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TOP STORY

## Grand jury investigation linked to civil case against LDS Church

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Paul Adams

**BISBEE** – Two closed hearings held at the Cochise County Superior Court in Bisbee are part of a grand jury investigation linked to a civil case against The Church of Jesus Christ of Latter-day Saints, a judge’s email shows.

The proceedings have not been traditional grand jury sessions in which jurors are presented with evidence of a crime by a prosecutor. Those sessions by law are closed to the public.

These two hearings – one held Jan. 6, the other Feb. 10 – before Cochise County Superior Court Judge Timothy Dickerson have included only prosecutors from the Cochise County Attorney’s Office and an attorney representing an undisclosed “defendant.”

That lawyer, Paul Charlton, is a former United States attorney who was appointed by George W. Bush and now works at a high-powered law firm in Phoenix billed as one of the largest in the world. A narrative on the law firm states that it handles particularly “white collar and government investigations, representing Fortune 500 companies and corporate executives in high-profile complex litigation, internal investigations and white-collar criminal defense matters.”

Last week before the second hearing, the Herald/Review sent Dickerson an email inquiring why the proceedings were closed if a grand jury was not present in the courtroom.

“These hearings are part of a Grand Jury Investigation and, are therefore closed to the public, the same as the Thursday Grand Jury Sessions,” Dickerson said in his email.

Court records show the non-public matter before Dickerson is linked to a civil case against The Church of Jesus Christ of Latter-day Saints and some of its leaders and members which is pending in Cochise County Superior Court’s Division I.

The case is a complex sexual abuse matter involving a former Border Patrol agent’s brutal mistreatment of his children for seven years. The suspect, Paul Adams, was a member of the LDS church in Bisbee. Court documents show Adams told church leaders he was abusing his children. Adams was arrested and later hung himself in a jail cell in Florence while awaiting trial.

His wife, Leizza Adams, also served time in prison for her role in the abuse of the couple's children.

The civil suit claims that leaders of the church in Bisbee where the Adams were members should have reported the abuse to police after learning of it from Adams. The Cochise County Attorney's Office has said it was investigating the church in connection to allegations made in a civil lawsuit by Tucson attorney Lynne Cadigan.

No criminal charges have been lodged against the church. A grand jury, according to court officials, only considers criminal matters, not civil cases. Prosecutors from the Cochise County Attorney's Office involved in the non-public matter before Dickerson – the case number is GJ21-0072 – have declined comment on the proceedings.

The civil case was affected by the non-public case after the second hearing on Feb. 10, court records show.

In a Nov. 29 order, Dickerson, the presiding judge for Cochise County, wrote that he was postponing a hearing in the civil matter initially scheduled for Dec. 1. The judge said a pending order in the non-public GJ21-0072 case had to be dealt with first before the hearing on the civil case could be rescheduled.

The Nov. 29 order says: "Pursuant to the order entered in GJ21-0072, it is ordered that the hearing on discovery disputes set in this matter on Dec. 1, 2021, in Division One of this Court is continued to a to-be-determined date after the Court rules on a motion pending in case number GJ21-0072. It is in the interest of judicial efficiency and justice to resolve the Grand Jury issue before Division One hears the discovery dispute. Division One will be

notified when it may reset its hearing.”

On Feb. 10, the same day as the second non-public hearing in the GJ21-0072 matter, Dickerson entered an order allowing Division I to reschedule the discovery hearing in the civil case.

That order says: “It is ordered that the hearing on discovery disputes, which was originally scheduled for Dec. 1, 2021, may be reset by Division One of this court.”

While Dickerson’s Nov. 29 order links the grand jury matter to the civil suit against The Church of Jesus Christ of Latter-day Saints, it’s unknown who Charlton is representing in the GJ21-0072 case. Several emails and telephone calls to Charlton by the Herald/Review have gone unanswered. A reporter approached Charlton after the first non-public hearing in January and he declined comment. Four prosecutors from the Cochise County Attorney’s Office who attended the second non-public hearing Feb. 10 also said they could not discuss what had transpired at the non-public proceeding.

Cadigan, who along with other attorneys is representing the plaintiffs in the civil suit, said she had no information concerning the non-public hearings in the GJ21-0072 case.

She is pushing for the church and others mentioned in the civil suit to be prosecuted criminally by the Cochise County Attorney’s Office.

“I certainly hope that the institutions and persons who did not report this terrible abuse are held accountable,” she said Tuesday.

