for a student.
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PRIVACY

- » Survivors have the option of using a pseudonym if they choose to make a law enforcement report. To use this option, the survivor needs to fill out a [Pseudonym Form](#) available from law enforcement. The form removes the survivor’s name from public files and records concerning the offense, including policy summary reports, press releases, and records of judicial proceedings. It is important to note that this only protects the survivor’s name in records concerning the offense.
 - » Ongoing conversations with survivors about confidentiality & its implications can help survivors make decisions that work best for them. Check out the [Confidentiality Institute](#) for resources on how to explain and respect survivors’ confidentiality.
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ADDITIONAL TOPICS AND RESOURCES

- » [Stalking Resource Center](#) – An extensive wealth of guidance, training, and technical assistance around the issue of stalking and how best to respond. Call: 202-467-8700
- » [The Confidentiality Institute](#) – Resources, training, and technical assistance around protecting survivor confidentiality and privacy. Call: 1-800-985-5541
- » [Crime Victims](#) - Statewide project that provides free direct legal representation and referrals to victims of violence crime, as well as education about victim's rights. Call 1-844-303-7233 (SAFE).