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<p>IN THE THIRD JUDICIAL DISTRICT COURT</p> <p>IN AND FOR SUMMIT COUNTY, STATE OF UTAH</p>	
<p>THE STATE OF UTAH,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>MARSHA LYNNE PROBST, D.O.B. 03/02/1956, 330 West 500 South Midway, Utah 84049,</p> <p style="text-align: center;">Defendant.</p>	<p>INFORMATION (Summons)</p> <p>Case No. _____</p> <p>Judge:</p>

The undersigned, Special Agent T. Downey of the Utah Attorney General’s Office, states on information and belief that the defendant, Marsha Lynne Probst, either directly or as a party to the offense, committed the crimes of:

COUNT ONE:
 MISUSING PUBLIC MONEY, Utah Code Ann. § 76-8-402, a Second Degree Felony, as follows: That on, about or between January 6, 2012 and March 21, 2017, in Summit County, State of Utah, the defendant, acting as a public employee charged, either by law or under contract, with the receipt, safekeeping, transfer, disbursement, or use of public money, appropriated the money or any portion of it to her own use or to the use or benefit of another without authority of law; and/or unlawfully deposited the money or any portion in any bank; and/or knowingly kept any false account relating to the money.

DECLARATION OF PROBABLE CAUSE:

I am a Special Agent with the Utah Attorney General's Office assigned to the Special Investigations and Public Corruption Unit. Your affiant has been a law enforcement officer for over 10 years and is certified through Utah Peace Officers Standards and Training. After an ongoing investigation of Marsha Lynne Probst (defendant), your affiant has probable cause to believe that the defendant has committed the following criminal act: misuse of public money in violation of Utah Code Ann. § 76-8-402 in Summit County of the State of Utah.

The facts set forth in this declaration are based upon the results of an investigation during which I conducted multiple interviews, reviewed financial and business accounts, government records, and conducted other investigative practices.

From June 2006 through October 2017, the defendant was employed as a victim advocate with the Summit County Attorney's Office, a department of Summit County. It was later determined that, during her time as a victim advocate, defendant would regularly receive donations on behalf of the county, and made to the Summit County Victim Assistance Program, in the form of checks from Wasatch Womenade.

Wasatch Womenade is a non-profit organization based in Park City, Utah. According to their website, the donations they make to the Summit County Victim Assistance Program "helps victims prevail over the trauma of their victimization by assisting and advocating for safety, healing, justice and restitution".

On, about or between January 6, 2012 through March 21, 2017, the defendant established an account with Utah Community Credit Union (UCCU) as sole signer using funds from donations made to Summit County. This account was unknown to Summit County employees and keeping financial accounts with public money outside of the management of the Summit County Treasurer's Office was in direct violation of county policy. County policy specifically states that public donations are to be deposited into county accounts. None of these individuals knew anything about the UCCU account. Further, Summit County policy regarding handling of public funds, donations, and cash handling, dated 2005, states that the "Treasurer will establish all depository accounts for use by county departments" and that the "Treasurer is the authorized signer on all depository accounts".

Defendant used the funds in the UCCU account without keeping an accounting or record of the funds receipt, nor reporting the expenditures to Summit County financial officers. In addition, Defendant made personal purchases and expenditures using some of the funds. The total amount of the donation money made payable to Summit County that Defendant misappropriated and deposited into the separate bank account is in excess of \$5,000.

Pursuant to Utah Code Ann. § 78B-18a-106,
I declare under criminal penalty under the law of
Utah that the foregoing is true and correct to the
best of my belief and knowledge.

Executed on: June 14, 2018

/s/ T. Downey

T. DOWNEY

Declarant

*Digitally signed by Craig T. Peterson with
permission of Special Agent T. Downey*

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

/s/ Craig T. Peterson

CRAIG T. PETERSON

Assistant Attorney General

DATED: June 14, 2018