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Attorney for Petitioner

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

ELIZABETH DIANE DOWNS,)	
)	CV No. 96-900 HA
Petitioner,)	
)	AFFIDAVIT OF
vs.)	PHYLLIS HAYNES
)	
SONYA HOYT, Superintendent,)	
Oregon Women's Correctional Center,)	
)	
Respondent.)	

STATE OF OREGON)
) ss.
County of Lane)

I, Phyllis Haynes, being duly sworn, depose and say:

I am the former wife of James Claire Haynes. I married Mr. Haynes in December 1983 and divorced him in 1994. I know that Mr. Haynes is a violent and dangerous man. During our marriage, Haynes physically assaulted me many times. Haynes has held a loaded 9 mm pistol in my mouth and a .357 magnum to my temple,

threatening to shoot me. Haynes attacked me and broke my nose. On one occasion, during another argument, Haynes threw my newborn baby down the stairs. Haynes attacked me so many times it is difficult to remember them all, but I can/will never forget the violence and horrible crimes he has committed, nor the confessions he has made to me of brutal murders in the Willamette Valley area.

Mr. Haynes has told me he is the stranger who shot the Downs family, first confessing his guilt in the winter of 1984, repeating that confession several times throughout our marriage. I know that he has also confessed to many other people, including members of my immediate family, which only reaffirms the truth of these confessions. When he told me, I refused to talk to him about it, as I knew he was/is very capable of the crime he was confessing to. I did not want to believe that the father of my children could have committed such a horrendous crime to a child. It frightened me then, as it does now, but I cannot allow Mr. Haynes confessions to me to go unheard.

During our marriage, Mr. Haynes was regularly involved in "black market" firearms. Haynes is very familiar with the use of many different firearms. I have seen him with a variety of lethal weapons, including machine guns. He knows how to make and use bombs, using various pyrotechnics. Haynes is also a former Kenpo Karate teacher and knows how to use his hands and body as a violent weapon.

I have provided much of this same information in an earlier affidavit sworn in 1993. I fear what Haynes may do if he finds out about this affidavit.

Phyllis Haynes

PHYLLIS HAYNES

SUBSCRIBED AND SWORN TO BEFORE ME this 29 day of August, 1997.

Sharon A. Hunt

Notary Public for Oregon

