Electronically Filed
3/2/2026 10:54 AM
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IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

STATE OF IDAHO, Plaintiff, v. LANCE ROBERT PECK, Defendant.	CASE NO. CR03-22-07467 CR03-23-10774 STIPULATION TO CHANGE VENUE

COMES NOW the Defendant, Lance Robert Peck, by and through his Attorney of Record, Ashley LaVallee, Managing Attorney, Bannock Office, and the Bannock County Prosecutor, Ian Johnson, and stipulate to a change of venue. Mr. Peck's cases have garnered significant media attention, and a fair and impartial jury cannot be selected within Bannock County. Attached are the new articles that were pertaining to the Defendant and his cases. The parties request that jurors be selected from a pool outside of where the media coverage has occurred on this case to select a fair and impartial jury.

DATED this the 24th day of February 2026.

Ashley LaVallee
Managing Attorney
State Public Defenders

2/26/26
Ian Johnson
Bannock County Prosecutor

https://www.idahostatejournal.com/freeaccess/go-to-hell-lance-families-react-to-rejected-plea-deal-in-downard-funeral-home-case/article_ea67d1c5-9e0a-4833-83df-36f9bec5f8b9.html

TOP STORY BREAKING

'Go to hell, Lance': Families react to rejected plea deal in Downard Funeral Home case

SHELBIE HARRIS sharris@journalnet.com
Oct 30, 2025

Lance Peck, right, sits next to his Pocatello attorney Richard Blok during Thursday's hearing at the Bannock County Courthouse in Pocatello.

Shelbie Harris/Idaho State Journal

POCATELLO — The excruciatingly long wait for closure in a case where police discovered numerous bodies in various stages of decomposition and dozens of unidentified cremated remains has been delayed again after a Bannock County judge rejected the plea agreement for former Downard Funeral Home owner Lance Peck on Thursday.

Dozens of Peck's alleged victims filled the courtroom of 6th District Judge Javier Gabiola, with more waiting in the hallway, anticipating the opportunity to provide impact statements during Peck's scheduled sentencing hearing at the Bannock County Courthouse in Pocatello.

Just a few minutes after the 2 p.m. hearing commenced, those in the gallery would hear Gabiola reject a plea agreement that limited the maximum mandatory prison sentence he could impose against Peck to three years.

Before Gabiola could inquire how Peck, who again appeared in court wearing an oxygen tank on his back with tubes leading up to his face, and his Pocatello attorney Richard Blok would like to proceed, one of the victims in the courtroom shouted, "Go to hell, Lance."

Dozens of people pictured in the hallway outside 6th District Judge Javier Gabiola's courtroom shortly before Lance Peck's sentencing hearing was effectively cancelled Thursday.

Shelbie Harris/Idaho State Journal

The case began in August 2021 when Pocatello police first learned of suspicious circumstances at Downard after receiving a report of a strong smell coming from an open window at 241 N. Garfield Ave. Officers dressed in hazmat suits later spent about 12 hours executing a search warrant, encountering what Pocatello Police Capt. Bill Collins, a 30-year veteran, described as ”the thing of nightmares and then some.”

“We trust these people at funeral homes with our loved ones,” Collins told the Journal in 2022. “That was not occurring.”

Instead of maintaining the guilty pleas Peck entered in June to six felony charges and putting him at the mercy of the court with more than 50 years in prison hanging over his head, Blok withdrew the pleas altogether, setting the stage for an upcoming trial where his alleged victims will have a chance to look him in the eye and share how they've been affected by his alleged mishandling of dozens of funeral and cremation services while operating his former business, which has since been demolished and is now a parking lot for Pocatello High School students.

GOODBYE, DOWNARD: Funeral home demolition nearing completion

The rejected plea agreement called for prosecutors to recommend Peck spend a unified prison term of 10 years, of which only three years would have been mandatory and bound, or required, Gabiola to impose a sentence within those recommendations.

Among those prepared to address the court Thursday was Mary Alice Cantrell, who traveled 2,450 miles from western North Carolina to attend the hearing. Her son, Anthony Tucker, died on Sept. 11, 2020, and his remains were allegedly among those mishandled by Peck.

“I slept in my car Saturday till last night,” Cantrell said in between sobs after learning she had missed the hearing by just 20 minutes. “A lady here in town let me have a room last night.”

Barbara Wentzel, whose mother, Marianne, died in September 2019, said she was glad the plea deal was rejected.

“I knew they were gonna do it anyway, and I’m glad,” Wentzel said. “That was a bad plea deal.”

Wentzel said after her mother died, Peck provided her with ashes her family used for a funeral, only to learn Marianne’s name appeared on documents for a cremation that occurred after the service.

“We lost our mother, and then we lost her again,” Wentzel said. “We don’t even know where she is.”

Newly released court documents allege Downard's Lance Peck misrepresented remains to at least 25 families

Court documents allege Peck misrepresented remains to at least 25 families while operating Downard between 2017 and 2021. He originally faced 22 felony charges carrying a maximum of more than 250 years in prison.

“Things began to go bad for me when I decided to buy Downard Funeral Home,” Peck said in June. “I was always overwhelmed by the financial and regulatory aspects of my work.”

Wentzel and her sister, Janet Service, are paying to put Cantrell in a hotel room for the night so she can at least get one good night’s worth of rest before trekking back home.

Cantrell said when she drove to Pocatello in September 2021, she confronted Peck at the funeral home.

“He was standing beside a dead body inside the damn carport by the building materials,” Cantrell said. “When I was there in front of him, there was this melting guy on the ground.”

Peck surrendered his funeral home license on Sept. 1, 2021, just days after police executed their search warrant. He was first arrested in August 2022 on misdemeanor charges, posted a $20,000 bond and has remained out of jail since.

Rhonda D’Amico, whose husband Eric’s remains were allegedly mishandled, moved to the Central Oregon coast after the incident and is working to organize monthly Zoom meetings with victims to keep everyone informed as the trial date approaches. Eric’s body was entrusted to Peck the day he died in August 2021, and D’Amico still doesn’t know what happened to his remains.

A bench Rhonda D'Amico and her family installed on Scout Mountain in memory of her late husband Eric.
Photo courtesy of Rhonda D'Amico

Without Eric's ashes to spread at his favorite spots, D'Amico has found other ways to honor his memory. She erected a memorial bench on Scout Mountain adorned with lyrics from one of the couple's favorite musicians, Stoney LaRue: "Stay for a while, sit down easy."

Had she had the chance to address the court Thursday, D'Amico prepared a statement that described feeling silenced by the plea agreement process.

"The plea agreement also effectively silences and disempowers the victims," D'Amico wrote. "It is painful to feel our voices and experiences really don't matter to the courts where sentencing is concerned…Give our loved ones a chance to matter. Give me a chance to matter."

Though lengthening her wait, Gabiola's decision Thursday may give her that chance and she is grateful for his ruling.

"I very very much appreciate the decision the judge made today," D'Amico told the Journal after Thursday's hearing. "I finally feel like our voices will be heard."

Bannock County Senior Deputy Prosecutor Jonathan Radford, left, and Prosecutor Ian Johnson speak to Rhonda D'Amico shortly before Lance Peck's sentencing hearing was effectively cancelled Thursday.

Shelbie Harris/Idaho State Journal

Sam D'Amico, Eric's son, echoed similar sentiments after Thursday's hearing while trying to remain optimistic about the path forward.

"Sad to see this dragging out yet again," Sam D'Amico said. "But I'm trying to look at it as the glass half-full situation. He's going to get more than three years in prison and a much more fitting sentence."

Though Sam is hopeful for a harsher sentence, he noted the trial will be a difficult process for the victims who have to testify against Peck.

"I know it's rough for everybody who's having to wait even longer to see something come of this," D'Amico said. "Trial is going to be rough for a lot of people. Certainly, like a lot of people, I wish that we'd been able to just kind of put this behind us after today, but I guess we'll move forward."

Judy Boozer, a friend of Rhonda who also lives in Oregon, said the ongoing case has taken an emotional toll on all the victims.

“I can’t even imagine how they’re going forward each day,” Boozer said. “It’s just been horrific, and how someone can plead guilty and now withdraw — that’s just beyond my comprehension.”

Boozer expressed frustration that Peck has remained out of jail since his initial arrest in 2022.

“He’s been free for the last four years. He’s going to continue to be free, I’m guessing,” Boozer said. “It’s gotta be frustrating for everyone in there, sitting there, thinking this was finally going to come to a resolution, and now it’s just beginning.”

Kathy Packard, another victim’s family member, also spoke to the Journal after the hearing, sharing a glimpse of how those impacted are doing their best to comfort one another.

“There was a lady there that drove all the way from North Carolina today, and I gave her a hug,” Packard said, referring to Cantrell. “It’s a very emotional thing for a lot of us, and so now we have to wait.”

Another alleged victim, Jimmy Homan, told the Journal he and his family are profoundly distressed and deeply disappointed with Thursday’s outcome.

“We believe Mr. Peck should be held fully accountable for his actions and for the harm he has caused to our family and to this community,” said Homan, whose family entrusted Peck to care for their loved one Barbara’s remains in August 2021. “We urgently need accountability and justice in this matter so that we can begin to move on. It’s been too long already.”

Not all perspectives on Peck were critical, however. Stephen Spangler, a neighbor of Peck’s for over two decades on Garfield Avenue, submitted a letter to the court speaking highly of Peck.

Spangler wrote that Peck had come to his aid on several occasions after his wife Carol died and he was living alone.

“Lance has stepped up to help me and in doing so has proven to be dependable, conscientious, trustworthy and honest,” Spangler wrote. “On numerous occasions I have been able to entrust the ongoing care of my home, pets and belongings to him while away, and he has cared for them in superbly reliable fashion.”

Spangler described Peck’s character in glowing terms.

“Lance has a giant heart, and his decency and caring nature have been greatly appreciated over the years,” Spangler wrote. “There is nobody else in this area who comes close to being as trustworthy and dependable as Lance has been to me.”

Blok and Bannock County Prosecutor Ian Johnson declined to comment on the case. Johnson asked the victims to remain in the courtroom after the hearing, where he explained what happened Thursday and the next steps.

Peck is scheduled to appear in front of Gabiola again for a scheduling conference on Dec. 1 that would involve setting a date for a pretrial conference and a jury trial so long as prosecutors and Blok don’t work out another deal that does not bind, or require, Gabiola to impose a particular sentence.

A photo taken behind the closed door of 6th District Judge Javier Gabiola's courtroom as Bannock County Prosecutor Ian Johnson, left, addresses the alleged victim's of Lance Peck after his sentencing hearing was effectively cancelled Thursday.

Shelbie Harris/Idaho State Journal

Packard said she believes prosecutors are committed to taking the case to trial. She said officials mentioned potentially setting up a Zoom for victims to watch the Dec. 1 hearing remotely, as many are traveling from out of state.

“I think the (prosecutor) and the assistant (prosecutor) are like, you know, we’re going to try him,” Packard said. “The (prosecutor) says he can’t tell us a lot of stuff because he doesn’t want it out there, but he’s going to do his due diligence to get us justice.”

For now, victims like Rhonda and Cantrell face another long journey home, still without the closure they traveled so far to find.

“I drove for four days to be here,” Cantrell said. “And I knew this was gonna happen.”

Attorney withdraws from Downard case citing unpaid legal fees, emotional toll

Shelbie Harris

BREAKING NEWS

OWNER OF LOCAL RACEWAY ARRESTED AFTER ALLEGEDLY SEXUALLY ASSAULTING TEENAGE BOY

LOCAL

‘It was his dying wish’: Blackfoot woman learns that her father’s body never made it to ISU

Published at 1:44 pm, September 13, 2021
Updated at 2:00 pm, September 13, 2021

Kalama Hines, EastIdahoNews.com

Stanley Young with his grandson, taken shortly before his death. | Courtesy Destiny Anderson

POCATELLO — When Stanley Young found out that cancer would soon take his life, he used what time he had left to say his abbreviated goodbyes and put together an end-of-life plan. Part of that plan was to donate his body to science, in hopes that his loss would help others.

Less than two weeks ago, his daughter, Destiny Anderson, discovered that Downard Funeral Home had never delivered her father's body to Idaho State University as planned.

"I'm angry that they took his final wish, to help society as a whole, away from him," Anderson told EastIdahoNews.com, battling back tears. "He made a sacrifice — it was his dying wish to donate his body and help other people, and (Downard Funeral Home owner) Lance Peck took that choice away from him."

A family photo, including Destiny Anderson, far left, and Stanley Young, far right, taken in 2007. | Courtesy Destiny Anderson

Young was diagnosed with stage 4 melanoma in 2013. He was given, at most, nine months to live, Anderson said.

Two months later, Young was dead at age 52.

In discussions with a hospice service providing his care, Young discovered the option of donating his body for scientific research and was quickly onboard. Faced with his own mortality, her father opened his eyes wider than ever, Anderson said. The thought that he would never see his grandchildren grow up was a difficult reality to face.

"He said, when he made this decision, 'If I can help one person from going through what we're going through, let's do it,'" Anderson recalled.

Through his battle with cancer, Young filled out all the necessary paperwork to declare his body for scientific research. Then, when he died, Downard came to Blackfoot to retrieve his body for transfer to ISU.

For the first few months, Downard kept in contact — recommending grief counselors and even making a phone call to check on Young's family.

Peck told Anderson that ISU would maintain possession of her father's body for five years, she said. Then the body would be cremated at Downard and the remains returned to her.

Five years later, in 2018, Anderson called Downard to request her father's remains. But Peck told Anderson that ISU's shortage of bodies meant that Young's body would be needed for one more year.

Anderson accepted. Despite her not fully being in agreement with her father's decision to donate his body, Anderson saw carrying out her father's wish as her responsibility.

In 2020, having never heard back from Peck and Downard, Anderson once again called the funeral home. But calls went unanswered. And despite leaving messages on several occasions, Anderson never heard back.

"What did you do with my dad?"

Finally, her brother went to Downard personally in search of information. Anderson received a call from her brother, explaining that Peck had their father's ashes and that Anderson could sign them into her brother's possession via email.

For the last year, Anderson has carried on with life, with her father's ashes in her home waiting for the proper time and place for burial.

Then she saw Downward Funeral Home pop up on her news feed as it was investigated for improper handling of human remains. And suddenly, she had wondered why would ISU need a body for an extra year. And, if Downard had regained possession of her father and cremated his body, why was she never contacted?

RELATED | Multiple decomposing bodies and human fetuses at Pocatello funeral home

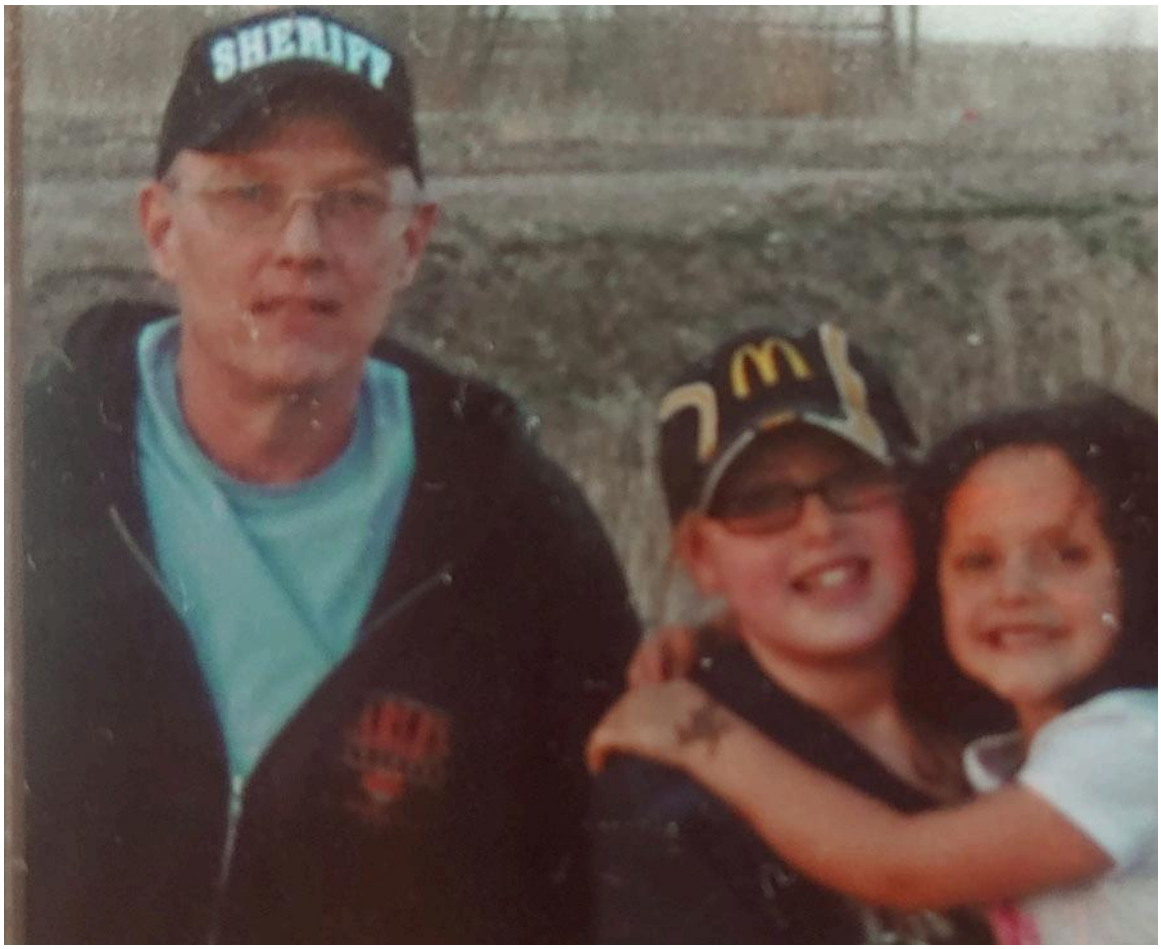
"My heart sunk," Anderson said explaining her emotions as she read every update to the story. "Shock. Anger. 'What did you do with my dad?'"

She fought back the fear and anger, hoping that since her father's body had been donated eight years ago, there was no way he was affected. Then an update that hit her directly. Reading a statement from ISU, Anderson found out that Downard had gone years without donating a body, during multi-year periods between 2011 and 2017 — the same time her father was allegedly at the university.

RELATED | ISU recently ended cadaver contract with funeral home due to 'multiple causes' of concern

Following a call to Pocatello Police, Anderson reached out ISU. The school told her it had never received Young's body.

Since then, Anderson has struggled through waves of emotion. Does she want to know what happened to her father during that seven-year period? Is the box she has had for the past year filled with her father's ashes? Someone else's? Something else altogether?



Courtesy Destiny Anderson

“I don’t even know that what I have is my dad. It could be tree ashes, for all I know. My biggest concern is, where are my dad’s remains?” she said. “I can deal with not having his ashes, if I know his body was properly disposed of and taken care of. But the not knowing is what’s really getting me right now.

“Another emotion that I’ve gone through is, do I even want to know?” she continued. “I was content being clueless up until this whole thing happened.”

Anderson, like so many others, is waiting as Pocatello Police Department gathers information. With so much uncertainty, the only thing that Anderson is sure of at this point is that her father’s dying wish was never granted.

https://www.idahostatejournal.com/freeaccess/thing-of-nightmares-police-captain-victim-and-local-funeral-home-owner-reflect-on-downard/article_dc48c742-2b43-11ed-82f9-7f8b1b982ce3.html

TOP STORY

'THING OF NIGHTMARES': Police captain, victim and local funeral home owner reflect on Downard

By Shelbie Harris sharris@journalnet.com
Sep 3, 2022

Emergency responders are pictured outside of Downard Funeral Home in Pocatello on Sept. 3, 2021.
Shelbie Harris/Idaho State Journal

POCATELLO — The grief of losing a loved one can almost feel insurmountable, but for the families affected by the alleged crimes of Downard Funeral Home owner Lance Peck, death was only the beginning of a gruesome series of events that many will never

forget.

Lance Peck

Photo courtesy of the Bannock County Sheriff's Office

The recent filing of 63 misdemeanor charges against Peck and his arrest on Aug. 30 has left many local residents hopeful that justice for his alleged disregard of trust and compassion will finally be served. But for others, the damage this event has caused is seemingly irreparable.

One former Pocatello resident is determined to reclaim what she can knowing that she'll never get back the remains of her late husband.

A Pocatello police captain who's been on the force for more than three decades says he'll never forget what he described as the most horrific incident of his career after spending more than 12 hours at Downard Funeral Home, 241 N. Garfield Ave., after police served a

search warrant at the establishment.
And one local funeral home owner and director says the incident has put Pocatello in the same conversation as the infamous Tri-State Crematory scandal of 2002, in which nearly 350 decomposing bodies were found on the property of a crematorium in Noble, Georgia.

Peck's recent arrest for his alleged crimes at Downard has in many ways reopened wounds for Pocatello area residents, who are once again wondering if what happened at the funeral home is an example of someone who became overwhelmed and simply unable to keep up or if something else was at play.

Peck has thus far not commented about what happened at his funeral home and his attorney, Richard Blok of Pocatello, declined to make a statement to the media at Peck's arraignment on Wednesday at the Bannock County Courthouse.

POLICE REPORT DOCUMENTS DISTURBING DETAILS

A police report filed along with 63 misdemeanor charges alleging Peck violated the Idaho Mortician's Code of Conduct sheds more light on the disturbing conditions at Downard but stops short of shedding light on Peck's alleged motives.

Pocatello police first learned of suspicious circumstances occurring at Downard on Aug. 29, 2021, when a person called to report a strong smell was coming from an open window of the funeral home, the police report said.

Three Pocatello police officers responded to the business and immediately detected the odor of decomposing flesh emanating from the open window.

"(One officer) looked through the open window and observed a deceased body that appeared to be in a severe state of decay on a table," police wrote in the report. "He observed what appeared to be fluid from the deceased body on the floor and a large

number of dead insects in the room. There was an atrocious smell coming from the area."
Police said no one was at Downard at the time so they left the scene.

The next day, two other Pocatello police officers observed lights on at the funeral home and believed someone was possibly inside the facility and stopped to investigate. The two officers also observed the badly decomposed body on the table and found another body wrapped in a body bag on a cot in the back of one of the Downard Funeral Home's SUVs parked in the driveway of the business.

On Aug. 31, 2021, Pocatello police were provided with a video from an anonymous source that showed the decaying body inside Downard Funeral Home. It was determined that the body was actually on a bed, not a table.

"The body appeared to be swollen and a dark brown and purple color consistent with extensive decay," Pocatello police wrote in their report. "As the video pans to the right side of the room, (there were) black specks all over the floor, which appear to be dead flies and other insects."

Pocatello police subsequently contacted the Idaho Bureau of Occupational Licensing, which oversees the Idaho Board of Morticians, and two bureau investigators conducted a site visit of Downard on Sept. 1.

During the site visit, Peck told the investigators that the body left on the bed was first received at Downard on Aug. 24, 2021, and was left inside the unrefrigerated room at the funeral home until Aug. 30, 2021, police said. Investigators noted the temperature on the refrigerator at the facility was set at 57 degrees upon arrival, though it did ultimately drop to 37 degrees by the time they departed the facility, according to the police report. Idaho code requires bodies be refrigerated at 36 degrees or cooler within 24 hours of being received.

Peck told the Idaho Bureau of Occupational Licensing investigators that he had been storing one body in the garage of the funeral home since Aug. 4, 2021, nearly a one month period, police said.

Peck surrendered his license to operate Downard on Sept. 1, 2021, and the funeral home has been closed ever since.

He told Pocatello police detectives on Sept. 2, 2021, that he had nine bodies inside of the funeral home's refrigerator and the reason he had several bodies decaying out in the open was because he had no additional space in the refrigerators and was overwhelmed with bodies he had received back from Idaho State University's anatomical donation program, police said.

ISU had a longstanding relationship with Downard that continued when Peck became the owner of the business in 2007, university officials told the Idaho State Journal last year. But ISU formally ended its working relationship with Downard in May 2020 after multi-year periods in which the university says the funeral home never provided any bodies for the anatomical program.

On Sept. 3, 2021, police executed a search warrant at Downard as well as the crematory inside the funeral home.

As a result of the search warrant, Pocatello police located 12 bodies in various stages of decomposition, approximately 50 fetuses in jars and dozens of unidentified cremated remains. Police also confiscated thousands of digital and paper records from Downard.

Police were eventually able to positively identify the 12 bodies and determine the fetuses were part of a biological science collection donated from the University of Utah to Idaho State University and then to Downard for destruction. But they were never destroyed, police said.

POLICE CAPTAIN RECOUNTS WORST INCIDENT OF CAREER

Dressed in a full hazmat suit, Pocatello police Capt. Bill Collins spent about 12 hours at Downard on Sept. 3, 2021. He described what he saw as “the thing of nightmares and then some.”

Pocatello police Capt. Bill Collins
Journal file photo

“The smell was horrendous,” Collins recalled. “I mean, if you haven’t smelled decomposing humans before, it’s enlightening. For those of us who have experienced this several times, it was terrible. We expect to experience that when somebody’s been deceased for a month in a hot house in July, right? You don’t expect to see that in the funeral home. We trust these people at funeral homes with our loved ones, family members or friends, to take care of them, to respect them and to honor your final wishes. That was not occurring.”

Collins wasn't inside the funeral home for the entire 12 hours, but some of the officers he supervises were. He said he feels awful they had to experience what they did.

"Since I've been in law enforcement, this is the worst thing that I've experienced," said Collins, who started working for the Pocatello Police Department in 1990. "I've seen lots of dead people from all different ways. This was worse. It wasn't just seeing a dead person. It was a blatant disregard for the remains. It was something I will never get out of my head and probably none of the people that were there will either."

LOCAL FUNERAL HOME OWNER TALKS ABOUT DAMAGE TO INDUSTRY

Local funeral home owner and director Brock Wilks of Wilks Funeral Home says he can't begin to try and understand what the families who are the victims of Peck's alleged crimes have had to go through. But Wilks said he does know how the incident has impacted other funeral homes in the region.

Brock Wilks

Submitted Photo

Wilks Funeral Home and Manning-Wheatley Funeral Home both assisted police during the Downard investigation, taking possession of the deceased individuals that were identified and then providing those families with cremation services at no cost.

“There were several families asking more questions about the cremation process or wanting to be at the funeral home when we arrived with their loved one and to be present when the cremation took place,” Wilks said about what happened in the aftermath of the Downard incident. “There were others who felt guilty that they had possibly been given somebody else’s remains or felt guilty that they didn’t ask enough questions at the beginning of the process. The spectrum of feelings was just all over the place.”

Brock said the Downard incident in some ways made it more difficult for all local funeral homes to establish or maintain a trusting relationship with their clients. Transparency has always been at the forefront of how Wilks does business, so he wasn't too concerned with any fallout, but the incident did require a little more attention to detail.

Unfortunately, the Downard incident put Pocatello on the map for the nation's funeral home industry, Wilks said. When asked if this was the most shocking incident involving funeral homes that he could think of, Wilks said he could only think of one other incident — the Tri-State Crematory scandal of 2002. That incident involved nearly 350 bodies that had been consigned to the Tri-State Crematory in Noble, Georgia, for proper disposition and were discovered to have never been cremated, but instead dumped at several locations in and around the crematorium's site. Some were little more than skeletons.

"I think it was discovered that the crematory director in Georgia was giving back cement mix instead of ashes and there was definitely more volume to that incident but what happened here is still shocking," Wilks said. "I go to funeral home association meetings around the country and everybody in the industry has now heard of Pocatello, Idaho. Unfortunately, for all the wrong reasons."

VICTIM FINDS SOLACE IN POSITIVE THINKING

In spite of the negative light the Downard incident has cast on the local funeral home industry, one woman is determined not to let it be the defining factor in her husband's memory. Rhonda D'Amico's husband Eric died on Aug. 7, 2021, after losing his battle with leiomyosarcoma, a rare and incurable cancer. He had arranged to be cremated at Downard Funeral Home prior to his death. To this day, D'Amico, who was a Pocatello resident but now resides in Oregon, doesn't know if one of her husband's last requests was ever fulfilled.

"Eric's cremains have not been located," she said. "And I've been told not to expect that they ever will."

Despite the tragic circumstances, D'Amico is determined not to focus on the negative and has instead found solace in working to keep the positive memories of her husband alive.

"People talk about peace and closure, but my expectation is not that I'm going to get any kind of sense of peace and closure even if I find out exactly what happened to my husband," she said. "But I am determined that I am not going to let this destroy me or my husband's legacy. And I'm determined to move ahead with kindness and gratitude."

D'Amico doesn't have the ashes of her husband to spread at his favorite spots, but she has taken the initiative to erect a monument for him in a place near and dear to her family.

D'Amico said Eric was a huge outdoor enthusiast and he had a habit of picking up rocks at various locations he had a great time at or wanted to remember.

"And so when he passed, I had a house, pockets and boxes full of little stones that he had picked up along his travels," D'Amico said. "We built a memorial bench up on Scout Mountain for Eric and decided that every time we go up there we're just going to bring some of those rocks with us that Eric admired for whatever reason. We have turned that into a way for our other family members and friends to remember Eric."

D'Amico said the bench is adorned with the lyrics of one of the couple's favorite musicians, Stoney LaRue, of whom they had listened to countless times while Texas country two-step dancing.

"The line is, 'Stay for a while, sit down easy,'" D'Amico said. "I was able to meet Stoney LaRue and ask his permission to use those lyrics on the bench. He allowed us to do that. Since then we've been in music videos with the bench."

D'Amico said she wanted to personally thank the authorities who have worked with her throughout the course of the Downard investigation.

“I’m very, very thankful to Steve Herzog, the prosecuting attorney, and to his team that have all been a part of this,” she said. “I’m really thankful to the Pocatello Police Department, specifically Detective (Mike) Ballard and Detective Russell Olson who have been really helpful to me. I’m thankful to the coroner (Torey Danner), who has spent extensive time talking to me and alleviating some concerns I have about my husband, though they remain unanswered.”

A bench Rhonda D’Amico and her family installed on Scout Mountain in memory of her late husband Eric. The cremated remains of her husband were not located following the police search of Downard Funeral Home last year.

Photo courtesy of Rhonda D’Amico

The Journal spoke to D’Amico on Aug. 31, the one-year anniversary of her husband’s celebration of life and the day after Peck was arrested. She said she slept well the night before knowing justice was being served.

“I can tell you that I woke up feeling much better than I have for a very long time,” D’Amico said on Aug. 31. “Today is the one-year anniversary of my husband’s celebration of life and it’s also the last time that I saw Lance Peck. Waking up today knowing that he woke up in jail feels good right about now.”

Peck only spent that one night in jail, posting a $20,000 bond on Aug. 31. The 63 misdemeanor charges are just the first to be filed against him, the Bannock County Prosecutor’s Office said.

Peck faces 60 counts of unprofessional conduct by a mortician, funeral director or embalmer and three counts of petit theft, according to court records.

The allegations against Peck as outlined in the criminal complaint filed against him on Aug. 30 are startling.

Some of the allegations state Peck removed the corneas of a deceased individual without consent from family members; that he accepted payment from a local funeral home to cremate three bodies but never did so; that he cremated a body against the wishes of a family member; and that he failed to refrigerate two bodies.

Authorities say more serious felony charges are forthcoming and Idaho's one-year statute of limitations for lesser crimes is why the misdemeanors were filed first.

Peck is due back in court for a pre-trial conference on Sept. 19.

If convicted of all the current charges against him and the sentences are ordered to be served consecutively, Peck faces a maximum penalty of over 30 years in jail.

Former Downard owner Lance Peck to avoid maximum 250-year sentence if judge accepts plea agreement

Shelbie Harris

https://www.rexburgstandardjournal.com/news/local/attorney-withdraws-from-downard-case-citing-unpaid-legal-fees-emotional-toll/article_fe2d113f-c7ff-4619-a94c-f1097b08b9b2.html

Attorney withdraws from Downard case citing unpaid legal fees, emotional toll

Shelbie Harris Idaho State Journal
Dec 4, 2025

Lance Peck, second from left, walks behind his now-withdrawn Pocatello attorney Richard Blok following a June hearing at the Bannock County Courthouse in Pocatello.

Shelbie Harris/Idaho State Journal

"There are additional significant motion practices that were not pursued because of the negotiations that will need to be pursued," Blok wrote. "A second chair will be necessary because of the level of complication. It will likely take more than a year to take this matter to trial."

According to Blok's motion, a recent significant felony trial he handled that lasted just five days was held in another county, required a second chair and cost approximately $150,000 with seven months of preparation.

Notwithstanding the financial and logistical aspects involved with taking a case to trial, the motion also cited the emotional toll the case has taken on Blok himself.

"This case has been trying, and the court's most recent ruling has been deflating, to say the least," he wrote. "I do not believe I will be able to continue to provide diligent and zealous representation to Mr. Peck as is required of me."

In addition to the motion to withdraw, a lengthy 145-page sentencing memorandum prepared ahead of the October hearing says Peck's financial situation has become increasingly dire since the closure of Downard Funeral Home in September 2021.

The memo says that Peck sold the funeral home property to Pocatello School District 25 for $500,000 in February 2023 but walked away with only $6,460.74 after paying off the mortgage, settling with prior owners and covering business expenses and legal fees.

Peck has also settled all 15 civil lawsuits filed against him by families whose loved ones' remains were allegedly mishandled, with each settlement subject to nondisclosure agreements, according to the sentencing memo. These settlements, combined with mounting legal expenses in his criminal cases, have left him financially unable to continue paying for private counsel.

The memo also shed light on Peck's declining physical health, describing him as requiring portable oxygen at all times due to severe pulmonary hypertension, sleep apnea and reactive airways disease. Medical records indicate he has been hospitalized multiple times in the past year for health emergencies, including episodes where he passed out due to dangerously high blood pressure, the memo states.

"His health has been failing, and he suffers from very high blood pressure, breathing issues, digestive tract issues and skin cancer," the memo states.

Doctors have described Peck's blood pressure levels as being in the "stroke zone."

The withdrawal follows a dramatic hearing in October where dozens of Peck's alleged victims filled Gabiola's courtroom, anticipating the opportunity to provide impact statements during what they expected to be a sentencing hearing. Instead, Gabiola rejected the plea agreement that would have bound him to impose no more than three years of mandatory prison time as part of a 10-year unified sentence.

Rather than putting Peck at the mercy of the court with more than 50 years in prison hanging over his head, Blok withdrew the guilty pleas altogether.

The plea agreement had been reached through extensive mediation between Blok and former Bannock County Prosecutor Steve Herzog and was facilitated by retired Judge Stephen S. Dunn over two sessions in August 2023 and May 2024. According to the sentencing memo, the parties had "made significant progress towards a final agreement" before Gabiola's rejection sent the case back to square one.

Peck faces 22 felony charges and 63 misdemeanor charges stemming from his operation of Downard Funeral Home between 2017 and 2021. The case began when Pocatello police executed a search warrant in September 2021 and discovered 12 bodies in various stages of decomposition, approximately 50 fetuses in jars preserved for Idaho State University and dozens of unidentified cremated remains.

Court documents allege Peck misrepresented remains to at least 25 families while operating Downard. The charges include seven counts of grand theft by deception, five counts of furnishing false vital statistics information, four counts of income tax evasion, two counts of offering false records, two counts of computer fraud and two counts of perjury. The 63 misdemeanor charges include three counts of petit theft and 60 counts related to unprofessional conduct by a mortician.

If convicted of all charges with consecutive sentences, Peck could face more than 250 years in prison and fines of up to $140,000.

In the 145-page sentencing memorandum filed in July — a document so large it has an extensive table of contents at the beginning — Blok says Peck's crimes resulted from a "perfect storm" of circumstances rather than malicious intent. The memo details how Peck's cremation chamber was damaged in February 2021 due to an explosion caused by a pacemaker that had not been removed from a body.

The memo also talks about Peck's documented mental health struggles, including a diagnosis of Dependent Personality Disorder that significantly impacted his ability to manage his business effectively, the memo states.

"Lance's story is of someone who got in over their head at work, suffered an apparent mental breakdown, failed to ask for help and let his problems snowball," the memo states.

Had Peck been sentenced in October, Blok would have recommended a sentence of six months in local jail followed by 10 years of supervised probation, citing comparable cases nationwide where funeral home operators received sentences ranging from probation to 18 months for similar conduct.

The rejection prompted one person in the courtroom to shout, "Go to hell, Lance." For victims and their families, the withdrawal of Peck's attorney represents yet another delay in a case that has now stretched more than four years since the initial discovery at Downard Funeral Home.

Mary Alice Cantrell, who traveled 2,450 miles from North Carolina for the October hearing, expressed frustration at the ongoing process. Her son, Anthony Tucker, died in September 2020, and his remains were allegedly among those mishandled by Peck.

Rhonda D'Amico, whose husband Eric's remains were entrusted to Peck in August 2021, has organized monthly Zoom meetings with victims to keep everyone informed as the case progresses. She still doesn't know what happened to her husband's ashes.

Peck is scheduled to appear before Judge Gabiola for a scheduling conference on Jan. 5, where the court will set dates for a pretrial conference and jury trial with his newly appointed public defender.

Bannock County Prosecutor Ian Johnson has indicated his office is prepared to take the case to trial, telling victims after the October hearing that officials are committed to seeking justice.

The State Public Defender Bannock Office stated Ashley Lavallee, the managing attorney for that office, will most likely take over Peck's representation moving forward.

Blok declined to comment on this article citing a responsibility to respect his former client and the remaining legal process.

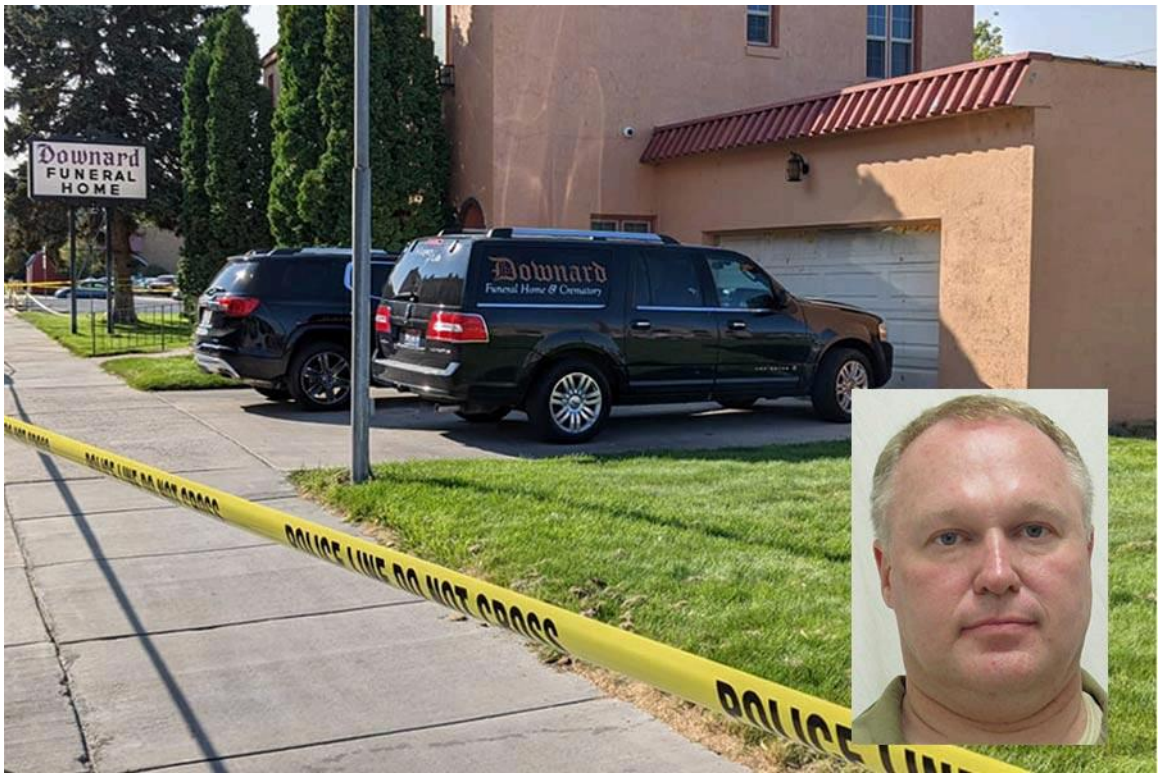
Lisa Dayley-Smith

DOWNARD FUNERAL HOME UPDATE

Charges against former funeral home owner moved to District Court

Published at 12:45 pm, November 1, 2023

Kalama Hines, EastIdahoNews.com



Lance Peck | Bannock County Jail

POCATELLO — A preliminary hearing scheduled for Wednesday has been waived, with charges against the now-closed Downard Funeral Home owner remanded to District Court.

Lance Robert Peck, 49, faces 22 felony charges, including tax evasion, furnishing false information and forgery of public records, along with 63 misdemeanor charges. A hearing to determine probable cause for a trial has been waived, and all charges have been passed to District Court.

RELATED | What we know about Downard Funeral Home, Lance Peck and what's next in the case

Felony charges were filed against Peck earlier this month, two years after police, state investigators and other officials served a search warrant on Downard Funeral Home.

During a search of the building, which has since been demolished with the property turned into a parking lot, officials found 12 unidentified bodies and numerous sets of remains, including dozens of fetuses.

The felony charges came one year after 63 misdemeanor charges were filed.

RELATED | Extensive decay, thousands of flies, atrocious smell: What newly unsealed documents reveal about Downard Funeral Home

If found guilty, Peck could face more than 250 years in prison.

With his charges being remanded to District Court, Peck will be arraigned by a 6th District Court Judge. A trial date will be set following the arraignment.

Additionally, Peck has been named in 13 civil suits to date, brought by the loved ones of people whose remains were not properly cared for at Downard.

https://www.idahostatejournal.com/news/crimes_court/defense-attorney-prosecutors-agree-to-allow-more-time-for-pre-trial-motions-in-downard-case/article_0f401bfc-3876-11ed-8566-abd1b826cb65.html

TOP STORY

Defense attorney, prosecutors agree to allow more time for pre-trial motions in Downard case

By Shelbie Harris sharris@journalnet.com
Sep 19, 2022

Lance Peck

Photo courtesy of the Bannock County Sheriff's Office

POCATELLO — A Monday hearing for the owner of Downard Funeral Home was rescheduled after his Pocatello attorney and Bannock County prosecutors agreed to a continuance.

Richard J. Blok, the attorney for Downard Funeral Home owner Lance Peck, 47, of Pocatello, filed a motion on Sept. 8 requesting for additional time to file any pre-trial motions in the case, primarily because "this is a complex case with a large number of charges, multiple government agencies involved and a lengthy investigation."

Bannock County Prosecutor Steve Herzog and other prosecutors in his office stipulated, or agreed, that a continuance of Monday's pre-trial hearing was warranted in the case and 6th District Magistrate Judge Aaron Thompson rescheduled the hearing for Dec. 5.

Peck, who was arrested on Aug. 30 and posted a $20,000 bond and was released from jail on Aug. 31, and Blok did not appear for the court hearing Monday, but an associate of Blok's did appear to ensure the pre-trial conference was rescheduled, Herzog said.

Pre-trial motion hearings are not typically open to the public and provide both prosecutors and defense attorneys an opportunity to meet and ensure all necessary evidence has been exchanged and that either party is prepared to file any motions ahead of trial, Herzog said. Essentially, pre-trial hearings are more of a housekeeping event to ensure all parties are ready to proceed to trial or to potentially engage in discussions about mediating the case ahead of trial.

The investigative documents associated with the investigation into Peck and his operation of Downard Funeral Home total approximately 4,500 pages. Peck has been charged with 63 misdemeanors in relation to the investigation, including 60 counts of unprofessional conduct by morticians, funeral directors or embalmers and three counts of petit theft.

Herzog said he met with members of the alleged victim's families at the Bannock County Courthouse on Monday, spending most of the time explaining the procedure for the case moving forward and addressing any questions or concerns they have regarding the investigation up to this point.

Herzog explained the investigation into Peck remains ongoing. Authorities emphasized earlier this month that more serious felony charges will be filed against Peck as their investigation continues. The statute of limitations for general felonies in Idaho is five years.

The investigation in Peck's operation of the funeral home first began when officials with the Idaho Division of Occupational and Professional Licenses (DOPL), which oversees the state's Board of Morticians, visited Downard on Sept. 1, 2021, and observed conditions that were in violation of the board's laws and rules. DOPL officials then contacted the Pocatello Police Department to report their findings.

DOPL officials had received several complaints about Peck and Downard before visiting the funeral home.

Peck surrendered his license to operate Downard on Sept. 1, 2021, and on Sept. 3, 2021, police executed a search warrant at the funeral home as well as the crematory located in the same building.

As a result of the search warrant, Pocatello police located 12 bodies in various stages of decomposition, approximately 50 fetuses in jars and dozens of unidentified cremated remains. Police also confiscated thousands of digital and paper records from Downard.

Police were eventually able to positively identify the 12 bodies and determine the fetuses were part of a biological science collection donated from the University of Utah to Idaho State University and then to Downard for destruction. But they were never destroyed, police said.

Authorities earlier this month said the investigation grew to include 88 deceased individuals whose bodies were in some way handled by Peck.

Shelbie Harris

BREAKING NEWS

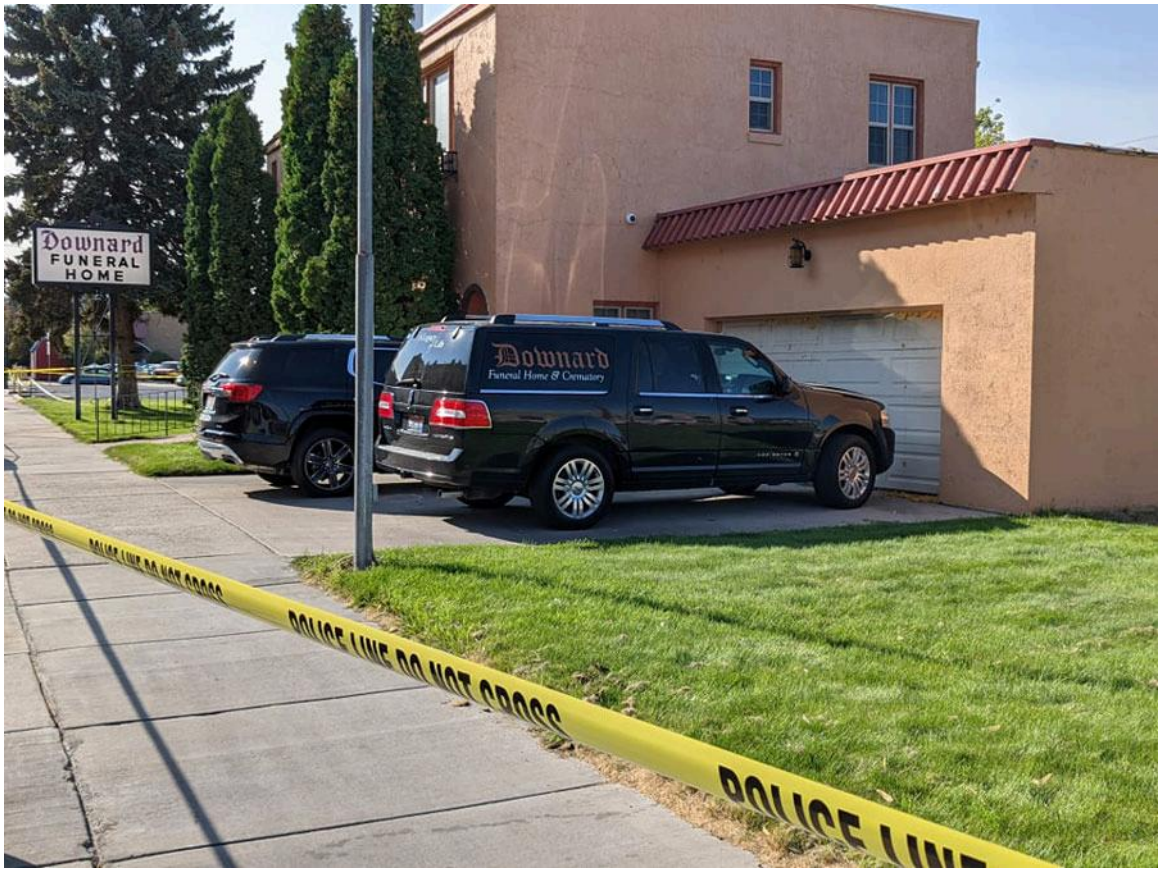
OWNER OF LOCAL RACEWAY ARRESTED AFTER ALLEGEDLY SEXUALLY ASSAULTING TEENAGE BOY

CRIME WATCH

Disciplinary documents reveal morbid details of Pocatello funeral home investigation

Published at 2:15 pm, September 14, 2021
Updated at 3:35 pm, September 14, 2021

Eric Grossarth, EastIdahoNews.com



Kalama Hines, EastIdahoNews.com

POCATELLO — A cremation chamber badly damaged in an explosion, and a decomposing body visible through a window are among the troubles that led to the Sept. 2 raid on Downard Funeral Home.

Disciplinary documents, published Tuesday by Idaho's Division of Occupational and Professional Licenses, outline how the investigation into Peck began, and detail where bodies were found decomposing inside the funeral home.

With the publishing of the documents, Lance Peck and his two businesses Downard Funeral Home and Portneuf Valley Crematory, have officially had their license revoked by the Idaho Board of Morticians.

The documents detail that investigators stopped at Downard Funeral Home on March 24 for routine inspections. Peck reported his cremation chamber exploded and did not work. At the time, there were six cadavers that Peck said he received from Idaho State University for cremation. Inspectors found no discernable smell and records were in order. The refrigeration unit was also reportedly functioning.

RELATED | Sister of woman found decomposing inside funeral home 'can't believe this is happening'

Eric Grossarth, EastIdahoNews.com

Peck told officials his crematory had been placed on a waiting list for repairs and he had contacted other local crematories to help until his facility was repaired. Downard Funeral home remained in contact with the division of licenses and said that on Aug. 23, repairs would begin.

READ | Disciplinary report revoking Downard Funeral Home license

Troubles with Board of Licensing and Idaho State University

Peck has a long history of trouble with Idaho's Division of Occupational and Professional Licenses, and earlier this year, another investigation began.

Disciplinary documents show a family contacted the division of licenses saying that when her mother, identified by the initials LL, died on Jan. 18, 2016, Peck agreed to take the remains to Idaho State University as the deceased woman wished. Peck explained the university's cadaver program would have the remains for five years.

When the woman contacted Peck in January about the return of her mother's remains, Peck reportedly failed to return her calls. When the woman contacted ISU, the university reported the remains were returned to Peck in April 2017.

Eric Grossarth, EastIdahoNews.com

RELATED | At least 12 bodies, 50 fetuses found inside Pocatello funeral home

For years, Peck and Downard Funeral Home had had a long-standing relationship with ISU. When people wanted the bodies of loved ones donated to ISU for study, Peck was in charge of facilitating the transfer of a cadaver or anatomical parts. He would also cremate the bodies for the university when they were done with them.

But in May 2020, the university ended its relationship with Peck. “During multi-year periods between 2011 and 2017, Downard failed to provide anatomical donations to the University. Due to a lack of donations, Idaho State ended its relationship with Downward,” an ISU news release shows.

Additionally, ISU discovered evidence that some families believed their loved ones were at ISU, however, the university had no record of the donation.

University officials relayed this information to investigators.

“Two families informed ISU that Respondent Peck informed the families that the remains of their loved ones were being donated to ISU, but ISU has no record of receiving the remains,” the disciplinary documents read. “ISU has completed intent to donate forms for four individuals whose obituaries stated that their remains were donated to ISU and Respondents handled the arrangements, but ISU has no record of receiving the individuals’ remains.”

RELATED | ‘It was his dying wish’: Blackfoot woman learns that her father’s body never made it to ISU

Investigators found six additional obituaries saying their remains were donated to ISU and Downard Funeral Home handled the arrangements. The university told investigators they did not have any paperwork on those individuals or had not received the remains.

Kalama Hines, EastIdahoNews.com

Foul Smell

While investigating the complaints of lost remains, investigators got a call about an overwhelmingly foul odor coming from Downard Funeral Home. It did not just smell, but visible through a window open to passersby was a decomposing body on the preparation table, according to investigators.

The body was laid on the table for several days in view of students at the nearby Pocatello High School, according to disciplinary documents. Investigators also learned about a decomposing body in a body bag in one of the funeral home's vehicles. The Bannock County Coroner was contacted about the concerns.

A division of licensing investigators stopped by Downard Funeral home on Aug. 31 and found the building locked. A rear garage door was open and the strong odor permeated the air. Investigators noted windows were covered and a decomposing body could not be seen.

Eric Grossarth, EastIdahoNews.com

The investigator called Peck and said he was out of town and he would be able to meet at the funeral home the next day.

Peck met with the investigators and on Sept. 1, they found a badly decomposed body in the garage. Peck told investigators the body had been there for a month.

Idaho law requires bodies to either be embalmed, cremated, buried or placed within refrigeration within 24 hours of the funeral home receiving the body. The investigator told Peck the body needed to be placed into refrigeration and he did so.

RELATED | Woman says yearlong wait for brother's remains from troubled funeral home 'is no coincidence'

Peck voluntarily gave up his license the next day.

On Sept. 2 day investigators flooded the building and they continued to review documents on the remains at the funeral home. There were 10 bodies in the refrigeration unit and multiple cremains found at Downard Funeral Home.

A further search of the garage unveiled multiple body boxes covered in decomposing human remains. Another badly decomposed body was found in a plastic bag. In total, Pocatello police reported they found 12 decomposing and unrefrigerated bodies.

The Pocatello Police Department and other officials began removing the bodies on Sept. 3 and tried to identify the remains. As of Monday night, all but one of the sets of remains had been identified.

RELATED | 2 additional bodies identified at funeral home; police need help with one other

Kalama Hines, EastIdahoNews.com

Police have also said investigators found a collection of 61 fetuses. ISU said in a statement the fetuses were part of a collection donated to the university for study between 1981 and 1998. After changes in Idaho laws, Downard Funeral Home picked up the collection and was supposed to cremate them.

With the revocation of his license, Peck is ordered to pay $4,946.94 in investigative fees.

Multiple attempts to reach Peck have failed.

The latest division of licenses struggles for Peck is not the first. Documents obtained by EastIdahoNews.com show between 2015 and 2018, Peck and his funeral home faced civil disciplinary actions. From not filing the proper paperwork to operating without a valid license. He was placed on terms of probation and ordered to pay fines.

As of Tuesday afternoon, no one has been arrested or charged criminally for what investigators uncovered.

BREAKING NEWS

OWNER OF LOCAL RACEWAY ARRESTED AFTER ALLEGEDLY SEXUALLY ASSAULTING TEENAGE BOY

CRIME WATCH

Downard Funeral Home case now a criminal investigation

Published at 1:47 pm, September 23, 2021
Updated at 1:57 pm, September 23, 2021

Kalama Hines, EastIdahoNews.com

Eric Grossarth, EastIdahoNews.com

POCATELLO — The Pocatello Police Department has confirmed the case against Downard Funeral Home is now being considered a criminal investigation.

That statement is part of a department news release distributed Thursday afternoon.

In the release, police officials say that computers seized during the Sept. 3 execution of a search warrant at the funeral home have been transported to the Intermountain West Regional Computer Forensics Laboratory office in Boise for examination.

RELATED | Disciplinary documents reveal morbid details of Pocatello funeral home investigation

Upon completion of the lab's examination, detectives will examine any documents retrieved, as well as other documents seized during the execution of the search warrant.

"Officers are continuing to work through the more than 600 tips and requests for information related to the case," the release reads. "Again, we thank the community for their support and patience while detectives work through the case."

The release also states that examination of all evidence will take time before it can be presented to the Bannock County Prosecutor's Office.

RELATED | Woman says yearlong wait for brother's remains from troubled funeral home 'is no coincidence'

Police continue attempts to identify the final body found at Downard — Subject No. 11.

"The remains have been examined by the Ada County Coroner, and DNA samples have been taken from the subject as well as reference samples from possible family members to help positively identify the individual," the release reads. "At this time, detectives are awaiting the reports from the Ada County Coroner and the DNA results from the Idaho State Police Forensic Services office."

There are also multiple cremated remains that officers are attempting to identify.

In the meantime, Downard Funeral Home remains closed, and owner Lance Peck no longer has a license to practice as a mortician. So far no arrested have been made in this case, or charges filed.

https://www.idahostatejournal.com/freeaccess/downard-funeral-home-owner-arrested-on-63-misdemeanor-charges/article_9236f554-28b7-11ed-9039-7707998743d0.html

TOP STORY

Downard Funeral Home owner arrested on 63 misdemeanor charges

By Shelbie Harris sharris@journalnet.com
Aug 30, 2022

Downard Funeral Home owner Lance Peck stands in front of his business.

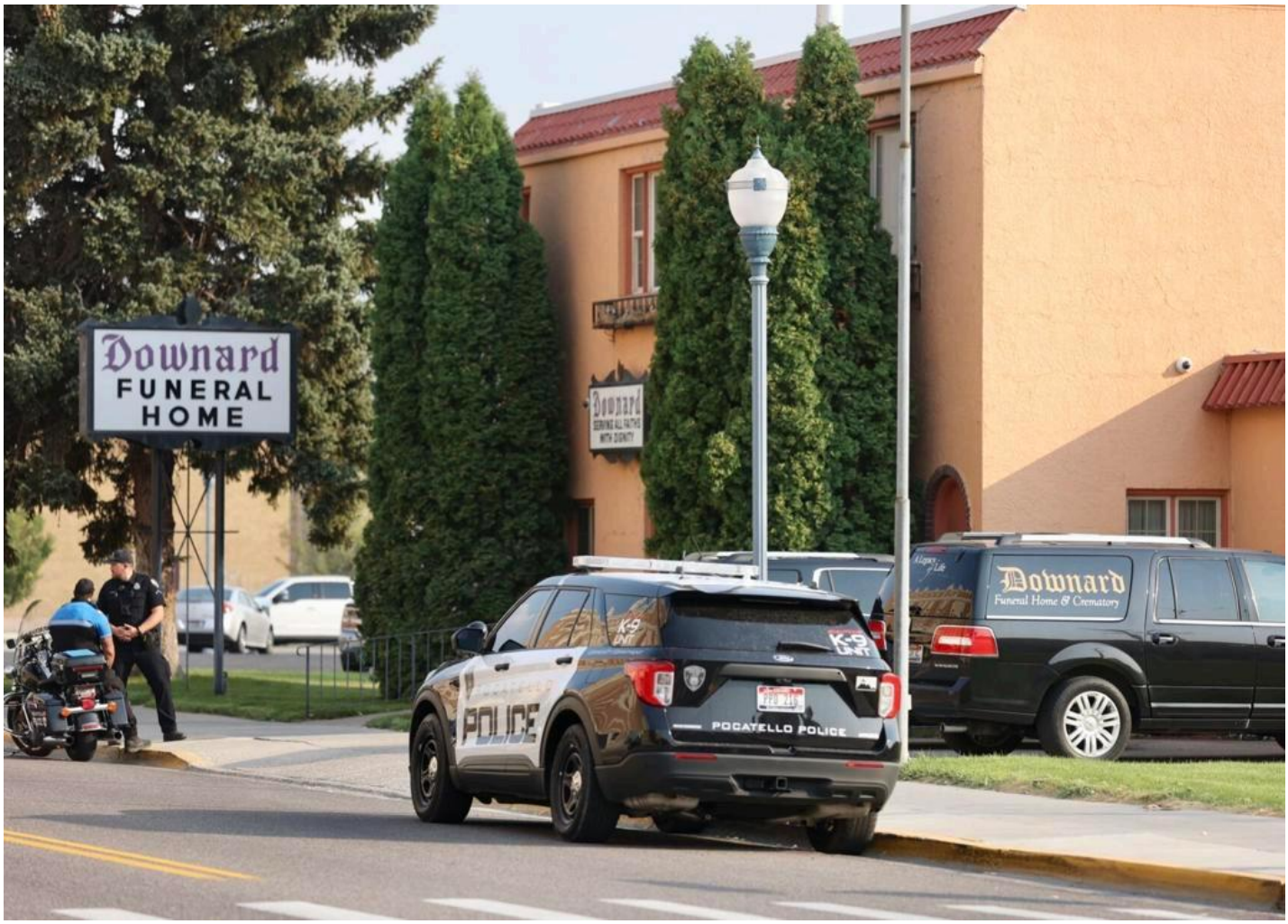
Idaho State Journal File Photo

POCATELLO — The owner and director of Downard Funeral Home has been arrested and faces 63 misdemeanor charges for violating the Idaho Mortician's Code of Conduct, according to a news release from the Bannock County Prosecutor's Office and Pocatello

Police Department.

Lance Peck, 47, was arrested around 6:30 p.m. Tuesday as he was arriving at his Pocatello home, according to police. He was taken into custody without incident and transported to the Bannock County Jail in Pocatello.

The 63 charges filed against Peck on Tuesday were driven by Idaho's statute of limitations, which requires misdemeanor charges be filed within one year after the date of the offense. Authorities said they began investigating Peck on Sept. 1, 2021.



Pocatello police pictured at Downard Funeral Home on North Garfield Avenue on Sept. 2, 2021, after authorities launched an investigation into suspicious circumstances at the business. On Tuesday, Downard owner Lance Peck was charged with 63 misdemeanors in connection to the investigation.

Kyle Riley/For The Journal

The misdemeanors Peck was charged with include 59 counts of violation of Mortician's Code of Conduct, three counts of petit theft and one count of violation of records regarding cremations, the news release said.

If convicted of all the charges against him, Peck faces a maximum penalty of over 30 years in jail.

The results of the investigation, which is still ongoing, were delivered to the Bannock County Prosecutor's Office in mid-June 2022. Two prosecutors have been assigned to review the findings of the investigation, which is comprised of approximately 4,500 pages.

The investigation touches upon a number of Idaho statutes, including vital statistics, anatomical donations and the conduct of morticians.

Authorities emphasized on Tuesday that more serious felony charges will be filed against Peck as their investigation continues.

The misdemeanor charges against Peck mark the first dominoes to fall in the criminal investigation into his activities at Downard Funeral Home, 241 N. Garfield Ave.

The investigation first began when officials with the Idaho Division of Occupational and Professional Licenses, which oversees the state's Board of Morticians, visited Downard on Sept. 1, 2021, observed conditions that were in violation of the board's laws and rules, and contacted the Pocatello Police Department to report their findings.

The Idaho Division of Occupational and Professional Licenses had received several complaints about Peck and Downard before visiting the funeral home.

Peck surrendered his license to operate Downard on Sept. 1, 2021, and on Sept. 3, 2021, police executed a search warrant at the funeral home as well as the crematory located in the same building.

As a result of the search warrant, Pocatello police located 12 bodies in various stages of decomposition, approximately 50 fetuses in jars and dozens of unidentified cremated remains. Police also confiscated thousands of digital and paper records from Downard.

Police were eventually able to positively identify the 12 bodies and determine the fetuses were part of a biological science collection donated from the University of Utah to Idaho State University and then to Downard for destruction. But they were never destroyed, police said.

Lance Peck

Photo courtesy of the Bannock County Sheriff's Office

On Tuesday, authorities elaborated that their investigation grew to include 88 deceased individuals whose bodies were in some way handled by Peck.

“In all my years, I have never seen a case so disturbing as this one,” said Pocatello Police Chief Roger Schei. “Our hearts go out to the family members affected by this tragic event, to the community, and to all the officers involved.”

In addition to the 63 misdemeanor charges, the Bannock County Prosecutor’s Office expects felony charges to be filed against Peck in the future. Felonies, which have a longer statute of limitations, are each punishable by incarceration of more than one year in prison, whereas misdemeanors are each punishable by no more than one year incarceration.

“This is likely one of the most complex investigations ever conducted in Bannock County and involves unique areas of law and a great number of people who have been impacted by this event,” Bannock County Prosecutor Steve Herzog said. “I ask for your collective patience as this process moves forward and your continued compassion and respect for those impacted. Our hearts are with the families at this time.”

The Pocatello Police Department and Bannock County Prosecutor’s Office expressed gratitude to all the agencies who assisted or are still assisting in the investigation. The Pocatello Police Department has served as the lead investigating agency with assistance from various other state and local agencies.

Family members of deceased persons who have questions or would like an update on the status of the case are encouraged to provide their contact information using the following link: forms.gle/dev9c4BL7ZfGhP2u5.

Anyone with questions or in need of assistance in accessing the form on the provided link is encouraged to contact investigators at 208-234-6121. Only family members who have had previous contact with Pocatello police investigators will be provided information concerning the investigation, the news release said.

Peck is scheduled to appear in front of a 6th District magistrate judge for an initial arraignment hearing on Wednesday at the Bannock County Courthouse.

https://www.idahostatejournal.com/freeaccess/downard-funeral-home-owner-released-from-jail-on-20-000-bond-court-records-shed-more/article_9eb042e8-29a4-11ed-b893-672a0765e8b5.html

Downard Funeral Home owner released from jail on $20,000 bond; court records shed more light on charges

By Shelbie Harris sharris@journalnet.com
Aug 31, 2022

Lance Peck

Photo courtesy of the Bannock County Sheriff's Office

POCATELLO — The owner of Downard Funeral Home was released from jail just over 24 hours after his arrest following an arraignment Wednesday afternoon at the Bannock County Courthouse.

Lance Peck, 47, was released from the Bannock County Jail around 8:20 p.m. Wednesday after posting a $20,000 bond.

Sixth District Magistrate Judge David Hooste had set Peck's bond at $20,000 during an arraignment hearing at the Bannock County Courthouse with Peck appearing via video conference from the Bannock County Jail.

Lance Peck's Pocatello attorney Richard J. Blok, left, addresses the court while Peck appears for an arraignment hearing Wednesday via video conference from the Bannock County Jail.

Shelbie Harris/Idaho State Journal

Peck's Pocatello attorney, Richard J. Blok of Racine Olson, appeared in court on Peck's behalf and Bannock County Prosecutor Steve Herzog as well as Senior Deputy Prosecutor Ryan Godfrey appeared for the state of Idaho.

Herzog asked for a $50,000 bond for Peck, arguing that such an amount would help to serve as a guarantee that Peck will appear for future hearings as the case is adjudicated. Herzog told Hooste that he was concerned for Peck's wellbeing after Peck told Pocatello police investigators on Sept. 2, 2021, that he was contemplating suicide. Additionally, Herzog inquired whether it would be possible to set a condition for Peck that upon his release that he be required to participate in some type of counseling or treatment program to assist with thoughts about self-harm.

Blok argued that since the initial investigation unfolded, Peck has remained in Pocatello while knowing that criminal charges were likely forthcoming so he has no intention to flee the area or commit any acts of self-harm, adding that he has a great support system within his immediate family. Peck's wife, daughter and parents were present in the courtroom for the arraignment hearing.

Hooste explained that typically the bond amount for misdemeanors as outlined by Idaho criminal rules is a maximum of $300, and that if the max were applied to all 63 charges filed against Peck, the bond amount would be $18,900. Hooste also said it would not be possible to order Peck to complete some type of treatment program upon his release.

Hooste ultimately set Peck's bond at $20,000, ordered that he not leave the state for any reason without seeking permission from the courts and ordered Peck to surrender his passports or any other documents that would allow him to leave the country.

Both Herzog and Blok declined to comment further following Peck's arraignment hearing.

Peck is due back in court for a pre-trial conference on Sept. 19.

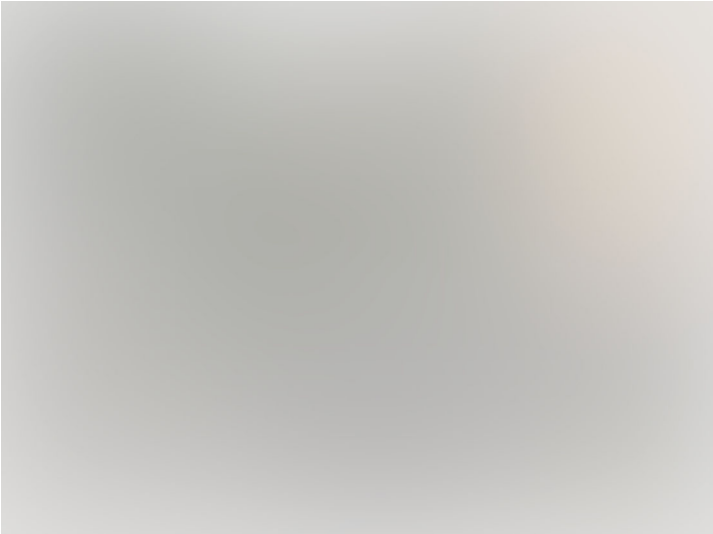
Pocatello police arrested Peck on Tuesday after Bannock County prosecutors charged him with 63 misdemeanors for violating the Idaho Mortician's Code of Conduct, according to a news release from the Bannock County Prosecutor's Office and Pocatello Police Department.

Peck was taken into custody without incident around 6:30 p.m. Tuesday as he was arriving at his Pocatello home, according to police. He was subsequently booked into Bannock County Jail, spending one night at the facility before his Wednesday release.

Peck faces 60 counts of unprofessional conduct by a mortician, funeral director or embalmer and three counts of petit theft, according to court records.

The allegations against Peck as outlined in a criminal complaint filed against him on Tuesday are startling.

Some of the allegations state Peck removed the corneas of a deceased individual without consent from family members; that he accepted payment from a local funeral home to cremate three bodies and then delivered the cremated remains to the funeral home despite never having cremated the bodies — which were discovered at



Pocatello police pictured at Downard Funeral Home on North Garfield Avenue on Sept. 2, 2021, after authorities launched an investigation into suspicious circumstances at the business. On Tuesday, Downard owner Lance Peck was charged with 63 misdemeanors in connection to the investigation.

Kyle Riley/For The Journal

Downard Funeral Home; that he cremated a body against the wishes of a family member; and that he failed to refrigerate two bodies.
The 63 charges filed against Peck on Tuesday were driven by Idaho's statute of limitations, which requires misdemeanor charges be filed within one year after the date of the offense. Authorities said they began investigating Peck on Sept. 1, 2021.

If convicted of all the charges against him and sentences are ordered to be served consecutively, Peck faces a maximum penalty of over 30 years in jail.

The results of the investigation, which is still ongoing, were delivered to the Bannock County Prosecutor's Office in mid-June 2022. Two prosecutors have been assigned to review the findings of the investigation, which comprises approximately 4,500 pages.

The investigation touches upon a number of Idaho statutes, including vital statistics, anatomical donations and the conduct of morticians.

Authorities emphasized Tuesday that more serious felony charges will be filed against Peck as their investigation continues.

The misdemeanor charges against Peck mark the first dominoes to fall in the criminal investigation into his activities as the owner and director of Downard Funeral Home, 241 N. Garfield Ave.

The investigation first began when officials with the Idaho Division of Occupational and Professional Licenses, which oversees the state's Board of Morticians, visited Downard on Sept. 1, 2021, observed conditions that were in violation of the board's laws and rules, and contacted the Pocatello Police Department to report their findings.

The Idaho Division of Occupational and Professional Licenses had received several complaints about Peck and Downard before visiting the funeral home.

Peck surrendered his license to operate Downard on Sept. 1, 2021, and on Sept. 3, 2021, police executed a search warrant at the funeral home as well as the crematory located in the same building.

As a result of the search warrant, Pocatello police located 12 bodies in various stages of decomposition, approximately 50 fetuses in jars and dozens of unidentified cremated remains. Police also confiscated thousands of digital and paper records from Downard.

Police were eventually able to positively identify the 12 bodies and determine the fetuses were part of a biological science collection donated from the University of Utah to Idaho State University and then to Downard for destruction. But they were never destroyed, police said.

On Tuesday, authorities elaborated that their investigation grew to include 88 deceased individuals whose bodies were in some way handled by Peck.

“In all my years, I have never seen a case so disturbing as this one,” said Pocatello Police Chief Roger Schei. “Our hearts go out to the family members affected by this tragic event, to the community, and to all the officers involved.”

CRIME WATCH

Downard Funeral Home owner signs plea agreement, admits to sending fake remains to families

Published at 3:06 pm, May 21, 2025
Updated at 3:08 pm, May 21, 2025

Kaitlyn Hart, EastIdahoNews.com

Downard Funeral Home owner signs plea agreement, ad…

Downard Funeral Home in Pocatello is seen here. Inset: Lance Peck | Kalama Hines, EastIdahoNews.com, and Bannock County Jail

POCATELLO — The former owner of Downard Funeral Home has accepted a plea agreement for mistreating dead bodies, falsifying records, and sending fake remains of deceased people to their families.

Lance Peck was initially charged with 22 felony charges and 63 misdemeanor charges after investigators found evidence of “fraudulent activity involving missing anatomical donations” inside Downard Funeral Home in August 2021, according to court documents.

RELATED | Extensive decay, thousands of flies, atrocious smell: What newly unsealed documents reveal about Downard Funeral Home

Peck had pleaded not guilty to all charges, but nearly four years later, on May 16, a plea agreement was filed, agreeing to a minimum of three years and a maximum of 10 years in prison.

Court records do not state whether Peck will receive credit for time served. He was arrested on Aug. 31, 2022, and booked into the Bannock County Jail. Peck was released the same day after posting a

$20,000 bond.

RELATED | Judge rules on 2 motions in Lance Peck, Downard Funeral Home case

The plea agreement is binding, meaning that if the court does not follow the recommendations, Peck can withdraw his plea.

Peck is scheduled for a status conference on June 9, where he is expected to officially plead guilty.

Click here to read more about this case.

The plea agreement

According to the plea agreement, prosecutors have agreed to amend count one for unprofessional conduct by a mortician, funeral director or embalmer, in Peck's misdemeanor case, to say Peck "provided the family of (a deceased person) the purported cremains of such a person, knowing that the cremains were not those of (the deceased person)."

Peck will plead guilty in his felony case to one count of failure to collect and pay over tax, perjury, offering false instruments for filing in a public office, and fraud by computer.

He will also plead guilty to multiple misdemeanors regarding the Mortician's Code of Conduct, including misrepresentation or fraud in the conduct of mortician or funeral director services, violation of any state law, municipal or county ordinance or rule affecting the handling, custody, care, processing or transportation of dead human bodies, right to control disposition of a body, refrigeration of a body, and records regarding cremations.

The state agreed to dismiss all remaining charges in the misdemeanor and felony cases.

Peck agreed not to object to any impact statements from any of the victims of the dismissed charges and does not object to "reasonable restitution."

According to the agreement, Peck will not be required to pay restitution for any "uncharged conduct," and there will be no restitution on the counts where the statute of limitations had already expired before the charge was filed.

There will also be no restitution in this case for any victims or their families who are currently part of a civil settlement with Peck, Downard Funeral Home, or any related people or entities.

Case details

In July 2021, Idaho State University representatives told Pocatello Police detectives that a family had contacted them regarding the body of a family member that was supposed to have been donated to the school for scientific research. The body was returned to Downard for cremation in April 2017, the affidavit says, but the family never received the remains.

ISU then discovered that several cadavers were never received, despite intent-to-donate paperwork being completed.

Lance Peck | Bannock County Jail

University representatives told detectives they searched obituaries for other similar circumstances. ISU staff said they found six people whose bodies were supposed to have been donated to the university but were never received.

The next day, investigators contacted Pocatello Police for assistance after discovering “several unidentified bodies (inside Downard) … one of which was decaying on the floor in the garage,” court documents say.

RELATED | Charges against former funeral home owner moved to District Court

On Sept. 3, investigators learned the remains of 11 people were attached to “altered documents,” where at least one other body had its corneas removed. At least one body found was not attached to any documents inside the building.

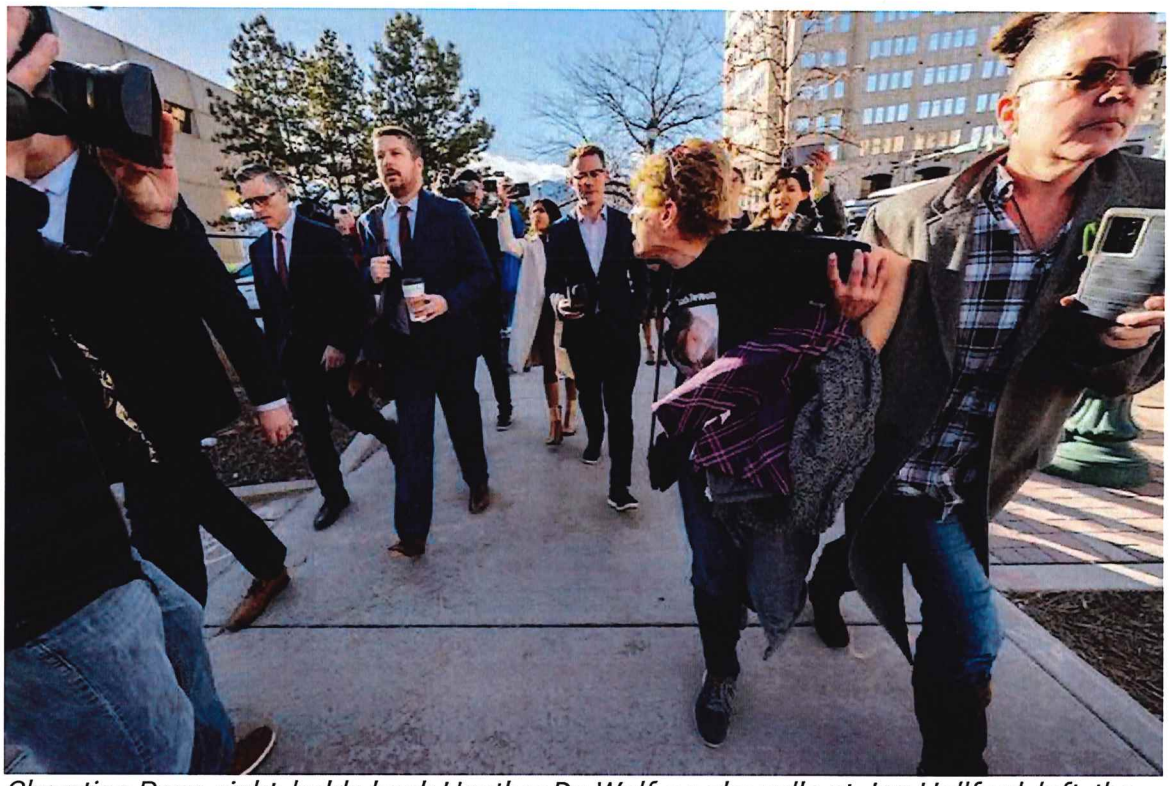
Downard Funeral Home was demolished in 2023 and is now used as a parking lot for Pocatello High School students.

NEWS

Colorado funeral home owner faces sentencing for abusing 189 bodies

Published at 9:55 am, February 6, 2026

Jesse Bedayn and Matthew Brown, Associated Press



Chrystina Page, right, holds back Heather De Wolf, as she yells at Jon Hallford, left, the owner of Back to Nature Funeral Home, as he leaves with his lawyers following a preliminary hearing, Feb. 8, 2024, outside the El Paso County Judicial Building, in Colorado Springs, Colo. | Christian Murdock/The Gazette via AP

COLORADO SPRINGS, Colo. (AP) — A Colorado funeral home owner who stashed 189 decomposing bodies in a building over four years and gave grieving families fake ashes will be sentenced Friday on corpse abuse charges.

Jon Hallford owned Return to Nature Funeral Home in Colorado Springs with his then-wife Carie. They pleaded guilty in December to nearly 200 counts of corpse abuse under an agreement with prosecutors.

Jon Hallford faces between 30 and 50 years in prison. Carie Hallford faces 25 to 35 years in prison at sentencing on April 24.

The Hallfords stored the bodies in a building in the small town of Penrose, south of Colorado Springs, from 2019 until 2023, when investigators responding to reports of a stench from the building discovered the corpses.

Bodies were found throughout the building, some stacked on top of each other, with swarms of bugs and decomposition fluid covering the floors, investigators said. The remains — including adults,

infants and fetuses — were stored at room temperature. Investigators believe the Hallfords gave families dry concrete that mimicked ashes.

The bodies were identified over months with fingerprints, DNA and other methods.

Families learned the ashes they had been given, and then spread or kept at home, weren't actually their loved ones' remains. Many said it undid their grieving process, others had nightmares and struggled with guilt that they let their relatives down.

The funeral home owners also pleaded guilty to federal fraud charges after prosecutors said they cheated the government out of nearly $900,000 in pandemic-era small business aid.

Jon Hallford was sentenced to 20 years in prison in that case. He told the judge he opened Return to Nature to make a positive impact in people's lives, "then everything got completely out of control, especially me."

"I still hate myself for what I've done," he said at his sentencing last June.

Carie Hallford's federal sentencing is set for March 16.

Attorneys for the Hallfords did not respond to requests for comment from The Associated Press.

During the years they were stashing bodies, the Hallfords spent lavishly, according to court documents. That included purchasing a GMC Yukon and an Infiniti worth over $120,000 combined, along with $31,000 in cryptocurrency, luxury items from stores like Gucci and Tiffany & Co., and laser body sculpting.

One of the recovered bodies was that of a former Army sergeant first class who was thought to have been buried at a veterans' cemetery, said FBI agent Andrew Cohen.

When investigators exhumed the wooden casket at the cemetery, they found the remains of a person of a different gender inside, he said. The veteran, who was not identified in court, was later given a funeral with full military honors at Pikes Peak National Cemetery, he said.

The corpse abuse revelations spurred changes to Colorado's lax funeral home regulations.

The AP previously reported that the Hallfords missed tax payments, were evicted from one of their properties and were sued for unpaid bills, according to public records and interviews with people who worked with them.

In a rare decision, state District Judge Eric Bentley last year rejected previous plea agreements between the Hallfords and prosecutors that called for up to 20 years in prison. Family members of the deceased said the agreements were too lenient.

BREAKING NEWS

HOW MANY PRECINCTS FLIPPED DURING THE IDAHO FALLS AND POCATELLO RUNOFF ELECTIONS?

CRIME WATCH

Extensive decay, thousands of flies, atrocious smell: What newly unsealed documents reveal about Downard Funeral Home

Published at 4:42 pm, September 12, 2022
Updated at 6:04 pm, September 12, 2022

Kalama Hines, EastIdahoNews.com

Lance Robert Peck | Bannock County Jail

Editor's note: This story contains material of a graphic nature that some readers will find disturbing. Discretion is advised.

POCATELLO — New unsealed documents detail what investigators found as they entered Downard Funeral Home last September.

Nearly one full year after a search of the funeral home, its director, 47-year-old Lance Robert Peck, is facing 63 misdemeanor charges. The Bannock County Prosecutor's Office is expected to file additional charges "in the future," according to a news release from the office.

RELATED | What we know about Downard Funeral Home, Lance Peck and what's next in the case

According to an affidavit of probable cause obtained by EastIdahoNews.com, officers from the Pocatello Police Department made several trips to Downard before serving a search warrant on Sept. 3, 2021.

Read the entire affidavit here.

July 2, 2021

Pocatello police were informed of "possible fraudulent activity involving missing anatomical donations" by Idaho State University, according to the affidavit.

ISU representatives told detectives a family had contacted the university regarding the body of a family member, which was supposed to have been donated to the school for scientific research. The body was returned to Downard for cremation on April 7, 2017, the affidavit says, but the family never received the remains.

ISU then discovered that several cadavers were never received, despite intent-to-donate paperwork being completed.

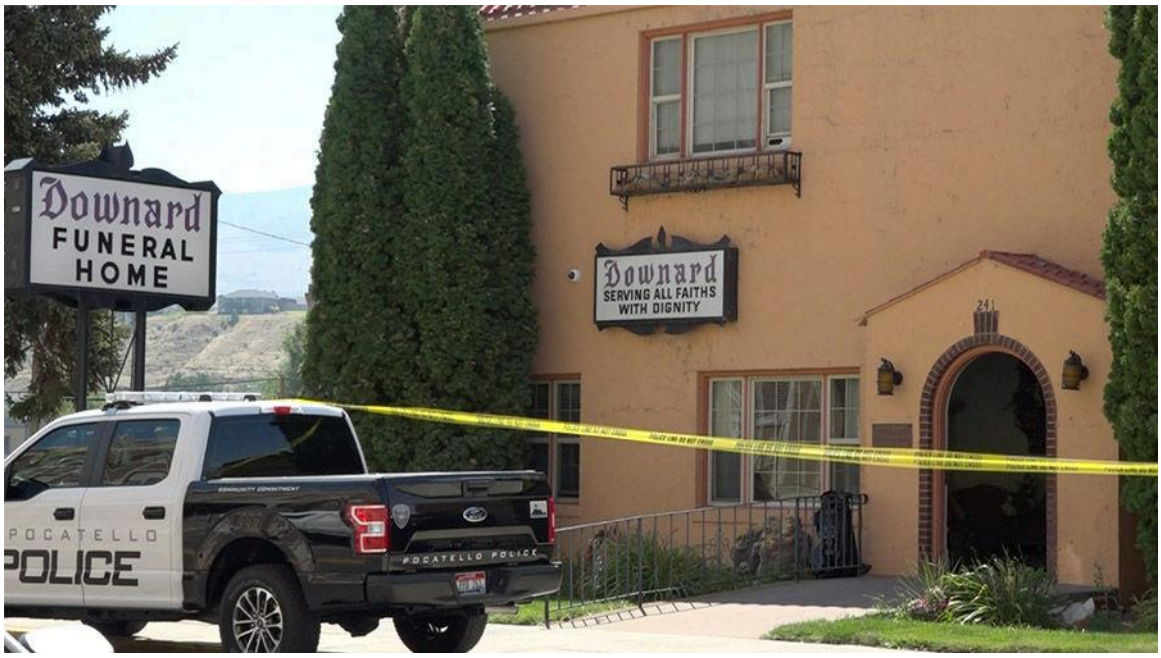
After discovering this, university representatives told detectives they searched obituaries for other similar circumstances. ISU staff said they found six people whose bodies were supposed to have been donated to the university but were never received.

Aug. 29, 2021

Pocatello police received a phone call about a foul smell coming from Downard. Officers were dispatched to conduct a perimeter search of the building.

During their search, officers found an opened window on the south side of the building. They reported an "overwhelming smell of what (they) knew to be decaying flesh."

Inside the window, officers could see the body of a deceased male that "appeared to be in a severe state of decay" on a table, the affidavit says. Officers saw fluid that appeared to be from the body on the floor and a "large number of dead insects" inside. They also reported an "atrocious smell coming from the area."



Downard Funeral Home in 2021. | EastIdahoNews.com file photo

Aug. 30, 2021

An officer passing Downard while on patrol around 2:15 a.m. reported substantial activity at the business. They reported “extra vehicles at the location and possibly people inside.”

Other officers were again sent to Downard to conduct a perimeter search.

Searching officers did not see people inside the building, according to the affidavit, but did say that lights in the front and back of the building were on. They searched the outside of the building, and officers said they found a body inside a body bag on a cot in the back of an SUV.

Those officers spoke with the officers who searched the building the previous day. During that discussion, one of the officers reported receiving an anonymous video from inside Downard.

The video reportedly shows the body of a dead man in “extensive decay” lying in an inclined bed. Officers described what appeared to be dark bodily fluid below the body, apparently having run off from the bed.

Pocatello police contacted the Idaho Division of Occupational and Professional License about previous investigations of Downard. Officers provided IDOPL investigators with the video and images from Downard on Sept. 1.

Sept. 1, 2021

IDOPL inspectors visited Downard, according to the affidavit.

While there, Peck told the inspectors that the body in the video was that of a man who had died on Aug. 24. Peck said the body had been in the room from the video from Aug. 24 until Aug. 30 due to a lack of space in the refrigerator.

Peck also told the inspectors that another body had been inside the drive-through garage since Aug. 4 for the same reason.

Inspectors had the body moved into the refrigerator but noted that the refrigerator was set to 57 degrees rather than the required 36 degrees.

Sept. 2, 2021

IDOPL investigators contacted Pocatello police for assistance after discovering “several unidentified bodies (inside Downard) … one of which was decaying on the floor in the garage,” the affidavit says.

During their search of the building, officers reported smelling a “strong odor” they believed to be “human decay.”

Inside the garage, officers were once again hit with an “overbearing smell of decay.” They said they saw a pair of shoes wrapped in a blue material and “thousands of flies” stuck in a 55 foot-long, 15 foot-wide streak of a greasy fluid “consistent with human remains.”

Peck directed officers’ attention to numerous jars containing human fetuses. Peck said the fetuses had been returned to him by ISU. IDOPL inspectors showed officers 10 bodies inside a refrigerator. According to the affidavit, Peck was only able to identify one of those bodies.

Peck interview

In the office at Downard, officers provided Peck with his Miranda rights. He agreed to speak with police without the presence of an attorney, the affidavit says.

During their conversation, Peck said that he had bought Downard about 14 years before. He said that when he bought the business, it was already part of a partnership with ISU.

He said the bodies donated to ISU for research were kept by the university for three to five years. During that time, he added, body markers — or tracking numbers — would often decay.

Peck said he was working with ISU to identify bodies that could no longer be identified by the tracking numbers.

He added that he had become “overstocked” with bodies after ISU had terminated its partnership with Downard.

After he informed officers that he was considering committing suicide, they had him taken to Portneuf Medical Center for protective care.

Kalama Hines, EastIdahoNews.com file photo

Sept. 3, 2021

Detectives obtained a search warrant, and with the assistance of Bannock County Coroner Torey Danner, the Bannock County Prosecutor's Office, Ada County Coroner's Office and IDOPL, investigators served the warrant.

During the search, the IDOPL investigator showed detectives how they believed Peck altered death certificates to avoid needing a signature from the coroner.

According to the affidavit, the remains of 11 people were attached to "altered documents." At least one other body had its corneas removed. The body identified as the one seen through the window by officers was not attached to any documents inside the building.

Sept. 8, 2021

IDOPL and Pocatello police began the process of identifying remains found inside of Downard and returning those remains to family members.

Sept. 10, 2021

After issuing a news release requesting assistance from the public in identifying the remains, Pocatello police began receiving calls from families of the deceased whose remains had never been returned by Downard.

Over the following week, officers received calls from over a dozen families in that situation.

One of the people who contacted Pocatello police did so out of concern over the legitimacy of the remains they received. Due to redacted information, EastIdahoNews.com cannot say for sure if those concerns were confirmed.

“On 9/10/2021, (Redacted) contacted Pocatello Police Department,” the affidavit reads. “He advised that he had received cremains for his mother, (redacted), and wanted to confirm that the ashes were not sand. (Redacted) body was located during the initial search warrant served on Downard Funeral Home. On this same date, Detective Sampson spoke with (redacted), the sister-in-law of (redacted). (Redacted) confirmed that no permission had ever (been) given to harvest any of (redacted) body.”

Sept. 27, 2021

Officers spoke with the owner of another local funeral home. They said that they had contracted Peck and Downard for cremation services on multiple occasions, paying for those services.

Aug. 30, 2022

Peck was arrested and charged with 63 misdemeanor charges — 60 for unprofessional conduct by a mortician and three for petty theft. Due to these charges being misdemeanors, they were nearing the statute of limitations, which allows one year before a suspect can no longer be charged with a misdemeanor crime.

The statute of limitations is different for felony charges, giving the Bannock County Prosecutor’s Office additional time to investigate any additional charges.

Aug. 31, 2022

Peck appeared in court and pleaded not guilty to all charges. He then posted a $20,000 bond — which had been reduced from $50,000 at the same hearing — and was released. He is scheduled for his next court appearance, a pretrial conference, on Sept. 19.

Suicide Prevention Resources

If you or someone you know is struggling with thoughts of suicide, EastIdahoNews.com encourages you to call or text the 988 Suicide & Crisis Lifeline at 988.

Local Resources

- Behavioral Health Crisis Center (Idaho Falls): (208) 522-0727
- Behavioral Health Center (EIRMC, Idaho Falls): (208) 227-2100
- RISE UP Teen & Child Crisis Center of East Idaho (Idaho Falls): (208) 826-0994
- Madisonhealth | Madison Memorial Hospital Behavioral Health (Rexburg): (208) 359-7690
- South East Idaho Behavioral Crisis Center (Pocatello): (208) 909-5177
- Portneuf Behavioral Health Services (PMC, Pocatello): (208) 239-2571

Online Resources

- Community Suicide Prevention

- Idaho Suicide Prevention Program
- Suicide Prevention Lifeline
- Suicide Prevention Resource Center
- Suicide Awareness Voices of Education (SAVE)

https://www.idahostatejournal.com/freeaccess/feedback-on-punishment-sought-from-families-affected-by-downard-case-prior-to-start-of-mediation/article_714dc494-3ab3-11ee-afb0-83ab2e25c539.html

TOP STORY

Feedback on punishment sought from families affected by Downard case prior to start of mediation

SHELBIE HARRIS sharris@journalnet.com
Aug 14, 2023

Police tape cordons off Downard Funeral Home in Pocatello after officers executed a search warrant there in September 2021.

Kyle Riley/For The Journal

POCATELLO — The families who had their loved ones' remains allegedly mishandled by a former Pocatello funeral home director are being asked to weigh in on what punishment he should face without knowing all of the crimes he may have committed.

The Bannock County Prosecutor's Office announced in a Monday news release that Prosecutor Steve Herzog is working with Richard Blok, the Pocatello attorney representing former Downard Funeral Home owner Lance Peck, to try and mediate the case prior to the filing of additional criminal charges against Peck.

In the news release, the prosecutor's office says that it has "identified multiple felony crimes the state has reason to believe were also committed by (Peck)" after further investigation with help from Pocatello police, the Idaho State Tax Commission, the Idaho Insurance Commission and federal agencies.

Lance Peck

Photo courtesy of the Bannock County Sheriff's Office

The prosecutor's office has not filed any of those felony charges, however, and Peck still only faces 63 misdemeanor charges stemming from a Pocatello police investigation that revealed he had allegedly mishandled the remains and cremated remains of dozens of people whose families trusted him to provide funeral and cremation services.

Now, those families are being asked by prosecutors to “submit their input about what they feel is a fair resolution” in Peck’s case by emailing downardprosecution@bannockcounty.gov ahead of the mediation that is scheduled to begin on Friday.

The news release from the prosecutor’s office says, “The decision to enter into mediation was made in order to try to provide a swift, fair outcome for the families affected by Peck’s alleged action” and that “by avoiding a trial, families would not have to endure the stress of testifying at trial and they will know the outcome agreed to rather than wondering how a jury of strangers will decide when given the case.”

“It’s hard to say what a ‘just’ resolution looks like in this case because there has never been a case like this in our community, nor one that has impacted so many people,” Herzog said in the news release. “I believe this case certainly warrants the imposition of a substantial sentence.”

Peck was charged with 60 misdemeanor counts of unprofessional conduct by morticians, funeral directors or embalmers and three misdemeanor counts of petit theft in August 2022 after Pocatello police executed a search warrant in September 2021 at Downard Funeral Home, which led to the discovery of 12 bodies in various stages of decomposition, approximately 50 fetuses in jars and dozens of unidentified cremated remains.

Also included in the prosecutor’s news release is information about what would likely happen if Peck’s case were to go to trial.

The news release said, “If this case were to go to trial, it is likely the trial would last at least four weeks and possibly more. Additionally, the trial may not start for more than a year from now, given the logistics for both the prosecution and the defense in preparing a case of this nature.”

The news release continued, “Given the publicity of this case, the trial would likely be held in another jurisdiction, or a jury would be selected from another jurisdiction and transported to Bannock County, with the possibility of sequestering the jury members for the duration of the trial.”

Trials can themselves be very costly, especially if they last for an extended period of time or involve sequestering a jury.

“When thinking of the families impacted, the benefits of mediation outweigh the benefits of a trial,” Herzog said. “We will be able to provide some degree of closure for the families in the near future rather than dragging them through what could be another year of stress. Of course, this all depends on how mediation goes.”

Peck is due back in court for a pre-trial conference on Oct. 2.

The mediation involving prosecutors and Peck’s attorney will be presided over by Senior 6th District Judge Stephen Dunn.

If a plea agreement is not reached in the case via mediation, the jury trial is set to begin on Oct. 16 at the Bannock County Courthouse in Pocatello.

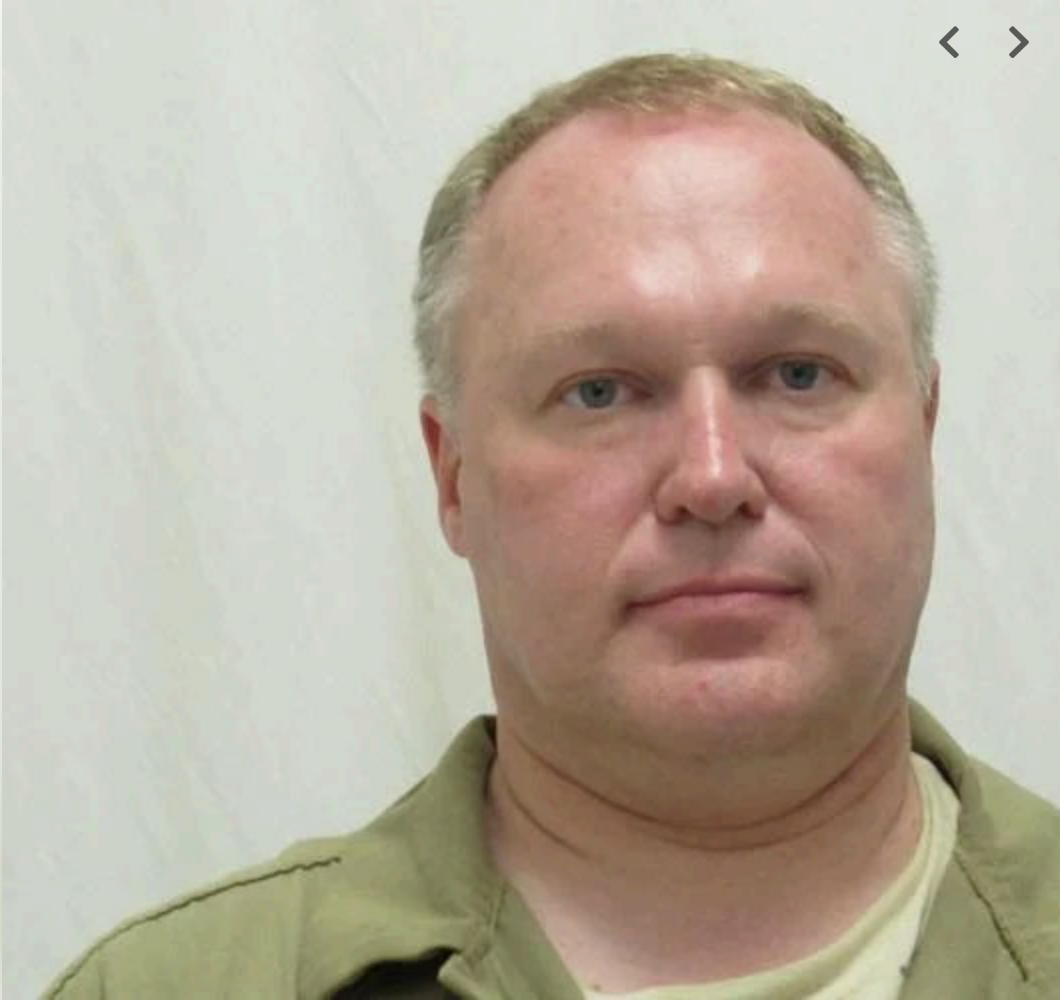
If convicted of all the current charges against him and the sentences are ordered to be served consecutively, Peck faces a maximum penalty of over 30 years in jail.

https://www.idahostatejournal.com/freeaccess/felony-grand-theft-tax-evasion-and-forgery-charges-filed-against-downards-lance-peck/article_10c0ec5c-686f-11ee-a1ae-7fc9285d2d72.html

TOP STORY

Felony grand theft, tax evasion and forgery charges filed against Downard's Lance Peck

SHELBIE HARRIS sharris@journalnet.com
Oct 11, 2023



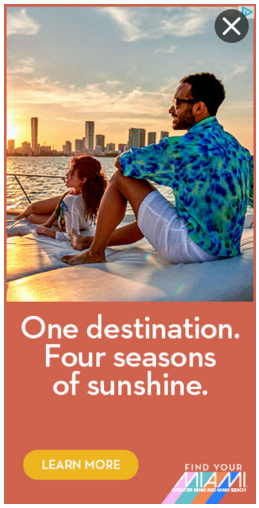
Lance Peck

Photo courtesy of the Bannock County Sheriff's Office

POCATELLO — Felony charges have been filed against Lance Peck in connection to his operation of Downard Funeral Home where a dozen bodies in various stages of decomposition were found in September 2021.

The new charges were filed against Peck on Wednesday, according to a news release from Bannock County. The felony complaint alleges Peck, who owned the now defunct Downard Funeral Home on North Garfield Avenue, committed tax law violations, forgeries and grand theft, the news release said.

“We anticipate the felony complaint to be merged with the misdemeanor complaints filed last year, which would bring the entire case under the jurisdiction of a district judge,” said Bannock County Prosecutor Stephen Herzog.



This week’s filing of felony charges came after Peck’s Pocatello attorney, Richard Blok, and the prosecution entered into mediation in August. According to the Bannock County news release, Blok and Herzog have “made significant progress towards reaching a resolution of the case.”

“The parties intend to return to mediation in the near future with the hope of reaching a final resolution,” the news release states. “The details of what took place during mediation are confidential.”

Herzog said, “I want to thank the public, especially the families who have been impacted by the defendant’s actions, for your continued patience. We encourage people to continue communicating with our office. Your comments are valuable, and we will try to respond in a timely manner.”

The Prosecutor’s Office is inviting family members affected by the alleged actions of the defendant to submit their input on what they feel is a fair resolution to the case by emailing downardprosecution@bannockcounty.gov.

Though felony charges have now been filed against Peck, details about those charges remain unknown because the criminal complaint was ordered to remain sealed from the public until Peck is served with a summons to appear in court, which had apparently not yet happened as of Thursday evening, according to court records.

The felony charges are in addition to the 63 misdemeanor charges that were filed against Peck in 2022 stemming from a Pocatello police investigation that revealed he had allegedly mishandled the remains and cremated remains of dozens of people whose families trusted him to provide funeral and cremation services.

Peck was charged with 60 misdemeanor counts of unprofessional conduct by morticians, funeral directors or embalmers and three misdemeanor counts of petit theft in August 2022 after Pocatello police executed a search warrant in September 2021 at Downard Funeral Home, which led to the discovery of 12 bodies in various stages of decomposition, approximately 50 fetuses in jars and dozens of unidentified cremated remains.

Peck was originally scheduled to contest the 63 misdemeanor charges during a jury trial scheduled for Oct. 16 but that trial has since been vacated because of the additional felony charges being filed against him.

“Mr. Peck’s jury trial that was previously scheduled to begin on Monday, Oct. 16, 2023, will not take place due to the felony complaint that was filed (Wednesday),” Bannock County stated in a news release issued on Thursday.

In addition to the felony and misdemeanor criminal charges, Peck faces several civil lawsuits related to his handling of funeral and cremation services for local families. At least 15 families are currently suing Peck, according to court records.

Further, Peck recently filed a motion applying for a public defender. Typically, this means that Peck can no longer afford to pay for his representation and has applied for an attorney to be provided to him via the Bannock County Public Defender’s Office.

Peck has no currently scheduled court dates regarding the criminal charges he’s facing. However, once he is served with the felony criminal complaint he will make an initial court appearance followed by a preliminary hearing at the Bannock County Courthouse in Pocatello.

If convicted of all the current misdemeanor charges against him and the sentences are ordered to be served consecutively, Peck faces a maximum penalty of over 30 years in jail.

Any felony convictions would likely lengthen his time of incarceration.

Attorney withdraws from Downard case citing unpaid legal fees, emotional toll

https://www.idahostatejournal.com/news/local/five-more-local-families-suing-downards-lance-peck/article_1828fb4c-064f-11ee-9abd-6378ed465c1e.html

TOP STORY

Five more local families suing Downard's Lance Peck

SHELBIE HARRIS sharris@journalnet.com
Jun 9, 2023

Police tape cordons off Downard Funeral Home in Pocatello after officers executed a search warrant there in September 2021.
Kyle Riley/For The Journal

POCATELLO — Five more local families are suing Lance Peck accusing him of allegedly mishandling the funeral and cremation services for their deceased loved ones.

The three new lawsuits, one of which includes claims from three local families, bring the total number of suits filed against Peck to five following his arrest at his North Garfield Avenue home in August 2022. One of the most startling claims included in one of the new suits is the allegation that Peck likely provided a grieving family with “fake ashes” made out of a mixture of flour and pepper.

Two other families filed suits against Peck in late 2022 and early 2023, respectively, in connection to his activity as the owner of Downard Funeral Home and its associated crematory in downtown Pocatello.

Peck wasn't available for comment regarding the new lawsuits filed against him.

Following his arrest last year, Peck was charged with 60 misdemeanor counts of violating the Idaho Mortician's Code of Conduct and three misdemeanor counts of petit theft in relation to his operation of Downard and the crematory inside the funeral home, Portneuf Valley Crematory, which were formerly located at 241 N. Garfield Ave. The Downard building was torn down earlier this year after the property was purchased by School District 25 for use as a parking lot.

Lance Peck
Photo courtesy of the Bannock County Sheriff's Office

Peck, who was released from jail after posting bond, is set to appear in front of 6th District Magistrate Judge Aaron N. Thompson for a jury trial for all 63 misdemeanor charges at the Bannock County Courthouse in October.

Authorities told the Idaho State Journal last year the Downard investigation that began with police finding allegedly deplorable conditions including 12 decomposed bodies and 50 fetuses in jars at the funeral home in September 2021 grew to include 88 deceased individuals whose remains were in some way handled by Peck. For some of those families, the remains of their loved ones were never recovered or located, authorities said.

Walter Family Lawsuit

The first of the three new lawsuits in connection to the Downard investigation was filed on April 28 on behalf of the family of the late Albert Monroe Walter of Arimo who died on Dec. 28, 2020, at the age of 81.

Boise attorneys Marta Horton and Vaughn Fisher are representing the Walter family. When reached Thursday, Horton declined to offer any further comments, stating that the civil complaint filed against Peck provided a detailed description of the awful circumstances the Walter family had to endure.

The suit lists Lance Peck and his former businesses, Downard Funeral Home and Portneuf Valley Crematory; Brad Horsley and his businesses, Horsley Funeral Homes and Marsh Valley Funeral Home; and 10 unnamed individuals as defendants.

The Walter family entered into an agreement with the Horsley defendants to have Walter cremated and asked to have his cremains divided into various keepsake items “as a way of keeping their husband and father close,” the suit states.

The family asked that the cremains be divided into an urn, two glass globes, an angel wing pendant filled with cremains, and two glass-blown pendant necklaces with cremains inside, according to the suit.

The suit states the family paid the Horsley defendants $3,378 for the cremation and special keepsake items.

On Jan. 15, 2021, Horsley notified the family that the cremated remains and angel wing necklace were in his possession. After paying for the cremation and related charges, the Walter family received the urn and angel wing necklace, according to the suit.

Around April 12, 2021, the family was provided the glass globes and glass globe pendants as well as a zip-lock bag containing approximately one teaspoon of leftover cremains, the suit states.

The family was never made aware that Horsley was never licensed to conduct cremations and would therefore be outsourcing the task to Peck’s Portneuf Valley Crematory, according to the suit.

The Pocatello Police Department informed the Walter family in September 2021 that Walter's remains were never cremated and that his decomposed body was found following what the suit describes as a police "raid" at Downard Funeral Home.

"The Downard raid has been amply publicized and documented as a terrible tragedy to befall the town of Pocatello," the suit states.

The hospice nurse who was caring for Walter before his passing was able to identify him because she recognized that he was still wearing the articles of clothing that he wore the day he died and because his body, "unlike others, appeared to have been kept 'mostly' refrigerated," the suit states.

When another funeral home conducted the cremation of Walter at no cost after police recovered his body, an official with that funeral home said it's likely the ashes the Walter family initially received in the urn were fake ashes that appeared to be a mixture of flour and pepper, the suit states.

The claims listed in the suit include fraud, breach of contract, negligence, intentional infliction of emotional distress and violation of the Idaho Consumer Protection Act.

The suit does not specify a particular amount of damages the Walter family may be entitled to, but it does ask that defendants cover the cost of lawyers and attorney fees for the plaintiffs and also asks for a jury trial.

Homan, Brown and Wentzel Family Lawsuits

The second of the new lawsuits was filed on May 22 by Pocatello attorney Reed Larsen on behalf of three local families. Larsen declined to comment further on most aspects of the suit, referring back to the criminal complaint as being a sufficient source regarding the allegations against Peck.

The first family listed in the suit are relatives of the late Barbara Homan of Chubbuck who died on Aug. 21, 2021, at the age of 91.

The Homan family selected Downard Funeral Home to conduct the cremation of Homan's body and her remains were transferred to Downard after her death, the suit states.

Over the next few weeks, Peck refused to provide any cremains or updates on the cremation to the Homan family, according to the suit.

Shortly thereafter, the Pocatello Police Department began investigating Downard, the suit states, adding that the Homan family never received Homan's body or ashes and Pocatello police were unable to locate Homan's remains during the course of their investigation.

"In essence, Barbara Homan's body, while under the care of (Peck), disappeared without a trace," the suit states. "...The Homan (family) will have to live the rest of their lives without knowing the ultimate fate of their mother and with the knowledge that they cannot perform Barbara Homan's final wishes."

The second family listed in the lawsuit are relatives of the late Pamela Brown of Pocatello who died on May 7, 2021.

Brown's family worked with Peck and informed him of her wishes to have her body donated to Idaho State University for scientific research and then cremated, the suit states.

Peck took Brown's body to Downard after her death and the Brown family learned a few months later that Pocatello police had launched an investigation into Peck and his businesses.

Brown's body was never donated to ISU, nor was it ever located as a result of the Pocatello police investigation.

The last family listed in the lawsuit are relatives of the late Marianne Wentzel of Pocatello who died on June 1, 2021, at the age of 83.

The suit states that Peck agreed on June 2, 2021, to cremate Wentzel and had her body transferred to Downard that day.

On July 9, Peck provided the Wentzel family with an urn that purportedly contained Wentzel's ashes, the suit states.

Peck was unable to cremate Wentzel, however, and her body remained at the business as of July 9, the suit said, adding that Peck would later enter into an agreement with another funeral home to have Wentzel's body cremated. The other funeral home did ultimately conduct Wentzel's cremation on July 27, 2021 — 18 days after her family received what they believed to be her cremains.

The other funeral home then provided Wentzel's cremains back to Peck. However, the Wentzel family never received any of the cremains. Reed told the Journal Thursday the only reason he is aware another funeral home did in fact cremate Wentzel was because that funeral home has records confirming when it was completed and when they provided the cremated remains back to Peck.

The claims listed in the suit for all three families include fraud, breach of contract, negligence, intentional infliction of emotional distress and violation of the Idaho Consumer Protection Act. No specific amount of damages, aside from attorney and legal fees, are requested in the suit, though it does ask for a jury trial.

Spring Family Lawsuit

The third of the most recent lawsuits was filed last month on behalf of the wife of the late Kenneth Clair "KC" Spring of Downey who died on Dec. 28, 2020, at the age of 40.

The Logan, Utah, attorneys representing the Spring family, Brad H. Bearnson and Aubri Thomas, were not immediately available for comment for this article.

After a celebration of life ceremony on Jan. 6, 2021, Spring's remains were provided to Horsley who turned them over to Peck to have them cremated, the suit states.

In late January 2021, Spring's wife was provided with what she was told were the cremated remains of Spring, "which were displayed prominently in the family's home as a memorial and keepsake," the suit states.

Around Sept. 10, 2021, Spring's wife read a news article published in the Journal that asked local families to assist the Pocatello Police Department in identifying the remains of several individuals found at Downard whose detailed descriptions were included in the article, the suit states.

"To Ms. Spring's shock and horror, as she red the description for (one of the subjects) she realized that the description was consistent with that of her late husband, Mr. Spring, whose ashes were — so she thought — sitting on her mantle," the suit states.

The description of her husband included three distinct tattoos, the clothing that he was wearing and that he had previously been embalmed, according to the suit.

Upon learning that Spring had never been cremated, the wife filed record requests with the Idaho Division of Occupational and Professional Licenses, receiving records from that agency and the Idaho Board of Morticians showing Peck, Downard Funeral Home and Portneuf Valley Crematory "had a history of code violations prior to the events of the underlying incident" and that "even after multiple proven and admitted reports of improper and egregious conduct, consistently over a period of time, (the Idaho Division of Occupational and Professional Licenses) and the Board (of Morticians) refused to put forth even minimal effort in ensuring that Ms. Spring and the public generally were protected and alerted to said conduct and the obvious risk presented thereby," the suit states.

The claims against the Division of Occupational and Professional Licenses, Idaho Board of Morticians, Bannock County Sheriff's Office, Pocatello Police Department and 10 unnamed individuals in the Spring family lawsuit include negligence and negligent infliction of emotional distress.

Other clams listed in the suit against Peck and his former businesses include fraud, breach of contract, negligence and both intentional and negligent infliction of emotional distress.

The Journal reached out to Horsley's Boise-based attorney, Mike Brady, who was not immediately available for comment for this article.

No specific amount of damages, aside from attorney and legal fees, are requested in the suit, though it does ask for a jury trial.

Peck has no listed attorneys defending him in the civil cases.

The investigation into Peck first began when officials with the Idaho Division of Occupational and Professional Licenses, which oversees the state's Board of Morticians, visited Downard in September 2021 and reportedly observed conditions that were in violation of the board's laws and rules. The Idaho Division of Occupational and Professional Licenses then contacted the Pocatello Police Department to report Downard.

The division had received several complaints about Peck and Downard before visiting the funeral home.

Upon hearing from the Idaho Division of Occupational and Professional Licenses about Downard in September 2021, Pocatello police executed a search warrant at the funeral home and found 12 bodies in various stages of decomposition, approximately 50 fetuses in jars and dozens of unidentified cremated remains. Police also confiscated thousands of digital and paper records from Downard.

Police were eventually able to positively identify the 12 bodies and determine the fetuses were part of a biological science collection donated from the University of Utah to Idaho State University and then to Downard for destruction. But they were never destroyed, police said.

Shelbie Harris

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Former Downard Funeral Home owner Lance Peck loses private counsel over $37K in unpaid legal fees

By News Team FOLLOW

December 4, 2025 12:10 PM

Published December 4, 2025 11:18 AM

POCATELLO, Idaho (KIFI) — A major shake-up has taken place in the criminal case against Lance Peck, the former owner of Downard Funeral Home. Peck's private attorney, Richard Blok, formally withdrew from the case on Monday, December 1, after the defendant accrued more than $37,000 in unpaid legal fees. A public defender has now been appointed to take over the high-profile case.

Blok quit after Peck racked up more than $37,000 in unpaid legal fees and couldn't afford a full trial. According to court documents, Peck has been unable to keep up with legal fees since November 13, 2023, the date he first filed an application for a public defender.

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Despite this, Block says he agreed to continue in the case because "the parties had already entered into mediation and made significant progress towards a final agreement." Blok continued to represent Peck until they came to a plea agreement with Bannock County prosecutors on a long list of charges, including grand theft and fraud, in May. However, in October, Judge Javier Gabiola surprised attorneys by rejecting the plea agreement.

"Mr. Peck was well aware that the undersigned (Bloc) was agreeing to continue only to complete the plea and would not be able to continue if this matter went to trial," stated Block in his motion to withdraw. If Mr. Peck wanted counsel to take the matter to trial, he would have to pay the balance and a significant retainer for trial. Mr. Peck is unable to do so."

Blok's motion further argued that continuing to represent Peck in court and taking the case to trial would cost upwards of $250,000, creating a significant financial burden on himself as Peck's attorney. He adds that because of the significant media coverage on the case, the trial would likely need to be held in another county to find an impartial jury, and could last up to five weeks or more.

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Blok told the court the case has worn him down emotionally, and he can’t give the level of defense the law requires.

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"This case has been trying, and the Court's most recent ruling has been deflating to say the least. I do not believe I will be able to continue to provide diligent and zealous representation to Mr. Peck as is required of me," states the motion.

Peck currently faces 22 felony and 63 misdemeanor charges related to the alleged mistreatment of remains during his time running Downard Funeral Home. If convicted on all counts, Peck faces a potential maximum sentence of more than 250 years in prison.

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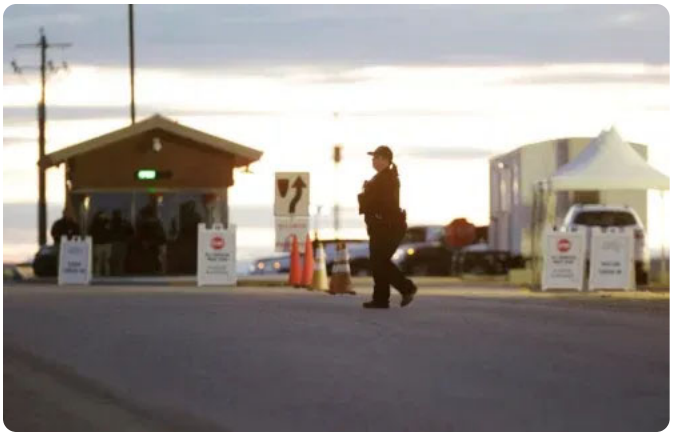

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Former Downard Funeral Home owner pleads guilty to mishandling charges

KIFI

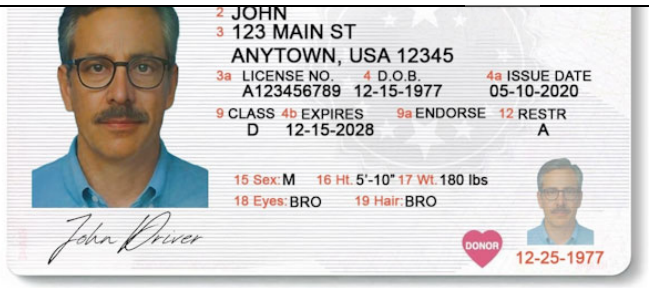
Lance Peck, left, appeared in Bannock County Courtroom on June 26, 2025 to accept a plea agreement with prosecutors.

By Sam Ross FOLLOW

June 26, 2025 6:36 PM Published June 26, 2025 6:40 PM

POCATELLO, Idaho (KIFI)—The former owner of Downard Funeral Home, Lance Peck, has agreed to plead guilty to mishandling his business.

In 2021, Police investigated Downard Funeral Home after getting reports of a foul smell. They found dozens of decomposing bodies and unmarked cremated remains inside the facility.



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At the change of plea hearing on Thursday, Peck and his attorney went before Judge Javier Gabiola to accept a plea agreement with the prosecutor's office.

Peck pleaded guilty to felony counts of tax evasion, perjury, grand theft, and fraud, and he agreed to pay restitution to the victim's families in exchange for having other felony and misdemeanor charges dropped.

Peck could face 3 to 7 years in prison for each charge.

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Peck is expected to return to court for sentencing on September 11.

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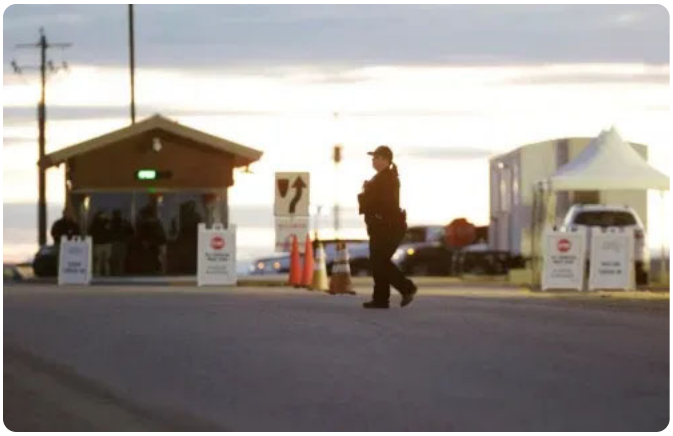

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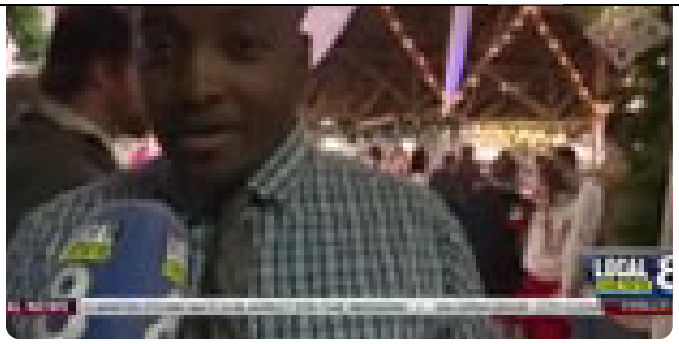

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Former Downard owner Lance Peck to avoid maximum 250-year sentence if judge accepts plea agreement

SHELBIE HARRIS sharris@journalnet.com
May 21, 2025

Lance Peck
Photo courtesy of the Bannock County Sheriff's Office

POCATELLO — It appears Lance Peck will soon plead guilty to six of the 22 felonies he faced in connection to his operation of the now-demolished Downard Funeral Home where a dozen bodies in various stages of decomposition were found in September 2021.

Peck, through his Pocatello attorney Richard Blok, tentatively agreed to a binding agreement with the Bannock County Prosecutor's Office on May 16, according to court records the Idaho State Journal recently obtained.

The plea agreement involves Peck pleading guilty to one count each of income tax evasion, perjury, offering a false or forged instrument for records, fraud by computer, grand theft by deception and furnishing false information that affects an Idaho Vital Statistics record, court documents show.

Further, Peck will plead guilty to one misdemeanor count of violating the Idaho Mortician's Code of Conduct, according to court records.

The Bannock County Prosecutor's Office told the Idaho State Journal on Wednesday this plea agreement was executed by the previous prosecutor Steve Herzog before he left office in January and that Peck will not have officially pleaded guilty until the agreement is accepted by 6th District Judge Javier Gabiola during a change of plea hearing set for June 9.

When reached for comment Wednesday evening, Herzog said, "Ultimately, the terms of the plea agreement are subject to the approval of the current leadership in the Bannock County Prosecutor's Office."

If Gabiola accepts the plea, the Bannock County Prosecutor's Office has agreed to dismiss all remaining felony and misdemeanor charges that Peck faces, which includes 16 felonies and 62 misdemeanor charges.

Additionally, the plea agreement states that Peck cannot object to any victim impact statements related to any of the dismissed charges and that the prosecutor's office will not present any victim impact statements from anybody that was not associated with the criminal charges filed against Peck.

The plea agreement also states Peck cannot object to reasonable restitution.

Moreover, the plea agreement requires the prosecutor's office to limit the time it requests Peck spend in prison and demands Gabiola to impose a sentence no higher than the recommendation.

The plea agreement calls for prosecutors to recommend a unified prison term of 10 years of which only three years would be mandatory on four of the felony charges and a unified prison term of five years in which only three years would be mandatory on two of the felony charges. All of the prison terms would run concurrently, or the same time.

A mostly demolished Downard Funeral Home pictured in this 2023 Journal file photo.
Kyle Riley/For the Journal

This essentially means that Peck would likely only serve three years behind bars for his alleged mishandling of dozens of funeral and cremation services while operating Downward Funeral Home, which was demolished in 2023 and is now a parking lot for Pocatello High School students.

Alternatively, Gabiola could refuse to accept the plea agreement at which point Bannock County prosecutors and Blok could enter into a subsequent mediation process or Peck could elect to take his case to trial.

When reached Wednesday evening, Blok declined to comment until after the change of plea hearing on June 9.

Peck in October 2023 was charged with seven counts of grand theft by deception, five counts of furnishing false vital statistics information, four counts of income tax evasion, two counts of offering false records, two counts of computer fraud and two counts of perjury. Court documents allege he misrepresented remains to at least 25 families.

The charges followed investigations by the Pocatello Police Department, Idaho Division of Occupational and Professional Licenses and Idaho State Tax Commission.

The felony charges were later enjoined with the 63 misdemeanor charges Peck has faced since he was first arrested in August 2022.

All charges stem from Peck's operation of Downard between 2017 and 2021 and resulted from a Pocatello police investigation that revealed he had allegedly mishandled the remains and cremated remains of dozens of people whose families trusted him to provide funeral and cremation services.

Police tape cordons off Downard Funeral Home in Pocatello after officers executed a search warrant there in September 2021.

Kyle Riley/For The Journal

'THING OF NIGHTMARES': Police captain, victim and local funeral home owner reflect on Downard

Peck was charged with 60 misdemeanor counts of unprofessional conduct by morticians, funeral directors or embalmers and three misdemeanor counts of petit theft in August 2022 after Pocatello police executed a search warrant at Downard Funeral Home in September 2021. This led to the discovery of 12 bodies in various stages of decomposition, approximately 50 fetuses in jars and dozens of unidentified cremated remains.

In addition to the felony and misdemeanor criminal charges, Peck faces numerous civil lawsuits related to his alleged mishandling of funeral and cremation services for local families. At least 15 families are currently suing Peck, according to court records.

If the plea agreement is rejected and Peck is instead convicted of all the current felony and misdemeanor charges filed against him Peck could have potentially spent the rest of his life in prison.

If all the sentences were ordered to be served consecutively, or one after another, Peck faces a maximum penalty of over 250 years in prison and a fine of up to $140,000.

Shelbie Harris

https://www.idahostatejournal.com/news/local/former-downard-owner-lance-pecks-legal-woes-continue/article_44cc868c-fea1-11ee-96f2-db5eef732884.html

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Former Downard owner Lance Peck's legal woes continue

SHELBIE HARRIS sharris@journalnet.com
Apr 19, 2024

Demolition crews tear down Downard Funeral Home in March 2023. The site is now a parking lot for Pocatello High School.
Kyle Riley/For the Journal

POCATELLO — Former Downard Funeral Home owner Lance Peck could be personally liable for all damages related to over a dozen civil lawsuits filed against him after his former insurance company filed a suit in federal court claiming it has no duty to defend him because of the criminal allegations he faces.

Not only could Peck, 49, of Pocatello, be held financially liable for several civil lawsuits, but court documents recently obtained by the Idaho State Journal also shed light on his financial situation. A collection agency has sued him for unpaid fines related to the license he had to be a mortician and he was recently denied an application that would have essentially declared him as being indigent, which would have afforded him an attorney at the expense of local taxpayers.

FEDERATED MUTUAL INSURANCE LAWSUIT In a lawsuit filed against Peck last year, his former insurance provider, Federated Mutual Insurance Co., has asked the U.S. District Court of Idaho to "declare that there is no insurance coverage, defense or indemnity available to (Peck)."

Lance Peck
Photo courtesy of the Bannock County Sheriff's Office

The lawsuit states that "this action stems from thirteen underlying matters brought against (Peck) by family members of deceased individuals arising out of (Peck's) alleged misconduct relating to funeral, burial and/or final disposition services for the respective decedents between 2019 to 2021."

The suit lists Peck, his wife Diane, a limited liability company that was shared by the couple before it was administratively dissolved, as well as Downard Funeral Home and the crematory that was contained inside the business, Portneuf Valley Crematory, as defendants.

The lawsuit was initially filed in August 2023 when Peck faced seven civil suits by families affected by how he handled business at Downard, but a 45-page amended complaint was filed in October 2023 after six more civil suits were filed, bringing the total to 13.

The insurance company's lawsuit says the U.S. District Court of Idaho is the correct venue to hear the argument "because the matter in controversy exceeds $75,000," but an exact amount of the potential damages was not listed in the suit, nor were any specific damage amounts included in any of the 13 individual suits filed against Peck in state court.

Specifically, the Federated Mutual Insurance Co. suit states that the pertinent part of the criminal allegations levied against Peck are several misdemeanor counts of violating the mortician's code of conduct.

"Defendants have not tendered the criminal action to Federated under the Federated policies and Federated has no obligation under the policies to defend or indemnify defendants for the criminal actions," the suit states. "The allegations in certain counts of the criminal action, however, factually overlap with and/or relate to the allegations brought in the underlying matters, which are all civil matters."

In addition to asking that the court declare that there is no insurance coverage available to Peck, of which all of his annual policies included $1 million occurrence and aggregate limits as well as $500,000 employer liability limits, the Federated suit asks to be awarded attorneys' fees and "any and all relief deemed equitable and just."

In February, the federal judge handling the Federated lawsuit put the case on hold pending the adjudication of Peck's criminal cases, which remain ongoing.

CRIMINAL ALLEGATIONS AGAINST PECK

Peck faces a litany of both misdemeanor and felony charges in connection to his operation of Downard Funeral Home, where a dozen bodies in various stages of decomposition were found in September 2021.

Peck was charged in October 2023 with 22 felonies, including seven counts of grand theft by deception, five counts of furnishing false vital statistics information, four counts of income tax evasion, two counts of offering false records, two counts of computer fraud and two counts of perjury. The felony charges stem from Peck's operation of Downard between 2017 and 2021, court records show.

At least 25 families either didn't receive any cremated remains or received the wrong cremated remains from Peck during his operation of the funeral home that was formerly located at 241 N. Garfield Ave. in Pocatello.

Pocatello-Chubbuck School District 25 acquired the former Downard building for $500,000, demolished it in March 2023 and later turned the property into a parking lot for the nearby Pocatello High School.

The felony charges are in addition to 48 misdemeanor charges Peck currently faces stemming from a Pocatello police investigation in 2021 that revealed he had allegedly mishandled the remains and cremated remains of dozens of people whose families trusted him to provide funeral and cremation services.

Peck was initially arrested and charged with 63 misdemeanors in August 2022, including 60 misdemeanor counts of unprofessional conduct by morticians, funeral directors or embalmers and three misdemeanor counts of petit theft after Pocatello police executed a search warrant in September 2021 at Downard, which led to the discovery of the 12 bodies in various stages of decomposition, approximately 50 fetuses in jars and dozens of unidentified cremated remains.

In January, 15 of the 60 misdemeanor counts of unprofessional conduct by morticians, funeral directors or embalmers were dismissed after Bannock County prosecutors filed an amended complaint. Prosecutors said the amended complaint was filed to clean up redundant charges.

DENIED MOTION FOR ATTORNEY AT PUBLIC'S EXPENSE

Mention of the Federated lawsuit was contained within a March 15 order from the 6th District judge handling Peck's case, Javier Gabiola, that denied an application from Peck for an attorney at the public's expense.

Peck submitted two different applications for a public defender before Gabiola ruled on the matter.

"In reviewing (Peck's) second application, the court notes that the defendant is not employed and has no current income, outside that of his spouse's income," Gabiola wrote. "The court also acknowledges that (Peck) is currently involved in other legal actions and could be, but is not currently, financially liable in those cases."

The order from Gabiola states that in his applications, Peck represented that the assets he and his wife Diane have currently include $8,543, two vehicles and a home in Bannock County valued at approximately $200,000.

“The court may consider that (Peck) attempted to use his property interest as collateral in obtaining a loan to pay for counsel,” Gabiola wrote. “However, there were only a couple of attempts with Washington Federal and D.L. Evans Bank. The information that (Peck) was unsuccessful in securing financing through the equity of his property has been considered, but this one fact is not determinative in the court’s decision. Also, while (Peck) represented that he intends to file Chapter 7 Bankruptcy, the current record shows that has not been filed. Additionally, (Peck) averred that he was scheduled to mediate the declaratory action currently pending in federal court, however, at this time whether or not (Peck) may have insurance coverage toward any civil liability is still an unresolved issue.”

Gabiola, in denying the applications, stated that Peck “has not met his burden to show that he is currently indigent.” In spite of the ruling and Peck’s apparent inability to continue paying for representation, Peck’s Pocatello attorney, Richard Blok, is still listed as his attorney of record.

When contacted for this article, Blok declined to comment.

LAWSUIT RELATED TO UNPAID FINES FOR MORTICIAN’S LICENSE

In addition to the lawsuits filed by over a dozen families and Peck’s former insurance provider, a collection agency working on behalf of the Idaho Division of Occupational and Professional Licenses has also filed a lawsuit against Peck for unpaid fines.

The suit filed in February by Action Collection Service Inc. is the latest of several civil lawsuits Peck faces related to his alleged mishandling of funeral and cremation services for dozens of families.

The civil complaint Action Collection Service Inc. filed against Peck states he owes the Idaho Division of Occupational and Professional Licenses, or DOPL, which oversees the Idaho Board of Morticians, a total of $7,639.84 for “business license fines incurred on, about or prior to Jan. 31, 2022.”

The amount includes a principal figure of $6,579.43 and interest of $1,060.41 that began accumulating at a .12 annual rate from May 3, 2022, the complaint states.

The civil suit does not contain any other details related to the fine or explain why it was levied against Peck.

When reached for comment, the Idaho DOPL declined to provide specifics of the potential disciplinary actions Peck may have faced related to his business license. The DOPL cited an Idaho law that states such information is exempt from disclosure.

When asked to comment on the status of the lawsuit or why it was filed, the DOPL declined, citing a policy not to comment on pending litigation.

The Idaho State Journal reached out to Shaun R. Bonney, the Boise attorney representing Action Collection Service Inc. as well as Idaho Falls attorney Aaron J. Tolson, who is representing Peck in the Action Collection Service Inc. lawsuit, but did not receive a response from either.

Tolson filed a response to the civil suit on Peck’s behalf on April 4 denying the allegations and stating that Action Collection Service Inc. “has failed to mitigate its damages, if any.”

The Action Collection Service Inc. lawsuit brings the total number of civil suits filed against Peck to 14.

Three of those civil suits that were filed in state court have since been dismissed with prejudice, meaning they cannot be refiled, and all but the Action Collection Service Inc. suit have currently been put on hold until the criminal allegations against Peck are resolved.

Gabiola on March 20 issued an order granting a motion from Bannock County prosecutors that requested that the misdemeanor and felony cases filed against Peck become joined for purposes of trial.

Peck's attorney and Bannock County Prosecutor Steve Herzog are still attempting to mediate the criminal allegations. Herzog recently told the Journal that a mediation hearing was scheduled for April 26, but Herzog has reached out to Blok and the 6th District senior judge handling the mediation, Stephen S. Dunn, to see if that can be rescheduled because of another conflicting mediation.

Peck is due back in state court in front of Gabiola for a status conference update regarding his criminal matters on April 29.

If convicted of all the current felony charges and the sentences are ordered to be served consecutively, Peck faces a maximum penalty of 227 years in prison and a fine of up to $140,000.

Shelbie Harris

DOWNARD FUNERAL HOME

Former owner of Downard Funeral Home officially pleads guilty after taking plea agreement

Published at 1:57 pm, June 27, 2025
Updated at 4:16 pm, June 27, 2025

Daniel V. Ramirez, EastIdahoNews.com

Lance Peck walking out of the court Thursday afternoon after changing his plea as part of a plea agreement. | Daniel V. Ramirez, EastIdahoNews.com

POCATELLO — The former owner of Downard Funeral Home appeared in court Thursday afternoon to change his plea after accepting an agreement from prosecutors in May.

Lance Peck, who wore an oxygen tank backpack, stood before District Judge Javier Gabiola to change his original not guilty plea to guilty as per the agreement.

Under the agreement, Peck pleaded guilty to the following crimes.

Felonies:

- Idaho State income tax evasion
- Perjury
- Offering false or forged instrument for record
- Access or use to defraud or obtain money or services by fraudulent pretenses

- Grand theft by deception, vital statistic furnish false information accept record

Misdemeanors:

- Three counts of unprofessional conduct by morticians
- Funeral directors or embalmers
- Unlawful control of the disposition of the remains of a deceased person
- Knowing violation of a mortician or funeral director.

Peck's remaining charges were dismissed.

The agreement recommended a sentence of between three and 10 years in prison. The agreement is binding, so if the court does not follow it, Peck can withdraw his plea.

A report was made in July 2021 after a representative from Idaho State University reported to Pocatello Police that a number of cadavers that families had donated for scientific research hadn't been delivered to the university by the funeral home. They also discovered that at least one body hadn't been returned to the family afterward.

During a police raid of the funeral home, police found several bodies, one of which was decaying on the floor of the garage. There were also 11 bodies attached to altered documents, and one body had no documentation at all. A significant number of other irregularities were found related to the disposal of remains.

RELATED | Downard Funeral Home owner signs plea agreement, admits to sending fake remains to families

RELATED | Extensive decay, thousands of flies, atrocious smell: What newly unsealed documents reveal about Downard Funeral Home

During the hearing, Gabiola asked Peck for a list of mental health disorders he had been diagnosed with.

Peck said he has anxiety, depression, dependent personality disorder and suicidal ideation.

Gabiola had Peck give statements describing what he did on each of the charges he pleaded guilty to. As Peck began to give a statement, the prosecution objected that it was too narrative.

"Things began to go bad for me when I decided to buy Downard Funeral Home," Peck said before the objection.

Lance Peck, left, in court where he has plead guilty after accepting a plea agreement. | Daniel V. Ramirez, EastIdahoNews.com

When Peck spoke about the charges involving his financial records, he told the court he did not have a good understanding of how taxes work and that, as the owner of the business, he should have known better.

When he spoke about the charge of providing a family with the incorrect remains, Beck admitted to never sending the remains to the family.

“I was disorganized. I must have mislabeled him or lost track of him,” Peck said. “I never delivered those cremates to the family.”

He told the court that after he had picked up the remains of the individual, he had taken it to a different funeral home to be cremated, as he did not have a working retort (cremation chamber).

He later stated that an explosion had occurred in his retort, which required him to use other funeral homes for cremations.

Peck later said that he used whiteout on transit forms instead of working with the county coroner or the Idaho Department of Health and Welfare.

Peck is scheduled to appear before Gabiola for his sentencing at 2:30 p.m. on Sept. 11.

BREAKING NEWS

OWNER OF LOCAL RACEWAY ARRESTED AFTER ALLEGEDLY SEXUALLY ASSAULTING TEENAGE BOY

LOCAL

ISU recently ended cadaver contract with funeral home due to 'multiple causes' of concern

Published at 6:34 pm, September 3, 2021
Updated at 8:31 am, September 4, 2021

Kalama Hines, EastIdahoNews.com

POCATELLO — The funeral home in Pocatello currently being investigated by police was contracted to provide Idaho State University with cadavers but the partnership recently ended due to problems.

In a statement provided to EastIdahoNews.com, ISU spokesman Stuart Summers outlined the former partnership.

"Idaho State University had a longstanding relationship with Downard Funeral Home to receive anatomical donations," the statement says. "During multi-year periods between 2011 and 2017, Downard failed to provide anatomical donations to the University. Due to a lack of donations, Idaho State ended its relationship with Downward in May 2020."

Upon reaching a partnership with a different local funeral home, ISU notified all families who had filed an intent-to-donate form of the change.

RELATED | Owner of funeral home under investigation had history of violations

During the process, Summers say ISU learned some of those families believed the remains of their loved ones had already been donated.

“The University had no record of receiving the donations,” the statement says.

Following an internal audit of all records and dealings with Downard, which “indicated multiple causes for concern,” ISU filed formal complaints with the Bannock County Prosecutors Office, Pocatello Police and Idaho Division of Occupational and Professional Licenses.

The audit was launched in the fall of 2020 and complaints were filed this spring.

“Idaho State University has been proactive, ongoing, and cooperative in discussions with state agencies and local law enforcement,” The statement reads.

Crews from Pocatello Fire and EMS arrived at Downard Thursday night, following reports of a foul stench emanating from the building. Pocatello police officers served a search warrant Friday morning, methodically removing bodies from inside the facility to a refrigerated trailer provided by the Ada County Coroner’s Office.

RELATED | Officials confirm funeral home investigation centers around report of decomposing body

Some of the bodies have been positively identified and moved to other funeral homes in Pocatello, according to a news release from Pocatello Police. Bodies that have not yet been identified are in the custody of the Bannock County Coroner. Officers continue to determine the number of bodies being held in the building.

“We understand the concerns and frustrations of the families of the deceased during this time and thank them for their patience while officers work to complete the investigation,” a police news release says.

Family members with questions and concerns have been asked to appoint one contact person and have them call Pocatello Police at (208) 234-6100.

BREAKING NEWS

HOW MANY PRECINCTS FLIPPED DURING THE IDAHO FALLS AND POCATELLO RUNOFF ELECTIONS?

CRIME WATCH

Judge rules on 2 motions in Lance Peck, Downard Funeral Home case

Published at 3:00 pm, May 3, 2024
Updated at 5:17 pm, May 3, 2024

Kalama Hines, EastIdahoNews.com

Lance Robert Peck | Bannock County Jail

POCATELLO — District Judge Javier Gabiola has issued orders on two motions filed in cases involving a defunct Pocatello funeral home and its former owner.

According to court records obtained by EastIdahoNews.com, Gabiola ordered two separate cases against Lance Robert Peck — one featuring 22 felony charges and the other 63 misdemeanor charges — be joined into a single case. Gabiola has also ruled against a motion filed on behalf of Peck requesting his attorney fees be covered at the expense of the public.

RELATED | Charges against former funeral home owner moved to District Court

Peck, 49, owned Downard Funeral Home and the attached Portneuf Valley Crematory when officials from Pocatello, Bannock County, Ada County and the State closed it for a search on Sept. 3, 2021.

During their search, which was prompted when officers searching the perimeter of the building saw a decomposing body through a window, officials found 12 decomposing and unrefrigerated bodies. Some of those bodies were not identified for weeks.

RELATED | Extensive decay, thousands of flies, atrocious smell: What newly unsealed documents reveal about Downard Funeral Home

Following extensive investigation by Pocatello police and the Bannock County Prosecutor's Office, Peck was charged with 63 misdemeanors — primarily dealing with professional conduct of a mortician. A year later, in Oct. 2023, felony charges were filed — including tax evasion, grand theft and furnishing false information to the office of vital statistics.

Since 2021, 12 separate lawsuits have been filed against Peck, Downard and the crematory — including the latest, filed in February by a debt collection agency.

In March, Bannock County Chief Prosecutor Stephen Herzog filed a Motion For Joinder, requesting the misdemeanor case and felony case be combined. Without opposition from defense attorney Richard Blok, Gabiola ordered in favor of that motion — meaning the cases will be heard together.

On Nov. 16, an application for a public defender was filed. According to Gabiola's order, Gabiola denied the request at that time.

A second application was filed on Feb 12 — three days before the latest lawsuit. Gabiola heard argument in support of the application on Feb. 14 and "took matters under advisement," Gabiola's latest order reads.

"A defendant is entitled to court-appointed counsel if he/she is indigent," the order continues, adding that the determination of indigence is made by court.

In making that determination, the court — or judge — considers the defendant's income, property owned, outstanding obligations, the number and ages of the defendant's dependents and the cost of bail.

Gabiola notes in his order that Peck faces civil suits and "could be, but is not currently, financially liable in those cases."

The judge further notes that, in the application, Peck says he was unable, in two attempts, to get financing through the equity of his property. Peck also said in the application that he intends to file for bankruptcy — however, "the current record shows that has not been filed," the order says.

"After considering the applicable statutes … and reasonably considering all the information provided by the defendant, it is clear that, despite other circumstances, the defendant has not met his burden to show that he is currently indigent," Gabiola states in his order.

RELATED | What we know about Downard Funeral Home, Lance Peck and what's next in the case

Downard has since been demolished. The property now serves as a parking lot for Pocatello High School across the street.

The charges against Peck have entered mediation.

A status conference has been scheduled for May 28.

https://www.kpvi.com/news/local_news/lance-peck-former-owner-of-downard-funeral-home-has-changed-his-plea/article_77f5582c-ac35-4033-ae49-8358d4f9eac6.html

TOP STORY

Lance Peck Former Owner of Downard Funeral Home Has Changed His Plea

Pocatello, ID
Jun 30, 2025

The former owner of Downard Funeral Home in Pocatello has changed his plea.

As part of a plea agreement with prosecutors, Lance Peck is now pleading guilty to a handful of felony charges.

Those include failure to collect and pay tax, perjury, fraud, and knowingly providing family members with fake remains of their loved one.

He also pleaded guilty to multiple misdemeanors related to the mortician's code of conduct; all other charges were dismissed.

The plea agreement recommends a sentence of 3 to 10 years in prison.

Peck was arrested and charged after a number of decomposing bodies and remains were found at the funeral home in 2021, sparking an investigation that found several violations and areas of misconduct.

His sentencing is set for September 11th.

Marcus Lamb

https://www.idahostatejournal.com/news/crimes_court/lance-peck-officially-pleads-guilty-for-alleged-mishandling-of-downard-funeral-home/article_f9cf0fa5-eb81-4286-8aed-34aff0525f56.html

TOP STORY BREAKING

Lance Peck officially pleads guilty for alleged mishandling of Downard Funeral Home

SHELBIE HARRIS sharris@journalnet.com
Jun 26, 2025

Lance Peck, center, walks behind his Pocatello attorney Richard Blok after Thursday's change of plea hearing at the Bannock County Courthouse in Pocatello.
Shelbie Harris/Idaho State Journal

POCATELLO — Former Downard Funeral Home owner Lance Peck officially pleaded guilty to several felony charges for his alleged mishandling of the business where he misrepresented remains to at least 25 families and a dozen bodies in various states of decomposition were found in September 2021.

Appearing in front of 6th District Judge Javier Gabiola at the Bannock County Courthouse Thursday afternoon and wearing an oxygen tank on his back with tubes leading up to his face, Peck pleaded guilty to one count each of income tax evasion, perjury, offering a false or forged instrument for records, fraud by computer, grand theft by deception and furnishing false information that affects an Idaho Vital Statistics record. Peck also pleaded guilty to one misdemeanor count of violating the Idaho Mortician's Code of Conduct.

“Things began to go bad for me when I decided to buy Downard Funeral Home,” Peck said in court as he entered guilty pleas to the six felony charges. “In the beginning, I felt I was able to manage the funeral director’s aspect of my job but I was always overwhelmed by financial and regulatory aspects of my work.”

Lance Peck
Photo courtesy of the Bannock County Sheriff's Office

Peck began to talk about how the COVID-19 pandemic further affected his ability to effectively manage the funeral home he had been operating for several years when Bannock County Chief Deputy Prosecutor Jonathan Radford objected on the grounds that Peck’s statement was too broad and was more acceptable to be part of his testimony during sentencing.

Peck provided the court with a list of the medications he is currently taking for several diagnosed mental health conditions, including anxiety, depression, suicidal ideology and dependent personality disorder.

Over a dozen family members of the deceased who trusted Peck to provide funeral and cremation services were in the courtroom as Peck pleaded guilty to the six felony and single misdemeanor charges.

In accepting the guilty pleas, the remaining 16 felony and over 60 misdemeanor charges filed against Peck for his alleged mishandling of the now destroyed Downard Funeral Home were dismissed pursuant to the terms of a plea agreement Peck reached with Bannock County prosecutors last month.

Additionally, the plea agreement states that Peck cannot object to any victim impact statements related to any of the dismissed charges and that prosecutors will not present any victim impact statements from anybody that was not associated with the criminal charges filed against Peck.

The plea agreement also states Peck cannot object to reasonable restitution.

Moreover, the plea agreement requires the prosecutor's office to limit the time it requests Peck spend in prison and demands Gabiola to impose a sentence no higher than the recommendation.

The plea agreement calls for prosecutors to recommend a unified prison term of 10 years of which only three years would be mandatory on four of the felony charges and a unified prison term of five years of which only three years would be mandatory on two of the felony charges. All of the prison terms would run concurrently, or at the same time.

This essentially means that Peck would likely only serve three years behind bars for his alleged mishandling of dozens of funeral and cremation services while operating Downward Funeral Home, which was demolished in 2023 and is now a parking lot for Pocatello High School students.

Alternatively, Gabiola could refuse to accept the plea agreement at sentencing at which point Bannock County prosecutors and Peck's Pocatello attorney, Richard Blok, could enter into a subsequent mediation process or Peck could elect to take his case to trial.

Blok and Bannock County prosecutors declined to comment on the case at the conclusion of the hearing on Thursday.

Peck, who's been out of jail since bonding out soon after his 2022 arrest, will be back in court for a sentencing hearing on Sept. 11.

Shelbie Harris

CRIME WATCH

Lance Peck trial date set; lawsuits filed by two affected families

Published at 6:49 pm, March 14, 2023
Updated at 6:55 pm, March 14, 2023

Kalama Hines, EastIdahoNews.com

Lance Robert Peck | Bannock County Jail

POCATELLO — A trial date has been set for a former funeral home owner charged with 63 misdemeanors.

Lance Robert Peck, 48, is scheduled to stand trial for 60 counts of unprofessional conduct by a mortician and three counts of petty theft on Oct. 16, court documents show. Additionally, Bannock County Prosecutor Stephen Herzog told EastIdahoNews.com that felony charges are expected to be filed.

RELATED | What we know about Downard Funeral Home, Lance Peck and what's next in the case

Peck was arrested and charged on Aug. 30 following an investigation that lasted a full year. Herzog said the misdemeanor charges were filed first by his office due to the statute of limitations — the state had one year from the discovery of the alleged crimes to file those charges.

The statute of limitations is extended for felonies — to five years for charges the prosecutor's office expects to file in this case.

Peck's businesses, Downard Funeral Home and the attached Portneuf Valley Crematory were shut down after a search warrant was served on them in September 2021. During the search, officers and investigators found unrefrigerated bodies in varying states of decomposition.

Peck also lost his license to practice as a mortician.

At a hearing Monday, Magistrate Judge Aaron Thompson scheduled a jury trial for 8 a.m., Monday, Oct. 16.

Herzog could not give a timeline for the potential filing of felony charges.

Each misdemeanor charge carries a maximum sentence of six months in prison and a $1,000 fine.

Two civil suits

Lawsuits have been filed by two families affected by the investigation and alleged discovery of wrongdoing by Peck and Downard Funeral Home.

The first suit names Peck, Downard Funeral Home, Portneuf Valley Crematory and Peck, LLC., as well as Brad Horsley and Horsley Funeral Homes as defendants.

It alleges the family of William Phillips, Sr. contacted Horsley Funeral Home — a funeral home in Malad City — about cremating Phillips' remains following his death on Dec. 22, 2020. Horsley, the suit further alleges, told Phillips' family that he was unable to provide that service and offered to outsource the work through Downard.

Horsley, the lawsuit claims, had a "legal duty to ensure" that Downard properly cremated Phillips' body.

Phillips' family retrieved the urn they were told held the cremated remains of Phillips in January 2021. The lawsuit alleges the urn, instead, contains "some unknown substance" or the ashes of another body.

Not aware of that possibility at the time, the ashes the family received from Downard through Horsley were mixed with the ashes of Phillips' wife — as had been requested prior to his death.

Following the search of Downard Funeral Home, Phillips' family was informed that Phillips' intact but decomposing body had been recovered inside the facility. The body was confirmed to be that of Phillips by his son, who had the "unwholesome task" of identifying the body, according to the lawsuit.

"Plaintiffs will have to live for the rest of their lives with the knowledge that they cannot perform William Sr.'s and his wife's final wishes," it says.

The second lawsuit names Peck and Downard as its defendants and was filed on behalf of the family of George Wilkerson.

Wilkerson, the lawsuit says, "had a long-standing interest in science," and requested his body be used for research following his death from colorectal cancer on April 25, 2019.

Prior to his death, according to the lawsuit, Wilkerson and his family completed all documents necessary for his body to be donated to the Idaho State University cadaver program.

On April 26, 2019, Peck told Wilkerson's family that the process of embalming and preparing Wilkerson's body for donation had been initiated.

The family later learned that ISU never received Wilkerson's remains and was unaware of the location of those remains.

On Sept. 6, 2022, Wilkerson's family was informed that Wilkerson's remains were part of the investigation into Peck and Downard.

Both lawsuits allege negligence and infliction of emotional distress among other civil violations.

Both lawsuits, filed in December and January respectively, demand for a jury trial and are early in the legal process.

District Judge Robert Naftz has been assigned to the first lawsuit and District Judge Javier Gabiola has been assigned to the second.

BREAKING NEWS

OWNER OF LOCAL RACEWAY ARRESTED AFTER ALLEGEDLY SEXUALLY ASSAULTING TEENAGE BOY

LOCAL

Local family's positive ending to emotional roller coaster following Downard investigation

Published at 2:57 pm, September 20, 2021
Updated at 3:12 pm, September 20, 2021

Kalama Hines, EastIdahoNews.com

Local family's positive ending to emotional roller coaster …

In the video above, Blackfoot resident Candice Johnson speaks with EastIdahoNews.com about her family's experience with Downard Funeral Home.

BLACKFOOT — When Candice Johnson saw that Downard Funeral Home was under police investigation, the news struck her and her family hard.

Johnson's mother, who is still alive, recently prepaid Downard and owner Lance Peck for funeral services. Johnson's mother had used an inheritance to cover her services, so the cost would not be passed on to Johnson and her brother.

Then, on Sept. 3, Johnson discovered Downard was no longer operating as police investigated its handling of human remains. “It was a panic,” she said.

“When the news broke,” Johnson said, “it was like, ‘Oh my gosh, what are we going to do? We just invested all this money.’”

RELATED | Officials confirm funeral home investigation centers around report of decomposing body

Johnson’s family contacted Pocatello Police, as instructed, and were told at first that the only way they would be able to recover their money was through civil court. It was a stressful period of time for the entire family.

Then, more than a week later, Johnson was reviewing the documents related to the prepaid funeral service and discovered that the service was not paid for directly to Downard. She discovered the service was actually an insurance policy — one that could be transferred to another funeral home.

Johnson said she agreed to speak about her family’s ordeal in order to get this information to others who may find themselves in a similar stressful situation.

“It was nice to know that it was an insurance policy in my mom’s name, with a beneficiary that’s not the funeral home,” Johnson said. “I’m glad that the result was good. And I hope that this kind of information gets out to more people so that they don’t sit with the question of, well, now what am I going to do?”

According to Johnson, her family’s search for a new funeral home has been positive. It is nice to know, she said, that funeral homes throughout the region have reached out to help those affected by the recent events at Downard.

“For an industry that has been scarred by one individual, it’s comforting to know that they’re stepping up and saying, ‘Hey, that’s one very odd thing that happened, we don’t do business like that.’”

RELATED | Sister of woman found decomposing inside funeral home ‘can’t believe this is happening’

POCATELLO

Multiple decomposing bodies and human fetuses at Pocatello funeral home

Published at 12:44 pm, September 4, 2021
Updated at 3:42 pm, September 4, 2021

Nate Sunderland, EastIdahoNews.com

Investigators move bodies to other local funeral homes. | Eric Grossarth, EastIdahoNews.com

POCATELLO — Investigators have completed searching Downard Funeral Home and are no longer at the property.

Pocatello city spokesman Logan McDougall said detectives continue to process evidence, review documents, and interview those who may have information about the case.

McDougall confirmed during a search of the building, officers discovered multiple unrefrigerated bodies in various states of decomposition, including some that were badly decomposed. Human fetuses were also discovered on the premises.

Police have not provided a total body count, or given any sort of explanation about why the bodies were decomposing or why fetuses were on the property.

So far, no one has been arrested in connection with this case.

“We know there are a lot of unanswered questions about the case,” Pocatello Police Chief Roger Schei said in a news release. “Our department has those same questions. I want to assure the families involved and the public that the men and women of the Pocatello Police Department will be working hard to provide the answers.”

The Downard Funeral Home is owned by Pocatello resident Lance Peck and his wife. Peck has a history of licensing violations, which are detailed here.

RELATED | Owner of funeral home under investigation had history of violations

Additionally, Downard Funeral Home was previously in charge of donating cadavers to Idaho State University for scientific study. This relationship ended last year though, after the university did not receive donations for a period of time.

In the process of ending the relationship, the university discovered some families believed the remains of their loved ones had already been donated. However, the university had no record of ever receiving those bodies.

Following an internal audit of all records and dealings with Downard, which "indicated multiple causes for concern," ISU filed formal complaints with the Bannock County Prosecutor's Office, Pocatello Police and Idaho Division of Occupational and Professional Licenses.

RELATED | ISU recently ended cadaver contract with funeral home due to 'multiple causes' of concern

The audit was launched in the fall of 2020 and complaints were filed this spring.

Crews from Pocatello Fire and EMS arrived at Downard Thursday night, following reports of a foul stench emanating from the building. Pocatello police officers served a search warrant Friday morning, and began methodically removing bodies from inside the facility to a refrigerated trailer provided by the Ada County Coroner's Office.

Pocatello police confirm some of the bodies found inside the funeral home have been positively identified and moved to other local funeral homes, who are attempting to contact next of kin.

RELATED | Officials confirm funeral home investigation centers around report of decomposing body

Bodies that have not been identified have been removed from the building and are now in the custody of the Bannock County Coroner. Officers will continue attempting to identify the remaining deceased.

Family members with questions and concerns have been asked to appoint one contact person and have them call Pocatello Police at (208) 234-6100.

BREAKING NEWS

OWNER OF LOCAL RACEWAY ARRESTED AFTER ALLEGEDLY SEXUALLY ASSAULTING TEENAGE BOY

POCATELLO

Officials confirm funeral home investigation centers around report of decomposing body

Published at 1:30 am, September 3, 2021
Updated at 5:43 pm, September 3, 2021

Kalama Hines and Nate Sunderland, EastIdahoNews.com

Kalama Hines, EastIdahoNews.com

POCATELLO — The city of Pocatello has confirmed an investigation at Downard Funeral Home and Crematory was started after a decomposing body was reportedly found at the funeral home.

Law enforcement arrived at the funeral home at 241 North Garfield Avenue Thursday to investigate what they called “suspicious circumstances,” according to Pocatello city spokesman Logan McDougall. The funeral home is now closed until further notice.

A large contingent of law enforcement remained at the funeral home Friday, and Pocatello Police have confirmed they have a search warrant for the building and are actively searching the premises.

In addition to local police, the Bannock County Coroner Office and Bannock County Prosecutor's Office, there are also investigators with the Idaho Board of Occupational Licenses, the Ada County Coroner's Office and Southeastern Idaho Public Health at the scene, according to a news release.

Jillian Jamieson, spokeswoman for the Ada County Coroner's Office, confirms their office sent a refrigeration truck to the funeral home for body transportation. The request was made by the Bannock County Coroner Office.

EastIdahoNews.com reporters have observed people in hazmat gear enter and leave the funeral home. Additionally, investigators appear to have taken at least one body to the refrigeration truck. There has been a great deal of activity in and around the truck Friday morning.

EastIdahoNews.com spoke with residents at the scene who report there has been a foul smell coming from the building for several months.

Kalama Hines, EastIdahoNews.com

Police have closed a section of West Lander Street from Hayes Avenue to North Garfield Avenue as part of the investigation. Pocatello High School parking lots near the funeral home have also been closed.

EastIdahoNews.com spoke with the father and aunt of a deceased person inside the funeral home. They said after they paid for the funeral they had a hard time reaching management.

City officials say if any family members of deceased individuals at the funeral home have questions or concerns, they should appoint one point of contact to call the Pocatello Police Department at (208) 234-6100 and leave a name and phone number. Officers will return their call when more information is available.

Law enforcement is asking the public to avoid the area out of respect for family members.

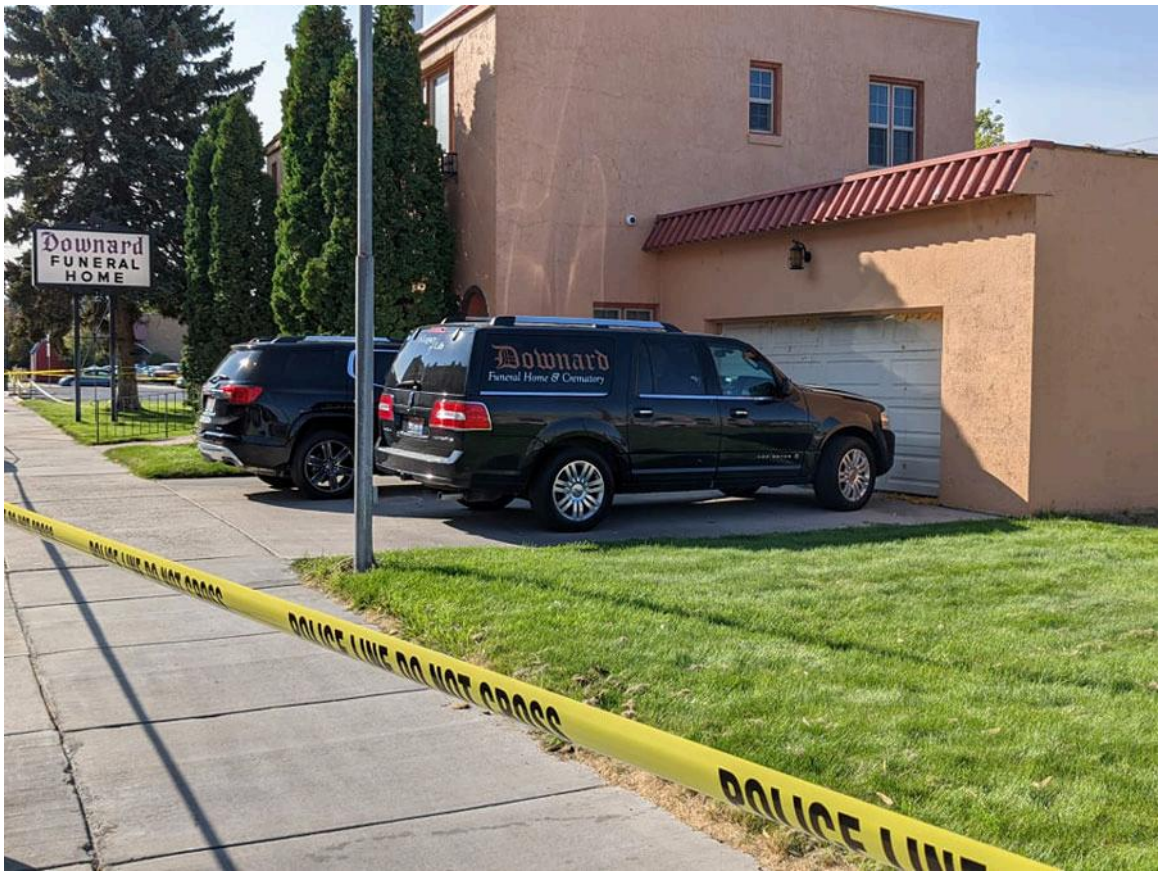
RELATED | Owner of funeral home under investigation had history of violations

The owner of the funeral home is Lance R. Peck. EastIdahoNews.com could not reach him for comment Friday. Public records show Peck and Downard Funeral Home and Crematory have a history of being disciplined by the Idaho Division of Occupational and Professional Licenses.

EastIdahoNews.com has a reporter at the scene. We will publish more information as it is released.

Video Unavailable
This video may no longer exist, or you don't have permission to view it.
Learn more

Kalama Hines, EastIdahoNews.com



Kalama Hines, EastIdahoNews.com

LOCAL

Owner of funeral home under investigation had history of violations

Published at 3:24 pm, September 3, 2021
Updated at 9:26 pm, September 3, 2021

Eric Grossarth, EastIdahoNews.com

Eric Grossarth, EastIdahoNews.com

POCATELLO — A Pocatello funeral home surrounded by police tape Friday morning has a history of violations, according to public documents obtained by EastIdahoNews.com.

The Idaho Division of Occupational and Professional Licenses database shows that between 2015 and 2018, Lance R. Peck, the owner of Downard Funeral Home, faced civil disciplinary actions.

RELATED | Officials confirm funeral home investigation centers around report of decomposing body

Troubles for Downard Funeral Home and Portneuf Valley Crematory, a business also owned by Peck, began in 2012 when a man donated his remains to Idaho State University's cadaver program. Peck was out of town and had another funeral home pick up the man's remains and somewhere in the process, he "did not receive the proper documentation" to donate the remains to ISU.

Peck said the man's remains were not in a condition to donate to the university and cremated them at his funeral home. The Board of Morticians said Peck did this despite knowing the man's wishes.

Eric Grossarth, EastIdahoNews.com

Issues with the man's paperwork got Downard into trouble, according to the 2015 sanctions filed by the Idaho Division of Occupational and Professional Licenses. The same document issuing sanctions against Peck notes that in 2013, he let the funeral home's license expire and did not re-register for a few months.

In 2015, Peck was ordered to pay a $2,500 fine and $5,500 in investigative costs and attorney fees. Peck received six months of probation from the Division of Occupational and Professional Licenses.

Peck found himself in trouble again in 2016, saying that in 2015, Downard Funeral Home and Portneuf Valley Crematory operated again as an unlicensed funeral establishment. As a result, Peck and his funeral home were required to pay a $2,500 fine and $5,000 in investigative costs and attorney fees. Peck was given another six months of probation.

The next year, Downard Funeral Home violated the same law and was ordered to pay a $2,500 fine and $3,715 in investigative costs. Peck was given another six months of probation.

More troubles for the business ensued after a woman died in September 2016. She had requested that her body be donated to the Idaho State University cadaver program. When situations "out of Downard's control" prevented the funeral home from donating the body, the woman was cremated.

The woman's family learned of a program where ashes supposedly could be donated. Disciplinary documents show the family received four small vials of the ashes, but no certificate from Downard Funeral Home that certified the remains made it to the program.

Investigators determined the program never received the woman's ashes, and if it had, they would not have any use for the remains.

It wasn't until November 2017 that Peck reported finding the remains at the funeral home, and he gave them to the family. That same year, Peck faced more disciplinary actions, including another $2,000 fine and thousands in investigative and attorney fees. He was placed on a two-year term of probation.

It appears the funeral home has not been disciplined since 2018. All disciplinary actions represent civil violations, and Peck has a clean criminal record.

Efforts to reach him Friday afternoon were not successful.

Officials were still at the Downard Funeral Home as of 3 p.m. Friday after police received a report about a decomposing body at the building. Officers report removing an unnumbered amount of bodies from the funeral home.

The bodies positively identified have been taken to other area funeral homes, while those still awaiting identification are in the custody of the Bannock County Coroner's Office.

https://www.idahostatejournal.com/freeaccess/police-and-prosecutors-contending-with-massive-amount-of-evidence-complexities-of-case-as-downard-funeral/article_4d705b7a-2eb4-5051-a7d5-b25e3413bddb.html

TOP STORY

Police and prosecutors contending with massive amount of evidence, complexities of case as Downard Funeral Home investigation continues

By Journal Staff
Mar 30, 2022

The Pocatello Police Department and Bannock County Prosecutor's Office said the investigation into Downard Funeral Home is ongoing but a decision on whether criminal charges will be filed is several months away.

Idaho State Journal File Photo

POCATELLO — Police and prosecutors want the public to know that the Downard Funeral Home investigation is far from being a cold case.

Ever since Pocatello police executed a search warrant at the North Garfield Avenue funeral home last year, the case has been a top priority, authorities said.

But the massive volume of evidence collected by police, ranging from decomposing bodies to fetuses in jars to thousands of pages of documents at the funeral home, and the complexities of a case that is unique in every way mean that it will be several months before a decision is made by the Bannock County Prosecutor's Office on whether criminal charges should be filed, prosecutors said.

There has been much speculation about what happened at Downard and Pocatello police said they want to debunk some of those claims. Police said they have found no evidence that empty caskets were buried or that bodies are missing.

Other than the 12 decomposing bodies found at the funeral home during the execution of the search warrant, police said they believe all of the bodies brought to Downard were buried or cremated.

Pocatello police executed a search warrant at Downard on Sept. 3, 2021, the same day that Lance Peck, who co-owns the business with his wife, surrendered his license to operate the funeral home to the Idaho Division of Occupational and Professional Licenses.

Authorities said they started to look into Downard after receiving multiple complaints about the funeral home, including reports of foul smells and decomposing bodies being left out in the open.

Police said that since the search warrant was executed, one Pocatello police detective has been assigned full-time to the Downard investigation, working on only that case.

This detective has organized all of the Downard evidence into a massive spreadsheet, police said.

Police said the volume of evidence in the case is so large and complex that the spreadsheet was needed to inventory and organize it.

Police said Peck initially cooperated with them on the investigation but has since stopped cooperating.

Peck has thus far not commented on the investigation into his funeral home, which has remained shut down since the search warrant was executed.

Police said there has never been anything like the Downard case in Idaho history and there have only been a few cases similar to it nationwide. This has added to the complexity and duration of the investigation, police said.

"The case is an anomaly," Pocatello police Capt. Bill Collins said.

The execution of the search warrant at Downard by Pocatello police revealed the 12 bodies in various stages of decomposition as well as approximately 50 fetuses in jars and dozens of unidentified cremated remains, police said.

Police were eventually able to positively identify the 12 bodies and determine that the fetuses were part of a biological science collection donated from the University of Utah to Idaho State University and then to Downard for destruction. But they were never destroyed, police said.

Authorities said identifying the 30-40 sets of cremated remains found at Downard will be difficult.

Police said they also confiscated thousands of documents from Downard and going through all of those pages took several months. All of the documents are being digitized to help prosecutors review the material.

Collins said executing the search warrant at Downard took an emotional toll on the police and other responders who were at the funeral home over multiple days.

He said police have the same concerns about what happened at Downard as people in the community do.

The question of whether the case rises to the level of criminal charges being filed will be answered by prosecutors in the months to come.

https://www.idahostatejournal.com/freeaccess/public-urged-to-stay-away-from-pocatello-funeral-home-out-of-respect-for-families-involved/article_059c45e6-4b58-59a6-9ab4-01c0f82fd845.html

Public urged to stay away from Pocatello funeral home out of respect for families involved as police prepare to remove bodies

By Journal Staff
Sep 3, 2021

Emergency responders, two wearing HAZMAT suits, are pictured outside of Downard Funeral Home in Pocatello on Friday morning.

Shelbie Harris/Idaho State Journal

POCATELLO — Authorities on Thursday launched an investigation into a well-known Pocatello funeral home after "suspicious circumstances" were uncovered there, police said.

Downard Funeral Home in the 200 block of North Garfield Avenue has been closed until further notice and the public is being encouraged to stay away from the funeral home out of respect for the families involved, according to authorities.

A sign on Downard's front door states that the funeral home is "currently closed" and directs the public to another local mortuary for "all calls and funerals."

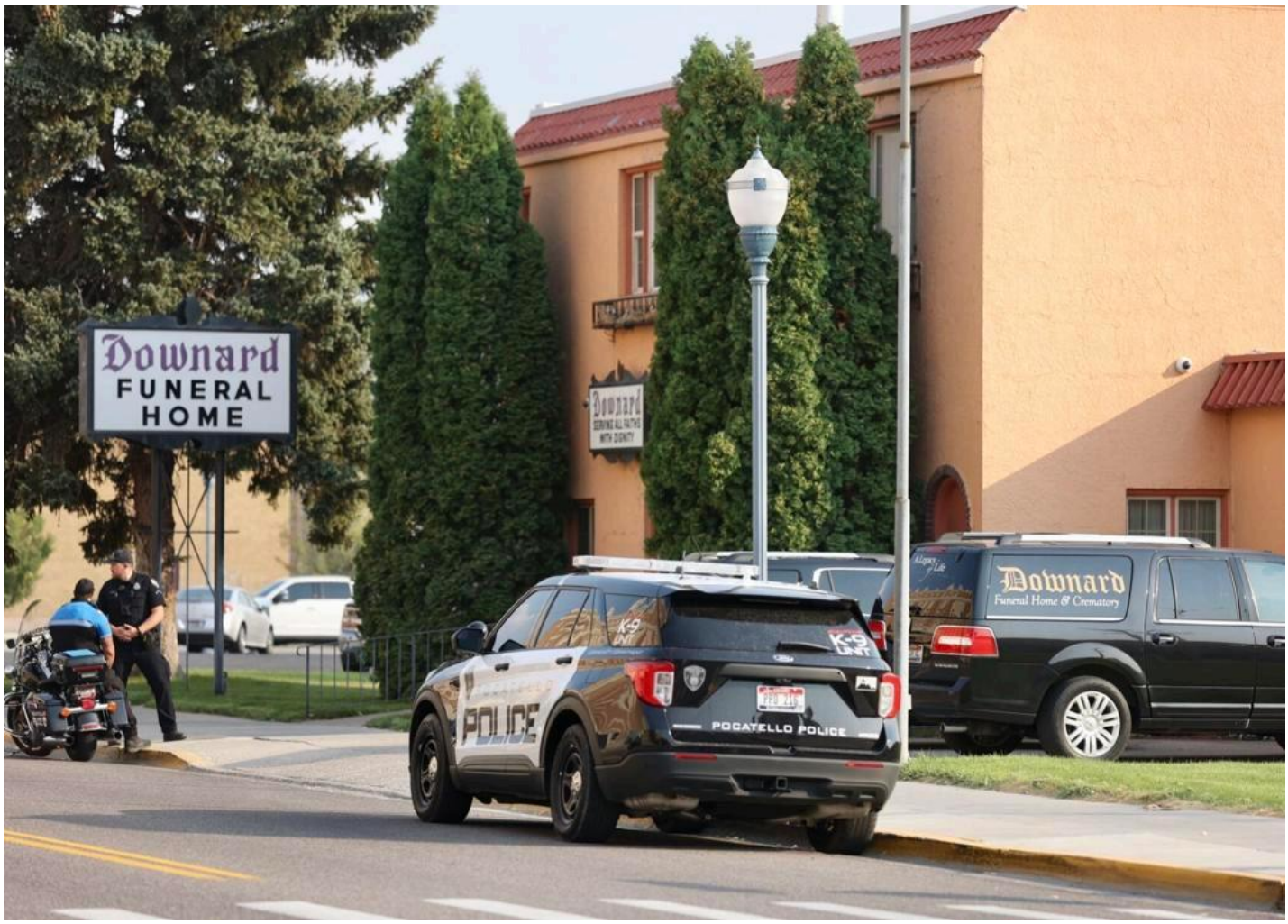
The Ada County Coroner's Office delivered a mass casualty refrigeration trailer to Pocatello on Friday morning to store the bodies found in the funeral home as part of the ongoing investigation, Pocatello police said.

The refrigeration trailer is currently parked outside of Downard Funeral Home and emergency responders are preparing to load bodies into it.

Pocatello police on Thursday evening said they were obtaining a warrant to search Downard Funeral Home after a badly decomposed body was found there.

Several other refrigerated bodies were also found at the funeral home, police said.

A foul smell could be detected outside of the funeral home early Thursday evening and police said the odor was coming from dead bodies.



Pocatello police pictured at Downard Funeral Home on North Garfield Avenue early Thursday evening after authorities launched an investigation into “suspicious circumstances” at the business.

Kyle Riley/For The Journal

Pocatello police said they responded to Downard Funeral Home on Thursday afternoon after a state occupational health inspector contacted them following a visit to the funeral home.

Pocatello police deployed their mobile crime scene investigation trailer to Downard early Thursday evening and a short time later the Pocatello Fire Department also responded to the funeral home.

Pocatello police remained at the funeral home overnight and are expected to continue having officers there through Friday.

Police said they executed the search warrant on the funeral home on Friday morning.

Authorities are asking for individuals with any questions or concerns who have had a loved one's funeral handled by Downard to contact the Pocatello Police Department at 208-234-6100. Police said individuals with questions or concerns should not show up at Downard Funeral Home at this time. Police are also requesting that if a family has questions or concerns that only one person from that family contact them.

Pocatello police said they're working with other agencies on the investigation including the Idaho Board of Morticians, Bannock County Coroner's Office, Bannock County Prosecutor's Office and Southeastern Idaho Public Health.

The situation at Downard Funeral Home does not present any public health concerns, Southeastern Idaho Public Health stated Thursday evening.

Downard Funeral Home is a well-respected business that was founded in 1931.

Lance Peck, who owns the funeral home with his wife, could not immediately be reached for comment on Thursday evening regarding the police investigation.

Stay with idahostatejournal.com for updates on this developing story.

LOCAL

School district plans to buy, demolish Downard Funeral Home

Published at 1:18 pm, September 22, 2022
Updated at 1:51 pm, September 22, 2022

Kalama Hines, EastIdahoNews.com

Downard Funeral Home. | Kalama Hines, EastIdahoNews.com

POCATELLO — A funeral home where a dozen decomposing bodies and 61 jarred fetuses were found a year ago could soon become a parking lot.

During a meeting Tuesday, the Pocatello/Chubbuck School District 25 Board of Trustees voted unanimously to approve a letter of intent to purchase Downard Funeral Home. During a discussion, board members opined on options other than turning the property into needed student parking for Pocatello High School.

During that discussion, superintendent Dr. Douglas Howell made one thing certain.

“I don’t think we would want to use that building as any instructional space whatsoever,” he said at the meeting.

A search warrant was served at Downard on Sept. 3, 2021, after Pocatello police officers reported seeing a decomposing body in a chair. During an hours-long search of the facility, police and other officials found 12 bodies stored outside of refrigerators in varying stages of decomposition.

The building was filled with the stench of rotting flesh, oily bodily fluids and thousands of flies, according to recently unsealed court documents.

The owner, Lance Robert Peck, was charged with 63 misdemeanors following an investigation that to this point has lasted a full year and produced a court filing of more than 4,500 pages.

RELATED | What we know about Downard Funeral Home, Lance Peck and what's next in the case

According to the school district's letter of intent, administrators expect its purchase of Downard for $500,000 to be completed by Oct. 14.

Both the school district and Hansen-Peck Investments, LLC — the company that owns the Downard property — require additional approval and documentation prior to a sale, the letter says.

"This is intended as a negotiation device to identify and propose mutually agreeable terms (of the purchase)," the letter says. "The final terms, if any, shall be reflected in a fully executed Purchase and Sale Agreement."

The property — 241 North Garfield Avenue — sits directly across the street from Pocatello High School, which currently lack sufficient student parking space.

During a discussion focused on using the Downard property for the construction of a parking lot, one board member asked if the district should consider other uses for the property.

"We would look at the options for the district," he said. "It would allow us to have that space and consider what we might do best with that (property)."

However, due to its location and the lack of existing parking, a new lot seemed to be the direction the board is set on.

Jonathan Balls, the district's director of business operations, said at the meeting that the demolition of the building and paving of the property would create approximately 110 new parking spaces.

The property is currently in foreclosure, however Hansen-Peck Investments has agreed to pay all outstanding balances with the proceeds from the sale, according to the letter.

Additionally, the current agreement states that the property will be sold to the district "as-is" lest the mortuary equipment, which will be kept by the current owner.

Among the items still in need of completion in the purchasing process is an appraisal — which must meet or exceed the offered amount of $500,000.

"The (district and Hansen-Peck) agree to use their best efforts to enter into the Purchase Agreement not later than September 26," the letter says.

CRIME WATCH

Trial for Pocatello funeral home owner vacated as civil suits continue to pile

Published at 2:31 pm, October 4, 2023
Updated at 2:58 pm, October 4, 2023

Kalama Hines, EastIdahoNews.com

Lance Robert Peck | Bannock County Jail

POCATELLO — A jury trial for the owner of Downard Funeral Home — where decomposing bodies were discovered just over two years ago — has been vacated.

Lance Robert Peck, 48, faces 63 misdemeanor charges — 60 counts of unprofessional conduct by a mortician and three counts of petty theft. He had been scheduled for jury trial before Magistrate Judge Aaron Thompson on Oct. 16, but following Monday's pre-trial conference, that trial has been vacated.

RELATED | What we know about Downard Funeral Home, Lance Peck and what's next in the case

Officials served a search warrant at Downard Funeral Home — and the attached Portneuf Valley Crematory — on Sept. 3, 2021 after Police officers responding to calls reporting "suspicious circumstances" at the funeral home saw a decomposing body inside the business.

During the search, officials found 12 unidentified and decomposing bodies and 61 fetuses.

All 12 bodies have since been identified, but numerous former Downard customers have expressed concern over the remains they received — read some of those stories here and here.

Court proceedings regarding the misdemeanor charges continue to be delayed as the Bannock County Prosecutor's Office works toward filing felony charges.

Bannock County Prosecuting Attorney Stephen Herzog told EastIdahoNews.com several months ago that his office does intend to file felony charges. However, due to the lack of existing case law, that process has been slowed.

It's not clear what's next for the criminal proceedings. A new trial date has not yet been set.

While that legal battle has been delayed, civil complaints against Peck and his businesses continued to pour in.

With a new civil suit filed Sept. 6, Peck and Downard are now named as defendants in 13 lawsuits.

No trial dates have been set for those civil proceedings.

RELATED | Lance Peck trial date set; lawsuits filed by two affected families

https://www.idahostatejournal.com/news/crimes_court/two-local-families-file-lawsuits-against-downards-lance-peck-as-trial-date-is-set-in/article_07710390-c1f7-11ed-aca1-931bf7cde82a.html

TOP STORY

Two local families file lawsuits against Downard's Lance Peck as trial date is set in criminal case

SHELBIE HARRIS sharris@journalnet.com
Mar 14, 2023

Lance Peck
Photo courtesy of the Bannock County Sheriff's Office

POCATELLO — A trial date has been set for the criminal case against the former owner of the now defunct Downard Funeral Home as two civil cases filed against him appear to be progressing through the court system.

Lance Peck's Pocatello attorney Richard J. Blok appeared in front of 6th District Magistrate Judge Aaron Thompson at the Bannock County Courthouse for a pre-trial conference hearing Monday, during which the criminal case against Peck was scheduled for a jury trial to begin on Oct. 16. Additionally, Thompson set a jury pre-trial conference date of Oct. 2. The trial is

expected to last three weeks.

“We are glad to see things moving along and Lance is looking forward to the opportunity to show that while he has made some mistakes, he is not the monster that he has been made out to be,” Blok said.

Bannock County Prosecutor Steve Herzog told the Idaho State Journal on Monday that the investigation into Peck remains ongoing and that it’s likely more serious felony charges will be filed against him. Herzog said the felonies Peck would likely face in relation to the investigation carry a five-year statute of limitations.

The two civil lawsuits were filed against Peck after he was arrested at his North Garfield Avenue home in August 2022 and charged with 60 misdemeanor counts of violating the Idaho Mortician’s Code of Conduct and three misdemeanor counts of petit theft in relation to his operation of Downard Funeral Home, 241 N. Garfield Ave.

Authorities told the Idaho State Journal last year the Downard investigation that began with police finding allegedly deplorable conditions including 12 decomposed bodies at the funeral home in September 2021 grew to include 88 deceased individuals whose remains were in some way handled by Peck.

Emergency responders are pictured outside of Downard Funeral Home in Pocatello on Sept. 3, 2021.

Shelbie Harris/Idaho State Journal

Two families whose loved ones are among those deceased individuals are now suing Peck.

The two civil lawsuits filed against Peck include claims alleging negligence, fraud, breach of contract, infliction of emotional distress and tortious interference with a dead body stemming from his operation of Downard Funeral Home and Portneuf Valley Crematory, the crematory located inside the funeral home.

The first suit was filed in December 2022 on behalf of the family of the late William Phillips Sr. and lists several defendants, including Peck, Downard Funeral Home, Portneuf Valley Crematory as well as the Horsley Funeral Home in Malad and its owner Brad Horsley.

The second suit was filed in January on behalf of the family of the late George Wilkerson and lists Downard Funeral Home and Peck as the defendants.

PHILLIPS FAMILY LAWSUIT

The first suit states that after William Phillips Sr. died of old age on Dec. 22, 2020, his family began the preparations to have him cremated so that his ashes could be combined with those of his deceased wife and then interred.

Phillips' body was provided to Horsley Funeral Home for cremation, though that business did not possess the capability of performing cremations and outsourced the cremation to Portneuf Valley Crematory at Downard Funeral Home without notifying the Phillips family, the suit states.

Peck then provided an urn to Horsley Funeral Home that was purported to contain the ashes of Phillips but "this urn did not contain the ashes of (Phillips whose body) at that point had not been cremated," the suit alleges.

The Phillips family was provided the urn on Jan. 5, 2021, but "in reality, the urn contained some unknown substance that may have been ashes from some other body," according to the suit.

The Phillips family then mixed the ashes of Phillips' late wife with "what they reasonably believed were the remains of (Phillips) and both sets of ashes were interred together," the suit states.

Several months later, the Phillips family was informed that a police investigation led to the discovery of Phillips' body at Downard Funeral Home, the suit states, adding that "since receiving the body, (Peck and Downard Funeral Home) had done little if anything to treat or preserve the body in a respectful or dignified manner as required by law."

One of Phillips' family members was asked to identify the decomposed body found by police at Downard in September 2021 after the execution of a search warrant at the funeral home, according to the suit.

"This experience was extremely traumatic for (the family member) as he had cared for Phillips on a daily basis prior to his death and was now forced to identify his body, which had been negligently left to decompose for several months," the suit states.

The Phillips family must now "live for the rest of their lives with the knowledge that they cannot perform Phillips' and his wife's final wishes," according to the suit.

The Phillips family's suit lists several claims against Downard and Horsley funeral homes stemming from the alleged improper handling of Phillips' remains, including negligence, breach of contract and negligent infliction of emotional distress. The suit also lists violations of the Idaho Consumer Protection Act against the Horsley defendants.

Mike Brady, a Boise attorney representing the Horsley defendants, told the Journal on Monday that the "Horsley Funeral Home complied with all state statutes and regulations with the regard of the handling and cremation of Mr. Phillips' body. We are denying all of the allegations in the complaint as we are a victim in this case as well."

Brady continued, “The consent for cremation was given by the family and the body was transported by Horsley Funeral Home to Portneuf Valley Crematory in Pocatello. The body was left there for cremation and approximately a week or two later Portneuf Valley Crematory called Horsley and indicated the cremation had occurred and the ashes could be picked up. Horsley obtained the ashes from Portneuf Crematory with all the documentation attached to the ashes and then Horsley delivered them to the family. Horsley, along with many other Southeast Idaho funeral homes, had used Downard Funeral Home as a partner for years without any problems. Once Horsley heard of this horrible news, they took care of the cremation and provided an urn to the Phillips family at no extra charge.”

Pocatello Fire Department personnel enter Downard Funeral Home in September 2021 as part of the Pocatello police investigation into how owner Lance Peck was operating the business.

Shelbie Harris/Idaho State Journal

The Pocatello attorney representing the Phillips family, Kyle May, provided the Journal with a statement about the suit.

“The (Phillips) family has asked that both Downard Funeral Home and Horsley Funeral Home take accountability and responsibility for their egregious actions,” May’s statement read. “Downard Funeral Home and Horsley Funeral Home have clearly refused to take responsibility, and have denied any and all liability. As a result, the (Phillips) family has been forced to file a lawsuit. They are heartbroken and upset that Horsley Funeral Home would be so careless and reckless in their responsibilities that they were not aware of the multitude of rotting bodies at Downard Funeral Home. The family is similarly disgusted that Downard Funeral Home would engage in such negligent and reckless behavior as well.”

The suit does not specify a particular amount of damages the Phillips family may be entitled to, but it does ask that defendants cover the cost of lawyers and attorney fees for the plaintiffs and also asks for a jury trial.

Additionally, May last week filed a motion asking for the court to issue a preliminary injunction “to restrain the Downard defendants from taking, spending, disposing of or wasting any proceeds from the sale of Downard Funeral Home.”

The motion asks for the court to mandate that Peck set aside the $500,000 he received from selling the funeral home property to Pocatello-Chubbuck School District 25 and place the money in a trust handled by the court.

“Given Lance Peck’s current criminal cases and other civil actions, which have or will be brought against the Downard defendants, this money will not last long without court action,” May’s motion states. “If this money is spent, disposed of or hidden, the plaintiffs will suffer irreparable harm by the loss of the Downard defendants’ only means to make them whole.”

School District 25 has purchased the Downard Funeral Home property for $500,000 and has plans to level the building and install a parking lot for Pocatello High School students.

Kyle Riley/For the Journal

WILKERSON FAMILY LAWSUIT

The second suit filed against Peck stems from allegations that he failed to provide the body of a local man to Idaho State University’s anatomical donation program.

The suit states that in 2018, Idaho Falls resident George Wilkerson was diagnosed with colorectal cancer and that following his diagnosis he began exploring possibilities to donate his anatomical remains for research.

After contacting Idaho State University and Peck several times between 2018 and 2019 to initially set up the donation and then to confirm that Wilkerson was still eligible because of his cancer diagnosis, the Wilkerson family believed as of April 11, 2019, that he had been approved to donate his remains to science, the suit states.

Wilkerson died on April 25, 2019, and the Wilkerson family on April 26, 2019, first received information from Peck and Downard Funeral Home that Wilkerson's remains could not be donated to ISU but Downard then reversed that statement and said the body could be donated to the university, the suit states.

Peck took possession of Wilkerson's remains on April 26, 2019, and also informed the family that he would be embalming the body and that neither he nor Downard Funeral Home "were taking any actions that would prevent (Wilkerson's) remains from being donated to ISU."

But what happened to Wilkerson's body next is a mystery.

"(Peck and Downard Funeral Home) never delivered (Wilkerson's) remains to ISU," the suit states. "ISU has no record of the remains ever having been delivered to ISU. The whereabouts and ultimate disposition of (Wilkerson's) remains are unknown."

The Bannock County Sheriff's Office on Sept. 6, 2022, confirmed that Wilkerson's missing remains were part of its ongoing criminal investigation into Peck and Downard Funeral Home, the suit states.

The claims included in the Wilkerson family's lawsuit are intentional infliction of emotional distress, negligent infliction of emotional distress, fraud and tortious interference with a dead body.

The suit also does not specify a particular amount of damages the Wilkerson family may be entitled to, but it does ask that defendants cover the cost of lawyers and attorney fees for the plaintiffs and also asks for a jury trial.

Court records indicate both Lance Peck and Downard Funeral Home were served with copies of the civil lawsuits on Feb. 24.

The suit was filed on behalf of the Wilkerson family by Idaho Falls attorney John M. Avondet, who was not available for comment for this article.

Although Peck has no listed attorneys defending him in the civil cases, the Journal contacted an Idaho law firm believed to be representing him but did not receive a response.

The investigation into Peck first began when officials with the Idaho Division of Occupational and Professional Licenses, which oversees the state's Board of Morticians, visited Downard in September 2021 and reportedly observed conditions that were in violation of the board's laws and rules. The Idaho Division of Occupational and Professional Licenses then contacted the Pocatello Police Department to report Downard.

The division had received several complaints about Peck and Downard before visiting the funeral home.

Upon hearing from the Idaho Division of Occupational and Professional Licenses about Downard in September 2021, Pocatello police executed a search warrant at the funeral home and found 12 bodies in various stages of decomposition, approximately 50 fetuses in jars and dozens of unidentified cremated remains. Police also confiscated thousands of digital and paper records from Downard.

Police were eventually able to positively identify the 12 bodies and determine the fetuses were part of a biological science collection donated from the University of Utah to Idaho State University and then to Downard for destruction. But they were never destroyed, police said.

Shelbie Harris

NEWS

What we know about Downard Funeral Home, Lance Peck and what's next in the case

Published at 7:00 am, September 3, 2022

Kalama Hines, EastIdahoNews.com

Twelve decomposing bodies, unidentified ashes and 61 fetuses were among the items discovered during a search of Downard Funeral Home and Crematory on Sept. 3, 2021. | Kalama Hines, EastIdahoNews.com

POCATELLO — Saturday makes one year since police raided Downard Funeral Home and Crematory.

The business was shut down and director Lance Peck had his mortician's license revoked just over one week later. Charges resulting from the investigation were filed this week — 63 misdemeanors, primarily regarding the mortician's code of conduct.

That investigation continues and, as Bannock County Prosecutor Stephen Herzog said in a news release, additional charges are expected to be filed.

Here is everything EastIdahoNews.com knows about the investigation surrounding Downard and Peck.

ISU partnership

Downard had a "longstanding relationship" with Idaho State University. As part of that relationship, Downard provided ISU with "anatomical donations" for medical research. But that relationship came to an end after an audit of the donation program by the university "indicated multiple causes for concern," according to a statement provided to EastIdahoNews.com from ISU spokesman Stuart Summer.

“During multi-year periods between 2011 and 2017, Downard failed to provide anatomical donations to the University,” the statement said. “Due to a lack of donations, Idaho State ended its relationship with Downward in May 2020.”

While conducting their audit of the donations, ISU discovered that some families were led to believe the bodies of their loved ones had been donated to the program despite ISU having no record of ever receiving those donations.

After terminating its relationship with Downard and Peck, ISU filed formal complaints with the prosecutor’s office. Those complaints were filed in the spring of 2021.

Foul smell leads to search warrant

Several Pocatello residents who spoke with EastIdahoNews.com recalled smelling a foul stench emanating from the funeral home as early as February that year.

That stench was reported to police on Sept. 2, prompting a visit from Pocatello Fire and EMS crews. The following day, Pocatello police served a search warrant at the business.

Police later confirmed that the search warrant was necessitated by the discovery of a decomposing body inside the funeral home.

Members of the Pocatello Police Department, Pocatello Fire Department, Bannock County Coroner’s Office, Bannock County Prosecutor’s Office and Southeastern Idaho Public Health were present during the search. Additionally, the Ada County Coroner’s Office provided a refrigerator truck to assist with the transport of remains at the request of Bannock coroner Torey Danner.

Officials conducting the search spent several hours inside the building and transporting human remains to other local funeral homes.

A history of violations

During the search, EastIdahoNews.com discovered that Peck and Downard had faced numerous disciplinary actions.

Documentation shows that Peck cremated the body of a man in 2012 despite knowing the man’s request was to have his body donated to ISU.

He was again reprimanded in 2016 for doing the same thing to the body of a woman who wished to have her body donated to ISU. He did not turn her remains over to her family until 2017.

Peck was also fined on more than one occasion for allowing his license to lapse before re-registering.

During a March 24, 2021 routine inspection by the Idaho Board of Morticians, Peck informed officials that his cremation chamber had exploded and was not in working order.

Multiple witnesses who lived in the area told EastIdahoNews.com that they had seen smoke rising from the cremation chamber between March and September.

Discoveries

During the search of the funeral home, police reported finding 12 decomposing and unrefrigerated bodies. The bodies were not identified for weeks, as police and the coroner's office worked with family members of the deceased who had begun searching for their loved ones.

Investigators also found 61 human fetuses during the search. ISU said in a statement that the fetuses had been part of a collection donated for research between 1981 and 1998.

The fetuses had been picked up by Downard, according to ISU, and were supposed to have been cremated.

Nearly three weeks after the the search warrant was executed at Downard, Pocatello police confirmed that its investigation into Downard had become a "criminal investigation."

Computers seized during the search had been taken to the Intermountain West Regional Computer Forensics Laboratory for analysis as part of the investigation.

Speaking with those affected

EastIdahoNews.com spoke with family members of people whose remains were handled by Peck and Downard.

Destiny Anderson, a Blackfoot woman, was forced to question whether the cremated remains she received from Downard was in fact her father's remains.

"I don't even know that what I have is my dad. It could be tree ashes, for all I know," Anderson told EastIdahoNews.com a week after the search was conducted at Downard. "My biggest concern is, where are my dad's remains? I can deal with not having his ashes, if I know his body was properly disposed of and taken care of. But the not knowing is what's really getting me right now."

And this after she discovered that his body was never taken to ISU for melanoma research in 2013 as was his dying wish.

Eva Bode, who lives in Virginia, learned soon after the search of the funeral home that her sister's was one of the decomposing bodies found inside.

Like many who spoke with EastIdahoNews.com, Bode described Peck as a seemingly caring individual who could be trusted with her loved one.

'This is stuff you only see on TV," she said. "I was very upset because Lance made me feel like he was really genuine, caring and really taking care of this. To find this out on the internet was unbelievable."

"I wish no harm on anyone, but gosh darn it, it doesn't seem like he should be in a position to continue operating," Bode's husband Tom Henderson told EastIdahoNews.com. "Something has to be done to make sure this doesn't happen to anyone else. We're angry, but we don't know what to do with the anger."

Chrystal Sellars, who lives in North Carolina, had been waiting for almost a year for the ashes of her brother.

Her brother died in September 2020 and his body was taken to Downard. Sellars was waiting for the arrival of his remains until she saw that Downard was being investigated.

“When I’ve called, either they don’t answer the phone, or they’ve told me that according to their records, he arrived and was picked up at the post office,” Sellars said. “When I asked for a tracking number, they couldn’t provide one.”

For days, Sellars attempted to get a hold of Peck. She was hoping to discover if her brother’s ashes were among those found during the search. She said Peck never answered or returned her calls.

“When your family member passes, you expect the funeral homes to treat your family with dignity and you put trust in these people,” she said. “Most people don’t have to worry about that. I had no idea this was happening and I didn’t suspect that.”

It took Rhonda D’Amico seven months before she had reached a point where she could speak about her experience, because she and her husband counted Peck among their friends.

When her husband died in August 2021, it was an easy choice to have a friend of 20 years handle his cremation. But then she saw that Peck and Downard were being investigated for criminal activity.

Her husband’s body had not yet been cremated, and should have been among those found during the search. Alas, D’Amico said, it was not.

Like Sellars, D’Amico tried to contact Peck — to find out where her husband was. But she never got any information.

“I’m not going to forgive Lance. I don’t have any intention of ever forgiving Lance,” she said.

What made matters worse for D’Amico was, Peck attended her husband’s celebration of life — just three days prior to the search. As she explained, he comforted her and consoled her. He hugged her, all the while knowing what was going on at the building where her husband’s body was supposed to be.

EastIdahoNews.com reached out to many of the people who spoke to us about their loved ones and the pain caused by the happenings at Downard. Those who responded declined to speak and, again, reopen wounds.

Peck appeared in court and pleaded not guilty on all counts Wednesday. He was released from the sheriff’s custody after posting a $20,000 bond.

CRIME WATCH

With felony charges filed, former Pocatello funeral home owner could face up to 227 years in prison

Published at 3:29 pm, October 27, 2023
Updated at 11:47 pm, October 27, 2023

Kalama Hines, EastIdahoNews.com

Lance Robert Peck | Bannock County Jail

POCATELLO — Newly filed court documents detail the 22 felony charges against the former owner of a funeral home where dozens of decaying remains, including human fetuses, were found.

Lance Robert Peck, 49, who once owned the now-demolished Downard Funeral Home, faces four counts of state income tax evasion, two counts of perjury, two counts of forging public records, two counts of computer fraud, seven counts of grand theft by deception and five counts of furnishing false information to the Department of Vital Statistics, court records show. If he's convicted of all these charges, his sentence could be up to 227 years in prison.

EastIdahoNews.com requested further information from the Bannock County Prosecutor's Office regarding the charges. Bannock County Prosecuting Attorney Stephen Herzog told us that his office is not able to comment on this case at this time.

RELATED | What we know about Downard Funeral Home, Lance Peck and what's next in the case

Investigators in hazmat gear search Downard Funeral Home on Sept. 3, 2021. | Kalama Hines, EastIdahoNews.com

Investigation launched following ISU complaint

Pocatello Police were made aware of possible fraudulent activity involving anatomical donations by representatives at Idaho State University on July 2, 2021, according to an affidavit of probable cause.

For years, Downard had been providing ISU with human remains for research and education.

One of the bodies that was provided to the university was shown to have been returned to Downard for cremation on April 7, 2017, the affidavit says. Those remains were never turned over to the family.

Two other families shared similar stories.

In a statement provided to EastIdahoNews.com in September 2021, ISU said it had recently ended a “longstanding relationship” with Downard after an audit of the partnership uncovered “multiple causes for concern.”

“During multi-year periods between 2011 and 2017, Downard failed to provide anatomical donations to the University,” the statement said. “Due to a lack of donations, Idaho State ended its relationship with Downward in May 2020.”

The university discovered at least four instances in which it had received Intent to Donate forms without ever receiving the bodies, the affidavit says.

As ISU representatives continued their own investigation, they learned of six other individuals whose obituaries stated their bodies had been donated to the university, but the university had never received them.

Suspicious incident and foul smell

Pocatello Police got an anonymous tip about a foul smell was coming from an opened window at the funeral home on Aug. 29, 2021.

While conducting a perimeter search of the building, officers found an opened window on the building's south side. As they approached the window, the affidavit says, the officers were overwhelmed by a smell they identified as "decaying flesh."

RELATED | Extensive decay, thousands of flies, atrocious smell: What newly unsealed documents reveal about Downard Funeral Home

When officers looked through the opened window, they saw a body they describe in police reports as being "in a severe state of decay" lying on a table. They also saw bodily fluid on the floor and a large number of dead insects.

Just after 2:15 a.m. the following morning, officers passing Downard noticed extra vehicles at the building and the interior lights on. Officers searched the building and determined no one was inside.

During that search, officers saw a second body. This one was sealed in a body bag and loaded into a Lincoln SUV.

A video provided by an anonymous source

A person who has not been named in police reports provided officers with a video taken inside Downard. Documents do not state whether or not this anonymous source is the same who contacted them about the smell.

The video, according to the affidavit, shows the body of a male. The body is swollen and dark brown and purple — which police reports state is consistent with "extensive decay."

After reviewing the video, officers contacted an investigator with the Idaho Division of Occupational and Professional Licenses. The investigator, according to the affidavit, had been involved in a separate inquiry involving Downard and missing bodies.

The investigator was provided information and photos and told officers that he would be conducting a surprise visit at Downard.

Surprise inspection

Two investigators from the Idaho Division of Occupational and Professional Licenses conducted a surprise inspection at Downard on Sept. 1, 2021.

During the inspection, Peck allegedly told the investigators that the body seen by officers had been stored in the room from Aug. 24 to Aug. 30, 2021. Investigators also noticed during the inspection that the refrigerator inside Downard was set at 57 degrees, rather than the required 36 degrees.

They did note, however, that before they left, the temperature of the refrigerator had lowered to 37 degrees.

Asked if there were any other bodies stored outside of the refrigerator, Peck told the investigators that a second body had been stored inside an SUV since Aug. 4, 2021. Investigators had Peck move both bodies into the refrigerator.

The investigators returned to Downard the following day.

Around 4 p.m., Pocatello Police received a call from the investigators requesting assistance after they discovered several unidentified bodies.

Upon arrival, officers were informed by investigators that bodies “in various states of decay” had been found and that Peck had surrendered his business license. The investigators informed responding officers of what they believed to be criminal violations at Downard.

As officers were escorting Peck toward the Downard offices for an interview, they described seeing, among other things, a 55 foot-long, 15 foot-wide trail of “greasy fluid” the officers believed to be human remains.

Peck pointed out several shelves with jarred fetuses next to another decaying body.

Officers question Peck

Once inside the office, officers questioned Peck about the findings.

He told the officers that he had bought Downard Funeral Home 14 years before. At the time of the purchase, he said, a system had already been set up to identify the bodies donated to ISU’s cadaver program.

But, he said, over time, markers used to identify the bodies would wear off. Peck said he had been working with ISU officials to identify bodies returned to him, but communication between the two entities had broken down.

According to police reports, Peck claimed to be “overstocked” with bodies from ISU, and his inability to identify some of the remains “could not be rectified.”

Peck told officers that he was considering ending his own life, so he was placed into protective custody as officers continued their investigation.

Officers serve a search warrant

On Sept. 3, 2021, officers and officials served a search warrant at Downard.

While searching the facility, one of the Idaho Division of Occupational and Professional Licenses investigators showed the officers how Peck explained he would falsify death certificates.

The investigator told officers that Peck was altering death certificates to show the remains had been received by ISU, the investigator believed, so Peck could avoid having to take the paperwork to Bannock County Coroner Torey Danner for approval.

Police reports describe alterations to several death certificates. There were whited out portions of the certificates and portions of the certificates with fonts differing from other portions.

Among documents discovered during the search was a transit permit for one person’s remains. The permit showed the person’s remains as being received by a separate crematory. However, that person’s body was identified among the decaying bodies found inside Downard.

Officers also found eight garbage bags containing bone fragments in the Downard garage.

Pocatello PD opens investigation into Peck's finances

After providing his bank with a search warrant, Pocatello detectives received 1,123 pages of financial documents.

According to the affidavit, between 2017 and 2020, Peck "willfully evaded" income taxes on $434,017.67. Peck's signing of the tax returns constitutes perjury, the affidavit says.

Peck was charged with 63 misdemeanors in September 2022. Numerous families, local and from afar, have expressed frustration over the loss of their loved ones' remains, or worry the remains they received were those of strangers.

Downard Funeral Home has since been bought by the Pocatello/Chubbuck School District 25, which demolished the building and turned the property into a parking lot.

Though Peck has been charged with these crimes, it does not necessarily mean he committed them. Everyone is presumed innocent until they are proven guilty.

He is scheduled to appear in court for a for a preliminary hearing before Magistrate Judge Aaron Thompson Wednesday.

BREAKING NEWS

OWNER OF LOCAL RACEWAY ARRESTED AFTER ALLEGEDLY SEXUALLY ASSAULTING TEENAGE BOY

POCATELLO

Woman says yearlong wait for brother's remains from troubled funeral home 'is no coincidence'

Published at 2:22 pm, September 10, 2021
Updated at 7:08 am, September 11, 2021

Eric Grossarth, EastIdahoNews.com

Anthony Tucker spent time in Seattle and a passerby took a photo of him while he was homeless. | Courtesy Chrystal Sellars

POCATELLO — For the past year, the sister of a deceased Pocatello man has wondered what happened to her brother's remains.

Anthony Tucker died at the age of 36 on Sept. 11, 2020, while under hospice care following health complications. Tucker's sister Chrystal Sellars lives 2,000 miles away in North Carolina and is still awaiting his cremated remains from Downard Funeral Home.

The funeral home is now at the center of a massive investigation after police discovered decomposing bodies, unidentified cremated remains and dozens of human fetuses.

"A year, I've been wondering where he was," Sellars said. "It's traumatic for me because I've always worried about him … and I saw the news and I felt in my heart this is no coincidence."

RELATED | Sister of woman found decomposing inside funeral home 'can't believe this is happening'

Tucker lived a tragic life, according to Sellars. He grew up abused and moved from foster home to foster home. His adult life was not any easier as he experienced homelessness and numerous health issues.

Investigators search Downard Funeral Home in Pocatello Idaho. | Eric Grossarth, EastIdahoNews.com

"All my life, I was worried how he was, where he was, stuff like that," Sellars said.

When Tucker died, Sellars said his remains were taken to Downard Funeral Home to be cremated. Not having funds to pay for services, Bannock County took on the expenses for Tucker's cremation. According to Sellars, the process has not been smooth as she talked with Downard Funeral Home and its owner, Lance Peck.

"When I've called, either they don't answer the phone, or they've told me that according to their records, he arrived and was picked up at the post office," Sellars said. "When I asked for a tracking number, they couldn't provide one."

Still, Sellars remained hopeful there was a chance his remains could arrive.

"It's been hard. I've wondered where he was and I try to play it off as a joke like, 'Oh, Tony is just doing his last hurrah, he's always made me wonder (where he is) and how he's making me wonder again,'" Sellars said. "I just want him home where he belongs, where he has always belonged."

It's not just Sellars with questions. Pocatello Police have received hundreds of tips and requests for information following the search of the funeral home on Sept. 2. Pocatello Police Chief Roger Schei said in a news release the department knows there are a lot of "unanswered questions" and officers are working to get the bodies identified.

RELATED | Police need help identifying 6 bodies found at funeral home as origin of 50 fetuses is discovered

On Thursday, the police reported they had identified three more sets of cremated remains and returned them to families. Tucker was not among them.

Investigators search Downard Funeral Home in Pocatello Idaho. | Eric Grossarth, EastIdahoNews.com

The Idaho Division of Occupational and Professional Licenses visited Downard Funeral home and its Portneuf Valley Crematory the day before the yellow police tape went up around the building. Investigators report finding violations of the Idaho Board of Morticians laws and rules. Peck "voluntarily surrendered his licenses" to work as a mortician in Idaho and to operate his funeral home and crematory.

So far no one has been arrested as a result of the investigation or any of the violations found at the funeral home.

"When your family member passes, you expect the funeral homes to treat your family with dignity and you put trust in these people," Sellars said. "Most people don't have to worry about that. I had no idea this was happening and I didn't suspect that."

RELATED | What happens to a body after it's taken to a funeral home?

Troubles at Downard Funeral Home are not new. The Idaho Division of Occupational and Professional Licenses database shows that between 2015 and 2018, Peck faced civil disciplinary actions. From operating the business without proper licenses to not keeping records or sending remains to the proper places, the board fined Peck and placed him on probation.

"I don't know if he (Tucker) is one of those bodies. I'm trying really hard not to think like that because it's quite upsetting, but I do think he (Peck) did something wrong," Sellars said. "It's really suspicious and I really believe something in my heart something dishonest was done."

Numerous efforts to reach Peck over the past several days have been unsuccessful.

"Nobody deserves this. Nobody deserves to wonder where their family members are," Sellers said. "No one deserved to be decomposed in a morgue. It's disrespectful. It's degrading to those people. I think he's sick."

LOCAL

Woman wonders where her husband's body is 7 months into Downard Funeral Home investigation

Published at 8:53 am, March 29, 2022
Updated at 11:18 am, March 29, 2022

Kalama Hines, EastIdahoNews.com

Eric D'Amico | Courtesy Rhonda D'Amico

POCATELLO — Rhonda D'Amico was prepared for her husband's death but there was no way she could have been prepared for the pain caused by the events that have unfolded since.

Eric D'Amico lost his battle with leiomyosarcoma, a rare and incurable cancer according to Rhonda, on Aug. 7, 2021. Prior to his death, Eric arranged for his cremation to be handled by someone he had known for 20 years and considered a personal friend — Lance Peck, owner of Downard Funeral Home.

Less than one month after she lost her life partner, Rhonda watched in horror as police found unidentified bodies and cremated remains inside Downard.

Eric's body, which had not yet been cremated and should have been in the funeral home, was never found. And Rhonda says Peck, to this day, has not provided her with the whereabouts of Eric's missing remains.

Speaking over the phone from her new home in Oregon, Rhonda told EastIdahoNews.com that her and her husband's history with the Pecks makes the pain much deeper, and even more unforgivable.

"I'm not going to forgive Lance. I don't have any intention of ever forgiving Lance," she said.

Rhonda said it has taken this long — nearly seven months — to reach a point in her healing process where she was finally comfortable with telling her husband's story. The process, she said, meant

leaving her career and fleeing the only city she ever considered home.

Grieving the loss

The morning of Sept. 3, members of the Pocatello Police Department, Pocatello Fire Department, Bannock County Prosecutor's Office and Bannock County Corner's Office served a search warrant at Downard Funeral Home. An investigation into the business was initiated by reports of decomposing bodies found inside the building.

RELATED | Officials confirm funeral home investigation centers around report of decomposing body

Officers recovered 12 bodies, unidentified cremated ashes and the remains of 50 fetuses inside the funeral home.

It's been seven months and nobody has been charged in connection with the investigation. Pocatello Police did not respond to a request from EastIdahoNews.com for an update on the case and Bannock County spokeswoman Emma Iannacone said the Bannock County Prosecutor's Office could not comment because the situation is an ongoing investigation.

While she faces the trauma and grief brought on by that investigation, and the fact that her husband's remains have yet to be recovered, Rhonda hopes not only to give her husband a voice but to create a community of support.

Rhonda is confident there are hundreds of families that, like her, battle with the fact that a loved one was lost, sold or destroyed by Peck and Downard. But, she added, there was never support provided — no grief counselors or trauma therapists brought in to assist families.

She screamed out for help after learning the fate of her husband's remains, Rhonda said, but no one was there to answer.

And her discovery came with extra heartbreak.

As Rhonda explained, she and Eric spent every Tuesday night dancing at the Clydesdale Bar and Lounge. They were passionate country two-step dancers, she said. So, she made the decision to host a celebration of life at the Clydesdale on a Tuesday night.

Eric and Rhonda D'Amico dance at the Clydesdale Bar and Lounge. | Courtesy Rhonda D'Amico

The event landed on Aug. 31, a night she spent mingling with friends and hearing stories about her husband and his positive impact on many lives — in large part, stories she had never heard before.

And one of the people in attendance was Peck himself.

"Lance Peck was at my husband's celebration of life when he knew the gruesomeness that was going on within his own building," she said. "That man hugged me and tried to provide comfort. That's a violation of my person that I can't describe."

Three days later, she said, she was living on the high of the memories of her husband's love when news of the raid broke.

Remembering Eric

While her family has found a way to memorialize Eric without possession of his remains, Rhonda wants his memory to live on, not as a victim of Downard Funeral Home, but as the teacher and mentor he was to many.

Eric spent nearly all of his entire adult life as an elementary school teacher in Pocatello. He bounced between Wilcox Elementary, Jefferson Elementary and Indian Hills Elementary, primarily teaching the fourth and sixth grades.

One of the students he impacted sent Rhonda a message after learning of his passing.

In the letter, the former student told Rhonda about a conversation they had with Eric — who went by Mr. Davis when he taught. That former student was struggling as the victim of ongoing bullying.

But guidance Eric offered led the student down a life path that now finds them serving as an art therapist helping kids who are the victims of bullying. The principles the student now teaches were taught to them by Mr. Davis.

“I firmly believe if it hadn’t been for Mr. Davis, I might have been one of these children who takes their own life from the pain,” the letter reads. “I thought about it.”

Rhonda would like stories like that to serve as her late husband’s legacy.

“I desperately want my husband to be remembered for the teacher he was, for the difference he made in hundreds of people’s lives, for the father he was,” she said. “His story isn’t a Downard story. His story is so much bigger than what happened to his body.”

RELATED | Disciplinary documents reveal morbid details of Pocatello funeral home investigation

With that in mind, Rhonda has asked EastIdahoNews.com to provide her email to readers. She asks anyone associated with the incidents at Downard who needs to talk with someone to email her at Rhondasvoice2@gmail.com.

It is also recommended in an obituary that those struggling with the ongoing effects of the missing remains of loved ones go to the Scout Mountain Nature Trail, where Eric spent much of his free time. There, they will find a bench dedicated to his memory.

Sit on the bench and feel the love Eric had for so many. Then take a photo, the obituary says, and email it to Rhonda.

Finally, her goal as it pertains to the investigation is that it not be forgotten.

“I don’t want this to go away. I want Lance held accountable,” Rhonda said.

RELATED | Downard Funeral Home case now a criminal investigation

This is not a “victimless crime,” she said. It is not a breach of contract that affects only the deceased. As she believes, any investigation into Downard and Peck should be handled with victims, both living and dead, in mind.

EastIdahoNews.com has made numerous attempts to speak with Peck about the investigation and missing bodies, but he has not responded to our requests.

“This is still happening to me,” Rhonda said speaking of the events surrounding the disappearance of Eric’s remains. “What Lance did to me, he didn’t do back in August-September of 2021. Lance Peck was a friend of mine. He knew Eric, and he knows where Eric’s body is right now. He is in a position, today, to tell me what happened to my husband’s body, and he chooses not to.”

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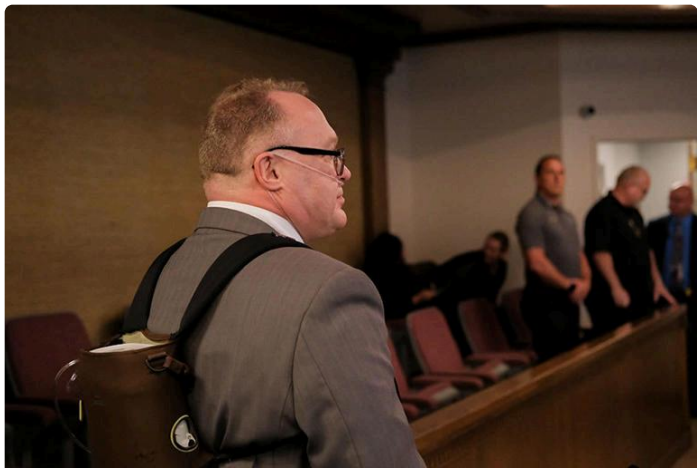

Lance Peck, wearing an oxygen tank backpack, appearing for his sentencing on Oct. 30. | Daniel V. Ramirez, EastIdahoNews.com

© East Idaho News

POCATELLO — In a filled courtroom in Pocatello, families of victims whose remains were allegedly lost, neglected, or partially delivered will wait longer for justice after Lance Peck's plea agreement was thrown out.

Peck, the former owner of Downard Funeral Home, accepted a plea agreement in August.

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RELATED | Former owner of Downard Funeral Home officially pleads guilty after taking plea agreement

He agreed to plead guilty to five felonies and four misdemeanors involving falsifying records, unprofessional conduct by a funeral director, and unlawful control of the disposition of remains of a deceased person. He was initially charged with 22 felonies and 63 misdemeanors.

Peck appeared before District Judge Javier Gabiola on Thursday. During the hearing, Gabiola informed the court that, after reviewing the documents, he would not accept the plea agreement. He did not give a reason for his decision.

The initial plea agreement was binding to the court and recommended a sentence for Peck of three to 10 years in prison.

As a result, Peck withdrew his guilty plea, and the court scheduled a status conference for Dec. 1. The case now heads toward a potential trial.

Pocatello 37°F

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cadavers that families had donated for scientific research hadn't been delivered to the university by the funeral home, and that at least one body hadn't been returned to its family after it was used.

RELATED | Downard Funeral Home owner signs plea agreement, admits to sending fake remains to families

RELATED | Extensive decay, thousands of flies, atrocious smell: What newly unsealed documents reveal about Downard Funeral Home

During a police raid of the funeral home, police found several bodies, one of which was decaying on the floor of the garage.

There were also 11 bodies associated with altered documents, and one body had no documentation whatsoever.

A significant number of other irregularities were found related to the disposal of remains.

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“This nightmare is continuing”

After the hearing was adjourned, EastIdahoNews.com spoke with family members whose loved ones were taken to Downard Funeral Home.

Some of the individuals who attended the hearing came from as far away as North Carolina, hoping to put this dark moment behind them.

Driving a friend from Oregon, Judy Boozer said she had met Rhonda D’Amico after she had moved there to get away from Pocatello.

“Beyond frustrated… She’s been here before to do a victim statement, and now she’s again, not able to do so, and this nightmare is continuing,” Boozer said.

D’Amico’s husband was taken to Downard, and she is unsure where his remains are. She believes they may have been thrown away.

“The hardest part for me is that all of my memories of my husband, Eric, are now punctuated with a memory of what (Peck) did at the end of (Eric’s) life,” D’Amico said.

RELATED | Woman wonders where her husband’s body is 7 months into Downard Funeral Home investigation

Her husband, Eric Paul D’Amico, was a teacher in the Pocatello area and taught at Pocatello-Chubbuck School District 25 for 33 years.

Rhonda D'Amico holding a folder of photos of her late husband, Eric D'Amico, and her victim impact statement. | Daniel V. Ramirez, EastIdahoNews.com
© East Idaho News

Eric died of cancer. At the end of his life, Rhonda and he would go to Texas to learn to two-step and renew their vows.

Rhonda said Peck was a family friend and believes he does not care and that this is another way for him to delay taking accountability.

"The prosecutor has told us that he intends to work hard and quickly to bring us to some kind of accountability for Peck," Rhonda said. "I am deeply disappointed that Lance has another day where he's walking free, and I am still in the chains that I am in from what he did to us."

Kathy Packard, whose father's remains have not been located, was still struggling to come to terms with the revelation from Gabiola following the hearing.

Packard showed EastIdahoNews.com a locket on her neck, which was meant to hold part of her father's ashes, but couldn't, because she didn't have them. She said her father died on Nov. 13, 2020, and she has been struggling with this issue for nearly five years.

"I was hoping that he would be handcuffed and walked out of the court… that's what everybody's waiting for," Packard said. "He gets to walk free and do whatever, and I'm still stuck."

The post 'This nightmare is continuing:' Judge rejects Lance Peck plea agreement. Case heads to potential trial appeared first on East Idaho News.

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Mark Kelly says this 'exciting' scientific find raises questions of life beyond Earth

Story by Ben Blanchet • 16h • 2 min read

HuffPost

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Retired astronaut and current Sen. Mark Kelly (D-Ariz.) celebrated NASA's "pretty exciting" announcement on Thursday after the space agency highlighted how scientists found sugars essential for life on samples of a near-Earth asteroid.

While the discovery of the sugars glucose and ribose — which NASA's OSIRIS-REx spacecraft gathered from the asteroid Bennu — did not indicate "evidence of life," the findings show that "building blocks of biological molecules were widespread throughout the solar system," according to NASA.

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The space agency noted that the sugars deoxyribose — which wasn't found in the samples — and ribose are key building blocks of DNA and RNA on Earth.

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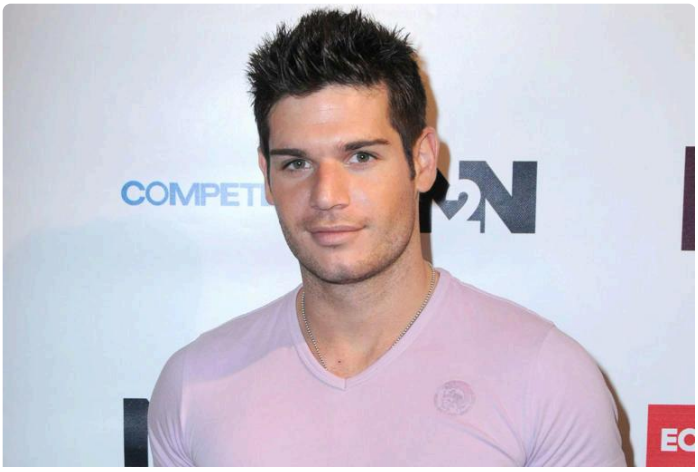
Chad Spodick, “Finding Prince Charming” contestant, dies at 42: 'Our hearts are shattered'

Story by Emlyn Travis • 3h • 2 min read

A GoFundMe established for Spodick's family noted that his death was "sudden and heartbreaking."



Barry King/WireImage Chad Spodick in 2010
© Barry King/WireImage

Chad Spodick, a contestant on the reality dating series *Finding Prince Charming*, has died. He was 42, per PEOPLE.

His death was confirmed by a GoFundMe page set up by his loved ones on Thursday.

“Our hearts are shattered as we share the devastating news of the loss of our beautiful, kind, and generous son, brother and friend Chad,” a statement on the page read. “His passing was sudden and heartbreaking, and we are still struggling to comprehend a world without his light.”

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