

1 **Rule 4-609. Procedure for obtaining fingerprints and Offense Tracking Numbers on**
2 **defendants who have not been booked in jail.**

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4 **Intent:**

5 To establish a procedure for ensuring that fingerprints are obtained from, and an Offense
6 Tracking Number is assigned to, defendants who have not been booked into jail prior to their
7 first court appearance.

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9 **Applicability:**

10 This rule shall apply to all prosecutors, law enforcement personnel, jail booking personnel, and
11 trial courts.

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13 This rule shall only apply to offenses which are not included on the Utah Bureau of Criminal
14 Identification's Non-Serious Offense list.

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16 **Statement of the Rule:**

17 (1) The prosecutor shall indicate, on the face of the Information that is filed with the court,
18 whether the defendant is appearing pursuant to a summons or a warrant of arrest, by inserting
19 "Summons" or "Warrant" beneath the case number in the caption.

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21 (2) The prosecutor shall cause the criminal summons form to include the following information:

- 22 (A) the specific name of the court;
- 23 (B) the judge's name;
- 24 (C) the charges against the defendant;
- 25 (D) the date the summons is issued;
- 26 (E) a directive to the defendant to appear at the jail or other designated place for booking
27 and release prior to appearing at court;
- 28 (F) the address of the jail or other designated place; and
- 29 (G) a space for booking personnel to note the date and time of booking and the Offense
30 Tracking Number (formerly known as the CDR Number).

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32 (3) Booking personnel shall:

- 33 (A) complete the booking process, including fingerprinting and issuing an Offense
34 Tracking Number;
- 35 (B) record the date and time of booking and the Offense Tracking Number on the
36 summons form;
- 37 (C) return the summons form to the defendant;
- 38 (D) instruct the defendant to take the summons form with him/her to the court at the time
39 designated on the summons;
- 40 (E) release the defendant without bail on their own recognizance unless the defendant
41 has outstanding warrants; and
- 42 (F) send the Offense Tracking Number to the prosecutor.

44 (4) Upon receipt of the Offense Tracking Number from booking personnel, the prosecutor shall
45 forward the number immediately to the court.

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47 (5) If the defendant appears at court and does not have the summons form with the date and
48 time of booking and the Offense Tracking Number, court personnel shall instruct the defendant
49 to go immediately, at the conclusion of the appearance, to the jail or other designated place for
50 booking and release.

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52 *Effective November 1, 2020*