

Advocates accuse state of Utah, LDS Church of undermining Prop 2 with special session

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by McKenzie Stauffer



New voter numbers Thursday showed a slight increase in the lead in favor of medical marijuana. (File photo: KUTV)

(KUTV) -- Medical marijuana advocates are threatening to sue the state of Utah, and The Church of Jesus Christ of Latter-day Saints, for its involvement with Proposition 2.

Attorney Rocky Anderson wrote a letter, on behalf of the plaintiffs, calling for a separation of church and state.

The Church of Jesus Christ of Latter-day Saints (“The Church of Jesus Christ”) has a long history of dominating and interfering with the government of the State of Utah, often dictating to state and municipal legislators what legislative measures or policies they are to support or oppose. That dominance and interference is prohibited by the Utah Constitution.

Doug Rice, one of the plaintiffs, told 2News that the advocates want to make sure the state did not communicate with the Church to try and undermine Proposition 2 with the special session.

The letter states:

The purpose of The Church of Jesus Christ in forcing the special session is to radically undermine and alter the new law, which garnered majority popular support in the last election (Utah Proposition 2, Medical Marijuana Initiative (2018)). Vastly altering the law mandated by the people is contrary not only to the popular will, but contrary to the intention expressed in the Utah Constitution that the people can, through an initiative, directly exercise their constitutionally guaranteed legislative power.

Anderson is prepared to sue on behalf of several organizations and advocates, including: Together for Responsible Use and Cannabis Education (TRUCE), The Epilepsy Association of Utah, Rice, a retired paramedic-captain, and Christine Stenquist, a brain tumor survivor.

We were contacted by these people and organizations for the first time during the past two days. We are investigating a legal challenge to (1) the calling of a special session of the Utah Legislature at the behest of The Church of Jesus Christ; (2) any effort, in collusion with or at the behest of The Church of Jesus Christ, to materially alter the initiative statute supported by a majority of voters who passed Proposition 2 in the recent election; and (3) the long-term pattern of domination of the Utah Legislature and the interference in the functions of Utah government by The Church of Jesus Christ.

Anderson warns the parties involved to keep all records related to church lobbying, Proposition 2 and the special session. Rice says that this is preliminary action and that they would like to have all of the evidence collected. Depending on what is discovered, legal action may be taken.

The failure to preserve and retain the electronic data and evidence outlined in this notice may constitute spoliation of evidence, which may subject you to legal claims for damages and/or evidentiary and monetary sanctions.

Rice told 2News that if there is a legal violation, they would pursue suing the state before the Church, unless there is clear evidence the Church did something illegal.



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