

The Utah AG SexMail Leak

A suspect suspended; a criminal probe intensified

by Lynn Packer June 2, 2014

The Utah Attorney General's office has opened a criminal investigation into one of its attorneys suspected of facilitating the leak of sexually charged emails to *packerchronicle*.

On about May 15 assistant attorney general Jenette Turner was called to the AG's criminal division offices where she met with the chief of the criminal justice division along with an agent from the criminal investigations bureau and was put on administrative leave. The AG confiscated her tablet, computer and cell phone. A source says she was not told why she was suspended.

Poulson returned to work today after *packerchronicle* inquired last week about the suspension and asked whether it was in retribution for testimony she provided for an investigation into the relationship between a former division chief, Craig Barlow, and one of his subordinates, Cindy Poulson.

AG criminal investigator Aaron Jones has been questioning other employees about Turner. His questions indicate the probe relates to the exchange of purported sexmails between Assistant Attorney General Cindy Poulson and her division chief at the time, Craig Barlow.

Packerchronicle's January 2 report about the matter prompted an investigation by Utah's Department of Human Resource Management (DHRM) that is still ongoing. (See reports 27 and 28 on page two of this website.)

Turner declined to be interviewed for this report as did Greg Ferbrache, chief of the criminal division, and Turner's supervisor, Kris Knowlton. AG Sean Reye's spokesperson, Missy Larsen decline comment: "We don't comment on investigations," she wrote in an email. Even though she and her office frequently comment on ongoing investigations.

On January 2 *packerchronicle* broke the story about the sexually explicit emails that were sent and received on the state's email system. The leaked documents had Barlow and Poulson exchanging "I love you" notes and Barlow commenting on Poulson's cute tush and her "exceedingly lovely neck-- among other parts."

Barlow said the emails were not genuine, suggesting that they were faked. But he said it was not important to determine who counterfeited them.

The *packerchronicle* report prompted the AG's office to ask DHRM, as an outside party, to do the investigation. The probe was to look into the validity of the emails and explore whether Barlow gave Poulson special treatment based on their



Cindy Poulson Craig Barlow
Their SexMails triggered two investigations

relationship. Poulson was promoted from a paralegal position to attorney status despite having a criminal record and no previous experience working as an attorney.

Sources within the AG's Children's Justice Division believe Barlow and Poulson had a less than arm's length relationship over several years. "She has been personally involved with Craig," says one division employee. "She works with him a disproportionate amount of time" when she is also supposed to be working as a paralegal for other attorneys. "They think they are sneaky, sneak off to lunch, flirt and find reasons to touch each other," the employee told *packerchronicle* as reported in January.

In January DHRM's attorney, Bob Thompson assigned two investigators--Rosann Ricks and Jay Jensen--to conduct the investigation he estimated would take a month. But now it's been almost five months and no report is yet forthcoming.

It's believed that Jenette Turner is among other witnesses who provided information to Ricks and Jensen. She offices near Poulson at the Heber Wells Building. It's a proximity that not only made her a key witness but also a suspect for stealing the emails, ostensibly off Poulson's computer.

A few weeks later a separate, unrelated batch of sexually explicit emails involving Poulson were sent anonymously to *packerchronicle*. (See Report 25 "An Affair to Remember.") This time they showed Poulson had an affair early last year with an outside, private attorney. The leaked text messages contain discussions about when and where to meet and describe things the two planned to do. "Please text me something erotic," one said. "I cannot wait to do that, I luv you," another read. "And, I enjoy making love with you a lot" and "I woke up dreaming of your hands on my body and you kissing me."

I want you to ride my [REDACTED] and [REDACTED] really hard inside me. I want you to let me [REDACTED] your [REDACTED] until you [REDACTED] in my mouth. I know you will make me [REDACTED] again %

May 9, 2013 email from Cindy Poulson to attorney.

More graphic texts include "I want to feel you inside me," "I want you to let me *bleep* your *bleep* until you bleep in my mouth," and

"I will miss you tonight but will probably dream you are bleeping my *bleep* (and) *bleep* my *bleep* and have your *bleep* inside me."

Poulson admitted to that affair. AG Spokeswoman Larsen provided Poulson's statement: "The relationship was of a personal nature. It was and remains my personal business. The outside relationship did not interfere with the performance of my job and was conducted on my personal time. At no time did it interfere with my working a full week and/or accounting for my time."

This week, for the first time, the attorney involved with Poulson last year spoke with *packerchronicle*. He said he now understands that what he did—cheating on his wife—was wrong. "What I did was unbelievably horrible," he said. "I'm very embarrassed."

He said Poulson wanted to make sure word of their affair did not get back to Craig Barlow. "'I hope this doesn't get out to Barlow,' she said, 'because if it does he'll be very pissed off at me because it's something he wants for himself,'" the attorney said.

There may have been another reason Poulson did not want Barlow to know. Poulson's affair with the outside attorney came at the time she was making attempts to be promoted from paralegal to prosecuting attorney. And she needed Barlow's support.

The attorney said Poulson talked about other people in the office. Such as her boss, Kris Knowlton. "She had a female boss she likes and respects," he said.

But she had a male coworker she didn't like. "The gentleman she did not care for got reassigned in April last year," he said. "She didn't say why, just that she was glad." "She said the

attorney she did not like wanted to be a judge and she hoped he would get it in order to be rid of him.” She inferred she had something to do with the transfer.

The attorney Poulson wanted transferred to another division--a wish she was granted--was Paul Amann.

Amann was one of the AG office’s star attorneys. In 2007 Attorney General Mark Shurtleff named Amann, who had prosecuted hundreds of Internet predators, Attorney of the Year. In 2013 Prevent Child Abuse Utah, a Utah’s child abuse prevention agency, recognized Amann, as one of its 2013 Child Advocate of the Year winners. Attorney General John Swallow said, “Paul Amann is known as ‘Buzzsaw’ for his ability to cut through all the garbage and focus on the horrific harms being committed against children.” “Paul deserves this honor.” Even Children’s Justice Division Chief Craig Barlow who would have a falling out with Amann, said, “Paul is a skilled prosecutor and a fierce advocate for children. This award reflects a career dedicated to protecting our most vulnerable treasure.”

Still Amann was transferred out of Children’s Justice and given a pay cut.

Amann, like Jenette Turner, is believed to have been among witnesses who testified against Barlow and Poulson to DHRM investigators. He was among those suspected of leaking the sexually charged emails to the press.

In fact it was not Amann. Although he was in the pipeline between the documents being pilfered and then leaked. (See timeline on page 7.)

But that’s not the end of the Paul Amann’s story. Someone apparently wanted to damage his credibility. He was accused of once having an affair himself with his division chief before she was named a Third District Court judge. More on that later. First, the blowup.

The Blowup

Ever since *packerchronicle* broke the SexMail story in early January there were indications the AG’s office was trying to find out who stole the Barlow/Poulson emails. In February a source said, “Cindy and Craig have succeeded in getting their buddy investigators in our office to do an investigation into who leaked the emails.”

But now, months later, the probe is ramped up and investigator Aaron Jones has been more openly gathering evidence. So why the flurry of activity now?

It’s speculated that one or both of two things prompted the AG’s office to suspend Turner and intensify its criminal investigation:

- The release of the DHR report is due anytime and the AG’s office may be preemptively trying to discredit witnesses who provided testimony.
- There is also the “blowup” at a recent meeting of personnel in the section headed by Kris Knowlton, a meeting attend by both Cindy Poulson and Jenette Turner among other lawyers and paralegals.

At that meeting, about May 8, it was announced that Craig Barlow was going to be promoted to an “of counsel” position working under newly appointed Chief Criminal Deputy Spencer Austin who had been a law partner with Reyes at Parsons, Behle & Latimer. Barlow’s assignment would be to train and mentor new employees.

For some of Barlow’s and Poulson’s co-workers who had been waiting months expecting news that the two might be fired for inappropriate conduct and cronyism the announcement of a

promotion was a bit much. The impression was Reyes had created a position for Barlow to “make money doing nothing” and that Reyes had no intention to fire him no matter what the DHRM might conclude.

A source familiar with the meeting said a paralegal essentially “blew up” and accused Barlow and Poulson of inappropriate conduct. Then “Cindy got mad,” the source said. The paralegal reportedly started swearing then crying and then ran out of the room.

At that point Assistant Attorney General Jenette Turner came to the paralegals defense essentially expressing the same concerns. “She went off and was pretty disrespectful but asking legitimate questions about Cindy and Craig,” a person in attendance said.

Section Chief Knowlton reportedly expressed some frustration DHRM had not completed its investigation of Barlow and Poulson. “In the meeting she took the position that she wanted Barlow investigated but that the office has refused to do anything about it,” the source said.

Whether or not the main reason for the AG to ramp up its investigation was a pretext to find out who pilfered the Barlow/Poulson emails, the criminal investigation went into high gear resulting in Turner’s suspension and co-workers being questioned and recorded. One source said the questions dealt with the blowup meeting and whether what Turner said could be construed as harassment. And whether there were other instances of Turner blowing up at Poulson. The source also had the impression the criminal investigator was trying to tie Turner to Paul Amann (who was previously a coworker) and the leaked emails.



Kris Knowlton, Section Chief, Internet Crimes Against Children Task Force

Knowlton, who presided over the blowup meeting, had previously supported Poulson. In a January email she justified Poulson’s promotion from paralegal to attorney because of her “work ethic and experience in her various jobs at the AG’s office, her knowledge, her preparation, her attitude and demeanor, her sunny disposition, her dedication to going above and beyond in case preparation for the attorneys on the prosecutions, her thirst for learning and improving herself, her self motivation.” While Knowlton praised *packerchronicle* reports on AG office corruption because “there is no doubt that there has been something going on for years that needed to be investigated and exposed” she was disappointed with any coverage of the alleged Barlow/Poulson affair because Poulson was “a good person doing a good job.”

She had no additional comment for this report. She declined answering these questions:

- Do you support the decision to suspend Turner pending the outcome of the investigation?
- What is the specific charge against her?
- What are the potential penalties?
- Do you support the fact one of the AG’s criminal investigators is conducting the probe. As opposed to an independent, outside person.
- If the AG’s policy is to suspend employment pending the outcome of investigations then why weren’t Barlow and Poulson placed on leave until HR reports?

DHRM counsel Bob Thomson says his department’s investigation of the Barlow/Poulson emails is wrapping up. He would not comment on whether Turner or

Amman or anyone else provided testimony. He was aware someone in the AG's office had been suspended. "I would be repulsed if there is retaliation going on," he said. That is not appropriate in any circumstance."

The Alleged Lund/Amann Affair

On April 18 an anonymous source sent *Packerchronicle* a letter alleging yet another affair between a section chief and a subordinate. This time the section chief was female and the subordinate, male. Both were married. The unsigned letter said, in part:

"Assistant Attorney General Paul Amann had an affair with Julie Lund. She was his supervisor in the office but now she is a district court judge. The old administration knew, coworkers knew..."



3rd District Court Judge Julie V. Lund and Assistant Attorney General Paul G. Amann.

The allegation came at a time Amann may have been known to AG leadership as one making statements against Barlow and Poulson. (See timeline on page 7.) *Packerchronicle*, so far, has been unable to determine the author of the letter although it's likely someone inside the AG's office. True or not the motive is probably to discredit Amann as a whistleblower.

Both Amann (through AG spokeswoman Missy Larsen) and Judge Lund declined comment.

Lund already denied that she has any skeletons in her closet during her confirmation hearing before the Utah Senate Confirmation Committee on December 8, 2010. Senate President Michael Waddoups offered her the opportunity to go into executive session then asked a question dealing with her personal life: "Is there anything in your background, that even before you were a judge at the time it happened, and should become generally known would become an embarrassment to the state?"

"No," she answered.

Analysis and Commentary by Lynn Packer *A Chicken in Charge of the Fox Den*

Sean Reyes, when he campaigned for attorney general, promised "the highest degree of transparency." Instead, in office, he delivers opacity. He took Shurtleff's and Swallow's already restrictive press policy and rather than loosening it, he tightened it. Making it more dangerous for employees to disclose suspected corruption to the public and press.

The Ogden Standard editorialized that “it's clear that the Utah attorney general's office was infected with a culture of corruption the past several years.” Unfortunately there's no sign of any culture shift.

Reyes told voters “efficiency and transparency are key components to the foundation of a strong government. The ability for citizens to see what their representatives are doing is vital to prevent corruption.” An enthusiastic supporter responded, “Of all the possible candidates for AG, Reyes was the most likely to actually clean up the AG's office, and throw the remaining Swallow-Shurtleff cronies out.” “If you want to rid Utah of corruption in politics I would vote for Sean Reyes.”

Take the Jenette Turner suspension and criminal investigation. Those acts occurred under Reyes' new administration with his new criminal leadership team: Spencer Austin (chief criminal deputy), Greg Ferbache (head of criminal justice division) and Leo Lucey (head of investigations division). (Reyes sacked some division and section chiefs but filled many of those slots with the old guard out of the old system.)

Instead of suspending Barlow and Poulson pending a probe of their relationship Reyes' criminal chiefs suspended one of the possible whistleblowers, confiscated her computer and cell phone, and began a criminal probe of her conduct. Without disclosing the charges whether she is under suspicion for harassing Cindy Poulson or under suspicion for leaking Poulson's and Barlow's sexmails. Or both.

The message to other employees is clear: Don't f\$#@ with the old guard.

Reyes knew about the alleged Barlow/Poulson affair from day one in office. He had the sexmails. He had specifics about Barlow promoting Poulson to a position for which she was not qualified. He not only failed to act decisively, even after the story broke in the press, he passed the buck to the governor's HR department, where the buck, after five months, continues to sit.

Looks like Governor Herbert found another clown to drive the clown car.

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Leaked SexMail Timeline

23 Dec 2013, early a.m.: Assistant Attorney General Paul Amann finds a manila envelope under his office door. The sender is anonymous. It contains records and emails exchanged between Craig Barlow and Cindy Poulson.

23 Dec 2013, p.m.: Sean Reyes, appointed by Governor Herbert, is sworn in as attorney general.

24 Dec 2014: Top Reyes campaign manager Alan Crooks calls Wanda Thiel--Amann's wife and Reyes campaign worker--to discuss personnel in AG's office. She tells Crooks about what she thinks are explosive emails that may indicate employment fraud. He insists on getting a copy immediately and asks her to get it from Paul Amann. She provides the records via email.

30 Dec 2014. Reyes and Crooks do not redact promptly to the alleged employment fraud and suspected Barlow/Poulson affair. The emails were turned over to *packerchronicle*.

31 Dec 2014. Alan Crooks calls *packerchronicle* saying he was asked by Reyes to respond to a request for a comment on the leaked emails. Crooks says he did not have the emails but has been told about "the nature of their content." He is told that employees who provide information to the press are afraid of retaliation and the fear continues even after Reyes is named the successor to Swallow. Crooks' statement is that he is appalled by the emails if genuine and "It's going to change. It's time for Attorney General Sean to get in there to get things cleaned up."

2 Jan 2014: *Packerchronicle* breaks the story about the leaked emails under the subtitle: "Are the 'Tush' Emails Real or Fake?"

9 Jan 2014: *Packerchronicle* story about Barlow's support of Poulson's promotion to attorney. That same day the AG's office discloses it opened an investigation into the leaked emails and hiring standards. Also that same time Poulson withdraws her petition to the Board of Pardons to have her criminal record expunged.

19 Feb 2014: Poulson resubmits her application for a pardon. She refers to *packerchronicle* stories published Jan.2 and Jan 10 She says her employment in the AG's office "remains in jeopardy" because she has not had her criminal record cleared.

21 Feb 2014: Assistant AG Jenette Turner believed to have met with investigators looking into Barlow/Poulson matter. Paul Amann is scheduled to testify the next week.

25 Mar 2014: *Packerchronicle* reports about affair Poulson had with an outside attorney. In the meantime the Board of Pardons appears to have rejected Poulson's request for a hearing.

18 Apr 2014: Anonymous letter alleging Paul Amann and Julie Lund affair.

8 May 2014: so called "blow-up meeting where paralegal criticizes Barlow's promotion and questions Poulson's continued employment.

15 May 2014: Jenette Turner placed on administrative leave, tablet and cell phone confiscated. Her office computer seized the following week.

29 May 14: *Packerchronicle* lodges protest with DHRM attorney Bob Thompson about Turner's administrative leave because of the chilling effect that retribution for her testimony to DHRM could have on any confidential sources inside the AG's office.

20 May 14: *Packerchronicle* asks AG spokeswoman Missy Larsen for a statement about the criminal probe of Jenette Turner and about her suspension. Larsen says her office does not comment on investigations.

3 Jun 14: Turner returns to work after being told it's okay to come back