

JAG Campus Stalking Project*

OHIO LAW

Menacing by Stalking

“No person by engaging in a pattern of conduct shall knowingly cause another to believe that the offender will cause physical harm to the other person or cause mental distress to the other person.”

“Pattern of conduct” is defined as “two or more actions or incidents closely related in time, whether or not there has been a prior conviction based on any of those actions or incidents.

The law has been amended to expand the definition of “pattern of conduct” to include cyberstalking (e.g. such as sending threatening messages, posting such messages on a computer bulletin board, using a computer bulletin board or listserv to induce a third person to engage in stalking conduct against the victim, or using the Global Positioning System to track the whereabouts of the victim).

Actions or incidents that prevent, obstruct, or delay the performance by a public official, firefighter, rescuer, emergency medical services person, or emergency facility person of any authorized act within the public official’s, firefighter’s, rescuer’s emergency medical services person’s, or emergency facility person’s official capacity may constitute a ‘pattern of conduct.’”

“Physical harm” is defined as “any injury, illness, or other physiological impairment, regardless of its gravity or duration.”

“Mental distress” is defined as “any mental illness or condition that involves some temporary substantial incapacity or any mental illness or condition that would normally require psychiatric treatment, psychological treatment, or other mental health services whether or not any person requested or received psychiatric treatment, psychological treatment, or other mental health services.”

The law prohibits stalking or harassing someone repeatedly through electronic means, such as by e-mail, web chat room, or message board. Posting false information on the Internet to cause another person to stalk an individual is also illegal.

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(The Ohio Domestic Violence Benchbook – A Practical Guide to Competence for Judges & Magistrates, Second Edition, Family Violence Prevention Center, Ohio Office of Criminal Justice Services.)

(Stalking Law - Benchbook)