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Dear Sheriff Jensen,

This letter addresses the July 2, 2024 incident involving Adrian Sanchez. Following Mr. Sanchez's injury, The Cache County Sheriff initiated the "Northern Utah Critical Incident Investigative Team (NUCIIT) Protocol," an agreement among participating law enforcement agencies designed to ensure compliance with Utah state law for critical incident investigations under Utah Code §76-2-408. Pursuant to the protocol, an investigative task force was called in to investigate the incident. Under Utah Code 76-2-408, a "critical incident" means any of the following:

- i. an officer's use of deadly force;
- ii. an officer's use of a dangerous weapon against an individual who causes injury to any individual;
- iii. death or serious bodily injury to any individual, other than the officer, resulting from an officer's:
 - a. use of a motor vehicle while the officer is on duty; or
- iv. use of a government vehicle while the officer is off duty; the death of an individual who is in custody, but excluding a death that is the result of disease, natural causes, or conditions that have been medically diagnosed prior to the individual's death
- v. **the death of or serious bodily injury to an individual not in custody, other than an officer, resulting from an officer's attempt to prevent an individual's escape from custody, to make an arrest, or otherwise to gain physical control of an individual.**

“When critical incident occurs . . . , the law enforcement agency having jurisdiction where the incident occurred [must] . . . notify the county or district attorney having jurisdiction where the incident occurred.”¹ “[T]he chief executive of the law enforcement agency and the county or district attorney having jurisdiction where the incident occurred [must then] . . . jointly designate an investigating agency for the officer-involved critical incident.”² “The investigating agency . . . may not be the law enforcement agency employing the officer who is alleged to have caused or contributed to the officer-involved critical incident.”³

Law enforcement agencies are required to adopt policies and procedures for “select[ing] the investigating agency if an officer-involved critical incident occurs in the agency’s jurisdiction and one of the agency’s officers is alleged to have caused or contributed to the officer-involved incident.”⁴ They must also adopt “protocols . . . to ensure that any investigation of officer-involved incidents occurring in the agency’s jurisdiction are conducted professionally, thoroughly, and impartially.”⁵ To fulfill these statutory obligations and to provide mutual assistance among neighboring agencies, the sheriffs’ offices, police departments, and county attorneys’ offices in Cache, Rich, and Box Elder Counties have, through a memorandum of understanding, created the Northern Utah Critical Incident Investigative Team and adopted a Protocol to be followed in the event of an officer-involved critical incident.

Under the Protocol, the fulltime investigator employed by the Cache County Attorney’s Office becomes the Operations Section Chief for any investigation of an officer-involved critical incident, at which point the Operations Section Chief and County Attorney select a Lead Investigator. The Operations Section Chief and Lead Investigator then provide first-line management of the investigation of the officer-involved critical incident. When the investigation is complete, the Operations Section Chief and Lead Investigator turn the investigation over to the county attorney with jurisdiction.⁶ The foregoing procedures were followed in this case.

¹ Utah Code § 76-2-408(2)(a).

² Utah Code § 76-2-408(2)(b)(i).

³ Utah Code § 76-2-408(3).

⁴ Utah Code § 76-2-408(5)(a).

⁵ Utah Code § 76-2-408(5)(b).

⁶ See Utah code 76-2-408(6).

Role of the County Attorney

Once the Operations Section Chief and Lead Investigator turn the investigation over to the county attorney with jurisdiction, the county attorney then has 180 days to complete and publish his or her findings or analyses into the “officer’s use of force”⁷ if any. I am the county attorney with jurisdiction in this case, and this report constitutes my findings and analysis regarding this officer-involved critical incident.

Findings of Fact

On July 2, 2024 Adrian Sanchez fled the scene of a domestic dispute in a silver Mercedes. Dispatch, advised of the suspect’s departure from the scene and the vehicle he was traveling in relayed that information to officers on patrol. A review of the bodycam footage shows Deputy Peterson observed the suspect vehicle southbound on 800 West traveling towards 3200 South in Logan while engaging in his normal patrol. Deputy Peterson began following Sanchez, who was traveling Westbound on 3200 South. Sanchez then makes a right turn on 3100 S and US 89, to travel northbound on US 89, and Deputy Peterson follows. Deputy Peterson requests that the road be cleared for emergency traffic. At about 21:16:08 hours, Deputy Peterson begins to accelerate, activating his lights and siren to more closely follow the suspect vehicle and detain the suspect. Shortly after Deputy Peterson engaged in pursuit and activated his lights and siren, Sanchez accelerated. Sanchez continues to flee traveling northbound, then turning onto 1000 West. Sanchez continues to flee northbound on 1000 West, before turning west on 1800 South. At approximately 21:17:58 hours, only 2 minutes after Deputy Peterson began following Sanchez, and only one minute after Deputy Peterson activated lights and siren and began his attempt to detain the vehicle, Sanchez struck a third party vehicle ending the pursuit.

It is apparent from the facts of the case that Deputy Peterson did not use any force that contributed to the serious injuries Sanchez sustained in the vehicle crash. The reason this case was flagged as an officer use of force is due to a conservative reading of section (v) of Utah Code 76-2-408 which states that a critical incident includes “the death of or *serious bodily injury* to an individual not in custody, other than an officer, resulting from an officer's attempt to prevent an individual's escape from custody, *to make an arrest*, or otherwise to gain physical control of an individual.” Deputy

⁷ Utah Code § 76-2-408(6).

Peterson's initiation of pursuit is an attempt to make an arrest, and the high rate of speed of the suspect vehicle was due to the suspect's desire to evade Deputy Peterson's attempt to make a traffic stop.

Due to the speed of the suspect, Deputy Peterson however, never caught up to the suspect in the fleeing vehicle. Deputy Peterson did not impact the suspect's car in any way, and only marginally contributed to the suspect's behavior, as the suspect was already traveling at a high rate of speed, fleeing the scene of a domestic dispute prior to initiation of the pursuit. The vehicle crash that occurred was due to the suspect's distracted mental state, his excessive speed, and nighttime driving.

My findings and the facts gathered in the investigation indicate that there was no use of force. Officer Peterson's actions were justified, his attempt to detain Sanchez was lawful, was pursuant to an intent to ensure public safety. The injuries sustained by Sanchez were not due to Deputy Peterson's attempt to make a traffic stop, but overwhelmingly by the suspect driver, Sanchez, who was driving with excessive speed, at night.



Taylor Sorensen
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