



U.S. Department of Justice

Carlie Christensen

**United States Attorney
District of Utah**

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**CONTACT: MELODIE RYDALCH
U. S. Attorney's Office
801-325-3206
801-243-6475 (CELL)**

PRESS RELEASE

MITCHELL SENTENCED TO LIFE IN PRISON IN ELIZABETH SMART KIDNAPPING CASE

SALT LAKE CITY – Brian David Mitchell, 57, of Salt Lake City, will serve life in federal prison for the June 2002 abduction of Elizabeth Smart. U.S. District Judge Dale Kimball imposed the sentence Wednesday afternoon in federal court in Salt Lake City. Mitchell was convicted of interstate kidnapping and unlawful transportation of a minor in December following a four-week jury trial.

In documents filed with the court prior to today's sentencing hearing, federal prosecutors asked Judge Kimball to impose a life sentence. "The defendant's history and character make clear that he is a danger to the community. A life sentence is necessary to protect the public from further crimes of the defendant. Not only is the defendant a recidivist, but his refusal to acknowledge the wrongfulness of his conduct poses an even greater risk of future crimes against children. The defendant cannot be released back into society. A sentence of life is an appropriate and reasonable sentence in this case," federal prosecutors said.

Assistant U.S. Attorney Felice John Viti told the Court at Wednesday's sentencing hearing that on June 5, 2002, the day Ms. Smart was taken from her home, "her world, as she knew it, changed suddenly, violently, and without warning. It changed beyond her comprehension. On that morning, for Ms. Smart, the bogey man under the bed, the monster in the closet became real."

Viti said those involved in the criminal justice system sometimes struggle to find the point in a criminal case where the law and justice intersect. “Recognizing that point of intersection is difficult in many cases. However, this case is not one of them. We are confident that a life sentence is the point at which the law and justice intersect in this case. It is the nature and circumstances of the defendant’s crimes and conduct. It’s the shock, the horror, and revulsion we all feel when we think about the facts of this case as they were recounted with such poise, dignity, and grace by Ms. Smart,” Viti said Wednesday.

U.S. Attorney for Utah Carlie Christensen said, “A sentence of life in prison for Brian David Mitchell is an appropriate, just, and long overdue result for this community, the Smart family, and most importantly, Elizabeth. Mitchell’s heinous criminal conduct and the evidence of his propensity to re-offend warrant nothing less.”

“While a sentence of life imprisonment for Brian David Mitchell will not erase the pain or emotional anguish of Elizabeth’s nine-month captivity nor restore the loss of cherished time with family and friends, a life sentence provides a measure of justice for Elizabeth and the assurance that Brian David Mitchell can never inflict such intolerable cruelty on any one else again,” Christensen said.

FBI Special Agent in Charge James S. McTighe said, “It will be nine years ago next month that Brian David Mitchell kidnapped Elizabeth Smart from her home in Salt Lake City. This case demonstrates that the road to justice can be painstakingly long and emotional. However, this case also demonstrates that justice will be served no matter how many days, months, or years it may take. Through it all, the FBI has been proud to work with Elizabeth Smart to successfully investigate this case, and pleased that her kidnapper has been sentenced to prison.”

The case was prosecuted by Assistant U.S. Attorneys Felice John Viti, Diana Hagen, and David Backman of the Utah U.S. Attorney’s Office and Special Assistant U.S. Attorney Alicia Cook, a Salt Lake County Assistant District Attorney. It was investigated by agents and officers of the FBI, the Salt Lake City Police Department, and the Sandy City Police Department, along with support from other law enforcement agencies.

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