



Affidavit #1 of Laura Chapman  
Sworn this 14<sup>th</sup> day of July, 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. 1986, 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**

I, Laura Chapman, social worker, of 157-1001 E. 62<sup>nd</sup> Avenue, Denver Colorado, make oath and say as follows:

1. I am a social worker and as such have personal knowledge of the facts and matters hereinafter deposed to, save and except where stated to be made upon information and belief, and where so stated, I verily believe them to be true.

**Professional Qualifications**

2. I am a practicing social worker in the State of Colorado. In 1995, I obtained an Associate's Degree in Ethnic Minority and Human Services from Salt Lake Community College in Taylorsville, Utah. In 1998, I obtained a dual Bachelors degree from the University of Utah in Salt Lake City, Utah, majoring in both Sociology and Family Studies with a minor in psychology. In 1999 I completed a one-year graduate studies certificate in addiction counseling, also at the University of Utah.

3. I have been practicing as a social worker for over 12 years. During this time I have developed a specialization in assisting women and children survivors of domestic abuse. I have served as a counselor and resource director for Tapestry Against Polygamy (a non-profit organization providing resources to women and children leaving polygamy), as a substance abuse counselor for A.R.C. (Addiction Recovery Centre), as a caseworker for Boulder County Social Services, as a caseworker and victim services coordinator for the Southern UTE Indian Tribe Department of Social Services, as a child protection intake caseworker and forensic child abuse interviewer for the LaPlata County Department of Human Services, as a board member of a non-profit sexual assault services organization "SASO" and as a child protection ongoing caseworker for the Arapahoe County Department of Human Services. Currently, I am a Regional Training Specialist for the State of Colorado State Department of Human Services, where I oversee the training of new child welfare workers.
4. Throughout my career as a social worker, I have assisted women and children in a number of ways, including overseeing counseling services, debriefing law enforcement, filing court documents, providing crisis intervention, conducting site visits and safety assessments, and generally connecting women and children with the services they require. In my capacity as a child protection worker, I have also been called to testify as an expert witness in the State of Colorado on the best interests of the child and in applications for protective orders for women, on average 12 times per year.
5. From 1998 until 1999, I was a counselor with Tapestry Against Polygamy (formerly Tapestry of Polygamy) assisting women who wanted to leave polygamous relationships. In this role, I worked directly with women from polygamous communities in Arizona and Utah by assisting them with their children, filing police reports, obtaining protective orders, preparing living arrangements and contacting their family members who had already escaped polygamy for assistance. This was a challenging role and exposed me to many young women in very desperate circumstances.
6. I continued to directly assist women and children leaving polygamy until my employment as a child welfare worker interfered with this. However, I continue to advise other women who are assisting polygamy survivors by giving them advice and offering my knowledge of the

particular challenges that face a woman or child leaving polygamy. This happens sporadically but on average occurs about twice per year.

7. As a volunteer, I have worked for the past 12 years to educate others about the effects of polygamy on women and children. In 2002, I was nominated for the Robert F. Kennedy Human Rights Award for my work in raising awareness of polygamy issues as well as assisting women and children leaving this practice. In 2002, I spoke at the United Nations Women's Conference on the human rights violations associated with polygamy. I have also presented at several annual meetings of the International Cult Studies Association, at the Family Violence Prevention Conference in Plano, Texas, the Colorado Coalition against Sexual Assault, and the Colorado Organization for Victim Assistance.
8. Since 2005, I have also acted as a paid specialized consultant, providing training seminars to government officials, law enforcement personnel, social workers, lawyers, judges and others to educate them on the dynamics of polygamy. My training seminars provide an in-depth look at the history of polygamy, its doctrines and its practices based on research articles, published statistics and my personal experiences witnessing and assisting those leaving polygamy. My seminars teach individuals what symptomatic features women and children might present when exiting polygamous relationships and offers ideas on how to bridge the gap between both societies, the secretive society of polygamy and the open society at large, so that they can assist in those circumstances. Organizations that have hired me to present my seminars on polygamy include the Federal Bureau of Investigations, the Colorado Bureau of Investigations and several counties and advocacy centers in and around Colorado.

### **Background Information**

9. I was born in 1963 in Hildale, Utah, and grew up in Sandy, Utah, a suburb located 30 miles south of Salt Lake City, Utah. While in Sandy, I lived in a community that was part of the Fundamentalist Church of Jesus Christ of Latter Day Saints ("FLDS") which practices polygamy. I was not allowed to communicate with anyone outside my polygamist community and had no friends or acquaintances other than others practicing polygamy. All my aunts, uncles, grandparents, and extended family were polygamists. I was indoctrinated, from a young age, in the teachings of the FLDS, and studied those teachings in homeschool. Our textbooks did not have any pictures of other races and were very limited in math and

science. What I learned was primarily based on scripture, and by 16 or 17 I was already teaching other children, even though I did not receive a full education of my own. I regularly attended the FLDS church house, which at the time was operating from the home of Rulon Jeffs, the father of Warren Jeffs (the prophet of the FLDS community who is now serving time in prison as an accomplice to rape in a forced marriage of a 14 year old girl). Based on my observations, all of the children in my community were similarly indoctrinated. A polygamist parent's primary role is to teach their children to be obedient to priesthood direction, and to be dedicated to practicing polygamy.

10. Polygamy is a basic tenet of the FLDS religion, and is taught to all FLDS followers. In 1842, Mormon Church president and founder, Joseph Smith revealed and recorded the doctrine of celestial marriage (one man marrying at least three wives in order to become a god in the afterlife) as section 132 of the Mormon Church's Doctrine and Covenants. The Doctrine and Covenants is considered scripture for Mormon faithful and followers believe that rejecting the covenants will lead to eternal damnation. Polygamy is not an option for FLDS members, but rather is an obligation that must be met in order to go to heaven and be with loved ones in the afterlife. Failure to abide by the doctrine of polygamy may lead to an accusation of apostasy (or renunciation of one's religion) which in some situations may be punishable by blood atonement. Blood atonement is a fundamentalist Mormon doctrine which holds that there are certain sins for which a believer may be required to atone for through the shedding of his or her blood (being killed), as a sacrificial offering in order to meet God without any sin and to receive salvation. This sacrifice would be performed by an elder holding the priesthood. The concept of blood atonement is often used as a threat against women who resist polygamous marriage or attempt to leave their polygamist communities. It is also used against anyone seen as an adversary to the work of God, which might include those reporting crimes to officials or anyone telling others about polygamy secrets or corruption or anyone who spreads a negative view of polygamy. It is used to justify physical violence against women or apostates.
11. I grew up in a family with one father, four mothers and 31 siblings. I received a limited education growing up and had little exposure to the world outside of my isolated polygamist community. My father was very involved in the FLDS community and my family was

presented to Life magazine as a poster-family of polygamy following the 1953 Short Creek raid on Colorado City. My father and grandfather were both arrested for practicing polygamy during federal crack downs.

12. When I was 18, my 17-year old sister's marriage was being arranged. I went to my sister's wedding in Colorado City. Another sister married LeRoy Johnson, 70, when she was 17 years old. Immediately after the wedding my father took me by the hand to the prophet and told him that I was also ready to be married. Leroy Johnson identified a man named Phillip that I was to marry immediately. That same afternoon Phillip arrived with his parents to meet my father and I for a wedding. I was frightened and told them that I needed to pray. I knew that praying was the only way that I could stall the marriage to a man that I had never met, in a city that was not my home. I was told that my salvation depended on whether or not I married Phillip.
13. My family returned home and I told my father and the prophet that after praying, I believed I should marry another FLDS member named George. He was 21 and I would be his first wife. I named George because he lived in my city and I had seen him before. However, he was still a stranger. We had never dated each other. Nevertheless, I knew that I would be forced to marry someone upon agreement between my father and the prophet and so I did what I could to at least marry someone from the city where I lived. At the age of 18, I married George and my brother-in-law, Warren Jeffs, sang at my wedding. We eventually moved to Kearns, Utah.
14. I left Kearns and the FLDS in 1991. At that time, I had five young children (the youngest being only 1 year old), no money, and very limited education. Prior to leaving, I had attended counseling sessions against my husband's wishes and came to realize that the abuses to women and children that I was witnessing were not normal and were crimes. I reported crimes of sexual abuse against children to child protective services and left Kearns under great fear of being killed. After I left, I was followed for three consecutive days by an unknown man. Only four years earlier, another woman named Brenda who had left a nearby polygamist group was found murdered after she had tried to assist her sister-in-law in leaving. That woman's baby was also found murdered.. I eventually convinced a woman's

shelter in Salt Lake City to grant me refuge. It was a terrifying and difficult situation to be in with my five small children.

### **Polygamy in North America**

15. There are approximately 20 polygamist sects throughout North America (Canada, U.S.A. and Mexico). The majority of these groups are located in Idaho, Montana, Utah, Arizona, Colorado, Texas, South Dakota, California and British Columbia, and Mexico. The largest polygamist sect is the FLDS community based primarily on the Utah Arizona border with compounds in Texas, Colorado, South Dakota, Idaho, Mexico and Canada. The FLDS sect, which consists of 12,000 individuals under the control of Warren Jeffs. The Bountiful Community (run separately by Winston Blackmore and James Oler) in British Columbia consists of approximately 2,000. The second largest polygamist sect is the Allred group, which consists of 10,000 followers mainly in Utah and Montana. Jim Harmston's sect in central Utah consists of 500 members. The Kingston group (known for incestuous marriages, inbreeding and multi-million dollar industries) has approximately 2,000 members located in northern Utah. A notoriously violent polygamist community exists in California and Mexico, under the control of the LeBaron family, which has approximately 2,000 members. However, agencies report receiving calls from women seeking to leave polygamous relationships (whether it be Muslim, Christian or Mormon based) from 38 out of 50 states in the United States. Independent polygamist families exist without a leader existing throughout the States.
16. Young women are often sent away from their childhood communities or convinced to marry within other polygamist communities. For this reason, I have relatives in almost all of the above-mentioned groups. For example, two of my former sister-in-laws were married to Warren Jeffs, my great-uncle Rulon Allred (once leader of the Allred group) was murdered by Ervil LeBaron a polygamist leader in Mexico (who later died awaiting trial for a number of murders). My Aunt Charlotte married Ervil LeBaron's brother Verlan LeBaron. Verlan's life as well as my grandmother's life, was threatened by Ervil LeBaron. Tom Green, an independent polygamist was charged with child rape and bigamy in the States. Tom Green's child bride, Linda Kunz, is my first cousin. The Kingston sect's mid-wife delivered my

children in home births. My niece Samantha, is the third-wife of Gerald Palmer, a man in Bountiful, British Columbia.

### **Dynamics of Polygamy in Fundamentalist Mormon Communities**

17. I lived for 28 years among several polygamist communities and families in Utah and Arizona. During those years, I personally observed the relationships between people within the community. My education and experiences as a social worker allow me to understand the implications and dynamics of the relationships that I observed.

### Marriage and Family

18. Polygamous families vary considerably in size, from growing families of perhaps two wives and up to 15 children to much larger families of seven or more wives and upwards of 60 children. In general, leaders or elders in the community who were in good standing with the prophet would hold larger families. An open belief of male superiority exists as evidenced in their scripture and belief that a woman can't go to heaven without a man. Men believe that they need three wives that can live together in unity and harmony, in order to go to heaven.
19. In my former community, the average age of a girl's marriage into polygamy is between 15 and 18 years old, whereas the husband's age could be anywhere from within a few years to being older than her grandfather. Pregnancy would follow as soon and as often as the girl's body would permit. Wives are expected to deliver one baby every year and are not permitted to use any form of birth control. Some women would try to nurse their babies for a longer period of time, in order to delay the next pregnancy. However, most mothers would already be pregnant by the time they were celebrating their last child's first birthday.
20. Marriage into polygamy is rarely a choice for young women in polygamist communities. Their scripture threatens them that God will destroy them if they reject this practice. The elders in the communities convince them that it is a privilege, a calling and an honor to be one of many wives. In the FLDS sect marriages are arranged by the prophet or leader. In other sects, girls are not allowed to date but are instructed to pray for guidance from God to find a good man. Their marriage must also be approved of by their father. Men often convince their wife to approach a younger sister or befriend a young girl within the community, in hopes she will enter his family.

21. Within the FLDS sect, men who wish to have a wife, or additional wives, will try to build a good rapport with the leader by bringing in tithing money, obeying direction from the prophet, and giving their daughters over for arranged marriages. Fathers will have the names of their young daughters placed into the Joy Book (which lists girls available for marriage). The prophet will then have a revelation, and will advise a father that the Lord has picked a good man for his daughter and will ask that the father bring his daughter to a particular location to be married. A girl may have as little as a few hours notice before being married, and may never have met her husband prior to the wedding.
22. In the FLDS sect, often, a girl will be woken up in the middle of the night and told that she is to be married in the morning. This sudden, late night wedding announcement is given when the girl is not alert and not able to think properly. Her lack of sleep makes her numb and more compliant for the wedding. This practice was common and happened to other girls my age and to some of my sisters.
23. It is rare for a young girl to refuse a husband chosen by the prophet since this would draw negative attention to her father and family. On rare occasions when this happens, she might be told to submit to the priesthood who directs her life for God, or in isolated instances she may be offered a second "choice". For example, in 2002, my 16-year old niece, Samantha, refused to marry her own step-father, and was given the second choice of becoming the third wife of a 48-year old man in James Oler's polygamist community in Bountiful, British Columbia. She was transported to another country to marry a man three times her age, with two wives, all of whom she had never met.
24. Women in polygamist marriages often told me they felt powerless in their own homes, even when it came to raising their own children. When their husbands took a new wife, they were so distraught that they often completely lost their appetites, couldn't get out of bed, were depressed throughout the rest of their marriage, or had suicidal thoughts.

#### Lack of Protection from Parents or Police

25. Some girls are married at a very young age, sometimes below the age of consent, with no protection from their parents. For example, my former brother-in-law, Warren Jeffs, married a 12-year old girl. Instead of preventing under-aged marriages, parents will comply in the belief that the marriage is required by God and that they are saving their daughters by placing



them in the care of a “good man” as husband. Young girls rarely experience young adulthood before becoming a mother.

26. Law enforcement officers have not protected young women in these circumstances. As an example, I was very concerned about my niece Samantha being sent away to Bountiful to become the illegal third-wife of a stranger. I contacted the RCMP and told them about my niece and asked for their help in finding and protecting her. However, I was told by an RCMP officer that although he wanted to help me, there was nothing he could do to protect her because of freedom of religion concerns. It is reported the my niece now has several children of her own and lives as a third wife in a two-bedroom trailer with her husband, two other wives and over 20 children, under the control of James Oler.
27. Women in polygamist communities are often manipulated or intimidated as witnesses in respect of crimes committed by polygamist men. If a woman is asked to serve as a witness, she will often be prevented from doing so in one way or another, such as by being taken out of state during the time that her testimony is expected. Women who have left polygamy are also pressured into not testifying. This pressure may arise through threats of blood atonement or through family members who remain in the polygamist community. These family members may tell her how they are concerned she will be damned and they will not see her in the afterlife, or remind her of the pain she is causing her family, or they may express their own fear of being punished by the polygamist leadership as payback for the woman's testimony.

#### Harm and abandonment of children

28. Children also suffer in polygamist communities. I have known of children that were refused medical care resulting in death for treatable illnesses. Often there are too many children to adequately supervise, no less provide a healthy sense of self. In some polygamist families a baby is at times shuffled amongst the mothers in a family immediately following birth, and is not allowed to properly bond with his or her biological mother. If a child doesn't know who their real mother is, the family is viewed as harmonious and successful. Some children exhibit symptoms of attachment disorders. In addition, children often receive little education and almost no exposure to the outside world. They are given few options in life and are unable to pursue their dreams or aspirations as other children might. It is common for young

boys to work on construction crews without pay while their education is neglected. Young girls rarely attend school past 5<sup>th</sup> grade.

29. Boys in the FLDS sect between ages of 13-17 are sometimes abandoned by their parents at the prophet's instruction for minor infractions. They are left on the side of the road in a city nearby. These parents are rarely prosecuted for this crime nor investigated by child protection agencies. This problem existed years ago but has become more prevalent under the leadership of Warren Jeffs, reaching epidemic proportions.
30. If not kicked out earlier for minor infractions, boys may nonetheless be driven out in other ways. At between 18-20 years old, my brother Brian was told that he would not be given wives in his community because there was a shortage of girls. He was told that he would have to find his own wives from outside the community, convert them and bring them back. My brother Paul was told he had "Negro blood" and wasn't worthy of a wives in the community. This was a more indirect form of expulsion than being physically escorted out, and my brothers were slightly older at the time. However, it was a difficult adjustment.
31. My brothers, Paul and Brian, are examples of the expulsion of boys from polygamist communities, which is a problem that has increased in more recent decades. I have working relationships with agencies such as the Hope Foundation in St. George, Utah and the Diversity Foundation in Salt Lake City, Utah which offer help to boys expelled from polygamist communities. They estimate that there are about 1400 of such expelled and abandoned boys in the United States, many of whom have limited or no job skills, are unable to read, and who fall into alcohol and drugs or survival-based prostitution.

#### Poverty of women and children and reliance on government aid

32. Generations of women and children in polygamist communities struggle to survive below the poverty line. The insatiable pursuit of polygamist men for more wives and more children is not supported by the resources needed to sustain, let alone support, such large families. Growing up, I watched one of my father's wives as she picked up over-ripe fruits or vegetables discarded behind grocery stores to supplement our food supply. My diet and the diet of other children in my community was very limited due to the lack of resources needed to feed us. This was despite the fact that my family was better off than most others in my

community. Many other women and children faced equal or worse conditions of poverty. I have known women that have dumpster dived to feed their children.

33. Wives and children are often reliant on government aid, such as food stamps or handouts in order to survive. This is commonplace and encouraged by many polygamist men, some of whom assert that receiving government assistance is a right. Some polygamists believe the welfare system was given to the polygamist people by God to help them survive. Often they are instructed by leaders to "Bleed the Beast." This means to use as much financial help from the government (The Beast) as they can.

#### Incest

34. Incest is also common in polygamist groups, including in the community where I grew up. The examples of incest that I have witnessed are extreme. As an example, in my ex-husband's family, one uncle married his niece, two brothers and a sister married their first cousins, and three sisters married second cousins. These incestuous marriages were commonplace and all occurred when the brides were approximately 16 -18 years old. Child molestation is very prevalent, since children in any community in which women feel powerless would be at a higher risk. I know of at least 20 families in which fathers were molesting their own children without prosecution. FLDS leaders protected some fathers rather than turning them over to authorities for sex crimes against their children. A private investigator who has investigated the practices of the FLDS for over 6 years, reports he has yet to meet a woman from the FLDS sect that has not been a victim of sexual assault as a child, a child bride or raped in their marriage.

#### **Challenges Faced by Women Leaving Polygamy**

35. In my former community of Colorado City, AZ. and Hildale, UT. many police officers are also polygamists and they do not assist women in leaving their husbands. When one woman got into a verbal disagreement with her husband, her husband called the police and she was taken to a mental hospital.
36. When my eldest sister, the sixth of seven wives, attempted to leave her polygamist husband, her husband abducted her and locked her in a room in their home for seven days. During that time she was threatened with blood atonement. When she reported this to the police she was

told that she could not have been abducted in her own home and so the police did not charge her husband.

37. In general, a woman in a polygamist community faces great obstacles in leaving that community. She will not have any friends or connections outside of the community (In the FLDS sect, not being allowed to enter the mainstream community for shopping or chores without a male chaperone). She will have little education or money of her own, will have several young children to take care of, and will have grown up not ever having the opportunity to make her own decisions or develop a strong sense of independence. Many women are taught from an early age that their lives are in fact ideal. The polygamist sect's beliefs instill a mistrust of the government as well as a view of outsiders as evil, self indulgent, lascivious people. Some women who have left have been stalked and forcibly returned to their polygamist husband or families and threatened with death. Often a family is punished by the leader for the behaviors of rebellious children.
38. Women and children are also generally unable to access outside assistance from counselors or social workers until after they have left the community. Members of the "outside world" are kept away from women and children in polygamy and cannot effectively reach them or offer their help.
39. In my own experiences with assisting women leaving polygamy, many instances stand out in my memory and there are too many to list comprehensively. However, I will describe a few examples of the types of situations faced by women that I assisted.
40. In 1999, I assisted two 16-year old girls escape arranged polygamous marriages. I found them to be emotionally stagnated and behind in their educational level for their age and disadvantaged relative to other girls their age. They were unaware of what constitutes a crime or where or how to report crimes. They were unaware of statutory rape laws, the age of consent or when they were emancipated as adults. They had never seen cartoons or magazines, and had been extremely sheltered from the world beyond their polygamous community. With counseling and assistance, however, these girls have gone on to build successful lives and careers. These girls and their circumstances as described above were typical of the many other girls. One girl told me she was suicidal before she escaped her arranged marriage.

- 41. As another example, in 1999 I assisted a 54-year old woman in leaving an abusive polygamous marriage. She had already tried to leave polygamy several times, but lacking resources and education, she had always been forced to return to her husband. At the time I was helping her, she did not know how to spell, could not fill out a form or application for assistance and had been living in a car.
  
- 42. As another example, in 1999 I assisted a mother with two children (7 and 5 years old) in leaving an independent polygamous group in Utah. She was the third wife and was unable to claim property rights or spousal support. When she wanted to leave her husband, he broke down the door to their house and took their children. This was when she called me. I told her to pack, to take pictures of the broken door and I convinced her to file a police report. I assisted her in obtaining a restraining order and counseling. She had my telephone number because I had provided a number at which women could call me when I was interviewed for a television program. She told me that she had felt suicidal until finally deciding to escape from polygamy and from her husband.

SWORN BEFORE ME at the City of )  
 Denver in the State of Colorado, this 14 day )  
 of July, 2010. )

Preston Glaser )  
 A Commissioner for taking Affidavits in )  
 Colorado )

Laura Chapman )  
 Laura Chapman )



ext: 12/20/2010