

## Stop Street Harassment

### South Carolina

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

#### Verbal Harassment

There are three laws that can apply to various types of verbal harassment in South Carolina.

##### ***Disorderly Conduct***

[Title 16, Chapter 17, Section 530](#)

Disorderly conduct includes:

- Being boisterous or disorderly while in a public place
- Being “grossly intoxicated”
- Using obscene or profane language in a public place or within hearing distance of a school or church.

If a harasser is visibly drunk while harassing you, or is loudly saying obscene comments to you or about you, you can report him/her.

Penalty: Disorderly conduct is a misdemeanor and can result in a fine of up to one hundred dollars or imprisonment for up to 30 days.

##### ***Harassment in the Second Degree***

[Title 16, Chapter 3, Section 1700](#)

In South Carolina, it’s illegal for someone to intentionally, unreasonably, and substantially intrude into the private life of a targeted person more than once and in such a way that it would cause a reasonable person to suffer mental or emotional distress. This includes verbal, written, or electronic contact that is initiated, maintained, or repeated.

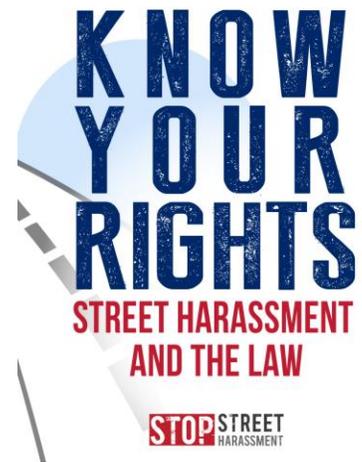
If someone has verbally harassed you on multiple occasions (for example, the same person always harasses you at your bus stop or at the park in your neighborhood) and it’s causing you emotional or mental distress, you can report him/her.

Penalty: Harassment in the second degree is a misdemeanor and, upon conviction, a person may be fined up to two hundred dollars, imprisoned for up to thirty days, or both. The penalties can be more severe if the person has a prior conviction or if there was a restraining order in effect to prohibit the harassment.

##### ***Soliciting Prostitution***

[Title 16, Chapter 15, Section 90](#)

It is illegal in South Carolina for a person to procure or solicit prostitution. If a street harasser solicits sexual activity from you, you can report him/her.



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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: For the first offense of soliciting prostitution, a person may face a fine of up to two hundred dollars or confinement in prison for up to thirty days. The penalty rises upon further offense.

## Unlawful Filming/Photographing

### ***Voyeurism***

[Title 16, Chapter 17, Section 470](#)

In South Carolina it is illegal for anyone to photograph or record someone without his/her consent or knowledge when it is for the purposes of arousing or gratifying sexual desire and when the person is in a place where s/he would have a reasonable expectation of privacy .

If a harasser films or photographs you someplace like public restrooms, dressing rooms, locker rooms, and hotel rooms, you can report him/her.

This law does not address non-consensual sexual photos taken in public spaces, like up-skirt photos on the bus or down-blouse photos in a bar.

Penalty: Voyeurism is a misdemeanor that can result in a fine of up to five hundred dollars or imprisonment for up to three years, or both. Penalties increase upon repeat convictions.

## Indecent Exposure

### ***Indecent Exposure***

[Title 16, Chapter 15, Section 130](#)

It is unlawful for a person to willfully, maliciously, and indecently expose him/herself in a public place, on property of others, or within view of any person on a street or highway.

If a harasser purposely exposes her/himself to you in a public place, on your property or from their property but s/he is purposely making sure people on the street can see, you can report him/her.

Penalty: Indecent exposure is a misdemeanor a fine made at the discretion of the court or imprisonment for up to three years, or both.

## 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.

## Stop Street Harassment

### ***Harassment in the First Degree***

#### [Title 16, Chapter 3, Section 1700](#)

In South Carolina, it's illegal for anyone to intentionally, unreasonably, and substantially intrude into the private life of a targeted person more than once and in such a way that it would cause a reasonable person to suffer mental or emotional distress. This includes following a person from location to location.

If a harasser follows you more than once, you can report him or her under this law.

Penalty: Harassment in the first degree is a misdemeanor and the penalty can be a fine of up to one thousand dollars, imprisonment for up to three years, or both. The penalties can be more severe if the person has a prior conviction or if there was a restraining order in effect to prohibit the harassment.

## **Groping**

### ***Assault and Battery in the Third Degree***

#### [Title 16, Chapter 3, Section 600](#)

South Carolina's assault and battery in the third degree law prohibits injuring someone through the non-consensual touching of the private parts of that person, either under or above clothing, with "lewd and lascivious intent."

If a harasser touches or grabs you on an intimate or private part of your body, either under or above clothes, and moderately injures you or attempts to do so, you can report him/her.

Penalty: Third-degree assault and battery is a misdemeanor that may result in a fine of up to five hundred dollars, imprisonment for up to 30 days, or both.

## **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 Charleston, this number is (943) 577-7434 and in Greenville it's (864) 271-5333. In Columbia, it's (803) 545-3500. 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 Third-Degree Assault and Battery, Title 16, Chapter 3, Section 600. 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.

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- A description of the harasser/s.
- Many police departments also have online reporting forms. Visit your local police department for information. In Columbia, for example, you can use [this form](#) to report crimes like unlawful communication.
- 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.
  - In Charleston, you can do this by using their [Crime Stoppers web form](#), or by calling 1-888-CRIME-SC, or 554-1111.
  - In Columbia and the surrounding areas, you can text the number 274637 and beginning the message with “TIPSC” or by calling the number above. You can also report via [webform](#).
  - [Greenville](#) also allows you to report via webform.
- 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.