

THE VOICE

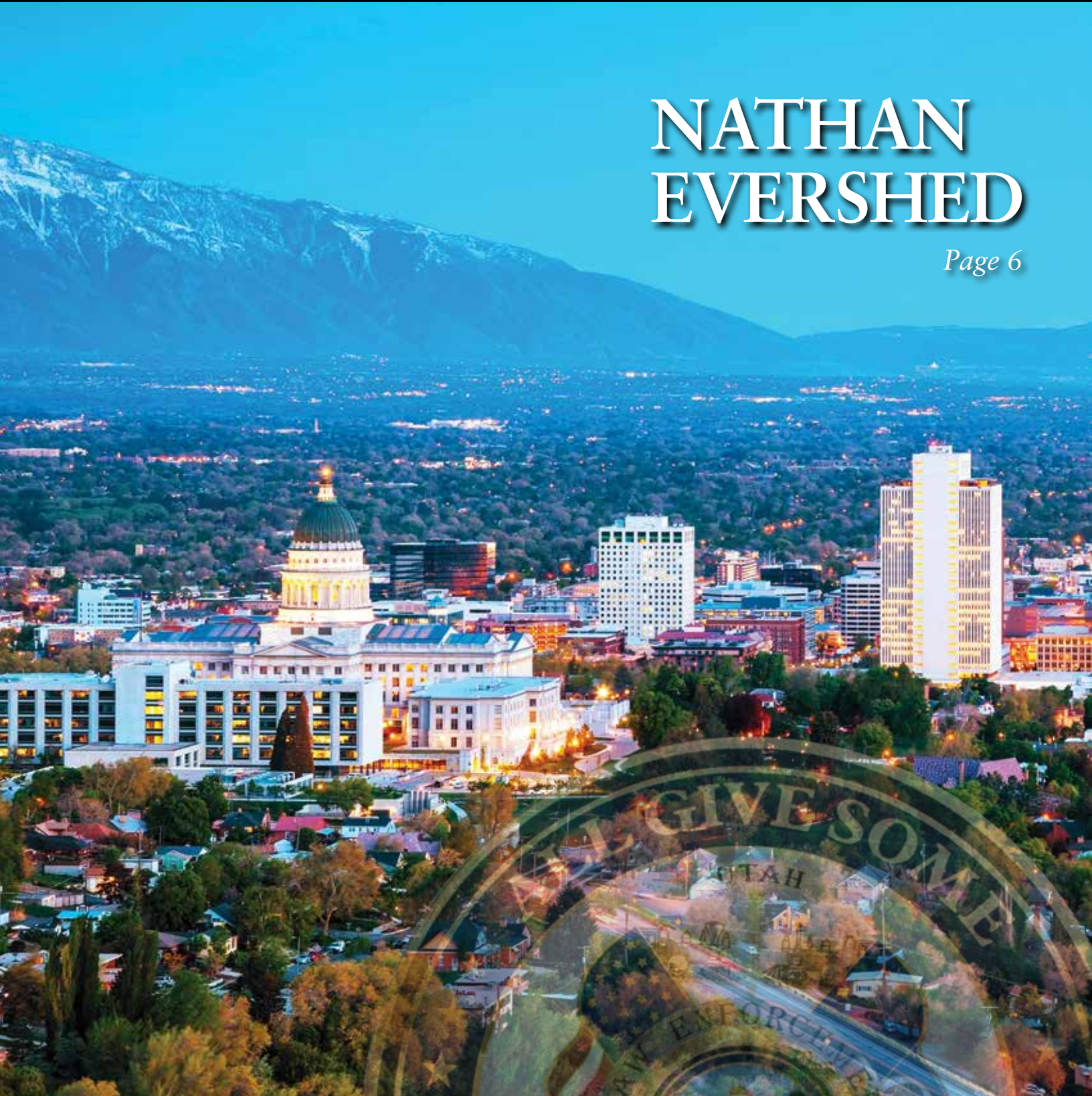


THE OFFICIAL PUBLICATION OF THE UTAH FRATERNAL ORDER OF POLICE

ISSUE 2 2018

NATHAN EVERSHED

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Family Matters Getting You Down?

Sometimes sacrificing your time, talent and energy to protect and serve your community means trouble at home.

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We are not a traditional labor union. We are an organization of cops, from the top down. We are not beholden to any political party or outside organization. We often stand alone, on behalf of issues that are critical to the profession. While we will try and work with other organizations on important legislation, we do not back down when it comes to protecting our officers. We put every effort into protecting cops and making our jobs safer. We don't represent non-law enforcement, so everything we do has the interests of the profession at heart. No other organization in Utah can make that claim.

We are a 501(c)(8) non-profit corporation. This means that our members run the organization, and are able to examine our books at any time, for any reason. We operate off transparency to our members.

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- Salt Lake Valley #2
- Park City #3
- West Valley #4
- Davis County #6
- West Jordan #8
- SLC Airport #11
- American Fork #13
- State Corrections #14
- South Salt Lake #15
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- Wildlife #19
- Summit / Wasatch #20
- Sandy City #21
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- Cottonwood Heights #24
- Layton City #25
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- Lone Peak Lodge #27
- Cache Valley #28
- Salt Lake City #30
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(St. George)
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- Bonneville Lodge #38
(Tooele County)
- Castle Country #39
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- Lehi #40
- Utah State Parks Lodge #41
- U of U Lodge #42
- Golden Spike Lodge #43
(Box Elder County area)
- AP&P Lodge #44
- Nebo Lodge #45
(Juab County area)
- Iron Lodge #46
(Iron County area)

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Meaning of the FOP Star

The emblem adopted by the National Fraternal Order of Police is designed to remind the membership of the duties that are expected of them as a citizen, a police officer and a member of the lodge. The five-cornered star tends to remind us of the allegiance we owe to our Flag and is a symbol of the authority with which we are entrusted.

Midway between the points and center of the star is a blue field representative of the thin blue line protecting those we serve. The points are of gold, which indicates the position under which we are now serving. The background is white, the unstained color representing the purity with which we should serve. We shall not let anything corrupt be injected into our order. Therefore, our colors are blue, gold and white.

The open eye is the eye of vigilance ever looking for danger and protecting all those under its care while they sleep or while awake. The clasped hands denote friendship. The hand of friendship is always extended to those in need of our comfort.

The circle surrounding the star midway indicates our never ending efforts to promote the welfare and advancement of this order. Within the half circle over the centerpiece is our motto, "Jus, Fidus, Libertatum" which translated means "Law is the safeguard of freedom."

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PRESIDENT'S MESSAGE



Brent Jex
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I had the privilege to spend the afternoon in a roundtable discussion with US Attorney General Jeff Sessions to discuss the issue of Officer Wellness and other LE topics from an FOP perspective in Utah.

As I enter retirement, there have been a lot of things cross my mind. One of those is the development and evolution of law enforcement. I remember starting out, having 20 year cops question my decision to enter this career, stating how it wasn't the same as when they started and how they could not get into it in that day and age. Just prior to me pulling the plug, I found myself stating the same thing. It is a different profession now. But you know, maybe that's ok. Maybe that is what keeps new blood coming in. While recruiting is difficult, we still have to trust the next generation of cops to take it to where we can't. The message for this time is "Building and Trusting the Next Generation." This is true in law enforcement and this is true in FOP.

As FOP leaders, whether it be at the local, state, or national level, consideration needs to be given to our own abilities and vision. Each lodge leader should develop other leaders to take their place one day. While this organization is not about "handing off" leadership responsibilities, it IS about developing quality candidates, who can stand before the membership

and advocate why and how they will fight for the things that are important and relevant. I have learned a lot from others over the past several years of involvement with the FOP. Some of those are leaders from other states, local lodge leaders, and members that are not in leadership positions. Leadership is an attitude and vision, not an elected or appointed position. We have to toss aside any thought that nobody can run the FOP the way we do, because it simply isn't true. Once we learn to build, it is then that the force of the FOP can really take hold.

Retirement has been good for me. It has allowed me to take that critical step back and see that there is more to life than what I wrapped myself in over the years. I believe that everyone needs to do what matters to them, to make the decisions that are best for them, and to be successful in all their endeavors. We have a tremendous amount of leadership ability in the ranks. Each local lodge has members that would be outstanding in leadership roles. It is up to current leaders to seek them out, encourage them, develop them, and prepare them to assume the leadership roles. ♥

NATHAN EVERSHED



Nathan Evershed (R) is challenging Sim Gill (D) for the position of Salt Lake County District Attorney. There are three main reasons Nathan wants the job:

- Office politics have helped create a toxic job environment, which has contributed to a 31 percent turnover in staff since 2016. Why? According to an employee engagement survey that was conducted by the Kem C. Gardner Policy

The best way to treat these illnesses is through treatment programs that can address underlying problems. But what do you do if someone refuses to participate in a treatment program? The options should include at least two specific choices: treatment for those who want it, and incarceration for those who are a danger to society.

Institute at the University of Utah, 70 percent of those surveyed thought that advancement within the office was determined by office politics, and not by merit. Only a small minority think the promotion process is fair (21 percent) or that the process for making changes to work assignments is fair (27 percent). The majority of employees also feel that management doesn't care about employees as individuals, they have no clear opportunity to advance professionally, and their concerns, ideas, and opinions are not valued. Nathan has the majority of the support of his co-workers.

- Relationships with other partners in the criminal justice community have been broken. As a result, the Fraternal Order of Police supports Nathan Evershed. So does the Salt Lake Police Association and the Salt Lake Valley Law Enforcement Association. He has support from people you would expect, such as Governor Gary Herbert, and people you would not, such as defense attorneys Greg Skordas, Monica Diaz Greene, and many of the public defender attorneys. He has bipartisan support

among Democrats, as well as those within the criminal justice community, including retired judges, and victim advocates.

- Nathan has invaluable courtroom experience, including 26 trials involving violent felonies. This is something the current District Attorney, Sim Gill, can't say since he has never done a violent felony trial. People who endorse Nathan have said that Sim Gill has bungled high-profile cases, has been inconsistent in his commitment to preventing domestic violence, and makes unjust decisions on a regular basis.

The way Nathan sees it, the Salt Lake County District Attorney should have experience in the courtroom, not just as an administrator. Courtroom experience is important because it teaches attorneys about which cases are most likely to be won in court. Having experienced, passionate, skilled attorneys is another must. The people who are best qualified to identify those attorneys are the ones who have seen each other at work in the courtroom. That's why so many attorneys and police officers are supporting Nathan.

Collaboration between stakeholders matters because it is a fundamental requirement of an effective criminal justice system. That collaboration creates trust. Law enforcement can have confidence that cases will be handled seriously and with appropriate professionalism. Defendants can be sure their cases will be judged on the evidence. Victims can trust that their experience, whatever it is, matters to the community as a whole. The community can trust that the prosecutors within the district attorney's office have been empowered to do their best work so they can keep the community they serve safe.

Nathan's background makes it clear why he would be an excellent District Attorney. A Salt Lake City native, he grew up here and graduated from West High School, and was awarded an undergraduate degree from the University of Utah. He graduated with his law degree from the University of Nebraska. Once back in Salt Lake, he began his professional career as a prosecuting attorney. Nathan started by prosecuting misdemeanors, including cases that involved DUIs and domestic violence. When it became obvious that he was

Continued on the next page



good at what he did, he was then assigned difficult cases involving child abusers, rapists, and violent gang members. He currently works as part of the Homicide Team in the Salt Lake County District Attorney's Office.

Nathan sees specific problems that need to be solved:

- Stop the mass exodus of experienced attorneys and staff from the Salt Lake County District Attorney's Office. This costs not only money by having to train new staff, but it costs victims and this community. Nathan will focus on retaining experienced attorneys and staff who will work with law enforcement to effectively investigate and prosecute crimes in Salt Lake County.
- Implement therapeutic justice programs that actually work. As is the case throughout the U.S., many people have drug addictions or mental health issues. The best way to treat these illnesses is through treatment programs that can address underlying problems. But what do you do if someone refuses to participate in a treatment program? The options should include at least two specific choices: treatment for those who want it, and incarceration for those who are a danger to society. Salt Lake County does not have enough jail beds. The current jail was built in 2000. Since then, the population has increased 22 percent, but the number of available beds has

not. Nathan wants to implement alternatives to incarceration, but only if they can be done while keeping the community safe.

- Restoring the trust of the community. Over the last eight years, there have been a number of prosecutions that many people perceived were politically motivated. Politicians and police officers were charged. However, not a single conviction came from those charges. Decisions within the District Attorney's Office need to be based on evidence, regardless of who the defendant is, and the District Attorney needs to have the experience to prosecute those cases.

Electing Nathan Evershed as the new Salt Lake County District Attorney will bring about necessary changes in structure and principles. Those changes will improve morale, encourage valuable employees to stay, and make it possible to train future leaders. The office itself will be more effective than it has been in a long time.

This election isn't about partisanship; it's about effective leadership. Sim Gill has had his chance. It's time to let Nathan Evershed put his experience and his skill to work for Salt Lake County doing what he does best.

Everyone will benefit. ❤️



★ Nathan ★ ★ ★ EVERSHED DISTRICT ATTORNEY

PAID FOR BY FRIENDS OF NATHAN EVERSHED

**The District Attorney's Office is Broken.
Let's Fix it!**

1

INTERNAL POLITICS:

In the last two years, we lost over 25% of the District Attorney Employees. 70% of employees believe advancement is based on politics. Morale is at an all-time low. Experienced prosecutors are jumping ship because of the mismanagement and politics within the office. Don't take my word for it, ask them and they will tell you.

2

EXTERNAL POLITICS:

Justice relies on cooperation and trust between everyone in the justice community as well as the public. Unfortunately, our current District Attorney has broken those relationships and lost the trust of the criminal justice community. Do you know a police officer or victim advocate? Go ask them!

3

LACK OF EXPERIENCE:

Did you know that in his entire career, the current District Attorney has never gone to trial on a violent felony? The District Attorney's Office spends over \$1.5 million dollars in salaries for administrators, instead of prosecutors. I have experience prosecuting the toughest cases. Experience is necessary for justice. Do you know a prosecutor? Ask them!

JUSTICE, NOT POLITICS

WHAT OTHERS ARE SAYING

I am honored to have the support of every police association in the valley, and bipartisan support from prosecutors, retired judges, victims, defense attorneys, and my co-workers. If you want to learn more visit my website: electevershed.com

ENDORSED BY YOUR POLICE



DEMOCRAT

I left The DA's Office after 23 years. I loved my career but the work culture became too oppressive. This lifelong Democrat will proudly cast her vote for Nathan Evershed in November. The victims, defendants & citizens of Salt Lake County deserve better.

Heather Stewart
Social Worker



PROSECUTOR

I hear frustrations about important high-profile cases bungled, about the vacuum of trust and communication between the DA's office and law enforcement. I've seen the very best prosecutors leave the office in a mass exodus. It is time for change. Vote for Nathan Evershed.

Ryan Robinson
Chief Prosecutor West Valley City



JUDGE

The office which [Nathan] seeks has seen, in my experience, a steady and consistent decline in morale and effectiveness in recent years. Nathan has earned, in my opinion, the uniform acceptance of the judges, defense counsel, law enforcement, victims and their families, and members of the public.

Judge Bruce Lubek Ret

HEALTH AND WELLNESS *in Retirement*

By Derek Draper



As officers we are creatures of habit. We like our routines, our circle of friends; predictability, or at least making what we can control as predictable as we can. These habits shape us at work and at home. This is especially true when it comes to physical and emotional health. When I look back at my early LEO years I looked good in a uniform and kept a decent physical appearance but this was mostly because I was young. I lived off of pizza and beer. Beer mostly to numb my brain from the calls I was seeing and handling. As we know over time these calls of child murders, spouse abuse, etc. take their toll. Our habits change to help us cope; long shifts and shift work can mean eating on the go. For me this was looking for quick, cheap meals and definitely not eating anything that was helping me nutritionally.

After about 5 years on the job and since my entire identity was “I am a Police Officer” all I did was work, for there is always

shifts and overtime available. My caffeine consumption of coffee, soda, and energy drinks was through the roof. I began to experience weight gain. I was still able to look good in a uniform but I was so out of shape and unhealthy it was pitiful.

Everything changed for me after experiencing my second shooting in January of 2012 where six of my co-workers were shot and one ultimately lost his life. I sunk into a major depression. This state was very easy to live in since the food I was putting into my body was not of quality and allowed me to fester and feed my depression. After six months of this I was encouraged by some co-workers to start going to the gym. I needed something, an outlet. I had to make a choice. Food and alcohol seemed easier but I had young children and my family to think about too. As I started going to the gym, I found that it began to pull me out of my depressed state and made me feel a little normal again. I began to do tons of research on health and nutrition. I cleaned up my eating,



The gym became my therapy,
as I would give it everything
I had every time. While I was
there I was too fatigued to think
about everything that plagued
me on the outside. My sleep
improved and daily life seemed
to once again be bearable.

not the best but cleaned up what I was consuming so that I would improve my workout at the gym. The gym became my therapy, as I would give it everything I had every time. While I was there I was too fatigued to think about everything that plagued me on the outside. My sleep improved and daily life seemed to once again be bearable.

When my 20 years came up there was no question that I was ready to retire. This was quite a paradigm shift as I watched those before me stay on additional years or they would still work in related fields. Some even came back as they just weren't able to make the transition. Instead of being just a job, Law Enforcement tends to define us as individuals. I believe Law Enforcement is one of the truest callings around but the stresses we incur last forever. Every one of us suffers from PTSD, for "normal" people are not exposed to the things we are and the assistance offered is a great talking point, but ultimately makes you a liability.

Life after being a LEO can seem daunting. How do I fit into a normal life now with people who have no idea of the things that I have seen and dealt with? Now associating with people who are oblivious to the true evil that exists. Not having my comfortable circle of people that I would associate with on a regular basis. I sought professional help through workers comp of course for my PTSD and this has been helping with the mental aspects of being a "normal" person again. Helping me to just be able to recognize the anxiety which hits me at different times of the day for no apparent reason.

What I have learned is that changing my habits before retirement greatly helped in my transition to "normal life". As LEO's we have a higher chance of heart attacks and other high stress related health issues. I didn't make it this far to not enjoy life after the badge. Whether we like to admit it or not this career impacts us. The demons never go away but I can honestly say what you put into your body directly affects your mood, attitude and outlook. If you feed and fuel your body properly at least 80% of the time, your overall wellbeing is much better. I believe we need to have an active lifestyle. We know how to work out but we do not know how to transform our bodies. I fell into this. I gained some size from me working out but could never clean up the midsection area. After I retired I decided I was going to do a body building show. In addition to learning about being healthy myself, I worked hard, trained and cleaned up my diet. This was a huge goal and helped to channel my focus. What I found is that I lived basically the same life I had before, I was just able to eat more because I chose the right kinds of food and I was less hungry. Even simple changes in diet and exercise can make a world of difference. Look at changing to better habits of health. My true calling of wanting to help people still exists, but I do it on much better terms now.

Since retirement I have become a health coach and I help those who are looking to transform their health and ultimately their lives, like I was in need of. We serve our time and community and owe it to ourselves and families to be able to live life to the fullest. ♥

AVOIDING EXERCISE INJURIES

By Dr. Nicholas G. Hanson, Alpine Medical Group



The whole point of exercise is to be healthier. Sometimes, though, it's possible to be injured while exercising, and it can take a long time to recover from the injury. Nobody is immune from the problem. Even very experienced exercisers who maintain a high level of fitness can sometimes get hurt. What you can do, however, is reduce the likelihood of injury. The following key steps can help.

1. If you haven't been exercising, then check in with a medical provider. This becomes particularly important for men over the age of 45, women over the age of 55, and anyone who is dealing with a medical condition. The medical provider can assess your current medical condition. Chances are good your medical provider will clear you to exercise ... but if for some reason you don't get permission, respect that. Find out what you need to do in order to begin exercising again.

2. Choose exercises that avoid your body's limitations. You don't want to push too hard on a weakened part of your body. If you have problems with plantar fasciitis, for example, this isn't the time to start an aggressive walking or jogging program. Someone with weak knees should go easy on steppers, treadmills, or leg presses. People with bad backs should be careful about using stability balls. If you sit a lot at work or at home, by the way, your back muscles are probably weak. Take that into account when you start exercising again. Weight lifting isn't a good choice if your wrists are weak; indoor cycling is bad if your hips are bad. If you are older, be careful about your shoulders because they are very prone to injury as you age. Walking, swimming, riding stationary bikes, and playing golf may be good places to start if you want something that doesn't have to demand a lot from you.

3. Choose exercises that are suitable for your gender. Men do best with activities that take place in a rigid plane of motion. Think Nautilus machines, weight lifting, and push-ups. Women do best with diagonal or multiple planes of motion:

Include time to stretch to increase your flexibility. Dynamic stretching should take place after you warm up or cool down. Don't bounce, and don't hold a stretch for longer than 15 to 30 seconds.

cycling, Pilates, stair steppers, and yoga. Since women are more likely to injure their ACL (anterior cruciate ligament), they need to be careful doing anything that requires them to twist and turn the leg quickly, such as basketball, racquet sports, and skiing. A woman who is menstruating needs to be aware that her joints are going to be looser than usual, which can make it more likely she will injure herself if she isn't careful.

4. Drink lots of water. Start before you begin a workout; drinking 17 to 20 ounces 2 or 3 hours before a workout session is a good idea. Drink another 8 ounces 20 to 30 minutes before you start, drink 8 ounces every 10 to 20 minutes during the workout, and drink another 8 ounces within the first 30 minutes after a workout.

5. Plan on warming up before you begin and then cool down at the end of your session. The body does better with gradual changes than it does with abrupt ones. Warming up prepares your body for the more rigorous exercise to come by gradually increasing your heart rate and loosening joints and muscles. To warm up, try jogging in place, jumping rope, riding an exercise bike, or doing some other activity. Spend 5 to 10 minutes.

6. Include time to stretch to increase your flexibility. Dynamic stretching should take place after you warm up or cool down. Don't bounce, and don't hold a stretch for longer than 15 to 30 seconds.

7. Start slow. Increasing the duration, frequency, and intensity of your workout can come later. At the beginning, though, stay at a level that is comfortable for you. If you have known trouble areas, such as your knees, try to be particularly gentle with yourself when doing knee exercises. Immediately stop doing anything that hurts.

8. Cross train so you can avoid overusing specific muscles. Overuse of a specific muscle group can cause problems such as tendinitis and shin splints. As an example of cross training, suppose you want to exercise Monday through Saturday. You might decide to swim on Mondays and Thursdays, run on Tuesdays and Fridays, and lift weights on Wednesdays and Saturdays. Always rest at least one or two days each week.

9. Eat a healthy carb and a protein snack after your workout to keep your energy up. It's also a good idea to eat regular, healthy meals. Ideally, choose a time for exercising that works well with your meal times.

Continued on the next page

Decide how serious the injury is and call 911 if necessary. You need a medical professional if you have chest pain before or after exercise, you broke a bone, a joint is in the wrong place, you hear a pop and can't move a joint correctly afterward, you are badly injured, or you are dealing with severe pain or bleeding.

You don't want to eat a heavy meal before exercising, but you also want to be satisfied enough that you won't be preoccupied by your need for food.

10. Wear the correct clothing and have appropriate gear for whatever exercise you are doing. Runners need good shoes that aren't too old. Bicyclists need helmets. So do skiers, but use a different helmet for skiing than for biking. Yoga enthusiasts need comfortable clothing and a good mat. Don't play tennis in running shoes. Use shin guards, mouth guards, goggles, and knee pads if they will prevent an injury. Make sure everything fits you correctly, too.
11. Consider finding a certified trainer, coach, or teacher. A good trainer will help you create a good exercise program for you. You will want to find someone who is familiar with exercising at different ages; the body responds differently to exercise when someone is 21 than when that same person is 51. The body begins a natural degenerative process after it reaches maturity. That is probably earlier than you want it to be, but you need to adapt your exercise routines to accommodate the inevitable changes in your body. If your exercise expert doesn't seem to have the right credentials or the right attitude, move on. You can also find books and internet videos that will teach you much of what you need to know.
12. Pay attention to what your body is telling you. If your muscles are still sore after a couple of days, they need more rest. If something feels too strenuous, then it is. Be gentle when it comes to pushing yourself.

What if, despite your best efforts, you do hurt yourself? Take as many of the following steps as you can:

- Decide how serious the injury is and call 911 if necessary. You need a medical professional if you have chest pain before or after exercise, you broke a bone, a joint is in the wrong place, you hear a pop and can't move a joint correctly afterward, you are badly injured, or you are dealing with severe pain or bleeding.
- Rest the injury. If you are able to exercise at all, exercise the parts of your body that are not injured. That includes avoiding any exercise that puts additional strain on the injured area. This is a good time to try something new that is completely different from your usual workout. If you hurt your arms or shoulders, focus on walking. If you hurt your ankle or feet, focus on arm exercises.
- Use ice. Ice can reduce bleeding, inflammation, and swelling.
- Wrap the injury with a compression bandage to minimize swelling.
- Elevate the injury if that's possible. This is another way to minimize swelling.
- Consider taking nonsteroidal anti-inflammatory medications. These can reduce the amount of pain and inflammation you will experience. If you are taking other medicines, or if you have medical problems, talk with a medical professional first in order to avoid unexpected complications.

Most injuries heal in four weeks or less. (It might take longer to heal if you are older.) You should see at least some



improvement within a week of the injury. If you don't, or if the injury seems to be getting worse, that's another time when you should see a medical professional.

Once you are pain-free again, you can slowly start exercising again. Don't push too hard or too fast: that's a good way to injure your body all over again. Give yourself at least three

weeks to build up some strength before you begin exercising at the same level you were at before your injury. ♥

Dr. Hanson is a physician with the Alpine Medical Group and can be reached at: 801.328.1260

See: www.alpinemedicalgroup.com/dr-hanson

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thenewslinkgroup.com



AN INNOCENT COP

By Kevin Worlton, former Escalante City Police Chief

In April 2014 I was hired as the Chief of Police for Escalante City, a one-man department located in one of the most rural areas in Southern Utah. One of the main reasons that I was selected was because of my experience in narcotics investigations while working in the Salt Lake County area and an assignment to the Salt Lake DEA/Metro Narcotics task force. When I was hired I was given the task of gaining control of the illegal narcotics use and sales occurring in Escalante City.

While working, I received information about drug use and distribution in Escalante by individuals who are known in the community as life-long addicts and distributors of methamphetamine. Through the investigation I gathered sufficient evidence to obtain two no-knock search warrants for two residences owned by two brothers. The residences were linked

with a common back yard and the brothers were known to be violent. I knew that I needed a SWAT Team to serve the search warrants and I also knew that the local Sheriff's department did not have a SWAT team. I contacted Utah DPS and was directed to the Iron County Narcotics Unit and SWAT team for assistance. Everything was a go for the search warrant service until I was notified by the SWAT team commander that Garfield County Sheriff Daniel Perkins had cancelled the Iron County SWAT team because he felt they were not needed, although he had not discussed the investigation with me previously. When I spoke with Sheriff Perkins he was upset that I had not cleared my investigation with him, despite the fact that I was a police chief in a neighboring jurisdiction. I was able to complete the service of the search warrants with the assistance of three Garfield County deputies, which resulted in a myriad of drug-related criminal charges.

Shortly after this case was submitted to the County Attorney, Sheriff Perkins went to my neighbor's house and told them he was in town to get me fired. Sheriff Perkins then attended the Escalante City Council meeting and requested a closed-door session with the Escalante City Council. Presumably during this session Sheriff Perkins requested that Escalante City terminate my employment using factually incorrect statements presented to the Council Members. Fortunately, the City Council had the correct facts and were able to confront him with the information. A City Council member told me that Sheriff Perkins stated "...just terminate him, you don't need a reason."

In the intervening months I arrested additional individuals, uninvolved with the previous suspects, for minor narcotics offenses but had no cause for another search warrant until December 2014. In mid-December 2014, during another drug investigation, I arrested several individuals associated with the suspects in my previous search warrant. I received enough information to secure a search warrant for another residence in Escalante City in which I again arrested several individuals on drug related charges. As a result of this investigation the suspects I had arrested met with Sheriff Daniel Perkins – the same man who wanted me ousted as police chief – to file a complaint against me. Rather than investigate the complaint or request another county sheriff to investigate me Sheriff Perkins contacted the Utah Attorney General's Office.

It's a letter you don't want to get. On Monday January 15, 2015 I was placed on administrative leave. The Utah Attorney General's Office had notified Escalante City that I was under investigation and recommended to them that I be placed on leave pending the outcome of their investigation. Soon after I was charged with two second-degree felony counts of "False or Inconsistent Material Statements" and a misdemeanor count of "Official Neglect and Misconduct." Furthermore, the AG investigator, Nate Mutter, intended to serve the arrest warrants on me during my birthday party but was dissuaded by the Escalante City Council. My FOP attorneys met with me soon after, and following a discussion of the charges and reviewing the evidence and reports they went to war with the Utah Attorney General's Office on a case that never should have been filed in the first place.

I don't dispute that a complaint had been made to the AG's Office by Garfield County Sheriff Daniel Perkins on behalf of drug dealers and users I had previously arrested or investigated. Certainly, alleged drug users and dealers do not wish to have their activities investigated – which is what I, as the lone officer in the city, was hired to do by the Escalante City

Council about a year earlier. Drug investigations and eradications are a considerable burden on a small police department and in a city as tiny as Escalante oftentimes you cannot afford to wait for outside assistance. The burgeoning meth and heroin problem had been an epidemic for years by the time I set about to correct the problem. Imagine my surprise when, instead of sending support, the State sent investigators to investigate me rather than to assist me. This from the same office that had recently been shaken up by the resignation of its elected official, John Swallow.

After a heated preliminary hearing, the misdemeanor count was dismissed and I was bound over on the felony counts. During the preliminary hearing I learned that Matthew Lloyd, the Assistant Attorney General prosecuting my case, had told a witness that she would probably never have to testify as I would likely accept a plea deal. Boy, were they wrong about that. I knew I was innocent and I could not accept criminal responsibility for something I did not do.

One of the questions in the case was whether a cut and paste error about Miranda was a material statement, for which I hired a renowned Miranda expert, former Federal Court Judge and Professor Paul Cassell. Professor Cassell was prepared to testify that the alleged cut and paste error was not material to a search warrant affidavit because Miranda deals with in-custody admissions – a different question from those posed in a search warrant.

For argument sake, assume that the cut and paste error was a mistake in an official document. Think about how many official documents (booking, probable cause statements, reports, affidavits, etc.) you write as an officer and then assume that there is an agency wanting to look over your shoulder to catch the mistakes you make and prosecute you. This is something better handled through administrative channels and in the normal court process, as it is routinely handled throughout the Nation. I never intended to make a mistake nor commit a crime – most officers are good-hearted people who simply want to do their best. I was trying to do my best. I was working alone and had been working on this case for several days with a few hours off for sleep when the alleged mistake occurred. Have you ever worked overtime and been exhausted while trying to complete your paperwork?

The second question in the case related to my body camera footage of the service of a search warrant on location where narcotics were being used and sold. I personally purchased the body camera and had used it maybe five times prior to this event – remember, back in 2014 body cameras were not widely used and virtually no agency had policies or directives

Continued on the next page



on how to use them. During the service I turned off my camera during a conversation with another law enforcement official. The Attorney General's office filed charges in part apparently because the statement made by an individual on scene, during the service, was not on my body camera. Relying on the statement of a known drug user, with an extensive criminal history, and severe memory problems to which she readily admits. They were hyper-sensitive to the fact that my body camera was not on at all times – again years before standard policies were even in place for how to use these devices. I had purchased the device on my own dime to assist as a tool that could be used to help exonerate me in the event anyone made false statements against me. This backfired to a degree because the State read into the fact that the camera was turned off for a period during my encounter on that fateful night. I had not been trained on how to use it, and was using my best judgment for when it was to be on and when it was to be off. Some of the information critical to my case occurred off-camera. I remember a day and time when the word of a law enforcement officer was enough – a day long ago before cameras were even available. What a difference a couple decades have made in this line of work.

I firmly believe that law enforcement officers are not above the law and should face prosecution for crimes committed, but we should not face prosecution for clerical errors. Our word should be good especially in the face of allegations by people who have much to lose not to mention a history of lying, or memory problems or criminal behavior of all types. Who is going to continue to stand up and do this job with that kind of scrutiny? How can it possibly be acceptable that after three and a half years and hundreds of thousands of dollars in attorney work, that the AG can voluntarily dismiss a case during an appeal to the Utah Court of appeals, with not so much as an apology to me or my family? This was shameful. It should not have happened. It should not happen again. We have to hold our elected officials responsible for the behavior of their subordinates.

My worst nightmare occurred during this case; I was booked into jail and labeled a criminal. My reputation has been forever damaged to the point where entry back into law enforcement is an outside chance. Even assuming that I try to return to law enforcement or a related field how can I get through a basic background investigation? My name with articles on



my arrest and prosecution are all over the internet and media outlets nationwide covered my arrest. To date, I have had one interview with a local news outlet about the dismissal of charges against me. I am very grateful that some appear to be interested in the dismissal and in my name being cleared.

I learned a lot from this experience. I learned that the power to prosecute is the power to destroy. I learned that litigation is a wealthy person's sport, and if you don't have the funds, the great and powerful government can roll you up and throw you away. Fortunately for me I had joined the FOP through an open lodge in Southern Utah. Without the support and coverage of the FOP I could not have afforded to defend myself. The FOP attorneys were amazing throughout this whole process. They believed in me and fought for me like I was family. At times I believe they were more upset at the absurdity of the charges than I was.

As a result of charges being filed against me, Sheriff Perkins' department became the sole law enforcement agency in Garfield County. The city lost their department. The focus on drug eradication within the city has diminished.

The emotional toll this took on me is almost beyond comprehension. I gained a lot of weight and found myself in severe depression several times throughout the three and a half years. The charges damaged my family and I lost a lot of friends who abruptly stopped contact.

I am in a happier place today. I have a loving wife and family and friends who support me. I have heard from many of you, and I look forward to catching up with many of you who I haven't heard from in a while. I still feel very much a part of this fraternal order of ours. I finally am feeling like my old self again. For those of you just starting out in this amazing career, I have advice: Remember every day why you made the decision and commitment to this great cause. It is a cause of truth and justice and protecting those who cannot protect themselves; but please, heed the word of an older, greyer cop who has seen a few things along the way, and protect yourself. Join the Fraternal Order of Police. Reach out to the firm Nelson Jones whenever there are questions or concerns about your career or problems you are facing. Get the help of loved-ones and professionals whenever needed and above all, stay safe. ♥

THE TRIBUNE'S SIM GILL PROBLEM

By Ian Adams, Executive Director, Utah Fraternal Order of Police



On Friday, Salt Lake Tribune editorial columnist Robert Gehrke spent his inches seeking to redeem Salt Lake County District Attorney Sim Gill in the wake of allegations that Sim failed to protect at least four victims of sexual assault. Gehrke imagines the women's case is "politically motivated." Quite the charge – and a red herring. I take Gehrke's concern to be genuine, but it prompts a serious question. Why is he so slow to recognize the political motives of Sim Gill himself? Especially considering neither Gehrke nor the Tribune's editorial board has ever considered Sim Gill's politically charged prosecutions

– during election years – might indicate the very political motivation he critiques.

The relationship between the Salt Lake Tribune and Sim Gill is a long and unbalanced one, and it should be no surprise that Gehrke feels compelled to carry water for Sim, despite eight years of continual failure to perform. In December 2013, the Tribune named Sim Gill their "Utahn of the Year" for pulling "back the sheet" on "abuses of power" – namely Sim's investigations into former Utah Attorney Generals John Swallow and Mark Shurtleff, and separately for ruling an on-duty shooting by West Valley detectives unjustified. Months later,

I do not fault the Tribune or its editorial board for analyzing the political purposes behind headline stories.



Sim eventually lodged criminal charges on all three – consistently collecting wide praise in the Tribune, without even an acknowledgment that perhaps, just perhaps, the charging decisions were calculated to benefit Sim's re-election campaign that year.

When a district court judge found Sim's case against Detective Cowley did not even meet the simple test of probable cause – did Gehrke lead with

an announcement that politician Sim Gill had hoodwinked the Tribune?

Unfortunately, he did not.

How about when the cases against both Swallow and Shurtleff failed? Surely the Tribune editorial board rethought their position, and admit that perhaps there had been political motivation which they rewarded. Naturally, we might expect the Tribune to note that Sim's political

ambitions had strung too long a bow for his prosecutorial skill. After all, Gehrke was a crucial player in the investigation which forced John Swallow to resign. Surely he was dismayed to see Sim's mistakes sink the criminal case.

Unfortunately, they did not.

I have political motives, and the Tribune has not been shy to note those motives in the past. I do not fault the Tribune or its editorial board for analyzing the political purposes behind headline stories. However, when the editorials consistently ignore the political motivations of the politician at the center of those same stories, while casting aspersions on everyone else, it begs the question of political loyalty in the Tribune editorial room.

The Tribune should stop carrying Sim's water. He is an eight-year incumbent without a single successful program to back up his promises. There are fewer women in positions of management now than when Sim took over the office. Sim is such a hot-headed, politically charged boss that over 30% of the office he leads has left in the last two years alone. Sim disciplined his HR director for daring to surface that fact.

Don't just ask cops, they are biased, maybe even...politically motivated. Instead, ask prosecutors. Ask defense attorneys. Ask victim advocates. Ask firefighters. Ask judges. Ask the victims Sim has failed. Or, are they all politically motivated as well? Does only Sim stand in the middle, unsullied by such base considerations as the political motivations which garner the political approval of institutions like the Salt Lake Tribune; motives which have given him eight years of power and prestige, and the ability to reward his top political appointees well over a million dollars a year in salary.

It is far past time that the Tribune's editorial board find a new political star to circle. I urge them to see past my blemished political motivations in calling for them to do so. ♥



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