

Annual Report



Cache County Attorney's Office

Logan Utah

Crafting an Innovative Future from a Solid Foundation



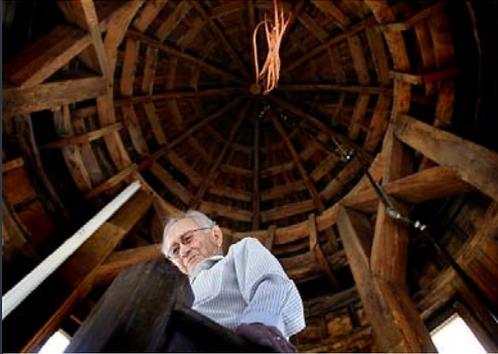


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James M. Swink

Cache County Attorney



Dear Constituents,

As we reflect on the activities of the past year in this, our first annual report, we keep you in mind. First and foremost is the safety and protection of our communities through the effective enforcement of our laws.

Though we are facing economic shortages throughout our country, our responsibility and level of commitment remains strong. We continue to enjoy the benefits of an office staff that is active in building partnerships throughout the community. We are active in promoting the relationships with law enforcement entities so that we can best serve you.

This year has seen many changes in our staff. We said goodbye to some hardworking individuals and welcomed in new employees. We continue traditions that have been established through sound practices of continued education, active prosecution, and have looked towards the future in building new practices within our organization.

Technology has been a major focus point for this year and is one of the ways we have continued to expand on better citizen protections. House Bill 290 was passed in large part due to a case which was prosecuted in Cache County and in which our staff was instrumental in assisting with legislator and community education.

We commend law enforcement for their investigations which resulted in vigorous prosecutions. The FBI worked a child pornography case in our jurisdiction which resulted in locating a pornography ring with national and international ties. There were many other instances where thorough investigations resulted in cogent evidence which provided for excellent outcomes in court. This made it easy to resolve many cases without the burden of going to trial, which can be time-intensive and costly. A good example is Sheriff Detective Bartschi's excellent investigation of the Tiffany Jarmin homicide in which the defendant pled guilty to murder and has been sentenced to prison for life.

I am grateful to be able to serve along with area law enforcement agencies in protecting the good citizens of Cache County. Please enjoy this, our first edition of the Cache County Attorney's Office Annual Report.

Sincerely,

A handwritten signature in black ink, appearing to read "James M. Swink".

James M. Swink
Cache County Attorney



About Cache County

Quick Facts:

Founded 1856

Population 115,269 (2009 estimate)

1,173 square miles

Named for caches of furs found by trappers

Cache County Utah is situated along the Idaho border in the western section of the state and includes a large valley area surrounded by mountains. On the western edge lies the Wellsville Mountains and on the eastern edge lies the Bear River Mountains. Both mountain ranges are northern branches of the Wasatch Range and give the area a beautiful setting enjoyed by many who enjoy the spectacular scenery and abundant wildlife.

There are 26 communities dotting the landscape of the valley. These are Amalga, Avon, Benson, Cache Junction, Clarkston, College Ward, Cornish, Cove, Hyde Park, Hyrum, Lewiston, Logan, Mendon, Millville, Newton, Nibley, North Logan, Paradise, Petersboro, Providence, Richmond, River Heights, Smithfield, Trenton, Wellsville, and Young Ward. Logan is the county seat and largest city with a population of 48,000.

Prominent to the area is a major state university which has a significant impact on the demographics of the area. Students attend Utah State University and come from within our own state boundaries, from states throughout the nation, and from international countries. While many of these students are here only for the duration of their schooling, many others decide to put down roots and remain. Additionally, professors from a variety of disciplines bring their families to reside in our beautiful area, and at any given time there are visiting professors or dignitaries learning new technologies, doing research, or attending to other educational pursuits.

There is an abundant tradition of arts and festivals in the area with a nationally renowned opera company, active theatre, and numerous artists and galleries. Summerfest and the Cache Valley Gardener's Market are always popular events.

Logan and Cache County have frequently been noted in prestigious national rankings for its exceptional quality of life, low crime rate, economic stability, and as a great place to reside.

About the Historic Cache County Courthouse

The Historic Cache County Courthouse is a wonderful setting to showcase our theme of *“Crafting an Innovative Future From a Solid Foundation”*. Having the distinction of being the oldest county building in Utah still being used for its original purpose, its walls have seen the passage of many events that have gone into Cache Valley lore. What better manner to illustrate this theme than through the revived beauty of this historic building which the Cache County Attorney’s Office calls home.

Built in 1883, this building was eventually scheduled for demolition with the intention of being replaced by a modern structure. Community members lobbied for restoration and through the tireless efforts of dedicated individuals and substantial donations, the building was saved. It re-opened for use in 2005.

This impressive building has been restored with many period pieces of architecture and artistry. At the same time the structural integrity of this centerpiece of downtown has been strengthened and the interior architecture beautified so that this building will be able to serve our community for generations to come. Many hours of planning and thought went into the detail, artistic integrity, and craftsmanship that are represented throughout this fine historic piece. It is now a building that serves many functions and is a backdrop to numerous public events throughout the year. In the same manner, the Cache County Attorney’s Office has spent much forethought in the work and services which we provide throughout our communities and we strive to be a multi-functional office which has adapted to the growing needs of Cache County.

If you have not yet had the opportunity to view this beautiful structure, we invite you to do so. We think you will agree that this building is a real treasure of our county.

Before Restoration

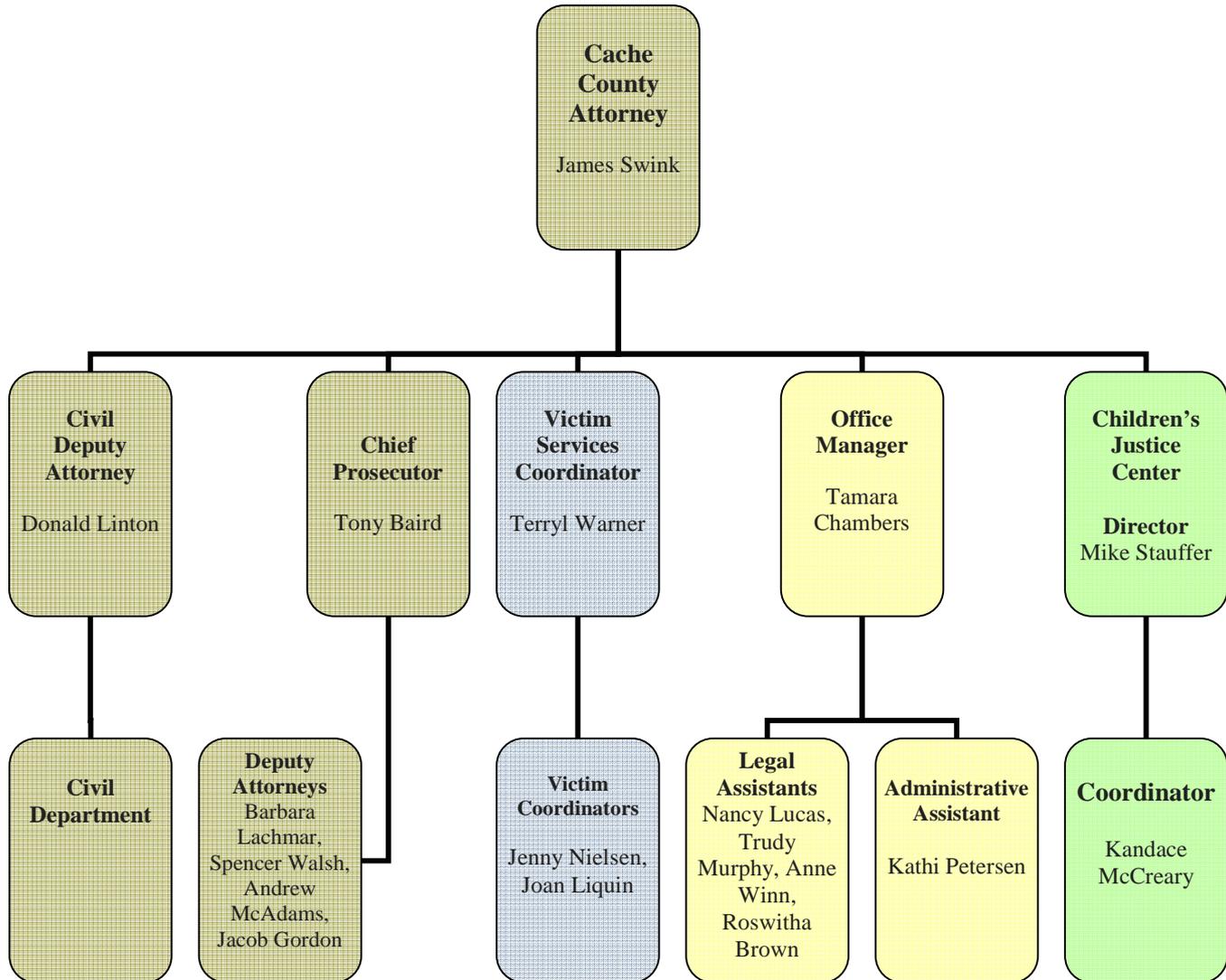


The Courthouse Today



Office Organization

Who Exactly Does What?



The responsibilities which fall under the Attorney's Office are set forth by the state legislature and can be found in Utah Code 17-18-1. Duties include, but are not limited to:

- Prosecution of criminal cases, including juvenile court offenses;
- Represent the state if needed for civil cases or for other legal business;
- Assist the Attorney General as requested;
- Institute proceedings in the name of the state for recovery involving the collection of bonds;
- Call attention to any defect in laws and suggest amendments;
- Defend all actions brought against the county;
- Prosecution for the recovery of debts, fines, penalties, and forfeitures accruing to the county; and
- Give opinions to county, district, and precinct officers on matters relating to the duties of their respective offices.

Personnel Changes

We said farewell to a few colleagues during 2009 and welcomed in new faces. We appreciate the good work and efforts of Deputy Bruce Ward who served for 12 years. He was highly involved in the creation of the Drug Court program and serving with the narcotics drug task force. His skills as an attorney will be missed in our office and we wish him well as a prosecutor for Layton City. We extend our thanks to Deputy Maybell Romero for the three years she spent prosecuting in adult and juvenile courts and look forward to her continued success in the private sector. Sharon Nielsen, Administrative Assistant, retired in 2009 shortly after George Daines returned to private practice. We are pleased to welcome these individuals:

- **Spencer Walsh** was hired to specialize in Crimes Against Women, which had previously been undertaken by Barbara Lachmar. Having focused on domestic violence crimes as a prosecutor for West Valley City, he found it to be an easy transition. Spencer graduated from J. Reuben Clark Law School at Brigham Young University after receiving a B.A. in Anthropology. He has performed legal research and written about the constitutionality of potential legislative bills while a clerk for the Office of Legislative Research and General Counsel.
- **Andrew McAdams** came with three years experience he obtained while working prosecutions in Maricopa County, Arizona. He spent a summer working criminal security litigations with a law firm in New York City. Andy graduated from Ohio State University. He initially assisted with juvenile prosecutions and now handles criminal cases in the adult court system.
- **Jacob Gordon** moved to Cache County as a child. After spending two years in Italy and attending law school out of state, he and his wife welcomed the opportunity to return to the area to raise their four children. He received a Master's degree from USU in Political Science with an emphasis in International and Comparative Change. He graduated from Creighton University School of Law in Nebraska. He previously clerked with First District Court of Utah and Fourth District Court of Iowa, as well as the Cache County Attorney's Office. Jake is the Juvenile Division Prosecutor.
- **Roswitha Brown** began her work with the office in April. Born in Germany, she has been a citizen of Cache County for many years and has raised a family in our valley. Roswitha completed the BATC Office Technology Program which gave her a strong foundation for her previous work as Office Specialist for the State of Utah's Adult Probation and Parole Logan Office. She currently assists in adult court and has been a great asset to the CCAO.

A Special Thanks to N. George Daines

We wish to thank N. George Daines for his public service as the elected County Attorney from January 2002 through January 2009. He was an effective attorney who took on many important issues on behalf of the county. He was involved extensively in the litigating of county roads and protecting rights of way, defending the interests of the county in multiple civil lawsuits, and aggressively prosecuting criminal activity. He was instrumental in the completion of the Historic Cache County Courthouse and during part of his tenure he was elected as president of the Utah Bar Association.



We extend our appreciation to George Daines for his public service and wish him well in his private endeavors.

Financial Information

The Cache County Attorney's Office is funded through the Cache County budget, as well as receiving state and federal grant monies.

Fiscal Year 2009 Budget \$961,466

The budget for CCAO covers salaries and operating expenses. This is an impressive budget considering it provides for seven attorneys, three victim advocates, and six support staff. In comparison to comparable counties in Utah, we find that we run a very efficient office.

County	Population	Total Attorneys	Budget	Population Served Per Attorney	Amount Spent Per Resident
Cache	115,269	7	\$961,466	16,467	\$8.34
Summit	36,969	8	\$1,363,651	4,621	\$36.89
Uintah	31,536	5	\$1,069,900	6,307	\$66.93
Washington	137,473	14	\$2,150,853	9,820	\$15.65

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

Grant funding comes from a variety of sources to support the activities of CCAO.

- 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.
- VOCA* Stimulus grant monies were utilized for outreach in the justice courts. The justice courts are generally known as city courts and brochures were developed and provided to assist them in their duties.
- VAWA* (Violence Against Women Act) funds a Special Prosecutor to prosecute acts such as sexual assault, rape, stalking, protective order violations, child sexual and physical abuse, and domestic assault.
- CCJJ (Commission of Criminal and Juvenile Justice) is an agency housed in the State of Utah which oversees a number of grant opportunities. A grant was received which funded the start-up activities of a local Child Abduction Response Team (CART). The CART team is a multi-agency program which seeks to ensure a coordinated response to a missing child case. These cases can end in tragedy when time is of the essence; a team which has prepared extensive protocols and run training scenarios in advance will ensure a rapid and coordinated response. This grant included training of the team members.

**VOCA and VAWA funding is a federal program provided by court fees assessed to convicted criminals and not borne by taxpaying citizens. This self-supporting fund is distributed throughout the states for crime prevention and intervention efforts.*

Criminal Division



Following a referral of charges from a law enforcement officer, a case is reviewed and charges are either declined or sent to court for prosecution. Prosecutors bring charges on behalf of the state when there are violations of the Utah State Criminal Code.

In the course of an investigation, law enforcement may call upon attorneys to receive guidance. This may take place if there is a point of law that needs to be clarified, for warrant review, or for oversight of a major crime investigation. An on-call attorney is available 24 hours a day, 7 days a week.

Attorneys may receive specialized training in order to focus on a specific aspect of their work. There are attorneys who work with Drug Court and the Cache/Rich Drug Task Force, specialize in juvenile issues and gangs, are trained in mental health issues, or focus on child abuse or domestic violence. We are committed to providing the best services we can in protecting the community.

We have developed relationships with law schools at BYU, the University of Utah, and the University of Idaho in order to allow law students to serve as legal clerks while obtaining school credit. This unpaid work is a valuable service to our office staff as they are able to research assignments which assist attorneys in responding to defense motions and legal issues that arise in the criminal setting. Legal clerks provided 1,000 hours of service in 2009.

Information obtained from First District Court records show that there were 660 felony and 917 misdemeanor criminal filings, for a total of 1,577 in adult court*. Major offenses calculated from CCAO reports are shown below.

<i>Types of Offenses</i>			
<i>Homicide Related</i>	<i>5</i>	<i>Burglary Related</i>	<i>107</i>
<i>Weapons Related</i>	<i>57</i>	<i>Assault</i>	<i>132</i>
<i>Child Sexual Related</i>	<i>55</i>	<i>DUI</i>	<i>152</i>
<i>Drug Related</i>	<i>517</i>	<i>Theft</i>	<i>197</i>
<i>Abuse of a Vulnerable Adult, Other Child Related (Abuse, Endangerment, Voyeurism, Lewdness, et al.)</i>			<i>109</i>

Note - These reflect when an individual was charged against and not the number of charges that the person received. For example, a person that received three charges of burglary dating from the same charging document is counted one time and not three.

**Juvenile offenses are reported separately.*



Juvenile Division

The Juvenile Division prosecutes felonies and misdemeanors committed in Cache County by offenders under the age of 18 (at the time of the crime). Juvenile Court can maintain jurisdiction up to the age of 21. This division's team consists of a prosecutor, Victim Coordinator, and legal assistant. Cases are reviewed, charges are recommended, and any cases which go past the arraignment stage are prosecuted. Juvenile cases are handled in the First District Juvenile Court. The same types of cases in adult courts are also seen in the juvenile system with the addition of status offenses which include such things as trancies, smoking, and certain alcohol offenses.

Some offenses are deemed serious enough to be handled in adult court, though committed by a juvenile. In these cases, a special certification hearing is held in which information is presented to the court regarding the offense. If the Judge so deems, a juvenile can be bound over to answer to criminal activity in the adult court system. This is reserved for the most serious offenses only.

The involvement of various agencies ensures that a comprehensive approach to the welfare of the youth is a priority. An emphasis is placed on individualized recommendations with considerations towards community and victim protection as well as services to the youth and family. Other agencies involved include Juvenile Probation, Juvenile Justice Services, Division of Child and Family Services, Guardian ad Litem Office, and defense counsel.

According to First District Court Juvenile Probation records, there were 1,777 charges filed for criminal offenses, and the juvenile prosecutor assisted with additional status and traffic offense incidents.

2009 Juvenile Criminal Incidents

Sexual Offenses, Lewdness	72	Pornography, Harmful Materials	39
Assault, Endangerment, Stalking, Weapon	135	Witness Tampering or Retaliation	6
Burglary and Related	93	Trespass	79
Forgery, Transaction Card Offense	64	Graffiti	58
Joyride Driver	19	Alcohol and Tobacco	298
Shoplift	190	Other	534
Theft	177	Curfew, Truancy	535
		Controlled or Prescription Substance, Marijuana	289
		Total Incidents	2,588

Crimes Against Women

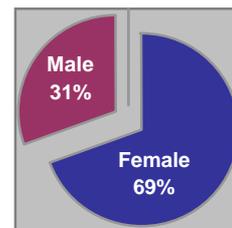
This division is funded by a grant from VAWA (Violence Against Women Act) and includes the services of a full-time prosecutor with the help of a legal assistant. This specially trained prosecutor is uniquely qualified to deal with cases that are often complex and sensitive in nature. This prosecutor works closely with law enforcement agencies and child protection workers to ensure a collaborative approach to victim needs.

Victim safety and perpetrator accountability is a priority. In 2009, 236 individual cases with a total of 486 charges/potential charges were serviced through the VAWA prosecutor. This includes cases which were reviewed, screened, and/or prosecuted.

Domestic violence is physical violence which occurs in relationships. It can include couples that have previously or are currently living together, individuals that have a child in common, and individuals in dating relationships. It is not uncommon for victims of domestic violence to refuse to cooperate with prosecution. This may be out of love for the perpetrator, fear of retaliation, fear that a child may be hurt, or because they believe they can't survive emotionally or financially without them. Regardless, prosecution efforts may take place without the cooperation of the victim if facts can be proved beyond a reasonable doubt.

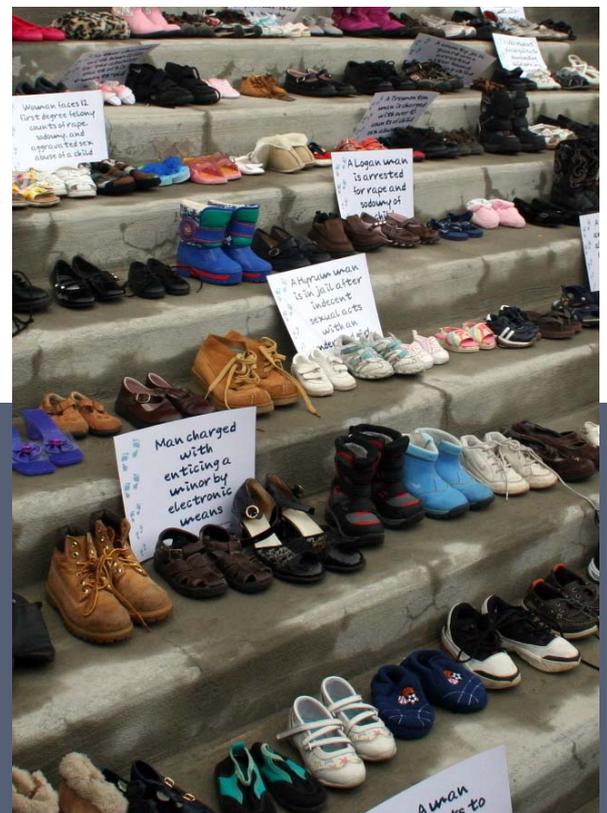
2009 Domestic Violence Numbers at a Glance

Age of Victims	Total	Percent
0-12	40	8%
13-17	40	8%
18-29	167	34%
30-44	170	35%
45-64	44	9%
65 and older	26	6%
Total Victims	487	



Gender of Victims

Allegation Breakdown	Total	Percent
Domestic Violence	246	51%
Protective Order violation	39	8%
Stalking	28	6%
Adult Molested While A Child	6	1%
Homicide	6	1%
Sexual Abuse	162	33%
Total Violations	487	



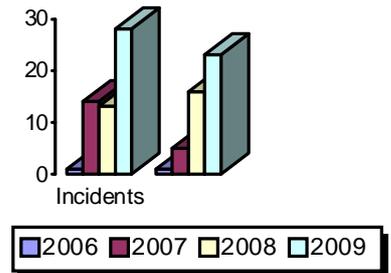
CCAO participated in an event during Child Abuse Month in which a pair of shoes for each of the 237 cases of substantiated child abuse in 2009 was displayed on the steps of the Historic County Courthouse. Many of these cases involved the services of the VAWA prosecutor.

Narcotics Division / Drug Court

This program could not be this successful without the community working together... Sheryl Andreasen, Bear River Health Dept

A prosecutor works closely with the Cache-Rich Drug Task Force in evaluating crimes involving narcotics. This ensures consistency with how cases are handled as well as providing an attorney with specialized training to more fully understand the dynamics of drug use within our local community. Heroin has been a growing concern due to increased use and was attributed to the cause of five deaths in 2009.

Heroin Related Incidents



Another serious increase was seen in the use of a substance most commonly called "Spice". Though legally sold under a number of trade names, it is not recommended for human consumption. Spice mimics the effects of marijuana and is used in much the same way. Law enforcement responded to a number of incidents involving Spice. Dozens of people reported that they visited emergency rooms for complications such as seizures, upset stomachs, headaches, dizziness, and vomiting. We anticipate its inclusion in future legislative revisions to drug laws.

Drug Court

Some drug-involved cases may qualify for an intervention-based program called Drug Court which involves collaboration between the court system and treatment entities. It is intended to give participants an alternative to going to jail by giving them a chance to change their behavior. A benefit is reduced recidivism rates of 6-12%, compared to approx 70% re-offending rates for drug addicts who do not go through the program.

Cases are screened closely by a committee that includes the presiding Drug Court judge, probation, law enforcement, prosecuting attorney, and treatment personnel. Individuals with felony drug charges are offered the option of therapy and case management. Participants agree to follow a strict program which involves weekly visits to the court, counseling, full-time work and/or school, and case management with random drug testing.

Graduates of this 1-3 yr program will have maintained a minimum of six months being clean and free of using drugs and alcohol and have gained an understanding of high risk behaviors and knowledge of chemicals and their effects. They will have developed a recovery and relapse prevention plan and assembled a continued support system. Upon completion of all requirements, felony charges are dismissed or reduced. More than 250 individuals have graduated from Drug Court since its inception.



2009 Drug Court Numbers at a Glance

Total Number of Applicants in 2009: 38

Total Number of Graduates in 2009: 33

Mental Health Court

The Mental Health Court diverted 23 persons in 2009 that were charged with crimes that would carry traditional sentences and would typically include jail sentences. This program was established based upon the realization that jail will not positively influence persons with a mental illness.



Participants are encouraged to take their medication and to participate with therapists and other facilitators. With the assistance of the program, participants are able to obtain housing, employment, increased independence, and integrate into society.

The ultimate goal of the program is to find persons in the criminal justice system and treat their illness, and help participants to establish consistent patterns of behavior that will lead to long term successful and productive lives.

Referrals to the program are made by law enforcement, city courts, defense attorneys, or prosecutors. Following a full evaluation by Bear River Mental Health, the decision on acceptance into Mental Health Court is made by the prosecutor in our office.

“The Mental Health Court diverted 23 persons in 2009...”

There are a limited number of diagnoses that will qualify for this specialized court program. Individuals with a diagnosis involving bipolar, schizophrenia, or schizoid affective disorder are considered.

First District Mental Health Court is overseen by a board which consists of a judge, prosecutor, Bear River Mental Health, NAMI (National Alliance on Mental Illness), New Discoveries Clubhouse, Adult Probation and Parole, defense counsel, Cache County Sheriff’s Office / Jail, and the multi-agency law enforcement Crisis Intervention Team. These members oversee the program and are involved with case and client management.

Juvenile Mental Health Court

In addition to adult Mental Health Court, the juvenile system has a corresponding program. It operates in a similar manner and also has involvement from the parents of the youth who is going through the program. Juvenile participants report to the judge on a weekly basis on their activities and progress. The Juvenile Prosecutor is involved with this diversionary court program.



Victim Services Division

*Assisting crime victims through the court process and
ensuring victim rights are protected.*

The Victim Services Division consists of three full-time Victim Advocates who service serious offenses charged in First District Court. These coordinators work to assist victims through the criminal court process. This can be a confusing time for many people and the services of an advocate coordinating their needs can be invaluable. The advocates work as a liaison between the victims and the county attorneys. Upon their request, victims are kept informed of court procedures and have the opportunity to have any questions answered. They also have the right to be heard during sentencing and appellate proceedings and advocates provide support and assist them through these processes.

Victim Services had a very active and public year in 2009. Program Coordinator Terry Warner, was instrumental in influencing the Utah Legislature to pass House Bill 290. She, along with victims and a defendant involved in a local texting while driving death case, addressed the State Legislature regarding House Bill 290. Under this law, the first conviction for texting while driving is a class-C charge, punishable by up to 90 days in jail and a \$750 fine. If it results in an accident involving personal injury or is the second conviction within three years, the driver can face up to six months of jail time and a \$1,000 fine; the conviction is the same as a DUI in the event of a fatality.

Terry has had numerous other public speaking engagements regarding this topic. September brought her to the State Transportation Driving Summit and the National Transportation Safety Summit in Washington, DC. She was interviewed for a New York Times article, as well as for an international Finnish newspaper article. She, along with people who had lost family members to distracted driving, spoke at the Cache County Transportation Summit which was held in November. She appeared on a safe driving DVD along with Deputy Attorney Don Linton in a video distributed nationally by Zero Fatalities and incorporated into Utah's driver's education curriculum. All of these caught the eye of Oprah Winfrey and in November she was flown out to participate in a show addressing texting while driving. Her tireless efforts have contributed to enhanced public awareness not only in Cache County but also a national audience.



Victim Services – continued

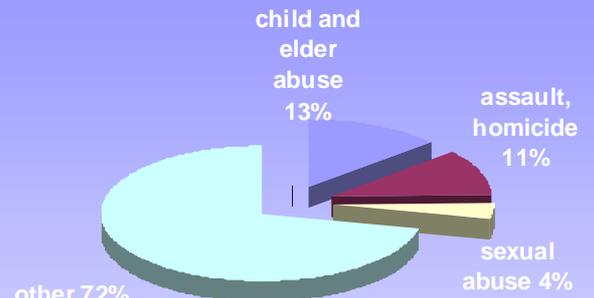
In 2009, a total of 2,797 victims received services. Services include explanation of the criminal justice system, coordination of meetings with attorneys, assistance in filing for crime victim reparations, restitution assistance, referrals to community resources, protection information, court support, case updates and notifications, and the return of property seized as evidence. Some services are provided to victims even when a suspect is not apprehended or prosecuted. Advocates spent over 1,100 hours in the courtroom on behalf of men, women, and children who were impacted by crime.

Victim Services 2009 Numbers at a Glance

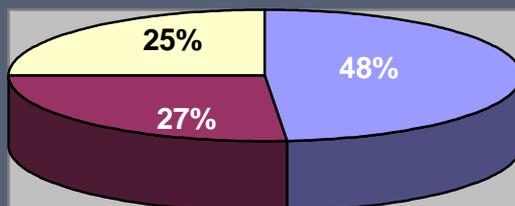
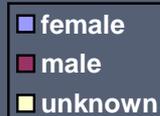
2,797 victims received services.

Advocates logged 1,100 courtroom hours.

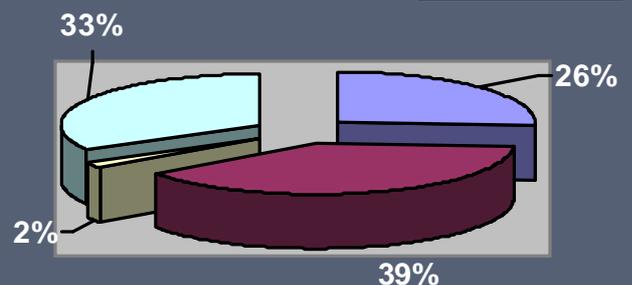
Offenses Served



Victims by Gender



Victims by Age





Civil Division

The work of the Civil Division is varied and demanding with extensive duties. Civil Attorneys represent the county in all civil matters and may frequently be found advising council members on various issues as well as department heads on legal matters that are not criminal in nature. These departments include Planning and Zoning, Human Resources (employment law), County Clerk (elections law), Assessor (Board of Adjustment issues), Surveyor (public and private roads), County Water Planner (water rights and issues), as well as reviewing GRAMA requests and EEOC issues. Additional work involved the filing of a number of briefs with the Utah Supreme Court dealing with civil matters.

In 2009, the Civil Attorney continued to assist the County Council, departments, and various entities and remained involved in reviewing contracts and agreements, authoring ordinances, and reviewing resolutions. Some of this work may be done by county personnel, but many involve the direct services of the Civil Attorney. Please see the *Numbers at a Glance* section below for related information.

An educational bulletin was developed and distributed quarterly to council members regarding land use which includes case law updates and relevant issues facing planning and zoning.

Projects of Note

The Ordinance Review Committee was established in order to ensure ordinances are appropriate for Cache County. Within this process, it was determined that the Planning and Zoning Ordinances would be comprehensively reviewed and updated; this process is ongoing.

Appeals were filed with the Utah Supreme Court regarding the Selman Road. This pending litigation involves a segment of road on the western side of the county.

The Coldwater Ranch Road litigation was resolved. This public road runs east from Paradise to Ant Flat Road through Coldwater Ranch.

Federal monies in the amount of \$3,000,000 were obtained to improve canyon roads. These roads involved Temple Fork, Franklin Basin, Rock Creek Canyon, and a substantial section of the road to Tony Grove. In addition to extensive road improvements, bridges were improved or replaced in these areas. The Civil Division was heavily involved in the RFP process, approval of the contractor, and ensuring the work conformed to proper specifications.

Numbers at a Glance

13 Ordinances completed

38 Resolutions passed

1,852 Contracts and Agreements

Support Staff



Support Staff consists of six employees who work together to ensure that the office is run smoothly and efficiently. There is an Administrative Assistant who works closely with the County Attorney, an Office Manager / Legal Assistant, and three additional Legal Assistants. Their work is invaluable and consists of research, filing of motions, organization of cases, and ensuring paperwork and files are processed appropriately and timely. They must stay current on legislation and case law and are truly the nuts and bolts of making sure cases are ready for court.

The Office Manager has additional duties regarding payroll, ordering of supplies and materials, ensuring the quality of work put out by the Support Staff, and evaluating and implementing policy and procedure changes.

The Administrative Assistant to both the Chief Deputy and the Cache County Attorney is an invaluable resource. The work is dynamic in that the demands on the time and schedules of these attorneys are varied and ever-changing and this person must be flexible in meeting their needs.

A significant change to office practices in 2009 was the implementation of a paperless system. By the end of the year, all of the prosecuting attorneys were utilizing a computerized filing system for cases. This has created a much “greener” office and has had enormous cutbacks in the vast amount of paper that was previously being used.

A benefit to this new system has been a savings in the cost of office supplies as well as greater efficiency with time. Important papers may be easily accessed, which has decreased the amount of time spent on finding and storing files, providing legal discovery information to defense attorneys, and case preparation.

There was a cost savings of \$1,400 in office supplies in 2009 from the prior year’s usage.



Children's Justice Center

The Cache CJC is part of a 15-center statewide network that functions under the auspices of the Cache County Attorney's Office and the Utah Attorney General's Office.

The Cache County Children's Justice Center (CJC), located in Logan, provides a child-friendly facility where child victims of sexual and/or physical abuse are interviewed and medically assessed and treated. In 2009 there were 256 interviews of victims which took place along with 99 medical assessments. It is encouraging to note that this is a significant reduction in interviews from the previous year and reflects a statewide and national trend of lowered child abuse reports.

An additional mandate of the CJC is to provide training in child abuse investigative and prosecutorial techniques to local detectives, prosecutors, and case workers. The CJC met this responsibility by providing several hundred man hours of local training in 2009. The Center also financed specialized out-of-state training at nationally recognized conferences which was of great benefit to the agencies and personnel working with child victims.

The CJC enjoys a productive and cordial relationship with other helping agencies in the region and serves children and families from Rich and Box Elder counties as well as Cache County. The Center is staffed by two full-time employees, an intern from Utah State University, a part-time pediatric nurse practitioner, and two on-call registered nurses.

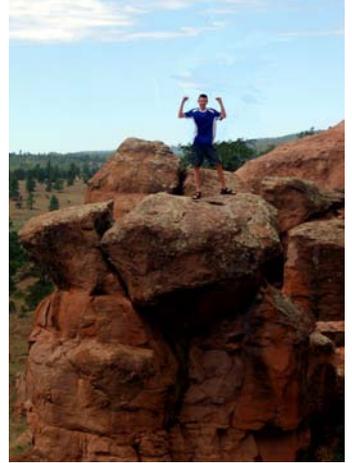
The CJC is responsible for a monthly case staffing which involves entities working with child abuse victims. This fosters better understanding of case dynamics, as well as ensures a collaborative approach when dealing with children and families that are going through a sensitive and difficult experience.

CJC Numbers at a Glance

256 Victim Interviews

99 Medical Assessments

Accomplishments / Highlights



The Cache County Attorney's Office continued to evaluate working practices within the department. As part of this evaluation process, it was determined that there was insufficient security in the area which houses the Victim Services Division. This portion of the building was remodeled to ensure that victims who needed to meet with advocates regarding cases would feel safe and secure. It also provided protection for the advocates, who deal with sensitive crisis situations on any given working day.

The Law Library was upgraded with new technology which enabled improvements to the video arraignment process. Video arraignments take place in adult court remotely through the participation of First District Court, Cache County Jail, and CCAO. Individuals who are detained in jail no longer need to be transported to the courthouse. Through increased video technology, some court arraignments are done remotely wherein a judge and defense attorney is present in the courthouse, an inmate is present at the jail, and a Prosecutor is present in the Law Library. This is a convenience and is a cost saver in terms of personnel for the county jail, as well as greatly increasing court security.

The Ordinance Review Committee was established to work with council members in drafting, reviewing, and submitting recommendations regarding proposed ordinances. Members include CCAO, County Executive, Human Resources, County Clerk, Cache County Sheriff's Office, Council member and Fire Chief. Other items pertinent to county business are reviewed in addition to ordinances, such as the ongoing review and revision of the employee policy manual.

Notable Cases

Ferretti Court Case / Murder – This involved a murder which likely did not take place in the area but subsequently became county jurisdiction following the discovery of the body of Tiffany Jarmin in Logan Canyon. Ms. Jarmin had been shot, her body dumped and later found following the passage of some time. Through the diligent efforts of law enforcement, the case was subsequently solved. Robert Ferretti is now in prison for this murder.

Medina Court Case / Domestic Violence Aggravated Kidnapping – Antonio Medina was charged with aggravated kidnapping after a malicious series of events involving his live-in girlfriend. This case of domestic violence involved heinous circumstances in which his partner was beaten throughout a period of time, tied up, and assaulted repeatedly. After a series of assaults, Mr. Medina stated he would kill her and was in the process of transporting her to another location when the victim was able to free herself from the vehicle. After running into a local business, he tracked her down but fortunately a citizen had contacted police who responded quickly. This gang-involved individual received a 15-to-life sentence after pleading guilty.

Community Partnerships

Our staff is very involved in interagency efforts, as well as 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, most notably the effects of pornography, texting while driving, impact of gangs, and child abuse issues.

Distracted Driving was a topic for outreach, most notably by representatives of our office speaking at the National Transportation Safety Summit and to a NY Times in-depth reporter as well as a reporter from a Finnish newspaper. Terryl Warner, Victim Services Coordinator, was part of a taping on the Oprah television show. The office initiated, planned, and sponsored a County Transportation Safety Summit in conjunction with support from the Cache Metropolitan Planning Organization and Zero Fatalities.

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, such as the Clothesline Project and a domestic violence public awareness walk.

CART (Child Abduction Response Team) was formed through the involvement of Victim Services; the working group includes team members from all areas of law enforcement, AP&P, 911 Dispatch, DCFS, Children's Justice Center, Search and Rescue, CCAO Prosecutor, Victim Advocate, Child and Family Support Center, and Cache County Zoning (for GIS and mapping). Training was provided throughout the year on Amber Alerts, media relations, comprehensive hands-on workshops by the National Center for Missing and Exploited Children, and case investigative techniques which was taught by the lead detective on Salt Lake area's Destiny Norton case. Monthly meetings were established.

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

- 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;
- Drug Court Committee;
- Tri-County Strike Force meeting;
- Law enforcement related meetings; and
- Juvenile Interagency case staffing meetings.

Community Partnerships – *Continued*



Members of the CCAO participate in monthly Law Enforcement Administrative meetings. This invaluable group is made up of the heads of all local law enforcement agencies and attorneys from our staff. The emphasis is on enhanced communications and improved working relations as well as discussions related to policy, procedures, and finding solutions to problem areas or concerns. Interagency coordination of law enforcement activities and any events which take place within Cache County are also discussed during this forum.

CCAO personnel are involved with various committees, councils and boards. We feel it is important to participate with members of the community and agencies which service Cache County. These include:

- **First District Victim Rights Committee** which reviews complaints, distributes information, and works to enhance victim services;
- **Roads Committee** which works to catalog roads and rights of way and ensure the protection of valley;
- **Ordinance Review Committee** is a county program which assists the council members and departments in researching and reviewing proposed ordinances including the personnel policy manual which will be extensively reviewed;
- **NOVA** (National Organization of Victim Advocacy) Planning Committee – we are pleased to announce that Utah is the host state for the 2010 national conference, to be held in Salt Lake City in August 2010. A member of our organization is involved in this prestigious national conference;
- **Utah County Insurance Pool (UCIP);**
- **Bear River Board of Health;**
- **Child and Family Support Center Board;**
- **Cache County Water Board;**
- **CJC Advisory Board and Chair;**
- **CJC State Advisory Board; and**
- **Utah Council on Victims of Crime.**



Looking to the Future

*"Be an opener of doors for such as come
after them." Ralph Waldo Emerson*

A monthly educational newsletter has been developed for distribution to law enforcement agencies throughout Cache County. This newsletter will address timely topics which we believe will benefit the hardworking officers involved in the prevention, intervention, and investigation of crime.

Further education will be done on distracted driving. Terry Warner will be participating further with the Oprah Winfrey show in 2010 with the shooting of a commercial on the subject of texting while driving. Additionally she will be involved in the making of an educational DVD on distracted driving in conjunction with Zero Fatalities. Planning efforts are underway for the state Transportation Safety Summit as well.

Further educational efforts will take place targeting the dangers of pornography, as well as child abuse awareness. Look forward to a fall Family Summit with an emphasis on domestic violence and other subjects that impact our quality of life such as drug and alcohol use, gang activity, and abuse.

The National Organization for Victim Advocacy (NOVA) will hold its annual national conference in Salt Lake City in August. This is a world-class training event which will include speakers from around our country. Our office is involved with assisting with this conference, and will be presenting as well.

Grant funds have enabled the hiring of a Special Investigator to assist with Crimes Against Women. This individual will be doing follow-up on cases, speaking with victims and witnesses, and assisting with the service of papers on defendants. We look forward to this great addition to our office and to further enhancing our services to the community.

We will be targeting the ongoing problem of prescription drug abuse by involving local physicians, dentists, and other medical professionals in identifying individuals with drug addictions and finding ways to treat the addictions outside of the criminal justice system. By focusing on prevention efforts, this program will be of direct benefit to Cache County.

Looking to the Future *continued*



We will develop a system that will track the number and type of cases that were filed by our office. This will enable us to more efficiently track the trends of criminal activity in our communities so we can be more responsive in our efforts to reduce crime.

The office will complete the implementation of the paperless system by integrating the prosecution management system and the data management system (SIRE). A workflow program will be fully developed and evaluated to increase efficiencies within the office and to better move cases along within the process.

We will actively participate in protecting the county's water resources and continue to work with the county Water Manager. This work will take place through state hearings and through the involvement of committees that create policy, including the State Legislature. We will continue to meet with state agencies and members of the legislative body to promote sound water policy that protects and preserves the county's valuable water resources.

Plans are in place to prepare and map a comprehensive GIS-based catalogue of county roads located in the mountains and valley floor. This will greatly assist in the preservation and protection of existing rights of way and will ensure access to recreation and to private development rights associated with property.

Last but not least, we hope you have enjoyed this first edition of the Cache County Attorney's Office Annual Report. Our activities in 2009 were varied, and we are glad to report that we have continued to serve the citizens of this great valley with pride in the work that we do. It is truly through the combined efforts of all the staff in the office that we have been able to achieve these notable accomplishments.

We look forward to maintaining this new tradition in future years.



**2009
Annual
Report**

*A special thanks
to the
contributions of
Joan Liquin in
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publication.*

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