



# Brigham Young University Police

Incident Report [REDACTED]

### \*\*\*Confidentiality Notice\*\*\*

The Information in this document is CONFIDENTIAL and/or PRIVILEGED. It is intended to be reviewed only by the individual or organization it was disseminated to. If you are not the intended recipient, you are notified that any review, dissemination or copying of this document and its attachments, if any, or the information contained herein, is prohibited. If you have received this document in error, advise the sender of your receipt of it and destroy and/or delete the document immediately.

### \*\*\*PROTECTED RECORD NOTICE\*\*\*

This document is a PROTECTED RECORD under UCA 63G-2-305(10),(11) and (25). Further and secondary release would interfere with an ongoing criminal investigation or case, jeopardize the life or safety of an individual, and/or is a clearly unwarranted invasion of personal privacy. Release or dissemination of any summaries, transcripts, and video/audio recordings or CJC interviews are also prohibited unless authorized by UCA 77-37-4(5) and (6).

Nature: SEX ASSAULT  
Location:

Address: MTC S1  
BYU Campus UT 84602

**Offense Reported:**

**Offense Observed:** SXRA

**Offense Codes:** Rape

**Received By:** Cunningham A (B)

**How Received:** Telephone

**Agency:** BYPD

**Responding Officers:** Nelson R L (BY)

**Responsible Officers:** Long J (BY)

**Disposition:** Active 11/28/17

**When Reported:** 11:54:16 11/28/17

**Occurred Between:** 06:00:40 01/01/84 and 11:53:40 03/30/84

**Assigned To:**

**Detail:**

**Date Assigned:** \*\*/\*\*/\*\*

**Status:**

**Status Date:** \*\*/\*\*/\*\*

**Due Date:** \*\*/\*\*/\*\*

**Radiolog:**

**Unit:** 18A25

**Enroute:**

**Arrived:** 11:56:47 11/28/17

**Completed:** 12:12:02 11/28/17

**REPORTTEES:**

**Name:** [REDACTED]

**Name Number:** [REDACTED]

**Race:** [REDACTED]

**Sex:** [REDACTED]

**DOB:** [REDACTED]

**Hght:** [REDACTED]

**Weight:** [REDACTED]

**Hair:** [REDACTED]

**Eyes:** [REDACTED]



---

**NARRATIVE:**

Delayed report of sexual assault on MTC property. Case closed due to statute of limitations.

---

**SUPPLEMENTAL NARRATIVE:**

**Name:** Nelson R L (BY)

**Date:** 14:27:06 11/28/17

On 11/28/17, [REDACTED] [REDACTED] made contact with BYU Police Department to report a sexual assault that had occurred on MTC property in 1984. The case is currently under investigation.

12/23/17, Case closed due to statute of limitations.

---

---

**SUPPLEMENTAL NARRATIVE:**

**Name:** Long J (BY)

**Date:** 16:00:09 12/10/17

Supplemental report

J. Long

[REDACTED] [REDACTED] said her Spanish instructor in the MTC was [REDACTED] who possibly might remember [REDACTED] removing [REDACTED] from class. I located [REDACTED] who lives in [REDACTED]. I called [REDACTED] on 12/07/2017 and we talked over the phone.

I asked [REDACTED] if she taught Spanish at the MTC in 1984, [REDACTED] replied she did. I asked [REDACTED] if she remembers one of her students, Sister [REDACTED]. [REDACTED] said she does remember Sister [REDACTED] but it was so long ago she would not have too much information. I asked [REDACTED] what she could remember about [REDACTED]. [REDACTED] said [REDACTED] claimed that she was engaged to be married, [REDACTED] thought that was odd since missionaries are not normally engaged when they arrive at the MTC. I asked [REDACTED] if [REDACTED] was ever removed out of class by anyone, [REDACTED] said she could remember that happening. [REDACTED] could not provide any further details on [REDACTED] during her stay at the MTC.

I asked [REDACTED] who the MTC President was during that time, she said she couldn't remember. I asked if I gave her a name would she recognize it, she replied yes. I gave her the name of [REDACTED], [REDACTED] said he was the MTC president while she worked there. I asked [REDACTED] if she ever had any dealings with [REDACTED], she said she never had any interaction with him. [REDACTED] said she was sorry for not remembering more, she also wanted to know what was going on. I told [REDACTED] that [REDACTED] had filed a police report about something that had occurred during her time at the MTC. I thanked [REDACTED] for her time and the call was ended.

---





Further Information:

Between the time [REDACTED] reported the rape, and her interview with us in Colorado, [REDACTED] had traveled to Arizona and met with [REDACTED]. She spoke with him about this incident that took place at the MTC. [REDACTED] said he admitted to everything except the rape. [REDACTED] also recorded the conversation and provided us a copy of it. I listened to it and it was consistent to their interviews except the facts of the rape and the room layout. He mostly said he didn't remember when [REDACTED] confronted him about the rape. A copy of the recording was attached to this report. Refer to the recording for more details.

Shortly after our interview with [REDACTED], [REDACTED] called us and said [REDACTED] had called her saying that he told the police everything except the facts of the rape. [REDACTED] told him that she had recorded their earlier conversation. We made contact with [REDACTED] and told him he shouldn't have contact with the victim since he is involved in a criminal investigation as the suspect. He agreed he wouldn't and wanted to tell us that [REDACTED] said he was part of a bigger picture and that she told him she wanted to expose the LDS church to this kind of incidents. This conversation was recorded and attached the report.

Follow up:

We relayed the facts about the case to the Utah County Attorney's Office for review. They concluded the following information:

"Bob,

After thorough review and careful consideration, I have determined that I cannot pursue criminal charges against [REDACTED]. I have no reason to doubt the victim's disclosure, and would have likely prosecuted [REDACTED], but for the expiration of the statute of limitations. The alleged rape occurred in 1984. At that time the statute of limitations was four (4) years. The statute remained the same for over a decade, and I am now convinced that nothing occurred to toll it. If you have questions or want to discuss my decision in more detail, feel free to contact me at your earliest convenience.

Thanks,

David Sturgill

Deputy Utah County Attorney "

The case is now closed.

---

**SUPPLEMENTAL NARRATIVE:**

**Name:** Nelson R L (BY)

**Date:** 16:29:08 01/03/18

On December 21, 2017 [REDACTED] left a voice message on my cell phone stating that she had spoken with the Utah County Attorney's Office and received the information that due to the statute of limitations, this case could not be prosecuted. She also thanked us for our time in investigating her case. The recording was attached to this report.

---



---

**SUPPLEMENTAL NARRATIVE:**

**Name:** Nelson R L (BY)

**Date:** 11:53:43 01/11/18

On 12/7/2017, [REDACTED] ([REDACTED]) sent me a rough draft of her statement through email. However the case was closed before she was able to send a completed version. I attached the rough draft to this report.

---