

UCJIS  
DISSEMINATION





# Introduction to Dissemination

- An overview on what is and what isn't proper dissemination of UCJIS information.
- What files can be run for what purposes.
- What constitutes misuse within the files of UCJIS.



# UCJIS ACCESS

- UCJIS is available to criminal justice agencies for the purpose of:
  - Administration of criminal justice
  - Criminal justice agency employment



## UCA 53-10-108(12)(a)

- It is a class B misdemeanor for a person to knowingly or intentionally access, use, disclose, or disseminate a record created, maintained, or to which access is granted by the division or any information contained in a record created, maintained, or to which access is granted by the division for a purpose prohibited or not permitted by statute, rule, regulation, or policy of a governmental entity.

# 3 TYPES OF DISSEMINATION

- Verbal
- Electronic
- Printed



# VERBAL DISSEMINATION

- Radio
- Scanner
- Telephone/cell phone
- In person





# ELECTRONIC DISSEMINATION

- Electronic is by way of email or faxing
- Any electronic dissemination via email of UCJIS information must be sent secure email/encryption
- The receiving individual must be an authorized recipient



# ELECTRONIC DISSEMINATION

- UCJIS information being faxed:
  - If you are sending protected information to an authorized user via fax, you'll need to make sure that the proper encryption is in place and that it will go directly to the authorized recipient, not a general fax where it might be intercepted





# PRINTED DISSEMINATION

- You can disseminate printed UCJIS information within your own agency as long as the information being shared pertains to a criminal justice inquiry and an authorized individual is the recipient.
- For example, typically Judges will be non access users, meaning they don't actively log into UCJIS. However, they receive their information from their court clerks who are UCJIS users.



# PRINTED DISSEMINATION

- Officers are not to print any UCJIS information for the public when on calls.
- EXAMPLE:
  - Officer would go on DVs and find out one of the parties had a PO and not know it. The officer would then print it off and give it to them. He could inform them but misused UCJIS by printing it off. He should have told them to call the courts to get more information on it. One of the POs he did this with had a protected party on it that the person wasn't supposed to know about or have their info.



# PC DISSEMINATION

- In regards to the new Bail reform that is in effect, what information can we put in the PC statement from criminal histories without disseminating private information?
  - No criminal history information can be added to a PC statement. It becomes public record.
- Don't enter victim names, minor names, SSN, or OLN in the PC statement as the affidavit will become a public record.

# PC DISSEMINATION

Agencies may properly include criminal history information in a PC statement to both assist prosecutors with enhancements and not violate dissemination laws/rules.

These are two ways that agencies may do so:

"Investigation shows that the suspect has two prior qualifying convictions."

"Suspect is eligible for enhancement based on prior convictions."



# JUVENILE DISSEMINATION

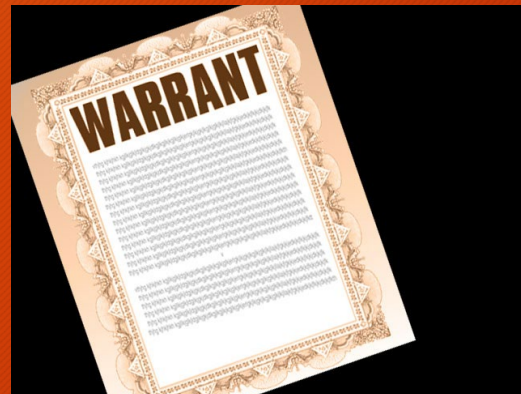
- Per the Administrative Office of the Courts, local agencies may NOT generate a hard copy of a juvenile's rap sheet or record summary.
- Juvenile records can not be disseminated.



# WARRANT DISSEMINATION

# WARRANT DISSEMINATION

- You should only disseminate warrant information that can be found on the public website.
- Warrants may not be printed from UCJIS and may not be provided to the offender.
- <https://secure.utah.gov/warrants/index.html>





UTAH DEPARTMENT OF PUBLIC SAFETY

# UTAH STATEWIDE WARRANTS SEARCH



RELATED LINKS & RESOURCES

## Search for Warrants

First Name  REQUIRED

Last Name  REQUIRED

Middle Initial

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NOTE: The Utah Statewide Warrants file (SWW) is designed to provide information on individuals wanted in the state of Utah. The warrant information comes from courts that send in data to the Utah Criminal Justice Information System (UCJIS) via electronic transfer, which means that the data viewed is the direct result of court activity. As with any warrant system, caution must be used when viewing data from this file. Accuracy and timeliness are critical factors when acting on warrant information, as this system is dependent upon timely entry and removal of records by the courts.

### BCI

- [Employment Background Checks](#)
- [Expunging Criminal Histories](#)
- [Fingerprint & Photo Services for the Public](#)
- [Utah State Court Contact Information](#)



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UTAH DEPARTMENT OF PUBLIC SAFETY

## UTAH STATEWIDE WARRANTS SEARCH



### RELATED LINKS & RESOURCES

### Warrant Details for

Case Number: #022504794

**Court Name:** TOOELE COUNTY JUSTICE COURT

**Charges:** FAIL TO OBTAIN OVERWEIGHT PERMIT

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**DRIVERS LICENSE**

# DRIVERS LICENSE DISSEMINATION

- A driver's license can be used to pack the record of an NCIC entry.
- The photo from a driver's license can be used for an AMBER Alert.
- They cannot be used in a photo lineup.
- A driver's license can be linked to a specific person in a case file as long as it is part of an investigation.



# DRIVERS LICENSE

- Running a drivers license must be for a legitimate law enforcement investigation.
- Drivers license information should never be given out to either party involved in an automobile accident by law enforcement.

# DRIVERS LICENSE DISSEMINATION

- Photos from the drivers license file cannot be used for any types of licensing. Examples:
  - Body shops, dismantlers, crushers, motor vehicle dealers, transporters, manufactures, sales people and salvage buyers
- If used it is considered misuse



# DRIVERS LICENSE PHOTO DISSEMINATION

Photos from drivers license may only be used for a public PSA to warn people of a dangerous individual if it is a serious crime like child predator or rapist and if a booking photo or other photo is not available.

If a booking photo is available it is suggested by the Drivers License Division to use that photo instead of a driver's license.

# UCA 53-10-108:

- Misuse sanctions
  - Knowing or intentionally accessing, using, disclosing or disseminating UCJIS information for purposes other than criminal justice investigation or employment is a Class B Misdemeanor

# DISSEMINATION TO OTHER AGENCIES



## DISSEMINATION TO OTHER AGENCIES: CJIS POLICY

- Shall only be used for an authorized purpose consistent with the purpose for which III was accessed. Dissemination to another agency is authorized if (a) the other agency is an Authorized Recipient of such information and is being serviced by accessing agency, or (b) the other agency is performing personnel and appointment functions for criminal justice employment applicants.



# Information Exchange Agreement

- Ensures that all parties with access to CJI fully understand and agree to a set of security standards
- Information exchange agreements outline
  - Roles
  - Responsibilities
  - Data ownership between agencies and any external parties



## UCJIS INFORMATION EXCHANGE AGREEMENT

This agreement is between \_\_\_\_\_ (Servicing Agency)  
and \_\_\_\_\_ (Recipient Agency).

All of the information acquired from any file accessed in UCJIS is governed by regulations and policies of the FBI and the State of Utah. Access to any of these files is restricted to criminal justice purposes only. Violation of dissemination, privacy, and security regulations may result in civil sanctions or criminal prosecution of the person(s). Utah Code Annotated 53-10-108(12)(a) states:

*It is a class B misdemeanor for a person to knowingly or intentionally access, use, disclose, or disseminate a record created, maintained, or to which access is granted by the division or any information contained in a record created, maintained, or to which access is granted by the division for a purpose prohibited or not permitted by statute, rule, regulation, or policy of a governmental entity.*

If the servicing agency is acting on behalf of the recipient agency with the handling of NCIC records, both agencies must abide by the following FBI CJIS Security Policy regulations:

- **Timeliness:** Both agencies acknowledge that both NCIC and Statewide records will be entered, modified, and removed promptly to ensure system integrity.
- **Validation:** Both agencies acknowledge that validation is required for the following records: NCIC (boat, license plate, vehicle, gun, securities, persons, selected article files) and Statewide (warrants and protective orders).
- **Hit Confirmation:** In the event that the recipient agency is not a 24-hour agency, the servicing agency will monitor and respond to any NCIC hit confirmations after business hours in accordance to the policies and procedures set forth by NCIC on behalf of the recipient agency. The servicing agency agrees to respond to a priority NCIC hit confirmation within ten (10) minutes or within one (1) hour on a routine NCIC hit confirmation. The servicing agency will be responsible for responding to all hit confirmation requests between the hours of \_\_\_\_\_ and \_\_\_\_\_, on the following days: \_\_\_\_\_.

This agreement is effective beginning \_\_\_\_\_.

This agreement may be terminated by either party based on a thirty day written notice. The servicing agency has the right to suspend furnishing information under this agreement when any rule, policy, procedure, regulation, or law described in the FBI CJIS Security Policy, the NCIC Operating Manual, the BCI Operating Manual, or UCA 53-10-108 is violated or appears to be violated. By signing this agreement, both parties agree to abide by all federal and state laws governing UCJIS information.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature of Servicing Agency authorized representative      Date

Servicing Agency phone and email

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature of Recipient Agency authorized representative      Date

Recipient Agency phone and email

The UCJIS information exchange agreement is not mandatory but it is suggested

# DISSEMINATING TO OTHER AGENCIES

- A secondary dissemination log must be kept with:
  - Date of dissemination
  - What was released
  - Name of agency receiving the information
  - Name of the requestor
  - Reason for release or a case number
- The other agency must be authorized to receive it

# PROPER AND IMPROPER USE OF UCJIS INFORMATION

# PROPER USAGE OF UCJIS FILES

- ❑ Detection
- ❑ Apprehension
- ❑ Detention
- ❑ Pretrial release
- ❑ Post-trial release
- ❑ Prosecution
- ❑ Adjudication
- ❑ Correctional supervision
- ❑ Rehabilitation of offenders
- ❑ Criminal justice employment

# IMPROPER USAGE OF UCJIS FILES

- Running UCJIS information for:
  - City/County employees
  - Fire Department personnel
  - Coaches/Recreation Center employees
  - The public
  - Taxi cab drivers

An agency must be set up as an ROA agency to run any of the above

# RIGHT OF ACCESS AGENCY

- To become a right of access agency you must provide a written contract to BCI
- Agency will need to contact their Field Service Representative to complete the contract and create an agency waiver
- Agency will be listed on the BCI website under the ROA Agencies.
- On the contract your agency will list if they choose to complete this process for the general public





# ROA FILES THAT CAN BE ACCESSED

- UCH only
- NCIC and SWW may be checked for warrant only
  - Warrants must not be printed
  - III and NLETS are not to be accessed

# WHAT IS MISUSE AND HOW IT IS DISCOVERED

# MISUSE OF UCJIS INFORMATION

- Curiosity checks
- Friends
- Co-workers
- Neighbors
- Uncles/Aunts
- Dates
- Girlfriend/Boyfriends
- Children's boyfriends/girlfriends
- Ex spouse
- Famous people
- Yourself

# HOW MISUSE IS DISCOVERED

- Agency logs
- Dissemination Log Request
- GRAMA Request
- Public and/or self-reporting

# AGENCY AUDIT LOGS

- When you run a transaction all of the information you enter creates a log. This is created by the UCJIS system for security and liability.
- The TAC for the agency can access this information by running the LOGS Transaction in UCJIS.
  - This will give them all the information that is needed on the transaction a user has ran.

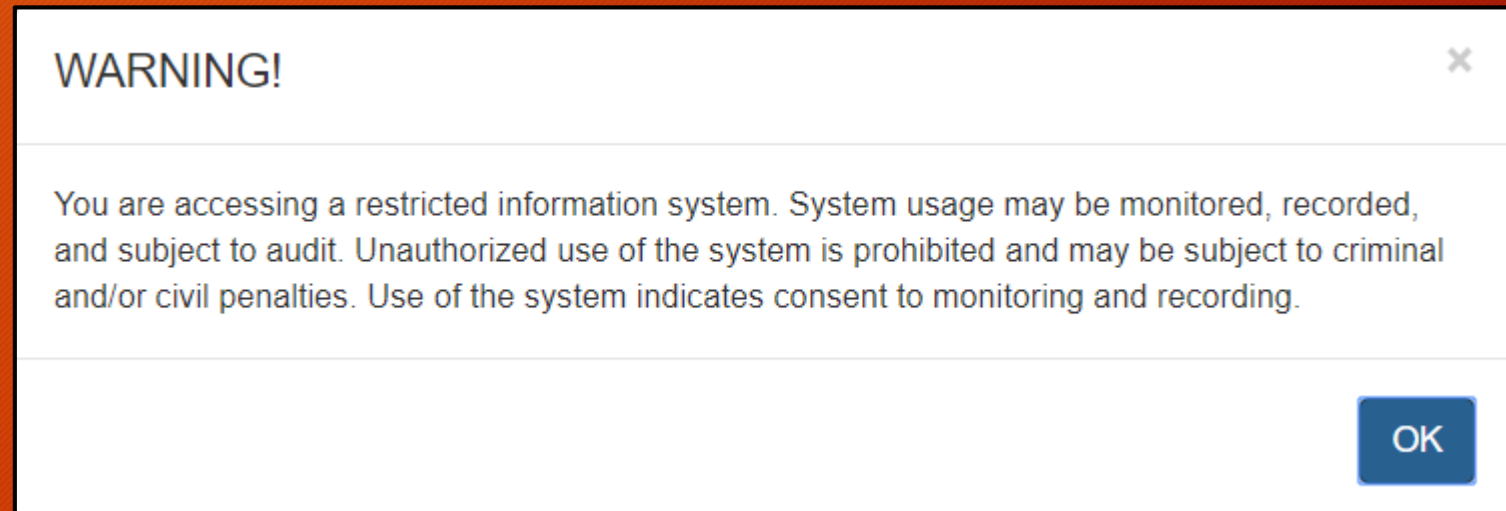
# AGENCY AUDIT LOGS

- The logs records all of the following:
  - Date/Time
  - Agency/ORI
  - User ID
  - Transaction: all information accessed
- This helps identify misuse

Received Time	Agency	UserID	Transaction	ORI	Search Fields
07/15/2019 23:36	NLETS	NLETSINQ	CHQ	UTBC0000	LAST_NAME=PUBLIC;FIRST_NAME=JOHN;PURPOSE_CODE=C;REQUESTER=HELPOESK;AUDIT_REASON=HQ FROM NLETS; ORGANIZATIONORID: AZNLETS07 , CONTROL FIELD: NMQC3ABZPQ
07/15/2019 23:36	NLETS	NLETSINQ	MVQ	UTBC0000	NLETS_ORI=AZNLETS07;DTYPE=VIN;ID=1204667800
07/15/2019 23:36	NLETS	NLETSINQ	QSW	UTBC0000	PERSON_ID=940090
07/15/2019 23:36	NLETS	NLETSINQ	QSW	UTBC0000	PERSON_ID=361636
07/15/2019 23:36	NLETS	NLETSINQ	QSW	UTBC0000	PERSON_ID=291266
07/15/2019 23:36	NLETS	NLETSINQ	QSW	UTBC0000	PERSON_ID=666826
07/15/2019 23:36	NLETS	NLETSINQ	QSW	UTBC0000	PERSON_ID=337721

# BCI AUDIT ON THE AGENCY

- Agencies are subject to an agency audit at least once triennially.
- When you log on to UCJIS you will see a caveat that states:



# BCI AUDIT ON AN AGENCY

- We will be looking for any misuse such as:
  - Family members
  - Curiosity checks
  - Famous people
  - Co-workers
  - Running yourself





# DISSEMINATION LOG REQUEST

- Any UCJIS agency can request a dissemination log request by:
  - Submitting a dissemination log request to BCI
  - Must be signed by a chief administrator
- Can take up to 10 business days, though usually will be completed within a day or two.

## Dissemination Log Request Form

<b>From:</b>	Agency Name:	ORI:
	Contact Person:	Telephone:
	E-mail:	Fax:

<b>To:</b>	BCI FIELD SERVICES <a href="mailto:gmeneil@utah.gov">gmeneil@utah.gov</a> (cc <a href="mailto:mbiesinger@utah.gov">mbiesinger@utah.gov</a> )	
<b>RE:</b>	BCI Dissemination Log Request	Date:

Reason for search:	Date range for search:
<b>Search Criteria: provide all that apply</b>	
Name/User ID:	
Information searched (DL #, name, license plate, etc.):	
Other:	

Note: Dissemination logs can be searched on all UCJIS queries. List the transaction type in the "Other" column. Please note that TACs and Alt TACs have the capability to view all user logs (last 21 days) using the "LOGS" transaction in UCJIS. Dissemination log requests are only to be requested for cases of misuse and/or investigations. Any misuse of UCJIS files MUST be reported to BCI per Utah Code Annotated 53-10-108(12)(b).

\*The chief administrator of the requesting agency must sign all dissemination log requests.

\_\_\_\_\_  
SIGNATURE OF CHIEF ADMINISTRATOR

BCI USE ONLY	
DATE RECEIVED:	INFORMATION FOUND: <input type="checkbox"/> YES <input type="checkbox"/> NO
ASSIGNED TO:	DATE MAILED TO REQUESTOR:

# REASONS FOR A DISSEMINATION LOG

- Misuse/IA investigation
- To see who entered or cancelled a file in UCJIS
- To see who in-state may have ran a wanted/missing person
- Who ran a plate# within the state

# GRAMA REQUEST

- The Government Records Access and Management Act (GRAMA) provides every person the right to request records from any governmental entity in Utah
- (Utah Code Section 63G-2-201(1))

# GRAMA REQUEST

- A GRAMA request is submitted to BCI when an individual believes their information may have been falsely checked.
- BCI runs the request. If there are results the agency will receive an email to justify the information.
- The information is then sent to the GRAMA requester.



DEPARTMENT OF PUBLIC SAFETY  
**BUREAU OF CRIMINAL IDENTIFICATION**  
 3888 West 5400 South, Taylorsville, Utah 84129

**GOVERNMENT RECORDS REQUEST FORM**

**Name of Requester:** \_\_\_\_\_

**Daytime Phone Number:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

**Name of Organization or Company:** \_\_\_\_\_

**Description of records sought:** *(Describe the records with reasonable specificity.)*

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Reason you believe you are entitled to access these records:**

\_\_\_\_\_  
 \_\_\_\_\_

**Requester Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Information Section**

Dissemination of information from a criminal history record or warrant of arrest information is limited to those entities described in Utah Code Ann. § 53-10-108(1). If you wish to obtain a copy of your criminal history record you must complete an Application for a Criminal History Record and pay the required fee. If you wish to obtain a copy of any other records maintained by BCI, you may complete this form and submit it to BCI at the address above.

Identification must be provided prior to release of a protected or private record pursuant to Utah Code Ann. § 63G-2-202.

You may be required to pay a reasonable fee to cover the actual cost of providing these record as provided in Utah Code Ann. § 63G-2-203(2). The current DPS fee schedule approved by the Utah State Legislature is as follows:

Black and white copies	DashCam Video/DVD
- \$5.00 for 1 to 10 pages	- \$25.00 per video/DVD
- \$25.00 for 11 to 50 pages	Photos
- \$.50 per page every page thereafter	- \$25.00 for CD
Color Copies	- \$2.00 per printed page (1,2, or 4 per page)
- \$1.00 per page for color copies	- \$1.00 per developed negative

# GRAMA REQUEST

# AGENCY GRAMA REQUESTS

- If your agency receives a GRAMA request, you must redact any UCJIS information from the request when/if it is released. UCJIS data is not subject to GRAMA.



# MISUSE EXAMPLES

- UCJIS user takes his work laptop to a party/get together. Everyone at the party wants to know if there is anything on their record or their DL history. UCJIS user then runs everyone at the party.
- State employee ran DL searches on coworkers to get Christmas card address list.
- Officer ran 'curiosity' records checks on women he met at a party.



# MISUSE EXAMPLES

- USER checks UCJIS records on an individual that was met online dating. This is misuse
- USER listened to a podcast and then ran that individual on UCJIS. This is a curiosity check and constituted misuse
- USER believed his brother had a DUI added to his criminal history so he checked UCCH for that DUI. This was misuse

# DESTRUCTION OF PRINTED UCJIS INFORMATION



# DESTRUCTION OF UCJIS INFORMATION



# DESTRUCTION OF UCJIS INFORMATION



# SCENARIOS

# SCENARIO 1

- The friend of the son of a deputy in your agency is pulled over. His background check reveals a history of violence, fraud, an NCIC known or suspected terrorist hit and several outstanding warrants. The deputy wants to know if anything came up on his check.
  - Can he have this information?

# SCENARIO 1

- Dissemination of this information, even within the department, is not authorized in this situation. Unless there is a valid criminal justice purpose for the dissemination, what was found through UCJIS may not be passed to the deputy.

## SCENARIO 2

- You have new renters for your basement apartment and want to screen them to ensure that you they don't have any outstanding warrants.
  - This type of check is not authorized through UCJIS, however on the DPS public website, there is a link to check for warrants
    - <https://bci.utah.gov/check-your-utah-warrants/>



## SCENARIO 3

- May you, in the performance of prosecution, access criminal history records of potential jurors for jury selection?
  - No you cannot use criminal history information in the jury selection process. The jurors that are selected for jury duty come from voter registration so they in fact cannot be felon. You cannot vote if you are a felon.

## SCENARIO 4

- A city or county legislature or representative's aide wants to know who has parked in their parking spot or who has parked in the lot of the building. What information can you run and give to them?
  - You cannot give them any information. They are not authorized to receive it.

## SCENARIO 5

- If an officer is driving down the road and runs the license plate of the car driving in the other lane, can the officer then run the DL of the registered owner?
- You can as long as it is in your agencies policy and it is for a criminal justice purpose

# QUESTIONS?

