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
AS AMENDED BY
HOUSE AMENDMENT NO. 1

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) "Name of juvenile" means the name of a juvenile who has been arrested or suspected of committing a crime.

(6) "Photograph of a juvenile" means any image depicting a juvenile who has been arrested or suspected of committing a crime. "Photograph of a juvenile" includes a mugshot.

(7) "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.

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

(9) "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:

HD : NSW : MAW : 2141510215
LC : HVW : NMX : 5081510136
Released: 06/29/2021 03:34 PM

(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.