

CHAPTER 942

CRIMES AGAINST REPUTATION AND CIVIL LIBERTIES

942.01 Defamation.
 942.02 Communication of identity of victim of offensive crime.

942.03 Giving false information for publication
 942.04 Denial of rights
 942.05 Opening letters.

942.01 Defamation. (1) Whoever with intent to defame communicates any defamatory matter to a third person without the consent of the person defamed may be fined not more than \$1,000 or imprisoned not more than one year or both.

(2) Defamatory matter is anything which exposes the other to hatred, contempt, ridicule, degradation or disgrace in society or injury in his business or occupation.

(3) This section does not apply if the defamatory matter was true and was communicated with good motives and for justifiable ends or if the communication was otherwise privileged.

(4) No person shall be convicted on the basis of an oral communication of defamatory matter except upon the testimony of 2 other persons that they heard and understood the oral statement as defamatory or upon a plea of guilty or nolo contendere.

942.02 Communication of identity of victim of offensive crime. (1) Whoever does either of the following may be fined not more than \$500 or imprisoned not more than one year in county jail or both:

(a) Intentionally publishes in any radio or television broadcast, newspaper, magazine, or other similar method of disseminating news to the public, the identity of any living person as a victim or the identity of any living person who is the victim of the crime of rape, sexual intercourse without consent, sexual intercourse with a child, sexual perversion, or indecent behavior with a child, which crime is alleged to have occurred in this state; or

(b) With intent that it be so published in this or another state, communicates to another the identity of such person.

(2) This section does not apply to publications or communications necessary in the official investigation, institution, prosecution, or defense of any civil or criminal court proceeding or in the compilation of the records pertaining thereto.

Newspaper identification of female as stabbing victim without direct or indirect reference to sexual crimes does not violate (1) (a) 60Atty. Gen. 97.

942.03 Giving false information for publication. Whoever, with intent that it be published and that it injure any person, and with knowledge that it is false, communicates to a newspaper, magazine, or other publication any false statement concerning any person or any false and unauthorized advertisement may be fined not more than \$200 or imprisoned not more than 6 months or both.

942.04 Denial of rights. (1) Whoever does any of the following may be fined not more than \$200 or imprisoned not more than 6 months or both:

(a) Denies to another or charges another a higher price than the regular rate for the full and equal enjoyment of any public place of accommodation or amusement because of his race, color, creed, national origin or ancestry; or

(b) Directly or indirectly publishes, circulates, displays or mails any written communication which he knows is to the effect that any of the facilities of any public place of accommodation or amusement will be denied to any person by reason of his race, color, creed, national origin or ancestry or that the patronage of a person is unwelcome, objectionable, or unacceptable for any of those reasons; or

(c) Refuses to furnish or charges another a higher rate for any automobile insurance because of his race, color, creed, national origin or ancestry.

(2) "Public place of accommodation or amusement" shall be interpreted broadly to include, but not be limited to, places of business or recreation, hotels, motels, resorts, restaurants, taverns, barbershops, nursing homes, clinics, hospitals, cemeteries, and any place where accommodations, amusement, goods or services are available either free or for a consideration except where provided by bona fide private, nonprofit organizations or institutions.

(3) The person aggrieved may recover damages of not less than \$25 and costs in a civil action.

942.05 Opening letters. Whoever does either of the following may be fined not more than \$100 or imprisoned not more than 3 months or both:

(1) Knowing that he does not have the consent of either the sender or the addressee,

intentionally opens any sealed letter or package addressed to another; or

(2) Knowing that a sealed letter or package has been opened without the consent of either the sender or addressee, intentionally publishes any of the contents thereof.