

Introduced by: Ms. Durham, Mr. Hollins,
Mr. Street, Mr. Carter
Date of Introduction: July 28, 2020

ORDINANCE NO. 20-083

**AMENDING NEW CASTLE COUNTY CODE CH. 20 (“LAW ENFORCEMENT”)
IN RELATION TO JUVENILE INFORMATION**

WHEREAS, New Castle County Police Department (the “Department”) sits in a unique position to serve all citizens of New Castle County; and

WHEREAS, the Department regularly must address and resolve many crimes including, among others, petty offenses, misdemeanors, and serious felonies, and occasionally the crimes involve juveniles; and

WHEREAS, personal information relating to an arrest or other interactions with authorities can stigmatize a juvenile for life, and therefore must be handled with due care by the Department.

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:

Section 1. *New Castle County Code* Chapter 20 (“Law Enforcement”) is hereby amended by adding the material that is underscored as set forth below.

Sec. 20.01.005. – Juvenile Information.

Information related to an arrest, conviction, or acquittal for a crime classified by Title 11 as a felony or a class A misdemeanor of a juvenile, 13 to 17 years of age, that is considered for public release by the New Castle County Police Department shall strictly comply with the limitations established by 10 Del. C. Section 1063 and any other applicable law, and unless otherwise expressly authorized by 10 Del. C. Section 1063 or any other applicable law, shall not include a photograph or information commonly referred to as a “mugshot.”

Section 2. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided by 9 Del. C. § 1156.

Adopted by County Council
of New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
of New Castle County

SYNOPSIS: This Ordinance provides that information regarding an arrest, conviction, or acquittal for a crime classified by Title 11 as a felony or a class A misdemeanor of a juvenile, 13 to 17 years of age, that is considered for public release by the New Castle County Police Department shall strictly comply with the limitations established by 10 *Del. C.* Section 1063 and any other applicable law, and unless otherwise expressly authorized by 10 *Del. C.* Section 1063 or another applicable law, shall not include a photograph or information commonly referred to as a “mugshot.”

FISCAL IMPACT: There is no discernible fiscal impact.