

Non-Members of Polygamous Church Denied Water Service, Suit Claims

An Arizona jury heard opening arguments on Wednesday that a married couple was denied municipal water services because they were not members of a polygamous church that dominates their community on the Utah-Arizona border.

Ron and Jinjer Cooke filed a federal lawsuit against the twin towns of Colorado City, Ariz., and Hildale, Utah, in 2010, claiming a violation of their civil rights in a lawsuit that also named the local water district and power company.

Attorneys for the couple contend in court papers that the jailed leader of the Fundamentalist Church of Jesus Christ of Latter Day Saints controls the adjoining towns and has ordered city leaders and departments to discriminate against outsiders. A 2012 federal lawsuit made similar allegations.

The leader of the breakaway Mormon sect, Warren Jeffs, 58, has been incarcerated in a Texas prison since his 2011 conviction for sexually assaulting two underage girls he claimed as “spiritual” brides.

The civil rights trial is expected to last about two months and is being overseen by Judge James Teilborg in U.S. District Court in Phoenix, a court spokeswoman said.

The repeated denial of services has forced the Cookes to haul water into their home every few days, a task which is cumbersome for the couple because Ron Cooke is disabled, according to court papers from the couple’s attorneys.

Colorado City attorneys have denied the discrimination allegations in court papers, saying the Cookes made mistakes

in seeking utility services, such as filing incomplete applications.

Colorado City, located in the remote area midway between Phoenix and Salt Lake City, has also had a water shortage, which hindered its ability to provide a water hookup in this case, the city said in documents before the court.

An attorney for the Cookes declined to comment on the case on Wednesday, and attorneys for Hildale and Colorado City, which have a combined population of about 7,500 people, could not be reached for comment. Ron Cooke grew up in the Fundamentalist Church of Jesus Christ of Latter Day Saints, but later left the church. Most other residents are part of the polygamous sect.

The couple's civil suit is not the only legal case alleging discrimination in the towns. In 2012, the U.S. Department of Justice filed a religious discrimination lawsuit accusing the towns of carrying out Jeffs' "will and dictates."

That suit, which is proceeding in U.S. District Court in Arizona, said the police agency for the towns had at times sent deputies to confront people about disobedience to sect rules. The U.S. government also accused the cities of refusing to issue building permits to non-sect members and said utilities delayed water and electric service to those people.

The Cookes are seeking unspecified damages and a court order to require the cities and the local water and power agencies to immediately provide utility services to all residents.

Evidence of discrimination cited by the Cookes includes letters sent to Jeffs in prison by city officials, according to court papers filed by the couple's attorneys.

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