

JERROLD S. JENSEN (#1678)
THOM D. ROBERTS (#2773)
Assistant Attorneys General
MARK L. SHURTLEFF (#4666)
Attorney General
Attorneys For Defendants
160 East 300 South, 5th Floor
P.O. Box 140857
Salt Lake City, Utah 84114-0857
Telephone: (801) 366-0353
jerroldjensen@utah.gov
thomroberts@utah.gov

UNITED STATES DISTRICT COURT

DISTRICT OF UTAH, CENTRAL DIVISION

KODY BROWN, MERI BROWN,
JANELLE BROWN, CHRISTINE
BROWN, ROBYN SULLIVAN,

Plaintiffs,

vs.

GARY R. HERBERT, in his official
capacity as Governor of Utah; MARK
SHURTLEFF, in his official capacity as
Attorney General of Utah; JEFFREY R.
BUHMAN, in his official capacity as
County Attorney for Utah County,

Defendants.

**DECLARATION OF
JEFFREY R. BUHMAN,
UTAH COUNTY ATTORNEY**

Case: 2:11CV00652

Judge Clark Waddoups

DECLARATION OF JEFFREY R. BUHMAN

I, Jeffrey R. Buhman, do declare:

1. I am the County Attorney for Utah County, State of Utah, having taken office in January of 2007.
2. The Utah County Attorney's office is statutorily charged with the duty of enforcing the laws of the State of Utah in Utah County.
3. A report from the Lehi City of Police Department was turned over to the Utah County Attorney's office in October, 2010 regarding Kody Brown and his claim to being married to four women in a polygamous relationship.
4. Very little was revealed in that report which was not made public in the airing of the first episode of the TLC television series "*Sister Wives*."
5. I have not stated publically that I will or will not prosecute the Browns.
6. Utah County does not have a formal, declared policy regarding prosecution of polygamy.
7. In checking with prosecutors currently employed in the Utah County Attorney's office, no one has any recollection of this office having ever prosecuted anyone for polygamy.
8. It is common knowledge in this office, and throughout the community at large, that there are a number of polygamist enclaves throughout Utah County. To my knowledge the Utah County Attorney has never tracked them and the office is not currently tracking any of these polygamist communities.

9. I have been told there is a community of Apostolic United Brethren church members ("AUB") living in the southern part of Utah County or the northern part of Juab County, some of whom may be practicing polygamy. To my knowledge no one has ever been prosecuted in this community by the Utah County Attorney's office for the practice of polygamy.


10. The Utah County Attorney's office has on occasion prosecuted a bigamy case for marriage fraud or for a failure to get divorced before remarrying.

11. Were the Browns committing other crimes, such as spousal or child abuse, welfare fraud or the like, the chance of prosecution would be likely.

12. This office is currently conducting its own investigation into the situation with the Browns. Upon the conclusion of that investigation a decision will be made as to whether or not the Browns are to be prosecuted.

I declare under penalty of perjury that the above is true and correct to the best of my knowledge.

DATED this 24th day of August, 2011.



JEFFREY R. BUHMAN
Utah County Attorney