

FEDERAL COURT

BETWEEN:

GLENN HUDSON,

Applicant,

-and-

**CHIEF STAN BIRD, KELVIN C. WILSON, DONNA LEE SUTHERLAND,
TERRANCE SINCLAIR, LINDA SINCLAIR, DENNIS CAMERON, MARY
TYLER BEAR, and PEGUIS FIRST NATION**

Respondents.

APPLICATION UNDER SECTION 31 OF THE *FIRST NATIONS ELECTIONS ACT* S.C.
2014, c. 5

AFFIDAVIT OF TAMARA HUDSON
Sworn the 13TH day of June, 2023

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AFFIDAVIT OF TAMARA HUDSON

I, TAMARA HUDSON, of Peguis First Nation, in the Province of Manitoba,

MAKE OATH AND SAY THAT:

1. I have personal knowledge of the facts and matters deposed to by me, except where same is expressed to be on the basis of information and belief, in which case I believe them to be true.

Background

2. I am a Tribal Member of Peguis First Nation (the “**First Nation**”). The Applicant herein is my brother, Glenn Hudson (“**Glenn**”).

3. Glenn appointed me to act as his scrutineer in the 2023 General Election. My role was to attend the advance polls, and the polls held on the day of the general election to observe and supervise the vote.

General Election

4. I knew that the General Election was going to be held in advance polls on March 28th in Peguis, March 30th in Winnipeg, and March 31st in Selkirk. April 6th, 2023 was the date of the General Election. I was informed that One Feather was selected as the electoral officer, and that One Feather would be providing staff to oversee the voting process.

5. I attended the advance polls of March 28th in Peguis as then Chief Hudson’s scrutineer, which was held at the Peguis Community Hall. I arrived at the Hall at 4:00pm. The advance polls were to be open from 9:00am until 8:00pm.

6. Events at the advance polls were unremarkable until approximately 7:40pm. Iris Stevenson, a candidate for council, had made a Facebook post requesting that all the “269 group” or “Warriors” to attend the Hall. I viewed the post on Facebook on my phone when it was made, but I do not have a copy. I was able to recognize the reference to the “269 group” as a reference to Stan Bird a candidate for Chief, and his supporters, who had

called themselves the “269 group” on Facebook throughout the election period.

7. I was at the Hall when approximately thirty (30) of the 269 group arrived and entered the Hall, and stood along one wall at the back while community members were still voting. I was charging my phone near the kitchen door in the Hall, and could hear the female electoral officer inform the large group that if they were here to vote, they could vote, but otherwise they would have to leave the Hall because the poll was still open. I observed the group of individuals, and no one voted or left the Hall after spoken to by the electoral officer.

8. I recognized two of the 269 group as my cousins Karen Spence, and Gloria Sinclair, and told them myself that there were still people voting, and they could not stay in the Hall because the poll was open. I identified myself as a scrutineer, and that they should leave. The two individuals told me “we’re not leaving” or words to that effect.

9. Two electoral officers were sent to the Hall to administer the March 28th advance poll, one was female and one was male. I observed the female electoral officer again repeat to the 269 group that they would have to leave. No one left in response to this second direction from the female electoral officer.

10. Some of the 269 group were carrying with them warrior staphs, and banging them on the floor of the Hall. These staphs are long, and resemble wooden clubs at the top end of them. Some women were in traditional

skirts, and some were wearing ski masks and toques in the Hall to hide their identities.

11. I observed one female voter attend the Hall after the 269 group had come, and the 269 group had positioned themselves so that the woman had to pass by each of them in order to obtain her ballot. When the woman sat down to vote, members of the 269 group were obscuring her privacy in the voting booth by opening a door behind her while she marked her ballot.

12. When 8:00pm came and it was time for the polls to close, the 269 group were still in the Hall, and cheered loudly and banged their staphs when the electoral officer announced the closure of the polls.

13. The electoral officers began to tape the box with the advance polls inside, and invited community members who were present to come and sign the sealed box. At the same time a black truck arrived at the Hall with a large blue metal cage inside. Members of the 269 group, including Stan Bird, brought the cage inside the Hall and confronted the electoral officers, informing them that they intended to lock the ballot box in the cage. I observed the female electoral officer engage with members of the 269 group, who I could tell were pressuring her not to leave with the ballot box. At one point Kelvin Wilson approached her in an aggressive manner.

14. I approached the female electoral officer and asked her what was going on. I heard the female electoral officer ask the group “with a show of hands who are not letting us leave with ballots”. In response to this many of

the 269 group raised their hands. At one point I heard a member of the 269 group say to the male electoral officer that if he took the ballots he will “see what will happen” or words to that effect, but it was very clear that the words were intended to convey a threat.

15. I observed members of the 269 group effectively force the electoral officers to place the ballot box in the blue cage they had brought. At one point I observed the female electoral officer was crying. When the electoral officers had placed the ballot box in the cage they were given padlocks and one set of keys to lock the cage, the lock did not belong to them.

16. After placing the ballot box in the blue cage, the electoral officers were escorted out of the Hall by members of the 269 group. After the electoral officers were removed from the Hall, the group began to cheer, and say words to the effect of “We did it! We made it happen!”.

17. I left the Hall shortly after the electoral officers were escorted out.

18. I attach to this my affidavit several cell phone videos of the events at the March 28th advance polls which I described herein, and attach as **Exhibits A and B.**

Exhibit A is a video posted to Facebook live by Sharon Bird, a Peguis community member, 22:55 in length, which I have

reviewed and can confirm is an accurate video capture of the events of the evening of March 28th, 2023.

Exhibit B is a video posted to Facebook live by Sharon Bird, a Peguis community member, 00:44 in length, which I have reviewed and can confirm is an accurate video capture of the events of the evening of March 28th, 2023.

19. I observed several candidates for Chief and council in attendance at the Hall on March 28th in support of the 269 group, including Stan Bird, Kelvin C. Wilson, William Bird, Jonathan Flett, and Dwayne Spence.

20. Days after the election of April 6th, 2023 I viewed another video on Facebook 4:20 in length, which I attach as **Exhibit C** hereto my affidavit. This video shows Chief Stan Bird, and councillors Kelvin C. Wilson, and Terrence Sinclair destroying the main foyer of the Peguis Band Office. I include this video in my affidavit for completeness, as the same members who were present the night of March 28th were the first ones to display themselves proudly destroying our community's Band Office.

21. I have had several community members and elders approach me since the general election, and reference the day of March 28th specifically, stating that they feel that their voting rights were infringed upon and taken away by the actions of the 269 group. I (along with many others) believe the Court should set aside the results of the April 6th, 2023 election; find offences under the *FNEA* as against Stan Bird, Kelvin C. Wilson, and other

relevant members of the 269 Group; and order a new election for the First Nation on the terms originally set out in the election process.

22. On or about May 23rd, 2023 I was terminated from my employment at the Peguis First Nation Finance Office, which I had held for the last seven years. I believe the only reason I was terminated is due to the fact that I am Glenn Hudson's sister.

23. I make this affidavit bona fide and in support of this Application.

Sworn before me at the City
Winnipeg, in the Province of
Manitoba, this 13th day of June, 2023



A Notary Public in and for the
Province of Manitoba.



TAMARA HUDSON

This usb contains **EXHIBITS A, B, and C** referred to in the Affidavit of
TAMARA HUDSON, sworn before me this 13TH day of JUNE, 2023

A handwritten signature in blue ink, consisting of a stylized 'Z' followed by a 'K' and a flourish.

A Notary Public in and for
The Province of Manitoba