

Part 2

Bureau of Criminal Identification

53-10-201 Bureau of Criminal Identification -- Creation -- Bureau Chief appointment, qualifications, and compensation.

- (1) There is created within the division the Bureau of Criminal Identification.
- (2) The bureau shall be administered by a bureau chief appointed by the division director with the approval of the commissioner.
- (3) The bureau chief shall be experienced in administration and possess additional qualifications as determined by the commissioner or division director and as provided by law.
- (4) The bureau chief acts under the supervision and control of the division director and may be removed from his position at the will of the commissioner.
- (5) The bureau chief shall receive compensation as provided by Title 63A, Chapter 17, Utah State Personnel Management Act.

Amended by Chapter 345, 2021 General Session

53-10-202 Criminal identification -- Duties of bureau.

The bureau shall:

- (1) procure and file information relating to identification and activities of persons who:
 - (a) are fugitives from justice;
 - (b) are wanted or missing;
 - (c) have been arrested for or convicted of a crime under the laws of any state or nation; and
 - (d) are believed to be involved in racketeering, organized crime, or a dangerous offense;
- (2) establish a statewide uniform crime reporting system that shall include:
 - (a) statistics concerning general categories of criminal activities;
 - (b) statistics concerning crimes that exhibit evidence of prejudice based on race, religion, ancestry, national origin, ethnicity, or other categories that the division finds appropriate;
 - (c) statistics concerning the use of force by law enforcement officers in accordance with the Federal Bureau of Investigation's standards; and
 - (d) other statistics required by the Federal Bureau of Investigation;
- (3) make a complete and systematic record and index of the information obtained under this part;
- (4) subject to the restrictions in this part, establish policy concerning the use and dissemination of data obtained under this part;
- (5) publish an annual report concerning the extent, fluctuation, distribution, and nature of crime in Utah;
- (6) establish a statewide central register for the identification and location of missing persons, which may include:
 - (a) identifying data including fingerprints of each missing person;
 - (b) identifying data of any missing person who is reported as missing to a law enforcement agency having jurisdiction;
 - (c) dates and circumstances of any persons requesting or receiving information from the register; and
 - (d) any other information, including blood types and photographs found necessary in furthering the purposes of this part;
- (7) publish a quarterly directory of missing persons for distribution to persons or entities likely to be instrumental in the identification and location of missing persons;

- (8) list the name of every missing person with the appropriate nationally maintained missing persons lists;
- (9) establish and operate a 24-hour communication network for reports of missing persons and reports of sightings of missing persons;
- (10) coordinate with the National Center for Missing and Exploited Children and other agencies to facilitate the identification and location of missing persons and the identification of unidentified persons and bodies;
- (11) receive information regarding missing persons as provided in Sections 26B-8-130 and 53G-6-602, and stolen vehicles, vessels, and outboard motors, as provided in Section 41-1a-1401;
- (12) adopt systems of identification, including the fingerprint system, to be used by the division to facilitate law enforcement;
- (13) assign a distinguishing number or mark of identification to any pistol or revolver, as provided in Section 53-5a-105;
- (14) check certain criminal records databases for information regarding motor vehicle salesperson applicants, maintain a separate file of fingerprints for motor vehicle salespersons, and inform the Motor Vehicle Enforcement Division when new entries are made for certain criminal offenses for motor vehicle salespersons in accordance with the requirements of Section 41-3-205.5;
- (15) check certain criminal records databases for information regarding driving privilege card applicants or cardholders and maintain a separate file of fingerprints for driving privilege applicants and cardholders and inform the federal Immigration and Customs Enforcement Agency of the United States Department of Homeland Security when new entries are made in accordance with the requirements of Section 53-3-205.5;
- (16) review and approve or disapprove applications for license renewal that meet the requirements for renewal; and
- (17) forward to the board those applications for renewal under Subsection (16) that do not meet the requirements for renewal.

Amended by Chapter 173, 2025 General Session

Amended by Chapter 208, 2025 General Session

53-10-202.5 Bureau services -- Fees.

The bureau shall collect fees for the following services:

- (1) applicant fingerprint card as determined by Section 53-10-108;
- (2) concealed firearm permit as determined by Section 53-5a-307;
- (3) provisional concealed firearm permit as determined by Section 53-5a-308;
- (4) a certificate of eligibility for expungement as described in Section 77-40a-304;
- (5) firearm purchase background check as determined by Section 53-5a-602;
- (6) name check as determined by Section 53-10-108; and
- (7) right of access as determined by Section 53-10-108.

Amended by Chapter 44, 2026 General Session

53-10-203 Missing persons -- Reports -- Notification.

- (1) Each law enforcement agency that is investigating the report of a missing person shall provide information regarding that report to the division. The report shall include descriptive information and the date and location of the last-known contact with the missing person.

- (2) The division shall notify the state registrar of Vital Statistics and the FBI National Crime Information Center of all missing persons reported in accordance with Subsection (1) and shall provide the state registrar with information concerning the identity of those missing persons.
- (3) If the division has reason to believe that a missing person reported in accordance with Subsection (1) has been enrolled in a specific school in this state, the division shall also notify the last-known school of that report.
- (4) Upon learning of the recovery of a missing person, the division shall notify the state registrar and any school that it has previously informed of the person's disappearance.
- (5) The division shall, by rule, determine the manner and form of reports, notices, and information required by this section.
- (6) Upon notification by the state registrar or school personnel that a request for a birth certificate, school record, or other information concerning a missing person has been made, or that an investigation is needed in accordance with Section 53G-6-603, the division shall immediately notify the local law enforcement authority.

Amended by Chapter 415, 2018 General Session

53-10-204 Missing person records -- Confidentiality -- Availability.

Inquiries made regarding missing persons are confidential and are available only to:

- (1) a law enforcement agency investigating a report of a missing person;
- (2) an agency having the responsibility or authority to care for, treat, or supervise a person who is the subject of a placement in temporary or substitute care or an adoption proceeding;
- (3) a court, upon a finding that access to the records may be necessary for the determination of an issue before it;
- (4) the office of the public prosecutor or its deputies;
- (5) any person engaged in bona fide research when approved by the director of the division, excluding names and addresses; and
- (6) entities or persons authorized to receive the information in accordance with Section 53-10-203.

Renumbered and Amended by Chapter 263, 1998 General Session

53-10-205 Uniform crime reporting system -- Reporting timelines and use of data.

- (1) The data acquired under the statewide uniform crime reporting system shall be used only for research or statistical purposes and may not contain any information that may reveal the identity of an individual victim of a crime or law enforcement officer.
- (2) A law enforcement agency shall, for the jurisdiction of the law enforcement agency, submit crime reporting and use of force data requested or required by the statewide uniform crime reporting system described in Section 53-10-202:
 - (a) to the bureau before the 16th day of the month after the month in which a reported crime occurs; and
 - (b) in a manner prescribed by the bureau and in compliance with the requirements of the Federal Bureau of Investigation's uniform crime reporting standards.
- (3) Upon request of the bureau, a law enforcement agency shall review and verify crime reporting data within 10 business days after the day on which the law enforcement agency receives the request.

Amended by Chapter 103, 2021 General Session

53-10-206 Collection of information.

The commissioner and persons designated by the commissioner may require all peace officers, the warden of the state prison, the keeper of any jail or correctional institution, or superintendent of the state hospital to obtain information that will aid in establishing the records required to be kept.

Amended by Chapter 302, 2025 General Session

53-10-207 Peace officers, prosecutors, and magistrates to supply information to state and F.B.I. -- Notification of arrest based on warrant.

- (1) Every peace officer shall:
 - (a) cause fingerprints of persons the peace officer has arrested to be taken on forms provided by the division and the Federal Bureau of Investigation;
 - (b) supply information requested on the forms; and
 - (c) forward without delay both copies to the division, which shall forward the F.B.I. copy to the Identification Division of the Federal Bureau of Investigation.
- (2) If, after fingerprints have been taken in accordance with Subsection (1), the prosecutor declines to prosecute, or investigative action as described in Section 77-2-3 is terminated, the prosecutor or law enforcement agency shall notify the division of this action within 14 working days.
- (3) At the preliminary hearing or arraignment of a felony case, the prosecutor shall ensure that each felony defendant has been fingerprinted and an arrest and fingerprint form is transmitted to the division. In felony cases where fingerprints have not been taken, the judge shall order the chief law enforcement officer of the jurisdiction or the sheriff of the county to:
 - (a) cause fingerprints of each felony defendant to be taken on forms provided by the division;
 - (b) supply information requested on the forms; and
 - (c) forward without delay both copies to the division.
- (4) If an arrest is based upon information about the existence of a criminal warrant of arrest or commitment under Rule 6, Utah Rules of Criminal Procedure, every peace officer shall without delay notify the division of the service of each warrant of arrest or commitment, in a manner specified by the division.

Amended by Chapter 302, 2025 General Session

53-10-208 Definition -- Offenses included on statewide warrant system -- Transportation fee to be included -- Statewide warrant system responsibility -- Quality control -- Training -- Technical support -- Transaction costs.

- (1) "Statewide warrant system" means the portion of the state court computer system that is accessible by modem from the state mainframe computer and contains:
 - (a) records of criminal warrant information; and
 - (b) after notice and hearing, records of protective orders issued pursuant to:
 - (i) Title 77, Chapter 36, Cohabitant Abuse Procedures Act;
 - (ii) Title 78B, Chapter 7, Part 4, Dating Violence Protective Orders;
 - (iii) Title 78B, Chapter 7, Part 5, Sexual Violence Protective Orders;
 - (iv) Title 78B, Chapter 7, Part 6, Cohabitant Abuse Protective Orders; or
 - (v) Title 78B, Chapter 7, Part 8, Criminal Protective Orders.
- (2)
 - (a) The division shall include on the statewide warrant system all warrants issued for felony offenses and class A, B, and C misdemeanor offenses in the state.

- (b) The division shall include on the statewide warrant system all warrants issued for failure to appear on a traffic citation as ordered by a magistrate under Subsection 77-7-19(3).
- (c) For each warrant, the division shall indicate whether the magistrate ordered under Section 77-7-5 and Rule 6, Utah Rules of Criminal Procedure, that the accused appear in court.
- (3) The division is the agency responsible for the statewide warrant system and shall:
 - (a) ensure quality control of all warrants of arrest or commitment and protective orders contained in the statewide warrant system by conducting regular validation checks with every clerk of a court responsible for entering the information on the system;
 - (b) upon the expiration of the protective orders and in the manner prescribed by the division, purge information regarding protective orders described in Subsection 53-10-208.1(1)(d) within 30 days of the time after expiration;
 - (c) establish system procedures and provide training to all criminal justice agencies having access to information contained on the state warrant system;
 - (d) provide technical support, program development, and systems maintenance for the operation of the system; and
 - (e) pay data processing and transaction costs for state, county, and city law enforcement agencies and criminal justice agencies having access to information contained on the state warrant system.
- (4)
 - (a) Any data processing or transaction costs not funded by legislative appropriation shall be paid on a pro rata basis by all agencies using the system during the fiscal year.
 - (b) This Subsection (4) supersedes any conflicting provision in Subsection (3)(e).

Amended by Chapter 159, 2021 General Session

53-10-208.1 Magistrates and court clerks to supply information.

- (1) Every magistrate or clerk of a court responsible for court records in this state shall, within 30 days after the day of the disposition and on forms and in the manner provided by the division, furnish the division with information pertaining to:
 - (a) all dispositions of criminal matters, including:
 - (i) guilty pleas;
 - (ii) convictions;
 - (iii) dismissals;
 - (iv) acquittals;
 - (v) pleas in abeyance;
 - (vi) judgments of not guilty by reason of insanity;
 - (vii) judgments of guilty with a mental condition;
 - (viii) finding of mental incompetence to stand trial; and
 - (ix) probations granted;
 - (b) orders of civil commitment under the terms of Section 26B-5-332;
 - (c) the issuance, recall, cancellation, or modification of all warrants of arrest or commitment as described in Rule 6, Utah Rules of Criminal Procedure, Section 78B-6-303, and Section 77-28c-106 within one day of the action and in a manner provided by the division; and
 - (d) protective orders issued after notice and hearing, in accordance with:
 - (i) Title 77, Chapter 36, Cohabitant Abuse Procedures Act;
 - (ii) Title 78B, Chapter 7, Part 4, Dating Violence Protective Orders;
 - (iii) Title 78B, Chapter 7, Part 5, Sexual Violence Protective Orders;
 - (iv) Title 78B, Chapter 7, Part 6, Cohabitant Abuse Protective Orders; or

- (v) Title 78B, Chapter 7, Part 8, Criminal Protective Orders.
- (2) When transmitting information on a criminal matter under Subsection (1)(a)(i), (ii), (v), or (vii) for a conviction of misdemeanor assault under Section 76-5-102, the magistrate or clerk of a court shall include available information regarding whether the conviction for assault resulted from an assault against an individual:
 - (a) who is included in at least one of the relationship categories described in Subsection 76-11-303(13); or
 - (b) with whom none of the relationships described in Subsection 76-11-303(13) apply.
- (3) The court in the county where a determination or finding was made shall transmit a record of the determination or finding to the bureau no later than 48 hours after the determination is made, excluding Saturdays, Sundays, and legal holidays, if an individual is:
 - (a) adjudicated as a mental defective; or
 - (b) involuntarily committed to a mental institution in accordance with Subsection 26B-5-332(16).
- (4) The record described in Subsection (3) shall include:
 - (a) an agency record identifier;
 - (b) the individual's name, sex, race, and date of birth; and
 - (c) the individual's social security number, government issued driver license or identification number, alien registration number, government passport number, state identification number, or FBI number.

Amended by Chapter 459, 2026 General Session

53-10-209 Penal institutions and state hospital to supply information.

- (1) The warden of the state prison, keeper of any jail or correctional institution, and superintendent of the state hospital shall forward to the division:
 - (a) the fingerprints and recent photographs of all persons confined in each institution under criminal commitment;
 - (b) information relating to the parole, termination or expiration of sentence, or any other release of each person from confinement during the preceding month; and
 - (c) a photograph taken near the time of release.
- (2) The Division of Adult Probation and Parole created in Section 64-14-202 shall furnish to the division:
 - (a) information relating to the revocation or termination of probation or parole; and
 - (b) upon request, the names, fingerprints, photographs, and other data.
- (3) The chair of the Board of Pardons and Parole shall provide to the division information regarding the issuance, recall, cancellation, or modification of any warrant issued by members of the Board of Pardons and Parole, under Section 77-27-11, within one day of issuance.
- (4) Information provided to the division under this section shall be on forms designated by the division.

Amended by Chapter 214, 2025 General Session

53-10-210 Response for requests -- Fees.

- (1) In responding to requests for criminal background checks, the division shall make an earnest effort to provide the requested information within three weeks of receipt of a request.
- (2) Fees and other payments received by the division in payment for criminal background check services shall be deposited in the General Fund and the Legislature shall make an annual appropriation for payment of personnel and other costs incurred in providing those services.

Renumbered and Amended by Chapter 263, 1998 General Session

53-10-211 Notice required of arrest of school employee for controlled substance or sex offense.

- (1) The chief administrative officer of the law enforcement agency making the arrest or receiving notice under Subsection (2) shall immediately notify:
 - (a) the State Board of Education; and
 - (b) the superintendent of schools of the employing public school district or, if the offender is an employee of a private school, the administrator of that school.
- (2) Subsection (1) applies upon:
 - (a) the arrest of any school employee for any offense:
 - (i) in Section 76-18-204, 76-18-207, 76-18-208, 76-18-209, 76-18-210, 76-18-211, 76-18-212, 76-18-213, 76-18-214, 76-18-215, 76-18-216, 76-18-217, 76-18-218, or 76-18-219;
 - (ii) in Title 76, Chapter 5, Part 4, Sexual Offenses; or
 - (iii) involving sexual conduct; or
 - (b) upon receiving notice from any other jurisdiction that a school employee has committed an act which would, if committed in Utah, be an offense under Subsection (2)(a).

Amended by Chapter 362, 2026 General Session

53-10-212 Supplies and equipment for compliance by reporting agencies.

All governing boards or commissions of each city, town, county, or correctional institution of the state shall furnish the appropriate officials with supplies and equipment necessary to perform the duties prescribed in this part.

Renumbered and Amended by Chapter 263, 1998 General Session

53-10-213 Reporting requirements.

- (1) As used in this section:
 - (a) "Interstate compact supervised individual" means the same as that term is defined in Section 77-7-5.
 - (b) "Violent felony" means the same as that term is defined in Section 76-3-203.5.
- (2) Subject to Subsection (3), the bureau shall submit to the National Crime Information Center the record received:
 - (a) from the court in accordance with Subsection 78B-7-603(5)(e);
 - (b) from the court in accordance with Subsection 53-10-208.1(3);
 - (c) in accordance with Section 53-10-208.1 for a nonextraditable warrant issued for a violent felony;
 - (d) for a nonextraditable warrant issued for knowingly failing to register under Title 53, Chapter 29, Sex, Kidnap, and Child Abuse Offender Registry, for a sexual offense under Section 53-29-305; and
 - (e) from the court or the Board of Pardons and Parole for an extraditable warrant issued for an interstate compact supervised individual in accordance with Section 77-28c-106.
- (3) The bureau shall submit a record received under Subsection (2) to the National Crime Information Center within 48 hours of receipt, excluding Saturdays, Sundays, and legal holidays.

Amended by Chapter 459, 2026 General Session