

IN THE  
1ST DISTRICT COURT - RICH  
COUNTY OF RICH, STATE OF UTAH

State of Utah  vs.  JOHN JOSEPH SHARKEY Date of Birth: 09/13/1977	<h2 style="margin: 0;">Affidavit of Probable Cause</h2>
Arrestee	

On 01/26/2021 06:58 the defendant was arrested for the offense(s) of:

#	Offense Date	Offense Description	Statute	Gov Code	Severity	DV
1	01/26/2021	AGGRAVATED KIDNAPPING	76-5-302	UT	F1	Yes
2	01/26/2021	AGGRAVATED ASSAULT PRODUCES LOSS OF CONSCIOUSNESS	76-5-103(3)(B)	UT	F2	Yes
3	01/26/2021	AGGRAVATED ASSAULT THREAT W/SHOW OF FORCE/VIOLENCE - INJURE	76-5-103(1)(A)(II)	UT	F3	Yes
4	01/26/2021	ESCAPE FROM OFFICIAL CUSTODY	76-8-309(1)(A)(I)	UT	F3	Yes
5	01/26/2021	PROPELLING A BODILY SUBSTANCE TOWARD FACE/EYES/MOUTH	76-5-102.9(3)(B)	UT	MA	Yes
6	01/26/2021	ASSAULT-UNLAWFUL FORCE/VIOLENCE BODILY INJURY/RISK OF INJURY	76-5-102(1)(B)	UT	MB	Yes
7	01/26/2021	INTERRUPTION/INTERFERENCE OF A COMMUNICATIONS DEVICE	76-6-108(2)(A)	UT	MB	Yes
8	01/26/2021	DISTRIBUTION OF AN INTIMATE IMAGE	76-5B-203(5)(A)	UT	MA	Yes
9	01/26/2021	INTERFERENCE WITH PEACE OFFICER	76-8-305(1)(C)	UT	MB	Yes

I believe there is probable cause to charge the defendant with these charges because:

I was contacted by Dispatch concerning on the report of a naked female coming into the WorldMark resort office asking to use the phone and reporting that her boyfriend had assaulted her and locked her naked out of the house in 12 degree weather. When I arrived officer 1E2 Jon Nichol had made contact with the victim and I joined him as he asked her the details of the situation. She described being held captive by her boyfriend for two plus hours, he attempted to rape her, he held her at knife point and threatened to kill her, he also pointed what was later discovered to be a pellet gun and threatened to shot her, he assaulted her with fist strikes causing bleeding from her nose and various marks on her face, he choked her unconscious, he took her phone taken away from her when she tried to contact 911, he videoed her naked with his phone and threatened to show it, he broke eggs on her head and face, he urinated on her head and body, he jammed a bottle of Kalua in her mouth and into her throat and then dumped seltzer water all over her face into her nose in a matter consistent with waterboarding. She was eventually able to escape the residence and flee to the location where she made the phone call. She stated she believed that the suspect John Sharkey was dead. When questioned concerning this she stated she felt he had committed suicide. She described an individual with mental health issues and a proclivity for suicide. Leaving 1E2 with the victim I proceeded the location of the suspect. Fire chief Michael Wahlberg knowing the individual accompanied me to that location as he was not needed with the victim as emergency medical services. When I arrived at the location of the home, chief Wahlberg had the owner of the home, the suspects father Joseph Sharkey, on the phone and I spoke with him concerning his son. He informed

me that he did not have any firearms in the home other than a pellet gun but he did have a Halligan tool fire axes and several wood cutting axes and baseball bats. He also informed me that the suspect was prone to suicidal acts but stated he felt the only way he could have committed suicide was either through overdose but he did not think the suspect had any Pharmaceuticals that would accomplish suicide. With this information I proceeded into the home in order to verify the health and safety of the suspect. I discovered the suspect in the basement in a small hallway next to his bedroom and the doorway leading to the garage hiding behind a coat rack. He immediately demanded to know where my warrant was, I ordered him to turn around and put his hands upon his head and he again demanded a warrant. I ordered him to place his hand upon his head again and he turned and ran into the garage through the doorway. I followed and again ordered him to put his hands on his head. He turned again to flee and as he turned I deployed my electric control device. I did not get good probe placement and did not achieve neuromuscular override with the suspect. He again tried to flee and I fired my second electronic control device cartridge but it hit him in the back. He was wearing a heavy Carhartt coat and the probes were not able to penetrate enough to get contact. I was forced to take the suspect to the ground on the driveway and chief Wahlberg helped me place cuffs on the suspect. 1E2 Deputy Nichol had arrived at this point and we stood the suspect up and started to speak with him, after a few minutes he seemed to calm down and I turned to escort him to my patrol vehicle when he jerked away from me out of my grasp and fled back towards the house. He attempted to shut the garage door but I was able to block him from doing so and force my way into the garage with him where I again took him to the ground and held him immobile while officer Nichol and chief Wahlberg were able to put leg shackles on him. We escorted him to my patrol vehicle where we attempted to put him into the cage and he continually resisted going into the cage. We had to use a drive stun and eventually had to put a tether leash around his leg shackles and pull him into the cage where we were able to secure him. Officer Nichol followed the ambulance with the victim, chief Wahlberg and I followed with the suspect to get medical clearance and an evaluation as the suspect had continually shouted for us to kill him during this altercation. At mile marker 124 in Logan Canyon the suspect begin to repeatedly bash his head against the walls of the cage and the camera of the cage, displacing the camera and I was forced to stop the vehicle and use a drive stun with my electrical control device to get the individual to stop. Repositioning cuffs and restraints on the individual we continued to Logan Regional where the individual received a medical assessment and examination and was cleared.

I believe these to be additional condition(s) for continued detention:

The current offense is a felony. There is substantial evidence to support the charge, and through clear and convincing evidence ? would constitute a substantial danger to another individual or to the community, or is likely to flee the jurisdiction of the court if released on bail.

There are multiple offenses as felony's. They were all one criminal episode with a Domestic Component. There is a substantial criminal history associated with John Sharkey. He committed a similar crime in Colorado and received a 10 year sentence. He stated he was indigent and had no ties to the community other than his father who refused his return. If he were to be released he may flee as he has already exhibited a desire to escape from official custody. If he were to return to the community he would have easy access to the victim and he has exhibited a disregard for her. I would request no bail due to the severity and propensity of the crimes and his willingness to recommit similar crimes.

Officer Name: JARED D JOHNSON	Badge ID: 1E3
I am a sworn officer with: UT0170000 - RICH COUNTY SHERIFF	
Arresting agency case number: 21-0065	Associated citation number:

I declare under penalty of perjury and under the laws of the State of Utah that the foregoing is true and correct.

/s/

SUBMISSION IDENTIFICATION INFORMATION

Booking agency: RICH COUNTY SHERIFF	Booking agency ORI: UT0170000	
Booking agency case number:	SID:	OTN:
Booking UserID:	Booking date/time:	Submission ID: 1264751 (Version 1)