

Crimes, Breach of Privacy, and Blackmail

HB 2151 modifies the definition of the crime of “breach of privacy” to include:

- Entering with the intent to listen surreptitiously to private conversations in a private place or to observe the personal conduct of any other person or persons entitled to privacy therein;
- Installing or using a device inside a private place to hear, record, amplify, or broadcast sounds originating from such place that would not ordinarily be audible or comprehensible without the use of such device;
- Installing or using a device or equipment for the interception of wireless communication;
- Using means other than electronic means to secretly videotape, film, photograph, or record an identifiable person who is nude or in a state of undress;
- Looking into any hole or opening or otherwise viewing by means of instrumentality any person with the intent to invade the privacy of the person being viewed (“instrumentality” is defined in the bill); and
- Disseminating or permitting the dissemination of any videotape, photograph, film, or image obtained in violation of the restriction explained above on installing or using a concealed device.

Further, the bill increases the penalties for some of the acts constituting “breach of privacy.”

The bill also amends the definition for the crime of blackmail, by adding threats to disseminate materials obtained using electronic or other means to secretly videotape, film, photograph, or record an identifiable person who is nude or in a state of undress, which is a severity level 4, person felony.