

3. At all material times, Jane was a resident of Hildale, Utah and a follower of Warren Steed Jeffs (hereafter "Jeffs"), whom she believed to be a prophet of God and her spiritual leader.
4. When Jane was between the age of fourteen and eighteen years old, religious leaders told Jane that God had revealed that she was to enter into a spiritual marriage with a man more than three years older than Jane.
5. For purposes of this Affidavit the man Jane was assigned to marry is identified as John Doe IV (hereafter "John").
6. Prior to the spiritual marriage, Jane personally met with Jeffs in Hildale, Utah. Jane told Jeffs that she had concerns about the marriage revelation and that she felt like she was too young to marry.
7. Jeffs told Jane that it was her spiritual duty to submit to the marriage and that the marriage arrangement was "from God."
8. The marriage plans were finalized and arrangements were made to conduct the marriage ceremony in Nevada.
9. After Jane's meeting with Jeffs, she and John were driven from Utah to Nevada. In Nevada, Jeffs performed a marriage ceremony for Jane and John. After the ceremony, Jeffs instructed Jane and John to "multiply and replenish the earth and raise children in the priesthood."
10. After the ceremony, Jane and John returned to Hildale, Utah.
11. After returning to Hildale, within approximately a month, John reminded Jane that Jeffs had instructed them to have children in order to replenish the earth and that "now was the time."
12. Against Jane's will and without her consent, John had sexual intercourse with Jane in Hildale, Utah.
13. After John had sexual intercourse with Jane, Jane met with Jeffs and told him that she did not want to stay in the spiritual marriage because she hated having "husband-wife" relations with John. Jane told Jeffs that she was uncomfortable with John touching Jane's private parts. Jane said neither she nor Jeffs used the words sex or sexual intercourse because it was culturally not permitted to use

those specific words. However, Jane believes that there is no question that Jeffs understood that they were talking about sexual relations.

14. In response to Jane's concerns, Jeffs told Jane that she must remain in the spiritual marriage. Jeffs said that she must do whatever John told her to do because John was Jane's priesthood head and leader. Jeffs said, "Go back and repent. You go give yourself mind, body, and soul to your husband like you're supposed to. He will take you into the heavenly kingdom. Go back and do what he tells you to do."
15. Because Jeffs told Jane that she must remain in the spiritual marriage and do whatever John told her to do, Jane stayed in the marriage and continued to have sexual intercourse with John even though she did not want to participate.
16. Jane continued to complain to Jeffs about the marriage.
17. In one meeting between Jane and Jeffs, Jeffs told her that she must obey her husband and that over time she would grow to love him. Jeffs told Jane that she should have children with John because having a baby would change everything.
18. At another meeting, Jeffs told Jane "No matter what happens you cannot fight with the priesthood because if you do you'll lose your salvation." Jeff's remarks frightened Jane and she stayed in the marriage to secure her salvation.
19. Jane showed me photographs of Jane and John taken on their wedding day. The photos confirm the occurrence of the spiritual marriage as well as other details provided by Jane.
20. Based upon the foregoing, I believe that there is probable cause to seek a warrant for the arrest of Warren Steed Jeffs on two counts of the following charge:

Rape as an Accomplice; a 1st degree felony, in that, acting with the required mental state, Warren Steed Jeffs solicited, requested, commanded, encouraged, or intentionally aided another to have sexual intercourse with another person without the victim's consent, in that Jane Doe IV was 14 years of age or older, but younger than 18 years of age, and John Doe IV was more than three years older than Jane and enticed or coerced Jane to submit or participate in sexual intercourse in violation of Utah Code Annotated §§ 76-5-402, 76-5-406 (11) and 76-2-202 (1953, as amended).

21. A person charged with or arrested for a criminal offense shall be admitted to bail as a matter of right, except if the person is charged with a felony when there is substantial evidence to support the charge and the court finds by clear and convincing evidence that the person would constitute a substantial danger to any other person or to the community, or is likely to flee the jurisdiction of the court, if released on bail. Utah Code Annotated § 77-20-1 (c) (1953, as amended)
22. Jeffs constitutes a substantial danger to any person or to the community based upon the following evidence:
 - a. Jeffs is likely to continue arranging and performing “spiritual marriages” regardless of the age of the participants. At an FLDS meeting in April 2002 recorded on audiotape, Jeffs said, “Our prophet and the celestial law—the principle of revelation are under attack. There is a combined effort in the State of Utah and the State of Arizona to come against our prophet and this people trying to stop the work of God. I’ll call on Brother Sam Barlow [former Colorado City Town Marshall] to give this report with any instructions he feels impressed to give.” Sam Barlow then gave the following instructions: “we are now talking about criminal conduct—things that by statute they have now legislated purposefully to bring us into collision with the judiciary...” According to Barlow, Utah and Arizona “have taken this on under a pretense that they are going to protect young women from being coerced or levered or pressured into a marriage union with men that are older than them.” Barlow called upon the people to “withstand the pressure.” Barlow said, “We should stand faithful and we should have women that are as converted as we are.” Jeffs introduced and was present throughout these remarks by Sam Barlow.
 - b. According to reports to investigators by persons inside the FLDS community, Jeffs is the only person authorized to arrange and conduct spiritual marriages and such marriages are continuing to occur without regard to the age of the participants.
 - c. According to investigators, members of the FLDS community are extremely guarded when talking about Jeffs. However, numerous members of the FLDS community have told investigators that Jeffs “will not allow himself to be taken,” “will never be taken alive,” and that he will “die as a martyr.” Jeffs is known to travel with bodyguards. The FBI considers Jeffs to be armed and dangerous.

23. Jeffs is likely to flee the jurisdiction of the court based on the following evidence:

- a. Jeffs is the leader of a polygamous sect known as the Fundamentalist Church of Jesus Christ of Latter Day Saints (FLDS). As the leader, Jeffs has access to significant resources. Numerous FLDS members are willing to provide him with financial support and shelter. FLDS members are known to live in Utah, Nevada, Arizona, Texas, Colorado, South Dakota, and British Columbia. Jeffs is alleged to have "safe houses" or compounds in each of these locations.
- b. On June 10, 2005, the Superior Court of the state of Arizona issued an arrest warrant for Warren Steed Jeffs charging him with sexual conduct with a minor and conspiracy to commit sexual conduct with a minor. On June 27, 2005, the United States District Court issued a federal arrest warrant charging Jeffs with unlawful flight to avoid prosecution, with instructions to "detain until initial appearance."
- c. Jeffs abandoned the United Effort Plan Trust, which is estimated to be worth more than one hundred million dollars, in order to avoid responding to civil litigation. Judge Stephen Henriod of the Third District Court found "good cause to believe that Warren Jeffs is avoiding service of process." Judge Dale A. Kimball of the United States District Court for the District of Utah made a similar finding on January 12, 2005 in Case No. 2-02-CV-201K.
- d. Members of Jeffs' church have told investigators that Jeffs has said he will not be subject to earthly courts.

24. In light of the foregoing, I respectfully request a warrant for the arrest of Warren Steed Jeffs.

DATED APRIL 5, 2006


SHAUNA JONES

SUBSCRIBED AND SWORN TO before me this 5 DAY OF APRIL 2006.


DISTRICT COURT JUDGE