

## Stop Street Harassment

# Missouri

A variety of forms of street harassment are illegal in Missouri, including verbal harassment, up-skirt photos, indecent exposure, following, groping, and hate crimes. Here are the laws and reporting procedures you need to know.

### Verbal Harassment

Missouri has four laws that prohibit some form of verbal street harassment.

#### **Harassment**

##### §565.090

Missouri's general harassment law prohibits several actions, many of which are relevant to street harassment, including:

- Knowingly communicates a threat to commit any felony and in so doing frightens, intimidates, or causes someone emotional distress.
- Using coarse or offensive language that makes someone reasonably fear offensive physical contact or harm.
- Knowingly communicates with someone 17 years old or younger in a way that recklessly frightens or intimidates him/her, or causes him/her emotional distress.
- Knowingly makes repeated unwanted communication.
- Without good cause engages in any other act that is either intended to or does frighten or intimidate the person, or cause the person emotional distress.

If a street harasser threatens you, uses offensive language, repeatedly talks to you when you have made it clear you want to be left alone, or otherwise acts in a way that intimidates or distresses you, you can report him/her.

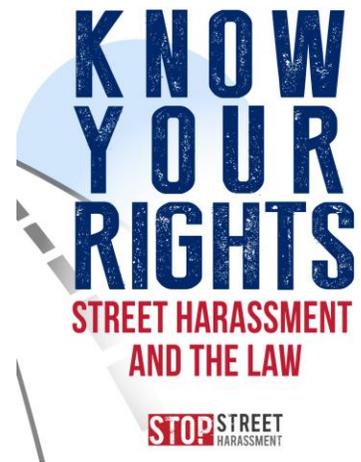
Note: This statute includes several "[reasonable person](#)" clauses, meaning that a person's actions will be deemed harassment in court if they would cause the average person in the same situation to also be frightened, intimidated, or distressed.

Penalty: Harassment is a class A misdemeanor, punishable by a fine of up to \$1,000 and/or up to 1 year in jail. If the actor is 21 years of age or older and the person s/he harassed is 17 years old or younger, harassment is a class D felony, punishable by a fine of up to \$5,000 and/or up to 4 years in prison.

#### **Peace Disturbance**

##### §574.010

A peace disturbance occurs when someone "unreasonably and knowingly disturbs or alarms another person or persons by... offensive language addressed in a face-to-face manner to a specific individual and uttered under circumstances which are likely to produce an immediate violent response from a reasonable recipient, *and* threatening to commit a felonious act against any person under circumstances which are likely to cause a reasonable person to fear that such threat may be carried out."



## Stop Street Harassment

If a street harasser is threatening you or using offensive language toward you, you can report him or her for a peace disturbance.

Note: The clause that governs offensive language is what is known as 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:** Peace disturbance is a Class B misdemeanor, punishable by a fine of up to \$500 and/or up to 6 months in jail.

### ***Sexual Misconduct in the Second Degree***

#### [§566.095](#)

It is illegal in Missouri for anyone to solicit or request that you engage in sexual conduct under circumstances in which s/he knows that such request or solicitation is likely to cause affront or alarm.

If a street harasser is asking you to engage in sexual conduct with him or her in a way that is alarming – using vulgar language, following you, or some other alarming action – you can report him/her.

**Penalty:** Sexual misconduct in the second degree is a class C misdemeanor, punishable by a fine of up to \$300 and/or up to 15 days in jail.

### ***Vulgar or Profane Language on a Bus***

#### [§578.315](#)

Missouri law prohibits anyone from “threatening a breach of the peace” or using any obscene, profane or vulgar language on a bus or at a bus terminal or on bus company property. It is also illegal to drink intoxicating liquors or to be under the influence on a bus in Missouri.

If a street harasser is using obscene language or causing a scene on a public bus, you can report him or her to the bus driver or the police. The law gives the bus driver the right to stop and require that the person leave the bus wherever the driver deems appropriate.

**Penalty:** Using vulgar or profane language on a bus in Missouri is a Class C misdemeanor, punishable by a fine of up to \$300 and/or up to 15 days in jail.

## **Unlawful Filming & Photography**

### ***Invasion of Privacy in the Second Degree***

#### [§565.253](#)

It is illegal in Missouri for anyone to secretly view, photograph, or film you without your consent either in a state of undress when you have a reasonable expectation of privacy or under or through your clothing.

The charge rises to invasion of privacy in the first degree if the person disseminates the photo or recording or uploads the image(s) to a computer.

If a street harasser peeps on you in a dressing room, locker room, restroom, or similar space or takes an up-skirt, down-blouse, or other inappropriate photo of you, you can report him/her.

## Stop Street Harassment

Penalty: Invasion of privacy in the second degree is a Class A misdemeanor if one person is illegally observed, recorded, or photographed; a Class A misdemeanor is punishable by a fine of up to \$1,000 and/or up to 1 year in jail. Invasion of privacy in the second degree is a Class D felony if the harasser observes, records, or photographs more than one person in a single course of conduct *or* if the harasser has already pled guilty or been found guilty of invasion of privacy; a Class D felony is punishable by a fine of up to \$5,000 and/or up to 4 years in prison.

## Indecent Exposure

### ***Sexual Misconduct in the First Degree***

#### [§566.093](#)

It is illegal in Missouri for anyone to expose his or her genitals “under circumstances in which s/he knows that his or her conduct is likely to cause affront or alarm” or to engage in sexual conduct in public.

If a street harasser exposes him or herself to you or flashes you, you can report him/her.

Penalty: Sexual misconduct in the first degree is a Class B misdemeanor, punishable by a fine of up to \$500 and/or up to 6 months in jail.

## Obstructing Your Path

### ***Peace Disturbance***

#### [§574.010](#)

It is considered a peace disturbance in Missouri when someone purposefully and unreasonably physically obstructs pedestrian traffic or free ingress or egress (entry and exit) to or from any public or private place.

If a street harasser is blocking your path to get your attention or prevent you from leaving a space – and especially if s/he is using obscene language while doing so – you can report him/her.

Penalty: Peace disturbance is a Class B misdemeanor, punishable by a fine of up to \$500 and/or up to 6 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***

#### [§565.225](#)

Stalking is defined as engaging in a course of conduct to intentionally harass—or follow with the intent to harass—another person.

## Stop Street Harassment

- A course of conduct is two or more acts, including communication, over a period of time that demonstrates continuity of purpose.
- To harass means “to engage in a course of conduct directed at a specific person that serves no legitimate purpose, that would cause a reasonable person under the circumstances to be frightened, intimidated, or emotionally distressed.”

If a street harasser commits two or more acts make you feel scared or intimidated – such as verbally harassing you and/or following you – you can report him/her.

- Note: This law also gives a law enforcement office the right to make an arrest without a warrant if there is probable cause to believe someone has committed stalking.

Penalty: Stalking is a Class A misdemeanor, punishable by a fine of up to \$1,000 and/or up to 1 year in jail. The penalty increases if the harassed person is younger than 18 years old.

## Groping

### ***Sexual Abuse in the Second Degree***

#### §566.101

It is illegal in Missouri for anyone to subject a non-consenting person to sexual contact.

Sexual contact is defined as “any touching of another person with the genitals or any touching of the genitals or anus of another person, or the breast of a female person, or such touching through the clothing, for the purpose of arousing or gratifying sexual desire of any person.”

If a street harasser touches your genitals or breasts, either over or under your clothing, or causes you to come in contact with his or her genitals – for example, by rubbing against you or putting your hand in his or her lap – you can report him/her.

Penalty: Sexual abuse in the second degree is a Class A misdemeanor, punishable by a fine of up to \$1,000 and/or up to 1 year in jail.

## Hate Crimes

### ***Hate Crimes***

#### §557.035

In Missouri, hate crimes are those which are motivated by the following bias:

- Race
- Color
- Religion
- National origin
- Sex
- Sexual orientation
- Disability

## Stop Street Harassment

If the state believes a crime was motivated by one of these biases, the state may charge the penalty for that crime and this one.

Penalty: Hate crime is a Class C felony, punishable by up to 7 years in prison.

### 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 St. Louis, the number is (314) 231-1212 and in Kansas City, it is 816-234- 5111. In Jefferson City, it is (573) 634-6400. 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 witnesses, if you spoke to any.
  - It can be helpful to include the law the crime falls under, such as Harassment, [R.S.Mo. § 565.090](#). 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. Visit your local police department's website.
- 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.
  - Jefferson City Area Crimestoppers allow you to do this by calling (573) 659-8477 (TIPS) or by submitting a [webform](#).
  - St. Louis also allows you to submit tips via [webform](#), by calling 1-866-371-TIPS or by texting the number 274637 and beginning it with the message "STL."
- 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.