

1 HB141
2 181365-1
3 By Representative Ford
4 RFD: Judiciary
5 First Read: 07-FEB-17

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8 SYNOPSIS: Under existing law, the fingerprints,
9 photographs, and other records of any person under
10 the age of 21 years charged with a crime who is
11 eligible to be considered by the court for youthful
12 offender status are not protected from being
13 released to the public prior to the court's
14 determination of whether to grant the person
15 youthful offender status.

16 This bill would provide protection for a
17 person eligible to be considered by the court for
18 youthful offender status by prohibiting the release
19 of his or her fingerprints, photographs, and other
20 records for public inspection prior to the court's
21 determination of whether to grant youthful offender
22 status.

23
24 A BILL
25 TO BE ENTITLED
26 AN ACT
27

1 To amend Section 15-19-7, Code of Alabama 1975,
2 relating to criminal procedure; to provide that the
3 fingerprints, photographs, and other records of a person
4 charged with a crime who is eligible to be considered by the
5 court for youthful offender status shall not be open to public
6 inspection until the court has determined whether the person
7 shall be granted youthful offender status.

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

9 Section 1. This bill shall be known and cited as
10 Peyton's Law.

11 Section 2. Section 15-19-7, Code of Alabama 1975, is
12 amended to read as follows:

13 "§15-19-7.

14 "(a) No determination made under the provisions of
15 this chapter shall disqualify any youth for public office or
16 public employment, operate as a forfeiture of any right or
17 privilege or make him ineligible to receive any license
18 granted by public authority, and such determination shall not
19 be deemed a conviction of crime; provided, however, that if he
20 is subsequently convicted of crime, the prior adjudication as
21 youthful offender shall be considered.

22 "(b) The fingerprints, photographs, and other
23 records of any person under the age of 21 years charged with a
24 crime who is eligible to be considered by the court for
25 youthful offender status shall not be open to public
26 inspection until the court has determined whether the person
27 is granted youthful offender status. The fingerprints, ~~and~~

1 photographs, and other records of a person adjudged a youthful
2 offender shall not be open to public inspection unless the
3 person adjudged a youthful offender is treated as an adult sex
4 offender according to Section 15-20A-35; provided, however,
5 that the court may, in its discretion, permit the inspection
6 of papers or records.

7 "(c) Prosecutors representing the State of Alabama
8 shall have access to the fingerprints, photographs, and other
9 records of a person adjudged a youthful offender contained in
10 the court file regardless of the jurisdiction from which the
11 file originates."

12 Section 3. This act shall become effective on the
13 first day of the third month following its passage and
14 approval by the Governor, or its otherwise becoming law.