

IN THE
FOURTH DISTRICT COURT-HEBER
COUNTY OF WASATCH, STATE OF UTAH

State of Utah vs. DAVID NEPHI JOHNSON Date of Birth: 07/12/1971 Arrestee	Affidavit of Probable Cause
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On 02/10/2026 17:00 the defendant was arrested for the offense(s) of:

	Offense Date	Offense Description	Statute	Gov Code	Severity	DV
1	02/10/2026	AGGRAVATED CHILD ABUSE - INTENTIONALLY OR KNOWINGLY	76-5-109.2(2)+(3A)	UT	F1	No

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

On January 21, 2026, I received a mandatory Child Abuse and Neglect report from the Utah Division of Child and Family Services (DCFS). The report stated that a 16-year-old female did not feel safe in her home and expressed fear for her life. The 16-year-old victim participated in a forensic interview at the Children's Justice Center in Heber City, Utah. During the interview, the victim disclosed that approximately one and a half to two weeks before the interview, her father waterboarded her. While describing the incident, the victim became visibly emotional and began crying. The 16-year-old victim identified her father as David Johnson, identified with his Utah State License number 171084866.

The victim stated that she got home from hanging out with friends. David was upset with the victim because she didn't completely clean her room, and she went out without having it be spotless to his expectations. David grabbed the victim by the back of her neck and took her into the bathroom while the sink was filling with water. She disclosed that David dunked her head under, brought it out, splashed water in her face, then dunked the victim's head under again. The victim did not know how long the incident had lasted from beginning to end. The victim disclosed that she couldn't breathe for about 20 to 30 seconds.

The victim stated she was then instructed to go clean her room after the incident. When the victim was asked in the interview, How did you feel when you got waterboarded by your dad? she replied, Well, I didn't feel great, obviously, since, like, drowning. But it made me think that I was in the wrong, like I'm the one that did something wrong. The victim was then asked, Tell me what you remember thinking. She replied, I'm just like, oh, yeah, he's right. You should have cleaned your room. Like, yeah, you know, you're at fault. Like, this is why it's happening to you. There's a reason behind it. That's just kind of what I was thinking. When the victim was asked, Tell me what your breathing was like, she stated, There was no breathing. Like, you try to breathe in once, and then it all goes in your nose. So you just have to hold your breath. The victim was then asked: And did it go in your nose that time? and she replied with: Yeah. When she was asked, So how did your body feel? she replied, Not really good. I kind of felt sick afterwards. Like I couldn't breathe. So it made my stomach feel a little sick.

In addition to the incident involving herself, the victim disclosed multiple incidents involving her siblings. She stated she has two older siblings and two younger siblings. The victim described one incident a few years prior involving her now 8-year-old brother, stating that after a minor argument, David became upset, grabbed her brother by the neck, took him into the bathroom, and forced his head under the water. The victim stated that David removed her brother from the water, splashed water on his face and nose, knocked him down, and repeated the act multiple times. Following the incident, the now 8-year-old sibling ran upstairs to his bedroom, crying.

The victim also disclosed two separate incidents occurring approximately a few years prior in which David backhanded her on the torso because she wasn't compliant to do something. She stated: he just was yelling at

me and backhanded me, so I started to cry. He made fun of me for crying, yeah. The strikes caused bruising that lasted approximately one week and also just the big red mark where his hand was. Additionally, a witness identified as the brother-in-law of the oldest sibling stated that the family is very close and tends to keep personal matters private, indicating it is not considered anyone else's business to know what occurs inside the home. The victim stated, I don't feel very safe. When I go to bed, I feel like I can't sleep because I don't feel safe. When my dad's not home, I feel fine. But when he's home, I never feel safe because I feel like something is going to happen.

As part of a safety plan, DCFS and the parents agreed that the 16-year-old victim would be temporarily placed outside the home with an adult sibling. The two younger siblings remain in the care of both parents. With a safety plan in place of no physical discipline occurring. Based on the victim's disclosures and the nature of the alleged conduct, I have reason to believe that child abuse has occurred and may have been ongoing throughout the children's lives, and that the children may have been unable or fearful to previously report the abuse occurring within the residence.

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.
David Johnson poses a substantial threat to the two younger children remaining in his care due to the current charge of Aggravated Child Abuse F1 against his 16-year-old daughter. The 16-year-old stated, during a forensic interview, that she witnessed David grab the now 8-year-old by the neck, force his head underwater multiple times, and knock him down. This pattern of behavior is further evidenced by the 16-year-old victim's account of being held underwater for about 20 to 30 seconds, an experience that at one point left her unable to breathe. Although the younger siblings remain in the home under a safety plan, I believe the abuse has been ongoing throughout the children's lives and that they have been too fearful to report it.
I came to this belief due to his erratic behavior in the presence of the 2 younger children when he responded to the Children's Justice Center the same day the 16-year-old was interviewed. Shortly after the conclusion of the interview, I called the children's mother, informed her of the situation, and requested that she respond to the Children's Justice Center so I could further disclose information in person. I then heard what I believe to be David telling me in an escalated tone, No, it is not fine, we have a right to know, in reference to the allegations. His tone of voice and the fact that he was with his wife led me to presume that David would be joining his wife at the Children's Justice Center. I requested an additional unit in the event that David would become physically combative. Upon their arrival, I initially spoke with the mother alone, inside of the Children's Justice Center. During this meeting, she was informed of the allegations and she informed me that her 2 younger children were in the vehicle with David, waiting. The mother was asked by DCFS workers and myself three times if we would be able to interview her two younger children that night. On one of the replies the mother simply replied with: "I don't feel like there's anything to hide, but I don't... they're so little, I don't know". The mother After the meeting, she made contact with David outside of their vehicle. Through the CJC's camera system, Lori and David are seen talking to one another. The majority of the conversation is muffled; however, at one point, David, in a voice loud enough to be heard clearly via the same camera, we have rights. Then is seen going back to his vehicle, yanking his driver's side door open, getting into his truck and slamming the door shut. All while the 2 younger children were in the vehicle. Based on the Probable cause provided above and the nature of the charge against David Johnson, I believe a no-bail is warranted to guarantee the safety of the children as well as any potential coaching of witnesses.

Officer Name: ANEL MALDONADO	Badge ID: 2L12
I am a sworn officer with: UT0260100 - HEBER CITY PD	
Arresting agency case number: 2601-1000	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/ ANEL MALDONADO

SUBMISSION IDENTIFICATION INFORMATION

Booking agency: WASATCH COUNTY SHERIFF		Booking agency ORI: UT0260000	
Booking agency case number: 49582	SID:		OTN: UT59044255
Booking UserID: KDURR	Booking date/time: 02/10/2026 17:28	Submission ID: 3494231 (Version 1)	