

PART

13-940. OFFENSES AGAINST PRIVACY.

13-941. DEFINITIONS. For purposes of this part:

- A. "Private place" means a place where one may reasonably expect to be safe from casual or hostile intrusion or surveillance.
- B. "Eavesdrop" means to overhear, record, amplify, or transmit any part of a wire or oral communication of others without the consent of at least one party thereto by means of any electronic, mechanical or other device.
- C. "Public" includes any professional or social group of which the victim of a defamation is a member.

13-942. PRIVACY VIOLATION.

- A. A person is guilty of privacy violation if, except as authorized by law, he:
 - 1. Trespasses on property with intent to subject anyone to eavesdropping or other surveillance in a private place; or
 - 2. Installs in any private place, without the consent of the person or persons entitled to privacy there, any device for observing photographic, recording, amplifying, or broadcasting sounds or events in the place or uses any such unauthorized installation; or
 - 3. Installs or uses outside of a private place any device for hearing, recording, amplifying, or broadcasting sounds originating in the place which would not ordinarily be audible or comprehensible outside, without the consent of the person or persons entitled to privacy there.
- B. Privacy violation is a class B misdemeanor.

13-943. COMMUNICATION ABUSE.

- A. A person commits communication abuse if, except as authorized by law, he:
 - 1. Intercepts, without the consent of the sender or receiver, a message by telephone, telegraph, letter, or other means of communicating privately; this paragraph does not extend to:
 - (a) Overhearing of messages through a regularly installed instrument on a telephone party line or on an extension; or
 - (b) Interception by the telephone company or subscriber incident to enforcement of regulations limiting use of the facilities or to other normal operation and use; or
 - 2. Divulges without consent of the sender or receiver the existence or contents of any such message if the actor knows that the message was illegally intercepted or if he learned of the message in the course of employment with an agency engaged in transmitting it.
- B. Communication abuse is a class B misdemeanor.