

Peace and blessings

Dear Rudy and Erin,

Here I send you the four pages, Patrick would like you put it in his webpage, and asking the five people to come forewards to give their names and that they that they were with John Timentwa that night and that it is true.

I suppose Patrick will call you today, so he can explain better, but so you have these papers already. We thank you.

In Christ Jesus,

Agnes.

AFFIDAVIT OF JOHN JOE TIMENTWA

COMES NOW the above for the purpose of making the following statement. The events that I describe are true to the best of my knowledge. Most occurred the night and following morning of the shooting incident on the Elmer McGinnis property when tribal police officer Louie Millard was shot and killed. The others occurred some time after the shooting incident, approximately the time period that the Hoffman/McGinnis case was in trial. I cannot remember exact times and dates.

That evening, I and five other individuals were in the War Bonnet Tavern in Nespelem. During the course of our time there, various people came in and talked about the confrontation that had occurred between Elmer and council members in their chambers. The stories differed from person to person, from Elmer having been shot, to Elmer having pulled a gun on the council members. Some said that Elmer had had a heart attack and been put in the hospital and that his family had broken him out. There were numerous stories as to what had transpired.

Later into the evening, someone came in to the tavern and said that something was going on at the McGinnis place and that the police were there. We stayed at the tavern

for a while and then decided to go to the McGinnis place and see what was happening.

We drove up to the Projects on the knoll opposite the Elmer McGinnis place. There were all kinds of lights on the property and tribal police all over the place. They were in the front and at the back and sides of the house, and were running around, completely disorganized and chaotic.

We then saw the flash of gunfire come from where the cops were positioned. This was the first shot fired. At that point, all hell broke loose and there was gunfire from all around the house. We couldn't see why or at what they were shooting, they were just shooting blindly.

Then Louis Millard said something about him going and talking them out, and at that point there was then gunfire which came from one of the positions either at the back or the side of the house. Lou Millard then said, "Oh God, I'm hit." and grabbed in the area of his throat and went down to the ground. He then layed there for what I believe was about three or four hours. During that time, someone kept yelling for someone to help him, to get him to a doctor. No one did anything to try to get to him or to help him in any way.

Toward daybreak, we saw someone cutting over the hill and commented on the fact that the police didn't see him.

Soon after that, Tribal police officer Gary Carden came up to us and asked what we were doing there. Our comment to

him was that we were watching the police shoot each other. He then asked what we saw and how long we had been there. We told him that we had seen the whole ordeal transpire from beginning to end. We also told him that we thought the cops had had special police training and that it looked like the Tribe had wasted their money training any of them.

There was so much chaos going on that we were all surprised to find out that the cops had only killed one of their own people. The way they were all shooting blindly, we figured that more would have gotten shot.

No one ever called me or any of the other individuals I was with that night as a witness. During the time that Gary Carden was talking with us the morning following the shooting, he did not write down any of our names or anything we told him. He does, however, know each of us and our names well.

Sometime after this incident, during a contact with Gary Carden, I asked him why no one had ever talked to any of us again or called us as a witness. He told me that apparently none of the attorneys needed us to testify.

During the time that Hoffman and McGinnis were in trial, I was in the Tribal jail. Chester Clark was the jailer, and also one of the officers that was present during the Hoffman/McGinnis incident. I told him that I had watched the whole

thing take place, along with five other individuals, and that I knew that Hoffman and McGinnis hadn't shot Louis Millard -- that the police had shot him. Chester told me that he knew that, but that he was getting pressured. He told me that Carden and other cops were telling him that they were all supposed to take care of each other and if he went against them, anything could happen. He told me that he would loose his job for sure. I also asked him why I and the other five individuals weren't being called as witnesses. He said that he didn't know and went as far as to pull the reports on the case. He told me that our names weren't even listed in the reports.

I do not know Elmer McGinnis or Pat Hoffman personally. I have no reason for making this statement other than I know it to be the truth.

FURTHER AFFIANT SAYETH NOT.

JOHN JOE TIMENTWA

SUBSCRIBED AND SWORN to before me this _____ day of _____, 1993.

NOTARY PUBLIC in and for the State
of Washington, residing at _____.
My commission expires: _____.