



Utah Bureau of Criminal Identification Newsletter

New eWarrants Templates

The eWarrants transaction in UCJIS is continuously being updated to provide specific templates for different types of warrant affidavits. These templates reduce the amount of manual entry required by law enforcement to complete an affidavit for a specified warrant. The following are newer eWarrant templates in UCJIS:

Emergency Personnel Blood Draw: Utah Code 78B-8-402 (effective May 9, 2017), provides law enforcement, first responders, and first aid volunteers the ability (via law enforcement) to petition a magistrate for a warrant to obtain a blood sample for testing from a subject if: a) they are “significantly” exposed to a bodily fluid from the subject in the course of their emergency services, b) the subject refuses or is unable to consent for the blood draw and testing, c) there may not be an opportunity to obtain a sample at a later date, and/or d) delayed treatment of the exposure may result in lack of treatment effectiveness. This template is currently available in eWarrants.

DOPL: This template allows law enforcement to request a warrant for records contained in the Controlled Substance Database (CSD) maintained by the Division of Occupational and Professional Licensing (DOPL). The CSD collects data on the dispensing of Schedule II-V drugs from all retail, institutional, and outpatient hospital pharmacies, and in-state/out-of-state mail order pharmacies. The data is disseminated to authorized individuals and used to identify potential cases of drug over-utilization, misuse, and over-prescribing of controlled substances throughout the state.

Electronic Service Provider: This type of warrant requests electronic communication held or maintained by a private service provider (e.g. Facebook, Twitter, etc.). This warrant is for circumstances in which the requested communications sought “are relevant to a legitimate law enforcement inquiry”. More information regarding this type of eWarrant may be found in Utah Code 77-23b-4.

Training slides for eWarrants and the different templates are available in the “Presentations” portion of the new TAC website. eWarrants

training may also be requested for your agency through your BCI Field Services representative.

For questions regarding the new templates or further clarification, you may refer to the state statute, your city/county attorney, or contact your BCI Field Services representative.

New TAC Website and Training Registration Links

BCI Field Services launched a new TAC website this year creating a valuable resource of easily accessible information for all UCJIS users and TACs. These resources include current forms, manuals, contact information and more. You may also view and register for any upcoming training being offered by BCI Field Services.

To access the site, log into UCJIS and enter the transaction code "TAC". The pop-up blocker will need to be disabled to access the site. To register for a training, simply click on the training date/time to be redirected to a Google form. After completing the Google form, click submit and you will have successfully registered for the class.

The website is updated regularly. If you have questions about any of the content, please contact your BCI Field Services representative.

Use-of-Force Update

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. Beginning in January of 2018, BCI started collecting use-of-force data from agencies. Use-of-force data that is being collected includes information about the incident, subject, and officer.

Any agency interested in receiving training concerning the use-of-force transaction or wanting more information regarding participation in the use-of-force program should contact Mandy Biesinger at 385-266-5162 or mbiesinger@utah.gov.

Uniform Crime Reporting Update

With the passing of Utah Senate Bill 105, it is now a requirement "for the jurisdiction of the law enforcement agency, [to] submit crime reporting data required for the statewide uniform crime reporting system described in Section 53-10-202". This bill also includes a provision requiring agencies to submit their monthly UCR reports to BCI by the 16th of each month following the month in which a reported crime occurred. With these changes, BCI is planning to publish statewide crime data in a more timely and accurate manner.

For agencies participating in the NIBRS reporting of the UCR program, BCI would like to make you aware that we can accept data compliant with the current FBI specifications. This means we can take your agency LEOKA, human trafficking, and other updated codes in your monthly submissions if your RMS system has been updated to do so.

BCI will be working with Summary reporting agencies concerning the FBI's NIBRS transition. If your agency reports Summary, please watch for and respond to an email from Mandy Biesinger concerning transition planning.

Any questions or changes needing to be made concerning UCR may be directed to Mandy Biesinger at either mbiesinger@utah.gov or 385-266-5162.

UCR Program Question and Answer Highlight

The following was taken from the UCR Program Quarterly February 2018 which can be accessed at <https://ucr.fbi.gov/ucr-program-quarterly>.

Question

How should an agency classify and score threats made on social media?

Answer

NIBRS agencies: Threats where no weapon(s) were used, whether in person or on social media, are considered to be intimidation, offense code 13C, which is defined as “To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct but without displaying a weapon or subjecting the

victim to actual physical attack.” (Page 22 of the National Incident-Based Reporting System User Manual, Version 2.2, dated November 1, 2017) This could be done through texting, e-mail, telephone call, social media (such as Facebook, Instagram, Twitter, etc.) or in person. The key to classifying intimidation is putting the individual in reasonable fear of bodily harm but without displaying a weapon. If a weapon is displayed, the agency should classify and score the event as aggravated assault (offense code 13A). If an agency reports an intimidation, the agency must report the victim type as I = Individual or L = Law Enforcement Officer in Data Element 25 (Type of Victim).

SRS agencies: Agencies should report intimidation as Other Assaults—Simple, Not Aggravated (4e), on the Return A report. Other Assaults—Simple, Not Aggravated is defined on page 160 of the Summary Reporting System (SRS) User Manual, Version 1.0, dated June 20, 2013, as “An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness. To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.”

Question

When does intimidation become a simple or aggravated assault?

Answer

NIBRS agencies: Intimidation is defined as “To unlawfully place another person in reasonable

fear of bodily harm through the use of threatening words and/or other conduct but without displaying a weapon or subjecting the victim to actual physical attack.” (Page 22, National Incident-Based Reporting System User Manual, Version 3.2, dated November 1, 2017)

Simple assault is defined as “An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.” (Page 22, National Incident-Based Reporting System User Manual, Version 3.2, dated November 1, 2017)

Aggravated assault is “An unlawful attack by one person upon another wherein the offender uses a weapon or displays it in a threatening manner, or the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.” (Page 21, National Incident-Based Reporting System User Manual, Version 3.2, dated November 1, 2017)

An intimidation becomes a simple assault if the offender does not display a weapon and the victim does not suffer severe or bodily injury. An intimidation becomes an aggravated assault when the offender uses a weapon or displays it in a threatening manner, or the victim suffers obvious severe or aggravated bodily injury.

According to page 21 of the National Incident-Based Reporting System User Manual, Version 3.2, dated November 1, 2017, “The weapons used or the extent of the injury sustained typically will be the deciding factors in distinguishing Aggravated from Simple

Assault.” In addition, on the same page in the manual, it states, “By definition, there can be no attempted assaults, only completed assaults. Therefore, reporting agencies must enter the data value of C = Completed for all Assault Offenses into Data Element 7 (Offense Attempted/Completed).”

SRS agencies: An intimidation becomes a simple assault if the offender does not display a weapon and the victim does not suffer severe or bodily injury. An intimidation becomes an aggravated assault when the offender uses a weapon or displays it in a threatening manner, or the victim suffers obvious severe or aggravated bodily injury.

2018 TAC Conference

Save the Date: this year’s annual TAC Conference will be held September 25-26, 2018 with an optional day on the 24th for those wanting to attend a new TAC training class. More information will be forthcoming concerning location and registration.

New BCI Field Services Representative

BCI Field Services is excited to welcome Ofa Vaisima to our team. Ofa is the new Field Services representative for agencies residing in Box Elder, Cache, Rich, Tooele, and Weber counties. Ofa may be reached at 385-499-1421 and/or ovaisima@utah.gov

Utah NCIC Stats

The following are some current statistics regarding NCIC usage in the State of Utah:

Utah's Active NCIC records as of 02/28/2018

- Articles 6,597
- Boats 41
- Guns 16,379
- Identity Theft 46
- Images 1,343
- License Plates 8,573
- Missing Persons 470
- Parts 51
- Protective Orders 10,419
- Security 17
- Sex Offenders 8,140
- Unidentified Persons 17
- Vehicles 3,208
- Wanted Persons 1,633

In the month of March, the State of Utah located approximately:

- Wanted Persons 90
- Missing Persons 84
- Vehicles, Parts 285
- Guns 19

Featured Missing Person



Jerika Ann Binks
Missing Since: 2/18/2018
DOB: 6/16/1993
Age Now: 24
Height: 5'4"
Weight: 120 lbs.
Hair: Brown
Eyes: Brown
Identifying Features: Long Eye Lashes

Jerika left her residence in American Fork to go jogging on 2/18/2018. She was last seen wearing black running shoes with a little bit of yellow on them. If you have any information regarding Jerika please contact local law enforcement: Utah County Sheriff's Office 801-851-4000.

Contact Us

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