

Stop Street Harassment

Georgia

A variety of forms of street harassment are illegal in Georgia, including abusive words, flashing, following, and groping. Here are the laws and reporting procedures you need to know.

Note: It is best to be cautious if you choose to confront street harassers (“don’t harass me,” “stop it now”), as Georgia’s law protects individuals that react violently to offensive or abusive language – meaning the law could protect a street harasser who retaliates against you if you use profanity, insults, or other fighting words.

Verbal Harassment

In Georgia, there are four laws that prohibit some form of verbal street harassment.

Disorderly Conduct

[Title 16, Chap. 11, Article 2 §39](#)

In Georgia, it is illegal to:

- Act in a violent or tumultuous (noisy or uproarious) way that places someone in reasonable fear for her or his safety.
- Without provocation, use obscene and vulgar or profane language in the presence of someone under the age of 14 years in a way that threatens an immediate breach of the peace.
- Without provocation, direct abusive words to someone or say them about someone in that person’s presence in way would “naturally tend to provoke violent resentment.”

If a street harasser yells at you to the degree that you fear for your safety or uses vulgar language when someone younger than 14 is present, you can report him/her.

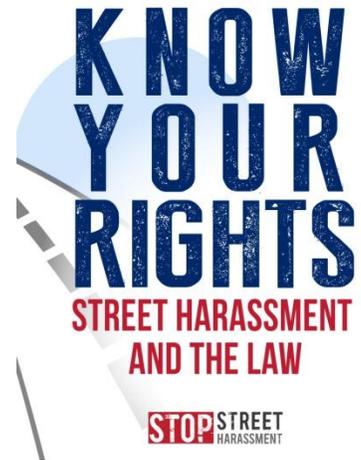
Note: The “provoke violent resentment” part makes it a “[fighting words](#)” law. Since street harassment rarely results in the harassed person fighting back, these laws usually have not been used to address street harassment. But you can still try using it, and if enough people make a case for why it should be used, then it might be applied more often.

Penalty: Disorderly conduct is a misdemeanor, punishable by a fine of up to \$1,000 and/or up to 12 months in jail.

Loitering or Prowling

[Title 16, Chap. 11, Article 2 §36](#)

It is illegal in Georgia for individuals to loiter or “prowl” in a public place at a time or in a manner unusual for law abiding citizens or that causes reasonable alarm or concern for the safety of those nearby.



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Law enforcement officers must ask the person loitering to identify him or herself and explain his or her presence and conduct.

- Unless the person flees, no one can be convicted of loitering unless the officer present gave the individual this opportunity to explain.
- Similarly, the individual(s) cannot be convicted if it is found in court that his or her explanation “would have dispelled the alarm or immediate concern.”

Given the general acceptance of street harassment as normal, officers may not find harassing behavior to be grounds for arrest. However, involving a police officer may be enough to clear a harasser from the street or sidewalk and/or deter harassers in the future.

If a street harasser is hanging out in a public place and harassing you or other passersby, you may be able to report him or her for loitering if his or her behavior causes you reasonable alarm or concern for your safety.

Penalty: Loitering and prowling is a misdemeanor, punishable by a fine of up to \$1,000 and/or up to 12 months in jail.

Pandering

[Title 16, Chap. 6 §12](#)

In Georgia, it is illegal for anyone to solicit a person to perform an act of prostitution. If a street harasser solicits sexual activity from you, you can report him/her.

You can also make the case that harassers who yell, “How much?!” or offer you money, or anything else, for sex, even in jest, are soliciting prostitution.

Stop Street Harassment doesn’t oppose consensual sex work, but we do think it’s inappropriate for a street harasser to make assumptions about your sexual availability and make you feel uncomfortable.

Penalty: Pandering is a misdemeanor of a high and aggravated nature, punishable by a fine of up to \$5,000 and/or up to 12 months in jail.

Simple Assault

[Title 16, Chap. 5, Article 2 §20](#)

In Georgia, anyone who uses violence against another person or who places another person in reasonable fear of immediate violence is guilty of simple assault.

If someone is threatening you and you believe s/he may become violent, you can call the police.

If you believe someone may become violent, you should be very cautious about engaging with him or her in Georgia. The statute § 16-5-25 protects a person from the charge of simple assault if s/he reacts violently to offensive or abusive language. If you yell at, curse, or threaten a harasser (which is not behavior we suggest doing anyway), and s/he reacts violently, the courts may side with the harasser.

If you feel threatened by someone, or if s/he threatens to or does physically harm you, try to get away from that person to safety and you can call the police.

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Penalty: Simple assault in general is a misdemeanor, punishable by a fine of up to \$1,000 and/or up to 12 months in jail. The penalty may be more severe for assault committed on a public transit vehicle (or in a public transportation station), against someone 65 or older, against a public school system employee, or against a pregnant woman.

Indecent Exposure

Public Indecency

[Title 16, Chap. 6 §8](#)

In Georgia, it is illegal for anyone to lewdly expose his or her sexual organs, lewdly appear in a state of partial or complete nudity, or lewdly fondle another person while in a public place.

If a harasser flashes you or exposes him or herself to you, or does any of the other acts described, you can report him/her.

Penalty: Public indecency is a misdemeanor, punishable by a fine of up to \$1,000 and/or up to 12 months in jail.

Following

If you think someone is following you, you can call 911 right away, the first time it happens. You do not have to wait for that person to commit a crime.

Stalking

[Title 16, Chap. 5, Article 7](#)

Stalking in Georgia is defined as someone following, placing under surveillance, or contacting a non-consenting person for the purpose of harassing or intimidating that person.

Note, contacting includes communication in person or by telephone, mail, computer, or an electronic device.

If someone follows you or harasses you and you feel threatened and unsafe, you can report that person. Unlike many other states, under this stalking law it is a crime the first time it happens.

Penalty: Stalking is a misdemeanor, punishable by a fine of up to \$1,000 and/or up to 12 months in jail.

Groping

Simple Battery

[Title 16, Chap. 5, Article 2 §23](#)

Simple battery applies when a street harasser intentionally makes physical contact with you that is “of an insulting or provoking nature” or intentionally causes physical harm to you.

If someone grabs or gropes you in an insulting or inappropriate way, you can report him/her.

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Penalty: Simple battery is a misdemeanor, punishable by a fine of up to \$1,000 and/or up to 12 months in jail.

Sexual Battery

[Title 16, Chap. 6 §22.1](#)

Sexual battery applies when a street harasser intentionally makes physical contact with your genital area, anus, groin, inner thighs, buttocks or breasts without your consent.

If a street harasser grabs or gropes you in a sexual way, you can report him/her.

Penalty: Sexual battery is a misdemeanor in Georgia, punishable by a fine of up to \$1,000 and/or up to 12 months in jail. Sexual battery of someone under the age of 16 is a misdemeanor of a high and aggravated nature, punishable by a fine of up to \$5,000 and/or up to 12 months in jail.

Reporting Crimes to the Police

- Call 911 for help if:
 - The crime is in progress
 - You or someone else is physically hurt or have been threatened with physical violence
 - You can provide information about who may have committed a crime.

- Call the local police office's non-emergency number to submit a report afterward. For example, in Atlanta this number is (404) 614-6544 and in Columbus it's (706) 225-4055, or (706) 225-4064. In Augusta, it is (706) 592-6255 and in Macon, it is (478) 751-7500. Be prepared to provide them with:
 - When it happened (date and time).
 - Where it happened (street location, store location, bus line or bus stop, park name, etc).
 - Who is reporting (your name and contact information).
 - A description of what happened.
 - The name and contact information of any witnesses, if you spoke to any.
 - It can be helpful to include the law the crime falls under, such as Stalking, [Georgia Law O.C.G.A. §16-5-90](#). If you're not sure which law you should use to report an incident of street harassment, just tell the police what happened and s/he or the district attorney's office can determine the appropriate charges.
 - A description of the harasser/s.

- Many police departments also have online reporting forms by which you can submit the same information listed in #2.

- Some police departments also allow you to anonymously send a tip about a non-emergency incident, for example if you see a group of people routinely harassing passersby at the same location. Visit your local police department website for information.

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- In Atlanta, you can do this by calling 404-577-8477, by texting the number 274637 and beginning the message with CSA Tip, or by submitting it online at this [website](#).
- In Columbus, you can do this by calling 706-653-3188, by texting the number 274637 and beginning your message with VACS, or by submitting it online at this [website](#).
- There are also directions at this [website](#) on how to submit tips with your smartphone. In Macon, you can do this by calling the tip line at either 478-742-2330 or 1-877-68CRIME.
- Once you've reported a crime, if you've provided your contact information, within a few days, you will receive a call with a police report case number and may have to answer follow-up questions. Save a copy of the police report for your records.

If someone tries to tell you that street harassment “isn't a big deal,” or isn't illegal, don't buy it. You always have the right to be free from sexual harassment and assault in public.