Sheriff Chad Jensen  
Cache County Sheriff’s Office  
1225 West Valley View  
Logan, UT  84321


Sheriff Jensen,

In response to the above referenced incident, the Critical Incident Investigative Team (CIIT) was organized in compliance with UTAH CODE ANN. § 76-2-408 and the established protocols set forth in the Northern Utah Critical Incident Protocol Agreement. The CIIT has invested over 750 hours in the investigation and has submitted its completed investigation to my office.

We have thoroughly reviewed the written report, witness statements, and all additional material submitted by the CIIT lead investigators. Based upon a thorough review of the foregoing material and information my office makes the following determinations:

1. Sergeant Johnson’s presence at the scene .4 miles up Right Hand Fork in Logan Canyon, was lawful, was pursuant to an intent to ensure public safety, and was necessitated by a serious threat to human safety.

2. The use of deadly force by Sergeant Johnson 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, namely Tennesse 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 Sergeant Johnson’s use of deadly force that led to Mr. Swenson’s death was reasonable and justified, as the officer “reasonably believe[d] that the use of deadly force [was] necessary to prevent death or serious bodily injury to the officer or another person.” The officers acted properly and lawfully.

I thank the Critical Incident Investigation Team for the time, for the immense resources and energy devoted to this very thorough, comprehensive and professional investigation. I also express my deepest sympathies to the family and loved ones of Mr. Swenson.

My sincerest regards,

[Signature]

James M. Swink
Cache County Attorney