
By: **Chairman, Commerce and Government Matters Committee**
(Departmental - Public Safety and Correctional Services)

Introduced and read first time: January 19, 1998
Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Public Records - Permissible Denials - State Correctional Facilities**

3 FOR the purpose of including State correctional facilities among the agencies that
4 may deny inspection of public records that contain certain information or
5 procedures.

6 BY repealing and reenacting, with amendments,
7 Article - State Government
8 Section 10-618(f)
9 Annotated Code of Maryland
10 (1995 Replacement Volume and 1997 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article - State Government**

14 10-618.

15 (f) (1) Subject to paragraph (2) of this subsection, a custodian may deny
16 inspection of:

17 (i) records of investigations conducted by the Attorney General, a
18 State's Attorney, a city or county attorney, a police department, or a sheriff;

19 (ii) an investigatory file compiled for any other law enforcement,
20 judicial, correctional, or prosecution purpose; or

21 (iii) records that contain intelligence information or security
22 procedures of the Attorney General, a State's Attorney, a city or county attorney, a
23 police department, a STATE OR local correctional facility, or a sheriff.

24 (2) A custodian may deny inspection by a person in interest only to the
25 extent that the inspection would:

- 1 (i) interfere with a valid and proper law enforcement proceeding;
- 2 (ii) deprive another person of a right to a fair trial or an impartial
3 adjudication;
- 4 (iii) constitute an unwarranted invasion of personal privacy;
- 5 (iv) disclose the identity of a confidential source;
- 6 (v) disclose an investigative technique or procedure;
- 7 (vi) prejudice an investigation; or
- 8 (vii) endanger the life or physical safety of an individual.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
10 effect October 1, 1998.