



For Immediate Release

Date: February 01, 2022

Utah County Attorney David Leavitt refers Charging Decision to Summit County Attorney in Officer-involved Death.

David Leavitt, Utah County Attorney, announces that the investigation of an Officer Involved Critical Incident (OICI) that occurred on March 16, 2021 is complete. The investigation resulted from the death of Joseph Spencer, when he exited the drive-through at the Taco Bell on 900 East in Provo and was hit by a Utah County Sheriff deputy driving southbound.

As per OICI protocols, multiple law enforcement agencies conducted the investigation. The Utah County Attorney's Office reviewed the information provided and in consultation with those agencies, determined additional investigation was necessary. That additional investigation was recently completed.

Because the Utah County Attorney's office serves the dual role of prosecutor and civil attorney to the Utah County Sheriff's Department, any potential criminal charges are referred to another County Attorney for review and a final charging decision.

"I've been in contact with Margaret Olsen, the Summit County Attorney. She has agreed to review this independently" said County Attorney Leavitt.

Referral of a charging decision where potential conflicts in the county could arise is typical. The Utah County Attorney's office has often provided this service to other counties as well.

“Once the evidence is provided to the other county attorney’s office, it’s a hands-off process for us. We want that county attorney to review and make the charging decision with objectivity and fairness,” continued Leavitt.

Timing for a final charging decision will be determined by the Summit County Attorney.

Persons accused of a crime are presumed innocent until proven guilty in a court of law.

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