

Effective 5/13/2014

77-7-8.5 Use of tactical groups -- Reporting requirements.

- (1) As used in this section:
 - (a)
 - (i) "Reportable incident" means:
 - (A) the deployment of a tactical group; or
 - (B) law enforcement officers who serve a search warrant after using forcible entry.
 - (ii) "Reportable incident" does not mean a forced cell entry at a corrections facility.
 - (b) "Tactical group" means a special unit, within a law enforcement agency, specifically trained and equipped to respond to critical, high-risk situations.
- (2) On and after January 1, 2015, every state, county, municipal, or other law enforcement agency shall annually on or before April 30 report to the Commission on Criminal and Juvenile Justice the following information for the previous calendar year:
 - (a) whether the law enforcement agency conducted one or more reportable incidents;
 - (b) the following information regarding each reportable incident:
 - (i) the organizational title of the agency, task force, or tactical group deployed;
 - (ii) the city, county, and zip code of the location where the reportable incident occurred;
 - (iii) the reason for the deployment;
 - (iv) the type of warrant obtained, if any;
 - (v) if a threat assessment was completed;
 - (vi) if a warrant was obtained, the name of the judge or magistrate who authorized the warrant;
 - (vii) the number of arrests made, if any;
 - (viii) if any evidence was seized;
 - (ix) if any property was seized, other than property that was seized as evidence;
 - (x) if a forcible entry was made;
 - (xi) if a firearm was discharged by a law enforcement officer, and, if so, approximately how many shots were fired by each officer;
 - (xii) if a weapon was brandished by a person other than the law enforcement officers;
 - (xiii) if a weapon was used by a person against the law enforcement officers and, if a firearm was used, the number or approximate number of shots fired by the person;
 - (xiv) the identity of any law enforcement agencies that participated or provided resources for the deployment;
 - (xv) if a person or domestic animal was injured or killed by a law enforcement officer; and
 - (xvi) if a law enforcement officer was injured or killed; and
 - (c) the number of arrest warrants served that required a forced entry as provided by Section 77-7-8 and were not served in conjunction with a search warrant that resulted in a reportable incident.
- (3) If a warrant is served by a multijurisdictional team of law enforcement officers, the reporting requirement in this section shall be the responsibility of the commanding agency or governing authority of the multijurisdictional team.
- (4) The Commission on Criminal and Juvenile Justice shall develop a standardized format that each law enforcement agency shall use in reporting the data required in Subsection (2).
- (5) A law enforcement agency shall:
 - (a) compile the data described in Subsection (2) for each year as a report in the format required under Subsection (4); and
 - (b) submit the report to:
 - (i) the Commission on Criminal and Juvenile Justice; and
 - (ii) the local governing body of the jurisdiction served by the law enforcement agency.

- (6)
- (a) The Commission on Criminal and Juvenile Justice shall summarize the yearly reports of law enforcement agencies submitted under Subsection (2).
 - (b) Before August 1 of each year, the Commission on Criminal and Juvenile Justice shall submit a report of the summaries described in Subsection (6)(a) to:
 - (i) the attorney general;
 - (ii) the speaker of the House of Representatives, for referral to any house standing or interim committees with oversight of law enforcement and criminal justice;
 - (iii) the president of the Senate, for referral to any senate standing or interim committees with oversight of law enforcement and criminal justice; and
 - (iv) each law enforcement agency.
 - (c) The report described in Subsection (6)(b) shall be published on the Utah Open Government website, open.utah.gov, before August 15 of each year.
- (7)
- (a) If a law enforcement agency fails to comply with the reporting requirements listed in Subsection (2), the Commission on Criminal and Juvenile Justice shall contact the law enforcement agency and request that the agency comply with the required reporting provisions.
 - (b) If a law enforcement agency fails to comply with the reporting requirements listed in Subsection (2) within 30 days after being contacted by the Commission on Criminal and Juvenile Justice with a request to comply, the Commission on Criminal and Juvenile Justice shall report the noncompliance to the attorney general, the speaker of the House of Representatives, and the president of the Senate.

Enacted by Chapter 106, 2014 General Session