

# WEST VALLEY CITY POLICE DEPARTMENT

091054602

Witness Statement  
(Testimonio Escrito)

Susan Powell

Case # \_\_\_\_\_

[REDACTED]

If applicable: School (Escuela) \_\_\_\_\_ Grade (Grado) \_\_\_\_\_

*Pursuant to Rule 1102, Utah Rules of Evidence and Section 76-8-504.5, Utah Code Annotated:*

**YOU ARE NOTIFIED THAT STATEMENTS YOU ARE ABOUT TO MAKE IN THIS DOCUMENT MAY BE PRESENTED TO A MAGISTRATE OR A JUDGE IN LIEU OF YOUR SWORN TESTIMONY AT A PRELIMINARY EXAMINATION. ANY FALSE STATEMENT YOU MAKE AND THAT YOU DO NOT BELIEVE TO BE TRUE MAY SUBJECT YOU TO CRIMINAL PUNISHMENT AS A CLASS "A" MISDEMEANOR.**

*Conforme a la regla 1102, de evidencia de Utah y la seccion 76-8-504.5, del codigo de Utah anoto:*

**Le Notifican que las declaraciones que usted esta a punto de hacer en este documento se pueden presentar a un magistrado o a un juez en lugar de su testimonio jurado en una examinacion preliminar. Cualquier declaracion falsa que usted haga y que usted no crea que sea verdadero, puede ser usted sujeto a un castigo criminal como delito menor de la clase "A".**

I understand the above statement (Entiendo antedicha la declaracion) \_\_\_\_\_

Please see attached

FILE COPY

#4-538

BATCH NUMBER

I am a cashier at the [REDACTED]  
[REDACTED] in [REDACTED]

09I054602

my hours are between 10:30 pm thru  
7:00 AM Sundays thru every other Wednesday.  
Between the hours of 11:30<sup>pm</sup> and 5:30 AM,  
I am the only cashier in the store.

On the night of Dec 6, 2009, between  
the hours of 11:30 p.m. and 1:00 A.M.

The Powell Family (Josh, Susan & their  
two boys) came into the store.

Josh came up to the counter with  
the youngest boy in his right arm  
the toddler was resting on Josh's shoulder  
he was blond and about 2 yrs. old.

As I was reaching for a bag for  
Josh's purchase I heard someone yell  
out "[REDACTED]", thinking to myself it was  
a truck driver calling out to another I  
continued with what I was doing. until  
I heard "Just a minute I need to get  
some gas then we can go camping."

At that time I looked up at Josh  
He was looking towards the east doors  
at a little blond boy about 4 or 5  
years old. the little boy was trying  
to push the door open to go outside.

Working the hours I do, I ~~don't~~ don't  
often see children in the store, so anything  
unusual gets my attention. A man with  
two small children going camping in the  
middle of the night in a snow storm  
was unusual

continued →

FILE COPY

#4-538

BATCH NUMBER

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I quickly turned and looked outside to see if I could see a camper or trailer. However I could only see the RV pumps and the gas pumps #12 thru #6. Noone was parked at the RV pumps and on the gas pumps there was a silver or gray mini van parked at pump 6. When I turned back I quickly looked over the store to see if anyone appeared to be with them. I then looked down at Josh's merchandise and thinking he must need to repair a leak or something in his camper or trailer. at this time Susan came up to the counter and placed some candy with the other items. The toddler sat up from Josh's shoulder looked at Susan then looked at me. I then said "he doesn't look very happy about going camping" (meaning the toddler) she then grabbed his little foot and giggled (because of the look on the toddlers face) and said "Yea he's pretty tired." Then she looked at Josh and said "I'm going to take him out." Josh replied "Good" then Susan walked to the East doors and took the other bay outside. I no longer had any concerns about "camping" because there was a Mom with them. Josh then paid cash for his merchandise and gas and left the store.

