SPONSOR: Rep. Cooke & Rep. Bolden & Rep. Chukwuocha & Rep. Dorsey Walker & Rep. K. Johnson & Rep. Lambert & Rep. Longhurst & Rep. Lynn & Rep. Minor-Brown & Rep. S. Moore & Sen. Brown & Sen. Lockman & Sen. Lopez & Sen. Pinkney
Reps. Baumbach, Bentz, Brady, Heffernan, Kowalko, Mitchell, Morrison, Ramone, K. Williams, Wilson-Anton; Sens. S. McBride, Sokola, Townsend, Walsh

HOUSE OF REPRESENTATIVES
151st GENERAL ASSEMBLY

HOUSE BILL NO. 243

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE RELEASE AND PUBLICATION OF THE NAME AND PHOTOGRAPH OF A JUVENILE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Chapter 19, Title 11 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1913. Release and publication of the name and photograph of a juvenile.

(a) As used in this section:

(1) "Juvenile" means a child 17 years of age or younger.

(2) "Law-enforcement officer" means as defined in § 222 of this title.

(3) "Law enforcement agency" means any agency employing law-enforcement officers.

(4) "Mugshot" means a photograph of a suspect's face or profile.

(5) "Photograph of a juvenile" means any image depicting a juvenile. "Photograph of a juvenile" includes a mugshot.

(6) "Publish" means to disseminate to the public or produce or release for distribution. "Publish" includes to display on any publicly maintained social media page or website.

(7) "Release" means to make available or accessible to the public.

(8) "Violent felony" means as defined in § 4201 of this title.

(b) No law-enforcement agency shall release or publish or cause to be released or published the name of a juvenile or a photograph of a juvenile unless all of the following applies:

(1) The juvenile is charged with a violent felony.

(2) Release or publication of the photograph or name of the juvenile is necessary to protect the public's safety.

SYNOPSIS

This bill prohibits law-enforcement agencies from releasing or publishing or causing to be released or published the name of any juvenile or any image depicting a juvenile, including displaying such image on any publicly maintained

social media page or website, unless the juvenile is charged with a violent felony, and release or publication of the photograph is necessary to protect the public's safety.