

Mug Shot Access Laws Change to Protect the Accused

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Criminal Defense Lawyer

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July 2021, a new law will go into effect that prohibits law enforcement in Utah from releasing the mug shots (photos taken after arrest during booking) of people charged with crimes prior to conviction. Reportedly, some policing agencies have already begun enforcing the ban as a new department policy, so that news media will no longer have access to mug shots shortly after booking suspects, as they have had until now.

Perpetual Online Mug Shots

With the system operating as it has been until the passage of the new law to now protect the accused, a defendant may be found innocent, but his or her face and name may stay visible in mug shots. Those photos often remain posted across many websites for *years* after someone is exonerated!

Plus, instant social media connections can generate immediate widespread condemnation of an accused person across social sites. The unfair judgment can cause lasting damage to the reputation of an innocent person, long after he or she has been acquitted in court.

One accused person reportedly told KSLTV, a local Utah NBC affiliate, that people have continued to assume he is guilty, due to the ubiquitous presence of his police booking photos on the internet. He reportedly said, "My whole life has just been turned upside down because of this."

Consequences to Innocent People From Public Mug Shots

Even after another man confessed to the crime of which the person mentioned above had been wrongly accused, for years afterward widely published mugshots continued to damage both of his businesses. He reportedly commented to KSLTV that it's just very easy for people he wants to do business with to Google someone's name these days. He added that in that environment, "It's a scarlet letter around your neck. I'm going to live with this the rest of my life."

The ongoing consequences for innocent people can include difficulties obtaining employment or gaining acceptance into advanced academic institutions and programs, or to neighborhood social groups. Such stigmatization from having a public presence as an accused criminal can even destroy families and a person's reputation and status in his/her community.

Predatory Mug Shot Removal Services

Making matters worse, people found innocent in court, who rightfully should have their mugshots removed from websites, are reportedly often forced by mug shot removal services to pay very high fees to get their images taken down from sites.

Mug shots in the U.S. have been considered public records free for publication. So, companies have been allowed to do digital scrapping of police sites to obtain the booking photo images and republish them very quickly on their own websites. These mugshot republishers have claimed that the practice is their right under the First Amendment of the Constitution.

Some media outlets had apparently already recently voluntarily stopped publishing mug shots before next month's enactment of the new law. Also, at least 18 state legislatures have reportedly recently moved to regulate so-called mug shot removal services. However, PEW research has found that the new laws have been generally ineffective so far in actually *stopping* the predatory behavior of the mug shot removal businesses.

Establishing Your Innocence and Restoring Your Life

The best approach to regaining control of your life is, of course, building the best possible defense to avoid conviction. You will need to work with the criminal defense attorney Utah has to offer, in order to ensure that *all* your rights are protected throughout the legal process and to stand up and fight for you in court.

Wasatch Defense Lawyers, Salt Lake City Utah

We are the #1 team of criminal lawyers in Salt Lake City. We have successfully defended thousands of people against criminal charges in Utah. We immediately start working to achieve your exoneration. Our aggressive approach has proven highly effective in court over the years and has distinguished Wasatch as the best criminal defense attorneys in Utah.

If you are facing criminal charges in Utah and need the best criminal lawyer, call Wasatch Defense Lawyers, Salt Lake City UT at (801) 980-9965, or contact us online to schedule your free case review.