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Ex-officer receives no jail time in assault

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Summary

A former Orem police officer will not spend any time in jail after pleading guilty Tuesday to one count of sexual battery.

PROVO — A former Orem police officer will not spend any time in jail after pleading guilty Tuesday to one count of sexual battery. Barry Nielsen, a former Orem police sergeant, resigned in December after an internal investigation into allegations that he assaulted a woman after giving her a ride home from her job in November 2004. Nielsen was originally charged with two counts of forcible sex abuse, a second-degree felony, and one count of lewdness, a class B misdemeanor. However, Nielsen agreed to plead guilty to a reduced charge in a plea deal recently reached with the Utah County Attorney's Office. As part of the deal, Nielsen will not pay any fines or spend any time in jail, which is what the victim wanted, said deputy Utah County attorney Donna Kelly. "She wanted him to acknowledge (the) wrong and get treatment," Kelly said. "Those were the two things." The arrangements of the deal also require Nielsen to spend 24 months on supervised probation, said his attorney, John Allan. After that, Nielsen can withdraw his plea of guilty to sexual battery, and enter a guilty plea to a lesser charge of lewdness, a class B misdemeanor, for his permanent record. Nielsen must also complete a psycho-sexual evaluation and comply with any recommended treatment, Allan said.

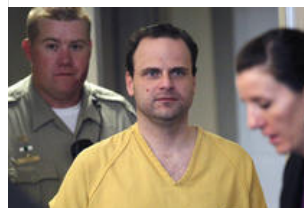
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