

Affidavit of witness 7.,  
Sworn October 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. 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

**A F F I D A V I T**

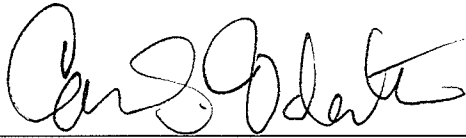
I, Witness No. 7, submit this Affidavit on behalf of my entire family and MAKE OATH  
AND SAY AS FOLLOWS:

1. We have personal knowledge of the facts and matters hereinafter deposed to save and except where the same are stated to be made upon information and belief and where so stated I verily believe them to be true.
2. We are aware of the order of the Chief Justice made September 24, 2010 and we elect to avail ourselves of the protections authorized by that order.
3. Our family consists of a husband, three wives and 23 living children.
4. We reside in a suburb of Salt Lake County, Utah.
5. The adults were each born in Salt Lake County, Utah, and were raised in large polygamous families in regular neighborhoods.
6. We each have more than 2 dozen siblings and a sizable extended family.

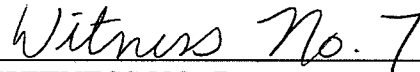
7. We have fond memories of our childhoods, and never felt alone or unloved. In our families there was no maltreatment or abuse of any kind. In each family, our parents generally got along and provided a good example of plural marriage.
8. Growing up, we each felt we had to keep our family backgrounds secret. We attended public schools, where at times we had to endure slurs about our culture. We each experienced fear that our fathers might be taken to jail or that people at school would find out and make us feel not accepted.
9. Our siblings have followed individual paths in adulthood. Some are in monogamous marriages, some in plural marriages. Some are divorced. Some have joined different faiths. One sibling has had substance abuse problems, while another is homosexual. Yet all are welcomed, loved and accepted in our extended family. No one is ostracized because they do or do not live polygamy.
10. We entered plural marriage as consenting adults (at ages 20 and 19) who were making a free, faith-based choice. The third wife also was an adult when she joined the family 10 years later, bringing five children from a previous plural marriage.
11. Each of us prayed and studied scripture before deciding plural marriage was the right choice. We knew living a polygamous lifestyle could be hard and took a lot of selflessness and sacrifice. We believe strongly in the principle of plural marriage as an essential of our faith.
12. We have now been married for more than 20 years and 10 years respectively. Our marriage has provided the support, personal growth and joy we hoped would come through living polygamy.
13. As a father, I know each of my children as individuals and am loving, supportive and close to all of them. I consider being a father a sacred responsibility. I also am actively engaged in my community. I sit on an economic development board for my local municipality, coach little league sports in the community and have several successful businesses.
14. We share a single home. Some of our children attend public schools, while others are in private or home school, depending on their needs.
15. Some of our children have been physically bullied, beaten in once case and insulted and harassed because of their culture. It is our children and their future that drives us to speak out.
16. As wives, we share household responsibilities and childcare. Two wives are currently working in a family business while the third cares for younger children, including her newborn. It is an advantage to us to be able to leave our children at home in a familiar environment with a loving parent while we work.

17. We get along agreeably and have a genuine love and concern for each other's well-being and happiness.
18. Some of our children are in college. None have married yet.
19. We believe they should make their own decisions about the kind of lifestyle they want to live in the future. Our children know that whatever they choose, they will be loved and accepted.
20. We believe that if our lifestyle were decriminalized, it would emerge from being underground, which allows some abuses to be hidden.
21. Most representations of polygamous families come from those who have had a negative experience in this lifestyle or from media focused on the sensational.
22. Certainly abuses occur in the polygamous lifestyle, but that is not the whole story. Polygamy does not equal abuse. The problems attributed to polygamy can be found in every segment of society, in unmarried relationships and in monogamous ones.
23. Abuses are the result of the human condition and not reserved for one group of people. And when abuse occurs, there are laws to address it.
24. We feel that making our lifestyle and religious practice illegal puts our culture on society's fringes. There is a great cost for speaking up, which leaves no other voice but that of our detractors. We risk loss of jobs, contracts, housing and reputation. The inability to be public results in a lack of protection that increases our vulnerability. We know people who have had abuses committed against them that would qualify as hate crimes. Rather than risk being found out or prosecuted, they decided to bear it instead of reporting the offense.
25. Every day, we make the choice to live this way. We are educated about our choice. Sometimes we struggle, sometimes we triumph, but always it is worth it. What began as a choice of religious faith has grown into a family sticking together, loving one another and working out in real life, every day.

On the 15<sup>th</sup> day of October, 2010, personally appeared before me the signer of the foregoing instrument, who being duly sworn acknowledged to me that she executed the same and the contents thereof are true and correct.



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NOTARY PUBLIC



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WITNESS NO. 7

