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**TESTIMONY OF MIMI ROSE, CHIEF OF SPECIAL ASSAULT UNIT  
PHILADELPHIA DISTRICT ATTORNEY'S OFFICE  
HOUSE JUDICIARY COMMITTEE  
HOUSE BILL 2346**

Good Afternoon. My name is Mimi Rose. I am the Chief of the Philadelphia District Attorney's Special Assault Unit. Our specialized Unit is responsible for Child Abuse and Domestic Violence prosecutions in Philadelphia county.

He's just a guy. An ordinary face in the crowd. Nothing special. Not doing anything. Not bothering anybody. Unless you happen to be the anybody who used to be married to him. The anybody he knocked around and beat. The anybody who has been terrorized by him as a way of life. You had the strength and courage to get away and start over, but he found you and the phone calls began.

He told you that if he can't have you, nobody can, and that one day he'd kill you. You believe him and you're scared. You know he's capable of anything.

You quickly got a "Stay Away" order from court and you changed your phone number. He found you again.

Now there's no beating, no abusive language any more. He just stands across the street, a reminder of old fears and old beatings. At the supermarket, at the movies, church, work. You turn around, he is there following you. Making you crazy.

What is plainly assaultive, terroristic behavior, is profoundly disruptive and unsettling to its victims. It is often a precursor to violence--sometimes to murder. The conduct has a name: Stalking. House Bill 2346 proposes to underscore the criminality of stalking, prohibiting this conduct simply and unambiguously. Existing criminal penalties for stalking-type behavior carry about as much punch as a parking ticket. House Bill 2346 proposes enhanced penalties for those who stalk their victims. Passage of this bill will send a clear message not only to offenders, but also to law enforcement officers: victim safety is of the highest priority for lawmakers in Pennsylvania.

House Bill 2346 also includes a much-needed change to the Crimes Code, allowing warrantless arrests for violations of criminal protective orders.

Under present law, criminal court orders prohibiting the defendant from contacting or harassing a victim have little more than placebo value. Unless the defendant violates a protective order in the presence of a police officer, the officer cannot make an immediate on the spot arrest of the offender. Victims who call "911" for violation of a criminal protective order can get no immediate assistance. The victim remains vulnerable and the offender sees that he can continue to terrorize his victim with little fear of sanction.

House Bill 2346 permits swift and certain police response to criminal protective order violations. Under the proposed legislation, police would be authorized to make warrantless arrests for protective order violations supported by probable cause.

Stalking incidents continue to grow nationwide, prompting several states to propose or enact legislation similar to House Bill 2346, co-sponsored by state Representatives Michael McGeehan of Philadelphia and Karen Ritter of Lehigh County.

We, in the Philadelphia District Attorney's Office, are proud to have helped draft this powerful and enforceable new anti-stalking statute and appreciate the opportunity to comment before this Committee today.

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