

Resolution Admonishing and Censuring Judge Don M. Torgerson

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Matt MacPherson

LONG TITLE**General Description:**

This resolution admonishes and censures Judge Don M. Torgerson.

Highlighted Provisions:

This resolution:

▸ recognizes the importance of protecting children from sexual exploitation and assault and the lifelong impact of sexual exploitation on child victims and their families;

▸ censures Judge Don M. Torgerson for his statements made during a sentencing hearing for a defendant convicted of child sexual exploitation; and

▸ expresses disappointment that the Utah State Courts provided inaccurate information about Judge Torgerson's statements.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Be it resolved by the House of Representatives of the state of Utah:

WHEREAS, protecting children from sexual exploitation and assault, and recognizing the lifelong impacts child victims and their families bear, is paramount to the Legislature and the citizens of Utah;

WHEREAS, Judge Don M. Torgerson was appointed to and currently serves in the Seventh District Court of Utah;

WHEREAS, Judge Torgerson swore a constitutional oath that he would discharge the duties of his office with fidelity;

WHEREAS, on May 20, 2025, Judge Torgerson presided over the sentencing hearing of a defendant who was convicted of felony child sexual exploitation for possessing multiple images and videos of prepubescent children being raped or sexually assaulted;

WHEREAS, Judge Torgerson, after reviewing two of the illicit videos that were in the defendant's possession involving the sexual assault of children, commented, "I've seen worse";

32 ~~Ĥ→ [WHEREAS, at the hearing, Judge Torgerson sentenced the 22-year old defendant to~~
 32a ~~112.] ←Ĥ~~
 33 ~~Ĥ→ [days already served in jail, despite the presentence investigation report's recommended~~
 33a ~~210.] ←Ĥ~~
 34 ~~Ĥ→ [days of jail time and the prosecutor's request for prison time to reflect the defendant's.] ←Ĥ~~
 35 ~~Ĥ→ [horrendous crimes;] ←Ĥ~~

36 WHEREAS, Judge Torgerson commented that the served time was a lot of jail time for
 37 someone the defendant's age "who comes from some level of privilege";

38 WHEREAS, Judge Torgerson stated that the defendant could help others in the defendant's
 39 situation and had more of a voice than some because the defendant comes from a background
 40 of some privilege ~~Ĥ→ [~~, ~~indicating that this opportunity was a consideration for issuing a lighter~~
] ~~←Ĥ~~

41 ~~Ĥ→ [sentence] ←Ĥ ;~~

42 WHEREAS, while public officials, including judges, may occasionally misspeak or poorly
 43 phrase their thoughts when speaking extemporaneously, at those times the correct course of
 44 action is to take responsibility for any misstatements and apologize;

45 WHEREAS, after a news outlet reported Judge Torgerson's decision and remarks, the Utah
 46 State Courts did not denounce Judge Torgerson's comments, but rather issued a statement on
 47 May 28, 2025, suggesting that the prosecutor had agreed to probation rather than time
 48 incarcerated in prison;

49 WHEREAS, despite the Utah State Courts' statement to the contrary, the plea agreement
 50 clearly states that the prosecutor did not agree to an amount of incarceration time and the
 51 prosecutor actually requested in the hearing that the defendant serve prison time;

52 WHEREAS, the Preamble to the Utah Code of Judicial Conduct (UCJC) states that,
 53 "judges, individually and collectively, must respect and honor the judicial office as a public
 54 trust and strive to maintain and enhance confidence in the legal system";

55 WHEREAS, UCJC Rule 1.2 states, "A judge should act at all times in a manner that
 56 promotes-and shall not undermine-public confidence in the independence, integrity, and
 57 impartiality of the judiciary and shall avoid impropriety and the appearance of impropriety";
 58 and

59 WHEREAS, UCJC Rule 2.3 states, "A judge shall not, in the performance of judicial
 60 duties, by words or conduct manifest bias or prejudice or engage in harassment, including but
 61 not limited to bias, prejudice, or harassment based upon race, sex, gender, religion, national

62 origin, ethnicity, disability, age, sexual orientation, marital status, socioeconomic status, or
 63 political affiliation. . .":

64 NOW, THEREFORE, BE IT RESOLVED that the Utah House of Representatives strongly
 65 condemns Judge Torgerson's statements minimizing the severity of child rape.

66 ~~Ĥ→ [BE IT FURTHER RESOLVED that the Utah House of Representatives condemns~~
 66a ~~Judge.] ←Ĥ~~

67 ~~Ĥ→ [Torgerson's calculation that a defendant's privilege qualifies the defendant for a lighter]~~ ←Ĥ

68 ~~Ĥ→ [sentence despite the defendant's heinous actions victimizing vulnerable children.] ←Ĥ~~

69 BE IT FURTHER RESOLVED that the Utah House of Representatives finds Judge
 70 Torgerson's conduct prejudicial to the administration of justice and brings his judicial office
 71 into disrepute.

72 BE IT FURTHER RESOLVED that the Utah House of Representatives hereby censures
 73 Judge Torgerson for his conduct.

74 BE IT FURTHER RESOLVED that the Utah House of Representatives is disappointed in
 75 the Utah State Courts' inaccurate statement defending Judge Torgerson.

76 BE IT FURTHER RESOLVED that a copy of this resolution be sent to Judge Torgerson,
 77 the Judicial Conduct Commission, and the Judicial Council, and be recorded on the pages of
 78 the House Journal.