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FOR IMMEDIATE RELEASE

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**SALT LAKE COUNTY DISTRICT ATTORNEY FILES HOMICIDE BY ASSAULT IN  
SOCCER REF'S DEATH**

Salt Lake City, UT -- The Salt Lake County District Attorney's Office Wednesday filed information in Third Judicial District Juvenile Court in connection with the death of Ricardo Portillo. It is alleged that on April 27, 2013, at Eisenhower Junior High in Salt Lake County, State of Utah, a minor assaulted Ricardo Portillo. Mr. Portillo subsequently died as a result of injuries sustained in the assault.

The information alleges one count of Homicide by Assault, a Third Degree Felony, in violation of Utah Code Annotated 76-5-209. A person commits homicide by assault if, under circumstances not amounting to aggravated murder, murder, or manslaughter, a person causes the death of another while intentionally or knowingly attempting, with unlawful force or violence, to do bodily injury to another.

As outlined in more detail below, in connection with the filing of the information, the District Attorney's Office also filed a motion with the juvenile court to certify the minor as an adult and prosecute Mr. Portillo's case in adult criminal court.

Utah law governs the adjudication or prosecution of minors (persons under 18 years of age). Under Utah law, a minor may be prosecuted as an adult in criminal court depending on the circumstances outlined below.

**Direct Filing**

Under Utah law, a minor is prosecuted in adult criminal court when the minor is 16 years of age or older charged with an offense which would be murder or aggravated murder if committed by an adult. U.C.A. 78A-6-701. Such a case is filed directly with the adult criminal court. However, in Mr. Portillo's case, the evidence does not support a charge of murder or aggravated murder, and the case cannot be filed directly in adult criminal court.

*Serious Youth Offender:*

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A minor may be prosecuted in the adult criminal courts pursuant to Utah Code Title 78, Chapter 6, Section 702, known as the Serious Youth Offender statute. Under this statute, a minor may be charged with a crime by filing a criminal information in juvenile court if the any of offenses set forth in the statute are charged. In Mr. Portillo's case, the evidence does not support any of the charges set forth in the statute; therefore, the case cannot be filed in adult criminal court under the Serious Youth Offender statute.

**Certification:**

Under Utah law, a minor may be certified as an adult through a process outlined in U.C.A. 78A-6-703. If a minor is over 14 years of age, the District Attorney's Office may commence an action by filing criminal information and a motion requesting the juvenile court to waive its jurisdiction and certify the minor to the district court. The certification statute outlines the factors the court shall consider in the certification process.

As mentioned above, in connection with the filing of the information, the District Attorney's Office filed a motion to certify the minor as an adult and prosecute Mr. Portillo's case in adult criminal court.

The District Attorney's Office respects and honors the integrity of the criminal and juvenile justice systems and will prosecute the case to the fullest extent of the law within the parameters of the justice systems and consistent with the Office's legal and ethical duties and responsibilities.

The District Attorney's Office expresses its condolences to Mr. Portillo's family. The District Attorney's Office also expresses its appreciation to the Unified Police Department and members of the DA's homicide and juvenile prosecution teams for the professional efforts in putting this case together for prosecution.

All persons accused of a crime are presumed innocent unless and until proven guilty in a court of law.

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