

A.: The statutory provisions governing harassment and temporary restraining orders and injunctions prohibiting harassment are contained in Code of Civil Procedure section 527.6. Section 527.6 was enacted to protect an individual's right to pursue safety, happiness, and privacy as guaranteed by the California Constitution, and to provide expedited injunctive relief to victims of harassment. (Kobey v. Morton (1991) 228 Cal.App.3d 1055, 278 Cal.Rptr. 530).

Harassment, for the purposes of Code of Civil Procedure section 527.6, is unlawful violence, a credible threat of violence, or a knowing and willful course of conduct directed at a specific person that seriously alarms, annoys, or harasses the person, and that serves no legitimate purpose. The definition of the term "course of conduct" is defined in section 527.6(b)(3), as follows:

"Course of conduct" is a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose, including following or stalking an individual, making harassing telephone calls to an individual, or sending harassing correspondence to an individual by any means, including, but not limited to, the use of public or private mails, interoffice mail, fax, or computer e-mail. Constitutionally protected activity is not included within the meaning of "course of conduct."

The court in the case of Leydon v. Alexander (1989) 212 Cal.App.3d 1, 4–5, 260 Cal.Rptr. 253, held that a single incident of harassment is not a "course of conduct":

Under this statute, "harassment" is defined as a knowing and willful course of conduct directed at a specific person which seriously alarms, annoys, or harasses the person and which serves no legitimate purpose. A "course of conduct" is defined as "a series of acts over a period of time, however short, evidencing a continuity of purpose." (§ 527.6, subd. (b), italics added; Schraer v. Berkeley Property Owners' Assn. (1989) 207 Cal.App.3d 719, 730 [255 Cal.Rptr. 453].) In order to determine the Legislature's intent, we first look to the words of the statute, giving them their usual and ordinary meaning. (Committee of Seven Thousand v. Superior Court (1988) 45 Cal.3d 491, 501 [247 Cal.Rptr. 362, 754 P.2d 708]; see Schraer v. Berkeley Property Owners' Assn., supra, at p. 730 [reasonable, common sense interpretation].) Webster defines "series" as "a number of things or events of the same class" (Webster's New Collegiate Dict. (9th ed. 1984) p. 1074, italics added.) The definition, being stated in the plural, implies a "number" greater than one. The Judicial Council's instructions for litigants in harassment actions under section 527.6, promulgated at the Legislature's behest, are also consistent with this interpretation. The instructions state that a person may seek relief under the statute if "the defendant has done a series of acts (more than one) which seriously alarms, annoys or harasses the plaintiff" (Judicial Council of Cal., Instructions for Lawsuits to Prohibit Harassment (Code Civ. Proc., § 527.6). [Emphasis added.]