

USE OF FORCE REPORTING REQUIREMENTS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Angela Romero

Senate Sponsor: Jacob L. Anderegg

LONG TITLE

General Description:

This bill requires local law enforcement agencies to collect and submit data on the use of force to the Bureau of Criminal Identification.

Highlighted Provisions:

This bill:

- ▶ adds the use of force to the data required to be sent to the Bureau of Criminal Identification;
- ▶ specifies that the information shall be submitted in accordance with Federal Bureau of Investigation standards; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53-10-202, as last amended by Laws of Utah 2018, Chapter 415

53-10-205, as last amended by Laws of Utah 2018, Chapter 161

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



28 Section 1. Section 53-10-202 is amended to read:

29 **53-10-202. Criminal identification -- Duties of bureau.**

30 The bureau shall:

31 (1) procure and file information relating to identification and activities of persons who:

32 (a) are fugitives from justice;

33 (b) are wanted or missing;

34 (c) have been arrested for or convicted of a crime under the laws of any state or nation;

35 and

36 (d) are believed to be involved in racketeering, organized crime, or a dangerous
37 offense;

38 (2) establish a statewide uniform crime reporting system that shall include:

39 (a) statistics concerning general categories of criminal activities;

40 (b) statistics concerning crimes that exhibit evidence of prejudice based on race,
41 religion, ancestry, national origin, ethnicity, or other categories that the division finds
42 appropriate; [~~and~~]

43 (c) statistics concerning the use of force by law enforcement officers in accordance
44 with the Federal Bureau of Investigation's standards; and

45 [~~(c)~~] (d) other statistics [~~as~~] required by the Federal Bureau of Investigation;

46 (3) make a complete and systematic record and index of the information obtained
47 under this part;

48 (4) subject to the restrictions in this part, establish policy concerning the use and
49 dissemination of data obtained under this part;

50 (5) publish an annual report concerning the extent, fluctuation, distribution, and nature
51 of crime in Utah;

52 (6) establish a statewide central register for the identification and location of missing
53 persons, which may include:

54 (a) identifying data including fingerprints of each missing person;

55 (b) identifying data of any missing person who is reported as missing to a law
56 enforcement agency having jurisdiction;

57 (c) dates and circumstances of any persons requesting or receiving information from
58 the register; and

59 (d) any other information, including blood types and photographs found necessary in
60 furthering the purposes of this part;

61 (7) publish a quarterly directory of missing persons for distribution to persons or
62 entities likely to be instrumental in the identification and location of missing persons;

63 (8) list the name of every missing person with the appropriate nationally maintained
64 missing persons lists;

65 (9) establish and operate a 24-hour communication network for reports of missing
66 persons and reports of sightings of missing persons;

67 (10) coordinate with the National Center for Missing and Exploited Children and other
68 agencies to facilitate the identification and location of missing persons and the identification of
69 unidentified persons and bodies;

70 (11) receive information regarding missing persons as provided in Sections 26-2-27
71 and 53G-6-602, and stolen vehicles, vessels, and outboard motors, as provided in Section
72 41-1a-1401;

73 (12) adopt systems of identification, including the fingerprint system, to be used by the
74 division to facilitate law enforcement;

75 (13) assign a distinguishing number or mark of identification to any pistol or revolver,
76 as provided in Section 76-10-520;

77 (14) check certain criminal records databases for information regarding motor vehicle
78 salesperson applicants, maintain a separate file of fingerprints for motor vehicle salespersons,
79 and inform the Motor Vehicle Enforcement Division when new entries are made for certain
80 criminal offenses for motor vehicle salespersons in accordance with the requirements of
81 Section 41-3-205.5;

82 (15) check certain criminal records databases for information regarding driving
83 privilege card applicants or cardholders and maintain a separate file of fingerprints for driving
84 privilege applicants and cardholders and inform the federal Immigration and Customs
85 Enforcement Agency of the United States Department of Homeland Security when new entries
86 are made in accordance with the requirements of Section 53-3-205.5[-];

87 (16) review and approve or disapprove applications for license renewal that meet the
88 requirements for renewal; and

89 (17) forward to the board those applications for renewal under Subsection (16) that do

90 not meet the requirements for renewal.

91 Section 2. Section **53-10-205** is amended to read:

92 **53-10-205. Uniform crime reporting system -- Reporting timelines and use of**
93 **data.**

94 (1) The data acquired under the statewide uniform crime reporting system shall be used
95 only for research or statistical purposes and may not contain any information that may reveal
96 the identity of an individual victim of a crime or law enforcement officer.

97 (2) A law enforcement agency shall, for the jurisdiction of the law enforcement agency,
98 submit crime reporting and use of force data requested or required [~~for~~] by the statewide
99 uniform crime reporting system described in Section [53-10-202](#):

100 (a) to the bureau before the 16th day of the month after the month in which a reported
101 crime occurs; and

102 (b) in a manner prescribed by the bureau and in compliance with the requirements of
103 the Federal Bureau of Investigation's uniform crime reporting standards.

104 (3) Upon request of the bureau, a law enforcement agency shall review and verify
105 crime reporting data within 10 business days after the day on which the law enforcement
106 agency receives the request.