

CAUSE NO. \_\_\_\_\_

IN THE INTEREST OF

\_\_\_\_\_

A CHILD

§  
§  
§  
§  
§

IN THE DISTRICT COURT OF  
SCHLEICHER COUNTY, TEXAS

51<sup>ST</sup> JUDICIAL DISTRICT

**AFFIDAVIT IN SUPPORT OF ORIGINAL PETITION FOR PROTECTION  
OF A CHILD IN AN EMERGENCY AND FOR CONSERVATORSHIP IN SUIT  
AFFECTING THE PARENT-CHILD RELATIONSHIP**

STATE OF TEXAS

COUNTY OF SCHLEICHER

§  
§  
§

**BEFORE ME**, the undersigned authority, personally appeared **Lynn McFadden**, who was sworn by me and deposed as follows:

"My name is **Lynn McFadden**. I am of sound mind, over the age of 18, and capable of making this Affidavit. I am an Investigative Supervisor for the Department of Family and Protective Services (the "Department"), and I am authorized on the behalf of the Department to make this Affidavit. I have reviewed the Department's Original Petition For Protection Of A Child In An Emergency And For Conservatorship In Suit Affecting The Parent-Child Relationship (the "Petition"), and the facts stated in the Petition and in this Affidavit are within my personal knowledge and are true and correct."

**1. Information To Be Submitted To The Court Pursuant To The Uniform Child Custody Jurisdiction And Enforcement Act.**

"The present address of the child the subject of this suit is:

DFPS Foster Case  
Location Confidential

"All known places where the child has lived within the last five years that are known to the Department are:

YFZ Ranch,  
Eldorado, Schleicher County, Texas

"The names and present addresses of all the known persons with whom the child has lived within the last five years are:

Persons' Names Unknown or as listed under parties in the Petition  
YFZ Ranch,  
Eldorado, Schleicher County, Texas

"To the best of my knowledge, the Department:

"has not participated in any capacity in any other litigation concerning the custody of the child in this or any other state;"

"does not have information of any proceeding concerning the child pending in a court of this or any other state;"

"does not know of any person not a party to the proceedings who has physical custody of the child or who claims to have custody or visitation rights with respect to the child."

2. **Interstate Compact On The Placement Of Children.**

"At the time of the filing of this Petition, an interstate placement is not planned, but the Department of Family and Protective Services will comply with all requirements of the Interstate Compact on the Placement of Children as set forth in Chapter 162, Subchapter B, TEX. FAM. CODE.

3. **Facts Necessitating Removal Of The Child.**

On March 29, 2008, the Department received an intake report at 11:32 p.m. According to the intake, a teenaged mother (age 16) and her infant child (age approximately 8 months) were requesting assistance to enable them to leave the YFZ Ranch located near Eldorado, Schleicher County, Texas, which ranch is owned by the Fundamentalist Church of Jesus Christ of Latter Day Saints and which consists of a large compound containing numerous multi-story residential household complexes and other buildings inhabited by a large number of members of that church.

The teenaged mother had called a local family violence shelter several times that day expressing the need to leave her current living situation. She reported that she was brought to the YFZ Ranch by her parents about three years ago. She stated that about two years after her arrival on the YFZ Ranch (or about one year prior to the date of this report and when she would have been 15 years old), she was spiritually married to an adult male member of the church (approximate age 49 years old) at the YFZ Ranch. She indicated that the adult male was also married to several other women and that she was wife number seven.

The teenaged mother stated that she began to be abused shortly after she started living at the YFZ Ranch. She advised that the adult male would "beat and hurt" her whenever he got angry. According to the caller, this would include the man hitting her in the chest and choking her and that while such abuse was occurring one of the other women in the home would hold her infant child. She reported that the last time he beat her was on Easter Sunday 2008. The report also indicated that, on a previous occasion, the man had beaten her so severely that it resulted in her having several broken ribs, for which she was taken to the hospital. She reported that the doctor wrapped her torso in an ace bandage and told her to "take it easy for a few days". She also indicated that the man would hurt her, explaining that he would force himself on her sexually. She also indicated that she is several weeks pregnant.

The teenager mother stated that she was not allowed to leave the YFZ Ranch, unless it was to receive medical care, in which case the man would drive her and one of the other women from the YFZ Ranch would go into the hospital with her. She indicated that she had tried to devise a plan to escape from the YFZ Ranch by pretending to be ill and needing to receive medical care, but determined this would not work since she would not be allowed to take her infant child with her unless the child was also sick.

She indicated during the conversations that she was calling using someone else's cell phone and she was reported to be very, very quiet throughout the conversations for fear that she would be overheard and would get in trouble. She stated that her parents do not live on the YFZ Ranch and that she has not had any contact with them to explain that she does not want to continue to be on the ranch.

Subsequently, on March 30, 2008, the teenaged mother again contacted staff at a local family shelter. During this conversation, she again stated that she

and an adult male resident of the ranch had been married in a spiritual union through the church, but there was no formal marriage, and that the man had three other "wives" living on the YFZ Ranch. She reported that the man had previously gone away for a while to the "outsider's world", but she said she did not know why he left the ranch.

The Department, as part of its investigation, subsequently determined that the man identified by the teenager had been indicted in Mohave County, Arizona, on criminal charges of sexual conduct with a minor and conspiracy to commit sexual conduct with a minor in connection with a purported marriage to a minor in Arizona, with whom he had conceived a child. Information obtained by the Department indicated that the man pled no contest in August of 2007 to conspiracy to commit sexual conduct with a minor, and he was convicted of that offense. Information obtained by the Department also indicated that, as part of the plea agreement, the sexual conduct with a minor charge was dismissed. The man was sentenced to 45 days in jail and required to serve three years probation. As part of his sentence, he is required to register as a sex offender until he successfully completes his probation.

During the March 30, 2008 conversation, the teenager indicated that she was being held against her will at the YFZ Ranch and church members had told her that if she tried to leave, she will be found and locked up. She also expressed during this conversation concerns about what would happen to her if she were to leave the YFZ Ranch. She reported that church members have told her if she leaves the ranch, outsiders will hurt her, force her to cut her hair, to wear make up and clothes and to have sex with lots of men. She also indicated that her parents, who had returned to their hometown outside the State, were preparing to send her 15 year old sister to live at the YFZ Ranch. At the conclusion of this conversation, she began crying and then stated that she is happy and fine and does not want to get into trouble and that everything she had previously said should be forgotten.

Based on the above information, the Department obtained orders for investigation of child abuse from the 51<sup>st</sup> Judicial District Judge authorizing the Department to gain access to the YFZ Ranch for purposes of conducting an investigation of these allegations, including transporting and interviewing children located at the YFZ Ranch for purposes of the investigation. In cooperation with a criminal investigation being conducted by law enforcement, the Department began investigating these allegations. Further investigation conducted by the Department has unearthed additional information concerning other minor residents of the YFZ Ranch.

While searching for the teenaged mother and her infant child, investigators at the YFZ Ranch observed a number of young teenaged girls who appeared to be minors and appeared to be pregnant, as well as several teenaged girls who already had given birth and had their own infants. Investigators determined that there is a wide-spread pattern and practice among the residents of the YFZ Ranch in which young minor female residents are conditioned to expect and accept sexual activity with adult men at the ranch upon being spiritually married to them. Under this practice, once a minor female child is determine by the leaders of the YFZ Ranch to have reached child bearing age (approximately 13-14 years old) they are then "spiritually married" to an adult male member of the church and they are required to then to engage in sexually activity with such male for the purpose of having children. It is the pattern and practice of the adult males to have more than one spiritual wife resulting in them having sexual relationships with a number of women, some of who are minors. Minor boy children are expected, after they reach adult age and when their spiritual leader determines appropriate, to enter into a spiritual marriage with a female member of the church designated by the leader, which female may be a minor.

Based on the Department's joint investigation with law enforcement of the circumstances existing on the YFZ Ranch, the Department determined that an immediate danger exists to the physical health or safety of the children who are residents of the YFZ Ranch and/or that the children who are residents of the YFZ Ranch are the victims of neglect and/or sexual abuse and that their continuing to reside on the YFZ Ranch would be contrary to the children's welfare. As set forth in this Affidavit, there is a pervasive pattern and practice of indoctrinating and grooming minor female children to accept spiritual marriages to adult male members of the YFZ Ranch resulting in them being sexually abused. Similarly, minor boys residing on the YFZ Ranch, after they become adults, are spiritually married to minor female children and engage in sexual relationships with them resulting in them becoming sexually perpetrators. This pattern and practice places all of the children located at the YFZ Ranch, both male and female, to risks of emotional, physical and/or sexual abuse.

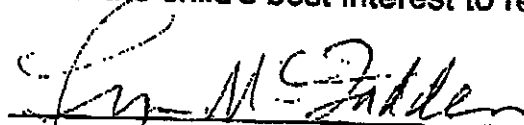
During the investigation, a number of the children interviewed were unable or unwilling to provide the names of their biological parents or identified multiple mothers and were unable or unwilling to provide information such as their own birthdates or birthplaces. The adults on the YFZ Ranch also, in many instances, provided limited information to no information about parentage of the children or other information identifying the proper name, age or date of birth of children located on the YFZ Ranch. This has made it difficult to determine who are the parents of the children located on the YFZ Ranch.

4. **Facts Supporting Citation By Publication Or Other Substituted Service Of An Absent Party.**


To the extent set forth in this Affidavit and in the attached Petition, the Department has been unable to determine the identity and location of the biological mother and/or father of the child. Therefore, the Department believes it is necessary to request citation by publication by posting on an unknown mother and/or unknown father of the child as alleged in the Petition.

"Based on the above facts, I believe there is an immediate danger to the physical health or safety of the child, and there is no time, consistent with the physical and emotional health or safety of the child, for an adversary hearing. I further believe that there is a continuing danger to the physical health or safety of the child if the child is returned to the care of the parents or other person entitled to possession of the child due to concerns that the parents or other persons will return them to the YFZ Ranch or similar environment, that the evidence shows that the child or other children located on the YFZ Ranch have been the victim of sexual abuse and there is a substantial risk that children located in the YFZ Ranch will be the victim of sexual abuse in the future; and that continuation of the child in the household would be contrary to the child's welfare."

"All reasonable efforts, consistent with the time and circumstances and providing for the safety of the child, have been made by the Department to prevent or eliminate the need for removal of the child, but it is not in the child's best interest to return the child to the parents' home at this time."

  
Lynn McFadden, DFPS Investigator

**SUBSCRIBED AND SWORN TO BEFORE ME** on this 6th day of April, 2008, by Lynn McFadden.

  
NOTARY PUBLIC, State of Texas

