

Excerpts From Victim Impact Statements

Preston Sorensen, Victim (17 years old at the time of trial)

“An adult is supposed to be someone you can trust, someone who knows better. But instead, I’ve been made to feel powerless, like my safety and well-being don’t matter. The stress from this situation has impacted my schoolwork, my friendships, my ability to compete at sporting activities, and my ability to just live a normal life. I’ve had to be worried about what might happen next. I’ve avoided places I used to enjoy because I don’t want to run into the person who has caused me so much fear. Even at home, I don’t feel fully at ease because the stress doesn’t just go away.”

Gillian Holman, Victim (16 years old at the time of trial)

“I wanted a chance to speak to tell you all how hard and isolating the last year and a half has been. If you had told me over a year ago that I would be stalked, harassed, and bullied by a trusted adult in the community, I would have never believed it. This has affected my life in so many ways. I have felt unsafe, scared, anxious, and stressed about everything and anything...For the rest of the summer and into the beginning of the school year, I was afraid to go to any sporting events or even the homecoming dance. I had a constant gut feeling that someone was watching me, and I didn’t want to go to any of the games or any other public outings. It felt like I was waiting for something bad to happen and was stressed about what the anonymous texter would do next. “

Brandi Sorensen, Mother of Preston Sorensen (Victim)

“There were multiple sexually inappropriate things, such as Marcie suggesting my son send her daughter pictures of him in his underwear and jokes that she left her daughter lingerie as an apology for him. The "anonymous texter" posed as someone from another town, asking Preston about Marcie and her daughter, including whether he found them attractive and if Marcie was a MILF. She asked my son if he had a boner while dancing with Gillian. Marcie kept bugging him to "just marry her daughter" for nearly a year after they had broken up. In my opinion, it was never about her daughter—it was about Marcie’s obsession with my son.”

Dan Holman, Father of Gillian Holman (victim)

“I had to tell my daughter that I didn’t have a way to help her. I couldn’t guarantee that everything was going to be ok. I had to have my daughter make sure and run with other kids at cross country practice because we didn’t know if someone was going to try and hurt her. We had to have talks about keeping your head on a swivel because we didn’t know where the threat was. There were events she wanted to attend but we wouldn’t let her because we

felt she would be too vulnerable. This young lady got a dose of life she shouldn't have had to deal with at 15 and 16 years old."

Ryan Sorensen, Father of Preston Sorensen (victim)

"No 40-year-old woman should be talking about sexual things with a 15-year-old boy. Imagine if I, as a 45-year-old man, asked a 15-year-old girl to send my son pictures in her underwear. Our community would be disgusted, as they should be.

There is a stigma in our society about males being targeted by females in this way. Too often, people brush it off, act like it's not serious, or that a young man should be flattered or just "get over it."

But—this is real. It is disgusting. And it has lasting consequences...

Preston may not want others to see how much this has affected him, but as his Dad, I see it. I see the weight he carries, the stress that lingers even when he tries to act like he's fine. I see the unhealthy ways he sometimes tries to cope. I see the moments when he struggles, even though he won't admit it."

Cathy Holman, Mother of Gillian Holman (victim)

"While I feel that Wyoming's current stalking laws and lack of laws addressing cyberbullying do not allow for true justice for our family, I appreciate the opportunity you've given us today to finally, at last, without fear of retribution, speak the truth about what Marcie Smith did to us. I look forward to a future where we are no longer helpless against attacks on our name and character. Where we can look forward to big moments in Gillian's life with joy and excitement instead of fear and anxiety. I dream of the day when I can go back to worrying about if our teenager is turning in her homework, or if she has been sneaking her phone to her room past 10:00 pm rather than wondering if the next thing Marcie Smith does is going to be what pushes her over the edge...the thing that takes the last bit of strength that she has left and she does the unbelievable to take away the pain."

You can find the full victim impact statements, evidence from the case, and full timelines at PrairieWifeInHeels.com. Use the site's search bar for quicker access.

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*To request digital copies of all the information in this packet, as well as our written testimony from today, contact Cathy Holman.

Preston Sorensen Stalking Case: Summary Timeline

2023

July–August

- Preston and K.S. (Marcie Smith's daughter) were on a break but still communicating.
- Marcie involved herself in their relationship: texting Preston about K.S., suggesting he live with them, and orchestrating gestures like gifts and date plans.

September

- Marcie bought matching underwear for Preston and K.S., joked inappropriately, and encouraged Preston to send her pictures in his underwear.
- Brandi (Preston's mother) confronted Marcie about these texts.
- Marcie agreed to back off, but continued engaging Preston via text, particularly around Homecoming.

October

- Marcie continued to text Preston late at night, made inappropriate birthday jokes, commented on his clothes, and kept tabs on his interactions with K.S.
- Preston told Marcie he was moving on.

November

- Preston received harassing anonymous messages, including impersonations and rumors.
- Brandi and Ryan received anonymous letters and texts about Preston.
- Marcie also messaged Brandi, downplayed the harassment, and said it couldn't be investigated due to spoofing apps.
- Brandi filed a police report on Nov 21.

December

- Marcie gave Christmas gifts to Preston and his entire family for the first time.

2024

January–April

- Harassment continued, including impersonations and slander against Gillian Holman.
- Marcie texted Preston repeatedly, encouraged contact with K.S., and downplayed harassment.
- Preston blocked and unblocked Marcie several times to manage her pressure.
- April 12 (State FFA): Harassing texts referencing dancing with Gillian.
- April 20 (Prom): Anonymous texts sent to Brandi and Preston from someone claiming to be a “concerned man from their church.”

June–July

- More anonymous texts and social media impersonations.
- Marcie approached and messaged Preston at Deer Creek Days and again pushed for him to marry K.S.
- July 16: Brandi reported latest harassment to Officer Brurud, asking for help to stop Marcie’s contact.

September–November

- Sep 30: Preston learns from Holmans that Marcie confessed.
- Oct 3: Brandi and Preston meet with a victim advocate and apply for a protective order. It is granted.
- Nov 6: Protective order finalized. Charges filed.

December 2024–March 2025

- Marcie encounters Preston’s brother at a store (Dec 14).
- Marcie accepts a plea deal in Feb 2025.
- Attempts to amend protection order to attend state wrestling were denied in late Feb.
- Mar 19: Marcie pleads No Contest to stalking; sentenced to 2 years unsupervised probation (concurrent with Gillian Holman’s case).

As of May 13, 2025, the Sorenen family is currently in the legal process of modifying the protection order due to harassment and concerning behavior from Marcie Smith that has continued since the original protection order was issued on October 3, 2024.

Gillian Holman Stalking Case: Summary Timeline

November 2023 – Initial Incident & Police Report

- **Nov 15, 2023:** Fake texts impersonating Gillian Holman are sent to classmates, including Preston Sorensen, containing disparaging content.
- **Nov 21, 2023:** Gillian and Preston's families report the harassment to the Glenrock Police Department.

February – March 2024 – Escalation of Anonymous Harassment

- **Feb 7–18, 2024:** Gillian's family receives anonymous messages spreading false sexual rumors and accusations. Other students also receive threatening texts. All incidents are reported to police.
- **Mar 23–25, 2024:** Gillian is targeted by a fake social media account (@AlDeaver), which spreads damaging rumors. Preston receives screenshots of these messages from an anonymous number.

April 2024 – Impersonation of Staff & Prom Harassment

- **Apr 10–12, 2024:** An anonymous email impersonates a teacher and accuses Gillian of inappropriate behavior at a school event. Additional derogatory texts are sent to both Gillian and Preston.
- **Apr 20, 2024:** Cathy Holman receives a vulgar email from the fake account. The impersonated teacher reports the incident to police. A Google search warrant is issued to trace the account.

Summer 2024 – Identification of the Suspect

- **Aug 5, 2024:** Google search warrant results link the fake email account to a prepaid AT&T phone.
- **Sept 25, 2024:** Surveillance footage confirms **Marcie Smith** purchased and activated the phone used in the harassment.
- **Sept 30, 2024:** Marcie admits to police that she sent the anonymous messages using multiple devices.

Fall 2024 – Legal Protection Begins

- **Oct 1, 2024:** An **Ex-Parte Stalking Protection Order** is granted to the Holman family.

- **Oct 15, 2024:** Converse County Deputy Attorney Nathan Shumway agrees to prosecute the case.

Early 2025 – Plea & Sentencing

- **Feb 12, 2025:** Marcie Smith accepts a plea agreement.
- **Mar 19, 2025:** Marcie Smith pleads **no contest to stalking** and receives:
 - 1 year **unsupervised probation**
 - 1 year **jail (suspended)**
 - **Mental health evaluation and treatment**
 - **No drugs or alcohol**

Throughout this timeline, the Holmans worked closely with school officials and law enforcement, gathering evidence and filing reports at each stage. The case ended with the protection order in place and Marcie Smith held legally accountable for her stalking campaign.

As of May 13, 2025 the Holman family is currently in the legal process of modifying the protection order due to harassment and concerning behavior from Marcie Smith that has continued since the original protection order was issued on October 1, 2024.

6-2-506. Stalking; penalty.

Changes:

- Adults to a minor that has 3 or more years of age difference. Felony & \$10,000 fine and up to 10 years in prison.
- The punishment should be proportionate to the amount of evidence collected and the period of time the victim was stalked and harassed. (ex. 1 year of stalking and harassment, then the perpetrator serves 1 full year in jail)
- Add electronic methods stalking and harassment definition including social media, text, email, and electronic account impersonation of a known person.

(a) As used in this section:

(i) "Course of conduct" means a pattern of conduct composed of a series of acts over any period of time evidencing a continuity of purpose;

(ii) "Harass" means to engage in a course of conduct, including but not limited to verbal threats, written threats, lewd or obscene statements or images, vandalism or nonconsensual physical contact, directed at a specific person that the defendant knew or should have known would cause:

(A) A reasonable person to suffer substantial emotional distress;

(B) A reasonable person to suffer substantial fear for their safety or the safety of another person; or

(C) A reasonable person to suffer substantial fear for the destruction of their property.

(b) Unless otherwise provided by law, a person commits the crime of stalking if, with intent to harass another person, the person engages in a course of conduct reasonably likely to harass that person, including but not limited to any combination of the following:

(i) Communicating, anonymously or otherwise, or causing a communication with another person by verbal, electronic, mechanical, telegraphic, telephonic or written means in a manner that harasses;

(ii) Following a person, other than within the residence of the defendant;

(iii) Placing a person under surveillance by remaining present outside his or her school, place of employment, vehicle, other place occupied by the person, or residence other than the residence of the defendant; or

(iv) Otherwise engaging in a course of conduct that harasses another person.

(c) This section does not apply to an otherwise lawful demonstration, assembly or picketing.

(d) Except as provided under subsection (e) of this section, stalking is a misdemeanor punishable by imprisonment for not more than one (1) year, a fine of not more than seven hundred fifty dollars (\$750.00), or both. If a person sentenced under this subsection is placed on probation, the court may, notwithstanding any other provision of law, impose a term of probation exceeding the maximum one (1) year imprisonment, provided the term of probation, including extensions, shall not exceed three (3) years.

(e) A person convicted of stalking under subsection (b) of this section is guilty of felony stalking punishable by imprisonment for not more than ten (10) years, if:

(i) The act or acts leading to the conviction occurred within five (5) years of the completion of the sentence, including all periods of incarceration, parole and probation, of a prior conviction under this subsection, or under subsection (b) of this section, or under a substantially similar law of another jurisdiction;

(ii) The defendant caused serious bodily harm to the victim or another person in conjunction with committing the offense of stalking;

(iii) The defendant committed the offense of stalking in violation of any condition of probation, parole or bail; or

(iv) The defendant committed the offense of stalking in violation of a temporary or permanent order of protection issued pursuant to W.S. 7-3-508, 7-3-509, 35-21-104 or 35-21-105 or pursuant to a substantially similar law of another jurisdiction.

(f) An offense under this section may be deemed to have been committed at the place where any:

(i) Act within the course of conduct that constitutes stalking was initiated; or

(ii) Communication within the course of conduct that constitutes stalking was received by the victim then present in Wyoming; or

(iii) Act within the course of conduct that constitutes stalking caused an effect on the victim then present in Wyoming.

(g) An act that indicates a course of conduct but occurs in more than one (1) jurisdiction may be used by any jurisdiction in which the act occurred as evidence of a continuing course of conduct.

6-6-103. Telephone calls; unlawful acts; penalties; communicating a threat of bodily injury or death; place of commission of crime.

Changes: add texting, social media, email and other forms of electronic communication

(a) A person commits a misdemeanor punishable by imprisonment for not more than one (1) year, a fine of not more than one thousand dollars (\$1,000.00), or both, if he telephones another anonymously or under a false or fictitious name and uses obscene, lewd or profane language or suggests a lewd or lascivious act with intent to terrify, intimidate, threaten, harass, annoy or offend.

(b) A person commits a misdemeanor punishable by imprisonment for not more than one (1) year, a fine of not more than one thousand dollars (\$1,000.00), or both, if:

(i) By repeated anonymous telephone calls, he disturbs the peace, quiet or privacy of persons where the calls were received; or

(ii) He telephones or otherwise electronically or in writing communicates with a person and threatens to:

(A) Inflict death to the person, to the person's immediate family or to anyone at the school in which the person is a student or employee; or

(B) Inflict injury or physical harm to the person, to the person's immediate family or to property of the person.

(c) A crime under this section is committed at the place where the calls or other electronic or written communications either originated or were received.

(d) For purposes of this section, "immediate family" means a spouse, parent, sibling, child or other person living in the person's household.

6-2-507. Abuse, neglect, abandonment, intimidation or exploitation of a vulnerable adult; penalties.

Change:of a vulnerable adult or a minor

(a) Except under circumstances constituting a violation of W.S. 6-2-502, a person is guilty of abuse, neglect, abandonment or exploitation of a vulnerable adult if the person intentionally or recklessly abuses, neglects, abandons, intimidates or exploits a vulnerable adult.

(b) Reckless abuse, neglect, abandonment, intimidation or exploitation of a vulnerable adult is a misdemeanor, punishable by not more than one (1) year in jail, a fine of one thousand dollars (\$1,000.00), or both, and registration of the offender's name on the central registry.

(c) Intentional abuse, neglect or abandonment of a vulnerable adult is a felony punishable by not more than ten (10) years in prison, a fine of not more than ten thousand dollars (\$10,000.00), or both, and registration of the offender's name on the central registry.

(d) Exploitation of a vulnerable adult is a felony punishable by not more than ten (10) years in prison, a fine of not more than ten thousand dollars (\$10,000.00), or both, and registration of the offender's name on the central registry.

(e) As used in this section:

(i) "Abandonment" means as defined in W.S. 35-20-102(a)(i);

(ii) "Abuse" means as defined in W.S. 35-20-102(a)(ii);

(iii) "Caregiver" means as defined in W.S. 35-20-102(a)(iv);

(iv) "Central registry" means the registry established under W.S. 35-20-115;

(v) "Exploitation" means as defined in W.S. 35-20-102(a)(ix);

(vi) "Neglect" means as defined in W.S. 35-20-102(a)(xi);

(vii) "Vulnerable adult" means as defined in W.S. 35-20-102(a)(xviii).

6-3-902. Unlawful impersonation through electronic means; penalties; definitions; civil remedies.

Changes:

- Need to create a definition of 'harm' because this means something different to everyone.
- Need to create a definition of impersonation versus fake. For instance, under the current statute, someone that creates a fake Twitter account could be in violation.
- Need to outlaw defamation through electronic means.
- Need to include a felony option.
- Definition of electronic means does not include social media or texts.

(a) A person is guilty of a misdemeanor punishable by a fine of not more than one thousand dollars (\$1,000.00), imprisonment for not more than one (1) year, or both, if he knowingly and without consent intentionally impersonates another person through, or on, an internet website or by other electronic means, including, but not limited to spoofing, and:

(i) Causes or attempts to cause harm;

(ii) Harasses or attempts to harass another person while using false self-identifying information related to the person impersonated; or

(iii) Uses or attempts to use false self-identifying information related to the person impersonated as an unauthorized deceptive means to facilitate contact with another person.

(b) For purposes of this section:

(i) "Electronic means" includes opening an e-mail account or an account or profile on a site transmitted via the internet;

(ii) "Internet" means as defined in W.S. 9-2-1035(a)(iii);

(iii) "Spoofing" means falsifying the name or phone number appearing on caller identification systems.

(c) In addition to any other civil remedy available, a person who suffers damage or loss by reason of a violation of subsection (a) of this section may bring a civil action against the violator for compensatory damages and injunctive relief or other equitable relief.

Internet Related Statute Summary

By the Wyoming CAN (Cybersecurity Action Network) Committee, Summary created May 2025

Why?

The Wyoming CAN Committee is a grassroots committee that formed in June 2019 to create a state cybersecurity education and awareness strategy for our citizens, senior citizens, students, and small organizations. In that process the Committee reviewed Wyoming's state statutes and found them to be woefully out of date, sometimes contrary to best practices, and, most likely unenforceable. Since then, we have failed to find a legislative sponsor to update the laws.

Overall Recommendations for Change

In each statute, the penalties should be made proportional to the loss of time and money instead of a stated amount. This will require less updating of the statutes over time.

In many of the statutes, the definitions need to be revisited for outdated wording and to be updated. The WyoCAN Committee has noted this where appropriate.

One legislative committee should be assigned consistent review duties to ensure these statutes remain updated with new digital computing innovations.

List of Statutes that Need Updates

Title 6 Article 5 – Assault & Battery	6-2-506 Stalking, penalty (Boner et al) 6-2-507. Abuse, neglect, abandonment, intimidation or exploitation of a vulnerable adult; penalties. (Boner et al) 6-6-103. Telephone calls; unlawful acts; penalties; communicating a threat of bodily injury or death; place of commission of crime. (Boner et al)
Title 6 Article 9: Theft of Identity	6-3-901 Unauthorized Use of Personal Identifying Information (Rothfuss et al*) 6-3-902 Unlawful Impersonation through Electronic Means (Boner et al)
Title 6 Article 5: Computer Crimes	(Rothfuss et al*) 6-3-501 Computer Crimes Definitions 6-3-502 Crimes Against Intellectual Property 6-3-504 Crimes Against Computer Users 6-3-506 Computer Trespass 6-3-507 Computer Extortion
Title 6 Article 8: Credit Card Fraud	(Rothfuss et al*) 6-3-802 Unlawful Use of Credit Card 6-3-803 Unlawful Skimming of Credit, Debit, or Other Electronic Payment Cards
Title 40 Chapter 12, Article 1: Consumer Protection	(Rothfuss et al*) 40-12-102 Definitions 40-12-103 Unsolicited Merchandise, 401-12-104 Home Solicitation Sales 40-12-105 Unlawful Practices
Title 40 Chapter 12, Article 5: Credit Freeze Reports	(Rothfuss et al*) 40-12-501 Definitions 40-12-502 Computer Security Breach 40-12-503 Security Freeze 40-12-504 Permanent removal or temporary lift of security freeze; requirements and timing. 40-12-505 Exceptions 40-12-506 Fees for security freeze 40-12-507 Changes to information in a credit report subject to a security freeze 40-12-508 Violations; penalties 40-12-509 Factual declaration of innocence after identity theft

*Senator Rothfuss and the Select Committee on Blockchain, Financial Technology, and Digital Innovation Technology has asked to meet with the WyoCAN committee in June to discuss changes to the laws and LSO instructions.

Are there any laws the WyoCAN Committee would recommend adding or incorporating into new statutes?

At this time, no legislative sponsor has expressed interest in adding these laws, yet we hope that the Select Committee on Blockchain, Financial Technology, and Digital Innovation Technology will review as they have time.

AI and Large Language Model – Colorado’s law could be used as a blueprint.

<https://www.forbes.com/sites/alonzomartinez/2024/05/17/colorado-passes-groundbreaking-ai-discrimination-law-impacting-employers/>

General Data Privacy law: Colorado and Montana have good legislation on data protection and privacy.

Data Privacy & Protection – HB0101 from 2020 is a good first draft.

<https://www.wyoleg.gov/Legislation/2020/HB0101>

E-Mail and Internet of Things Requirements

For health care providers (PHI – patient health information) they must use HIPAA compliant e-mail and they must show proof. No free e-mail like Yahoo or Gmail. Other businesses that deal with sensitive data must use compliant e-mail system. Example: realtors and accountants.

Internet Service Providers

- Are selling our data but we should not allow that. Our privacy is being violated and profited from.
- Consumer Advocacy: It is my data and if you take it I should know what you are doing with it.
- Explicit permission from the consumer should be given.

WyoCAN Committee Contact Information:

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For a list of volunteers from organizations that reviewed the State Statutes: <https://wyocan.org/committee-members/>



THE MICHIGAN PENAL CODE (EXCERPT)

Act 328 of 1931

750.411h Stalking; definitions; violation as misdemeanor; penalties; probation; conditions; evidence of continued conduct as rebuttable presumption; additional penalties.

Sec. 411h.

(1) As used in this section:

(a) "Course of conduct" means a pattern of conduct composed of a series of 2 or more separate noncontinuous acts evidencing a continuity of purpose.

(b) "Dating relationship" means frequent, intimate associations primarily characterized by the expectation of affectional involvement. This term does not include a casual relationship or an ordinary fraternization between 2 individuals in a business or social context.

(c) "Emotional distress" means significant mental suffering or distress that may, but does not necessarily, require medical or other professional treatment or counseling.

(d) "Harassment" means conduct directed toward a victim that includes, but is not limited to, repeated or continuing unconsented contact that would cause a reasonable individual to suffer emotional distress and that actually causes the victim to suffer emotional distress. Harassment does not include constitutionally protected activity or conduct that serves a legitimate purpose.

(e) "Stalking" means a willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested and that actually causes the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested.

(f) "Unconsented contact" means any contact with another individual that is initiated or continued without that individual's consent or in disregard of that individual's expressed desire that the contact be avoided or discontinued. Unconsented contact includes, but is not limited to, any of the following:

(i) Following or appearing within the sight of that individual.

(ii) Approaching or confronting that individual in a public place or on private property.

(iii) Appearing at that individual's workplace or residence.

(iv) Entering onto or remaining on property owned, leased, or occupied by that individual.

(v) Contacting that individual by telephone.

(vi) Sending mail or electronic communications to that individual.

(vii) Placing an object on, or delivering an object to, property owned, leased, or occupied by that individual.

(g) "Victim" means an individual who is the target of a willful course of conduct involving repeated or continuing harassment.

(2) An individual who engages in stalking is guilty of a crime as follows:

(a) Except as provided in subdivision (b), a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$1,000.00, or both.

(b) If the victim was less than 18 years of age at any time during the individual's course of conduct and the individual is 5 or more years older than the victim, a felony punishable by imprisonment for not more than 5 years or a fine of not more than \$10,000.00, or both.

(c) If the victim and the individual are spouses or former spouses, have or have had a dating relationship, have or have had a child in common, or are residents or former residents of the same household, a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$1,000.00, or both.

(3) The court may place an individual convicted of violating this section on probation for a term of not more than 5 years. If a term of probation is ordered, the court may, in addition to any other lawful condition of probation, order the defendant to do any of the following:

(a) Refrain from stalking any individual during the term of probation.

(b) Refrain from having any contact with the victim of the offense.

(c) Be evaluated to determine the need for psychiatric, psychological, or social counseling and if, determined appropriate by the court, to receive psychiatric, psychological, or social counseling at the individual's own expense.

(4) In a prosecution for a violation of this section, evidence that the defendant continued to engage in a course of conduct involving repeated unconsented contact with the victim after having been requested by the victim to discontinue the same or a different form of unconsented contact, and to refrain from any further unconsented contact with the victim, gives rise to a rebuttable presumption that the continuation of the course of conduct caused the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested.

(5) A criminal penalty provided for under this section may be imposed in addition to any penalty that may be imposed for any other criminal offense arising from the same conduct or for any contempt of court arising from the same conduct.

SOURCE: <https://legislature.mi.gov/Laws/MCL?objectName=MCL-750-411H>

SOUTH DAKOTA

22-19A-7. Stalking a child twelve or younger--Felony.

Any person who willfully, maliciously, and repeatedly follows or harasses a child twelve years of age or younger or who makes a credible threat to a child twelve years of age or younger with the intent to place that child in reasonable fear of death or great bodily injury or with the intent to cause the child to reasonably fear for the child's safety is guilty of the crime of felony stalking. Felonious stalking is a Class 6 felony.

Source: SL 1993, ch 176, § 6; SL 2002, ch 108, § 1.

SOURCE: <https://sdlegislature.gov/Statutes/22-19A-7>

2024 Colorado Revised Statutes

Title 18 - CRIMINAL CODE (§§ 18-1-101 — 18-26-102)

Article 3 - Offenses Against the Person (§§ 18-3-101 — 18-3-602)

Part 6 - STALKING (§§ 18-3-601 — 18-3-602)

Section 18-3-602 - Stalking - penalty - definitions - Vonnie's law

Universal Citation:

CO Rev Stat § 18-3-602 (2024)

Learn moreThis media-neutral citation is based on the American Association of Law Libraries Universal Citation Guide and is not necessarily the official citation.

Previous

- **(1)** A person commits stalking if directly, or indirectly through another person, the person knowingly:
 - **(a)** Makes a credible threat to another person and, in connection with the threat, repeatedly follows, approaches, contacts, or places under surveillance that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship; or
 - **(b)** Makes a credible threat to another person and, in connection with the threat, repeatedly makes any form of communication with that person, a

member of that person's immediate family, or someone with whom that person has or has had a continuing relationship, regardless of whether a conversation ensues; or

- **(c)** Repeatedly follows, approaches, contacts, places under surveillance, or makes any form of communication with another person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship in a manner that would cause a reasonable person to suffer serious emotional distress and does cause that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship to suffer serious emotional distress. For purposes of this paragraph (c), a victim need not show that he or she received professional treatment or counseling to show that he or she suffered serious emotional distress.
- **(2)** For the purposes of this part 6:
 - **(a)** Conduct "in connection with" a credible threat means acts that further, advance, promote, or have a continuity of purpose, and may occur before, during, or after the credible threat.
 - **(b)** "Credible threat" means a threat, physical action, or repeated conduct that would cause a reasonable person to be in fear for the person's safety or the safety of his or her immediate family or of someone with whom the person has or has had a continuing relationship. The threat need not be directly expressed if the totality of the conduct would cause a reasonable person such fear.
 - **(c)** "Immediate family" includes the person's spouse and the person's parent, grandparent, sibling, or child.
 - **(d)** "Repeated" or "repeatedly" means on more than one occasion.
- **(3) A person who commits stalking:**
 - **(a)** Commits a class 5 felony for a first offense except as otherwise provided in subsection (5) of this section; or
 - **(b)** Commits a class 4 felony for a second or subsequent offense, if the offense occurs within seven years after the date of a prior offense for which the person was convicted.

- **(4)** Stalking is an extraordinary risk crime that is subject to the modified presumptive sentencing range specified in section 18-1.3-401 (10).

SOURCE: <https://law.justia.com/codes/colorado/title-18/article-3/part-6/section-18-3-602/>