



Your Agency's Role in a Case and Criminal History



Overview



Arrest / Summons



Fingerprint card or citation



BCI



Prosecutor



OTN from disposition



Courts





Law Enforcement's Role

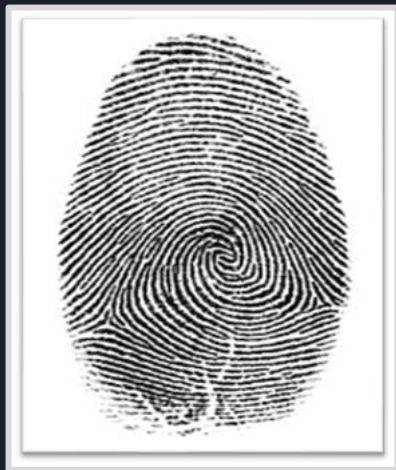


Submitting to BCI

UCA 53-10-207(1-2)

Every peace officer shall:
Obtain fingerprints and forward
Without delay to the division (BCI)

How Does it all Begin?



Single-print citation



Ten-print card

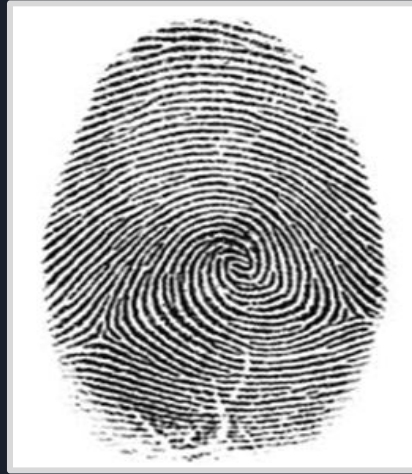


Fingerprinting

- ◆ When fingerprinting an offender be sure to print them properly
 - ◆ Good slap prints
 - ◆ Good roll prints
- ◆ If bad prints or no prints are submitted to BCI
 - ◆ No RAP sheet can be created in Utah Criminal History
 - ◆ Dispositions sent to BCI cannot be added
 - ◆ New arrests cannot be added



Good Prints



“Slap” print example

- ◆ Whorl pattern is visible
- ◆ Deltas are present
- ◆ Ridge detail is clear
- ◆ Easily be compared by AFIS



Good Prints



“Roll” print example

- ◆ Rolled nail to nail
- ◆ First knuckle detail
- ◆ Left slant loop pattern
- ◆ Deltas are present
- ◆ Ridge detail is clear
- ◆ Easily be compared by AFIS



Bad Prints



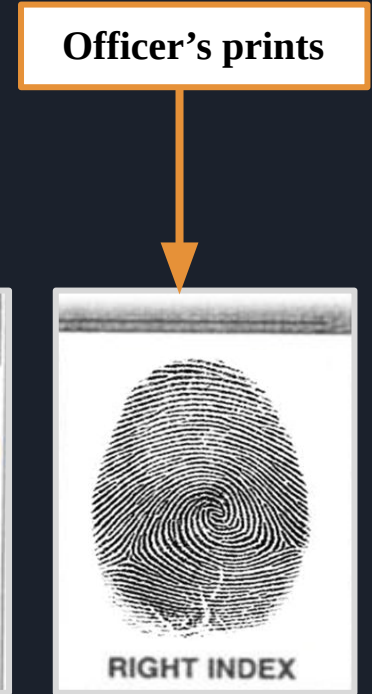
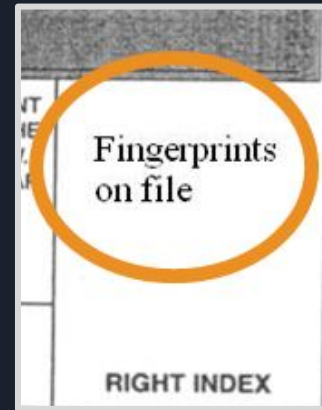
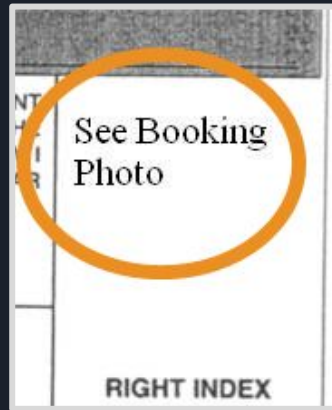
- ◆ Not rolled
- ◆ Fingertip only
- ◆ Loops and whorls not visible



No Fingerprints

If BCI doesn't receive fingerprints from law enforcement, then BCI can't add the arrest to the criminals RAP sheet

Common Fingerprint Problems



CITATION AND NOTICE TO APPEAR

Please read carefully

Justice Court
333 S 2
UT 84

Include your copy of the citation with payment

VT TRAFFIC

You must pay or appear within 14 calendar days. You may pay by mail, in person or visit our website at www.vtcourts.com. See reverse for payment instructions. If you wish to contest the citation, you need to appear at the _____ City Justice Court to speak with a Hearing Officer/Referee within 14 calendar days. See reverse for office hours. For more information on your citation, visit our website at www.vtcourts.com or call (801) _____.

M MISDEMEANOR/CRIMINAL

You are hereby ordered to appear before the _____ Justice Court on the 14th calendar day from the date this citation is issued (not counting the date the citation is issued) at 8:30 a.m. If the 14th day falls on a weekend or holiday, you must appear the next business day. Failure to appear will result in a warrant being issued for your arrest. You may call the _____ Justice Court with questions regarding your citation or appearance date at (801) _____ between 8:00 a.m. and 5:00 p.m.

(Please see reverse for courthouse address)
OFFICERS COMMENTS/DESCRIPTION

COMMERCIAL VEH. YES NO GVWR _____

HAZMAT YES NO

16+ OCCUPANTS YES NO

COMPANY/UNIT # _____

CITY/STATE _____

UNIFORM CITATION OR INF. AND SUMMONS TO APPEAR

ORI: UT01

CASE NO. ~~10~~ 220354

CITATION

21717635

Name (Last) _____ (Middle) _____ (First) _____ DOB 8-11-27

Address _____ (City) _____ (State) _____ (Zip) _____

Driver License # 0015489 State UT CDL Presented Yes No Expires 2013 Restriction A Social Sec. # 529-32

Gender M F Ethnic Code W Height 53 Weight 150 Eyes BRO Hair BRO Vehicle License # 807V? State UT Expires 4/11

Valid ID Yes No Vehicle Make FORD Vehicle Model TAURUS Vehicle Type 4DR Vehicle Year 98 Vehicle Color BLUE Accident Yes No

Code # 12-16-010 Violation Hit Run

12-52-120 Imp Lookout

ON (DATE) 12-24-10 MILITARY TIME 1218 DIRECTION OF TRAVEL N S E W

LOCATION 2236 S 130 East

Plate # 801- _____ Speeding _____ in a _____ zone

WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AS DIRECTED HEREIN

SERVED X _____

I CERTIFY THAT A COPY OF THIS SUMMONS AND CITATION WAS GIVEN TO THE DEFENDANT ACCORDING TO LAW ON THE ABOVE DATE AND I KNOW OR BELIEVE AND SO ALLEGE THAT THE ABOVE NAMED DEFENDANT DID COMMIT THE OFFENSE HEREIN SET FORTH CONTRARY TO LAW. I FURTHER CERTIFY THAT THE COURT TO WHICH THE DEFENDANT HAS BEEN DIRECTED TO APPEAR IS THE PROPER COURT PURSUANT TO SECTION 77-7-19 U.C.A.

OFFICER _____ ID# I-12

COMPLAINANT _____ ID# _____ DATE OF CITATION 2-1-11



RIGHT INDEX

MISSING PRINT
Unable to enter into
Criminal History
POOR QUALITY
PRINT
Unable to enter into
Criminal History



Filing Charges with Prosecutor

UCA 53-10-207(1-2)

The arresting or citing agency makes the decision to not file the charges with the prosecutor



Prosecutor's Role



Prosecutor's Role

UCA 77-2-3

The prosecutor may, without approval of a magistrate, authorize a termination of investigative action when it appears that further investigative action is not in the public interest

- ◆ The prosecutor will decide whether or not to prosecute
- ◆ If not prosecuted, a Declination Prosecution Notice is sent to BCI
- ◆ If prosecuted, the case will go to court

Declined to Prosecute

- ◆ Declinations are sent to BCI Records section
- ◆ Can be sent via fax, email, or through the mail

GOTHAM CITY ATTORNEY'S OFFICE



August 12, 2020

Deputy Gordon Gotham City Police Department
AGENCY CASE #: S12-3456

DECLINE PROSECUTION NOTICE

Two attorneys in our office have individually reviewed the above- referenced case. Based upon that review, it has been decided that our office will NOT be filing charges at this time. The details of the declined case are as follows:

ATTORNEY OFFICE CASE #: 013579024

PROSECUTOR: Name

CASE OFFICER: Name

CASE AGENCY: Gotham City PD

DEFENDANT NAME: Joker

DEFENDANT DOB: 02/09/1960

CHARGES REQUESTED AND DECLINE

REASONS:

COUNT: 1 RECKLESS BURNING STATUTE: 76-6-104(1)(c) LEVEL: Class B Misdemeanor
OFFENSE DATE: 05/17/2020 DECLINE REASON: After reviewing the information received, there is insufficient evidence to proceed with prosecution. Pursuant to UCA 76-6-104(1) Reckless Burning there are four ways to prove this count. Subsections (a)(b) and (d) all require that the property burned be the property of another. That is not the case here. Subsection (c) requires that no reasonable steps were taken to remove the flammable materials. No pictures were taken of the incident. The only information received is not sufficient to prove this section. More information was requested on June 16, 2020, and as of the date of this declination, none was received. A phone call was made August 12, 2020 to the case officer who requested we not file the case.

In the event that further evidence is developed in the case, please advise our office by re-submitting the case for a new review. If you believe that this decision has been made in error, please discuss the case personally with Tegan Troutner.

Sincerely Yours,

Prosecutor



Court Role



Courts

- ◆ Can check to verify the arrest is on the defendant's Criminal History
 - ◆ If the arrest doesn't show up, send the defendant to be printed
 - ◆ The original arresting agency or jail is the best place
 - ◆ **BCI CANNOT DO FINGERPRINTS FOR THOSE CRIMINAL CHARGES**
- ◆ Need to submit disposition to BCI
 - ◆ Fax
 - ◆ Email
 - ◆ Regular mail
 - ◆ Electronically



Case files

- ◆ **Keep court dockets updated**
 - ◆ BCI uses those for expungement, firearm permits, firearm purchases and updating records
 - ◆ Used by PD's, attorney's office and probation offices to ensure a warrant is still outstanding, pre-trial investigations, pre-sentence investigations, etc



TOOELE COUNTY JUSTICE COURT
TOOELE COUNTY, STATE OF UTAH

STATE OF UTAH vs. YOGIE BEAR

CASE NUMBER 069200086 Misdemeanor DUI

CHARGES

Charge 1 - 41-6A-526 - OPEN CONTAINER/DRINKING ALCOHOL IN VEHIC - Class C Misdemeanor
Offense Date: January 10, 2006
Disposition: July 22, 2015 Dismissed w/ Prejudi

Charge 2 - 41-6A-502 - DRIVING UNDER THE INFLUENCE OF ALC/DRUGS - Class B Misdemeanor
Offense Date: January 01, 2001
Disposition: July 22, 2015 Dismissed (w/o prej)

Charge 3 - 41-1A-1303(3) - DRIVE W/OUT REG OR OUT OF STATE REGISTRA - Class C Misdemeanor
Offense Date: January 01, 2001
Disposition: July 22, 2015 Dismissed (w/o prej)

Charge 4 - 41-6A-601 - SPEEDING 0 in a 0 - Class C Misdemeanor
Offense Date: January 01, 2001
Disposition: July 22, 2015 Dismissed (w/o prej)

CURRENT ASSIGNED JUDGE
JOHN MACK DOW

PARTIES

Plaintiff - STATE OF UTAH

Defendant - YOGIE BEAR

DEFENDANT INFORMATION

Defendant Name: YOGIE BEAR
Date of Birth: September 09, 1975
Law Enforcement Agency: UHP - WENDOVER
Officer Name: JEREMY FLOYD
Prosecuting Agency: TOOELE COUNTY
Citation Number: 3840518
Violation Date: 01-01-2001

ACCOUNT SUMMARY

Total Revenue Amount Due:	1,275.00
Amount Paid:	0.00
Amount Credit:	1,275.00
Balance:	0.00

REVENUE DETAIL - TYPE: FORF TO LOCAL GOV'T

Original Amount Due:	10.00
Amended Amount Due:	10.00
Amount Paid:	0.00
Amount Credit:	10.00



Warrants

- ◆ Courts will issue Statewide warrants
 - ◆ Felony warrants and misd Failure to Register as Sex Offenders will be added to NCIC through the SWW NCIC batch job

Protective Orders

- ◆ Issued by the courts- removed when no longer needed

Utah Criminal Justice Information System	
aleidig 02/09/2016 12:18	
Utah Protective Order	
** NOT A WARRANT **	
** DO NOT ARREST BASED ON THIS RESPONSE **	
** UNLESS ORDER IS VIOLATED **	
Type: Jail Release Agreement	
Status: EXPIRED	
Defendant	
Last Name: BEAR	Social Security Number: 899999999
First Name: YOGI	Sex: M
Date of Birth: 02/11/1950	Height: 605
Address 1: 4501 S 2700 W	Weight: 380
WEST VALLEY	Eye Color: Brown
UT 84119	Hair Color: Brown
DL#/State: 172443851/UT	Race: Unknown
Plaintiff/Victim	
Last Name: BEAR	
First Name: BATHSHEBA	
Middle Name: FAKETEST	
Date of Birth: 01/01/1955	
Address 1: 4501 S 2700 W	
WEST VALLEY	
UT 84119	
Other Protected Persons (Last, First / Relation to Defendant/Respondent)	
BEAR, SMOKEY TEST / Unknown	
Court/Service Information	
OTN: 37561644	Served by Name: UT BUREAU OF CRIM IDENT

****Expired PO's will remain in UCJIS- the user will have the option to search them or not**

Dispositions

- ◆ Sent to BCI
 - ◆ Fax
 - ◆ Email
 - ◆ Mail



DATE: 09/04/2020

YOUR NAME:	AGENCY:	ORI:
WHITNEY WILSON	FULLHOUSE DISTRICT COURT	UT1234567

PHONE:	EMAIL:	PURPOSE OF THE REQUEST:
801-965-4077	WTHOMSEN@UTAH.GOV	UPDATE DISPOSITION INFO

SUBJECT'S NAME:	DOB:	SID:	OTN:	DOA:
BECKY DONALDSON-KATSOPOLIS	10/14/1961	123456	984533454556	03/13/2019

ADD - DELETE - DECLINE:

UPDATE DISPOSITION	CASE #
	2020123456

STATUTE:	CHARGE DESCRIPTION:
53-10-108	BRIBERY

COMMENT:

Conviction of a Felony 3. \$3,000 fine with 2 years prison

CONSOLIDATE:

OTN:		TO:	
OTN:		TO:	
OTN:		TO:	

For SID Consolidations, please contact AFIS at dpsafis@utah.gov

RESET

Please attach any supporting documentation to request



ARREST CHARGES:

ARRESTING CHARGE: SEXUAL CONDUCT-UNLAWFUL

STATUTE: UNKNOWN

JURISDICTION: UNKNOWN

NCIC CODE: 1199 - SEX ASSAULT

SEVERITY: FELONY

COURT OF NEXT APPEARANCE: 3RD DISTRICT COURT WEST JORDAN(UT018065J)

CHARGE TYPE: UNKNOWN(XX)

COURT ACTION:

AGENCY: 3RD DISTRICT COURT WEST JORDAN (UT018065J)

CASE NUMBER: 101400616

CHARGES DISPOSED OF:

OFFENSE LITERAL: SEXUAL BATTERY

STATUTE: 76-9-702(3)

JURISDICTION: UNKNOWN

NCIC CODE: 3699 - SEX OFFENSE

PRE-CONVERSION NCIC LITERAL: SEXUAL BATTERY

SEVERITY: MISDEMEANOR A

PLEA: GUILTY

PLEA DATE:

DISPOSITION: CONVICTED

COURT ACTION DATE: 9/14/2010

DISPOSITION COMMENTS:

CONVERSION ACTION = CONVICTED

JAIL SENTENCED: 365 DAYS

PROBATION SENTENCED: 1080 DAYS



No Disposition

- ◆ If the court disposition isn't on the criminal record for that arrest:
 - ◆ Resend via fax, email
 - ◆ Look in suspense if sent electronically
 - ◆ Fix any errors with Name, DOB, OTN and SID and resend
- ◆ If there is no case attached it may also be in progress or it needs to be attached



Probation and Parole



Pretrial Services

- ◆ Keep defendants reminded of their court appearances and any check-ins they are required to perform
- ◆ Monitor court ordered release conditions
- ◆ Reports non-compliance to the court
- ◆ Provides support to defendants

DON'T MAKE ARRESTS OR CONDUCT HOME VISITS



Probation & Parole

- ◆ Completes Presentence Investigation reports
- ◆ Works with offenders to ensure compliance



Probation Officers

- ◆ Communicates with the courts
- ◆ Monitors the offenders for compliance to court orders
- ◆ Has in office and home visits with offender
- ◆ Makes arrests for violating probation conditions
- ◆ Request probation to be terminated once the probation terms have been met



Parole Officers

- ◆ Communicates with the Prison as well as the Board of Pardons and Parole (BOPP)
- ◆ Monitors the offenders to ensure compliance to parole orders
- ◆ Has in office and home visits with the offender
- ◆ Makes arrests for violation of BOPP orders- Prison pending parole revocation hearing
- ◆ Requests parole to be terminated once BOPP conditions are met



OTRK

- ◆ Corrections information is entered into ORTK
 - This is for law enforcement to see conditions, and the assigned staff in case they need to contact anyone regarding the individual



Query

Results ✕

BEAR, YOGI - 215915 - NONE ✕

Race: CAUCASIAN W

Marital Status: married

Available

Gender: Male

Residence (1)

Aliases (4)

DOBS (1)

Offender IDs (4)

Scars, Marks, and Tattoos (16)

Current Location (1)

Legal Status History (2)

Assigned Staff

UDC Cases (4)

Gang Affiliation (3)

Vehicles (1)

Employment (1)

Travel Permits (1)

Alerts (1)

Probation/Parole Conditions [58]

Photos (0)



Expungement



Expungement How to:

- ◆ State Statute provides for an expungement of criminal arrests
- ◆ There are two ways to expunge a record
 - ◆ Through BCI
 - ◆ Auto expungements through the court (you do not apply for this)

Expungement- BCI

- ◆ Apply in person at BCI
- ◆ Download the application from BCI's webpage and mail the form to

Utah BCI

3888 West 5400 South

Taylorsville, UT 84129

E APPLICATION FOR CERTIFICATE OF ELIGIBILITY Utah Department of Public Safety • Bureau of Criminal Identification 3888 West 5400 South, Taylorsville, Utah 84129	
<small>WHEN FILLING OUT THIS APPLICATION TYPE OR PRINT IN BLACK INK. Your application will not be processed unless all sections of this form are filled out completely and accompanied by a \$50.00 application fee.</small>	
NAME: _____ <small>(Last Name) (First Name) (Middle Name)</small>	DATE OF BIRTH _____
PREVIOUSLY USED NAME(S) (Maiden, AKA, etc.) _____	
MAILING ADDRESS: _____ <small>(Street/Box number) (City) (State) (Zip)</small>	
SOCIAL SECURITY: _____ DRIVER LICENSE # AND STATE: _____ / _____	
HOME PHONE NUMBER: _____ DAYTIME PHONE NUMBER: _____	
☐ CHECK BOX IF TRAFFIC EXPUNGEMENT IS WANTED. ADDITIONAL FEES WILL APPLY AND CHARGES WILL ONLY BE DELETED FROM COURT RECORDS, NOT FROM DRIVER LICENSE FILES.	
☑ CHECK BOX IF ACQUITTAL DOCUMENTATION MUST BE PROVIDED FOR EXPEDITED PROCESSING.	
<small>Pursuant to Utah Code Ann. § 77-246-106(1)(b), a petitioner who intentionally or knowingly provides false or misleading information to the bureau when applying for a certificate of eligibility is guilty of a class B misdemeanor and subject to prosecution under Section 76-8-504.6. A certification of eligibility or an application for expungement may be denied if the petitioner provides false information.</small>	
I, _____, declare under criminal penalty of the State of Utah that the foregoing is true and correct. <small>(Name of Petitioner)</small>	
Executed on: _____ <small>(Date)</small>	
Executed by: _____ <small>(Signature)</small>	
METHOD OF PAYMENT (Only to be filled out if application is mailed in. Check appropriate box for payment) \$50.00 FEE	
<input type="checkbox"/> Check, Money Order or Cashier's Check (Payable to "Utah Bureau of Criminal Identification" in the amount of \$50.00)	
<input type="checkbox"/> Credit Card (cannot use foreign credit cards) and must be <input type="checkbox"/> Visa <input type="checkbox"/> Master Card or <input type="checkbox"/> AMEX. Fill-out info below to pay by credit card.	
<small>Credit Card payment must include 3-digit control number found on the back of the credit card. There is a \$20.00 service charge for any returned check.</small>	
<small>Credit Card Number</small> _____	<small>* See 4-digit control #</small> _____ <small>Expiration Date</small> _____
PRINT NAME as it appears on the card: _____ Zip code: _____	
<small>Cardholder signature: _____ Date: _____</small>	
FINGERPRINT INSTRUCTIONS: (OFFICIAL TAKING PRINTS) Confirm identity of applicant with identification that shows photo, signature and date of birth. Confirm ID with the information above, then list the type of government issued ID used and the ID number in the space provided below. Fingerprint the four fingers of the applicant's right hand simultaneously in the box located in the lower right portion of this form.	
OFFICIAL TAKING PRINTS	FINGERPRINTS
Type of identification used: _____ <small>Utah Driving Privilege Cards are not valid ID and will not be accepted</small>	
Identification number: _____	
Name on ID: _____	
Fingerprint taken by: _____ <small>(Print Name)</small>	
Agency Name: _____ Badge # _____ <small>(If applicable)</small>	
Date Printed: _____	
BUREAU USE ONLY AFIS Confirmation: _____	
SID# _____ R# _____	



Expungement- BCI

- ◆ Every applicant will receive a mailed notification regarding their eligibility- this will include the certificate if the fee has been paid or there is no fee associated with the expungement
- ◆ The time frame between applying and receiving the decision letter may vary depending on the number of applications at the time



Expungement- BCI

- ◆ There are 2 types of approval of expungement
 - ◆ Partial: select arrests are eligible for expungement
 - ◆ Complete: the entire SID is eligible for expungement
- ◆ Once certificates are completed
 - ◆ BCI sends a copy of the Expungement Order to the FBI to have the arrest taken off FBI record
 - ◆ BCI seals the record
 - ◆ A confirmation letter is sent to the individual confirming the expungement has taken place




Auto Expungements- Courts

- ◆ Not initiated by anyone but the court
 - ◆ Court report automatically goes through court records and expunges the eligible records with a batch job
 - ◆ Broadcast message is sent to each agency involved in the expunged arrest



Auto Expungement Broadcast

CHRIS KI

Broadcast Message Entry

Created by ckennard on 05/14/2020 12:27:35

Message Details

ORI:

Message Type:

Message:

Start Date:



Questions?

