

Article - General Provisions

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§4–351.

(a) Subject to subsections (b), (c), and (d) of this section, a custodian may deny inspection of:

(1) records of investigations conducted by the Attorney General, a State's Attorney, a municipal or county attorney, a police department, or a sheriff;

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

(3) records that contain intelligence information or security procedures of the Attorney General, a State's Attorney, a municipal or county attorney, a police department, a State or local correctional facility, or a sheriff; or

(4) records, other than a record of a technical infraction, relating to an administrative or criminal investigation of misconduct by a police officer, including an internal affairs investigatory record, a hearing record, a record of positive community feedback, and records relating to a disciplinary decision.

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

(1) interfere with a valid and proper law enforcement proceeding;

(2) deprive another person of a right to a fair trial or an impartial adjudication;

(3) constitute an unwarranted invasion of personal privacy;

(4) disclose the identity of a confidential source;

(5) disclose an investigative technique or procedure;

(6) prejudice an investigation; or

(7) endanger the life or physical safety of an individual.

(c) A custodian shall allow inspection of a record described in subsection (a)(4) of this section by:

- (1) the United States Attorney;
- (2) the Attorney General;
- (3) the State Prosecutor; or
- (4) the State's Attorney for the jurisdiction relevant to the record.

(d) Except as provided in subsection (c) of this section, a custodian:

(1) shall redact the portions of a record described in subsection (a)(4) of this section to the extent that the record reflects:

- (i) medical information of the person in interest;
 - (ii) personal contact information of the person in interest or a witness; or
 - (iii) information relating to the family of the person in interest;
- and

(2) may redact the portion of a record described in subsection (a)(4) of this section to the extent that the record reflects witness information other than personal contact information.

(e) A custodian shall notify the person in interest of a record described in subsection (a)(4) of this section when the record is inspected, but may not disclose the identity of the requestor to the person in interest.

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