

COLD CASE DATABASE

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Todd Weiler

House Sponsor: Michael K. McKell

LONG TITLE

General Description:

This bill requires that the Department of Public Safety develop and maintain a database of cold cases.

Highlighted Provisions:

This bill:

- ▶ defines "cold case";
- ▶ requires the Criminal Investigations and Technical Services Division to develop and maintain a secure database of certain unsolved crimes and missing persons investigations;
- ▶ allows the division to determine what information to collect, maintain, and allow the public to access by rule; and
- ▶ makes technical and conforming corrections.

Money Appropriated in this Bill:

None

Other Special Clauses:

⌚→ ~~None~~ This bill has a special effective date. ←⌚

Utah Code Sections Affected:

AMENDS:

53-10-104, as last amended by Laws of Utah 2006, Chapter 137

ENACTS:



28 [53-10-115](#), Utah Code Annotated 1953



30 *Be it enacted by the Legislature of the state of Utah:*

31 Section 1. Section **53-10-104** is amended to read:

32 **53-10-104. Division duties.**

33 The division shall:

34 (1) provide and coordinate the delivery of support services to law enforcement
35 agencies;

36 (2) maintain and provide access to criminal records for use by law enforcement
37 agencies;

38 (3) publish law enforcement and statistical data;

39 (4) maintain dispatch and communications services for public safety communications
40 centers and provide emergency medical, fire suppression, highway maintenance, public works,
41 and law enforcement communications for municipal, county, state, and federal agencies;

42 (5) analyze evidence from crime scenes and crime-related incidents for criminal
43 prosecution;

44 (6) provide criminalistic laboratory services to federal, state, and local law enforcement
45 agencies, prosecuting attorneys' and agencies, and public defenders, with the exception of those
46 services provided by the state medical examiner in accordance with Title 26, Chapter 4, Utah
47 Medical Examiner Act;

48 (7) establish satellite laboratories as necessary to provide criminalistic services;

49 (8) safeguard the public through licensing and regulation of activities that impact
50 public safety, including concealed weapons, emergency vehicles, and private investigators;

51 (9) provide investigative assistance to law enforcement and other government agencies;

52 (10) collect and provide intelligence information to criminal justice agencies;

53 (11) investigate crimes that jeopardize the safety of the citizens, as well as the interests,
54 of the state;

55 (12) regulate and investigate laws pertaining to the sale and distribution of liquor;

56 (13) make rules to implement this chapter;

57 (14) perform the functions specified in this chapter;

58 (15) comply with the requirements of Section [11-40-103](#); [~~and~~]

59 (16) comply with the requirements of Sections 72-10-602 and 72-10-603[-]; and
60 (17) develop and maintain a secure database of cold cases within the Utah Criminal
61 Justice Information System pursuant to Section 53-10-115.

62 Section 2. Section **53-10-115** is enacted to read:

63 **53-10-115. Cold case database.**

64 (1) As used in this section, "cold case" means an investigation into any crime listed in
65 Subsections 76-1-301(2)(a) through (g), or regarding a missing person, that remains unsolved
66 at least three years after the crime occurred or the individual went missing.

67 (2) The division shall develop a secure database within the Utah Criminal Justice
68 Information System that contains information related to each cold case that is open in any
69 jurisdiction in the state.

70 (3) The division shall adopt rules in accordance with Title 63G, Chapter 3, Utah
71 Administrative Rulemaking Act, to specify:

72 (a) the information to be collected and maintained in the database; and

73 (b) what information may be accessed by the public.

74 (4) Each law enforcement agency in the state shall provide the information required by
75 the division for inclusion in the database for each open investigation. The law enforcement
76 agency shall maintain the physical evidence and investigation file for each case unless
77 otherwise agreed to by the law enforcement agency and the division.

78 (5) The division shall maintain the information on a cold case indefinitely.

78a **Ĥ→ Section 3. Effective Date.**

78b **This bill takes effect July 1, 2018. ←Ĥ**

Legislative Review Note
Office of Legislative Research and General Counsel