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Utah rep. told Mormon bishop not to report abuse, docs show

By *MICHAEL REZENDES* and *JASON DEAREN*

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A Utah lawmaker and prominent attorney for the Church of Jesus Christ of Latter-day Saints advised a church bishop not to report a confession of child sex abuse to authorities, a decision that allowed the abuse to continue for years, according to records filed in a lawsuit.

The records — [two pages from a log of calls fielded by a law firm](#) representing the church and the deposition of a church official — show that Utah Republican State Rep. Merrill F. Nelson took the initial call from a bishop reporting that church member Paul Adams had sexually abused his daughters. Nelson also had multiple conversations over a two-year span with two bishops who knew of the abuse, the records show.

Nelson is a conservative lawmaker who was elected to the Utah House of Representatives in 2013 and announced his retirement earlier this year. He was also a lawyer with the

Salt Lake City firm Kirton McConkie, which represents the church. He earned his undergraduate and law degree from church-owned Brigham Young University.

A transcript of the deposition and excerpts of the call log were attached to a legal filing in the Arizona Court of Appeals made by lawyers for the plaintiffs. Three of Adams's children are battling the church, widely known as the Mormon church, for access to records the church insists are confidential. The church took the case to the Court of Appeals after a Cochise County judge ruled in favor of the victims.

According to the plaintiff's legal filing, Nelson advised Bishop John Herrod not to report the abuse and told him "that he could be sued if he reported, and the instruction by counsel not to report Paul to the authorities was the law in Arizona and had nothing to do with Church doctrine." But Arizona's child sex abuse reporting law grants blanket legal immunity to anyone reporting child sex abuse or neglect.

The [AP reported in August](#) that Adams confessed to Herrod in 2010 that he sexually abused his daughter, identified as MJ.

The church's lawyers have said Herrod, and later bishop Robert "Kim" Mauzy, legally withheld information about MJ's abuse under the state's [clergy-penitent privilege](#). Arizona law generally requires clergy members to report child neglect and sexual abuse but allows them to withhold

information obtained during a spiritual confession.

The log of calls filed in the Arizona Court of Appeals shows that Nelson spoke with Herrod and Mauzy multiple times from November of 2011 to February of 2014, a period during which Adams was excommunicated. Mauzy presided over a 2013 church disciplinary process after which Adams was expelled.

Although the log doesn't detail the subject of those communications, Roger Van Komen, manager of the church's southeast region family services department, said in a deposition also included with the filing that Nelson discussed the case with Herrod.

The 2021 lawsuit alleges the church conspired to cover up Adam's sexual crimes. The one-time U.S. Border Patrol employee repeatedly raped M.J. and eventually her younger sister at their Arizona home over a period of seven years and posted videos of the abuse on the Internet.

During an interview with the AP before the new court records were filed, Nelson defended the church's actions in the Adams case and the clergy-penitent privilege. He said the church "abuse help line" that Herrod had called for advice was designed to protect children.

"I don't have all the facts, but it seems to me like it did operate as intended," he said. "The bishop called the help line and was advised no duty to report it to civil authorities.

In fact, could not report because of the clergy privilege,” Nelson said.

“It is intended and always has from the beginning been intended to to help victims get the help they need through social services, professional counseling, medical help, legal help, law enforcement,” Nelson said.

Contacted after the new records were made public, Nelson declined further comment and asked that his previous comments be off the record. “I offer no comment on specific cases,” he said.

As a lawmaker, Nelson is a genteel but deeply socially conservative, speaking out against repealing a law that banned sex outside of marriage in 2019 and unsuccessfully pushing to block changes to gender markers on birth certificates. This year, he opposed a plan to remove a marriage requirement for surrogacy arrangements.

He also has opposed legislation that would do away with the clergy-penitent privilege. “Without that assurance of secrecy, troubled people will not confide in their clergy. Secrecy is essential to the privilege,” he said. “It encourages full disclosure without fear of unauthorized disclosure.”

A spokesman for the church declined to comment on the plaintiff’s filing.

The church established the help line in 1995 and requires bishops and other church leaders to call it before deciding

whether to report the abuse to police or child welfare officials.

According to church documents, those answering the help line refer callers to church attorneys with Kirton McConkie if the allegations of abuse are serious. The attorneys then decide whether the callers should report the abuse.

Nelson, who was a shareholder at Kirton McConkie, took Herrod's first call to the help line reporting Adams's abuse, according to Van Komen's deposition. Nelson told The AP he retired from the firm, though he remains listed on its website as a member of its First Amendment and Religious Organizations section.

[The AP investigation published in August](#) found that the help line is part of a system that can easily be misused by church leaders to divert abuse accusations away from law enforcement and instead to church attorneys who may bury the problem, [leaving victims in harm's way](#).

The AP's findings were based in part on 12,000 pages of sealed records in an unrelated child abuse suit against the church filed in West Virginia. Many of the documents describe the operation of the help line, which includes destroying all records at the end of each day

The sealed records included a list of questions that those answering the help line were to ask before referring calls to Kirton McConkie attorneys. The so-called "protocol" listed

the names of several Kirton McConkie attorneys and their phone numbers, including Nelson's.

Until now, the church has said that all communications between Herrod and Mauzy and church attorneys are confidential under the attorney-client privilege. But the newly filed log provides some details of Nelson's conversations with the two bishops.

For instance, the log shows that Nelson wrote an "initial case summary" on Nov. 7, 2011 "based on a conversation" with Herrod. The log also notes a "description of legal advice," and notes additional communications with the bishop.

Federal officials arrested Adams in 2017, four years after he was excommunicated, finally stopping the abuse of MJ and her sister, with no help from the church.

Adams died by suicide in custody before he could stand trial. His wife, Leizza Adams, served more than two years in state prison on child sex abuse charges. Three of their six children, including a boy who was allegedly abused, filed the lawsuit accusing the church of negligence for not reporting their abuse, and for engaging in a wider conspiracy to cover up child sex abuse.

Attorneys for the three children declined to comment on the log and their most recent court filing. In their 2021 lawsuit they referred to Kirton McConkie while accusing the church of directing a system designed to protect the church against

potentially costly sexual abuse lawsuits.

“The Mormon Church implements the Helpline not for the protection and spiritual counseling of sexual abuse victims, as professed in Mormon church doctrine and literature, but for Kirton McConkie attorneys to snuff out complaints and protect the Mormon church from costly lawsuits,” the lawsuit says.

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