

UNITED STATES OF AMERICA

Vs.

Case No. 06-CR-320

DAVID ROLAND OLOFSON

AFFIDAVIT OF PERSONAL KNOWLEDGE OF FACTS

I, David L. Olofson, am the father of David R. Olofson. I have witnessed David R. Olofson fire the rifle in question on many occasions over the entire time he has owned this rifle. This occurred from the time he was honorably discharged from the Army up to the time the rifle was confiscated. During this time I also fired this rifle and at no time did it fire multiple rounds or malfunction. At no time while I fired this rifle did the selector ever move to an unmarked third position. The use of this rifle for me was just for the pleasure of target shooting and usually in the presence of multiple witnesses. I and my son have enjoyed that pleasure since he was eight years old. I have always stressed, and practiced with him, hunter and gun safety, checking and following the laws regarding such. I have continually stressed that he must always be within the law and when he is questioned, always adhere to our Constitution and to the court system to reconcile any questions, if necessary. This he has done that to this day. He has never intentionally broken any laws of the state or this country. On the contrary he has continued to serve his country in the Army Reserve to the point of requesting to be deployed to Afghanistan in his last reenlistment, which some members of our family did not necessarily agree with, including me.

Approximately the first week in October 2006, while visiting my son and Candice at their residence, my son stated that he had found some parts on the floor of his garage after the ATF ransacked it, one of which he showed me. I did not know what it was and he explained that it was an auto sear for an M16. My son said that he was surprised to find this, and that someone must have dropped it. The implications were obvious. I asked him if he had ever had parts of that sort or a full auto weapons ever at his house, to which he answered no. If he did, this was not acceptable with us. He gave the part to me, which I promptly disposed of.

During the week of November 20, 2006 I received a call from SA Keeku regarding my son. She reviewed the charges against him, weapons in my house, and conversations she had with Candice Olofson my son's wife. SA Keeku said that Candice agreed that my son had broken the law and that my son would be staying at our house. That is absolutely false, as I personally verified it with Candice and in addition I never indicated my son would be staying at my residence, as he has his own. This directly contradicts what SA Keeku has reported. SA Keeku also indicated that they would be stopping by to discuss the situation with me and my wife Patricia. She never stopped by and/or left me any other messages, EXCEPT my wife's discovery of some M16 parts in a zip lock bag, to include an auto sear in our sun room, shortly after her call. Coincidental that my son found one and now we had found one, I think not, as no one has ever had an automatic weapon or parts for an automatic weapon in my house. In addition someone had to break into my residence to drop these parts. Not a simple task as I have a state of the art security system. I promptly disposed of them thru a 3rd party in front of other witnesses.

I have never heard my son claim to be a gun dealer, convert, or claim to be able to convert guns into machine guns. I am an engineer in the manufacturing industry for 30 years, and my son does not have the machining knowledge or the tools to convert the rifle in question. I have never witnessed my son possess or

claim to own a machine gun. I have never witnessed my son fire or claim to fire the rifle in question as a machine gun. I have never witnessed my son claim to fire machine guns at the Berlin range. I have never witnessed my son claim that the rifle in question had a selector switch that would move into a third position, or malfunction in any way to produce multiple shots, as shown by the BATF video, with one pull of the trigger. The only time I have seen the gun in question malfunction, giving the appearance of being a machine gun, is on a video edited and produced by the BATF. I do know that the rifle in question has had parts replaced with factory parts, per my son, as he indicated he had encountered a jamming condition and that the manufacturer had recommended their replacement. This replacement happened well over a decade ago.



David L. Olson

Subscribed and sworn to before me

This 15 day of May, 2008



Notary Public, State of Wisconsin

My commission expires on: July 06, 2008