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IN THE FOURTH JUDICIAL DISTRICT COURT
UTAH COUNTY, STATE OF UTAH

<p>STATE OF UTAH, Plaintiff, vs. JERROD WILLIAM BAUM 315 W MAIN Eureka, UT 84628 DOB: 11/06/1976 Defendant.</p>	<p>INFORMATION</p> <p>Case No. _____ Judge _____ OTN: _____</p>
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The State of Utah, by and through Chad E. Grunander, Deputy Utah County Attorney, charges the defendant with the commission of the following offenses:

COUNT 1: AGGRAVATED MURDER, a first-degree felony, in violation of Utah Code Ann 76-5-202, in that on or about December 30, 2017, in Utah, the defendant, Jerrod William Baum, (1) intentionally or knowingly caused the death of Brelynne Otteson; under any of the following circumstances:
(b) incident to one act, scheme, course of conduct, or criminal episode during which two persons were killed;
(d) incident to one act, scheme, course of conduct, or criminal episode during which the actor committed the crime of aggravated kidnapping;

(r) the homicide was committed in an especially heinous, atrocious, cruel or exceptionally depraved manner, any of which must be demonstrated by physical torture, serious physical abuse, or serious bodily injury of the victim before death; or
(s) the actor dismembers, mutilates, or disfigures the victim's body, whether before or after death, in a manner demonstrating the actor's depravity of mind.

NOTICE: Aggravated murder is a first-degree felony punishable by a term of imprisonment of:

- (a) life in prison without parole; or
- (b) an indeterminate prison term of not less than 25 years and that may be for life.

Imprisonment under this section is mandatory in accordance with Section 76-3-406.

Aggravated murder is a capital felony punishable by death if a notice of intent to seek the death penalty is filed by the prosecutor within 60 days of the arraignment of the defendant.

COUNT 2: AGGRAVATED MURDER, a first-degree felony, in violation of Utah Code Ann 76-5-202, in that on or about December 30, 2017, in Utah, the defendant, Jerrod William Baum, (1) intentionally or knowingly caused the death of Riley Powell; under any of the following circumstances:

- (b) incident to one act, scheme, course of conduct, or criminal episode during which two persons were killed;
- (d) incident to one act, scheme, course of conduct, or criminal episode during which the actor committed the crime of aggravated kidnapping;
- (r) the homicide was committed in an especially heinous, atrocious, cruel or exceptionally depraved manner, any of which must be demonstrated by physical torture, serious physical abuse, or serious bodily injury of the victim before death; or
- (s) the actor dismembers, mutilates, or disfigures the victim's body, whether before or after death, in a manner demonstrating the actor's depravity of mind.

NOTICE: Aggravated murder is a first-degree felony punishable by a term of imprisonment of:

- (a) life in prison without parole; or
- (b) an indeterminate prison term of not less than 25 years and that may be for life.

Imprisonment under this section is mandatory in accordance with Section 76-3-406.

Aggravated murder is a capital felony punishable by death if a notice of intent to seek the death penalty is filed by the prosecutor within 60 days of the arraignment of the defendant.

COUNT 3: AGGRAVATED KIDNAPPING, a first-degree felony, in violation of Utah Code Ann 76-5-302, in that on or about December 30, 2017, in Utah, the defendant, Jerrod William Baum; (1) in the course of committing unlawful detention or kidnapping of Brelynne Otteson:

- (a) possessed, used, or threatened to use a dangerous weapon as defined in Section 76-1-601; or
- (b) acted with intent:
 - (ii) to facilitate the commission, attempted commission, or flight after commission or attempted commission of a felony; or
 - (iv) to inflict bodily injury on or to terrorize the victim or another.

NOTICE: Aggravated kidnapping is a first-degree felony punishable by a term of imprisonment of:

- (a) except as provided in Subsection (3)(b), (3)(c), or (4), not less than 15 years and which may be for life;
 - (b) except as provided in Subsection (3)(c) or (4), life without parole, if the trier of fact finds that during the course of the commission of the aggravated kidnapping the defendant caused serious bodily injury to another; or
 - (c) life without parole, if the trier of fact finds that at the time of the commission of the aggravated kidnapping, the defendant was previously convicted of a grievous sexual offense.
- (4) If, when imposing a sentence under Subsection (3)(a) or (b), a court finds that a lesser term than the term described in Subsection (3)(a) or (b) is in the interests of justice and states the reasons for this finding on the record, the court may impose a term of imprisonment of not less than:
- (a) for purposes of Subsection (3)(b), 15 years and which may be for life; or
 - (b) for purposes of Subsection (3)(a) or (b):
 - (i) 10 years and which may be for life; or
 - (ii) six years and which may be for life.
- (5) The provisions of Subsection (4) do not apply when a person is sentenced under Subsection (3)(c).
- (7) Imprisonment under this section is mandatory in accordance with Section 76-3-406.

COUNT 4: AGGRAVATED KIDNAPPING, a first-degree felony, in violation of Utah Code Ann 76-5-302, in that on or about December 30, 2017, in Utah, the defendant, Jerrod William Baum; (1) in the course of committing unlawful detention or kidnapping of Riley Powell:

- (a) possessed, used, or threatened to use a dangerous weapon as defined in Section 76-1-601; or
- (b) acted with intent:
 - (ii) to facilitate the commission, attempted commission, or flight after commission or attempted commission of a felony; or
 - (iv) to inflict bodily injury on or to terrorize the victim or another.

NOTICE: Aggravated kidnapping is a first-degree felony punishable by a term of imprisonment of:

- (a) except as provided in Subsection (3)(b), (3)(c), or (4), not less than 15 years and which may be for life;
 - (b) except as provided in Subsection (3)(c) or (4), life without parole, if the trier of fact finds that during the course of the commission of the aggravated kidnapping the defendant caused serious bodily injury to another; or
 - (c) life without parole, if the trier of fact finds that at the time of the commission of the aggravated kidnapping, the defendant was previously convicted of a grievous sexual offense.
- (4) If, when imposing a sentence under Subsection (3)(a) or (b), a court finds that a lesser term than the term described in Subsection (3)(a) or (b) is in the interests of justice and states the reasons for this finding on the record, the court may impose a term of imprisonment of not less than:
- (a) for purposes of Subsection (3)(b), 15 years and which may be for life; or
 - (b) for purposes of Subsection (3)(a) or (b):
 - (i) 10 years and which may be for life; or
 - (ii) six years and which may be for life.
- (5) The provisions of Subsection (4) do not apply when a person is sentenced under Subsection (3)(c).
- (7) Imprisonment under this section is mandatory in accordance with Section 76-3-406.

COUNT 5: ABUSE OR DESCRETION OF A DEAD HUMAN BODY, a third-degree felony, in violation of Utah Code Ann 76-9-704, in that on or about December 30, 2017, in Utah, the defendant, Jerrod William Baum, as to the victim Brelynne Otteson; (2) intentionally and unlawfully:

- (b) moved or concealed, a dead human body.

COUNT 6: ABUSE OR DESCRETION OF A DEAD HUMAN BODY, a third-degree felony, in violation of Utah Code Ann 76-9-704, in that on or about December 30, 2017, in Utah, the defendant, Jerrod William Baum, as to the victim Riley Powell;

- (2) intentionally and unlawfully:

(b) moved or concealed, a dead human body.

COUNT 7: POSSESSION OF A DANGEROUS WEAPON BY A RESTRICTED PERSON, a third-degree felony, in violation of Utah Code Ann 76-10-503, in that on or about December 30, 2017, in Utah, the defendant, Jerrod William Baum, (1) being a Category I restricted person by virtue of (a) conviction of any violent felony as defined in Section 76-3-203.5, to wit: Aggravated Assault, a third-degree felony; (2) intentionally or knowingly possessed, used, or had under his custody and control: (b) any dangerous weapon other than a firearm.

COUNT 8: OBSTRUCTION OF JUSTICE, a second-degree felony, in violation of Utah Code Ann 76-8-306, in that on or about December 30, 2017, in Utah, the defendant, Jerrod William Baum, (1) with intent to hinder, delay, or prevent the investigation, apprehension, prosecution, conviction, or punishment of any person regarding conduct that constitutes the criminal offenses of either capital murder, aggravated murder, murder or kidnapping: (c) altered, destroyed, concealed, or removed any item or other thing; or (j) provided false information regarding a suspect, a witness, the conduct constituting an offense, or any other material aspect of the investigation.

NOTICE: This charge does not involve conduct related to Counts 5 and Count 6, Abuse or Desecration of a Dead Human Body.

PROBABLE CAUSE STATEMENT: Jeffrey Tracy of the Utah County Sheriff's Office, having probable cause to believe that the defendant committed the above-listed offenses, submitted the following evidence in support of the filing of this Information:

On 01/02/2018 victims Riley Powell (age 18) and Brelynne Otteson (age 17), boyfriend and girlfriend, were reported missing. It was reported to police that they were last heard from on 12/29/2017 traveling home to Eureka, Utah (Juab County).

Through access to social media police were able to learn that Riley Powell contacted Morgan Henderson at approximately 11:00 p.m. on 12/29/2017 and arranged to meet at her residence in Eureka. Morgan at the time was the live-in girlfriend of Jerrod Baum (Defendant).

Further investigation shows that all social media posts from either Riley or Brelynne then, upon information and belief, ceased, contemporaneous with their disappearance, on 12/29/2017.

On 01/09/2018 both Baum and Morgan were questioned by police, before police were aware of the social media posts of 12/29/2017, and at that time both individuals denied seeing or hearing from the missing teens on or about 12/29/2017.

On 01/11/2018 Riley's jeep, the vehicle the victims were last known to be traveling in, was located in the Cherry Creek area of Juab County with two flat tires apparently caused by someone puncturing the side walls of the tires. Officer's located a portion of a camouflage tie down strap on the jeep.

On 01/25/2018 police interviewed Morgan Henderson at her residence in Eureka, inside a police car, while Jerrod Baum was present at the residence outside where he could see the interview take place. Morgan again denied seeing or hearing from the teens but when confronted with the social media posts, admitted that the victims did in fact arrive sometime after midnight in Riley's jeep at their residence, stayed for approximately 40 minutes and then left. She and Defendant denied any further knowledge about the teens' disappearance.

On 03/25/2018 Morgan Henderson was arrested on an unrelated offense and was again interviewed by police regarding the missing teens. During that and subsequent interviews she admitted to police that she had withheld knowledge about the disappearance of Riley and Brelynne and that she had in fact been present when they were killed by Jerrod Baum.

Morgan has since related to police that after the victims had arrived at her residence, Jerrod Baum arrived home upset that the teens had visited her. Jerrod Baum then bound the victims' hands and feet, duct taped their mouths, and placed them in the back of Riley's jeep. He then drove them to a remote location near Eureka and killed them in Morgan's presence; using a knife to stab and/or cut their throats. Baum then dumped their bodies into an open mine shaft.

Morgan described that Brelynne was forced to kneel near the open mine pit and witness the beating of her boyfriend, Riley Powell, and his stabbing, before she had her throat cut and was also thrown into the open mine. Morgan also described Defendant stabbing Riley Powell through the groin. Reports from the officer who attended the victim's autopsies with the medical examiner corroborate Morgan's statements and likely indicate she would have been present when the killings occurred.

Morgan related to police that prior to the killings, Defendant was operating under the belief that Brelynne was pregnant, having offered to Brelynne and Riley his congratulations as they walked from the car to the open mine shaft.

After the killings Defendant indicated to Morgan that he had made Riley suffer, but that he felt bad about Brelynne, so he made her death quick and painless. In other statements to Morgan Defendant admitted subsequent consternation of the fact that Brelynne was “innocent.”

Through subsequent investigation police have been able to confirm details of Morgan’s account, to include locating the victims’ bodies in a mine shaft in the Tintic Standard #2 Mine in Utah County. Further, injuries to the bodies of the victims, as documented by the medical examiner, bear out details of Morgan’s confession to police and indicate that Morgan was likely present, and that it would have been unlikely that she alone could have accomplished the kidnapping and murder of the victims, to include inflicting the serious sharp and blunt force trauma and injuries seen in the body of Riley Powell.

Morgan has also led police to other items of evidence that appear related to the crimes which she observed Defendant hide or discard (e.g. a camouflage tie down similar to one found on Riley’s jeep), further demonstrating the reliability of her account.

Jerrod Baum was convicted of Aggravated Assault, a third-degree felony (case no. 951000260, 3rd Dist. Ct. – West Jordan), making him a Category I restricted person.

Bail was set in this matter at NO BAIL ALLOWED.

Based upon evidence received from Jeffrey Tracy of the Utah County Sheriff’s Office, I have reason to believe Defendant committed the offenses as charged herein.

Authorized for presentment and filing this 3rd day of April, 2018.

UTAH COUNTY ATTORNEY’S OFFICE

Sworn to by:

/s/ Chad E. Grunander

Chad E. Grunander
Deputy Utah County Attorney