



# Victim Services of Waterloo Region

Fact Sheet 1/2 on Criminal Harassment

## What is Criminal Harassment?

Criminal harassment is a criminal offence, and is *harassing* behaviour that includes *stalking*. The behaviour must give you good reason to fear for your personal safety and have no legitimate purpose (be legal – e.g. a debt collector may call you several times, regardless of it being annoying).

Generally, the behaviour must happen repeatedly; however, if the behaviour is overtly threatening a single incident may be considered criminal harassment.

## Examples of Criminal Harassment

- ❑ Calling you repeatedly, and hanging up when you answer.
- ❑ Sending you constant email or instant messages.
- ❑ Following you, family or friends.
- ❑ Leaving threatening voice messages.
- ❑ Sending you gifts that you do not want.
- ❑ Watching you or tracking where you go.
- ❑ Threatening you, your children, family, pets or friends.

## Profile of a Stalker

There are many different kinds of people who stalk, but there are two basic categories:

- ❑ **Stalkers obsessed with a stranger:** Some stalkers fixate on a stranger, sometimes a celebrity. They may believe their actions will eventually win their victim's love, or have delusions that the victim already loves them but can't return their affection because of some external influence.
- ❑ **Stalkers obsessed with someone they know:** Many stalkers know their victims and try to control them, whether they are ex-partners, spouses, acquaintances, co-workers or close friends. In many cases, the stalking is an extension of family violence.

It is hard to know if the person harassing you will become violent - the police to help you assess the risk. Rarely do criminal harassment cases result in injury to the victim, but when criminal harassment is a continuation of a family violence situation the risk of violence is greater. It is always a good idea to find ways to increase your safety.

## Why Choose You?

Being harassed or stalked is not your fault. It is not about love, but about control. You have the right to reject a friendship, separate from a spouse, or break up with a partner. Just because you know a person does not mean that you must put up with harassing behaviour. You are not to blame if someone repeatedly bothers you or follows you around. Remember, what they



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are doing is **NOT** love. It is against the law and you can take action.

## What can you do?

- ❑ *Call the police!*
  - ❑ Dial 911 if you are in immediate danger.
  - ❑ Call the regular police number to discuss other criminal harassment offences.
  - ❑ Tell them what is happening.
  - ❑ Let them know that you fear for your safety or for the safety of someone you know.
  - ❑ Ask for support and information to help you cope.

## How can the Police Help?

- ❑ Can suggest ways to stop unwanted contact and improve your safety.
- ❑ Can put you in touch with others who can help, including:
  - ❑ Victim service workers
  - ❑ Transition houses
  - ❑ Crisis and counselling services
- ❑ Can suggest safety measures.

**Your safety is important to the police!**

## The Investigation

Police will ask about the harassment and collect as much evidence as possible. They may take photographs of damaged property and ask for any written records. The officer will write a report about the incident and ask you to prepare a written statement of your complaint.

**Be sure to get the police file number for your case and use it whenever you call the police.**

## What Information do they Need?

The more evidence you have, the better. Keep:

- ❑ Any relevant details that you know about the person, especially:
  - ❑ Does he or she have a gun?
  - ❑ A criminal record?
  - ❑ An existing court order not to contact you?
- ❑ Record details about every contact. These records will help if you go to court. Include:
  - ❑ Dates
  - ❑ Times
  - ❑ Places
  - ❑ what the person said or did
- ❑ Ask your friends to keep records too if the person is contacting them.
- ❑ Things the person sent you, such as notes/gifts.
- ❑ A list of witnesses, including names and telephone numbers.

## Will the Police Lay Charges?

If there is enough evidence, the police will charge the person. If no charges are laid, it does not mean that they do not believe you. There may not be enough evidence to support a charge and the police may suggest other legal options such as a *peace bond, restraining order or protection order*.

## Possible Charges

Depending on the events and the type of evidence, the police might charge the person with one or more *Criminal Code* offences, e.g.:

- ❑ Criminal harassment
- ❑ Assault
- ❑ Trespassing at night
- ❑ Uttering threats
- ❑ Intimidation



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