

STEVEN A. WUTHRICH (6055)
CRAIG T. PETERSON (7095)
Assistant Attorneys General
SEAN D. REYES (7969)
Utah Attorney General
5272 S College Dr, Suite 200
Murray, Utah 84123
Telephone: (801) 281-1200
Fax: (801) 281-1266
E-mail: swuthrich@utah.gov
E-mail: craigpeterson@utah.gov

Attorneys for Plaintiff

<p>IN THE EIGHTH JUDICIAL DISTRICT COURT</p> <p>IN AND FOR THE COUNTY OF DAGGETT STATE OF UTAH</p>	
<p>STATE OF UTAH</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>JERRY R. JORGENSEN, DOB 12/11/1952</p> <p style="text-align: center;">Defendant.</p>	<p style="text-align: center;">INFORMATION (Service: Summons)</p> <p style="text-align: center;">Case No. 171800006</p> <p style="text-align: center;">Judge:</p>

The undersigned, T. Dimick, UTAH DEPARTMENT OF CORRECTIONS, Agency Case No. 17-45665-AA, upon a written declaration states on information and belief that the defendant committed the following crime:

COUNT 1

FAILURE OF SHERIFF TO SAFELY KEEP INMATES, a Class A Misdemeanor, in violation of Utah Code Ann. § 17-22-2(h), as follows: On or about August 2016 through October 2016, in Daggett County, State of Utah, did fail to receive and safely keep all persons committed to his custody, file and preserve the commitments of those persons, and record the name, age, place of birth, and description of each person committed, to wit: Inmates at the Daggett County Jail were not kept safe and were exposed to harm while committed to the Sheriff's custody at the jail.

COUNT 2

OBSTRUCTION OF JUSTICE IN CRIMINAL INVESTIGATIONS OR PROCEEDINGS, a Class A Misdemeanor, in violation of Utah Code Ann. § 76-8-306 (j), as follows: On or about April 2016 through April 2017, in Daggett County, State of Utah, the with intent to hinder, delay, or prevent the investigation and prosecution of any person regarding conduct that constitutes a criminal offense did provided false information regarding a suspect, a witness, the conduct constituting an offense, or any other material aspect of the investigation, to wit: The defendant provided false information regarding a criminal offense that occurred in the Daggett County Jail, and false information regarding material aspects of the investigation into that offense.

COUNT 3

OFFICIAL MISCONDUCT, a Class B Misdemeanor, in violation of Utah Code Ann. § 76-8-201, as follows: On or between January 2014 and April 2017, in Daggett County, State of Utah, the defendant, a public servant, with the intent to benefit himself or another, did knowingly refrain from performing a duty imposed on him by law or clearly inherent in the nature of his office as Daggett County Sheriff, to wit: The defendant failed to investigate, discipline or otherwise supervise deputies under his control, and for failing to investigate criminal conduct that occurred at the Daggett County Jail.

THIS INFORMATION IS BASED ON EVIDENCE OBTAINED FROM THE FOLLOWING WITNESSES: T. Dimick, J. Savage, J. Cox, B. Lail, Jane Doe 2, and C. Collette.

DECLARATION OF PROBABLE CAUSE:

Your declarant, T. Dimick with the Department of Corrections, based on information in Report Number 17-45665-AA and interviews of witnesses, states as follows:

That on or between April 2016 and April 2017, the defendant was the elected Sheriff of Daggett County, and failed to properly supervise and/or discipline deputies within his Department and under his control, even when misconduct was specifically brought to his

attention, including, but not limited to, failing to safely keep all persons committed to his custody and held at the Daggett County Jail.

During this time period a deputy sheriff assaulted inmates at the Daggett County Jail, using a Taser, and inmates were exposed to harm from K9s brought into the jail to be trained as service dogs.

On or about April 18, 2016, Jane Doe 2 sent an e-mail to Jorgensen reporting an incident within the Daggett County Jail. The incident described Lt. Ben Lail turning on a Taser and pointing it directly at Jane Doe 2's feet, leaving her intimidated and frightened. Jorgensen denied knowing about this e-mail, and denied he had any knowledge of, or training, involving Tasers despite training logs indicating the opposite.

Pursuant to Utah Code Ann. § 78B-5-705 (2008)
I declare under criminal penalty of the State of
Utah that the foregoing is true and correct to the
best of my belief and knowledge.

Executed on: May 5th, 2017

/s/ T. Dimick

T. DIMICK

Declarant

Authorized for presentment and filing:
SEAN D. REYES, Attorney General

/s/ Steven A. Wuthrich

STEVEN A. WUTHRICH

Assistant Attorney General

Dated this 5th day of May, 2017