

TITLE 11

Crimes and Criminal Procedure

Delaware Criminal Code

CHAPTER 5. Specific Offenses

Subchapter III. Offenses Involving Property

BCriminal Trespass and Burglary

§ 820 Trespassing with intent to peer or peep into a window or door of another; class B misdemeanor.

A person is guilty of trespassing with intent to peer or peep into a window or door of another when the person knowingly enters upon the occupied property or premises of another utilized as a dwelling, with intent to peer or peep into the window or door of such property or premises and who, while on such property or premises, otherwise acts in a manner commonly referred to as "Peeping Tom." Any person violating this section may be referred by the court to the Delaware Psychiatric Center for examination and for treatment.

Justices of the peace shall have concurrent jurisdiction of violations of this section.

Trespassing with intent to peer or peep into a window or door of another is a class B misdemeanor.

11 Del. C. 1953, § 820; [58 Del. Laws, c. 497, § 1](#); [67 Del. Laws, c. 130, § 8](#); [70 Del. Laws, c. 186, § 1](#); [70 Del. Laws, c. 550, § 1](#);

§ 821 Criminal trespass in the third degree; a violation.

A person is guilty of criminal trespass in the third degree when the person knowingly enters or remains unlawfully upon real property.

Criminal trespass in the third degree is a violation.

11 Del. C. 1953, § 821; [58 Del. Laws, c. 497, § 1](#); [67 Del. Laws, c. 130, § 8](#); [70 Del. Laws, c. 186, § 1](#);

§ 822 Criminal trespass in the second degree; unclassified misdemeanor.

A person is guilty of criminal trespass in the second degree when the person knowingly enters or remains unlawfully in a building or upon real property which is fenced or otherwise enclosed in a manner manifestly designed to exclude intruders.

Criminal trespass in the second degree is an unclassified misdemeanor.

11 Del. C. 1953, § 822; [58 Del. Laws, c. 497, § 1](#); [67 Del. Laws, c. 130, § 8](#); [70 Del. Laws, c. 186, § 1](#);

§ 823 Criminal trespass in the first degree; class A misdemeanor.

A person is guilty of criminal trespass in the first degree when the person knowingly enters or remains unlawfully in a dwelling or building used to shelter, house, milk, raise, feed, breed, study or exhibit animals.

Criminal trespass in the first degree is a class A misdemeanor.

11 Del. C. 1953, § 823; [58 Del. Laws, c. 497, § 1](#); [65 Del. Laws, c. 482, § 1](#); [67 Del. Laws, c. 130, § 8](#); [70 Del. Laws, c. 186, § 1](#);