

Stalking/Harassment Civil Protection Orders (CPOs) By State

8/2007

Relevant Statute	Definition of Stalking?	Definition of Harassment?	Who Qualifies for an Order?	What Must Petitioner Show?	Relief Available (Gun Restraint?)	Notice to Police?	Penalty for Knowing Violation?
<p>Alabama AL ST § 30-5-1</p> <p>NATURE OF PROCEEDING: Civil Protection Order</p> <p>DURATION: One year</p> <p>COST: No filing fee</p>	<p><i>Criminal Code:</i> Repeatedly following or harassing a person and making credible threats, either expressed or implied, with the intent to place that person in reasonable fear of death or serious bodily harm</p>	<p><i>Criminal Code:</i> With intent to harass, annoy, or alarm another: strikes, shoves, kicks, or otherwise touches; directs abusive or obscene language or gestures towards another; makes a threat, verbal or nonverbal, made with the intent to carry out the threat, that would cause a reasonable person to fear for his or her safety; communicates, anonymously or otherwise, by any form of written or electronic communication, in a manner likely to harass or cause alarm</p>	<p>Victim of abuse (includes stalking &/or harassment) who has eligible relationship with abuser; a minor or physically/mentally incapacitated person (by any adult relative, household member, guardian or custodian)</p>	<p>The occurrence of one or more acts, attempts, or threats of abuse (includes stalking &/or harassment) between family or household members</p> <p>STD. OF PROOF: Preponderance</p>	<p>No contact; stay away from residence, school, place of employment, or other specified place; no harassing, annoying, telephoning, contacting, or otherwise communicating, directly or indirectly</p> <p>GUN RESTRAINT? Statute is silent</p>	<p>A copy of the order shall be issued to law enforcement with jurisdiction to enforce the order.</p>	<p>Each order shall state: "A willful violation of this order is a Class A misdemeanor which is punishable by a fine not to exceed two thousand dollars (\$2,000) or imprisonment for up to a year in jail, or both, and is also punishable for civil contempt."</p>

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<p>Alaska ALASKA STAT. 18.65.850</p> <p>NATURE OF PROCEEDING: Civil Protective Order</p> <p>DURATION: 6 months</p> <p>COST: No filing fee</p>	<p><i>Criminal code:</i> A course of conduct that recklessly places another person in fear of death or physical injury, or in fear of death or physical injury of a family member</p>	N/A	<p>A person who reasonably believes that they are a victim of stalking that is not a crime involving domestic violence</p> <p>A parent or guardian can petition on behalf of a minor</p>	<p>Respondent has committed stalking against the petitioner, regardless of whether the respondent appears at the hearing</p> <p>STD. OF PROOF: Preponderance</p>	<p>No contact; stay away from the residence, school or workplace of the petitioner, or any specified place frequented by the petitioner ONLY if the respondent has been provided actual notice of opportunity to appear and be heard on the petition</p> <p>GUN RESTRAINT? Statute is silent</p>	<p>Court shall send a copy of the order to law enforcement. Each law enforcement agency shall establish procedures to inform peace officers of protective orders.</p>	<p>Each order must state "Violation of this order may be a misdemeanor, punishable by up to one year of incarceration and a fine of up to \$5,000"</p>
<p>Arizona A.R.S. § 12-1809</p> <p>NATURE OF PROCEEDING: Civil inj. against harassment</p> <p>DURATION: 1 year</p> <p>COST: No filing fee, fee for service may be waived</p>	N/A	<p>A series of acts over time that is directed at a specific person and that would cause a reasonable person to be seriously alarmed, annoyed or harassed and in fact seriously alarms, annoys or harasses the person and serves no legitimate purpose</p>	<p>A person</p> <p>A parent, legal guardian or person who has legal custody on behalf of a minor</p> <p>A third party on behalf of a person temporarily or permanently unable to request an injunction</p>	<p>A specific statement showing events and dates of the acts constituting the alleged harassment</p> <p>STD. OF PROOF: Reasonable Evidence</p>	<p>No contact; no third party contact; stay away from residence, work, school or other designated locations or persons; relief necessary for the protection of the alleged victim and other designated persons</p> <p>GUN RESTRAINT? Statute is silent</p>	<p>Court shall forward to the sheriff of the county in which the court is located a copy of the injunction and a copy of the affidavit or certificate of service of process</p>	<p>May be arrested and prosecuted for the crime of interfering with judicial proceedings</p>

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<p>California CA. CIV. PRO. §527.6</p> <p>NATURE OF PROCEEDING: Civil Harassment Restraining Order</p> <p>DURATION: 3 years</p> <p>COST: No fees</p>	<p><i>Criminal Code:</i> Willfully, maliciously, and repeatedly following or harassing another person and making a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family</p>	<p><i>Civil Code:</i> Unlawful violence, a credible threat of violence, or a knowing and willful course of conduct directed at a specific person that seriously alarms, annoys, or harasses the person, and that serves no legitimate purpose</p>	<p>A person who has suffered harassment (12 and older)</p>	<p>Reasonable proof of harassment and that great or irreparable harm would result to the plaintiff</p> <p>STD. OF PROOF: Clear & Convincing</p>	<p>Injunctive relief</p> <p>GUN RESTRAINT? Yes</p>	<p>Plaintiff or the attorney for the plaintiff to deliver a copy of order to law enforcement by the close of the business day on which the order was granted.</p>	<p>Misdemeanor punishable by a fine of not more than \$1,000, or by imprisonment for not more than one year, or by both</p>
<p>Colorado COLO. REV. STAT. ANN. §13-14-102</p> <p>NATURE OF PROCEEDING: Civil Protection Order</p> <p>DURATION: Statute is silent</p> <p>COST: No filing fee</p>	<p>In connection with a credible threat, person repeatedly follows, approaches, contacts, makes any form of communication with, or places under surveillance another, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship</p>	<p>N/A</p>	<p>10 years of age or older</p>	<p>Victim of stalking</p> <p>STD. OF PROOF: Of the opinion that the defendant has committed acts constituting grounds for issuance of a civil protection order and that unless restrained will continue to commit such acts</p>	<p>No contact; no violent contact; no third party contact; stay away from the family home or the home of another; temporary care and control of any minor children of either party</p> <p>GUN RESTRAINT? Unclear</p>	<p>Court electronically transfers into central registry</p>	<p>Criminal contempt</p>

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Delaware DEL. CODE ANN. TIT. 10, § 1045 (2006) NATURE OF PROCEEDING: Civil Protection Order DURATION: 1 year; 6 month extension COST: No filing fee	<i>Criminal Code:</i> Course of conduct directed at a specific person which would cause a reasonable person to fear physical injury to oneself, a friend, associate, member of that person's household or to a 3rd person; fear damage to property; fear that the victim's employment, business or career is threatened	N/A	Any person	A family member, former spouse, or co-habitater with or without a child has engaged in stalking/domestic violence STD. OF PROOF: Preponderance	No violent contact; support order; custody order; monetary losses as a result of the domestic violence; no damage to property owned jointly by the parties, stay away order GUN RESTRAINT? Yes	Court may direct the order to be served on sheriff or other law enforcement officer authorized to enforce it	Contempt, and/or misdemeanor
District of Columbia D.C. CODE § 16-1003 NATURE OF PROCEEDING: Civil Protection Order DURATION: 1 year COST: Statute is silent	<i>Criminal Code:</i> Intent to cause emotional distress or place in reasonable fear of death or bodily injury by willfully, maliciously, and repeatedly following another; or without a legal purpose, willfully, maliciously, and repeatedly following or harassing another	N/A	Person who has been stalked	Petitioner must show that the respondent has committed or is threatening to commit stalking STD. OF PROOF: Good cause	No contact; no violent contact; any party to participate in psychiatric or medical treatment; stay away from residence; award personal property; temporary custody & visitation; costs and attorney fees GUN RESTRAINT? Statute is silent	Court orders law enforcement to enforce the order	Misdemeanor punishable by a fine not exceeding \$1,000 or by imprisonment for not more than 180 days, or both

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<p>Florida F.S.A. §784.046</p> <p>NATURE OF PROCEEDING: Civil Petition for Protective Injunction</p> <p>DURATION: Until modified or dissolved</p> <p>COST: No filing fee</p>	<p>Willfully, maliciously, and repeatedly following, harassing, or cyberstalking another person</p>	N/A	<p>Any person who is the victim of stalking or aggravated stalking or the parent or legal guardian of any minor child who is living at home on behalf of minor child.</p>	<p>Specific facts & circumstances of stalking</p> <p>STD. OF PROOF: Statute is silent</p>	<p>No violent contact; other relief as the court deems necessary for the protection of the petitioner</p> <p>GUN RESTRAINT? Unclear</p>	<p>Within 24 hours, entry into Statewide Verification System that allows electronic transmission of the injunction</p>	<p>Arrest; civil or criminal contempt; fine. A willful violation (by behavior specifically listed in the statute) is a first degree misdemeanor and punishable as such.</p>
<p>Georgia GA. CODE ANN., § 16-5-90</p> <p>NATURE OF PROCEEDING: Civil Restr. Order</p> <p>DURATION: One year; upon motion, court can grant a three year or permanent. GA. CODE ANN. §19-13-4(c)</p> <p>COST: None</p>	<p>Following, placing under surveillance, or contacting another person without the consent of the other person for the purpose of harassing and intimidating the other person</p>	N/A	<p>A person who is not a minor who alleges stalking by another person.</p> <p>A person who is not a minor may also seek relief on behalf of a minor.</p>	<p>Stalking by the respondent has occurred in the past and may occur in the future</p> <p>STD. OF PROOF: Preponderance</p>	<p>No harassing contact; costs/fees to either party; any party to receive appropriate psychiatric or psychological services as a further measure to prevent the recurrence of stalking</p> <p>GUN RESTRAINT? Unclear (statute is silent, but see caselaw)</p>	<p>Clerk shall issue a copy to the sheriff of the county wherein the order was entered</p>	<p>Arrest, civil or criminal contempt, or fine of up to \$10,000</p>

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<p>Hawaii HRS § 604-10.5</p> <p>NATURE OF PROCEEDING: Civil Restraining Order Against Harassment</p> <p>DURATION: 3 years</p> <p>COST: Statute is silent</p>	N/A	Physical harm, bodily injury, assault, or the threat thereof; or an intentional or knowing course of conduct that seriously alarms or disturbs consistently or continually bothers another, and that serves no legitimate purpose; provided that such course of conduct would cause a reasonable person to suffer emotional distress	Any person who has been subjected to harassment	<p>Past act of harassment may have occurred, or threats of harassment make it probable that acts of harassment may be imminent; and specific facts and circumstances from which relief is sought</p> <p>STD. OF PROOF: Clear & Convincing</p>	<p>Injunction</p> <p>GUN RESTRAINT? Statute is silent</p>	Any order issued shall be transmitted to the chief of police of the county in which the order is issued by way of regular mail, facsimile transmission, or other similar means of transmission	Mandatory appropriate counseling and mandatory imprisonment for specified terms
<p>Indiana IND. CODE ANN. § 34-26-5-2</p> <p>NATURE OF PROCEEDING: Civil Protection Order</p> <p>DURATION: 2 years; can be extended</p> <p>COST: No fees</p>	<i>Criminal Code:</i> Intentional course of conduct involving repeated harassment of another that would cause a reasonable person to feel terrorized, frightened, intimidated, or threatened and that actually causes such feeling	N/A	Person who is or has been a victim of domestic or family violence (including stalking)	<p>Respondent represents a credible threat to the safety of a petitioner or a member of a petitioner's household.</p> <p>STD. OF PROOF: Preponderance</p>	<p>No contact; stay away; no harassing; removal order; or other relief as the court deems necessary.</p> <p>GUN RESTRAINT? Yes</p>	Court shall transmit the order to local law enforcement by the end of the same business day on which the order is issued	Confinement in prison and/or fines

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<p>Kansas KS ST § 60-31A01</p> <p>NATURE OF PROCEEDING: Civil Protective Order</p> <p>DURATION: 1 year</p> <p>COST: No fees</p>	<p>An intentional harassment of another person that places the other person in reasonable fear for that person's safety.</p>	<p>A knowing and intentional course of conduct directed at a specific person that seriously alarms, annoys, torments or terrorizes the person, and that serves no legitimate purpose.</p>	<p>Victim of stalking or harassment or a parent or an adult living with a child who is being stalked</p>	<p>Two or more separate acts of stalking and harassment over a period of time</p> <p>STD. OF PROOF: Preponderance</p>	<p>No contact; no violent contact; stay away from residence; order or restrain any other acts deemed necessary by the court to protect the victim of stalking</p> <p>GUN RESTRAINT? Statute is silent</p>	<p>A copy of any order shall be issued to the victim, the defendant and the police department of the city where the victim resides.</p>	<p>Contempt; criminal prosecution</p>
<p>Louisiana LA. REV. STAT. § 46:2131</p> <p>NATURE OF PROCEEDING: Civil Protection Order</p> <p>DURATION: 18 months</p> <p>COST: None</p>	<p><i>Criminal Code:</i> Intentional and repeated following or harassing of another person that would cause a reasonable person to feel alarmed or to suffer emotional distress</p>	<p>N/A</p>	<p>Victim of abuse (including stalking), parent or adult on behalf of a child or person who is incompetent, District Attorney on behalf of a minor child or incompetent adult.</p>	<p>The facts and circumstances concerning the alleged abuse; the relationship between each petitioner and each individual alleged to have committed abuse</p> <p>STD. OF PROOF: Preponderance</p>	<p>No contact; stay away; possession of the household; no transfer of mutually owned property; temporary custody, visitation and support; counseling or professional medical treatment for the defendant or the abused person, or both.</p> <p>GUN RESTRAINT? Statute is silent</p>	<p>Court to send to the chief law enforcement official of the parish where the petitioner resides</p>	<p>Contempt, up to 6 months in jail, or a fine up to \$500</p>

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<p>Maryland MD CTS. & JUD. PRO. § 3-1501 MD FAM. § 4-501</p> <p>NATURE OF PROCEEDING: Civil Peace Order or Protective Order</p> <p>DURATION: Peace Order: 6 months Protective Order: 12 months</p> <p>COST: Statute is silent</p>	<p>A malicious course of conduct that includes approaching or pursuing another when one reasonably should have known the conduct would place another in reasonable fear of serious bodily injury; of an assault in any degree; of rape or sexual offense or attempted rape or sexual offense in any degree; of false imprisonment; or of death; or that a third person likely will suffer any of the above</p>	<p>Following another in or about a public place; or, a malicious course of conduct that alarms or seriously annoys another, with the intent to harass, alarm, or annoy the other, after receiving a reasonable warning or request to stop by or on behalf of the other, and without a legal purpose</p>	<p>Victim of stalking or harassment</p>	<p>Nature and extent of the stalking, including information known to the petitioner concerning previous harm or injury resulting</p> <p>STD. OF PROOF: Clear & Convincing</p>	<p>No contact; no violent contact; stay away from residence, temporary residence, workplace, or school; either party to pay filing fees and costs; either party to participate in professionally supervised counseling; if parties are amenable, mediation</p> <p>GUN RESTRAINT? Statute is silent</p>	<p>Petitioner delivers to law enforcement</p>	<p>Criminal prosecution and imprisonment or fine, or both</p>

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<p>Michigan MICHIGAN COMPILED LAWS § 600.2950A</p> <p>NATURE OF PROCEEDING: Civil Petition for Personal Protective Order</p> <p>DURATION: Date Certain</p> <p>COST: No fees</p>	<p><i>Criminal Code:</i> A willful course of conduct involving repeated or continuing harassment of another that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested and that actually causes such feeling</p>	N/A	An individual who petitions the court	<p>Facts that constitute stalking</p> <p>STD. OF PROOF: Statute is silent</p>	<p>Injunction</p> <p>Relief may be sought and granted regardless of whether respondent has been criminally charged or convicted.</p> <p>GUN RESTRAINT? Yes</p>	<p>Law enforcement agency immediately enters the order into the Law Enforcement Information Network</p>	<p>If respondent is 17 or older, immediate arrest and civil & criminal contempt powers of court – if found guilty of contempt, imprisoned for not more than 93 days and fined no more than \$500</p>
<p>Minnesota MINN. STAT. ANN. §609.748</p> <p>NATURE OF PROCEEDING: Civil Harassment Restraining Order</p> <p>DURATION: No more than two years. MINN. STAT. ANN. § 609.748, subd. 5(a)</p> <p>COST: Waviable fee~\$250</p>	<p>Stalks, follows, monitors, or pursues another, whether in person or through technological or other means MINN. STAT. ANN. 609.749, subd. 2(a)</p>	<p>A single incident of physical or sexual assault or repeated incidents of intrusive or unwanted acts, words or gestures that have a substantial adverse effect or are intended to have such effect on the safety, security, or privacy of another, regardless of the relationship</p>	<p>Victim of harassment; parent, guardian or stepparent on behalf of a minor</p>	<p>Specific facts and circumstances</p> <p>STD. OF PROOF: Reasonable Grounds</p>	<p>No contact; stay away</p> <p>GUN RESTRAINT? Yes</p>	<p>Shall be forwarded by the court administrator within 24 hours to local law enforcement</p>	<p>Misdemeanor and/or civil contempt; felony when certain conditions are present</p>

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<p>Missouri MO ST §455.005</p> <p>NATURE OF PROCEEDING: Civil Protective Order</p> <p>DURATION: 6-12 months</p> <p>COST: No filing fees, court costs or bonds</p>	<p>Purposely and repeatedly engaging in an unwanted course of conduct that causes alarm to another when it is reasonable in that person's situation to have been alarmed by the conduct</p>	N/A	Victim of stalking	<p>A verified petition alleging such stalking by respondent</p> <p>STD. OF PROOF: Preponderance</p>	<p>No contact; no violent contact; no third party contact; stay away from Petitioner's dwelling; temporary custody and support of minor children where appropriate</p> <p>GUN RESTRAINT? Unclear</p>	<p>A copy is issued to the local law enforcement agency where petitioner resides and entered the same day into Missouri Uniform Law Enforcement System</p>	<p>Misdemeanor; felony when certain conditions are present.</p> <p>Court may punish willful violation to same extent as provided by law for contempt of court.</p>
<p>Montana MT ST 40-15-116</p> <p>NATURE OF PROCEEDING: Civil Protective Order</p> <p>DURATION: Can be permanent</p> <p>COST: No costs</p>	<p><i>Criminal Code:</i> Knowingly causing another substantial emotional distress or reasonable apprehension of bodily injury or death by repeatedly following; or harassing, threatening or intimidating, in person or by mail, electronic communication, or any other action, device, or method</p>		Any adult who has been the victim of stalking	<p>Petitioner is in reasonable apprehension of bodily injury</p> <p>STD. OF PROOF: Statute is silent</p>	<p>No contact; stay away from Petitioner's residence; 1500 ft. stay away worksite or other specified place</p> <p>GUN RESTRAINT? Yes</p>	<p>Within 24 hours, the clerk shall mail a copy of the order to the appropriate law enforcement agencies, which shall, within 24 hours after receipt of the order, enter the order into the database of the National Crime Information Center</p>	<p>Penalties of up to \$10,000 in fines and up to a 5-year jail sentence</p>

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<p>Nebraska NEB.REV.ST. § 28-311.02</p> <p>NATURE OF PROCEEDING: Civil Harassment Protective Order</p> <p>DURATION: Statute is silent</p> <p>COST: No fees</p>	<p>Willful harassment of another person, or a family or household member of such person, with the intent to injure, terrify, threaten, or intimidate</p>	<p>A knowing and willful course of conduct directed at a specific person which seriously terrifies, threatens, or intimidates the person and which serves no legitimate purpose</p>	<p>Any victim who has been harassed</p>	<p>The events and dates of acts constituting the alleged harassment</p> <p>STD. OF PROOF: Statute is silent</p>	<p>No contact; no violent contact; no restraint upon liberty of petitioner</p> <p>GUN RESTRAINT? No</p>	<p>The clerk of the court shall forthwith provide the local law enforcement agency one copy of the order</p>	<p>Misdemeanor; arrest or contempt</p>
<p>Nevada N.R.S. §200.591</p> <p>NATURE OF PROCEEDING: Judicial Order</p> <p>DURATION: 1 year</p> <p>COST: No fees</p>	<p><i>Criminal Code:</i> Without lawful authority, willfully or maliciously engaging in a course of conduct that would cause a reasonable person to feel terrorized, frightened, intimidated or harassed, and that actually causes such feeling</p>	<p><i>Criminal Code:</i> Without lawful authority, knowingly threatening to cause bodily injury in the future to the person threatened or to any other person; to cause physical damage to the property of another; to subject the person threatened or any other person to physical confinement or restraint; to do any act which is</p>	<p>Any person who reasonably believes that the crime of stalking, aggravated stalking or harassment is being committed against him by another person</p>	<p>Specific facts and circumstances as victim of stalking or harassment</p> <p>STD. OF PROOF: Unclear</p>	<p>No contact; no violent contact; stay away from home, school, business or workplace of the Petitioner or any other location specifically named by the court; any other restriction which the court deems necessary to protect the Petitioner or any other person named in the order</p> <p>GUN RESTRAINT? Statute is silent</p>	<p>Each court that issues an order shall transmit, as soon as practicable, a copy of the order to all law enforcement agencies within its jurisdiction</p>	<p>Felony; Imprisonment for 1- 5 years; \$10,000 fine</p>

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		intended to substantially harm the person threatened or any other person with respect to his physical or mental health or safety; and the person by words or conduct places the person receiving the threat in reasonable fear that the threat will be carried out					
New Hampshire N.H. REV. STAT. § 173-B N.H. REV. STAT. § 633:3-A NATURE OF PROCEEDING: Civil Protective Order DURATION: 1 year; may be extended COST: No filing fee	Purposely, knowingly, or recklessly engaging in 2 or more acts targeted at a specific person which would cause a reasonable person to fear for his or her personal safety or the safety of a member of that person's immediate family, and the person is actually placed in such fear	N/A	Any person; no age limit	Defendant represents a credible threat to the safety of the plaintiff STD. OF PROOF: Preponderance	No contact; no violent contact with Petitioner or family or household; stay away from residence, workplace, school, or any specified place; no taking, converting, or damaging property in which the plaintiff may have a legal or equitable interest GUN RESTRAINT? Yes	A copy shall be promptly transmitted to the local law enforcement agency having jurisdiction to enforce such order	A willful violation of this order is a crime, as well as contempt of court. Violations of the protective provisions shall result in arrest and may result in imprisonment.

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Relevant Statute	Definition of Stalking?	Definition of Harassment?	Who Qualifies for an Order?	What Must Petitioner Show?	Relief Available (Gun Restraint?)	Notice to Police?	Penalty for Knowing Violation?
<p>New Mexico N.M. STAT. ANN. §40-13-3</p> <p>NATURE OF PROCEEDING: Civil Order of Protection</p> <p>DURATION: 6 months if it involves custody or support</p> <p>COST: No fees.</p>	<p><i>Criminal Code:</i> Knowingly pursuing a pattern of conduct that would cause a reasonable person to feel frightened, intimidated or threatened. Must intend to place another person in reasonable apprehension of death, bodily harm, sexual assault, confinement or restraint or to cause a reasonable person to fear for his/her safety or the safety of a household member</p>	N/A	Victim of stalking	<p>Immediate danger of abuse following an incident of abuse by the respondent</p> <p>STD. OF PROOF: Reasonable grounds</p>	<p>Injunctive relief; counseling; stay away; no contact</p> <p>GUN RESTRAINT? Statute is silent</p>	Court clerk to send to the local law enforcement agency	First offense is a misdemeanor, second or subsequent offenses lead to jail time of not less than 72 hours
<p>New York N.Y. FAM. CT. § 821</p> <p>NATURE OF PROCEEDING: Civil Protection Order</p> <p>DURATION:</p>	<p><i>Criminal Code:</i> Intentionally, for no legitimate purpose, engaging in a course of conduct, knowing or reasonably should know that such conduct is likely to cause or causes reasonable fear of</p>	<p><i>Criminal Code:</i> With intent to harass, annoy, or alarm, to actually, attempt or threaten to physically contact another with intent to harass, annoy, or alarm another; To follow a person</p>	Any person related to the alleged abuser as spouse, former spouse, parent, child or other member of the same family or household	Respondent committed assault or attempted assault, disorderly conduct, harassment, stalking, menacing or reckless endangerment toward the petitioner; and	No contact; no violent contact; no harm to animals; batterers' intervention program; stay away; payment of fees; payment of medical expenses; child visitation; removal order;	Court transfers into central registry	Upon the filing of a petition by the original petitioner or any person who may originate proceedings, the court can either modify the order or transfer to criminal court.

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Up to 5 years but usually granted for 1-2 years COST: No fees	material harm to physical health, safety or property of such person, a member of such person's immediate family, or a third party acquaintance; or is likely to cause such person to reasonably fear that his/her employment, business or career is threatened	in or about public places; or to engages in a course of conduct or repeatedly commits acts which alarm or seriously annoy such other person and which serve no legitimate purpose		respondent is the spouse, former spouse, parent, child or other member of the same family or household as the petitioner STD. OF PROOF: Good cause	child custody GUN RESTRAINT? Yes		
North Carolina N.C. GEN. STAT. § 50C-1 NATURE OF PROCEEDING: Civil No Contact Order DURATION: 1 year COST: No fees	Following more than once or otherwise harassing without legal purpose, with intent to place in reasonable fear for personal safety or the safety of immediate family or close personal associates; cause to suffer substantial emotional distress by placing in fear of death, bodily injury, or continued harassment	<i>Criminal Code:</i> Knowing conduct, including written, printed or electronic communication or transmission, directed at a specific person that torments, terrorizes, or terrifies that person and that serves no legitimate purpose	A person who is a victim of unlawful conduct by someone with whom they are not in personal relationship, or a competent adult on their behalf	Petitioner has suffered unlawful conduct committed by the respondent STD. OF PROOF: Statute is silent	No contact; no violent contact; stay away from petitioner's residence, school, workplace, or other specified places; other relief deemed necessary and appropriate by the court GUN RESTRAINT? Statute is silent	On the same day order is issued, clerk shall deliver a certified copy of that order to the sheriff.	Contempt of court which may result in a fine or imprisonment

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<p>Ohio OH ST § 2903.214</p> <p>NATURE OF PROCEEDING: Civil Protective Order</p> <p>DURATION: 5 years</p> <p>COST: No filing fee</p>	<p>A pattern of conduct that knowingly causes another to believe that the offender will cause physical harm or mental distress to the other person; using any method of remotely transferring information to post a message with a purpose to urge or incite another to commit a violation of this section</p>		<p>Any person, or any parent or adult household member on behalf of any other family or household member</p>	<p>Respondent engaged in menacing by stalking</p> <p>STD. OF PROOF: Preponderance</p>	<p>Stay away from residence, school, business, or workplace of the petitioner or family or household member; any other terms designed to ensure the safety and protection of the person to be protected by the protection order</p> <p>GUN RESTRAINT? Statute is silent</p>	<p>The court shall deliver a copy to all law enforcement agencies that have jurisdiction to enforce the order. All law enforcement agencies shall establish and maintain an index for the protection orders.</p>	<p>First violation: misdemeanor, punishable by 6 months in jail and/or a \$1,000 fine.</p> <p>Subsequent violations: felony, punishable by a mandatory prison term of 6-12 months, and/or a fine of up to \$2,500.</p>
<p>Oklahoma 22 OKL. ST. ANN. § 60.1</p> <p>NATURE OF PROCEEDING: Civil Protective Order</p> <p>DURATION: 3 years</p> <p>COST: No fees</p>	<p>Willful, malicious and repeated following with the intent of placing a person in reasonable fear of death or great bodily injury</p> <p>[but see harassment for behavior by a family or household member or former or current dating partner]</p>	<p>A knowing and willful course of conduct by a family or household member or dating partner, directed at a specific person which reasonably and seriously alarms or annoys the person, and serves no legitimate purpose</p>	<p>Victim of domestic abuse, stalking, harassment, rape</p> <p>Any adult or emancipated minor household member on behalf of family or household member who is a minor or incompetent</p> <p>Any minor age 16 or 17</p>	<p>Stalking NOT by family or household member or former or current dating partner</p> <p>Petitioner required to report to law enforcement</p> <p>STD. OF PROOF: Preponderance</p>	<p>Any terms and conditions that the court reasonably believes are necessary</p> <p>GUN RESTRAINT? Unclear</p>	<p>Within 24 hours of the return of service, the clerk shall send certified copies of the order to all appropriate law enforcement agencies designated by the plaintiff. Receiving law enforcement agency shall enter information in the National Crime Information Center database</p>	<p>Misdemeanor; punishable by a fine of up to \$1,000 or imprisonment for up to 1 year, or by both. A violation of the order which causes injury is punishable by imprisonment for 20 days to 1 year or a fine of up to \$5,000, or by both</p>

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Oregon O.R.S. § 163.730 NATURE OF PROCEEDING: Stalking Protective Order DURATION: Unlimited COST: No filing fee	<i>Criminal Code:</i> Intentionally, knowingly or recklessly engaging in repeated and unwanted contact with another or a member of their immediate family or household, reasonably alarming or coercing the other and causing reasonable apprehension for their personal safety or a member of their immediate family or household	N/A	A person alleging stalking	Conduct that is the basis for the complaint STD. OF PROOF: Preponderance	No contact GUN RESTRAINT? Yes	Person serving the order shall forthwith deliver to the county sheriff a true copy of the order and an affidavit of proof of service. Upon receipt, the county sheriff shall forthwith enter the order into the Law Enforcement Data System and into the National Crime Information Center	Class A misdemeanor or class C Felony
Rhode Island RI ST § 15-15-1 NATURE OF PROCEEDING: Civil Protection Order DURATION: Statute is silent COST: No fees	Harassing another person or willfully, maliciously and repeatedly following another person with the intent to place that person in reasonable fear of bodily injury; transmitting any communication by computer to any	A knowing and willful course of conduct directed at a specific person with the intent to seriously alarm, annoy, or bother the person, and which serves no legitimate purpose. The course of conduct must be such as would	A person suffering from stalking by a present or former family member, parent, stepparent, or person with whom the petitioner is or has been in a substantive dating or engagement relationship within the past one year	One or more acts of stalking	No contact; no violent contact; stay away; exclusion from household; custody; child support GUN RESTRAINT? Yes	Statute is silent	Contempt; misdemeanor punished by a fine of no more than \$1,000 or by imprisonment for not more than one year, or both; may be ordered to attend counseling

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	person or causing any person to be contacted for the sole purpose of harassing that person or his or her family	cause a reasonable person to suffer substantial emotional distress, or be in fear of bodily injury	in which at least one of the persons is a minor				
South Carolina SC ST §16-3-1750 NATURE OF PROCEEDING: Restraining Order Against Stalking and Harassment DURATION: Not less than 1 year COST: No filing or service fee	<i>Criminal Code:</i> A pattern of words, whether verbal, written, or electronic, or a pattern of conduct that serves no legitimate purpose and is intended to cause and does cause a targeted person and would cause a reasonable person in the targeted person's position to fear the death, assault, bodily injury, criminal sexual contact, kidnapping, or damage to the property of the person or a member of his family	<i>Criminal Code:</i> A pattern of intentional, substantial, and unreasonable intrusion into the private life of a targeted person that serves no legitimate purpose and causes the person and would cause a reasonable person to suffer mental or emotional distress [examples in statute]	Victim of harassment or stalking	Defendant engaged in harassment or stalking; the time, place, and manner of the acts complained of, and other facts & circumstances upon which relief is sought STD. OF PROOF: Good Cause	No contact; no violent contact; stay away from Petitioner's place of residence, employment, education, or other location GUN RESTRAINT? Statute is silent	Statute is silent	Criminal offense punishable by 30 days in jail, a fine of \$500, or both

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South Dakota S.D. C. L. §22-19A-8 NATURE OF PROCEEDING: Civil Protective Order DURATION: 5 years COST: Statute is silent	<i>Criminal Code:</i> Willfully, maliciously, and repeatedly following or harassing another; making a credible threat to another with the intent to place that person in reasonable fear of death or great bodily injury; or willfully, maliciously, and repeatedly harassing another by means of any verbal, electronic, digital media, mechanical, telegraphic, or written communication	N/A	Victim of stalking	Specific facts and circumstances of stalking STD. OF PROOF: Preponderance	No contact; no violent contact; other relief as the court deems necessary for the protection of the [petitioner]... including orders or directives to law enforcement officials GUN RESTRAINT? Statute is silent	The petitioner may deliver the order to law enforcement within 24 hours. Law enforcement shall make available to other law enforcement.	Misdemeanor; Felony if another act of stalking
Tennessee TENN. CODE ANN. § 36-3-601 NATURE OF PROCEEDING: Civil Protective Order	<i>Criminal Code:</i> A willful course of conduct involving repeated or continuing harassment of another that would cause a reasonable person to feel terrorized, frightened,	N/A	Any victim who has been subjected to, threatened with, or placed in fear of stalking	Petitioner was subjected to, threatened with, or placed in fear of stalking STD. OF PROOF: Preponderance	No contact; no violent contact; no third party contact; possession of the residence; suitable alternate housing when respondent is the sole owner or lessee of the residence; temp. custody; spousal	A copy shall be issued to local law enforcement with jurisdiction where the petitioner resides. Upon receipt, law enforcement shall immediately enter into the Tennessee Crime	The court may hold the defendant in civil or criminal contempt and a civil penalty of \$50.00

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DURATION: 1 year COST: No fees	intimidated, threatened, harassed, or molested, and that actually causes such feeling				and child support if parties are married; respondent to attend counseling addressing violence and control issues or substance abuse GUN RESTRAINT? Statute is silent	Information System and the National Crime Information Center	
Texas VERNON'S ANN.TEXAS C.C.P. ART. 17.292 NATURE OF PROCEEDING: Magistrate's Order for Emergency Protection DURATION: 31-91 days COST: Statute is silent	<i>Criminal Code:</i> Knowingly engaging in a course of conduct, including following the other person, that the actor knows or reasonably believes will cause the other to fear bodily injury or death, harm to a member of the other person's family or household or the other person's property; and actually and reasonably causes such fear	N/A	The victim of stalking The guardian of the victim A peace officer The attorney representing the state	Respondent's arrest for stalking	No contact; no violent contact; no third party contact; stay away from the residence, school, child care or workplace of the victim or victim's family members GUN RESTRAINT? Yes	Magistrate shall send a copy to law enforcement where the protected person resides <i>Orders suspending concealed handgun permit:</i> Clerk shall immediately send order to Dep't of Public Safety, who shall record suspension, demand surrender, and notify law enforcement	Fine of as much as \$4,000 or by confinement in jail for as long as one year or both

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<p>Utah UTAH CODE ANN. § 77-3A-101</p> <p>NATURE OF PROCEEDING: Civil Stalking Injunction</p> <p>DURATION: 3 years</p> <p>COST: No filing or service fee</p>	<p><i>Criminal Code:</i> Intentionally or knowingly engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear bodily injury to himself or a member of his immediate family; or to suffer emotional distress to himself or a member of his immediate family</p>	N/A	Any person who believes that he or she is the victim of stalking	<p>Belief that he or she is the victim of stalking</p> <p>STD. OF PROOF: Preponderance</p>	<p>No contact; no third party contact; stay away from residence, workplace, school or designated locations or persons; any other relief necessary or convenient for the protection of the petitioner and other designated persons</p> <p>GUN RESTRAINT? Statute is silent</p>	<p>Within 24 hours, excluding weekends and holidays, the clerk shall enter a copy in the statewide network for warrants or a similar system</p>	Contempt or criminal stalking charge
<p>Vermont 12 V.S.A. § 5131</p> <p>NATURE OF PROCEEDING: Civil Protective Order</p> <p>DURATION: A fixed period</p> <p>COST: No filing fee</p>	<p>A course of conduct including following, lying in wait, or threatening directed at a specific person or a member of their family, which serves no legitimate purpose and would cause a reasonable person to fear for their safety or to feel substantial emotional distress</p>	N/A	A person, other than a family or household member	<p>Victim of stalking</p> <p>STD. OF PROOF: Preponderance</p>	<p>No contact; no third party contact; any other such order necessary to protect the plaintiff or the plaintiff's children, or both</p> <p>GUN RESTRAINT? Statute is silent</p>	<p>Court shall transmit a copy of the order to the department of public safety's protection order database. Law enforcement shall establish procedures for making their personnel aware of the existence and contents of such orders.</p>	A fine of \$1,000 or imprisonment for six months, or both

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<p>Virginia VA. CODE ANN. § 19.2-152.10</p> <p>NATURE OF PROCEEDING: Civil Protective Order</p> <p>DURATION: 2 years</p> <p>COST: No fees</p>	<p><i>Criminal Code:</i> Conduct directed at another on more than one occasion, with the intent to place, or when it is known or reasonably should be known that the conduct places that person in reasonable fear of death, criminal sexual assault, or bodily injury to that person or to that person's family or household</p>	N/A	Victim of criminal stalking	<p>Victim of criminal stalking</p> <p>STD. OF PROOF: Preponderance</p>	<p>No contact; any other relief necessary to prevent criminal offenses that may resulting injury to person or property, or acts of stalking, communication or other contact of any kind by the respondent</p> <p>GUN RESTRAINT? Statute is silent</p>	<p>Clerk shall upon receipt forward an attested copy to law enforcement, which shall, upon receipt, enter it into the VA Criminal Information Network</p> <p>Where practical, the court may transfer information electronically to the VA Criminal Information Network</p>	Contempt
<p>Washington RCW 10.14.010</p> <p>NATURE OF PROCEEDING: Civil Anti-harassment Protective Order</p> <p>DURATION: 1 year</p> <p>COST: No fees if a victim of stalking</p>	<p><i>Criminal Code:</i> Without lawful authority, intentionally and repeatedly harassing or following another, placing them in reasonable fear that the stalker intends to injure that person, another person, or property. The stalker must intend, know or</p>	Without legitimate or lawful purpose, a knowing and willful course of conduct directed at a specific person which seriously alarms, annoys, harasses, or is detrimental to such person, and actually and reasonably causes substantial emotional distress to the petitioner,	<p>A victim of stalking or harassment</p> <p>Parent or guardian thereof</p>	<p>The existence of unlawful harassment</p> <p>STD. OF PROOF: Preponderance</p>	<p>No contact; no surveillance; stay away from home and workplace; respondent to pay fees and costs</p> <p>GUN RESTRAINT? Yes, if court finds by clear and convincing evidence</p>	<p>A copy shall be forwarded by the clerk on or before the next judicial day to the appropriate law enforcement agency, who shall, upon receipt, enter the order into any computer-based criminal intelligence information system</p>	Criminal penalties; contempt

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	reasonably should have known that the person is afraid, intimidated, or harassed	or, when the course of conduct would cause a reasonable parent to fear for the well-being of their child					
Wisconsin W.S.A. 813.125 NATURE OF PROCEEDING: Civil Harassment Restraining Order DURATION: 4 years COST: Statute is silent	<i>Criminal Code:</i> Two or more acts carried out over time, however short or long, that show a continuity of purpose, including any of the following: [detailed examples in statute]	N/A	Victim of stalking	Respondent has engaged in harassment with intent to harass or intimidate the petitioner STD. OF PROOF: Reasonable Grounds	No contact; stay away from Petitioner's residence or premises GUN RESTRAINT? Yes	Within one business day, clerk shall send a copy to the law enforcement agency which has jurisdiction over the petitioner's premises. Law enforcement shall enter into the Transaction Information for Management of Enforcement system no later than 24 hours after receipt.	Fine not more than \$1,000 or imprisoned not more than 90 days or both
Wyoming WYO. STAT. § 7-3-506 NATURE OF PROCEEDING: Civil Protective Order	<i>Criminal Code:</i> A course of conduct intended to and reasonably likely to harass another, including but not limited to: Communicating, anonymously or otherwise, or	N/A	A victim of stalking, or the district attorney on behalf of the alleged victim	Facts showing the alleged stalking and the identity of the alleged stalker STD. OF PROOF: Statute is silent (Temporary order: a clear and	No contact; no violent contact; no third party contact; stay away from Petitioner's home, school, business or other designated locations	A copy of the order of protection shall be filed with the sheriff of the county.	Misdemeanor punishable by imprisonment for not more than 6 months, a fine of not more than \$750, or both. Temporary and final orders of protection have

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DURATION: 1 year COST: No fees	causing a communication with another by any means in a manner that harasses; Following another, other than within the residence of the defendant; Placing a person under surveillance by remaining present outside his or her school, workplace, vehicle, other place occupied by the person, or residence other than the residence of the defendant; or Otherwise engaging in a harassing course of conduct			present danger of further stalking or of serious adverse consequences to any person)	GUN RESTRAINT? Statute is silent		statewide applicability and a criminal prosecution under this subsection may be commenced in any county in which the respondent commits an act in violation of the order

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