

Union County Sheriff's Office

Duty Manual

Volume VI, Unit Policies

Chapter 5: Bureau of Criminal Identification Functions and Procedures

- A. Purpose.** The Union County Sheriff's Office (UCSO) maintains a Bureau of Criminal Identification (BCI) for the purpose of processing criminal defendants, collection and classification of fingerprints, maintenance of a photograph library, crime scene processing and general assistance to other law enforcement agencies in the County of Union and the State of New Jersey.
- B. Policy.** It is the policy of the UCSO to maintain a highly qualified and trained BCI made up of Sheriff's officers who are capable of performing the task and functions described below.
- C. Walk-In Processing.** All criminal defendants must be processed by the BCI before being heard by the First Appearance Judge.
1. Central Intake. All criminal defendants should first report to Criminal Intake for preparation of paperwork needed by the court.
 2. Bureau of Criminal Identification (BCI)
 - a. Clerical staff or Sheriff's officer will determine if the defendant has been in the Union County Correctional Facility (UCCF) for the charges on which he is presently appearing.
 - (1) Accomplished by checking Promis/Gavel program or BCI Jail Commitment list in *Excel* program.
 - (2) Defendant who has been processed on current charges by UCSO while in the UCCF may be directed to First Appearance Court.
 - (3) Defendant who has not been processed on current charges by UCSO will be taken through the regular processing regimen.
 - i. Processing officer will prepare new record sheet.
 - (a) Next available number will be retrieved from the BCI Jail Commitment List *Excel* file.
 - (b) Record *Excel* number, charges and arresting authority on new record sheet.
 - b. Defendants who have come in with official paperwork:
 - (1) Retrieve personal information and charges.
 - (2) Check information provided against information stored in our in-house computer for the following data:
 - i. *Previous records.* If a prior record is found, pull the folder from the file room for processing. The previous record's fingerprints will be compared to the current subject to confirm his identity.
 - ii. If a prior record is less than three years old, the subject may be released to court once his identity is confirmed.
 - iii. If no prior record is found, the subject will be processed as follows in section D 2 c.

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- c. Process the subject for court at a capture station as follows:
 - (1) Using the capture software Digital Photo Manager, complete all fields as completely as possible.
 - i. With the address, include apartment number and floor.
 - (2) Take a mug shot of all persons processed.
 - i. Take photo of subject standing in designated area.
 - ii. No headgear may be worn.
 - iii. If subject wears glasses, take photos with and without glasses.
 - iv. Retake photo if subject is smiling, has eyes closed, has an open mouth or is otherwise different from the norm.
 - (3) Upon completion of data entry, print out the record using the Booking Info option.
 - (4) Fingerprinting if no previous Union County BCI (UCBCI) record exists:
 - i. Roll subject on a County fingerprint card.
 - ii. Place a set of simultaneous prints on the back of the booking info sheet.
 - iii. Officer to initial all fingerprint cards they complete.
 - iv. Subject to sign all cards used to create fingerprint image.
- d. Fingerprinting procedure if a previous UCBCI record exists:
 - (1) Place a set of simultaneous prints on the back of the booking info sheet.
 - i. Compare these prints with the ones from the previous arrest.
 - ii. If the fingerprints do not match the prior arrest, process the subject as in section D 2 c of this chapter.
 - iii. If the prints match, insert new record in folder and file it away.
- e. If it is determined that no fingerprints were taken by the arresting authority (Prosecutor's Office or original Sheriff's arrests), take the subject's fingerprints on Live Scan and transmit to the New Jersey State Police (NJSP).
- f. Once the subject is processed, he may be given a pass to go to court.

D. Jail Processing

1. Preparation

- a. Print out list from Promis/Gavel of prisoners who were committed the previous day.
- b. The following information should appear on the printout for each prisoner:
 - (1) name;
 - (2) jail location;
 - (3) date of birth;
 - (4) Social Security number;
 - (5) charge and arresting authority;
 - (6) Jail number.
- c. Type the following in the jail commitments *Excel* file:
 - (1) Jail number (in sequential order);
 - (2) defendant's name;
 - (3) charge;

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- (4) sex and race.
 - d. Check the in-house computer for the following:
 - (1) Previous records:
 - i. if a prior record is found, pull the folder from the record room for later processing.
 - e. Print out a jail list from the *Excel* spreadsheet to include the following:
 - (1) defendant's name;
 - (2) Jail location;
 - (3) inmate number.
 - f. Take the following to the jail:
 - (1) two copies of the jail list;
 - (2) previously typed pedigree sheets;
 - (3) latex gloves;
 - (4) laptop and digital camera.
2. Processing Inmates in the Jail
- a. Enter the information in the database as previously noted in step C (2) c 1 thru 3 for a walk in.
 - (1) If a repeat offenders previous processing is less than three years old he just gets a fingerprint comparison.
 - b. If no previous UCBCI record exists:
 - (1) Roll a full set of prints on a County card.
 - (2) Place a set of simultaneous prints on the back of the pedigree sheet.
 - c. If a previous UCBCI record exists:
 - (1) Place a set of simultaneous prints on the back of the pedigree sheet.
 - i. Compare these prints with the ones from the previous arrest.
 - (a) If the prints are different then process the inmate as *fresh*.
 - d. If no fingerprints were taken by the arresting authority (Prosecutor's Office or original Sheriff's arrests):
 - (1) Subject must be fingerprinted in the Live Scan System or with ink on State Criminal and FBI Criminal ten print cards.
3. Return from Jail
- a. Type information into the *Excel* file.
 - (1) Type 'O' in the *prt* column if the inmate has no previous UCBCI number.
 - (2) Type 'R' in the *prt* column if the inmate has a previous UCBCI number.
 - (3) Type in Miscellaneous Information Field:
 - i. (N/P) for not processed;
 - ii. (ROB) for released on bail, etc.
 - b. *Separate Pedigree Sheets*:
 - (1) Repeat offenders are placed in their folder and filed away.
 - (2) New inmate fingerprints/ pedigrees are classified and a new folder is created.

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E. Juvenile Processing

1. All juveniles, ages 14 years or older, and charged with what would be a fourth degree offense or higher if they were an adult, committed to detention must be fingerprinted by the BCI.
2. The sergeant or officer in charge of the courtroom doing the preliminary and 2nd detention hearings will notify the BCI of the scheduled juveniles for the day
3. The Juvenile Court Officer will notify the BCI upon the juvenile's final disposition in court.
4. Juveniles in custody will be escorted to BCI by available staff to be processed and Livescanned.
 - a. Interview
 - b. Photograph
 - c. Fingerprint
5. Fingerprint on the walk-ins will be done on the Live Scan System in the UCBCI Substation.
6. If processing is done in Juvenile Detention use the following:
 - a. one UCSO card;
 - b. one State card;
 - c. one FBI card;
7. Log Juveniles in *Excel* file. Docket number runs consecutive.
8. If juvenile is a repeat offender, his bureau number remains the same as his first detention (determined after fingerprint search).
9. If juvenile is a first time offender, the bureau number is the next unused bureau number.
10. Classify, search and file the juvenile's fingerprints.
11. Make folder.
12. Stamp all sheets and photographs with "juvenile" stamp.
13. Ensure Docket and Bureau numbers are annotated in correct locations.
14. Place all documents, including the state and FBI fingerprint cards, in the jacket.
15. File the folder in the appropriate location.

F. Adjudication of Delinquency

1. All juveniles, regardless of age, will be processed as follows upon an Adjudication of Delinquency:
 - a. UCSO BCI record exists and contains SBI and FBI cards.
 - (1) Complete and give the cards to supervisor for submission to the NJSP.
 - b. No record exists or we have no SBI/FBI cards and juvenile is still in custody:
 - (1) Process as above and give the completed cards to unit for submission to the NJSP.
 - c. No record exists and juvenile walks in:
 - (1) Enter a new record in the in-house record system and transmit fingerprint cards to NJSP using Live Scan.

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2. Special Considerations

- a. At all times, efforts will be made to ensure juvenile folders are kept separate from adult folders.
- b. Juvenile is waived up to adult court:
 - (1) Process and maintain both an adult and juvenile file.
 - (2) On the outside of the jacket place the cross reference numbers.

G. Photo Arrays. Photo arrays will be prepared from our digital laboratory photo library.

1. Request is made by investigating officer who provides the name of the subject for which the lineup will be done.
2. Complete the request form including the date/time requested and needed.
3. Prioritize lineups based upon order received or, when possible, the needs of the officer making the request.
4. Use the most recent arrest record photo, unless a particular image is specified.
5. Complete the lineup as per the guidelines issued by the Union County Prosecutor's Office (UCPO).
6. Notify requesting officer when array is completed and have them sign and date form upon receipt of the completed lineup.

H. Expungements

1. Expungement (or expunction) is the isolation of a criminal record, by order of the court, so it becomes not publicly available.
2. Process
 - a. Categorize notice.
 - (1) Notice of hearing.
 - (2) Expungement order (ensure order is signed).
 - b. Search the BCI records thoroughly to determine if file exists.
 - (1) If no record is found, indicate N/R on upper right corner of the expungement order with initials and date; then place in appropriate file.
 - c. If file is found:
 - (1) Notice of hearing is received:
 - i. Place notice in folder and re-file.
 - (2) Expungement order is received:
 - i. Remove all information from computer.
 - ii. Enter "record expunged" in name slot.
 - iii. Do not erase file number.
 - (3) Match record sheets to jail/BCI book entries.
 - i. Cross out entry in red ink, writing "record expunged" legibly in the center.
 - (4) Put all information in the folder and place with the expungement files in locked file cabinet in Substation.

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I. Double Files

1. Two files on one person:
 - a. Usually created because of an alias.
2. Combine records using following process:
 - a. Pull both folders from the file room.
 - (1) Go to the initial record sheets to compare classifications.
 - b. Pull the cards from the fingerprint file and compare both sets of finger prints.
 - (1) If the finger prints are identical but the classifications are slightly different, write the file number you will be using on the card with the other number and then replace both cards where they belong in the cabinet.
 - c. Delete information on old file in computer and type SEE FILE #----- in the area designated for name.
 - d. Take each individual record sheet that is being assigned a new file number.
 - (1) Look up jail commitment number or Sheriff's BCI number in corresponding books and replace with new BCI number and add the AKA, if necessary.
 - e. Be sure to place your name, 'double' and the date the files were combined on fingerprint cards in file and current record sheet;
 - (1) e.g. Initials/Double 8-29-96.
 - f. When one of the folders is the 'new' type with the color codes and the other is the 'old' type, use the new folder.
 - (1) Always replace the old folder back in the file room with a note in the upper left hand corner to refer to the new file number.
 - g. When both folders are the same type, use the older one.

J. Employee Identification Cards

1. New Employee
 - a. New employees must turn in the appropriate completed County of Union Universal Employee Transaction Form.
 - b. No employee ID cards will be issued without the prior approval of the unit supervisor or a report indicating reason for replacement.
2. Replacement of Lost Card
 - a. A report describing the details of the loss should accompany the request for a new ID.
3. Replacement of Old Card
 - a. Old card must be surrendered to USCO to be destroyed.
4. ID Card for New Sheriff's Officer
 - a. Presented at time of swearing in.

K. Applicant Processing

1. All applicants to the UCSO or the (UCPO) are entered in the applicant *Excel* file.
 - a. Get applicant number from applicant log book.
 - b. Complete necessary fields.
 - c. Enter Agency (UCSO or UCPO).

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- d. Applicant number should end with either UCS or UCP to differentiate between the two.
- 2. Fingerprints and Photographs
 - a. Fingerprint all applicants on Live Scan using the Applicant Query option.
 - b. Select the appropriate Originating Agency Identification (ORI) number.
 - c. Enter as much information as available for the record.
 - d. Enter the assigned applicant number in the contributor field.
 - e. Take a picture of applicant.
 - f. Print the fingerprint card.
 - g. Turn the picture and the fingerprint card over to the person doing the background check.
- 3. Fingerprint Results
 - a. Fingerprints with negative results are to be returned to person doing the background check.
 - b. Fingerprints returned with a criminal history are to be personally delivered to the supervisor doing the background check.

L. NCIC/SCIC

- 1. Use of this computer is restricted to authorized officers signed on with their assigned user ID only.
 - a. Unlawful use of this computer may result in criminal prosecution.
- 2. UCSO ORI number is NJ0200000.
- 3. The SCIC/NCIC computer in use in the BCI may be used for the following criminal justice purposes:
 - a. Checking for open Superior Court warrants on defendants using their name, date of birth and social security number.
 - (1) Criminal warrants are checked throughout the nation; family warrants for New Jersey only.
 - b. Criminal histories from participating states, New Jersey included, may be obtained.
 - c. The Department of Motor Vehicles section includes the following:
 - (1) All New Jersey driver licenses.
 - (2) New Jersey driver histories.

M. Record Checks for Outside Law Enforcement Agencies or the United States Military

- 1. Record checks are not done by a phone request or for non-law enforcement agencies (e.g. law firms, private investigators).
- 2. Procedure
 - a. Check the name, date of birth and social security number in the in-house computer and Promis/Gavel.
 - b. Record check comes back with no record:
 - (1) Specify the following on the request, using supplied rubber stamp or hand written entry:

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- i. *No record was found in the Union County Sheriff's Office Bureau of Criminal Identification on a search of name, DOB and social security number; this is not verified through fingerprints.*
- c. Record check comes back with existing record:
 - (1) Notify the requesting agency that a record does exist.
 - (2) Requesting agency should contact *Criminal Case Management* for any additional details.

N. Fingerprinting as a Public Service

- 1. The UCSO has established the Fingerprints on File (FOF) Program.
 - a. FOF prints are collected from children with the permission of their parents as a public service.
 - b. FOF cards are returned to the parent or guardian for safekeeping.
- 2. FOF as an Overtime Assignment
 - a. Offered to officers assigned to the BCI on a rotating basis.
 - b. Officers who are on vacation or sick time will be skipped.
 - c. Officers who refuse will lose that turn in the rotation.
 - d. Officers working the detail are responsible for packing the supplies necessary.
 - e. *Transportation*
 - (1) Privately Owned Vehicle (POV).
 - (2) Marked vehicle if specifically called for by detail.
 - f. *Uniform*
 - (1) Class B work uniform unless civilian attire is authorized for a specific purpose.
 - g. Assignment information sheet will contain the following:
 - (1) officers assigned, along with home phone numbers;
 - (2) date and hours of detail;
 - (3) location of event, including contact person and phone number if supplied;
 - (4) supplies required (e.g. number of kits, camcorder, books, hand cleaner etc.).

O. Fingerprinting for Sentencing

- 1. Some defendants charged with indictable offenses in Union County, according to the NJSP, have no criminal history:
 - a. they were never fingerprinted by the arresting agency; or
 - b. the fingerprints that were submitted were not classifiable.
- 2. Criminal Case Management prepares sentencing lists which indicate whether the instant offense appears in the defendant's criminal history.
- 3. The following procedure will be followed in those instances where the instant offense does not appear in the defendant's criminal history:
 - a. A printout of the sentencing list is to be picked up from Criminal Case Management no later than two days before sentencing day.
 - (1) Typically, sentencing is done on Fridays.
 - (2) Pickup of list is usually a clerical responsibility.

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- (3) Two lists are provided:
 - i. one is detailed and has one defendant per page, including case detail, commitment information and pedigree information;
 - ii. the other list has several defendants per page.
- b. The detailed sentencing sheets will be separated into two piles:
 - (1) *FINGERPRINTED: YES*
 - i. YES sheets are discarded.
 - (2) *FINGERPRINTED: NO*
 - i. Check each defendant for USCO BCI number and custody status.
 - ii. This information (BCI number, inmate number and jail location) is written on the sentencing sheet.
- c. The sentencing sheets are now ready to be printed.
 - (1) The inmates are to be processed as soon **before** sentencing day as possible.
- d. In all cases, the following is done for each defendant that is fingerprinted:
 - (1) The sentencing sheet with the defendant's charges is attached to the fingerprint cards.
 - (2) When a defendant from court is fingerprinted, he is given a pass to get back into court.

P. Adjudicated Juvenile Processing, DNA Collection

1. Upon order of the Court for DNA and fingerprinting, the Juvenile Court Sergeant is to contact the ID Substation Sergeant to arrange for transfer of the juvenile to the Substation for DNA and fingerprint processing.
2. As soon as reasonably possible, the juvenile will be transported to the Substation, in restraints, by one officer from Court and one from ID.
3. The juvenile will be fingerprinted and submit a DNA sample upon arrival in the Substation.
 - a. The Court Officer will stand by during process to expedite the return to court.

Q. DNA Database Specimen Submission

1. Overview
 - a. All adults convicted of an indictable offense are required to submit a DNA specimen for Combined DNA Index System (CDIS).
 - b. Once an offender has submitted a DNA sample, they are not required to submit additional samples for subsequent convictions.
 - c. Juveniles adjudicated of the equivalent of an indictable offense are subject to DNA submission requirements.
 - d. Effective September 23, 2003, all probationers are required to submit a DNA sample. This backlog is scheduled for us by the CDIS unit and is ongoing.
 - e. DNA for offenders given a non-custodial sentence is collected on the day of sentencing.

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2. Procedure for DNA Specimen Collection

- a. If the offender has a State Bureau of Identification (SBI) number, use the FAST ID computer to verify the identity.
 - (1) When identification is verified, complete the appropriate field on the submission CDIS DNA Specimen Submission Form.
- b. If the offender has no SBI, fingerprint him on a criminal card using Live Scan.
 - (1) The number later provided by NJSP will be used on the submission form.
- c. If offender has a UCBCI record, update record to show DNA was collected and note it with the date on the outside of the folder.
 - (1) If no file exists, process as a new offender and create a file noting DNA collection.
- d. Using black ink, complete the fields highlight in yellow on the DNA DATABANK SPECIMEN SUBMISSION FORM.
- e. Have the offender sign and date the form and place his index fingerprints on the form.
- f. Stick the barcodes attached to the submission form in the noted field on each of the pages, the submission envelope and the submission card.
- g. Give the provided buccal swab to the subject and instruct them to swab the inside of each cheek twenty times and to then place the swab under their tongue for twenty seconds.
- h. While wearing gloves, take the swab back and wipe on the specimen card.
 - (1) Place the specimen card in the supplied envelope and initial it.
- i. Make a photocopy of the submission form and tear out the green sheet; place these forms in the appropriate bin.
 - (1) File the green sheet in the defendant's BCI file.
- j. Place the remaining forms and the DNA specimen in the envelope pre-addressed to the CDIS unit.

R. Domestic Violence Final Restraining Order

1. Overview. All persons against whom a restraining order is issued must be fingerprinted for submission to the NJSP.
2. Procedure
 - a. Assign the defendant a BCI number from the walk-in book; this will be used as the contributor number on the fingerprint card.
 - b. Using the Live Scan system, fingerprint subject using the DV-Final Order option
 - (1) If Live Scan is not available, finger print subject on a New Jersey state applicant (SBI-19) card and select reason for printing as other 'DVFRO'.
 - c. Place the restraining order docket number in a miscellaneous field.
 - d. Complete the index sized card (SBI-24) including the docket number in the charge field.
 - (1) Attach a picture to the index card.
 - e. Attach SBI-24, SBI-19 and the Polaroid for forwarding to the NJSP.

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S. Domestic Violence Violation of Restraining Order

1. Procedure

- a. When a defendant is convicted of violating a restraining order they are fingerprinted on criminal cards as any other person charged with a criminal offense
- b. The officers assigned to the court complete a form detailing the charges and docket number
- c. These defendants are additionally processed in Digital Photo Manager for creation of a Union County record.

T. State Volunteer Applicants

1. All County employees and State volunteers fingerprinted by us as part of a background check will be fingerprinted on Live Scan.
2. These people must have a letter from the person requesting the background check. This letter, along with the results, will be kept on file for one year.
3. Procedure
 - a. On the main menu, all applicants for criminal justice employment are processed using the **Applicant Query** option on Live Scan.
 - (1) This option will electronically transmit the fingerprints to the NJSP.
 - b. Criminal justice employment include applicants sent by the Judiciary, in addition to the Sheriff's and Prosecutor's Office.
 - (1) The name of the person the results will be forwarded to will be entered in the Contributor Case Number field.
 - c. All Sheriff's and Prosecutor's Office applicants must be entered in the applicant *Excel* file.
 - (1) This applicant number will be entered in the Contributor Case Number field followed by either UCS or UCP.
 - (2) The completed card for Sheriff's applicants and a picture will be turned over to Administrative Captain.
 - (3) The completed cards for the Prosecutor's applicants and a picture will be turned over to the Prosecutor's Office.
 - (4) All other applicants that are not seeking State or County employment to be directed to the NJSP website for processing information.