

## ***“Act Against Stalking in Puerto Rico”***

Act No. 284 of August 21, 1999, as amended

(Contains amendments incorporated by:

[Act No. 394 of September 8, 2000](#)

[Act No. 376 of September 16, 2004](#)

[Act No. 542 of September 30, 2004](#)

[Act No. 23 of May 29, 2013](#)

[Act No. 99 of July 30, 2016\)](#)

[Unincorporated amendments:

Act No. 44 of May 12, 2016 *(added a new Section 16-A)*

Act No. 135 of August 8, 2024 *(added a new Subsect.8(d)*

Act No. 145 of August 9, 2024 *(added a new Subsect. 6(f)*

Act No. 222 of October 2, 2024 *(added a new Subsect. 8(d)]*

To create the “Act Against Stalking in Puerto Rico,” in order to typify conduct which constitutes stalking, that produces fear in the state of mind of a prudent and reasonable person, of suffering some sort of physical injury of his/her person, property, or that of a member of his/her family, establish the procedure to grant restraining orders, establish penalties, and for other purposes.

### STATEMENT OF MOTIVES

Stalking constitutes a type of criminal activity consisting of a series of actions that, if examined individually, may seem to be legal behavior: sending flowers, writing love letters, and waiting for a person outside of their workplace or home: which in themselves do not constitute criminal behavior. However, these acts, along with attempts to terrorize, intimidate, or harm a person, or members of his/her family or property, can constitute an illegal pattern of conduct.

Stalking of a person can occur in a broad range of situations or in various types of relationships, which are not necessarily intimate in nature. It can be perpetrated by a mere acquaintance of the victim, a former colleague, or by an unknown person. The offender’s motives may be intense attraction or extreme hatred, desire of contact and control, obsession, jealousy and anger, among others.

Statistics reveal that 200,000 incidents of stalking occur each year in the United States. It is estimated that seventy-eight percent (78%) of the victims of stalking are women, and that up to eighty percent (80%) of the cases occur in the domestic scenario. Most of these incidents are perpetrated by men against women. In fact, ninety percent (90%) of women that have been murdered by their former companions, had been threatened, harassed, and/or pursued by them before the final attack.

A number of jurisdictions in the United States have passed laws to typify stalking as a crime, and allow the opportune intervention of the Police, in view of the patterns of conduct that

could constitute stalking. The objective of said statutes is to prevent that the conduct stated above could result in acts of violence that attempt against the bodily integrity of the victim. These laws have served as effective instruments to prevent fatalities, by promoting that the victims will receive timely protection.

On September 13, 1994, President William Clinton signed P.L.103-322 ([42 U.S.C. §13701 et seq.](#)), known as the “Violent Crime Control and Law Enforcement Act of 1994,” which in Title IV, § 40131-40611, ([42 U.S.C. § 13931-14040, Violence Against Women](#)), establishes mechanisms to confront the many domestic violence, sexual, stalking, harassment, and persecution crimes, that affect women of all races, social, ethnic and economic conditions, in the United States.

The Government of Puerto Rico, being aware that the act of stalking against a specific person is an attempt against the values of peace, safety, dignity and respect that should be maintained for individuals, families, and the community in general, wishes to establish new measures to prevent and fight this type of conduct.

The objective of this legislation is to typify as a crime and penalize every pattern of stalking, which can induce fear in the state of mind of a prudent and reasonable person of suffering some type of bodily harm, or damage to property, and/or any member of her family. Its purpose is to create and provide the needed mechanisms to criminalize, penalize and allow the timely intervention of the police in said acts, to intervene expediently in stalking cases, and to offer protection to the victims of this type of behavior.

*Be it enacted by the Legislature of Puerto Rico:*

**Section 1. — Title of the Law. —** (33 L.P.R.A. § 4013 note)

This Act shall be known as the “Act Against Stalking in Puerto Rico.”

**Section 2. — Public Policy. —** (33 L.P.R.A. § 4013 note)

This legislation reaffirms the public policy of the Government of Puerto Rico to counter any type of expression of violence that threatens the values of peace, security, dignity and respect that are hoped to be achieved for our society.

Stalking is a manifestation of violence, which can induce fear in the peace of mind of a prudent and reasonable person of suffering physical harm to him/her, or his/her property, or a member of his/her family. The purpose of this Act is to create the necessary mechanisms to criminalize, penalize, and allow the opportune intervention by the police in view of such acts, to adequately protect the persons who are victims of stalking, thus preventing possible injury to them, their property, or the members of their family.

**Section 3. — Definitions. —** (33 L.P.R.A. § 4013)

For the purposes of this Act, the following terms shall have the meaning stated below:

- (a) **“Stalking”** — Means a pattern of behavior of vigilance, over a person; unwanted verbal or written communications are sent repeatedly to a specific person; written, verbal or implicit threats are made against a specific person; repeated acts of vandalism are directed to a specific person; repeated harassment through words, gestures or actions intended to intimidate, threaten or pursue the victim or members of his/her family.
- (b) **“Persistent behavior pattern”** — Means to make in [sic] two (2) or more occasions acts that show the intentional purpose of intimidating a specific person or his/her family members.
- (d) **“Employee”** — means any person who renders services to any person, partnership or corporation that employs one or more persons under an express or implicit oral or written service contract, including those persons whose jobs are of a temporary nature.
- (e) **“Employer”** — means any natural or juridical person that employs the services of one or several persons as employees, laborers, or workers, as well as any natural or juridical person acting in the capacity of chief, managerial officer, official, director, administrator, superintendent, manager, foreman, steward, agent or representative of such natural or juridical person.
- (c)
  - (1) **“Family”** — Means: Spouse, son, daughter, father, mother, grandfather, grandmother, grandson, granddaughter, brother, sister, uncle, aunt, nephew, niece, male or female cousin of the victim; or other relative by consanguinity, or affinity who is part of the family nucleus.
  - (2) A person who lives or has formerly cohabited with the victim as a couple; or has been involved in a relationship as a paramour or lover.
  - (3) A person who resides or has resided in the same dwelling as the victim, for at least six (6) months before the acts constituting stalking are evident.
- (d) **“Intimidate”** — Means any repeated action or word that instills terror in the animus of a prudent and reasonable person, to the effect that he/she, or any member of the family could suffer harm, personally, or of his/her property, and/or exert moral pressure on the animus of the person to perform an act against his/her will.
- (e) **“Restraining order”** — Means any written order under the seal of a court whereby the measures are dictated to an offender to abstain from incurring or performing certain acts that constitute stalking.
- (f) **“Respondent”** — Means any person against whom an order of protection is requested.
- (g) **“Petitioner”** — Means any person who requests a restraining order.
- (h) **“Court”** — Means the Trial Court of the General Court of Justice.
- (i) **“Police officer”** — Means any member or officer of the Police of Puerto Rico; or a municipal policeman duly trained and accredited by the Police of Puerto Rico.

**Section 4. — Delinquent Conduct; Penalties. — (33 L.P.R.A. § 4014)**

- (a) Any person who intentionally exhibits a constant or repetitive pattern of stalking directed at intimidating a specific person to the effect that said person or any member of his/her family could suffer personal or property damage; or that maintains said type of conduct knowing that a certain person could reasonably feel intimidated, shall be guilty of a misdemeanor. The court may order restitution in addition to the term of imprisonment thus imposed.
- (b) any person who engages in stalking as classified in this Act shall be guilty of a felony and punished by imprisonment for a fixed term of three (3) years if one or more of the following circumstances exist:
- (1) Enters the dwelling or workplace of a particular person or a member of such person’s family, thus placing them in fear of suffering bodily harm, and/or exerting moral pressure on the person’s animus to do an act against his or her will; or
  - (2) grave bodily injury is inflicted on a certain person or a member of his/her family; or
  - (3) it is committed with a deadly weapon in circumstances not intended to kill or mutilate; or
  - (4) it is committed after a restraining order has been issued against the offender, in aid of the victim of stalking or other person who is also stalked by the offender; or
  - (5) an act of vandalism is committed that destroys property in the places that are adjacent or relatively close to the home, residence, school, workplace, or vehicle of a certain person or member of the family; or
  - (6) is committed by an adult against a child, or
  - (7) is committed against a pregnant woman.
  - (8) When committed against a person with whom he/she has an affective or intra-family relationship in a shared household where no intimate relationship has ever existed, as defined by [Act No. 54 of August 15, 1989, as amended](#).

The court may impose the penalty of restitution in addition to the established term of imprisonment. The prosecution and punishment of any person for the crime defined and punished in this Act, shall not prevent the prosecution and punishment of the same person for any other act or omission in violation of any of the other provisions of this Act, or any other act.

**Section 5. — Issuance of Restraining orders. — (33 L.P.R.A. § 4015)**

- (a) Any person who has been a victim of stalking, or a conduct constituting such offense as classified in this Act, the ‘Penal Code of the Commonwealth of Puerto Rico,’ or any other special law, may file a petition for a restraining order with the court on his or her motion, through his or her legal counsel, or through a law enforcement officer without the need to first file a complaint or charges.
- (b) An employer may file a petition for a restraining order on behalf of an employee if: (1) said employee is or has been a victim of stalking or conduct constituting such an offense as classified in this Act; and (2) the acts constituting stalking occurred at the employee’s workplace or on workplace premises. Before initiating these proceedings, employers shall notify their intent to file a petition for a restraining order to the employee who is or has been a victim of stalking or conduct constituting such an offense as classified in this Act.

- (c) When the Court determines that there are sufficient motives to believe that the petitioner has been the victim of stalking, the same may issue a protection order and order the defendant to surrender to the Puerto Rico Police for custody, whether on a temporary, indefinite or permanent basis, any firearm in relation to which the defendant has been issued a license to bear and own or to carry firearms or for target-shooting, or both, as the case may be, and the Court shall order the suspension of the firearms license of the defendant under the same terms. Said order may also include but is not limited to the following:
- (1) Direct the respondent party to abstain from disturbing, harassing, pursuing, intimidating, threatening or performing any other act that constitutes stalking under this Act, directed to the petitioner.
  - (2) Direct the respondent party to abstain from entering any place where the petitioning party is found, when, in the discretion of the court said limitation is necessary to prevent the respondent party from disturbing, intimidating, threatening or otherwise stalking and/or interfering with the petitioner or a member of his/her family.
  - (3) Direct the respondent party to pay pecuniary compensation for damages caused by conduct that constitutes stalking. Said compensation may include, but shall not be limited to compensation for moving expenses, expenses for repair of the property, legal expenses, medical and psychiatric expenses, psychological and counseling expenses, guidance, lodging, and other similar expenses, without prejudice to other civil procedures to which the petitioner would be entitled.
  - (4) Issue any order that is needed to comply with the purposes and the public policy of this Act.
  - (5) Order the respondent to vacate the residence he/she shares with the petitioner, regardless of the right claimed over the same; provide any temporary measure regarding the use and possession of the residence that the respondent was ordered to vacate and any personal property therein; order the owner or person in charge of the residence that the respondent was ordered to vacate to take any necessary measures to prevent the violation of said court order; and issue any order needed to carry out the purposes and public policy of this Act.
- (d) Any trial court judge may issue a restraining order pursuant to this Act. Every restraining order may be reviewed, in the appropriate cases, in the Circuit Court of Appeals.
- (e) Any person may request the civil remedies established in this Act in his/her behalf, or in behalf of any other person who suffers a physical or mental disability, in case of an emergency or when the person is prevented from requesting it in person.

#### **Section 6. — Procedure for the Issuing of Restraining orders.**

- (a) The procedure [for obtaining] a restraining order may commence through the filing of a verbal or written petition; or in any case that is pending between the parties; or by request of the District Attorney in a criminal procedure, or as a condition to enjoy a suspended sentence or parole.
- (b) To expedite the procedure for interested parties to obtain a restraining order under this Act, the Office of the Courts Administration shall have forms available in the Office of the Clerk of the

Courts of Puerto Rico, to request and execute said order. It shall also provide the help and guidance needed to complete and present them.

- (c) Once a petition for a restraining order has been filed pursuant to the provisions of this Act, the court shall issue a summons to the parties to appear within a period not to exceed five (5) days under penalty of contempt. Notice of the summons and a copy of the petition shall be served pursuant to the Puerto Rico Rules of Civil Procedure of 2009, as amended, by a Marshal or by any other law enforcement officer, as soon as possible, and shall have preference over any other type of summons, except for those of a similar nature. The court shall keep a file for each case in which it shall record every summons issued under this Act.
- (d) Failure of a person who has been duly summoned under this Act to appear, shall be punished as criminal contempt to the court that issued the summons.
- (e) Upon the filing of the petition, notice thereof shall be served pursuant to the Puerto Rico Rules of Civil Procedure of 2009, as amended. By request of the petitioner, the court may order that the summons be served by any person over the age of eighteen (18) who is not a party to, nor has any interest in the case.

**Section 7. — Ex parte Orders. — (33 L.P.R.A. § 4017)**

- (a) The procedure [for obtaining] a restraining order may commence through the filing of a verbal or written petition; or in any case that is pending between the parties; or by request of the District Attorney in a criminal procedure, or as a condition to enjoy a suspended sentence or parole.
- (b) To expedite the procedure for interested parties to obtain a restraining order under this Act, the Office of the Courts Administration shall have forms available in the Office of the Clerk of the Courts of Puerto Rico, to request and execute said order. It shall also provide the help and guidance needed to complete and present them.
- (c) Once the petition for a restraining order has been filed pursuant to the provisions of this Act, the court shall issue a summons to the parties, to appear within a term that shall not exceed five (5) days, under admonition of contempt. Notice of the summons and a copy of the petition shall be executed pursuant to the Puerto Rico Rules of Civil Procedure of 2009, as amended, and shall be served by an officer of the court or by any other police officer, as soon as possible, and shall have preference over any other type of summons, except those similar in nature. The court shall keep a file for each case in which it shall record every summons issued under this Act.
- (d) Failure of a person who has been duly summoned under this Act to appear, shall be punished as criminal contempt to the court that issued the summons.
- (e) When the petition is filed, the notice thereof shall be executed pursuant to what is established in the Puerto Rico Rules of Civil Procedure of 2009, as amended. By request of the petitioners, the court may direct for the petition to be served by any person over eighteen (18) years of age who is not a party to, nor has any interest in the case.

**Section 8. — Contents of the Restraining Order.** — (33 L.P.R.A. § 4018) *[Note: Act No. 135-2024 and Act No. 222-2024 hereby added new Subsections (d) but the official translation is not available. Please consult the Spanish version]*

- (a) Every restraining order shall specifically establish the orders issued by the court, the remedies ordered and the effective term thereof.
- (b) Every restraining order shall establish the date and hour that it was issued and specifically notify the parties that any violation thereof shall constitute contempt of the court.
- (c) Any ex parte restraining order shall include the date and hour it was issued, and shall indicate the date, time and place that the hearing for the extension or cancellation thereof will be held, and the reasons for which it was necessary to issue said ex parte order.
- (d) *[Note: Act No. 222-2024 hereby added a new Subsection (d)]*
- (e) *[Note: Act No. 135-2024 hereby added a new Subsection (d), and Act No. 222-2024 renumbered it, as (e)]*
- (f) All restraining orders shall meet the requirements established by Sections 2261, 2261A, 2262, and 2265 of the Violence Against Women Act (V.A.W.A.), Title IV, P.L. 103-322 of the [Violent Crime Control and Law Enforcement Act](#), including the requirements of due process of law to the defendant. All restraining orders shall establish that it shall be effective in any jurisdiction of the United States; provided that a violation to the same may result in arrest in any jurisdiction of the United States and that it shall be included in the Restraining Orders Registry.

Every restraining order issued by a court shall be issued on a form that is substantially equal in content to the one incorporated as a guide in this Act.

**Section 9. — Notice to the Parties and Law Enforcement Officers.** — (33 L.P.R.A. § 4019)

- (a) A copy of every restraining order shall be filed in the Office of the Clerk of the Court that issues it. The clerk of the court shall provide a copy thereof, by petition of the parties or of any interested party.
- (b) Any order issued under this Act must be served personally to the respondent party, whether through a bailiff of the court, or police officer, or any person over 18 years of age who is not a party to, nor has an interest in the case, pursuant to the procedure established in the Rules of Civil Procedure of Puerto Rico, as amended.
- (c) The clerk of the court shall remit copies of the orders issued under this Act to the Police office in charge of keeping a record of the orders issued.
- (d) The Police of Puerto Rico shall offer adequate protection to the party in whose benefit the restraining order is issued.

**Section 10. — Failure to Comply with Restraining orders.** — (33 L.P.R.A. § 4020)

Any intentional violation of a restraining order issued pursuant to this Act, shall be punished as a misdemeanor, which will not impair his/her criminal liability under Section 4(b)(1) of this Act or any other penal statute, and shall constitute contempt of Court, which could result in a penalty of imprisonment, a fine, or both penalties.

Notwithstanding what is provided by Rule 11 of the Rules of Criminal Procedure, as amended, App. II of Title 34, even though there were no order to such effect, every police officer shall make

an arrest, if a restraining order issued under this Act or a similar Act, is filed against the person to be arrested, or if it is determined that there is such an order by communicating with the pertinent authorities and there are grounds to believe that the provisions thereof have been violated.

**Section 11. — Duty to Make an Arrest upon Filing Restraining Order. — (33 L.P.R.A. § 4021)**

Every law enforcement officer shall make an arrest, if he is presented a restraining order issued under this Act, or a similar act against the person to be arrested, or if he/she determines that said order exists by communicating with the pertinent authorities, and has grounds to believe that the provisions thereof have been violated.

**Section 12. — Drafting of Reports. — (33 L.P.R.A. § 4022)**

Whenever a law enforcement officer intervenes in an incident that can be classified as stalking, he/she shall prepare a written report thereof. Said report shall include the allegations of the persons involved and the witnesses, the type of investigation performed, and the manner in which the incident was dealt with.

The law enforcement officer shall include in said report, any statement of the victim with regard to the frequency and gravity of previous stalking incidents and on the number of times the victim has resorted to the Police or any private or public entity or private person, to ask for help.

This report shall be prepared for every intervention even though criminal charges have not been filed against the offender. These shall be kept apart from other types of reports, unless they are related to cases of domestic violence.

The Superintendent of Police shall establish a system to compile information that will allow keeping a copy of each intervention in the station in which it is generated, and which will facilitate the centralized compiling thereof in the Statistics Division of the Police of Puerto Rico.

The Statistics Division of the Police of Puerto Rico shall receive a copy of every report of interventions prepared pursuant to this Section, each month, shall compile the information found therein, and shall prepare a public statistical report annually, on stalking incidents in Puerto Rico.

The Superintendent of Police shall establish the guidelines to guarantee confidentiality regarding the identity of the persons involved in stalking incidents.

**Section 13. — Independence of Civil Actions. — (33 L.P.R.A. § 4023)**

It shall not be required, nor shall it be necessary for persons protected by this Act, to file criminal charges to request and be issued restraining orders.

**Section 14. — Rules for Civil and Penal Actions. — (33 L.P.R.A. § 4024) [Note: Act No. 99-2016 amended this Sec. 14. But the official translation is not available. Please consult the Spanish version]**

Unless otherwise provided in this Act, all civil actions filed under the provisions of this Act, shall be governed by the Puerto Rico Rules of Civil Procedure of 1979, as amended. Likewise, penal actions filed under the provisions of this Act, shall be governed by the Puerto Rico Rules of Criminal Procedure of 1963, as amended, unless it is otherwise provided in this Act.



**Section 15. — Provisions on Bail, Parole, Permits for Prisoners to Leave Institutions, and Others. — (33 L.P.R.A. § 4025)**

- (a) *Bail.* When a person is accused for violating the provisions of this Act, or when at the time of the alleged violation, was subject to the terms of a restraining order issued pursuant to this Act, or any other similar act, or has previously been convicted of, or has pleaded guilty for violating the provisions of this Act, or of violating other similar legal provisions, prior to the imposition of a fine, in addition to what is provided by Rule 218 of the 1963 Rules of Criminal Procedure of Puerto Rico, as amended, the court shall consider whether the person has a history of having violated the orders of a court or of a government agency.
- (b) *Conditions for release on bail.* The court may impose conditions on bail on the accused, and shall take into consideration whether the person has a history of domestic violence or a history of violent acts, and whether the person poses a potential threat for the victim of the crime, or any other person. In addition to what is provided in Rule 218 of the 1963 Rules of Criminal Procedure of Puerto Rico, as amended, the court may impose the following conditions:
- (1) Avoid all direct or indirect contact with the victim of the alleged acts that constitute stalking and/or his/her family members.
  - (2) Avoid all contact with the persons who shelter the victim.
  - (3) Abstain from intimidating or pressuring the victim or the witnesses, personally or by telephone, or in any other way, through the intervention of third parties, so that they do not testify, or for them to withdraw the criminal charges filed against him/her.
- (c) Permits for prisoners to leave the institutions, and on parole. In addition to what is established in Act No. 116 of July 22, 1974, as amended, [*Note: Repealed and replaced by “Department of Correctional and Rehabilitation Reorganization Plan of 2011”*] and in any other law or regulations to such effect, the Correctional Administrator or the Parole Board shall take into consideration the following circumstances when making a decision on the granting of permits to leave penal institutions or public or private treatment centers, or granting freedom on parole to prisoners convicted for violating the provisions of this Act:
- (1) If the person has a record of domestic violence, or a record of having committed other acts of violence.
  - (2) If the person has a record of having violated the orders of a court or a government agency.
  - (3) If the person poses a potential threat to any other person.
  - (4) The opinion of the injured person or the persons that testified in the case and any other circumstance he/she deems pertinent.
- (d) Executive clemency or pardon. Upon considering the petition of executive clemency or pardon of a person convicted of the crime of stalking, the Parole Board shall notify the injured party and the persons that gave testimony in order to provide them the opportunity to be heard.
- (e) Before any person can be released under the provisions of this Act, the court, the Parole Board, the Correctional Administration and/or the Executive, shall notify the victim or the injured party sufficiently in advance, so that he/she can take the necessary measures to guarantee his/her safety.

**Section 16. — Forms. —** (33 L.P.R.A. § 4026)

The forms provided by the clerks of the courts of justice to the persons that request an order of protection, shall be designed in such a way that the information, circumstances, and data contained in the models included herein, may be consigned or declared. However, the Office of Court Administration may modify them when it deems convenient, in order to achieve the purposes of this Act.

**Section 16-A. —** *[Note: Act No. 44-2016 added a new Section 16-A, but the official translation is not available. Please consult the Spanish version].*

**FORM I**

GENERAL COURT OF JUSTICE

Trial Court

**Part:** \_\_\_\_\_  
\_\_\_\_\_

**PETITIONER**

**NUMBER** \_\_\_\_\_

vs.

**RE:**

\_\_\_\_\_  
**RESPONDENT**

**RESTRAINING ORDER**  
**Stalking**  
**No.** \_\_\_\_\_

**PETITION FOR RESTRAINING ORDER**

**TO THE HONORABLE COURT:**

The Petitioner hereby appears and his/her representative respectfully alleges, states and requests that:

1. My name is \_\_\_\_\_, I am \_\_\_\_\_ years old, my Social Security Number is \_\_\_\_\_, my driver’s license number is \_\_\_\_\_, I reside at

\_\_\_\_\_  
(Street, Number, Urbanization, Ward, Municipality).

2. The Respondent Party’s name is \_\_\_\_\_, who is \_\_\_\_\_ years old, his/her Social Security Number is \_\_\_\_\_, his/her driver’s license number is \_\_\_\_\_, resides at

\_\_\_\_\_  
(Street, Number, Urbanization, Ward, Municipality)  
and his/her telephone number is \_\_\_\_\_.

3. I am a victim of stalking by the respondent, consisting in that intentionally, or knowing that I could reasonably feel intimidated, has demonstrated a pattern of conduct consisting of threats,

persecution and harassment, addressed to terrorize me to the extent that I could be harmed, could cause damage to my property, could harm a member of my family or to their property.

4. The stalking of which I have been a victim occurred on, or during the \_\_\_\_\_ day(s) \_\_\_\_\_ of \_\_\_\_\_ at \_\_\_\_\_.

5. The stalking incidents consisted of \_\_\_\_\_  
\_\_\_\_\_

6. At present there \_\_\_\_ is \_\_\_\_ is not pending court action related to these acts.

7. I request this Court to grant me the following remedies:

\_\_\_\_ Direct the respondent party to desist from disturbing, harassing, pursuing, intimidating, or threatening the Plaintiff and/or any member of his/her family.

\_\_\_\_ Direct the respondent party to abstain from entering my \_\_\_\_ home \_\_\_\_ place of business \_\_\_\_ the home of the members of my family \_\_\_\_ its surroundings \_\_\_\_ place of business \_\_\_\_ school, and/or other places such as \_\_\_\_\_.

\_\_\_\_ Direct the respondent party to pay me reasonable compensation for the damages I have suffered as a result of the \_\_\_\_ stalking, without prejudice to other civil actions I am entitled to. Said losses and damages consist of: moving expenses \$\_\_\_\_; lodging \$\_\_\_\_; repairs to property \$\_\_\_\_; legal expenses \$\_\_\_\_; medical, psychiatric, psychological, counseling and/or guidance services \$\_\_\_\_; others \$\_\_\_\_, for a total of \$\_\_\_\_\_.

Therefore, I, \_\_\_\_\_, the Petitioner, respectfully request that the remedies requested in clause (7) of this Petition, and any other remedy that the Court deems pertinent, be granted to me.

\_\_\_\_\_  
Petitioner's Signature

\_\_\_\_\_  
Date

Address at which I may be notified:

\_\_\_\_\_  
(Street, Number, Urbanization, Ward, Municipality).

Telephone: \_\_\_\_\_

**FORM II**

**GENERAL COURT OF JUSTICE**

Court \_\_\_\_\_  
Part \_\_\_\_\_  
Office of Municipal Court Judge of \_\_\_\_\_

_____	*	NUMBER _____
Petitioner	*	
	*	
	*	RE:
	*	
	*	
	*	
	*	<b>RESTRAINING ORDER</b>
	*	
vs.	*	
	*	
_____	*	
Respondent	*	
*****		

**RESTRAINING ORDER**

The Petitioner filed an action against the Respondent pursuant to Act No. \_\_\_ of \_\_\_\_\_ stating the following:

1. The Petitioner, whose Social Security Number is \_\_\_\_\_, is \_\_\_ years old, resides at \_\_\_\_\_, and his/her telephone number is \_\_\_\_\_.
2. The Respondent, whose Social Security Number is \_\_\_\_\_, is \_\_\_ years old, resides at \_\_\_\_\_, and his/her telephone number is \_\_\_\_\_.
3. The Petitioner is a victim of stalking provoked by the Respondent who repeatedly and intentionally has shown a pattern of conduct addressed to intimidate her, or knowing that she could reasonably feel intimidated, through persecution, threats, and/or harassment, to the effect that the petitioner or a member of her family could suffer harm either personally or of her belongings.

4. The stalking incidents occurred on or during \_\_\_\_\_ at \_\_\_\_\_ (place).

5. At present, there is \_\_\_ there is no \_\_\_ criminal action pending concerning these facts before the Court of \_\_\_\_\_, \_\_\_\_\_ Part, between the Petitioner and the Respondent. The number of the case is \_\_\_\_\_.

Upon summons issued to the Respondent, the corresponding hearing was held, to which:

\_\_\_ Both parties appeared.

\_\_\_ Only the party of the \_\_\_\_\_ appeared.

After having heard the party/the parties and its/their witness(es) and having studied all of the evidence, this Court has reached the following

**FINDINGS OF FACT:**

By virtue of the previous findings of facts, the Court establishes the following:

\_\_\_ The Respondent is hereby ordered to abstain from stalking, chasing, intimidating, threatening or otherwise interfere with the Petitioner and the members of his/her family.

\_\_\_ The Respondent is hereby ordered to abstain from entering:

\_\_\_ The home of the Petitioner, or his/her permanent or provisional living quarters;

\_\_\_ The school to which the Petitioner attends, as well as its surroundings,

\_\_\_ The place of business of the Petitioner, as well as its surroundings,

\_\_\_ The workplace of the Petitioner, as well as its surroundings.

\_\_\_ The Respondent is hereby ordered to pay financial indemnity for damages sustained by the Petitioner due to the stalking, without prejudice to other civil actions to which the Petitioner is entitled.

Said losses and damages consist of: lodging expenses \$ \_\_\_\_\_; expenses for repair of property \$ \_\_\_\_\_; moving expenses \$ \_\_\_\_\_; medical, psychiatric, psychological, guidance and/or counseling expenses \$ \_\_\_\_\_; others \_\_\_\_\_ \$ \_\_\_\_\_;

Total \$ \_\_\_\_\_.

The Court hereby orders the following provisional measures concerning the parties:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

Any person who violates any of the terms of this Order shall be found to be in Contempt of Court, which may lead to punishment by imprisonment, fine, or both.

**FOR REGISTRATION AND NOTICE**

Given in \_\_\_\_\_, Puerto Rico, on \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_ hours. \_\_\_\_\_

This Order is effective from \_\_\_\_\_ to \_\_\_\_\_.

\_\_\_\_\_  
Judge

I hereby CERTIFY  
That both parties have been given notice and a copy of the previous

**RESTRAINING ORDER.**

In \_\_\_\_\_, Puerto Rico, on \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Clerk.

**Section 17. — Constitutional Proviso. —** (33 L.P.R.A. § 4013 note)

Should any provision contained in this Act be found unconstitutional, said finding of unconstitutionality shall not impair the remaining provisions therein.

**Section 18 – 19 . —** [blank]

**Section 20. —**This Act shall take effect ninety (90) days after its approval.

Note. This compilation was prepared by the [Puerto Rico Office of Management and Budget](#) staff who have striven to ensure it is complete and accurate. However, this is not an official compilation and may not be completely free of error. It contains all amendments incorporated for reading purposes only. For accuracy and exactitude please refer to the act original text and the collection of Laws of Puerto Rico Annotated LPRA. The state links acts are property of [Legislative Services Office](#) of Puerto Rico web page. The federal links acts are property of [US Government Publishing Office GPO](#). web page.  
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See also the [Original version Act](#), as approved by the Puerto Rico Legislature.