

1 **CRIMINAL SUSPECT PHOTOGRAPHS**

2 2013 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Paul Ray**

5 Senate Sponsor: Daniel W. Thatcher

7 **LONG TITLE**

8 **General Description:**

9 This bill enacts a provision relating to photographs of criminal suspects.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ prohibits county sheriffs from providing a copy of a booking photograph to a person
13 if the photograph will be placed in a publication or posted on a website that requires
14 a payment in order to remove the photograph;

15 ▶ requires a person requesting a copy of a booking photograph to sign a statement that
16 the photograph will not be placed in a publication or on a website that requires
17 payment in order to remove the photograph; and

18 ▶ provides a criminal penalty for a false statement.

19 **Money Appropriated in this Bill:**

20 None

21 **Other Special Clauses:**

22 None

23 **Utah Code Sections Affected:**

24 ENACTS:

25 **17-22-30**, Utah Code Annotated 1953

27 *Be it enacted by the Legislature of the state of Utah:*

28 Section 1. Section **17-22-30** is enacted to read:

29 **17-22-30. Prohibition on providing copy of booking photograph -- Statement**

30 **required -- Criminal liability for false statement.**

31 (1) As used in this section, "booking photograph" means a photograph or image of an
32 individual that is generated:

33 (a) for identification purposes; and

34 (b) when the individual is booked into a county jail.

35 (2) A sheriff may not provide a copy of a booking photograph in any format to a person
36 requesting a copy of the booking photograph if:

37 (a) the booking photograph will be placed in a publication or posted to a website; and

38 (b) removal of the booking photograph from the publication or website requires the
39 payment of a fee or other consideration.

40 (3) (a) A person who requests a copy of a booking photograph from a sheriff shall, at
41 the time of making the request, submit a statement signed by the person affirming that the
42 booking photograph will not be placed in a publication or posted to a website that requires the
43 payment of a fee or other consideration in order to remove or delete the booking photograph
44 from the publication or website.

45 (b) A person who submits a false statement under Subsection (3)(a) is subject to
46 criminal liability as provided in Section 76-8-504.