

Introduction to the Utah Bureau of Criminal Identification



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1 Utah Bureau of Criminal Identification (BCI) Overview

The Utah Bureau of Criminal Identification (BCI) is a division within the Utah Department of Public Safety (DPS). BCI is the Control Service Agency (CSA) for the Federal Bureau of Investigation Criminal Justice Information Services Division (FBI CJIS) and is responsible for the statewide operation of the National Crime Information Center (NCIC) System which is housed in the Utah Criminal Justice Information System (UCJIS). BCI is comprised of the following sections:

- Applicant Background Check (ABC)
- Automated Fingerprint Identification System (AFIS)
- Brady
- Communications and Information Center (CIC)
- Criminal History Improvement Grant Program (Grants)
- Expungements
- Field Services
- Firearms
- Investigations
- Records
- Support Services

1.1 Applicant Background Check (ABC)

The Applicant Background Check (ABC) section is responsible for performing fingerprint-based background checks for qualifying entities. According to State statute U.C.A. 53-10-102.19 a qualifying entity means, a business, organization, or governmental entity that employs persons or utilizes volunteers who deal with any of the following:

- National security interests
- Care, custody, or control of children
- Care, protection, food, shelter, clothing, assistance with daily living activities, or financial resource management assistance to a vulnerable adult
- Fiduciary trust over money
- Health care to children or vulnerable adults

The ABC section processes non-criminal fingerprinting services at the Bureau. They also verify fingerprints on possible name hits for Right of Access (Utah Adult Criminal History Record or ROA) applications, Expungement applications, and Record Challenge forms.

1.2 Automated Fingerprint Identification System (AFIS)

The Automated Fingerprint Identification System (AFIS) section is responsible for comparing and analyzing criminal and applicant fingerprint cards for the State of Utah. They compare and analyze incoming citations and ten-print fingerprint cards against current criminal fingerprints and job applicant fingerprints in the AFIS database. If the fingerprint(s) is for new criminal charges and matches existing fingerprints, the AFIS section adds that arrest information to the existing record. If there is no match or the fingerprint(s) is not on file, AFIS establishes a new criminal record.

The AFIS section is the central repository for all criminal fingerprints within the State of Utah. The AFIS section verifies and does quality control for fingerprints submitted to the FBI and the Western Identification Network (WIN). They also scan and process palm prints which are submitted to the FBI and stored to expand the FBI's palm print database.

Additionally, AFIS helps scan, process, and release Utah Concealed Firearm Permit applicant fingerprint cards.

1.3 Brady

The Brady section derives its name from the Brady Handgun Violence Prevention Act (also known as the "Brady Bill"), which governs federal background checks on firearm purchasers. The Brady section acts as the Point of Contact (POC) for all firearm releases covered under the Brady Bill by conducting firearm background checks on all potential recipients of firearms from licensed firearm dealers in the State of Utah. They also verify the validity of Utah Concealed Firearm Permits when a permit is used in lieu of a background check.

Another responsibility of the Brady section is to enter all prohibited persons into the National Instant Criminal Background Check System (NICS Index). The NICS Index contains record of people who are disqualified from purchasing weapons and is available nationwide.

The Brady section performs background checks on evidence releases of firearms for law enforcement agencies across the State of Utah. They also compile detailed statistics for the legislature on gun sales and permit verifications annually.

1.4 Communications and Information Center (CIC)

The Communications and Information Center (CIC) section is a technical help desk that assists criminal justice agencies. They perform background checks on all Utah Criminal Justice Information System (UCJIS) users, grant and remove access to UCJIS as requested by the Terminal Agency Coordinator (TAC) of an agency, and are the Point of Contact (POC) between

UCJIS users and BCI.

The CIC section monitors National Crime Information Center (NCIC) hit requests as well as performs quality checks on NCIC entries to ensure that the entries are complete and accurate. They help test functionality of new applications prior to implementation and monitor system applications and network functions. They also perform troubleshooting and work with the Utah Department of Technology Services (DTS) to resolve system issues.

The CIC section is accessible 24 hours/day, 7 days/week.

1.5 Criminal History Improvement Grant Program (Grants)

The Criminal History Improvement Grant Program (Grants) is a subsection of the Records section at BCI. The Grants section operates under a federally funded grant program to help ensure the accuracy of the Utah Criminal History (UCH) records. Grants encompasses a variety of responsibilities including assisting the Records section with citations and dispositions sent in from other agencies. They also notify the FBI when updates to BCI's records occur so that the FBI's records for Utah match UCH.

1.6 Expungements

The Expungements section is responsible for researching and processing requests for removal (expungement) of an applicant's Utah *adult* criminal record(s). They review all of an applicant's record(s), not just those reported to BCI, as well as out of state charge(s) and any previous expungement(s). After reviewing an applicant's total criminal history, they determine based on Utah State statute whether the applicant qualifies for all or part of their criminal record(s) to be expunged. The section issues Certificate(s) of Eligibility on qualifying case(s) and processes the final expungement after a certified, original copy of an Order of Expungement is received by the Bureau.

The Expungements section also processes applications for Removal of Name from the Sex Offender/Kidnap Registry and Board of Pardons Order of Expungement.

1.7 Field Services

The Field Services section serves as the Point of Contact (POC) for the FBI and the use of the Federal Criminal Justice Information Services (CJIS) system in Utah. They are responsible for ensuring that agencies with access through the Utah Criminal Justice Information System (UCJIS) to CJIS are in compliance with both state and federal regulations governing CJIS data and the distribution of that data. As part of ensuring compliance, the Field Services section conducts agency audits as well as provides training on proper UCJIS procedures. Field Services

grants authorized user/agency access to UCJIS. They also write and update the training manuals.

Another part of Field Services is the Missing Person Clearinghouse which operates a 24 hour hotline (1-888-770-6477) for the reporting and/or the sighting of a missing person. Field Services trains law enforcement on criteria and protocol for the Utah Amber Alert system. They also collect and maintain a repository for crime statistics for the State of Utah.

1.8 Firearms

The Firearms section is comprised of both an AM and a PM Firearms section that jointly are responsible for administering the Utah Concealed Firearm Permit (CFP) program. Together the Firearms sections process all new concealed firearm permit applications which include both in-state and out-of-state residents applying for a Utah CFP.

The AM Firearms section primarily issues and renews Utah Concealed Firearm Permits (CFPs). As the day shift, they assist with any walk-in customer questions, phone calls, and/or e-mails received by the section. The Am Firearms section runs background checks on new and renewing applicants for the Utah CFP. They also license all Bail Enforcement Officers for the State of Utah and process the applications for those individuals wanting to be Utah CFP instructors.

The PM Firearms section works closely with the Automated Fingerprint Identification System (AFIS) section in processing the fingerprint cards submitted with Utah CFP applications. If fingerprint cards are rejected, they will request a second fingerprint card from the applicant. When an applicant's fingerprint card is rejected a second time, the section works with the FBI to clear the card through a Name (SSN, demographic) Search request. In addition, any applications received that were found to have errors or missing necessary components are logged and prepared to be mailed back by the PM Firearms section. The PM Firearms section oversees the printing of the new permits each night.

If during the application or renewal process either Firearms section comes across something in the background check requiring further research or that could result in a possible denial, suspension, or revocation, the Firearms section compiles information on the applicant and sends it to the Investigations section for further review.

1.9 Investigations

The Investigations section is made up of two sworn agents from the State Bureau of Investigation (SBI) and one non-sworn compliance specialist from BCI. The Investigations section is responsible for issuing denials, suspensions, and revocations of Utah Concealed Firearm Permits (CFPs) as well as providing monthly training to new and renewing Utah Concealed Firearm Permit instructors. The section is also responsible for the investigation of complaints related to the following Utah boards: Concealed Firearm Review Board, the Private

Investigator Hearing and Licensure Board, and the Bail Bond Recovery Licensure Board.

An additional duty of the Investigations section is to process employee background investigations. Sworn officers actively participate in law enforcement assignments with Utah Highway Patrol (UHP) and are primarily responsible for BCI building security.

1.10 Records

The Records section is responsible for maintaining the Utah Criminal History (UCH) records. The Records section inputs the arrest information from citations, ten- print fingerprint cards, and disposition cards into the UCH system to create the Offense Tracking Number (OTN) for each incident before submitting the fingerprint(s) received to the Automated Fingerprint Identification System (AFIS) section for verification. They work with state agencies, prosecutors, and courts to add and update disposition information on UCH.

The Records section aims to keep UCH records as complete and accurate as possible. If an individual challenges the completeness and/or accuracy of their personal criminal history record, the section will research the record. During the research process if any errors are discovered or updates need to be made, the Records section will make the necessary corrections.

1.11 Support Services

The Support Services section has many duties within BCI; the most recognizable would be their role as the front desk or front staff. All walk-in customers to the Bureau are first greeted and processed by the Support Services section, which receipt and process customer requests for BCI's varying services such as: fingerprinting services, Utah Concealed Firearm Permits, Expungement applications, payments for Certificates of Eligibility for Expungement, and Right of Access (Utah Adult Criminal History Record or ROA) applications. They run all the Right of Access (Utah Adult Criminal History Record or ROA) requests received by the Bureau, those submitted through mail as well as those requested by walk-in customers. They also receipt every new Utah Concealed Firearm Permit application the State receives as well as any Utah CFP renewal applications that are submitted through the mail or as walk-ins.

Within the Support Services section there are two financial analysts who take care of the deposits, billing, travel, and accounts payables for the Bureau. The section is also responsible for sorting and receipting all the incoming mail to the Bureau and serves as the receptionist for the BCI main phone line.

1.12 BCI Directory

1.12.1 Physical Address

Utah Bureau of Criminal Identification
3888 West 5400 South
Taylorsville, Utah 84129

1.12.2 State Mailing Address

PO Box 148280
Salt Lake City, Utah 84114-8280

1.12.3 Website

www.bci.utah.gov

1.12.4 BCI Phone Directory

Public telephone number: (801) 965-4445

- Option 2 Criminal History/Right of Access
- Option 3 Firearms
- Option 4 Brady
- Option 5 Expungements
- Option 6 Applicant Background Check
- Option 7 Automated Fingerprint Identification System
- Option 8 Criminal History (not Expungements or ROA)
- Option 9 Accounting/Administration

CIC (for criminal justice agencies only): (801) 965-4446 or dpssc@utah.gov

1.12.5 Additional Contact Information

AMBER Alert: (801) 503-5566 for the agency *issuing* the AMBER Alert only

Missing Person Clearinghouse Hotline: 1-888-770-6477

Missing Person Utah Representative: Gina McNeil (801) 281-5075 or (801) 652-6287

Missing Persons' website: www.bci.utah.gov/missing-persons

2 Agency Access to the Utah Criminal Justice Information System (UCJIS)

The Utah Bureau of Criminal Identification (BCI) has administrative responsibility for the maintenance of the FBI Criminal Justice Information Services (CJIS) data. BCI has combined the FBI CJIS files with the Utah Criminal History (UCH), the International Justice and Public Safety Network (Nlets), the Utah Driver License Division (DLD), and the Utah Division of Motor Vehicles (DMV) files into the Utah Criminal Justice Information System (UCJIS). UCJIS operates under a shared management concept between BCI and system agencies/users. Accordingly, BCI institutes quality assurance procedures for all agencies and system users.

When an agency is granted access of any kind to CJIS data through BCI directly or through a vendor, it is assigned an Originating Agency Identifier (ORI). The ORI identifies the agency's access levels, but does not guarantee access to all CJIS files. BCI makes the ultimate decision as to which entities can access CJIS data. The Agency Administrator of the ORI is required to sign an annual (July through June) Agency User Agreement between the agency and BCI.