

2011

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2012

# Annual Report

## Cache County Attorney's Office

Logan, Utah





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## James M. Swink Cache County Attorney



Dear Constituents,

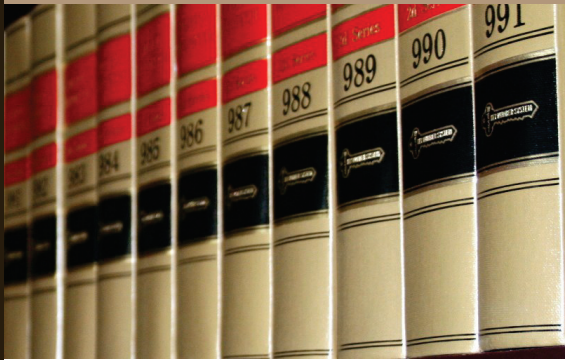
We have had a very busy time at the Cache County Attorney's Office, as you will see in the ensuing pages. I wish everyone could get a bird's eye view of the inner workings of the criminal justice system to see that behind every case, there is a process and story. Each day brings new challenges and it is a credit to our dedicated staff that we handle the high volume of criminal cases which we do every year. Not only do we screen and prosecute criminal cases in First District Court, which includes the most serious criminal matters in Cache County, but we also contract with several city courts.

The Civil Department continues to be an important resource to the citizens of Cache Valley. There are always ongoing projects which need legal expertise and oversight and we have continued to be a resource to county departments in drafting policies and procedures. We have expanded our access to the County departments and our civil attorneys remain very busy not just with legal actions but also in advisement and oversight capacities. Roads, water rights, property access, human resource, ordinances, legal suits against the County, and contractual issues are some of the matters that are commonly handled by the Civil Department.

At its most basic, the Cache County Attorney's Office is about the interpretation and application of law. We are interested in justice and advising others in making sound decisions, all of which impact every citizen within the county. Whether civil or criminal law, our attorneys and staff are always prepared to serve. I hope you enjoy the 2011-2012 Annual Report which our staff has diligently prepared.

Sincerely,

A handwritten signature in black ink, appearing to read "James M. Swink". The signature is written in a cursive, flowing style.



## Office Information

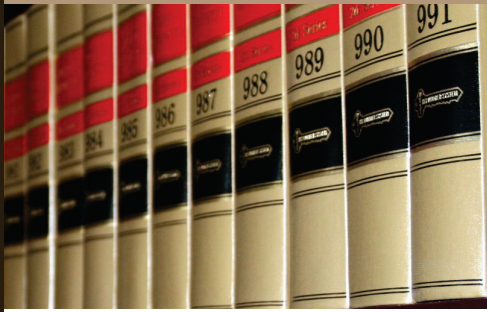
The Cache County Attorney's Office is headed by an elected official, James Swink. This position is responsible for representing Cache County's civil interests as well as criminal court cases in First District Court and First District Juvenile Court. Responsibilities for this office are set forth by the state legislature under code 17-18-1.

The Cache County Attorney is organized with specialized divisions which handle civil and criminal responsibilities. These divisions are Civil, Criminal, Victim Services, Support Staff, and Children's Justice Center. The Criminal Division includes the services of a part-time investigator as well as prosecutors working Crimes Against Women and Children, Juvenile Court, Drug Court, and Mental Health Court. Special Investigator **Robert Bolton** is a former law enforcement officer who handles follow-up on cases, most notably on personal crimes against women and children. Bob is available to assist in any criminal case and has been a great asset in financial and property crimes as well.

In 2011, a full-time attorney was hired to prosecute criminal actions charged in Logan Municipal Court. These include infractions and misdemeanor charges occurring within Logan City. **Daniel Major** was hired as the city prosecutor for this courtroom. Danny graduated with a Bachelor of Science in Political Science and Sociology from BYU Idaho and graduated with a law degree at Thomas M. Cooley Law School in East Lansing, Michigan. He previously worked as a law clerk for the Child Protection Unit at the Utah Attorney General's Office and served as a Deputy District Attorney for the Salt Lake County District Attorney's Office.

**Tamara Chambers**, a long-term employee, retired from the office in 2011. Tamara was the Office Manager in addition to her responsibilities as a Legal Assistant. Kathi Petersen took over her responsibilities as Office Manager, and Emily Nye was hired as a full-time Legal Assistant.

**Emily Nye** graduated from Utah State University with a double major in Psychology and Sociology. After full-time employment at the Cache County Attorney's Office, she became a certified Legal Assistant through the Utah Prosecutor's Assistant Association, as well as a Utah Notary Public. In addition to her work experience in law and motion settings, Emily has worked and assisted with matters in the Mental Health Court, Logan City Municipal Court, and Drug Court. Due to her educational background and intern experience, she has been able to assist with victim advocacy needs in Logan Municipal Court.



# Financial Information

*The Cache County Attorney's Office is funded through the Cache County budget, as well as through grant monies.*

**Fiscal Year 2011 Budget ..... \$1,094,631**

**Fiscal Year 2012 Budget ..... \$1,137,313**

The budget for CCAO covers salaries and operating expenses. This is a conservative budget considering it provides for the:

- County Attorney,
- eight attorneys,
- a part-time investigator,
- three victim advocates, and
- six support staff.

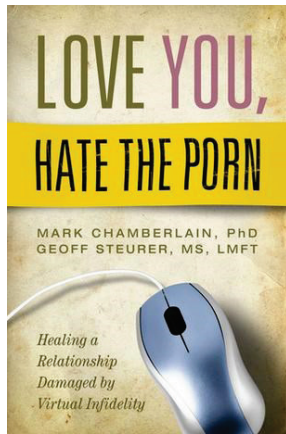
\*Please note this budget does not include the Children's Justice Center as it operates separately.

<i>County</i>	<i>Population</i>	<i>Attorneys</i>	<i>2012 Budget</i>	<i>Population Per Attorney</i>	<i>Amount Spent Per Resident</i>
Cache	112,656	9	1,137,313	12,517	\$ 90.87
Summit	36,324	7	1,300,384	5,189	\$ 250.61
Uintah	32,588	7	1,703,400	6,518	\$ 261.34
Washington	138,115	15	2,117,140	9,865	\$ 214.62

*\* Budget Information sources through respective county offices; population figures are from US Census Bureau estimates.*

Grant funding is utilized to support the activities of CCAO. These are federal programs supported through fees paid by criminal defendants and distributed throughout the states for crime prevention and intervention:

- VOCA (Victims of Crime Act) is a federally funded and state administered program which funds the salaries and activities for Victim Advocates to handle cases with victims of personal and property crime.
- VAWA (Violence Against Women Act) funds a Special Prosecutor and Special Investigator to prosecute acts such as sexual assault, rape, stalking, protective order violations, child sexual and physical abuse, and domestic assault.



## Family Summit

The Third Annual Family Summit held in 2011 was a great success. Cache Valley is affected by crimes involving pornography, bullying, and drug addictions. The Summit served as a platform to educate the community and brainstorm possible defenses against these issues. Presenters included Dr. Mark Chamberlain, Dr. Kim Openshaw, Investigator Robert Bolton, Certified Pediatric Nurse Practitioner Stacy Meacham, Detective Denny Bird, prescription drug addicts, and a family who experienced bullying firsthand in a local school.

Our office has seen an increase in criminal child pornography cases; a crime which is often coupled with a pornography addiction/compulsion. Responding to this trend, two speakers outlined their research and clinical experiences relating to pornography. Dr. Mark Chamberlain is the author of the book, "Love You, Hate the Porn". His presentation focused on the brain and how pornography addiction begins and how it continues, often resulting in the viewing of "hardcore" pornographies including child pornography. Dr. Kim Openshaw's presentation included a client which he treated for pornography speaking on their experiences. Dr. Openshaw also outlined cultural changes towards sexuality over the years. He explained the impact of a sexualized culture on tweens and teens and how this may play into the increase in problems with pornography.

Addiction to prescription medications is a problem that our community has been battling with for many years. Though this is an intense addiction, many people are able to overcome it with the help of programs such as Drug Court. Two recovering addicts spoke on their experiences with prescription drugs and how an addiction can begin innocently with an injury or surgery, but soon transitions into a physical and mental addiction. An emergency room doctor also spoke on his experiences of working with addicted patients.

Detective Denny Bird from the Logan City Police Department addressed bullying through his work as a Resource Officer in local schools. A bullying incident was highlighted that involved a local high school student who sustained a serious injury from a classmate. The student and his family spoke on how this experience impacted their family and possible ways to prevent a bullying situation from escalating further.

Robert Bolton, an Investigator with the County Attorney's Office and Stacy Meacham, a certified Pediatric Nurse Practitioner with the Children's Justice Center, spoke on the importance of forensic photography for difficult child abuse cases. This presentation was of benefit to professionals in the field working child abuse cases.



# Criminal Division

The Cache County Attorney's Office is the leading prosecution organization in the county. The largest division is the criminal division which is comprised of six prosecutors and the county attorney. Combined, this division has over seventy-five years of legal experience. This experience is put to good use as the responsibilities in this division are varied and complex. The prosecutors in this division are statutorily and morally charged with the solemn duty to see that justice is done. This includes making certain that the rights of both defendants and victims are protected and that crimes are vigorously prosecuted.

Prosecutors handle criminal cases in several courts in Cache County. These include the First District Court, the Hyrum City Justice Court, the Logan City Justice Court, the Nibley City Justice Court, and the Clarkston Justice Court.

To better achieve economies of scale, each of the prosecutors in this division have a specific assignment. Mainly, this is done by allocating a prosecutor to a specific judge. Three prosecutors are assigned to each of the three respective judges in the First District Court and one prosecutor each is assigned to the First District Juvenile Court and Logan City Justice Court. The remaining prosecutor floats between the three district courts where they handle cases involving violence against women and children.

Some prosecutors specialize in their practice allowing them to target the prosecutions of specific crimes. These include domestic violence, child abuse, drug-related offenses, juvenile crimes, fraud, and crimes committed by individuals with mental health diagnoses.

Prosecutors work closely with local law enforcement agencies. This includes assisting law enforcement during investigations by preparing criminal investigative subpoenas, reviewing search warrants for legal adequacy and acting in a general advisory role. An on-call attorney is available 24 hours a day, 7 days a week. The work of prosecutors also includes collaborating with law enforcement in presenting evidence during court proceedings.

Criminal Case Filings As Reported by First District Court					
ADULT	2011	2012	JUVENILE	2011	2012
Felony	1,538	1,231	Felony	261	276
Misdemeanor	4,170	4,029	Misdemeanor	1,360	1,125
Infraction/Other	126	137	Infraction/Status	599	812
<b>Total</b>	<b>5,834</b>	<b>5,397</b>	<b>Total</b>	<b>2,220</b>	<b>2,213</b>

*\*These are individual cases and many involve multiple charges per case, as reported by First District Court.*



# Juvenile Division

Children are apt to make mistakes without fully realizing the consequences of their actions. In Utah, juvenile court is not a criminal court but rather a civil court. Offenses a juvenile admits to are not “convictions” like they would be in adult court but are civil commitments. Juvenile court is largely confidential and not open to the public.

In Utah, the primary focus of the juvenile court is to rehabilitate the offender. A judge will look first at options designed to help the juvenile make better choices in the future. Common corrective methods are counseling, probation, community service hours, fines, and detention days.

In cases where the treatment needs of the juvenile cannot be met while remaining in the home, the judge can send the juvenile to an out-of-home “community placement.” The object of such programs is to teach skills needed to make better choices and then reintegrate them back into their home. In extreme cases where a juvenile has been afforded the services of probation and community-based placements, the judge can order secure confinement. This is a maximum security facility where treatment and education is received. A juvenile may be held in secure confinement until age 21 but is usually released much sooner.

Some crimes are so serious they may be tried in adult court and the process to determine appropriateness is handled by one of three methods— Direct File, Serious Youth Offender, and Certification.

- Direct filing occurs automatically when the juvenile is at least 16 years old and is alleged to have committed murder or attempted murder, or when the juvenile had already been committed to secure care and thereafter commits a felony. A change to this rule is expected in 2013.
- The Serious Youth Offender Act applies when the juvenile is at least 16 years old and commits one of ten specified aggravated crimes. It can also be utilized for certain serious offenses if the youth had already committed a prior felony-level offense involving a dangerous weapon. A preliminary hearing is held after charges are filed and the State must show it appears reasonable the crime was committed.
- Certification is perhaps the most well-known method of trying juveniles in the adult court. No specific crimes trigger certification hearings such as with the other two methods but rather the prosecutor has discretion to seek a hearing such as takes place with the Serious Youth Offender Act.

<b>Juvenile Criminal Incidents</b>					
	<b>2011</b>	<b>2012</b>		<b>2011</b>	<b>2012</b>
Sexual Offenses, Lewdness	74	76	Pornography, Harmful Materials*	15	1
Assault, Endangerment, Stalking, Weapon	134	102	Controlled or Prescription Substance, Marijuana	282	268
Burglary and Related	51	60	Trespass	151	109
Forgery, Transaction Card Offense	9	41	Graffiti Related	111	36
Joyride Driver	6	10	Alcohol and Tobacco	302	252
Shoplift, Retail Theft	108	154	Criminal Mischief, Disorderly	61	160
Theft	223	135	Curfew, Truancy, Compulsory Ed	409	606
Witness Tampering or Retaliation	7	3	Other	244	165
<b>Total Incidents</b>				<b>2220</b>	<b>2213</b>

\*There was not a decrease in pornography incidents in 2012; they are included in other categories.





# Crimes Against Women and Children

Child groomers deliberately befriend and establish emotional connections with children they are pursuing. This allows them to lower the child's inhibitions to their sexual advances. It happens with surprising frequency in every community so it is important for adults in our community to be on the lookout.

## Darwin Ridd

In 2001, Darwin Ridd, a 50-year-old pilot with no criminal history, began grooming a 13-year-old child for sexual activity. Ridd was able to gain the trust of this child's mother which in turn enabled him to be alone with her. Ridd groomed the child by buying gifts for her and her family, taking the child and her family on vacations, and acting as a "father figure." Once Ridd had established this relationship with the child and her family, he began to sexually abuse her over a three year period. A family member saw Ridd interacting with the child in a suspicious way and reported the behavior. Law enforcement attempted to interview the child, but before they could do so Ridd was able to manipulate her and convince her not to cooperate, causing the investigation to stall.

A decade later, the victim realized the seriousness of the abuse by Ridd and showed great courage in reporting Ridd's crimes to law enforcement. A thorough investigation was conducted and significant evidence to corroborate the victim's claims was obtained. In July of 2012, Ridd pled guilty to two counts of Rape of a Child, both First Degree Felonies, and one count of Rape, a First Degree Felony. Ridd was sentenced to 20 years to life in the State Prison.

## Allen Dakin

Allen Dakin sexually abused a child repeatedly over the course of several years. His young victim showed great courage by telling a trusted adult about what had happened. The adult immediately reported the abuse to police who then conducted a thorough investigation.

In May of 2011, Dakin pled guilty to Aggravated Sexual Abuse of a Child, a First Degree Felony. Mr. Dakin was ultimately sentenced to 15 years to life in the Utah State Prison for his crimes. At Mr. Dakin's sentencing, the judge stated he would write a letter to the Board of Pardons and Parole and recommend that Mr. Dakin remain incarcerated for the remainder of his life.



# Narcotics Division and Drug Court

The Cache County Attorney's Office works closely with the Cache/Rich Drug Task Force. This task force is comprised of officers from agencies throughout Cache and Rich Counties who are dedicated to handling major drug cases. The Cache County Attorney works with this task force and is involved with legal advisement for cases such as search warrants and seizures. The following information was provided by the Cache/Rich Drug Task Force for reporting years ending in 2011 and 2012.

Arrests by Drug	2011	2012
Methamphetamine	38	40
Marijuana	69	57
Cocaine	5	2
Heroin	12	24
Prescription Drugs	38	41
Other	26	15

Task Force Activities	2011	2012
Incidents	425	449
Arrests	188	179
Search Warrants	34	38

## Drug Court

Drug Court's overall recidivism rate since its inception in 2000 is 15%, as measured by the number who graduate and don't return with new criminal charges. The recidivism rate for inmates at the Utah State Prison is approximately 50%, where they return within three years with new charges.

Drug Court Activities	2011	2012
Admitted	33	45
Graduated	18	26

Cache County is one of the top four programs in the state for low recidivism. In 2011, 80% of those in the program graduated and didn't return with charges. As of Dec 31, 2012, a total of 430 individuals had the benefits of attending Drug Court.



# Mental Health Court

Mental Health Court is a specialty court that helps defendants confront their mental health problems that ultimately resulted in them committing crimes. By addressing those problems directly, the goal is to remove them from the revolving door of jail to the streets and back again.

If a defendant has a qualifying mental health diagnosis, shows willingness to tackle that illness, and has committed a crime related to her/his mental illness that is not particularly violent, then s/he may qualify for MHC after being further evaluated by the Mental Health Court (MHC) Committee. That committee consists of a judge and his clerks, representatives from both Bear River Mental Health (BRMH) and Bear River Drug and Alcohol (BRDA), police officers from the Crisis Intervention Team (CIT), Adult Probation and Parole (AP&P), the jail, the defense bar, and the Cache County Attorney's Office. Each defendant is considered on a case-by-case basis and consequences are tailored to individual needs.

The committee has a difficult job deciding which defendants qualify. Much time and consideration is given to whether the person would benefit from the program. During 2011, 28 new defendants were screened and 13 were accepted into MHC, whereas in 2012 there were 28 new defendants screened and 12 were accepted into MHC. The committee meets weekly to share ideas on how to best work with the defendants in the program and meets afterwards in the courtroom with each participant individually. These courtroom meetings remind the defendants of the seriousness of their involvement with the criminal system and are learning experiences. Some defendants are encouraged to continue making appropriate choices while some are punished for violating the terms of their MHC agreements.

Plea agreements are tailored to the defendant's needs, often including alcohol and/or drug monitoring, requirements for cooperating with the treatment plans of their respective providers, work, housing, volunteering, and group therapy participation. Failure to comply leads to increasing levels of consequences ranging from community service to jail time. In 2011, there were 7 graduates; in 2012, there were 8 graduates. Those defendants either had their charges dismissed, reduced, or pled to all or a combination thereof with the end result of launching them into a brighter future of self-sufficiency for when their mental health problems may flare in the future.

**The First Annual Mental Health Court Conference** was held at Utah State University in the summer of 2011. Many attendees came from courts in Utah and as far away as Washington State. The use of mental health courts is still evolving and training was provided on how to continue improving programs. The conference was a great success and was back by popular demand in summer 2012.



# Victim Services Division

The Victim Services Division consists of three full-time advocates who service serious offenses charged in First District court and a fourth part-time advocate who services misdemeanor offenses in Logan City Justice Court. These advocates work to assist victims through the criminal court process. A primary role is to ensure that victim rights are protected. Victim rights laws are designed to ensure that victims are kept informed, remain free from harassment, and are treated respectfully. For victims of personal crimes who are cooperative with investigation and prosecution, some resources are available to pay for therapy, loss of work, medical expenses, moving expenses, and other financial impacts to an individual or family. These resources are available through the Crime Victim Reparations, which is funded through fees paid by criminal defendants in court.

## Casey Sanders

This case involved the tragic death of a young woman due to her husband speeding while drinking. Advocates worked with the young woman's family and provided information and support through the 3-day jury trial. Advocates also assisted the family in receiving death benefits for the victim's young son and payment of funeral expenses through Crime Victim Reparations. Casey Sanders was convicted of Automobile Homicide, a Second Degree Felony and was committed to the State Prison; he was ordered to pay restitution to Crime Victim Reparations.

## Leo Bravo

Charges were filed against the former director of the Cache County Hispanic Center, Leo Bravo, who had guardianship over a young hispanic female. She had been placed in his care by foreign nationals in order for her to remain in the United States for schooling. She was then isolated from family and friends and was raped and sodomized numerous times over a six month period. Leo Bravo was convicted of Rape, Object Rape and Forcible Sodomy, each a First Degree Felony. He was sentenced to prison on three 5 to life sentences to run consecutively.



# Civil Division

Rarely are two projects alike in the Civil Division and attorneys are constantly addressing new and challenging legal questions. They help with contract negotiations, resolve

disputes throughout the County impacting government, and research and advise on various legal matters.

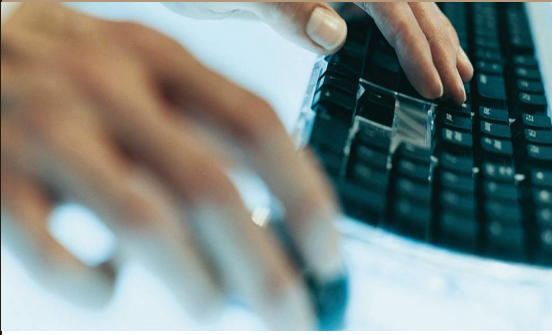
Of the many departments for which they do legal work, the following are the most active: **Development** (land use and enforcement), **Water** (water law, legislation, water use planning and the canal restoration), **Board of Health** (public health law), **County Clerk** (election laws), **County Auditor** (liens, contracts, tax sales), **Assessor** (Board of Adjustments and tax appeals), **Information Technology** (contracts and GRAMA requests), **Surveyor and Roads** (public and private road issues), **Airport Authority** (lease and FAA matters), **Fire** (contracts and fire code), **Human Resources** (employment law), and **Cache County Sheriff's Office** (jail policy and procedure and litigation involving inmates). Civil attorneys also handle involuntary civil commitments on behalf of the Mental Health Authority and federal questions of law such as the Americans Disabilities and Equal Opportunity Commission legal matters. The Civil Division represents the Planning Commission and the County Council and Executive in addition to other legal matters within the purview of those government bodies.

## Projects of Note

Much has progressed with the Logan Canal Project. As soon as the Environmental Impact Statement (EIS) was released by the Natural Resources Conservation Service (NRCS) in the fall of 2011, the Cache County Attorney's Office working in tandem with the Cache County Water Engineer hit the ground running. Having negotiated cost-share agreements urgently and diligently for many months preceding the EIS release, presentations were given to the city councils of Logan, North Logan, Hyde Park, Smithfield, and the County both jointly and independently assisting each city through the contractual and cooperative process of preserving Cache County water through the Cache Community Emergency Watershed Protection Project.

A project manager, JUB, was selected through the competitive process in compliance with local and state laws. The project was designed so the water conveyance system can be restored as safely, quickly, and cost-effectively as possible. The goal is to get water back to the cities and farmers in 2013 absent any delays caused by litigation filed by residents concerned about the impact on their yards.

	2011	2012
Ordinances	18	27
Resolutions	29	27
Contracts / Agreements	93	143



## Support Staff

It is noteworthy that all our legal assistants are certified by the Utah Prosecutor's Assistant Association. They also carry additional certifications which further qualify professional staff members and help our office to run more efficiently. Obtaining these certifications requires studying, tests, and additional trainings to maintain the certification.

Each legal assistant has passed the CUPA (Certified Utah Prosecutor's Assistant), administered each year at the Utah Prosecutor's Assistant Conference. This exam tests on an understanding of Utah laws, criminal procedure, and grammar. To become certified, you must pass with a minimum score of 80%.

**Kathi Petersen, Nancy Lucas, and Trudy Bowles** are BCI (Bureau of Criminal Investigations) certified. This allows them to run criminal histories which are vital to the screening of cases and possible enhancements. BCI certification requires extensive training, yearly updates, and occasional audits.

**Emily Nye and Roswitha Brown** completed the notary process in 2011 and joined Anne Winn and Kathi Petersen as Notary Publics for the office. This ability to be a notary has been a valuable service to the community and to the office. Attorneys often request that a legal assistant file notarized affidavits for legal purposes.

### ***Staff Updates***

The Cache County Attorney's Office had a few changes in staff in 2011. In February, **Tamara Chambers**, our office manager and legal assistant to Tony Baird, retired. She was a workhorse and did a great job in keeping the office running smoothly. She will be greatly missed. **Kathi Petersen**, legal assistant to James Swink, was asked to take her place as office manager.

**Emily Nye** was added to the staff in a full-time position of legal assistant. In addition to her work with a courtroom prosecutor, she also serves as the legal assistant for Drug Court.



# Children's Justice Center

*Mission: To provide a comfortable, child-friendly atmosphere for children to receive coordinated services during the child abuse investigative process.*

In 1987, Grethe Peterson served as a juror in a child sexual abuse case of two young children. During the investigation, the children were interviewed by multiple individuals from various agencies. It was apparent that this was not only difficult for the children but resulted in technical inconsistencies due to time lapses between interviews and different methods of questioning that ultimately resulted in the perpetrator going free.

Peterson was troubled at the injustice and the difficulties the children had in going through the process and with other concerned advocacy groups, spearheaded the creation of a Statewide Task Force. The task force suggested adopting the Child Advocacy Center model being utilized in Alabama in 1985. These centers were designed to be a comfortable, safe environment where sexually abused children could go during the investigation process. They would also foster collaborative efforts between agencies involved with abused children such as law enforcement, child protective services, prosecution, medical personnel, and mental health professionals.

Utah adopted this model in 1991 and Children's Justice Centers were formed. The Utah State Legislature approved \$300,000 to establish three centers to service Utah, Salt Lake, and Weber Counties. This has now grown to 18 locations throughout the state. **Funding is established by the legislative body to the Attorney General to include federal grant monies, local government monies, and private donations.**

Services	2011	2012
Victim Interviews	240	379
Medical Assessments	79	70



# Accomplishments and Notable Cases

In 2012, we implemented an annual award to be given to the prosecutor who has demonstrated exemplary trial work with criminal cases. The **Scott L. Wyatt Prosecutor of the Year Award**, in honor of a former Cache County Attorney, was presented to Barbara Lachmar due to her hard work in complex criminal trials. We commend her and are pleased that she is the first recipient of this honor.

## *Notable Cases*

### ***State v. Geddes***

Gregory Geddes defrauded an out-of-state victim who had responded to an ebay posting on the sale of a recreation trailer. The victim wired \$30,000 to Geddes but the trailer was not delivered. Prosecutors were able to show the existence of the trailer was dubious and Geddes was convicted of Theft, a Second Degree Felony. He was sentenced to a 1 to 15 year prison sentence and full restitution was recovered for the victim.

### ***State v. Cox, Escobar, Lomeli, & Rousey***

Landon Cox, Pedro Escobar, & Juan Lomeli forcibly entered a residence where a lower-functioning adult male house-sitting was asleep. He was threatened with a handgun and struck with the butt of a rifle, causing a severe head injury. It was determined the three co-defendants acted at the behest of Bryan Rousey. Cox and Lomeli were convicted of Aggravated Burglary and sentenced to prison on 1 to 15 year sentences. Escobar and Rousey were convicted of Aggravated Burglary, a Second Degree Felony, and sentenced to prison on 5 to life sentences.

### ***State v. Latu, Mataele & Melendez***

Lolo Latu and Ahiven Melendez approached an employee of a local gas station as he was taking garbage to the dumpster near closing time. Latu and Melendez held him lying on the ground at gunpoint and demanded money from the store. A citizen saw the activity and contacted law enforcement. Latu and Melendez fled the scene in a vehicle driven by Tevita Mataele. An erratic high speed chase ensued ending in the getaway vehicle crashing. Latu pled guilty to Aggravated Robbery, a First Degree Felony; however, the trial judge, over the State's objection, reduced the conviction to a Second Degree Felony at sentencing and he was sentenced to prison on a 1 to 15 sentence. Mataele was convicted of Aggravated Robbery, a Second Degree Felony, and Evading, a Second Degree Felony and sentenced to serve 730 days in the Cache County Jail. Melendez pled guilty to Aggravated Robbery, a First Degree Felony, and was sentenced to a 5 to life prison sentence.



# Community Partnerships

Our staff is very involved in interagency efforts and in promoting greater community education and awareness. We strongly feel that a proactive approach through outreach is of benefit to prevention efforts.

**Public education** was provided on a variety of subjects such as pornography, child abuse, and other crime related topics. If you would like to have someone address your group, please call!

**Cache Rich Domestic Violence Coalition** is a working group of professionals and community members dedicated to fostering collaboration and creating effective services for families affected by domestic violence. The purpose is to support collaboration and partnerships to garner greater resources and community education. Advocates and a Deputy Attorney participate with this coalition. Events to raise public awareness were held throughout the year, including an annual "community fair" which was sponsored at our building, the Historic County Courthouse. The fair is for people of all ages with fun activities for children taking place while adults learn about community resources addressing family violence. We have been pleased to have donations and entertainment provided locally. We appreciate all who assisted in making the First and Second Annual "We Believe In Safe Families" evenings a success.

**Office participation** to foster the sharing of information with other agencies includes:

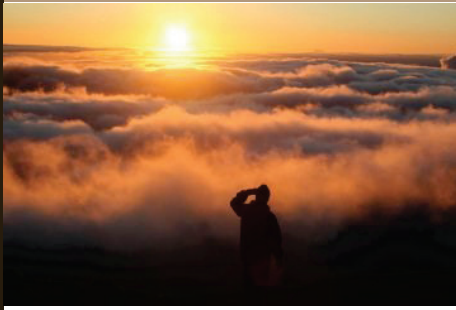
- CART (Child Abduction Response Team);
- Juvenile Mental Health Court Team;
- Children's Justice Center Multi-Disciplinary Team meeting – interagency group of agencies working in child involved cases;
- Sexual Abuse Response Team (SART) – to review crimes of a sexual nature; attended by law enforcement, prosecution, Nurse Examiners, CJC, and advocates;
- Gang Meeting – attended by prosecution and advocate, juvenile probation, and law enforcement;
- Child and Family Support Center;
- Drug Court Committee;
- Mental Health Court Committee;
- Tri-County Strike Force meeting;
- Law enforcement related meetings; and
- Juvenile Interagency case staffing meetings.

# Statistics

These numbers include every charge filed in against an adult or juvenile certified as an adult in First District Court.

Offense - First District Court	2011	2012
Accidents	19	14
Accidents Hit and Run	4	8
Alcohol	1	0
Alcohol Related DL Offenses	16	17
Alcoholic Beverages	112	100
Animal Control	2	6
Assault Related	266	275
Authorized Opert of Mtr Vehicle	0	134
Big Game	0	1
Birds	3	3
Breaches of the Peace	50	78
Burglary & Criminal Trespass	295	247
Bus Passenger Safety Act	2	0
Cigs, Tobacco, Psychotoxic Solvents	15	22
Code of Criminal Procedure	33	6
Communications Fraud	26	14
Computer Crimes	1	2
Conspiracy	0	1
Contributing to the Delinq	33	9
Construct./ Maint. of State Hwy	1	0
Criminal NonSupport	0	3
Cruelty to Animals	2	6
Destruction of Parks, Rec & Pvt Lands	2	1
DL Act- Auth Opert of Mtr Vehicle	169	0
Driver Licensing Act	23	21
Driving by Minors	3	3
Drug Offenses	880	194
Drug Paraphernalia	341	354
DUI Drugs/Alcohol or Both	144	155
Enforcement	0	41
Enticing a minor	1	0
Explosives	2	0
Falsification of Official Matters	62	45
Federal Comm Veh Laws	2	1
Financing Dealerships	25	2
Finance Resp - Misc	17	0
Fraud	309	247
Furbearers	0	1
Harmful Materials	0	6
Ignition Interlock	22	12
Impaired Driving	39	27
Indentification Card Act	2	1
Insurance, Inspection	0	151
Joyriding	4	4
Kidnapping	5	10
Legal Use of Controlled Substance	0	3
Licenses	0	26
Local Health Authorities	1	0
Misc	0	32

Misc Alcohol Related Traffic	114	81
Misc Enforcement Prov	0	7
Misc Rules	0	30
Miscellaneous Provisions	86	54
Obedience to Traffic Reg	9	15
Obstructing Gov Operations	121	103
Occupations & Professions	9	6
Offense Against Property	42	28
Offense Against Public Property	8	6
Offenses and Penalties	1	1
Off-Highway Vehicles	24	36
Operating Unsafe/Improperly Equipt	125	112
Owners Operators Req Security	128	0
Parks and Recreation	80	49
Passing Violation, Wrong Way	99	84
Pedestrian Rights/Duties	0	1
Porn, Harmful Mats, Performances	11	0
Prohibited Acts A	0	471
Prohibited Acts D	0	66
Property Destruction	60	269
Protection of Highways	2	1
Prostitution	4	0
Public Assistance Fraud	0	1
Public Safety	1	1
Reckless Driving	12	21
Registration, Title, Plates	110	124
Retail Theft	50	50
Right of Way	28	26
Robbery	12	7
Salvage vehicles -Junk	1	0
School Buses	1	1
Seat Belt Usage	59	39
Sexual Exploitation of Children	103	30
Sexual Offense	99	98
Social Services	2	1
Speeding	877	905
State Lands	0	11
Stoping standing parking	1	0
Telephone Abuse	3	5
Theft	389	263
Traffic - Misc Rules	37	0
Traffic Signs, Signals, Markings	4	2
Transfer of Title	12	10
Turning and Changing Lanes	22	15
Vehicle Theft	2	0
Water & Irrigation	13	29
Weapons	70	52
Wildlife	67	0
Other	2	3
<b>TOTALS</b>	<b>5834</b>	<b>5397</b>



# Statistics—continued

The statistics for **Logan City Justice Court** are shown below.

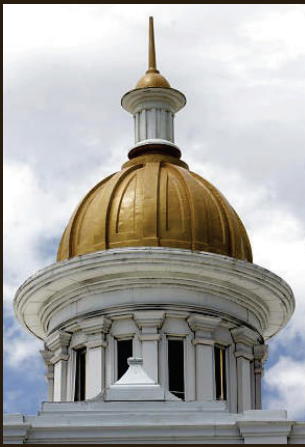
Major Offenses	Jan		Feb		Mar		April		May		June	
	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012
<b>DUI</b>	27	14	26	9	20	10	25	12	14	10	11	10
<b>Theft</b>	6	12	15	23	6	5	9	7	9	9	10	12
<b>Controlled Substance</b>	6	8	11	5	10	10	9	17	14	13	1	5
<b>Assault</b>	3	3	5	4	5	0	4	5	4	5	3	1

Major Offenses	July		Aug		Sept		Oct		Nov		Dec		TOTALS	
	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012
<b>DUI</b>	16	11	19	6	12	12	12	12	6	13	11	13	<b>199</b>	<b>132</b>
<b>Theft</b>	3	19	7	10	12	11	12	10	7	14	5	13	<b>95</b>	<b>145</b>
<b>Controlled Substance</b>	4	5	5	10	7	5	7	7	7	5	9	30	<b>88</b>	<b>120</b>
<b>Assault</b>	5	1	13	2	1	2	1	2	5	4	4	1	<b>62</b>	<b>31</b>
<b>Domestic Violence</b>	8	16	25	24	14	20	14	11	1	17	2	19	<b>131</b>	<b>171</b>

## Probationers—Logan City Justice Court

Often defendants are ordered probation which is conducted by private agencies. These agencies are responsible for the oversight of court compliance by the defendant. They have authority over any sanction which the court imposes upon a defendant. Some of the common things which they oversee are the collection of restitution and court fines/fees, random drug testing, alcohol monitoring, gps monitoring, in-home units, home visits, checking counseling progress, and handling protective order violations. This is a great service to the courts as defendants who are sentenced have formal oversight through their probationary period.

Logan City Justice Court Probationers	
Month	Total
January	1069
February	1044
March	863
April	1039
May	1010
June	995
July	996
August	987
September	989
October	982
November	922
December	900
<b>Average per month</b>	<b>983</b>



**2011 - 2012**

**Annual  
Report**

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