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Warren Jeffs may be using trial to make a stand for his flock

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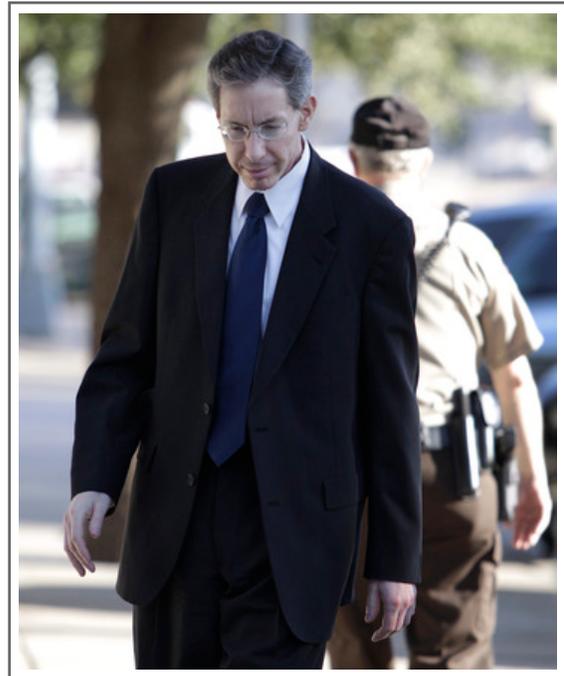
San Angelo, Texas • In his biblical proclamations delivered after he insisted on representing himself, Warren Jeffs may be aiming for a larger audience than a West Texas courtroom, and week two of the sexual assault trial could bring more of the same.

“The audience that he’s played to for the past decade has been the FLDS. A lot of what he’s saying would just appear to be totally weird to outsiders,” said Ezra Draper, who grew up in the Fundamentalist Church of Jesus Christ of Latter-Day Saints and left several years ago. “To me, it’s just like acting. This is all about keeping the smoke and mirrors and dog and pony show going for the people.”

Jeffs, 55, is facing sexual assault charges in two alleged polygamous marriages to underage girls, ages 12 and 15. His trial began July 25. Following jury selection and an evidence-suppression hearing, Jeffs abruptly fired his team of defense attorneys Thursday and announced he planned to represent himself.

He spent the rest of that day sitting silently alone at the defense table, but on Friday broke his silence with a flood of words: First, a 55-minute defense of polygamy, then a proclamation he claimed was from God, warning of “sickness and death” if the prosecution didn’t end.

In contrast to his long pauses in previous courtroom utterances, he talked continuously Friday, emphasizing freedom of religion. His comments on the “nightmares” children had following a massive 2008 raid on a remote FLDS ranch — the same raid that yielded much of the evidence against him —



Polygamist sect leader Warren Jeffs, center, arrives at the Tom Green County Courthouse, Thursday, July 28, 2011, in San Angelo, Texas. Jeffs' much-anticipated Texas trial begins in earnest Thursday, with prosecutors claiming he sexually assaulted girls he manipulated into "spiritual marriage," and defense attorneys countering that their client's religious freedoms were trampled. (AP Photo/Tony Gutierrez)

reveals he is aware of the situation and his followers' reaction to it. And while he passionately defended polygamy, he did not directly mention marriage to young girls or admit he had engaged in it.

He has been speaking to the FLDS for years, first as a teacher at the old Alta Academy outside Salt Lake City, and then as the group's leader. Imprisoned since 2006, he has continued to give sermons to his flock over a jail pay phone, his voice piped into the church building.

Jeffs has maintained control from behind bars, even excommunicating dozens of people from the group this year, former FLDS members say. Not relying on a typical legal defense maintains an image of separation, Draper said. And because seven of FLDS men charged following the raid were found guilty or pleaded no contest, a legal defense may not have worked, Draper said.

"My feel is that he has a legacy to maintain and he's more conscious about that legacy than anything else at this point," he said.

Jeffs' actions Friday may have been aimed at that legacy. After giving a nearly hour-long, sermon-like speech in court, he read a warning of "sickness and death" which he said was in Jesus' words. He then spent the rest of the afternoon objecting — at correct moments — to almost every piece of evidence the prosecution presented as being "secret" and "holy."

If he decides to keep that up next week, there's likely little Texas District Judge Barbara Walther will do to stop him, other than overrule his objections.

"It's very much like a school classroom," said Baylor University law professor Greg White. "You can be the kid that asks 'Why? Why? Why?' but as long as you're respectful and generally on topic, the teacher should say 'OK.'"

And for the prosecution, which had prepared to face a seven-attorney defense team the judge described as among the best ever assembled in Texas, his behavior is likely a gift.

"I would suspect that the state is goading these responses," White said. "It makes their point that he's crazy or a criminal."

The biggest pitfall for the prosecutors, he said, could be if the objections become so commonplace that overruling them is automatic. If a legally correct objection is accidentally overruled, the mistake could be fodder for appeal, if Jeffs is found guilty.

But then again, in this trial, the rule so far might be to expect the unexpected.

"If past is prologue, what I would say is something is going to change next week," White said. "There's been a twist to every turn."

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For live trial updates: [@lwhitehurst](https://twitter.com/lwhitehurst)

For more on the trial: The Polygamy Blog: sltrib.com/blogs/polygblog

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Week two of Jeffs' trial

Court reconvenes at 9 a.m. Monday after the first week in the Warren Jeffs' sexual assault trial. The

polygamous church leader faces charges in marriages to girls ages 12 and 15.

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