
DIGEST

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HB 187 Original

2023 Regular Session

Freeman

Abstract: Provides for an additional exception that permits a law enforcement officer or agency to publish, release, or disseminate a booking photograph.

Present law (C.Cr.P. Art. 234(C)) provides that a booking photograph as defined in present law shall not be subject to the Public Records Law and prohibits a law enforcement officer or agency from publishing, releasing, or disseminating a booking photograph to the public or to a private person or entity unless:

- (1) The individual is a fugitive and such release will assist in apprehending the individual.
- (2) The individual is an imminent threat and such release will assist in reducing or eliminating the threat.
- (3) A judge orders such release based upon a finding that the release is in furtherance of a legitimate interest.
- (4) The individual is convicted of the crime for which he was arrested.

Proposed law amends present law to add an exception for when a victim seeks release or dissemination of the booking photograph pursuant to the rights provided in present constitution (Art. I, Sec. 25).

(Adds C.Cr.P. Art. 234(C)(1)(f))