

Affidavit#1 of Carolyn Jessop
Sworn July 15, 2010

No. S-097767
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

IN THE MATTER OF:

THE CONSTITUTIONAL QUESTION ACT, R.S.B.C. 1996, C.68

AND IN THE MATTER OF:

THE CANADIAN CHARTER OF RIGHTS AND FREEDOMS

AND IN THE MATTER OF:

A REFERENCE BY THE LIEUTENANT GOVERNOR IN COUNCIL SET OUT IN
ORDER IN COUNCIL NO. 533 DATED OCTOBER 22, 2009 CONCERNING THE
CONSTITUTIONALITY OF S. 293 OF THE CRIMINAL CODE OF CANADA,
R.S.C. 1985, c. C-46

AFFIDAVIT – CAROLYN JESSOP

**Ministry of Attorney General
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**Craig Jones
Barrister and Solicitor**

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AFFIDAVIT

I, Carolyn Jessop, of Salt Lake City, in the State of Utah, in the United States of America,

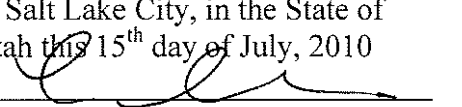
MAKE OATH AND SAY AS FOLLOWS:

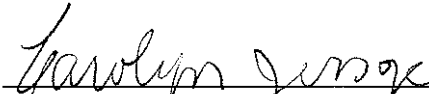
1. I have personal knowledge of the matters hereinafter deposed to.
2. On July 15, 2010, I was interviewed by Leah Greathead and Karen Horsman (the "Interview"). The statements that I made and the answers that I provided to Ms. Greathead's and Ms. Horsman's questions during the interview are true.

3. Ms. Greathead and Ms. Horsman made a recording of the Interview and saved the Interview to a DVD. Now produced and shown to me and marked as Exhibit "A" to this Affidavit is the DVD recording of the Interview.

4. I authored two books about my experiences in the FLDS church. The first is entitled "Escape", the second and more recent book is entitled "Triumph". Now produced and shown to me and attached as Exhibits "B" and "C" to this affidavit are true copies of my books.

5. Now produced and shown to me and attached as Exhibit "D" to this affidavit is a true copy of my July 24, 2008 testimony to the United States Senate Committee on the Judiciary regarding my experiences in the FLDS church.


SWORN BEFORE ME at the City)
of Salt Lake City, in the State of)
Utah this 15th day of July, 2010)
)
A Commissioner for taking Affidavits))
For British Columbia)


CAROLYN JESSOP

Leah Greathead
Barrister & Solicitor
Ministry of Attorney General
Legal Services Branch
1001 Douglas Street
Victoria, BC V8V 1X4

Leah Greathead
Barrister & Solicitor
Ministry of Attorney General
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1001 Douglas Street
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This is Exhibit "A"
referred to in the Affidavit
of Carolyn Jessop
sworn before me this 15th day
of July 2010


A Commissioner for taking Affidavits
within British Columbia

Leah Greathead
Barrister & Solicitor
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This is Exhibit "B"
referred to in the Affidavit
of Carolyn Jessop
sworn before me this 15th day
of July 2010

[Signature]
A Commissioner for taking Affidavits
within British Columbia

WITH
EPILOGUE BY
THE AUTHOR

cult. At eighteen, I
Leah Greathead
Barrister & Solicitor
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old man. I had eight
children in fifteen

ESCAPE

years. When our leader
began to preach the
apocalypse, I knew I
had to get them out.

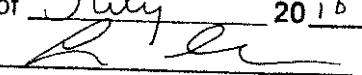
CAROLYN JESSOP

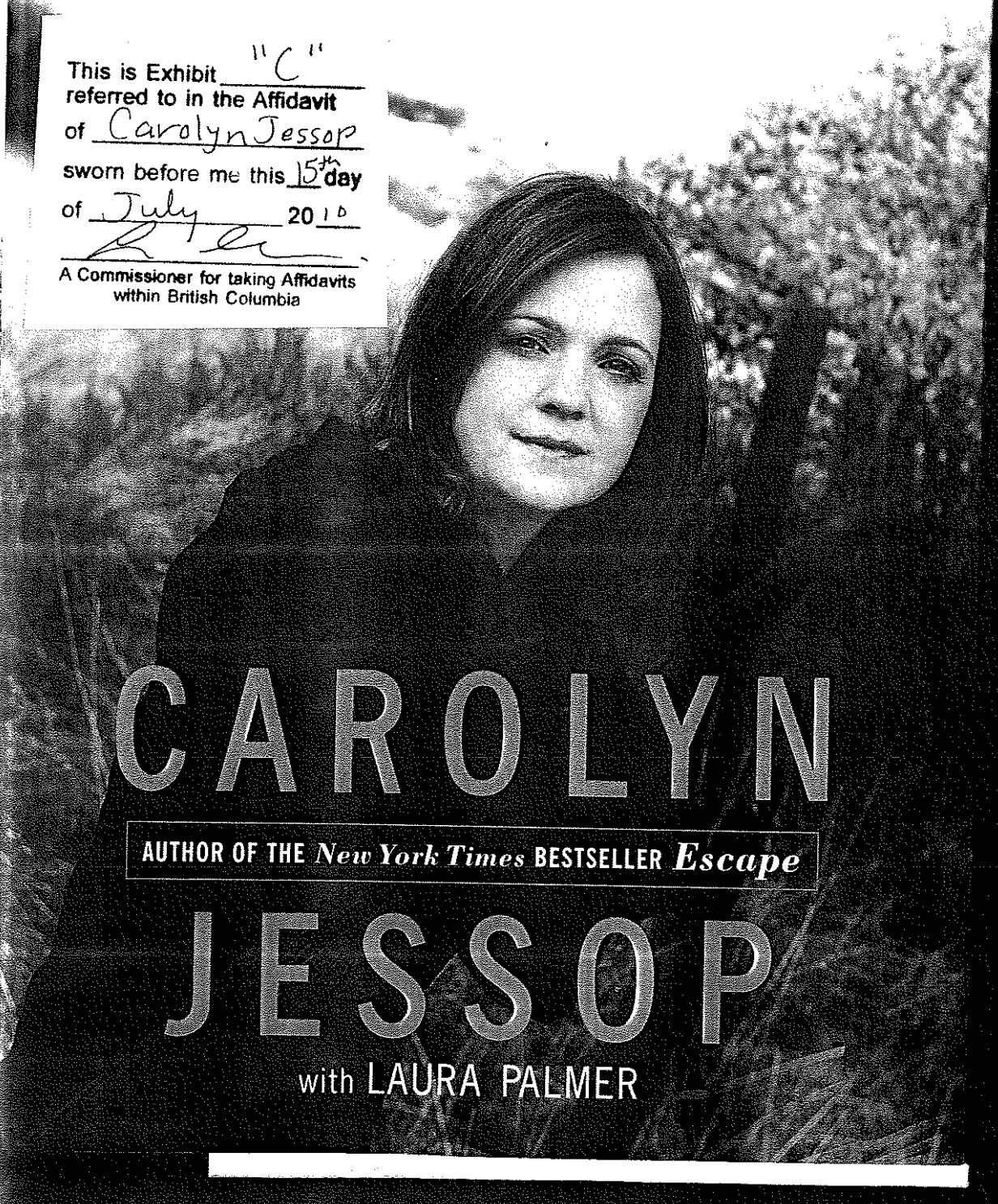
WITH LAURA PALMER



TRIUMPH

Life After the Cult ~ A Survivor's Lessons

This is Exhibit "C"
referred to in the Affidavit
of Carolyn Jessop
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within British Columbia



CAROLYN

AUTHOR OF THE *New York Times* BESTSELLER *Escape*

JESSOP

with LAURA PALMER

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United States Senate Committee on the Judiciary

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Testimony of

Carolyn Jessop

July 24, 2008

Witness Testimony

The Honorable Harry Reid

Gregory Brower

Brett Tolman

Hon. Terry Goddard

Hon. Greg Abbot

Stephen Singular

Dr. Daniel Fischer

Carolyn Jessop

TESTIMONY: CAROLYN JESSOP
SENATE JUDICIARY COMMITTEE
July 24, 2008

Thank you Mr. Chairman and members of the Judiciary committee. My name is Carolyn Jessop. It is both a privilege and honor for me to be here today and testify about my experiences in the polygamist world of the F.L.D.S. (Fundamentalist Church of Latter Day Saints.)

I am a member of the sixth generation in my family to be born into polygamy. I am fortunate because I am one of the very few F.L.D.S. women allowed to obtain a college education. I graduated with a Bachelor of Science degree and became an elementary school teacher within my F.L.D.S. community in Colorado City, Arizona. I am the author of *Escape* a memoir about my life in the F.L.D.S. which was published in October, 2007, by Doubleday and became a New York Times bestseller.

April 22, 2003, in the dead of night with \$20 to my name and no idea of what lay ahead, I loaded all eight of my children, including my handicapped son, into a van and fled the F.L.D.S. community in Colorado City. I left the only world I had ever known for 35 years. I was desperate because I could no longer protect my children from increasing abuse within the F.L.D.S. as the result of bizarre pronouncements by the prophet Warren Jeffs. One of Jeffs' closest associates at the time was my husband, Merrill Jessop, who is now considered to be one of the most powerful men in the F.L.D.S. Currently my ex-husband runs the F.L.D.S. compound which is known as the "Yearning for Zion" ranch in El Dorado, Texas.

I am here today to inform this panel about my firsthand experiences of systematic abuse and disregard for the law within the F.L.D.S., which leads to the isolation of the most vulnerable individuals within any community: the women and children who live without the protection of law that most Americans take for granted. The rural, small town lifestyle and the old-fashioned looking clothing worn by the group should not lead anyone to overlook the fact that they have vast resources. F.L.D.S. leaders are experts at disregarding laws which they do not like and are equally quick to invoke laws which favor them. I begin with the corruption within the law enforcement systems.

Control over Law Enforcement

When the F.L.D.S. enters an area it moves decisively to assume political and legal control of that community. Members vote as they are told by the F.L.D.S. leadership. Their religious leaders' goal is to place individuals in public office that will follow the dictates of the F.L.D.S. instead of the law. A recent example of this was the F.L.D.S. leaders' statement to the press that after the child protection action in Texas, they had enough of "trusting in local government" and were requesting voter registration for each of their members so that they could govern themselves, or words to that effect.

In my experience, in Colorado City, Arizona, the Mayor, many city officials, the Chief of Police and every police officer were all members of the F.L.D.S. and were essentially handpicked by church leaders.

If a woman who was beaten by her husband called the police, she was typically told by the police officer that she was "married to a good man and if she were obedient, there would not be any problems." The police would not interfere with their religious teaching that gave a man the right to discipline his household.

F.L.D.S. women were expected to drive unlicensed, unregistered, and uninsured cars around the community. I was never once pulled over by local police for this infraction. This meant that I had transportation within the community but I could not drive beyond its borders without being stopped. Occasionally, the police would inform the F.L.D.S. men that a state trooper would be coming to town. The men would tell their wives they were not allowed to drive their cars on that day.

The night I escaped with my children I knew I couldn't go to the local police for protection because they would be the first men that Merrill would contact to hunt me down. They could use the fact that my car was not licensed as a legal reason to arrest me. The result of this collusion between the F.L.D.S. and the police is that there is nowhere to turn for a woman who is seeking refuge from an abusive situation. The normal protection that most Americans expect from their local law enforcement does not exist within an F.L.D.S. community.

Another example of how the F.L.D.S. leadership manipulates standard local government functions is the current battle between Colorado City, Arizona, and Hildale, Utah, against the United Effort Plan (UEP) Trust. The UEP is a charitable trust that was formed by the F.L.D.S. many years ago to hold property in trust enabling the church to own everything. In 2005, the state of Utah took over the UEP and has been working on behalf of the families living in homes on UEP Trust land. The goal of the UEP is to enable these people to take legal ownership of their homes. The local governments in Hildale and Colorado City have repeatedly found excuses for not recording the property surveys conducted by the Trust. As a result, the Trust is unable to complete the legal process required to privatize these homes on behalf of the families living in them.

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This is Exhibit 11'D
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Welfare Fraud

There is a religious doctrine among the F.L.D.S. known as "bleeding the beast." The "beast" is the U.S. Government. "Bleeding the beast" means two things: F.L.D.S. members should avoid paying taxes at all costs and should also apply for every possible type of government assistance that is available, whether they are eligible or not.

For example, many men and women were assigned to work jobs for companies controlled by the F.L.D.S. These jobs often required long hours of work. Some might call it slave labor because these workers were paid far below the federal minimum wage. Companies with such arrangements were required by the F.L.D.S. church leadership to "contribute" most of these employees' salaries to the church. These people then applied for welfare, fraudulently claiming they were unemployed. To the best of my knowledge, this practice still continues today.

Child Labor Abuse

Another way to supply business with "slave labor" was to require boys and girls, often as young as 12, to leave school and work for these F.L.D.S. business which were often construction firms. It was not uncommon for these children to be required to be on the worksites by 6am or 7am in the morning and work until dark, which could be as late as 9pm in the summer. These children were trained to hide if anyone from OSHA or anyone from outside the community came on the job site. To the best of my knowledge, the practice of using child labor still continues.

My oldest son, Arthur, was one of these children. He was 12 when he was pulled out of "religious" school, the only education available at the time to F.L.D.S. children. He was sent to work for his half-brother's business. This was not a summer job. This was fulltime, year-round employment, of sorts. My son was not paid. He was given a phone card and a small allowance for meals. His experience is not unique. What is unique is that after we escaped from the F.L.D.S., Arthur had a chance to develop his full potential academically and psychologically.

In Colorado City, I did not know of a safe place where I could go to report this child labor abuse. I couldn't report to local authorities because they were all part of the F.L.D.S. I feared if I went outside the community to Child Protection Services, I would be held accountable because I was his mother. I lived with the fear that my children would be taken away from me. This fear was based in reality. I saw women who disobeyed the wishes of the prophet or their husband removed from their homes and their children.

I knew, as does every woman in the F.L.D.S., that polygamy is an illegal lifestyle. We feared going to any service agencies outside our community because of the risk that we would get into trouble instead of being helped. We were all multi-generational Americans, but we had the same fears as any illegal immigrant. I know I did not believe I had the same Constitutional rights as other Americans.

Educational Abuse

I was fortunate to have grown up during a time when the F.L.D.S. children were allowed to go to public schools. But even so, most of the teachers and all of the administration were members of the F.L.D.S. As a child, I routinely received textbooks with chapters torn out.

As a result, there were big holes in my education. I was taught, for example, that Abraham Lincoln was evil because he opposed polygamy. My children's education was far inferior to mine and this is one of the reasons I risked everything to escape. Merrill Jessop, my ex-husband, has 54 children. This September my oldest son will become his only son to ever attend college.

In 2000, as Warren Jeffs increased his tyrannical hold on the F.L.D.S., all F.L.D.S. children were taken out of public schools and placed in "religious" schools. The focus moved from teaching reading, writing, and mathematics to Warren Jeffs' tapes which indoctrinated the children into such beliefs as these: If a man is instructed by the F.L.D.S. prophet to take the life of another human being he should do so in humility. Jeffs said that the black race was put on this earth to preserve evil. Warren Jeffs also said that any person who is born with as much as one drop of Jewish blood will never enter the kingdom of God. He said it is a privilege for a woman to obey her priesthood head (which is her father or her husband.) Because of the teachings on these tapes, the Southern Poverty Law Center, a non-profit watchdog group that monitors racism and fanatics in the U.S., has classified the F.L.D.S. as a hate group.

All school material had to be authorized and approved by Warren Jeffs, which meant the religious schools did not have access to normal educational textbooks. In the F.L.D.S. school my children attended, anyone with a college education was forbidden to teach. To the best of my knowledge, none of the "teachers" were certified and no standardized tests were ever given to measure a child's learning progress. This is creating a generation that is functionally illiterate. After we escaped five years ago and my children started in public schools, they were already at least three years behind academically.

In 2006, after Warren Jeffs was arrested, the "religious" schools in Colorado City and Hildale were closed. Parents were told to keep their children home and pray for the destruction of "the wicked." Approximately 700 households of F.L.D.S. families were affected by this order and for the last two years, the majority of the F.L.D.S. children residing in Colorado City and Hildale have not been registered for either home-schooling or religious schools. Their education has essentially stopped.

Since my departure from the F.L.D.S., I have learned that there are laws, both federal and state, that not only govern each child's right to an education but also require every child to attend school. I know now that federal and state governments provide money for this to happen. When the F.L.D.S. children were taken out of school, no one from the government followed up to see what had been done with the funds that were supposed to educate them or bothered to even verify that they were being educated.

When I first arrived in Salt Lake City, I received public assistance money that was conditioned on my children's regular attendance at school. In the F.L.D.S., many mothers receive public assistance for their children, but to the best of my knowledge, the children are not required to go to school to receive it. Also, based on my knowledge and experience, public assistance received for dependent children is often turned over to the head of the family. F.L.D.S. families are required to contribute substantial amounts of money monthly to the church leadership.

Transporting Young Girls Across State and International Borders for "Marriages"

In 1986, when I was 18, I asked to go to college and the prophet said I had to get married first. I was forced to marry Merrill Jessop and became his fourth wife. I had my eight children in 15 years. Under the prophet at that time, Rulon Jeffs, Warren's father, the norm for marriage was 22. After Rulon's incapacitating stroke, Warren

Jeffs began taking power and controlling marriages. He dropped the norm down to 18, and within two years it was lowered to 16. This was a problem in the community because most mothers, who had married at 18 or older, felt it was not healthy emotionally for their daughters to marry and have babies at such a young age.

Somewhere towards the end of 2001, Warren Jeffs started taking young girls who were between the ages of 14 and 16 from Colorado City, Arizona, and Hilldale, Utah, to a hotel Merrill Jessop owned in Nevada to perform secret marriages. While not all men in the F.L.D.S. have plural marriages and engage in sex with underage girls, it's considered socially acceptable and religiously desirable behavior, especially under the leadership of Warren Jeffs.

In 2003, one of the main reasons I fled with my eight children was that Betty, my oldest daughter, was about to turn 14, the age at which young girls were being married. After I escaped, Merrill subsequently married two 16-year-old girls. One was sent to him from an F.L.D.S. group in Canada and the other was sent from Hilldale, Utah, to his home in Colorado City, Arizona, to be his wife. I know this because Merrill introduced both of these teenage girls to my children as his new wives.

A Special Program is Needed for F.L.D.S. Women Who Want to Leave
I speak truthfully and from firsthand experience when I say that I was not free to leave my husband or this religion. From the time I took my first steps away from Merrill Jessop, I needed legal protection.

I did receive help from Mark Shurtleff, the Attorney General of Utah, shortly after I escaped because Dan Fischer, a successful Utah businessman and former F.L.D.S. member, helped me get in touch with his office. Mark Shurtleff understood the gravity of my situation and understood that Merrill Jessop, as one of the most powerful men in the F.L.D.S., would stop at nothing to discredit me. One lawyer who refused to take my case said, "They'll spend a million dollars trying to prove you're crazy."

However, this protection was short-lived once my custody case hit the court system. The case was treated as a normal child custody case rather than as one with extenuating circumstances. I was given an order of protection against Merrill because of his threatening behavior toward me, but he was allowed full access to my children. On several occasions when he had my children for weekend visits, he would make them fast and pray that "God would take a heavy hand" with me. Merrill brought them into our divorce, which legally he was not supposed to do.

It took two and a half years before I received any housing assistance. Because of the number of my children, I did not qualify for low-income housing. The only housing I qualified for was Section 8 housing. I had to wait in line behind those who did qualify for low-income housing but who were applying for Section 8 in order to upgrade their situation. My eight children, including my handicapped son, Harrison, and I spent a month in a homeless shelter.

I was told by a state employee that I qualified, in terms of need, for refugee services. However, those services are only available for people coming from other countries. In other words, there is more help for a woman fleeing persecution from a Communist country than there is for a woman fleeing from polygamy.

Women leaving closed polygamous communities need physical protection, psychological intervention and emotional support for themselves and their many children. The need for appropriate housing assistance. Most of what exists is for women with only 3 or 4 children.

When I first fled, I felt like I had landed on another planet. I had only limited exposure to the outside world, a world I'd been brainwashed from birth to believe was evil. My rights to my own life and liberty were taken from me when I was forced to marry Merrill Jessop. I never knew what it meant to feel safe until I was 35 years old and we went into hiding on the third day of freedom after our escape. It took me a year before I could think of myself as a person and not an object.

Polygamy is spreading throughout the western United States at a rapid rate. I do not oppose religious freedom. But I do oppose any religion that systematically deprives women and children of their Constitutional rights.

I stand here today to ask the U.S. government to provide Federal oversight in closed F.L.D.S. communities so that F.L.D.S. members, who are seeking refuge, know where they can find a safe haven should they choose to leave.

I stand here today to ask the U.S. government to see that the laws of the land are as reliably and equally enforced in F.L.D.S. communities as they are in the rest of the United States.

I stand here today to ask the U.S. government to guarantee that a reasonable education be provided for F.L.D.S. children, the same as it is for other American children.

I stand here today to ask the U.S. government, my government, to "show up" for F.L.D.S. children the same as it does with respect to all other citizens: in the form of registrars, census takers, AFDC administrators, social workers, police who enforce law not religion, education administrators, tax collectors and auditors, OSHA and labor regulators and others whose role is to enforce the law and protect American citizens.

This would not be religious persecution, just equal protection and equal enforcement of the law.

Thank you for inviting me to testify before you today.

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