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Dear Chief Simmons and Sheriff Jensen,

This letter addresses the June 29, 2025 police use of force that took place in Hyrum, Utah. Following this incident, which involved an officer involved shooting, Logan City Police Department (LCPD) and the Cache County Sheriff's Office initiated the "Northern Utah Critical Incident Investigative Team (NUCIIT) Protocol," an agreement among participating law enforcement agencies designed to ensure compliance with Utah state law for critical incident investigations under Utah Code §76-2-408. Pursuant to the protocol, an investigative task force led by Brigham City Police Department (BCPD) was called in to investigate the incident. Under Utah Code 76-2-408, a "critical incident" means any of the following:

- i. an officer's use of deadly force;**
- ii. an officer's use of a dangerous weapon against an individual who causes injury to any individual;
- iii. death or serious bodily injury to any individual, other than the officer, resulting from an officer's:
 - a. use of a motor vehicle while the officer is on duty; or
 - b. use of a government vehicle while the officer is off duty;
- iv. the death of an individual who is in custody, but excluding a death that is the result of disease, natural causes, or conditions that have been medically diagnosed prior to the individual's death

"When critical incident occurs . . . , the law enforcement agency having jurisdiction where the incident occurred [must] . . . notify the county or district attorney having jurisdiction where the incident occurred."¹ "[T]he chief executive of the law enforcement agency and the county or district attorney having jurisdiction where the incident occurred [must then] . . . jointly designate an investigating agency for the officer-involved critical incident."² "The investigating

¹ Utah Code § 76-2-408(2)(a).

² Utah Code § 76-2-408(2)(b)(i).

agency . . . may not be the law enforcement agency employing the officer who is alleged to have caused or contributed to the officer-involved critical incident.”³

Law enforcement agencies are required to adopt policies and procedures for “select[ing] the investigating agency if an officer-involved critical incident occurs in the agency’s jurisdiction and one of the agency’s officers is alleged to have caused or contributed to the officer-involved incident.”⁴ They must also adopt “protocols . . . to ensure that any investigation of officer-involved incidents occurring in the agency’s jurisdiction are conducted professionally, thoroughly, and impartially.”⁵ To fulfill these statutory obligations and to provide mutual assistance among neighboring agencies, the sheriffs’ offices, police departments, and county attorneys’ offices in Cache, Rich, and Box Elder Counties have, through a memorandum of understanding, created the Northern Utah Critical Incident Investigative Team and adopted a Protocol to be followed in the event of an officer-involved critical incident.

Under the Protocol, the fulltime investigator employed by the Cache County Attorney’s Office becomes the Operations Section Chief for any investigation of an officer-involved critical incident, at which point the Operations Section Chief and County Attorney select a Lead Investigator. The Operations Section Chief and Lead Investigator then provide first-line management of the investigation of the officer-involved critical incident. When the investigation is complete, the Operations Section Chief and Lead Investigator turn the investigation over to the county attorney with jurisdiction.⁶ The foregoing procedures were followed in this case with the BCPD serving as the lead investigating agency.

Role of the County Attorney

Once the Operations Section Chief and Lead Investigator turn the investigation over to the county attorney with jurisdiction, the county attorney then has 180 days to complete and publish his or her findings or analyses into the “officer’s use of force”⁷ if any. I am the county attorney with jurisdiction in this case, and this report constitutes my findings and analysis regarding this officer-involved critical incident.

Findings of Fact

The incident began on Sunday, June 29, 2025, at approximately 04:51:07 hours, when Anel Peterson contacted Dispatch to report that her brother, Jorge Andrade, had sent her several concerning messages. Mrs. Peterson informed Dispatch that her brother claimed he had “stabbed [his wife] like 20 times” and warned that he was heavily armed, had strapped homemade bombs to his own body , and intended to “blow the place up” if law enforcement responded to his residence located at 120 South 600 West in Hyrum.

³ Utah Code § 76-2-408(3).

⁴ Utah Code § 76-2-408(5)(a).

⁵ Utah Code § 76-2-408(5)(b).

⁶ See Utah code 76-2-408(6).

⁷ Utah Code § 76-2-408(6).

Cache County Sheriff Deputy Alcantar was the first to arrive at the trailer park at approximately 04:58:25. As he attempted to locate the specific address in the trailer park in the early morning darkness, Deputy Alcantar was immediately targeted by Mr. Andrade, who began firing rounds directly at his patrol truck. Alcantar, hearing the cracks and recognizing them as gunfire, accelerated to evade the ambush. The intensity of the fire forced Alcantar to abandon his vehicle under heavy fire and seek cover. Alcantar then attempted to make his way back to the entrance of the trailer park, through brush and makeshift fences, in the dark. Andrade continued to fire from his residence, tracking the flashlight of Deputy Alcantar. As Alcantar extracted himself from the ambush site, bullets continued to whizz past Alcantar in close proximity as Andrade continued to fire on Deputy Alcantar. By 05:03:15, SWAT teams were paged to stage at South Cache Middle School. Andrade began sporadically firing rounds in all directions as well as lighting fireworks. The calculated violence of Mr. Andrade's actions posed an immediate threat to the community, forcing local residents in the neighborhood to take cover in bathtubs, on the ground or under beds as bullets shattered windows, impacted parked vehicles, and traveled through the entire length of multiple trailers in some cases.

Following the initial ambush, CCSO Deputies Priest and Hayden were deployed into the park and linked up with Deputy Alcantar. Deputies Priest, Hayden, and Alcantar took cover behind a vehicle in the neighborhood to attempt to contain and observe Andrade as Andrade continued to fire on them, observing them from home surveillance cameras and firing bullets from the residence, with bullets passing very close to the three deputies huddled behind a vehicle. At 05:46:00, the SWAT Immediate Action Team (IAT)—led by Palmer (LCPD) and including operators VanAmen (LCPD), Weight (LCPD), Vehrs (LCPD), Bennett (CCSO) and Niebert (CCSO)—arrived on scene and took up a position south of the suspect residence to begin efforts to contain and neutralize the suspect. Upon seeing the IAT, Andrade opened fire on the officers from the trailer windows. Later investigation determined Andrade fired multiple firearms during the incident which included two semiautomatic pistols, two semiautomatic rifles, and one hunting rifle. Casings for each were located throughout the incident location. LCPD Officers Palmer, VanAmen, Vehrs, and Weight returned fire to suppress the attack, in order to protect themselves and the dozens of residents trapped in their homes in the immediate area. Sometime after the continued exchange of fire in which the IAT fired approximately 57 rounds, LCPD deployed a BearCat armored car. Officers and deputies used the armored vehicle for cover and manned the turret of the vehicle. During this tactical engagement, one IAT member positioned on the turret discharged two rounds from his issued rifle. Investigators later recovered and collected one casing from the turret area.

Hostage Negotiators established telephone contact with Mr. Andrade at 06:00 and 06:20 hours. During these communications, Mr. Andrade remained extremely hostile, expressing intense anger over a pending court case involving a second-degree felony assault charge and threatening to blow up the entire block. Further communication attempts were unsuccessful.

At 06:29 smoke was seen coming from inside the suspect location, specifically the laundry room. At 06:57:17, a large explosion occurred inside the rear of the trailer, blowing out the side wall and back door. Based on subsequent investigation it appears Andrade had deliberately ignited his improvised explosive vest, in conjunction with opening the natural gas valve in the home in order to precipitate an explosion. Following the explosion, armored BearCat vehicles were utilized to breach windows and doors, allowing a Weber County drone team to

safely enter the compromised structure. At 10:02:55, interior drone surveillance confirmed that both Jorge and Holly Jo Andrade were deceased.

When the scene was deemed secure, the bodies were recovered and turned over to the Medical Examiner for further investigation. The Office of the Medical Examiner determined Holly Andrade died of multiple sharp-force injuries (stabbing) prior to law enforcement's arrival.

The Medical Examiner report for Jorge Andrade determined that the manner of death was suicide. The immediate cause of death was attributed to blast injuries combined with the inhalation of products of combustion. Specifically, Andrade sustained massive blast injuries, including pulmonary hemorrhages that led to airway blockage, oxygen deprivation, and shock, as well as thermal injuries and various contusions, abrasions, and lacerations. Evidence of the inhalation of combustion products was found in the form of soot present in the airways. Toxicology results were positive for methamphetamine and its metabolite, identified as a significant condition that could contribute to heart attack, stroke, or respiratory failure. Neither Holly nor Jorge sustained any injuries that can be attributed to the law enforcement response in this incident.

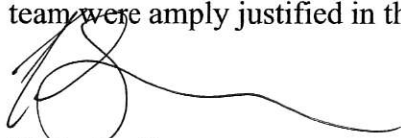
CONCLUSION

The scope of this review, and the OICI protocol investigation related to it, is narrow in its scope and purpose: to determine whether an officer who used deadly force was legally justified in the use of that force. My findings are as follows:

1. The Immediate Action Team's presence at the scene was lawful, was pursuant to an intent to ensure public safety, and was necessitated by a legitimate and lawful investigation into a report of a potential homicide and the associated apprehension of the suspect.

2. The use of deadly force by the Immediate Action Team was within the scope and intent of Utah Code Ann. § 76-2-404(1)(c), as well as salient cases from the United States Supreme Court on this issue, specifically *Tennessee v. Garner*, 471 U.S. 1 (1985) and *Graham v. Connor*, 490 U.S. 386 (1989).

3. The Cache County Attorney's Office finds that LCPD Officers Palmer, VanAmen, Weight, and Vehrs, and CCSO Deputies Bennett and Niebert's use of deadly force was reasonable and justified, as the officers reasonably believe[d] that the use of deadly force [was] necessary to prevent death or serious bodily injury to the officers or another person. The officers acted properly and lawfully. Further, that use of force was ultimately not the cause or manner of the death of either the murder victim Holly Andrade or the Suspect Jorge Andrade. Under Utah's broad affirmative legal defense of justification, particularly as applied to law enforcement officers, and considering the facts of this incident where the suspect ambushed law enforcement officers and fired on any officer within sight of his residence in an attempt to murder the law enforcement officers responding to the reported crime, the operators in the Immediate Action team were amply justified in their use of deadly force.



K. Taylor Sorensen