
Information about:
STALKING

According to New Mexico law stalking is the intentional pursuit of a pattern of conduct (defined as at least two or more acts in which the accused stalker “by any action, method, device or mean, directly, indirectly or through third parties, follows, monitors, observes, surveils, threatens or communicates to or about a person or interferes with a person’s property.”) not authorized by law enforcement that is directed at an individual that would lead that individual to fear for their well-being or the well-being of a household member.

In New Mexico, stalking is considered a misdemeanor. The second or multiple convictions are considered a fourth degree felony.*

*N.M. STAT. ANN. S 30-3A-3. Stalking; Penalties. (2009)

Types of Stalking

Aggravated Stalking: The perpetrator knowingly violates an order of protection by a court, violates a court order or condition of release, uses a deadly weapon during an incident(s) or the victim is younger than sixteen years of age. The perpetrator of aggravated stalking is guilty of a second degree felony. The second offense is a third degree felony. In the case of conviction, and in addition to any other punishments, the perpetrator shall complete a program of professional counseling at their own expense. **

**N.M. STAT. ANN § 30-3A-3.1 Aggravated Stalking; Penalties. (1997)