

Swallow is Off Federal Hook

Utah's AG will likely get declination letter from DOJ

By Lynn Packer *August 22, 2013*

Note: PACKERCHRONICLE (via utahpoliticalcapitol.com) first broke this story on August 22. Virtually all Utah news media followed thereafter. Then on September 12 the Department of Justice did inform John Swallow and Mark Shurtleff that its case against them had been dropped.

The PACKERCHRONICLE will undertake an investigation into the reasons why the feds dropped the case. Look for a report in the coming weeks.

The PACKERCHRONICLE has learned that the United States Department of Justice (DOJ) is winding down its criminal investigation into Utah Attorney General John Swallow and will likely conclude its case with no charges. The Swallow federal probe could end as early as next week. Unless there is a last-minute shift in the case's momentum Swallow's attorney, Rod Snow, could be notified with a so-called declination or clearance letter before the end of next week.

Snow said he's been in contact with the DOJ in Washington, D.C. during the probe. "We've been discussing the investigation with them, providing information and cooperating to refute the ridiculous assertions that appear in the press including your articles," Snow said. He said "the inferences and innuendos are not possibly based on fact which we call reckless disregard for the facts."

Snow said he's not been given any timeline but his sense is that the Swallow case might be dropped within two weeks. "It would be nice if they did but I don't know that," he said. "It's an art form reading the tea leaves," he said. "I think it ought to be dropped but I don't know for sure." "I don't know if they'll send a letter or just call me up and tell me they're closing down the investigation on Swallow."

PC asked Swallow spokesman Paul Murphy if he knows about any forthcoming letter that the federal case is about to end without charges. "I can't offer a statement on something that I don't know to be a fact," he replied in an email.

It will not be fact, of course, until the Fat Lady sings. But she is about to sing a tune that will please Swallow and his supporters.

Meanwhile both the Salt Lake County District Attorney and Davis County Attorney have ongoing cases into Swallow and former Attorney General Mark Shurtleff and have had an evidence-sharing agreement with the FBI which investigates for the DOJ. It remains to be seen how a conclusion of the federal probe without grand jury indictments will impact the local investigation and its evidence sharing should it proceed.