WHAT'S IN A PROTECTIVE ORDER?

How a JRA is entered, modified and removed from the Utah system and NCIC. It will also cover some issues agencies have with the transactions of ENCO, MCNO and MCJR.



UCA 78B-7-801

- (1) "Jail release agreement" means a written agreement that is entered into by an arrested individual, regardless of whether the individual is booked into jail:
 - (a) under which the arrested individual agrees to not engage in any of the following:
 - (i) have personal contact with the alleged victim;
 - (ii) threaten or harass the alleged victim; or
 - (iii) knowingly enter on the premises of the alleged victim's residence or on premises temporarily occupied by the alleged victim; and
 - (b) that specifies other conditions of release from jail or arrest.
- (2) "Jail release court order" means a written court order that:
 - (a) orders an arrested individual not to engage in any of the following:
 - (i) have personal contact with the alleged victim;
 - (ii) threaten or harass the alleged victim; or
 - (iii) knowingly enter on the premises of the alleged victim's residence or on premises temporarily occupied by the alleged victim; and
 - (b) specifies other conditions of release from iail.

UCA 78B-7-801

- (5) "Qualifying offense" means:
 - (a) domestic violence;
 - (b) an offense against a child or vulnerable adult; or
 - (c) the commission or attempted commission of an offense described in Title 76, Chapter 5, Part 4, Sexual Offenses.



PO status and type

Plaintiff/ victim/ protected person's information

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

First Name: YOGI Date of Birth: 02/11/1950 Address 1: 4501 S 2700 W

> WEST VALLEY UT 84119

DL#/State: 172443851/UT

Social Security Number: 899999999

Sex: M Height: 605 Weight: 380 Eye Color: Brown Hair Color: Brown Race: Unknown

Last Name: BEAR

Middle Name: FAKETEST Date of Birth: 01/01/1955 Address 1: 4501 S 2700 W

Plaintiff/Victim

First Name: BATHSHEBA

WEST VALLEY LIT 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 Served by Agency: UT BUREAU OF CRIM IDENT

Served Location: Booking Agency

Booking Agency: UT BUREAU OF CRIM IDENT

Booking Case #: 2013-1213001

Arresting Agency: UNIFIED POLICE DEPT OF GREATER SALT LAKE

Arresting Case #: 2013-135791113

Issue Date: 12/13/2013 Expiration Date: 02/07/2014

Defendant/ Respondent's information

List of others protected besides the petitioner

> Service and court information



Conditions

Defendant: BEAR, YOGI

Jail Release Agreement

Plaintiff: BEAR, BATHSHEBA, FA

Conditions

[x] 1: I will have no direct or indirect contact or communication with the alleged victim

[x] 2: I will not threaten, harass or abuse the alleged victim

[x] 3: I will not go in or near residence of, or any premises temporarily occupied by, the alleged victim

Comments on Defendant:

(CCURRIE:DAVCSO@2014-04-12 05:20) TEST RECORD

Comments
for this
particular
PO

Comments on Order:

(ALENAP:COURTS@2014-02-07 12:56:23.000) Expire date modified from none to 02/07/2014 (ALENAP:COURTS@2014-02-07 12:56:23.000) Expire date modified from none to 02/07/14 (ALENAP:COURTS@2014-02-08 00:48:10.000) Expire date modified from 02/07/14 to 02/07/14 (ALEIDIG:BCI@2016-02-09 12:18) Yogi is now going by the alias Balou

Comments
entered by
agencies for
the
respondent



Protective Orders

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 **

Sex: M

Height: 605

Weight: 380

Eye Color: Brown

Hair Color: Brown

Race: Unknown

Social Security Number: 899999999

Type: Jail Release Agreement

Status: EXPIRED

Defendant

Last Name: BEAR First Name: YOGI

Date of Birth: 02/11/1950 Address 1: 4501 S 2700 W

WEST VALLEY UT 84119

DL#/State: 172443851/UT

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 Served by Agency: UT BUREAU OF CRIM IDENT Served Location: Booking Agency

Booking Agency: UT BUREAU OF CRIM IDENT

Booking Case #: 2013-1213001

Arresting Agency: UNIFIED POLICE DEPT OF GREATER SALT LÄKE

Arresting Case #: 2013-135791113

Issue Date: 12/13/2013 Expiration Date: 02/07/2014 ☐ Issued by Courts



JRA'S-JAIL RELEASE AGREEMENTS

☐ Issued by an arresting agency or by a booking facility



Information regarding the court appearance

Acknowledgement of the punishment for violation of the JRA

Utah Criminal Justice Information System

01/14/2021 08:36:11

Jail Release Agreement

Defendant

Last Name: LECTOR Social Security Number: """3928

 First Name: HANNIBAL
 Sex: M

 Middle Name: CRIMINAL
 Height: 600

 Date of Birth: 01/14/1960
 Weight: 185

 Address: 3888 W 5400 S
 Eye Color: Brown

 TAYLORSVILLE
 Hair Color: Brown

 UT 84129
 Race: Unknown

 DL#/State: 17845083/UT

Victim

 Last Name: BLOOM
 Address: 4501 S 2700 W

 First Name: ALANA
 TAYLORSVILLE

 Date of Birth: 11/15/1978
 UT 84129

Other Protected Person(s)

MARK LECTOR CAROL LECTOR

(801)238-7300

Jail Release Information

Appear in court: Citation #: J01142021 Expire Date: Mid
Arresting Case #: 20-01142021 person arrested

3RD DIST COURT - SALT LAKE Arresting Agency:
450 South State Street UT BUREAU OF CRIM IDENT

450 South State Street PO Box 1860 Salt Lake City UT 84114-1860 Expire Date: Midnight on the day on which the person arrested appears in person or by video for arraignment or an initial appearance.

HAVING BEEN ARRESTED FOR DOMESTIC VIOLENCE OR A QUALIFYING OFFENSE UNDER UTAH CODE ANN. § 77-20-3.5, I AGREE TO THE FOLLOWING CONDITIONS PRIOR TO MY RELEASE ON BAIL, RECOGNIZANCE OR OTHERWISE (until further order of the court):

- X 1. I will have no direct or indirect contact or communication with the alleged victim
- X 2. I will not threaten, harass or abuse the alleged victim
- I will not go in or near residence of, or any premises temporarily occupied by, the alleged victim.

I UNDERSTAND THAT IF I KNOWINGLY VIOLATE THIS AGREEMENT I WILL BE GUILTY OF A THIRD DEGREE FELONY IF I WAS ORIGINALLY ARRESTED FOR A FELONY OR I WILL BE GUILTY OF A CLASS A MISDEMEANOR IF I WAS ORIGINALLY ARRESTED FOR A MISDEMEANOR.

(RELEASING OFFICER)

(DATE)

(ARRESTED PERSON)

(DATE)

Acknowledgement of arrest for qualifying offense for a JRA

CONDITIONS FOR ISSUING A JRA

CONDITIONS FOR ISSUING A JRA

- (5) "Qualifying offense" means:
 - (a) domestic violence;
 - (b) an offense against a child or vulnerable adult; or
 - (c) the commission or attempted commission of an offense described in Title 76, Chapter 5, Part 4, Sexual Offenses.

TITLE 76, CHAPTER 5, PART 4, SEXUAL OFFENSES

```
Unlawful sexual activity with a minor -- Elements -- Penalties -- Evidence of age raised by defendant.
Section 401.1 Sexual abuse of a minor.
Section 401.2 Unlawful sexual conduct with a 16- or 17-year-old.
Section 401.3 Unlawful adolescent sexual activity.
 Section 402 Rape.
Section 402.1 Rape of a child.
Section 402.2 Object rape.
Section 402.3 Object rape of a child -- Penalty.
 Section 403 Forcible sodomy.
Section 403.1 Sodomy on a child.
 Section 404 Forcible sexual abuse.
Section 404.1 Sexual abuse of a child -- Aggravated sexual abuse of a child.
 Section 405 Aggravated sexual assault -- Penalty.
 Section 406 Sexual offenses against the victim without consent of victim -- Circumstances.
Section 406.3 Applicability of sentencing provisions.
Section 406.5 Circumstances required for probation or suspension of sentence for certain sex offenses against a child.
              Applicability of part -- "Penetration" or "touching" sufficient to constitute offense.
 Section 409 Corroboration of admission by child's statement.
 Section 410 Child victim of sexual abuse as competent witness.
 Section 412 Custodial sexual relations -- Custodial sexual misconduct -- Definitions -- Penalties -- Defenses.
 Section 413 Custodial sexual relations or misconduct with youth receiving state services -- Definitions -- Penalties -- Defenses.
 Section 414 Child conceived as a result of sexual offense -- Custody and parent-time.
 Section 415 Educator's license subject to action for violation of this part.
 Section 416 Indecent liberties -- Definition.
```



CREATING A JRA

Arresting Agency

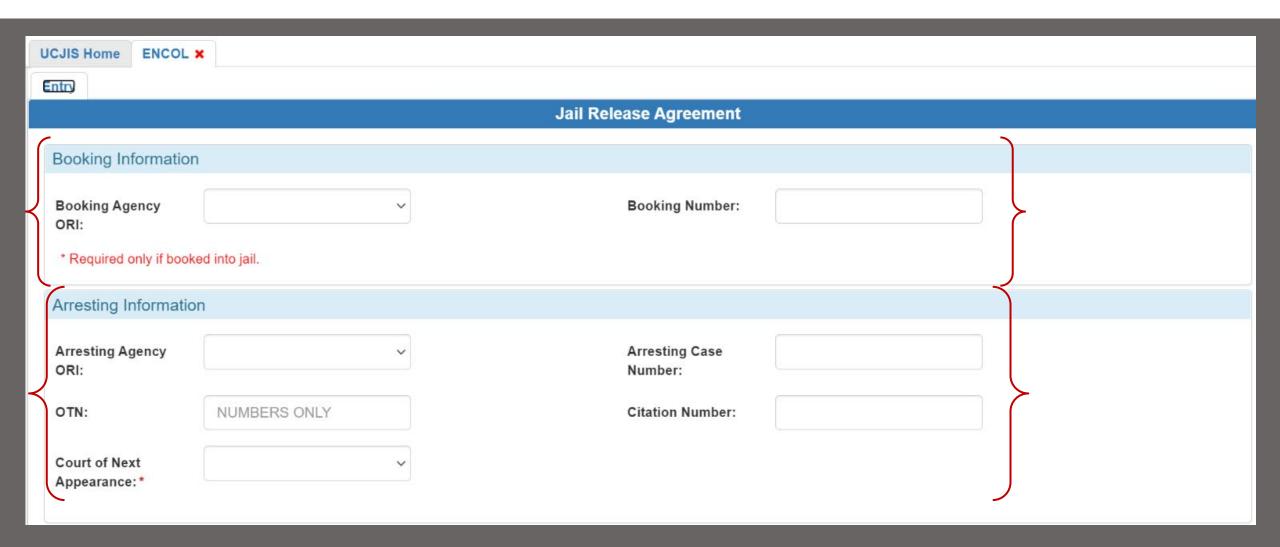
- ☐ will need to fill in the arresting agency only- no booking agency
- ☐ will need citation number

Booking Agency

- ☐ will need the OTN number
- ☐ will need to only fill out the booking agency- no arresting agency
- ☐ CAN enter the arresting agency, but may not have access to their ORI to do so anymore

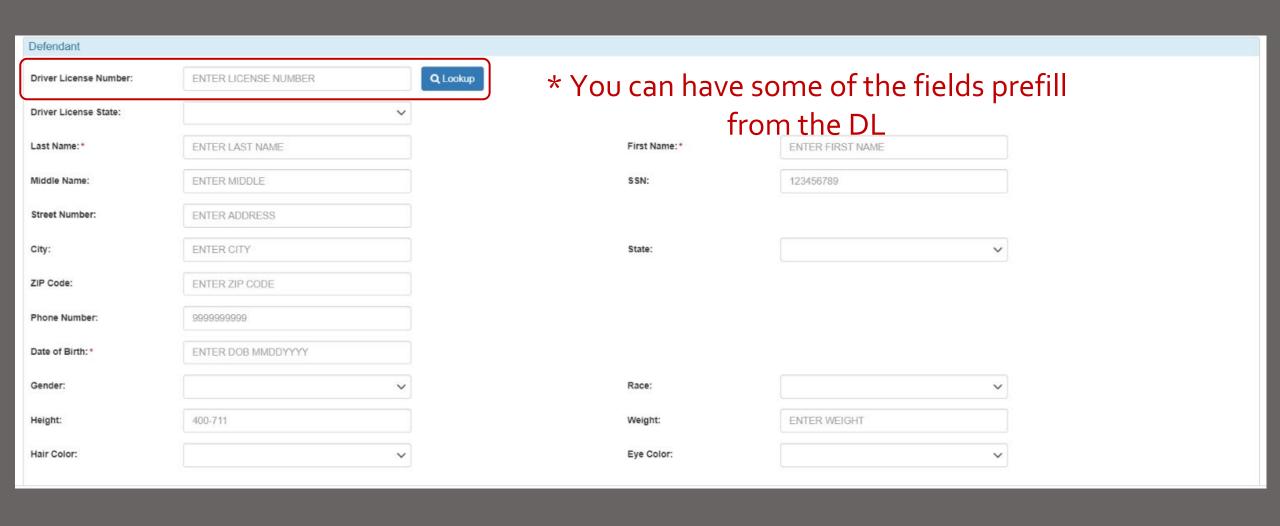


ENCO

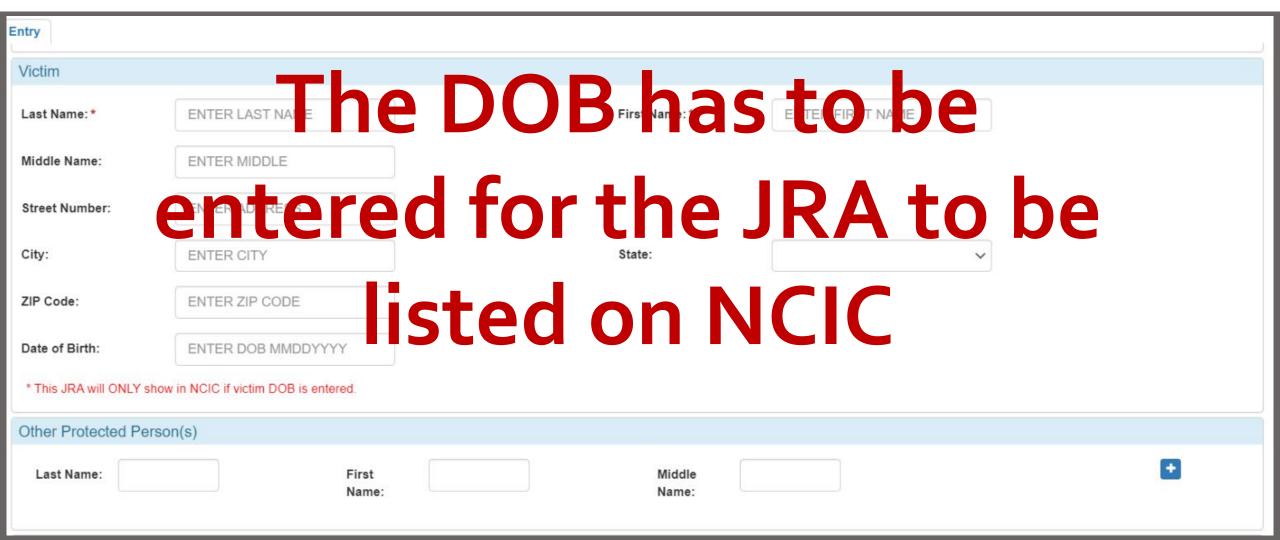




ENCO-DEFENDANT INFORMATION



ENCO- VICTIM AND PROTECTED PERSONS INFORMATION

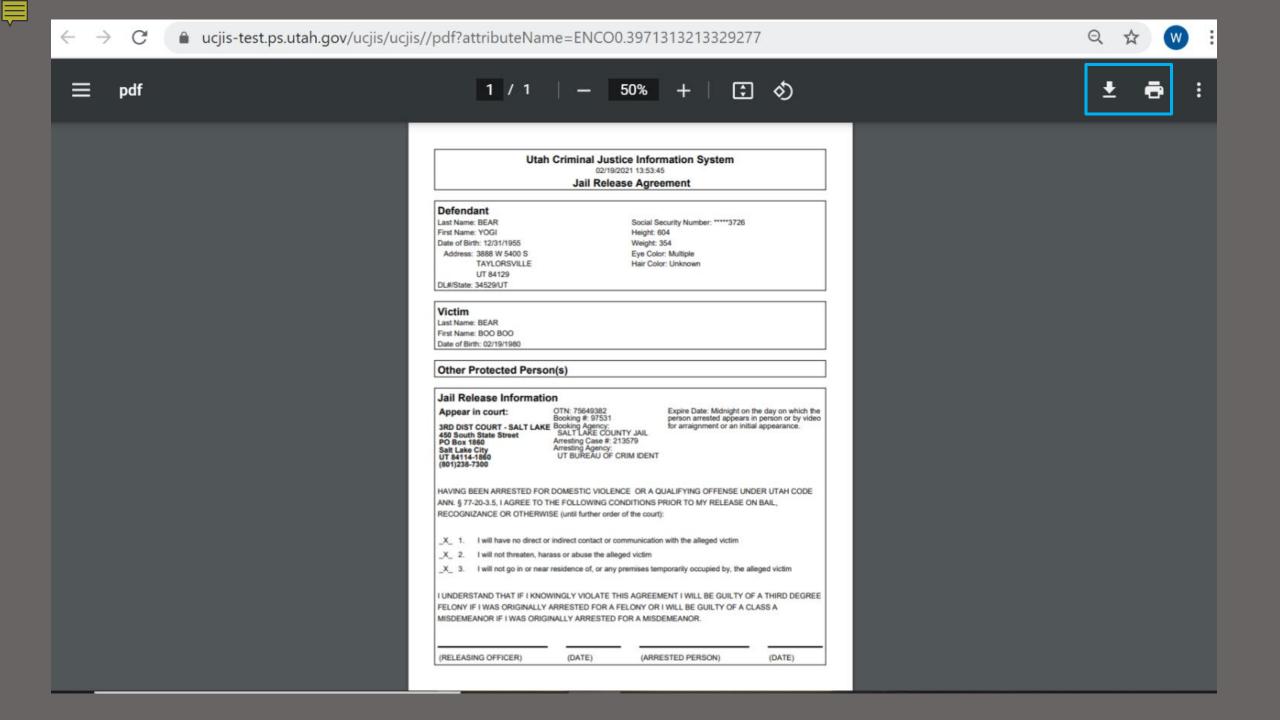




CONDITIONS

Conditions	
☐ 1. I will have no personal contact with the alleged victim	
2. I will not threaten or harass the alleged victim	
☐ 3. I will not knowingly enter onto the premises of the alleged victim's residence or any premises temporarily occupied by the alleged victim	
Q Submit	

* Due to the purpose of a protective order, option 2 will always be selected as a condition





Utah Criminal Justice Information System

01/14/2021 08:36:11

Jail Release Agreement

Utah Criminal Justice Information System

aleidig 02/09/2016 12:18

Utah Protective Order

ENT

(RELEASING OFFICER)

(DATE)

(ARRESTED PERSON)

(DATE)

Arresting Agency: UNIFIED POLICE DEPT OF GREATER SALT LAKE

Arresting Case #: 2013-135791113

Issue Date: 12/13/2013 Expiration Date: 02/07/2014

ADDING PO'S AND JRA'S TO NCIC

- BCI runs a batch job that grabs that JRA and pushes it onto NCIC
- o Courts issue Protective orders through their CORIS program
- BCI runs a batch job that pulls them over to our server where they will be quarriable on NCIC and the Utah PO system
 - That batch job also pulls any modifications, cancellations, etc. done through their program for the PO for the Utah system
 - Same batch job automatically pushes them on to NCIC, updates the expiration date or status on NCIC

****WARNING - THE FOLLOWING IS AN NCIC PROTECTION ORDER RECORD. DO NOT SEARCH, DETAIN, OR ARREST BASED SOLELY ON THIS RECORD. CONTACT ENTERING AGENCY TO CONFIRM STATUS AND TERMS OF PROTECTION ORDER**** MKE/PROTECTION ORDER ORI/MD1012600 NAM/SMITH, JOHN J SEX/M RAC/W ETN/H POB/MD DOB/19701010 HGT/510 WGT/175 EYE/BRO HAI/BRO FBI/416249J4 CTZ/US SKN/FAR SMT/SC L EAR FPC/121011CO141159TTCl13 MNU/AS-123456789 SOC/123456789 OLN/N222333444 OLS/MD OLY/1995 SVC/1 – SERVED SVD/20120903 PNO/PO12345 BRD/N ISD/20120728 EXP/20180728 CTI/MD056013J PPN/SMITH, JANE L PSX/F PPR/W PPB/19710101 PSN/777665555 PCO/01 -THE SUBJECT IS RESTRAINED FROM ASSAULTING, THREATENING, ABUSING, HARASSING, FOLLOWING, INTERFERING, OR STALKING THE PROTECTED PERSON AND/OR THE CHILD OF THE PROTECTED PERSON. OCA/14-017289 SID/MD9999999 LKI/MD1240000 LKA/MD-2255 MIS/100 FEET FROM RESIDENCE EXCEPT WHEN PICKING UP CHILDREN FOR MIS/VISITATION LIC/ABC123 LIS/MD LIY/2000 LIT/PC VIN/2G2PM37A2G2208042 VYR/1992 VMA/DODG VMO/INT VST/4T VCO/BLK ORI IS ANNAPOLIS POLICE DEPARTMENT MD 301 555-5555 NIC/H146203706 DTE 19980801 0000 EDT DLU/20120728 1600 EDT

MODIFYING A PO OR JRA

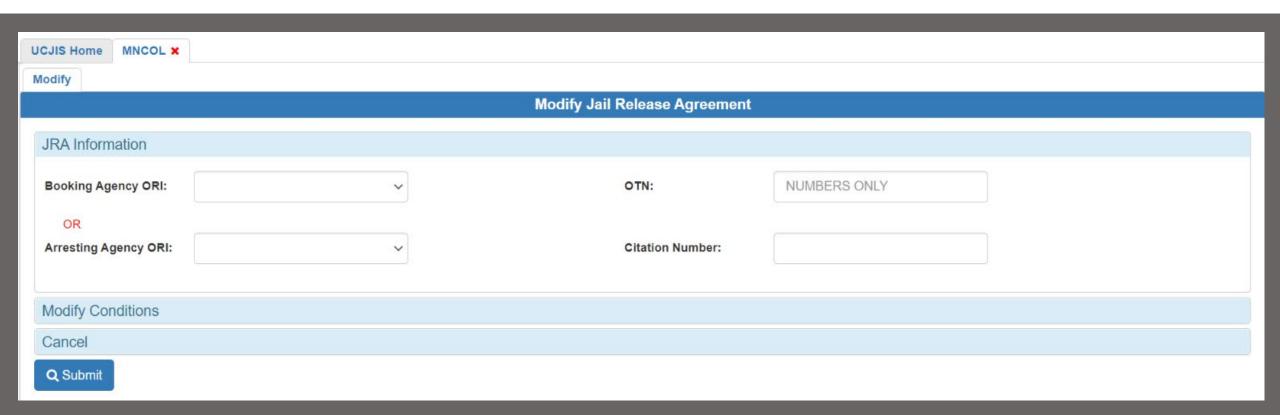
Modification using UCJIS

MNCO

Modifying or Cancelling a No Contact Order by jails or arresting agencies

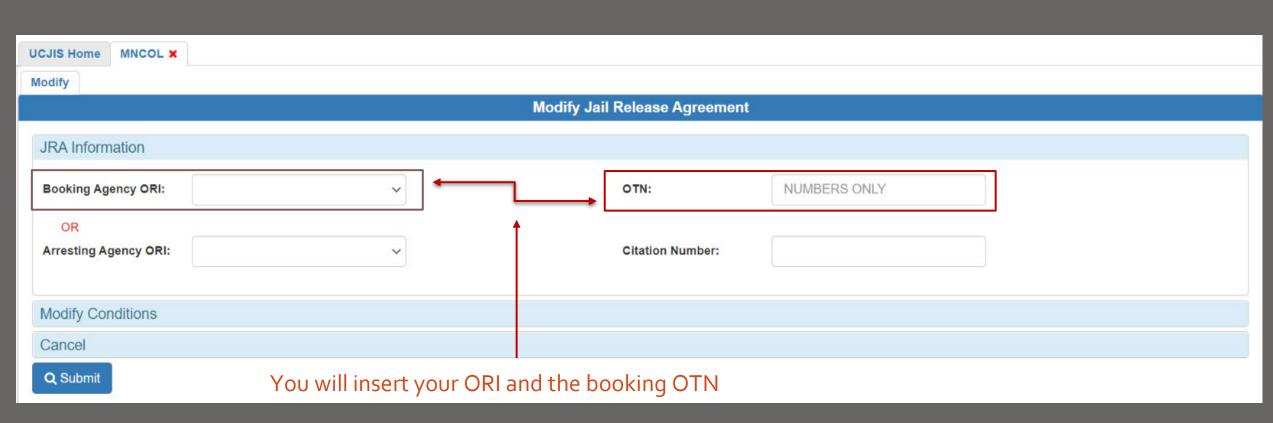


MNCO





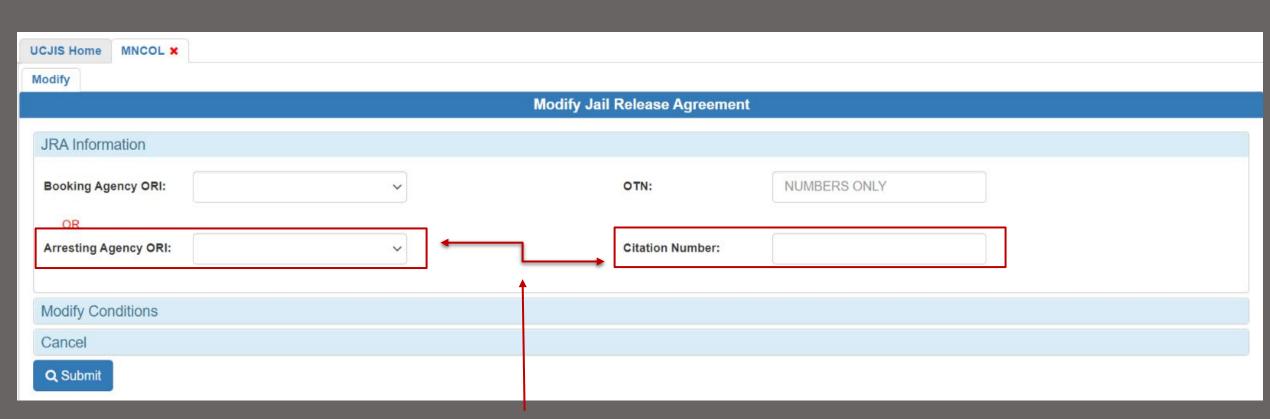
MNCO-BOOKING AGENCIES



*You can insert the arresting agency if you have access to their ORI in the drop down, but you will always leave the citation number blank



MNCO- ARRESTING ORI'S



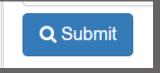
You will need to fill out your ORI and the citation number



MNCO



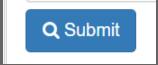
To modify- uncheck the conditions to be changed and then hit submit button



MNCO



To cancel you will check the box and hit submit



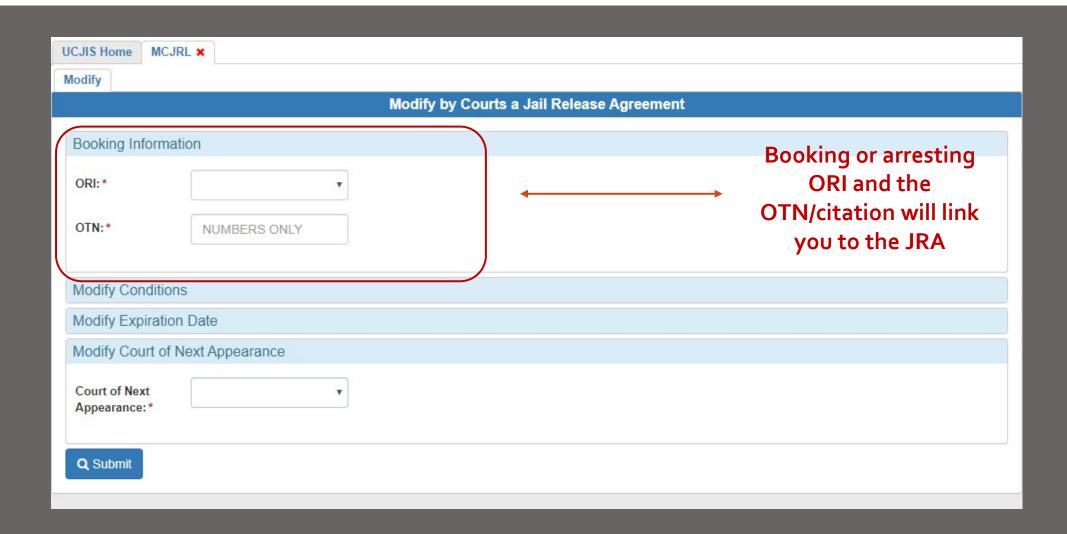


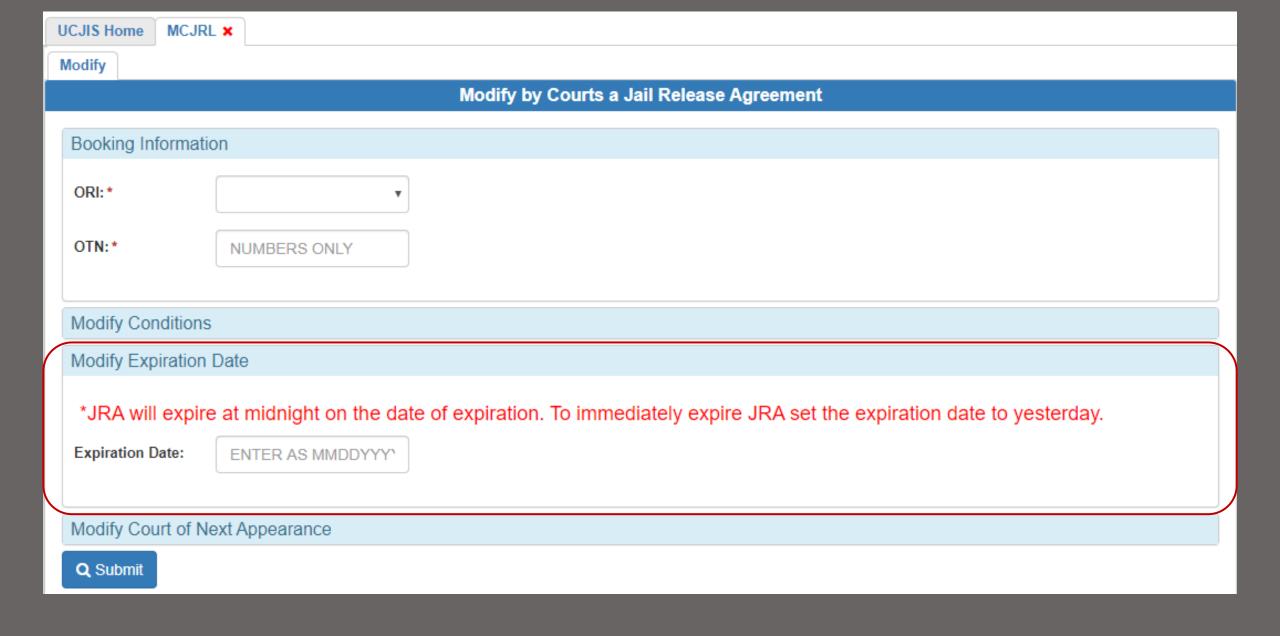
MCJR

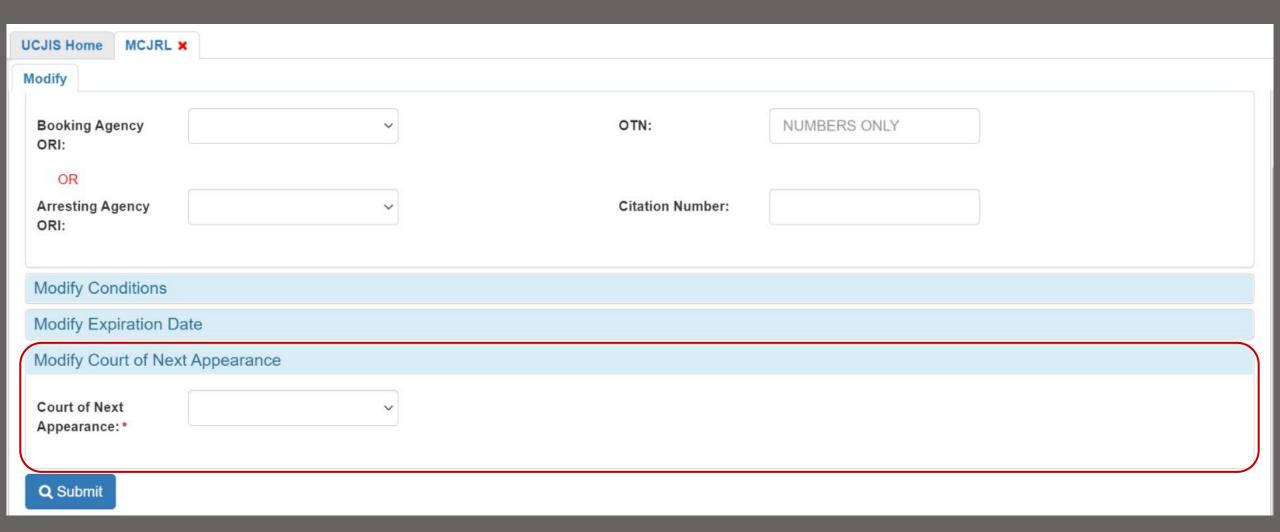
Modifying or Cancelling a No Contact Order by courts through UCJIS



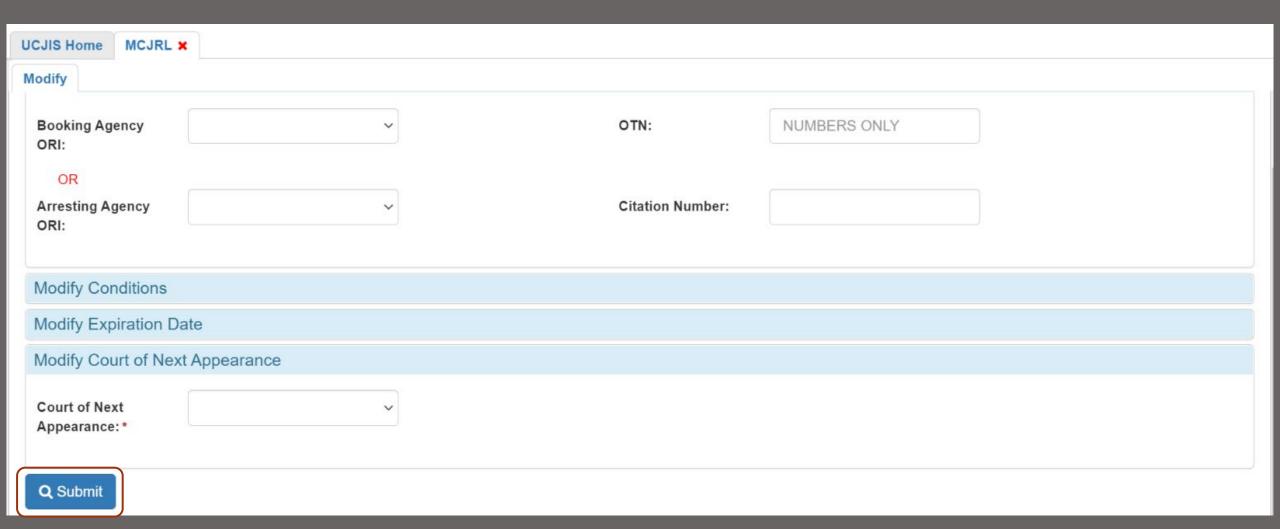
MCJR-COURTS











JRA EXPIRATION

- ☐ State Statute gives the JRA an automatic 30 day expiration date
- ☐ If the defendant appears and you mark them as present in CORIS, it will expire the JRA as of that day
- ☐ If the Judge wants the JRA to remain until the next court date and you change the expiration date in UCJIS, you will not mark the defendant as present. Doing so will expire JRA regardless of expiration date in UCJIS.
- ☐ You can also go into the Jail Release Agreement screen in CORIS, enter OTN or name to search, select Expire if the JRA is no longer needed

JRA EXPIRATION

The jail release agreement or jail release court order *expires* at *midnight*:

- ☐On the day on which the person arrested **appears in person or by video** for arraignment or initial appearance
 - exception: Unless extended by Judge and the court

PO RETENTION PERIOD







NCIC RETENTION PERIOD

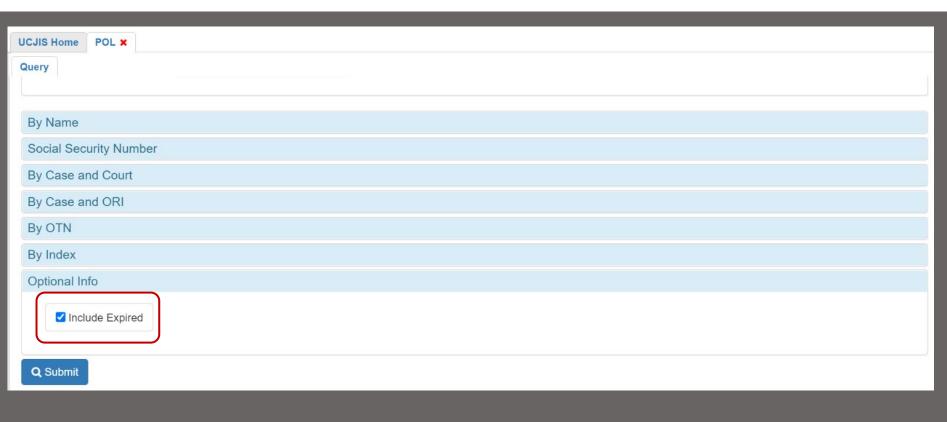
- 1. A POF record (EPO or ETO) will remain active until it is canceled or cleared by the entering agency or until the order expires. Five days prior to an order's expiration date, an unsolicited \$.P. administrative message will be sent to the ORI of record. This message will serve to notify the agency of the order's impending expiration date (EXP). It also serves to remind the agency that the record will have to be modified if the EXP is changed by the court.
- 2. If no action is taken by the entering agency to modify the EXP, the record will expire after the fifth day. Inactive records (cleared or expired) will be maintained on-line for the remainder of the year plus 5 years. At the end of that time, NCIC will not notify the ORI of record. Records that are in inactive status cannot be modified or cleared; however, inactive records can be canceled.

NCIC Manual: Protection Order: Section 1.4

NCIC RETENTION PERIOD

- 3. Nonexpiring Records: Records for protection orders that have no expiration are referred to as nonexpiring records (NONEXP). These records will remain active until cleared or canceled by the entering agency.
- 4. Inactive Records: Inactive records (expired or cleared) will be accessible, via the QPO message, for the remainder of the year in which the record was cleared or expired plus 5 years.

RETENTION ON UTAH PO SYSTEM



☐ You will be able to view expired PO's on the Utah system indefinitely

ISSUES AGENCIES HAVE HAD WITH THESE NEW JRA CHANGES/ TRANSACTIONS





JRA EXPIRATION

Please keep in mind...

- ☐ If you mark the defendant as present, it will mark the JRA expired as of that date
- ☐ If the Judge wants the JRA to remain until the next court date, you will change the expiration date in UCJIS to keep that JRA from expiring after 30 days. You will also NOT mark the defendant as present
- ☐ You can also go into the Jail Release Agreement screen in CORIS, enter OTN or name to search, select Expire.

VICTIMS WAIVING DIFFERENTLY

- ☐ Mom and of age son want to waive differently to the JRA
 - ☐ 2 OTN's will need to be used, creating two different JRA's for the defendant

ERROR WHEN TRYING TO USE OTN AND CITATION NUMBER

Arresting Information	on			
Arresting Agency ORI:	UTBCI0000-UT BUREAL ~	Arresting Case Number:	21-12345	
OTN:	987654321	Citation Number:	M45892304	
Court of Next Appearance:*	1ST DIST JUVENILE BR V			
				OK

You can have either the OTN or the Citation number but not both

HOW DO WE KNOW WHEN TO CANCEL A JRA OR PO?

- ☐ before you close out an active case, verify if there is a JRA or PO
- ☐ if neither one no longer exists, go ahead and close the case
- ☐ if a booking/arresting agency if a PO exists alongside your JRA, you may cancel your JRA since that PO has been issued
- ☐ courts when you issue a POyou will need to cancel the JRA

DISSEMINATION OF INFORMATION ON A PO/JRA

- ☐ A copy of the PO can be requested from the courts
- ☐ You cannot disseminate PO or JRA information from UCJIS
 - ☐ Exception: you are disseminating to an authorized agency for an authorized purpose

DISSEMINATION OF INFORMATION ON A PO/JRA

☐ The only copy of a PO that you can give to anyone outside of an authorized ORI is the COURT ORDER PDF

Detail PDF

Court Order PDF

Petition PDF



WRONG COURT SELECTED

- ☐ Make sure that you select the correct court from the drop down
 - ☐ If you don't, the wrong court information will be listed on the JRA

1ST DIST JUVENILE BRIGHAM CTY

1ST DIST JUVENILE CACHE CO

1ST DIST JUVENILE RICH CO

1ST DISTRICT COURT CACHE CO.

1ST DISTRICT COURT RICH CO

1ST DISTRICT CRT BOX ELDER CO.

2ND DIST JUVENILE MORGAN CO

2ND DIST JUVENILE WEBER CO

2ND DISTRICT COURT BOUNTIFUL

2ND DISTRICT COURT FARMINGTON

2ND DISTRICT COURT LAYTON

2ND DISTRICT COURT MORGAN

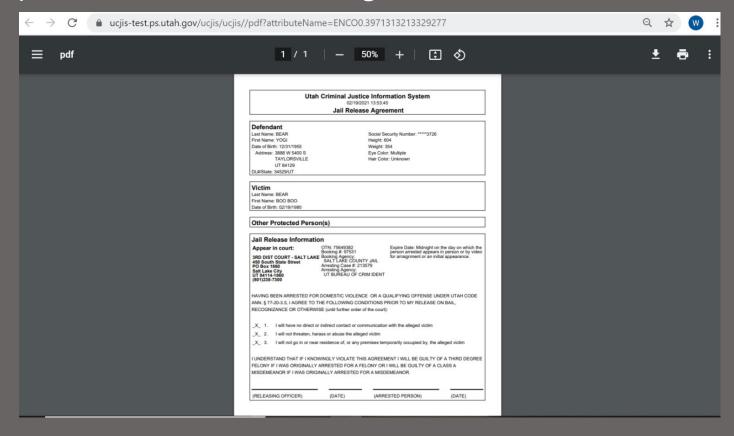
2ND DISTRICT COURT OGDEN



I CAN'T PRINT A JRA WITH THE SIGNATURE LINES

☐ If you don't print the JRA from the tab that pops up after submitting a JRA, you will not be able to print one with the releasing officer and

offender signature lines



CAN I SERVE A PO FOR ANOTHER AGENCY?

- ☐ Yes
 - up you are able to serve a PO for another agency
 - ☐ that agency NEEDS to be a UTAH agency; cannot serve any PO or warrant that is from out of state through UCJIS

WHO DO I CONTACT?

- ☐ What do I do if the correct court is on the PO/JRA but the contact information is incorrect??
 - ☐ Contact the courts and have them update the court contact information- it pulls from the courts database
- ☐ Who do I contact if the court listed is the incorrect court?
 - ☐ Contact the court- they can modify the JRA/PO to have the correct court listed

QUESTIONS??