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IN THE THIRD DISTRICT COURT, SALT LAKE DEPARTMENT
IN AND FOR THE COUNTY OF SALT LAKE, STATE OF UTAH

THE STATE OF UTAH

Plaintiff,

vs.

DAMYEN VAINUKU

DOB: 03/12/2008

2117 W 360 S

Provo, UT 84601

OTN#: 72376437

SO#: 467902

Booking#: 26040372

Defendant.

Screened by: CLAYTON HUCKABY
Assigned to: TO BE ASSIGNED

INFORMATION

DAO # 26.033114

BAIL: NO BAIL WARRANT

WARRANT/RELEASE: IN JAIL PFR
09/03/2026

Case No.

The undersigned Law Enforcement Officer Jonathan R. Norman - Salt Lake City Police Department, Agency Case No. 26-153889, upon a written declaration states on information and belief that the defendant, DAMYEN VAINUKU, committed the crime(s) of:

COUNT 1

STALKING-WEAPON/MEANS/FORCE LIKELY TO CAUSE DEATH OR INJURY (Targeting), 76-5-106.5(2)+(3CI), a Second Degree Felony, as follows: That on or about August 20, 2026, at Salt Lake County, the defendant did intentionally or knowingly engage in a course of conduct directed at a specific person and knew or should have known that the course of conduct would cause a reasonable person:

(i) to fear for the person's own safety or the safety of a third person; or

(ii) to suffer other emotional distress; or

(b) intentionally or knowingly violates:

(i) a stalking injunction issued under Title 78B, Chapter 7, Part 7, Civil Stalking Injunctions; or

(ii) a permanent criminal stalking injunction issued under Title 78B, Chapter 7, Part 9, Criminal Stalking Injunctions; and

(c)(i) used a dangerous weapon or used other means or force likely to produce death or serious bodily injury, in the commission of the crime of stalking.

NOTICE IS GIVEN that the Defendant is subject to enhanced penalties as provided under Utah Code Annotated §76-3-203.14, because the defendant intentionally selected the victim because of the defendant's belief or perception regarding an enumerated personal attribute of the victim or group of individuals with whom the victim has a relationship.

COUNT 2

PROHIBITED DANGEROUS WEAPON CONDUCT - CATEGORY II, 76-11-306(2)+(3B), a Third Degree Felony, as follows: That on or about July 16, 2026 through August 20, 2026, at Salt Lake County, the defendant did, as a Category II restricted person, intentionally or knowingly purchased a dangerous weapon; transferred a dangerous weapon, used a dangerous weapon; or carried or otherwise possessed a dangerous weapon.

COUNT 3

PROHIBITED DANGEROUS WEAPON CONDUCT - CATEGORY II, 76-11-306(2)+(3B), a Third Degree Felony, as follows: That on or about July 16, 2026 through August 20, 2026, at Salt Lake County, the defendant did, as a Category II restricted person, intentionally or knowingly purchased a dangerous weapon; transferred a dangerous weapon, used a dangerous weapon; or carried or otherwise possessed a dangerous weapon.

COUNT 4

PROHIBITED DANGEROUS WEAPON CONDUCT - CATEGORY II, 76-11-306(2)+(3B), a Third Degree Felony, as follows: That on or about July 16, 2026 through August 20, 2026, at Salt Lake County, the defendant did, as a Category II restricted person, intentionally or knowingly purchased a dangerous weapon; transferred a dangerous weapon, used a dangerous weapon; or carried or otherwise possessed a dangerous weapon.

COUNT 5

PROHIBITED DANGEROUS WEAPON CONDUCT - CATEGORY II, 76-11-306(2)+(3B), a Third Degree Felony, as follows: That on or about July 16, 2026 through August 20, 2026, at Salt Lake County, the defendant did, as a Category II restricted person, intentionally or knowingly purchased a dangerous weapon; transferred a dangerous weapon, used a dangerous weapon; or carried or otherwise possessed a dangerous weapon.

COUNT 6

PROHIBITED DANGEROUS WEAPON CONDUCT - CATEGORY II, 76-11-306(2)+(3B), a Third Degree Felony, as follows: That on or about July 16, 2026 through August 20, 2026, at Salt Lake County, the defendant did, as a Category II restricted person, intentionally or knowingly purchased a dangerous weapon; transferred a dangerous weapon, used a dangerous weapon; or carried or otherwise possessed a dangerous weapon.

COUNT 7

PROHIBITED DANGEROUS WEAPON CONDUCT - CATEGORY II, 76-11-306(2)+(3B), a Third Degree Felony, as follows: That on or about July 16, 2026 through August 20, 2026, at Salt Lake County, the defendant did, as a Category II restricted person, intentionally or knowingly purchased a dangerous weapon; transferred a dangerous weapon, used a dangerous weapon; or carried or otherwise possessed a dangerous weapon.

COUNT 8

THREAT OF VIOLENCE (Targeting), 76-5-107, a Class A Misdemeanor, as follows: That on or about August 20, 2026, at Salt Lake County, the defendant did threaten to commit an offense involving bodily injury, death, or substantial property damage; and
(B) acts with intent to place an individual in fear of imminent serious bodily injury, substantial bodily injury, or death; or
(ii) makes a threat, accompanied by a show of immediate force or violence, to do bodily injury to an individual.

NOTICE IS GIVEN that the Defendant is subject to enhanced penalties as provided under Utah Code Annotated §76-3-203.14, because the defendant intentionally selected the victim because of the defendant's belief or perception regarding an enumerated personal attribute of the victim or group of individuals with whom the victim has a relationship.

COUNT 9

HARASSMENT (Targeting), 76-5-106, a Class A Misdemeanor, as follows: That on or about August 20, 2026, at Salt Lake County, the defendant did, with intent to frighten or harass another, communicated a written or recorded threat to commit a violent felony.

NOTICE IS GIVEN that the Defendant is subject to enhanced penalties as provided under Utah Code Annotated §76-3-203.14, because the defendant intentionally selected the victim because of the defendant's belief or perception regarding an enumerated personal attribute of the victim or group of individuals with whom the victim has a relationship.

THIS INFORMATION IS BASED ON EVIDENCE OBTAINED FROM THE FOLLOWING WITNESSES:

Jonathan R. Norman and F.F.

DECLARATION OF PROBABLE CAUSE:

Your Declarant bases the Information upon the following:

Your affiant bases probable cause on information and evidence collected by Salt Lake Police Department, Case No. 26-153889 and the following:

The statement of Salt Lake City Gang Detective J. Norman, that on or about August 21, 2026, he began investigating a report of a threat of violence made over snapchat. Detective J. Norman learned that the victim, identified as F.F., reported through SAFEUT, that DAMYEN

VAINUKU threatened to shoot F.F. and to shoot their family on August 20, 2026, in Salt Lake County. He further learned that the threat involved references to the victim's sexual orientation.

Detective J. Norman conducted an interview with F.F., who reported that he has known VAINUKU since high school. F.F. reported he has told VAINUKU to leave him alone multiple times, however, VAINUKU continued to try to follow him on social media platforms using multiple accounts. On August 20, 2026, VAINUKU attempted to add F.F. on Snapchat. F.F. asked VAINUKU why he kept trying to follow him. VAINUKU began sending F.F. threats, including sending a picture of a firearm, and threatening to kill F.F. and his family. F.F. reported that VAINUKU sent a message stating that he can't wait to kill a gay person.

On August 25, 2026, Detective J. Norman authored and was granted a residential search warrant for VAINUKU's residence and person. Detectives devised a plan to take VAINUKU into custody - they did so without incident. Detectives executed the search warrants and seized VAINUKU's blue Apple iPhone and his gray Motorola smartphone. Post-Miranda, VAINUKU admitted to being a 1400 TCG "Tongan Crip Gang" criminal street gang member. VAINUKU admitted to being in a confrontation with F.F. over Snapchat. VAINUKU identified F.F. as someone he used to go to school with. VAINUKU admitted to sending the images of guns to F.F., and sending the threats to kill F.F. and their family by shooting them in the head with a gun. VAINUKU admitted that F.F. would believe that the firearms depicted in the image were real. VAINUKU admitted that the threats were made to F.F. because of his sexual orientation and gender identity, and he stated that he believed by him sending those messages to F.F. that F.F. would likely believe VAINUKU was able to act upon those threats to cause them serious bodily injury and/or death.

Detective J. Norman obtained a search warrant for VAINUKU's Apple iPhone and his gray Motorola smartphone. Detective J. Norman reviewed the contents of the phone and identified an image of a black and silver Glock style semi-automatic firearm, which was the same image sent to F.F. Detective J. Norman identified the image in the download and found that the data showed the image was created by VAINUKU's device on August 12, 2026. Detective J. Norman located another image which displayed the legs of someone seated in a vehicle with five (5) firearms on the person's lap. Detective J. Norman identified that the same black and silver handgun was present in the image of the five (5) firearms. Detective J. Norman found that the image data showed the image was created on July 16, 2026 by VAINUKU's device. Detective J. Norman identified based on his training and experience, the firearms depicted in the images appeared to be legitimate firearms.

Detective J. Norman observed in the Snapchat messages between VAINUKU and F.F., that on August 20, 2026, between the hours of 12:40 a.m. and 2:56 a.m., VAINUKU sent the following messages to F.F.; "Aww sure nigga I'll kill you rq", "Try and step up to me with ur gay ass", "Whoptyfuckindo nigga keep talking I'll slide dis strap on ur dome & blow ur head off", "You not finna do shit I'll knock ur gay ass down outta ur high heels", "Lmao I'll make sure youre ass go 6 feet down nigga", "Hahahaha dw nigga if I ever see you u finna be on da floor with a bullet thurr ur head ur fam gon be mourning when they find out about it", "Test me nigga u ain't finna be saying allat when a bullet goes thurr ur head", "Nigga I've been talking like dat w/o a gun nigga id whoop ur ass ion need a gun but I'd prefer the gun so ur ass can be 6 feet

under”, “Wanna make ur fam suffer then they’ll learn not to be gay and not talk shit”, “Awe u finna post ts is okay we all know if I seen u in person you’ll be begging me not to shoot u”, “Dw I have ur location I’ll screenshot it just know if someone shoots ur house it’ll be me”, “Can’t wait to slide to ur crib and kill ur family nigga”, “Ian gaf no life sentence” and “Lmaoo bet can’t wait to kill a gay nigga.” Detective J. Norman further observed that VAINUKU sent that he possessed videos of F.F. "sucking dick" and threatened to send them out to everyone at West High School and to make a "poly leak" page where he would post the videos.

NOTICE IS GIVEN that the Defendant is subject to enhanced penalties as provided under Utah Code Annotated §76-3-203.14, because the defendant intentionally selected the victim because of the defendant's belief or perception regarding an enumerated personal attribute of the victim or group of individuals with whom the victim has a relationship.

NOTICE IS HEREBY GIVEN that pursuant to UCA § 76-11-306, that the Defendant is a Category II Restricted Person and is subject to an enhanced penalty as provided in that section as he has been adjudicated of an offense which would have been a felony if committed by an adult; Burglary Non-Dwelling (F3, 2024), in Third District Juvenile Court case number 1068030, Allegation no. 12.

REQUEST FOR ISSUANCE OF A WARRANT:

Pursuant to Utah Code 77-20-201(1) the State requests that the Defendant be held without bail until further notice in this matter because the Defendant is charged with a Second-Degree Felony, there is substantial evidence supporting the charge, and there is clear and convincing evidence that the defendant would constitute a substantial danger to the community if released on bail.

There is substantial evidence to support the charges based on the statements of Law Enforcement. There is also clear and convincing evidence that the Defendant would constitute a danger to the public and to the victim. In this case, the Defendant has shown himself to be a threat to others based upon the probable cause statement by Detective J. Norman who alleges that he began investigating a report from SIAC of threats of violence made by the Defendant. The threats involved a firearm and included statements regarding the victim's sexual orientation. The Defendant is alleged to have sent threats to shoot and kill the victim and their family while sending a picture of a legitimate firearm. Detective J. Norman later identified thirteen (13) specific threats of violence involving a firearm made by the Defendant, to the victim. The Defendant further threatened to post and distribute intimate videos of the victim. The victim reported to Detective J. Norman that the victim had told the Defendant to leave him alone multiple times, however, the Defendant continued to try to follow him on social media platforms using multiple accounts. The victim reported that on the date of this incident, the Defendant again attempted to add the victim on Snapchat which ultimately caused the confrontation. At the time of this incident, the Defendant was a Category II Restricted Person as he has been adjudicated of an offense which would have been a felony if committed by an adult; Burglary Non-Dwelling (F3, 2024), in Third District Juvenile Court case number 1068030, Allegation no. 12.

While the State acknowledges the Defendant's lack of an adult criminal history, the Defendant was adjudicated in 2024 of Burglary Non-Dwelling (F3), in Third District Juvenile Court case number 1068030, Allegation no. 12, making him a Category II restricted person. The State has learned from the Defendant's DCFS caseworker and the Attorney General's Office, that the Defendant no longer has the placement at his proctor home, and DCFS will not have an alternative placement for him due to his age and a variety of other factors. Detective J. Norman has reported to the State that the Defendant's foster family, the Vainukus, is a well-known Polynesian family from Salt Lake City and that many of the family's members are 'Tongan Crip Gang' members. These members are known to law enforcement for recent violent felonies, shootings, murder and weapon possessions. The Defendant has further demonstrated himself to be a danger to the community due to his documented status as a member of the 'Tongan Crip Gang'. This new alleged criminal conduct demonstrates a propensity for violence and a propensity to possess weapons as a restricted person.

Gang activity continues to present a substantial and growing public safety threat in Utah. The Utah SIAC Organized Crime Threat Assessment (2024) assessed with 'high confidence' that the gang threat will remain substantial due to the glamorization of gang culture, recruitment efforts, the young age of gang members, attempts to gain street credibility, and the continued demand for illicit drugs and firearms. The report further noted that gang membership is associated with a higher likelihood of violence. Statewide NIBIN data from 2024 identified 37 NIBIN leads linking 79 separate cases, with approximately 35% involving known gang involvement. <https://le.utah.gov/interim/2024/pdf/00002257.pdf> The 2026 Utah State Threat Assessment further reported that gang drug distribution, gun violence, and firearm-related crime in Utah will likely continue to increase, including violent territorial disputes involving local gang members. The report identified the Sureños, Bloods, and Crips as maintaining the highest gang memberships in the state and stated that their activities account for the majority of gang violence encountered by law enforcement and the public. <https://siac.utah.gov/wp-content/uploads/January-2026-Utah-State-Threat-Assessment-SIAC-251223-1429540-2026-01.pdf>

Given that the Defendant will now lack DCFS support, does not have stable housing, has deep familial ties to the Tongan Crip Gang, has documented status as a member of the 'Tongan Crip Gang', has escalated his criminal activity, is a substantial flight risk and has shown his unwillingness to be compliant with the law, there are no conditions of release that will reasonably ensure the safety of the community or the victim in this case.

The State asserts that based upon the foregoing, there are no pretrial release conditions that would serve to protect the public safety and thus, requests the Defendant be held without bail during the duration of this case.

Pursuant to Utah Code Annotated § 78B-18a-106 (2018) I declare under criminal penalty of the State of Utah that the foregoing is true and correct to the best of my belief and knowledge.

Executed on: 3rd day of September, 2026

/s/ JONATHAN R. NORMAN
Declarant

Subscribed and sworn to before me this 3rd day
of September, 2026

Authorized for presentment and filing

SIM GILL, District Attorney

/s/ Clayton Huckaby
Deputy District Attorney
3rd day of September, 2026
CH / EK / DAO# 26.033114

OTHER PENDING CASES FOR THE DEFENDANT

Court	Court Case #	Trial Judge	DAO #	Charge
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