

## When an Ex Threatens You



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### What to Do when your Ex-Spouse Threatens you or your Family

[Stacy D. Phillips](#) is a Los Angeles-based certified family law specialist and author of book "[Divorce: It's All About Control -- How to Win the Emotional, Psychological and Legal Wars.](#)" Here, she answers more questions about dealing with ex-spouses who are threatening you or your family.

**Q: What steps can someone take if his/her ex threatens with e-mails, calls, etc. especially when the threats involve children or property?**

**A:** If you think your life is in danger or that of your children or any family member is, call the police immediately. Make sure you keep copies of the e-mails and save the voice mails, if you can. ...

In California, as in many other states, recording any conversations you may have is not legal unless you have the permission of the other party to do so. If the threats are being made to you over the telephone and you cannot record the conversation, take contemporaneous notes. ...

You should contact a criminal attorney to determine how to record conversations in a legal way. The most important thing to remember is that you need to remain calm when you receive these threats. Safeguard your children as well as your property. Don't leave any doors unlocked, gates open, any valuables in the yard, and put your valuables and family photos somewhere, so if there is any damage to your home or property, you can easily replace those items that are ruined. Most importantly, contact a reputable family law attorney (or maybe a criminal defense attorney in your area) who has handled such threats (most have) and have them seek a restraining order against your ex. If he or she continues to make such threats, he or she could face jail time. In California, for instance, we have stalking laws and some of the statutes in those laws provide against harassment/threats by phone or in written communications. ...

Contact a reputable criminal defense attorney to find out more about the stalking laws in your jurisdiction. You can also contact a local shelter that has counselors on staff to help you ensure you are taking the proper precautions. Shelters also offer a safe hideaway for a period of time, if you think your ex will act on his or her threats. Do not run to your mother's, a friend's house or another residence of which your ex is familiar. Contacting a shelter, and hiding out there, if you feel you are in eminent danger, is one of the first and best steps to take.

**Q: In such cases is a restraining order enough?**

**A:** Unfortunately, not always because court orders are only as good as the people who follow them. Some do not. We read about many individuals who were gunned down on the courthouse steps and ambushed in their driveways or places of work. However, for many, having a restraining order in place against them is enough to scare them into reality. Judges today do not take threats lightly and the penalties for infractions against those who have restraining orders against them can mean not only incarceration, but it can also result in loss of a job and public humiliation.

I always say that some of the best people are at their worst when going through a break-up. A good many people seem to lose their practical sense at such an emotionally-charged time, but most do not act on their threats. My opinion, however, is to never, ever take a threat lightly because those you least expect can act impulsively and rashly. You can seek the assistance of the staff (at your local courthouse) in the crimes against victims department, a mediator from the family law court in your jurisdiction, a reputable private investigator — even a criminal defense attorney — and your neighborhood shelter to ask what you can arm yourself with safely to stave off any attacks, if you have no choice but to defend yourself.

**Q: What other resources would you offer people in this kind of situation where the ex simply won't go away?**

**A:** You can also seek solace from your spiritual advisor such as a minister, priest or rabbi. Often the mental anguish produced by threats is hard to bear and seeking consolation from those who can prop you up when your ex won't go away is another prudent measure to take. Being close in touch with your brand of spirituality is a wonderful way to keep you centered and strong.

