



Utah Bureau of  
Criminal  
Identification  
Newsletter

## New Probable Cause Affidavit Submission

The Administrative Office of the Courts and the Department of Public Safety have created a UCJIS transaction that allows arresting officers and jails to electronically create and submit probable cause affidavits to magistrates when booking subjects into jail. There are several objectives accomplished with this new process.

**Uniformity:** Previously, county jails used a variety of methods to submit PC affidavits to magistrates. This new transaction allows for a uniform submission statewide, which will allow for consistent record retention practices with the state courts.

**Data-driven Decisions:** This process will provide magistrates more data with which to make their decisions. They will receive information from the arresting officer, the booking officer, and BCI/FBI criminal histories.

**Timeliness:** PC affidavits can be created quickly in any location where internet access is available. The affidavits are submitted instantly in an electronic format to on-call judges who are notified when a PC has been submitted for review. They are able to view, approve, and deny the affidavits in an electronic format. The subsequent affidavit and court order are available in PDF format and can be quickly accessed through UCJIS. The arresting officer and jail personnel can also track the progress of any PC affidavit in real time via UCJIS.

**Record Accuracy:** The PC system is linked to BCI's Utah Criminal History system and the courts' CORIS system to ensure that the most accurate and up-to-date arresting and disposition information are included on a subject's criminal history record. If an agency is not yet using this transaction, the first step is to be in communication with the local jail and judges to determine the anticipated implementation date. Anyone using this system will need an active UCJIS login. To request the PC transactions for users at your agency, contact Field Services with the list of users and the type of permissions needed (arresting officer, arresting

supervisor, or booking officer). It is important that all arresting and booking officers have access and are trained on this transaction. To sign up for or request a training provided by BCI, contact your Field Services representative.

## Use of Force

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In accordance with the FBI's initiative to collect data on use-of-force law enforcement incidents, Utah has developed a UCJIS transaction that allows law enforcement agencies to submit their use-of-force data. This data will be collected at the state level, then forwarded to the FBI. Agencies may choose to enter use-of-force data into UCJIS in multiple fashions: 1) agencies may have the line officers enter their data; 2) records personnel may enter the data from the case reports; 3) or one person at the agency may enter the use-of-force incidents for the entire agency. There is also the ability to enter a "zero report" for a month if the agency has not had any use-of-force incidents (the capability to enter the "zero report" will only be given to one person at the agency so as to prevent multiple users from entering the "zero reports").

Use-of-force data will include both the FBI required fields and some additional Utah-specific fields. Agencies wishing to enter only the FBI required fields may opt out of the Utah fields by indicating their preference to BCI. The Utah-specific fields will be used specifically by POST for training/research purposes.

According to the FBI's guidelines, reports will include any use-of-force that results in the death or serious bodily injury of a person, as well as when a law enforcement officer

discharges a firearm at or in the direction of a person. The following explanation comes from the FBI's Use-of-Force website at <https://ucr.fbi.gov/use-of-force>.

"The definition of serious bodily harm will be based on 18 U.S.C. 2246(4). The term "serious bodily injury" means bodily injury that involves a substantial risk of death, unconsciousness, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty."

The use-of-force data that is being collected will include information about the incident, subject, and officer. Any agency interested in receiving training concerning the use-of-force transaction should contact Mandy Biesinger at 385 266-5162 or [mbiesinger@utah.gov](mailto:mbiesinger@utah.gov).

## Endangered Missing Advisory (EMA)

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The Endangered Missing Advisory is designed for agencies to submit an alert to statewide law enforcement and the media about certain missing persons. It can be used in cases of a missing elderly individual with Alzheimer's or dementia, overdue travelers, individuals with autism, or other persons missing under suspicious circumstances. It is different from the AMBER Alert, but if warranted, UDOT has indicated they may utilize freeway signs to transmit the notification. BCI encourages agencies to be trained on the EMA procedures. BCI offers a short training and it can never be over used. For a copy of the EMA presentation, you may contact Gina McNeil at [gmcneil@utah.gov](mailto:gmcneil@utah.gov) or 801-281- 5075.

## Uniform Crime Reporting Update

Beginning in 2018, BCI will no longer be entering Uniform Crime Reports directly into our database on behalf of agencies. Instead, the UCR representative of an agency will be able to enter and upload their own submissions directly. This applies for both Summary and NIBRS reporting agencies. This will help the reporting of crime statistics to be timelier and more accurate as BCI will be able to validate submissions more quickly. Direct submissions allow agencies to have more control over their submissions, and will allow NIBRS agencies to gain access to reports on the same day as submission. UCR representatives will receive an email in December with a web link and instructions on how to enter their data directly. Any questions or changes needing to be made concerning UCR may be directed to Mandy Biesinger at either [mbiesinger@utah.gov](mailto:mbiesinger@utah.gov) or 385-266-5162.

## UCR Program Question and Answer Highlight

The following was taken from the UCR Program Quarterly July 2017 which can be accessed at <https://ucr.fbi.gov/ucr-program-quarterly>.

### Question

How do Data Element 30 (Resident Status of Victim) and Data Element 51 (Resident Status of Arrestee) relate to sanctuary cities in which the officers are directed not to ask victims or arrestees of their resident status?

### Answer

NIBRS agencies: Data Element 30 (Resident Status of Victim) and Data Element 51 (Resident Status of Arrestee) are optional data elements; agencies are not required to populate those data elements with data values. Therefore, law enforcement agencies in sanctuary cities are not required to report that information.

In Data Element 30 (Resident Status of Victim), the term “resident status” is used to indicate if the victim was a resident in the reporting agency’s jurisdiction at the time of the incident. In Data Element 51 (Resident Status of Arrestee), the term “resident status” is used to enter the arrestee’s resident status of the reporting agency’s jurisdiction.

According to pages 112 and 126 of the NIBRS User Manual, Version 1.0, dated January 17, 2013:

“Resident Status does not refer to the immigration or national citizenship status of the individual.

(Emphasis added.) Instead, it identifies whether individuals are residents or nonresidents of the jurisdiction in which the incident occurred. It also enables agencies having a high transient population to show their population at risk is actually higher than their official resident population.

A resident is a person who maintains his/her permanent home for legal purposes in the locality (town, city, or community) where the crime took place. Reporting agencies should base their determinations of residency on the town, city, or community where the crime occurred rather than their broader geographical jurisdictions. Concerning university/college campuses, only persons living on campus (in dormitories, etc.) would be considered residents if victimized within

the confines of the school property; the crime should be reported by a campus law enforcement agency.”

Should a law enforcement agency wish to include information within Data Element 30 (Resident Status of Victim) and/or Data Element 51 (Resident Status of Arrestee), the only acceptable data values are:

R = Resident

N = Nonresident

U = Unknown

Agencies may enter information into Data Element 30 (Resident Status of Victim) and/or Data Element 51 (Resident Status of Arrestee) only if Data Element 25 (Type of Victim) is I = Individual.

SRS agencies: The resident status of a victim or an arrestee is not captured within the SRS.

## The BCI Records Section Needs Your Help

The BCI Records section has been receiving blue applicant cards for criminal offenses. The blue applicant cards will only be accepted for out-of-state submissions. Please use red criminal fingerprint cards or black OTN cards when mailing in fingerprints for criminal offenses. Please fill out the fingerprint card with all pertinent information including the arresting charge(s) and statute(s). The black OTN cards are \$15.00 for 100. For more information about obtaining the black OTN cards, call Records at 801-965-4445 extension 8 or email [bcirecords@utah.gov](mailto:bcirecords@utah.gov).

## Reporting Misuse

Did you know that if someone reports misuse or suspected misuse of UCJIS information to you, the law states you must report it to BCI? According to UCA 53-10-108, “A person who discovers or becomes aware of” misuse or suspected misuse of UCJIS information shall report it to the commissioner of public safety and the director of BCI. This includes reports given to TACs, users, and non-users, as well as reports about your agency and other agencies. If there is misuse suspected within your agency, you should first refer to your agency’s misuse policy, and then report, investigate, and proceed as it directs. Suspected misuse may be reported to your Field Services representative.

## Protective Order Reminder

BCI regularly receives phone calls from the public requesting that BCI remove their protective orders in order to purchase a firearm or visit someone in jail. BCI does not have the ability to remove an active court order and can only refer these requests to the court of issuance.

## TAC Reminder

Due to concerns brought about by the recent FBI audit, BCI Field Services is asking TACs to ensure that new users and non-users are added to the agency via the ADD transaction in UCJIS prior to submitting fingerprints to BCI. Per Administrative Rule R722-900, TACs should complete a name-based background check, add the new user in UCJIS, and then submit fingerprints to BCI. BCI often receives fingerprint cards and livescan submissions that

we are not able to match up to UCJIS accounts, making it difficult to notify the correct agency of approvals and/or denials. With the addition of Rap Back in recent years, it has become important that a valid criminal justice employment function (user, non-user, etc.) and agency be connected to each fingerprint submission.

## New BCI Field Services Representatives

BCI Field Services is excited to welcome Whitney Wilson and Chauntay Baker to our team. Whitney is the new Field Services rep for agencies residing in Davis, Morgan, and Summit counties, as well as Salt Lake County (North of 2100 South). Chauntay is the new Field Services rep for agencies residing in Utah, Juab, Carbon, Emery, Sevier, Grand, and San Juan counties.

## New BCI Field Services Contact Information

Tyler Thomsen: 385-266-1088

Whitney Wilson: 385-499-6963

Chauntay Baker: 385-499-0186

Heather Lee: 385-499-1421

Karen Kener: 385-266-0190

Mary Ann Curtis: 385-499-5500

## Featured Missing Person



Jeanna Reid

Missing Since: 10/3/2017

DOB: 11/13/1990

Age Now: 27

Height: 5'9"

Weight: 123 - 130 lbs.

Hair: Shaved but Brown if grown out

Eyes: Blue

Race: White

Identifying Features: Shaved head and requires medication she has not had since October 3, 2017

Jeanna left her house on 10/3/2017. She suffers from a degenerative brain disease. It is believed she is using UTA buses and/or Front Runner to travel to either Ogden or Salt Lake City. She has been showing a fascination with homeless and Native American people. She does not travel with a cell phone or money. She is believed to be wearing a blue coat, but is not wearing her glasses. She has a shaved head. Contact Sgt. Eric Johnsen at 801-451-5453 or [ejohnsen@farmington.utah.gov](mailto:ejohnsen@farmington.utah.gov). Farmington Policed Dept. 801-451-5453.



# Contact Us

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### Phone

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### Website

[bci.utah.gov](http://bci.utah.gov)

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