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IN THE FIRST JUDICIAL DISTRICT COURT
CACHE COUNTY, STATE OF UTAH

THE STATE OF UTAH, Plaintiff, vs. RUTH Z WORTHEN 640 E 4400 N Cache County UT 84321 DOB: 07/05/1949 Defendant.	INFORMATION Case No. Judge OTN #: 66055930
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The undersigned Ronnie J. Keller, Deputy County Attorney, under oath states on information and belief that the defendant, in Cache County, State of Utah, committed the following crime(s):

COUNT 1:

AGGRAVATED SEXUAL ABUSE OF A CHILD, a First Degree Felony, in violation of Utah Code Ann. § 76-5-404.1(3) (1998), as follows:

That the above named defendant on or about 01/30/2002 - 01/31/2002, did, in violation of Utah Code Section 76-5-404.1(3), touch the anus, buttocks, or genitalia of any child; the breast of a female child; or otherwise took indecent liberties with a child; and the person's conduct was with intent to: cause substantial emotional or bodily pain to any person; or to arouse or gratify the sexual desire of any person.

Additionally:

The offense was committed by force, duress, violence, intimidation, coercion, menace, or threat of harm; or

The accused caused bodily injury or severe psychological injury to the child during or as a result of the offense; or

The accused used, showed, or displayed pornography or caused the child to be photographed in a lewd condition during the course of the offense; or

The accused committed the same or similar sexual act upon two or more individuals at the same time or during the same course of conduct; or

The offense was committed by a person who occupied a position of special trust in relation to the child; or

The accused encouraged, aided, allowed, or benefited from acts of prostitution or sexual acts by the child with any other person, or sexual performance by the child before any other person; or

The accused caused the penetration, however slight, of the genital or anal opening of the child by any part or parts of the human body other than the genitals or mouth.

Pursuant to Utah Code Section 76-5-404.1(4) (1998), this violation is a first degree felony punishable by imprisonment for an indeterminate term of not less than five years and which may be for life. Imprisonment is mandatory.

COUNT 2:

AGGRAVATED SEXUAL ABUSE OF A CHILD, a First Degree Felony, in violation of Utah Code Ann. § 76-5-404.1 (1998), as follows:

That the above named defendant on or about 09/04/2001, did, in violation of Utah Code Section 76-5-404.1(3), touch the anus, buttocks, or genitalia of any child; the breast of a female child; or otherwise took indecent liberties with a child; and the person's conduct was with intent to: cause substantial emotional or bodily pain to any person; or to arouse or gratify the sexual desire of any person.

Additionally:

The offense was committed by force, duress, violence, intimidation, coercion, menace, or threat of harm; or

The accused caused bodily injury or severe psychological injury to the child during or as a result of the offense; or

The accused used, showed, or displayed pornography or caused the child to be photographed in a lewd condition during the course of the offense; or

The accused committed the same or similar sexual act upon two or more individuals at the same time or during the same course of conduct; or

The offense was committed by a person who occupied a position of special trust in relation to the child; or

The accused encouraged, aided, allowed, or benefited from acts of prostitution or sexual acts by the child with any other person, or sexual performance by the child before any other person; or

The accused caused the penetration, however slight, of the genital or anal opening of the child by any part or parts of the human body other than the genitals or mouth.

Pursuant to Utah Code Section 76-5-404.1(4) (1998), this violation is a first degree felony punishable by imprisonment for an indeterminate term of not less than five years and which may be for life. Imprisonment is mandatory.

COUNT 3:

AGGRAVATED SEXUAL ABUSE OF A CHILD, a First Degree Felony, in violation of Utah Code Ann. § 76-5-404.1 (1998), as follows:

That the above named defendant on or about 09/04/2001, did, in violation of Utah Code Section 76-5-404.1(3), touch the anus, buttocks, or genitalia of any child; the breast of a female child; or otherwise took indecent liberties with a child; and the person's conduct was with intent to: cause substantial emotional or bodily pain to any person; or to arouse or gratify the sexual desire of any person.

Additionally:

The offense was committed by force, duress, violence, intimidation, coercion, menace, or threat of harm; or

The accused caused bodily injury or severe psychological injury to the child during or as a result of the offense; or

The accused used, showed, or displayed pornography or caused the child to be photographed in a lewd condition during the course of the offense; or

The accused committed the same or similar sexual act upon two or more individuals at the same time or during the same course of conduct; or

The offense was committed by a person who occupied a position of special trust in relation to the child; or

The accused encouraged, aided, allowed, or benefited from acts of prostitution or sexual acts by the child with any other person, or sexual performance by the child before any other person; or

The accused caused the penetration, however slight, of the genital or anal opening of the child by any part or parts of the human body other than the genitals or mouth.

Pursuant to Utah Code Section 76-5-404.1(4) (1998), this violation is a first degree felony punishable by imprisonment for an indeterminate term of not less than five years and which may be for life. Imprisonment is mandatory.

COUNT 4:

AGGRAVATED SEXUAL ABUSE OF A CHILD, a First Degree Felony, in violation of Utah Code Ann. § 76-5-404.1 (1998), as follows:

That the above named defendant on or about 06/25/2000 - 06/24/2002, did, in violation of Utah Code Section 76-5-404.1(3), touch the anus, buttocks, or genitalia of any child; the breast of a female child; or otherwise took indecent liberties with a child; and the person's conduct was with intent to: cause substantial emotional or bodily pain to any person; or to arouse or gratify the sexual desire of any person.

Additionally:

The offense was committed by force, duress, violence, intimidation, coercion, menace, or threat of harm; or

The accused caused bodily injury or severe psychological injury to the child during or as a result of the offense; or

The accused used, showed, or displayed pornography or caused the child to be photographed in a lewd condition during the course of the offense; or

The accused committed the same or similar sexual act upon two or more individuals at the same time or during the same course of conduct; or

The offense was committed by a person who occupied a position of special trust in relation to the child; or

The accused encouraged, aided, allowed, or benefited from acts of prostitution or sexual acts by the child with any other person, or sexual performance by the child before any other person; or

The accused caused the penetration, however slight, of the genital or anal opening of the child by any part or parts of the human body other than the genitals or mouth.

Pursuant to Utah Code Section 76-5-404.1(4) (1998), this violation is a first degree felony punishable by imprisonment for an indeterminate term of not less than five years and which may be for life. Imprisonment is mandatory.

COUNT 5:

OBJECT RAPE OF A CHILD, a First Degree Felony, in violation of Utah Code Ann. § 76-5-402.3 (2000), as follows:

That the above named defendant on or about 06/25/2001, did, in violation of Utah Code Section 76-5-402.3, without the victim's consent, caused penetration of the genital or anal opening of another person who is younger than 14 years of age, by any foreign object, substance, instrument, or device, not including a part of the human body, with intent to cause substantial emotional or bodily pain to the victim or with the intent to arouse or gratify the sexual desire of any person.

Object rape of a child is a first degree felony punishable by imprisonment for an indeterminate term of not less than 6, 10, or 15 years and which may be for life. Imprisonment is mandatory.

COUNT 6:

AGGRAVATED SEXUAL ABUSE OF A CHILD, a First Degree Felony, in violation of Utah Code Ann. § 76-5-404.1 (1998), as follows:

That the above named defendant on or about 06/25/2000 - 06/24/2002, did, in violation of Utah Code Section 76-5-404.1(3), touch the anus, buttocks, or genitalia of any child; the breast of a female child; or otherwise took indecent liberties with a child; and the person's conduct was with intent to: cause substantial emotional or bodily pain to any person; or to arouse or gratify the sexual desire of any person.

Additionally:

The offense was committed by force, duress, violence, intimidation, coercion, menace, or threat of harm; or

The accused caused bodily injury or severe psychological injury to the child during or as a result of the offense; or

The accused used, showed, or displayed pornography or caused the child to be photographed in a lewd condition during the course of the offense; or

The accused committed the same or similar sexual act upon two or more individuals at the same time or during the same course of conduct; or

The offense was committed by a person who occupied a position of special trust in relation to the child; or

The accused encouraged, aided, allowed, or benefited from acts of prostitution or sexual acts by the child with any other person, or sexual performance by the child before any other person; or

The accused caused the penetration, however slight, of the genital or anal opening of the child by any part or parts of the human body other than the genitals or mouth.

Pursuant to Utah Code Section 76-5-404.1(4) (1998), this violation is a first degree felony punishable by imprisonment for an indeterminate term of not less than five years and which may be for life. Imprisonment is mandatory.

COUNT 7:

AGGRAVATED SEXUAL ABUSE OF A CHILD, a First Degree Felony, in violation of Utah Code Ann. § 76-5-404.1 (1998), as follows:

That the above named defendant on or about 06/25/2000 - 06/24/2002, did, in violation of Utah Code Section 76-5-404.1(3), touch the anus, buttocks, or genitalia of any child; the breast of a female child; or otherwise took indecent liberties with a child; and the person's conduct was with intent to: cause substantial emotional or bodily pain to any person; or to arouse or gratify the sexual desire of any person.

Additionally:

The offense was committed by force, duress, violence, intimidation, coercion, menace, or threat of harm; or

The accused caused bodily injury or severe psychological injury to the child during or as a result of the offense; or

The accused used, showed, or displayed pornography or caused the child to be photographed in a lewd condition during the course of the offense; or

The accused committed the same or similar sexual act upon two or more individuals at the same time or during the same course of conduct; or

The offense was committed by a person who occupied a position of special trust in relation to the child; or

The accused encouraged, aided, allowed, or benefited from acts of prostitution or sexual acts by the child with any other person, or sexual performance by the child before any other person; or

The accused caused the penetration, however slight, of the genital or anal opening of the child by any part or parts of the human body other than the genitals or mouth.

Pursuant to Utah Code Section 76-5-404.1(4) (1998), this violation is a first degree felony punishable by imprisonment for an indeterminate term of not less than five years and which may be for life. Imprisonment is mandatory.

COUNT 8:

AGGRAVATED SEXUAL ABUSE OF A CHILD, a First Degree Felony, in violation of Utah Code Ann. § 76-5-404.1 (1998), as follows:

That the above named defendant on or about 06/25/2000 - 06/24/2003, did, in violation of Utah Code Section 76-5-404.1(3), touch the anus, buttocks, or genitalia of any child; the breast of a female child; or otherwise took indecent liberties with a child; and the person's conduct was with intent to: cause substantial emotional or bodily pain to any person; or to arouse or gratify the sexual desire of any person.

Additionally:

The offense was committed by force, duress, violence, intimidation, coercion, menace, or threat of harm; or

The accused caused bodily injury or severe psychological injury to the child during or as a result of the offense; or

The accused used, showed, or displayed pornography or caused the child to be photographed in a lewd condition during the course of the offense; or

The accused committed the same or similar sexual act upon two or more individuals at the same time or during the same course of conduct; or

The offense was committed by a person who occupied a position of special trust in relation to the child; or

The accused encouraged, aided, allowed, or benefited from acts of prostitution or sexual acts by the child with any other person, or sexual performance by the child before any other person; or

The accused caused the penetration, however slight, of the genital or anal opening of the child by any part or parts of the human body other than the genitals or mouth.

Pursuant to Utah Code Section 76-5-404.1(4) (1998), this violation is a first degree felony punishable by imprisonment for an indeterminate term of not less than five years and which may be for life. Imprisonment is mandatory.

COUNT 9:

AGGRAVATED SEXUAL ABUSE OF A CHILD, a First Degree Felony, in violation of Utah Code Ann. § 76-5-404.1 (1998), as follows:

That the above named defendant on or about 01/01/1999 - 06/24/2000, did, in violation of Utah Code Section 76-5-404.1(3), touch the anus, buttocks, or genitalia of any child; the breast of a female child; or otherwise took indecent liberties with a child; and the person's conduct was with intent to: cause substantial emotional or bodily pain to any person; or to arouse or gratify the sexual desire of any person.

Additionally:

The offense was committed by force, duress, violence, intimidation, coercion, menace, or threat of harm; or

The accused caused bodily injury or severe psychological injury to the child during or as a result of the offense; or

The accused used, showed, or displayed pornography or caused the child to be photographed in a lewd condition during the course of the offense; or

The accused committed the same or similar sexual act upon two or more individuals at the same time or during the same course of conduct; or

The offense was committed by a person who occupied a position of special trust in relation to the child; or

The accused encouraged, aided, allowed, or benefited from acts of prostitution or sexual acts by the child with any other person, or sexual performance by the child before any other person; or

The accused caused the penetration, however slight, of the genital or anal opening of the child by any part or parts of the human body other than the genitals or mouth.

Pursuant to Utah Code Section 76-5-404.1(4) (1998), this violation is a first degree felony punishable by imprisonment for an indeterminate term of not less than five years and which may be for life. Imprisonment is mandatory.

COUNT 10:

AGGRAVATED SEXUAL ABUSE OF A CHILD, a First Degree Felony, in violation of Utah Code Ann. § 76-5-404.1 (1998), as follows:

That the above named defendant on or about 12/24/2001, did, in violation of Utah Code Section 76-5-404.1(3), touch the anus, buttocks, or genitalia of any child; the breast of a female child; or otherwise took indecent liberties with a child; and the person's conduct was with intent to: cause substantial emotional or bodily pain to any person; or to arouse or gratify the sexual desire of any person.

Additionally:

The offense was committed by force, duress, violence, intimidation, coercion, menace, or threat of harm; or

The accused caused bodily injury or severe psychological injury to the child during or as a result of the offense; or

The accused used, showed, or displayed pornography or caused the child to be photographed in a lewd condition during the course of the offense; or

The accused committed the same or similar sexual act upon two or more individuals at the same time or during the same course of conduct; or

The offense was committed by a person who occupied a position of special trust in relation to the child; or

The accused encouraged, aided, allowed, or benefited from acts of prostitution or sexual acts by the child with any other person, or sexual performance by the child before any other person; or

The accused caused the penetration, however slight, of the genital or anal opening of the child by any part or parts of the human body other than the genitals or mouth.

Pursuant to Utah Code Section 76-5-404.1(4) (1998), this violation is a first degree felony punishable by imprisonment for an indeterminate term of not less than five years and which may be for life. Imprisonment is mandatory.

COUNT 11:

AGGRAVATED SEXUAL ABUSE OF A CHILD, a First Degree Felony, in violation of Utah Code Ann. § 76-5-404.1 (1998), as follows:

That the above named defendant on or about 06/25/2001, did, in violation of Utah Code Section 76-5-404.1(3), touch the anus, buttocks, or genitalia of any child; the breast of a female child; or otherwise took indecent liberties with a child; and

the person's conduct was with intent to: cause substantial emotional or bodily pain to any person; or to arouse or gratify the sexual desire of any person.

Additionally:

The offense was committed by force, duress, violence, intimidation, coercion, menace, or threat of harm; or

The accused caused bodily injury or severe psychological injury to the child during or as a result of the offense; or

The accused used, showed, or displayed pornography or caused the child to be photographed in a lewd condition during the course of the offense; or

The accused committed the same or similar sexual act upon two or more individuals at the same time or during the same course of conduct; or

The offense was committed by a person who occupied a position of special trust in relation to the child; or

The accused encouraged, aided, allowed, or benefited from acts of prostitution or sexual acts by the child with any other person, or sexual performance by the child before any other person; or The accused caused the penetration, however slight, of the genital or anal opening of the child by any part or parts of the human body other than the genitals or mouth.

Pursuant to Utah Code Section 76-5-404.1(4) (1998), this violation is a first degree felony punishable by imprisonment for an indeterminate term of not less than five years and which may be for life. Imprisonment is mandatory.

COUNT 12:

OBJECT RAPE OF A CHILD, a First Degree Felony, in violation of Utah Code Ann. § 76-5-402.3 (2000), as follows:

That the above named defendant on or about 06/25/2001 - 06/24/2002, did, in violation of Utah Code Section 76-5-402.3, without the victim's consent, caused penetration of the genital or anal opening of another person who is younger than 14 years of age, by any foreign object, substance, instrument, or device, not including a part of the human body, with intent to cause substantial emotional or bodily pain to the victim or with the intent to arouse or gratify the sexual desire of any person.

Object rape of a child is a first degree felony punishable by imprisonment for an indeterminate term of not less than 6, 10, or 15 years and which may be for life. Imprisonment is mandatory.

COUNT 13:

OBJECT RAPE OF A CHILD, a First Degree Felony, in violation of Utah Code Ann. § 76-5-402.3 (2000), as follows:

That the above named defendant on or about 06/25/2000 - 06/24/2002, did, in violation of Utah Code Section 76-5-402.3, without the victim's consent, caused penetration of the genital or anal opening of another person who is younger than 14 years of age, by any foreign object, substance, instrument, or device, not including a part of the human body, with intent to cause substantial emotional or bodily pain to the victim or with the intent to arouse or gratify the sexual desire of any person.

Object rape of a child is a first degree felony punishable by imprisonment for an indeterminate term of not less than 6, 10, or 15 years and which may be for life. Imprisonment is mandatory.

COUNT 14:

AGGRAVATED SEXUAL ABUSE OF A CHILD, a First Degree Felony, in violation of Utah Code Ann. § 76-5-404.1 (1998), as follows:

That the above named defendant on or about 06/25/2001 - 06/24/2002, did, in violation of Utah Code Section 76-5-404.1(3), touch the anus, buttocks, or genitalia of any child; the breast of a female child; or otherwise took indecent liberties with a child; and the person's conduct was with intent to: cause substantial emotional or bodily pain to any person; or to arouse or gratify the sexual desire of any person.

Additionally:

The offense was committed by force, duress, violence, intimidation, coercion, menace, or threat of harm; or

The accused caused bodily injury or severe psychological injury to the child during or as a result of the offense; or

The accused used, showed, or displayed pornography or caused the child to be photographed in a lewd condition during the course of the offense; or

The accused committed the same or similar sexual act upon two or more individuals at the same time or during the same course of conduct; or

The offense was committed by a person who occupied a position of special trust in relation to the child; or

The accused encouraged, aided, allowed, or benefited from acts of prostitution or sexual acts by the child with any other person, or sexual performance by the child before any other person; or

The accused caused the penetration, however slight, of the genital or anal opening of the child by any part or parts of the human body other than the genitals or mouth.

Pursuant to Utah Code Section 76-5-404.1(4) (1998), this violation is a first degree felony punishable by imprisonment for an indeterminate term of not less than five years and which may be for life. Imprisonment is mandatory.

COUNT 15:

AGGRAVATED SEXUAL ABUSE OF A CHILD, a First Degree Felony, in violation of Utah Code Ann. § 76-5-404.1 (1998), as follows:

That the above named defendant on or about 06/25/2000 - 06/24/2002, did, in violation of Utah Code Section 76-5-404.1(3), touch the anus, buttocks, or genitalia of any child; the breast of a female child; or otherwise took indecent liberties with a child; and the person's conduct was with intent to: cause substantial emotional or bodily pain to any person; or to arouse or gratify the sexual desire of any person.

Additionally:

The offense was committed by force, duress, violence, intimidation, coercion, menace, or threat of harm; or

The accused caused bodily injury or severe psychological injury to the child during or as a result of the offense; or

The accused used, showed, or displayed pornography or caused the child to be photographed in a lewd condition during the course of the offense; or

The accused committed the same or similar sexual act upon two or more individuals at the same time or during the same course of conduct; or

The offense was committed by a person who occupied a position of special trust in relation to the child; or

The accused encouraged, aided, allowed, or benefited from acts of prostitution or sexual acts by the child with any other person, or sexual performance by the child before any other person; or The accused caused the penetration, however slight, of the genital or anal opening of the child by any part or parts of the human body other than the genitals or mouth. Pursuant to Utah Code Section 76-5-404.1(4) (1998), this violation is a first degree felony punishable by imprisonment for an indeterminate term of not less than five years and which may be for life. Imprisonment is mandatory.

COUNT 16:

AGGRAVATED SEXUAL ABUSE OF A CHILD, a First Degree Felony, in violation of Utah Code Ann. § 76-5-404.1 (1998), as follows:

That the above named defendant on or about 01/19/2003 - 01/31/2003, did, in violation of Utah Code Section 76-5-404.1(3), touch the anus, buttocks, or genitalia of any child; the breast of a female child; or otherwise took indecent liberties with a child; and the person's conduct was with intent to: cause substantial emotional or bodily pain to any person; or to arouse or gratify the sexual desire of any person.

Additionally:

The offense was committed by force, duress, violence, intimidation, coercion, menace, or threat of harm; or

The accused caused bodily injury or severe psychological injury to the child during or as a result of the offense; or

The accused used, showed, or displayed pornography or caused the child to be photographed in a lewd condition during the course of the offense; or

The accused committed the same or similar sexual act upon two or more individuals at the same time or during the same course of conduct; or

The offense was committed by a person who occupied a position of special trust in relation to the child; or

The accused encouraged, aided, allowed, or benefited from acts of prostitution or sexual acts by the child with any other person, or sexual performance by the child before any other person; or The accused caused the penetration, however slight, of the genital or anal opening of the child by any part or parts of the human body other than the genitals or mouth.

Pursuant to Utah Code Section 76-5-404.1(4) (1998), this violation is a first degree felony punishable by imprisonment for an indeterminate term of not less than five years and which may be for life. Imprisonment is mandatory.

COUNT 17:

AGGRAVATED SEXUAL ABUSE OF A CHILD, a First Degree Felony, in violation of Utah Code Ann. § 76-5-404.1 (1998), as follows:

That the above named defendant on or about 01/10/2003 - 01/24/2003, did, in violation of Utah Code Section 76-5-404.1(3), touch the anus, buttocks, or genitalia of any child; the breast of a female child; or otherwise took indecent liberties with a child; and the person's conduct was with intent to: cause substantial emotional or bodily pain to any person; or to arouse or gratify the sexual desire of any person.

Additionally:

The offense was committed by force, duress, violence, intimidation, coercion, menace, or threat of harm; or

The accused caused bodily injury or severe psychological injury to the child during or as a result of the offense; or

The accused used, showed, or displayed pornography or caused the child to be photographed in a lewd condition during the course of the offense; or

The accused committed the same or similar sexual act upon two or more individuals at the same time or during the same course of conduct; or

The offense was committed by a person who occupied a position of special trust in relation to the child; or

The accused encouraged, aided, allowed, or benefited from acts of prostitution or sexual acts by the child with any other person, or sexual performance by the child before any other person; or

The accused caused the penetration, however slight, of the genital or anal opening of the child by any part or parts of the human body other than the genitals or mouth.

Pursuant to Utah Code Section 76-5-404.1(4) (1998), this violation is a first degree felony punishable by imprisonment for an indeterminate term of not less than five years and which may be for life. Imprisonment is mandatory.

COUNT 18:

AGGRAVATED SEXUAL ABUSE OF A CHILD, a First Degree Felony, in violation of Utah Code Ann. § 76-5-404.1 (1998), as follows:

That the above named defendant on or about 02/01/2003 - 02/28/2003, did, in violation of Utah Code Section 76-5-404.1(3), touch the anus, buttocks, or genitalia of any child; the breast of a female child; or otherwise took indecent liberties with a child; and the person's conduct was with intent to: cause substantial emotional or bodily pain to any person; or to arouse or gratify the sexual desire of any person.

Additionally:

The offense was committed by force, duress, violence, intimidation, coercion, menace, or threat of harm; or

The accused caused bodily injury or severe psychological injury to the child during or as a result of the offense; or

The accused used, showed, or displayed pornography or caused the child to be photographed in a lewd condition during the course of the offense; or
The accused committed the same or similar sexual act upon two or more individuals at the same time or during the same course of conduct; or
The offense was committed by a person who occupied a position of special trust in relation to the child; or
The accused encouraged, aided, allowed, or benefited from acts of prostitution or sexual acts by the child with any other person, or sexual performance by the child before any other person; or
The accused caused the penetration, however slight, of the genital or anal opening of the child by any part or parts of the human body other than the genitals or mouth.
Pursuant to Utah Code Section 76-5-404.1(4) (1998), this violation is a first degree felony punishable by imprisonment for an indeterminate term of not less than five years and which may be for life. Imprisonment is mandatory.

COUNT 19:

SEXUAL ABUSE OF A CHILD, a First Degree Felony, in violation of Utah Code Ann. § 76-5-404.1 (1983), as follows:

That the above named defendant on or about 05/10/1983 - 06/09/1984, did, in violation of Utah Code Section 76-5-404.1, with the intent to cause substantial emotional or bodily pain to any person or with the intent to arouse or gratify the sexual desire of any person:

- (a) touch the anus, buttocks, or genitalia of a child who is under the age of 14; or
- (b) otherwise took indecent liberties with a child, or caused a child to take indecent liberties with the actor or another.

Additionally:

The offense was committed by force, duress, violence, intimidation, coercion, menace, or threat of harm; or

The accused caused bodily injury or severe psychological injury to the child during or as a result of the offense; or

The accused used, showed, or displayed pornography or caused the child to be photographed in a lewd condition during the course of the offense; or

The accused committed the same or similar sexual act upon two or more individuals at the same time or during the same course of conduct; or

The offense was committed by a person who occupied a position of special trust in relation to the child; or

The accused encouraged, aided, allowed, or benefited from acts of prostitution or sexual acts by the child with any other person, or sexual performance by the child before any other person.

Pursuant to Utah Code Section 76-5-404.1(2)+(3) (1983), this violation is a felony of the first degree and is punishable by imprisonment in the state prison for a term which is a minimum mandatory term of 3, 6, or 9 years and which may be for life.

COUNT 20:

RAPE, a First Degree Felony, in violation of Utah Code Ann. § 76-5-402 (1979), as follows:

That the above named defendant on or about 05/11/1979 - 05/09/1983, did, in violation of Utah Code Section 76-5-402, have sexual intercourse with another person without the victim's consent.

Furthermore, the victim was under the age of 14.

Pursuant to Utah Code Section 76-5-402(2) (1979), this violation is a felony of the first degree.

COUNT 21:

RAPE OF A CHILD, a First Degree Felony, in violation of Utah Code Ann. § 76-5-402.1 (1983), as follows:

That the above named defendant on or about 05/10/1983 - 06/09/1984, did, in violation of Utah Code Section 76-5-402.1, have sexual intercourse with a child who is younger than 14 years old.

Pursuant to Utah Code Section 76-5-402.1(2) (1983), this violation is a first degree felony punishable by imprisonment in the state prison for a term which is a minimum mandatory term of 5, 10, or 15 years and which may be for life.

COUNT 22:

SODOMY ON A CHILD, a First Degree Felony, in violation of Utah Code Ann. § 76-5-403.1 (1983), as follows:

That the above named defendant on or about 04/01/1984 - 06/09/1984, did, in violation of Utah Code Section 76-5-403.1, engage in a sexual act upon or with a child under the age of 14, involving the genitals of the actor or the child and the mouth or anus of either person, regardless of the sex of either participant. Pursuant to Utah Code Section 76-5-403.1(2) (1983), this violation is a felony of the first degree, punishable by imprisonment in the state prison for a term which is a minimum mandatory term of 5, 10, or 15 years and which may be for life.

COUNT 23:

SODOMY ON A CHILD, a First Degree Felony, in violation of Utah Code Ann. § 76-5-403.1, as follows:

That the above named defendant on or about 04/01/1984 - 06/09/1984, did, in violation of Utah Code Section 76-5-403.1, engage in a sexual act upon or with a child under the age of 14, involving the genitals of the actor or the child and the mouth or anus of either person, regardless of the sex of either participant. Pursuant to Utah Code Section 76-5-403.1(2) (1983), this violation is a felony of the first degree, punishable by imprisonment in the state prison for a term which is a minimum mandatory term of 5, 10, or 15 years and which may be for life.

This information is based on evidence obtained from the following witness(es):

Kevin Bennett, Cache County Sheriff's Office

Authorized this 19th day of June, 2024

By /s/ Ronnie J. Keller

Ronnie J. Keller

Deputy County Attorney