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Plea deal in Hossencofft case

By Joline Gutierrez Krueger
Tribune Reporter

The third defendant in the strange death of Girly Chew Hossencofft stunned onlookers in court today by accepting a last-minute plea deal that lessens his charges to three misdemeanors.

Bill Miller, who once faced a first-degree murder charge and the possibility of the death penalty in the Albuquerque case, pleaded no contest in state District Court to three counts of attempted tampering with evidence.

The plea came just minutes before his long-delayed trial was to have begun and nearly four years since authorities began eyeing him as the man who killed the 36-year-old bank teller at the behest of her estranged husband, Diazien Hossencofft. Her body has not been found.

"I just want this to be over," Miller, a 53-year-old electrician, said today after thanking his family and his attorney, Ray Twohig, for supporting him through an ordeal that he said began because he was being a good guy.

"I got involved with Diazien Hossencofft because I thought he was dying of leukemia," a fatigued but relieved Miller said of the man authorities say was a master manipulator who feigned, among other things, his impending death. Hossencofft also contended he was immortal, a reptilian alien, a doctor, a secret agent and the supplier of the fountain of youth, authorities say.

Prosecutors say Hossencofft enlisted the help of Miller and Hossencofft paramour Linda Henning to seek out and kill his wife Sept. 9, 1999, and dispose of her body for reasons that have included an intergalactic battle between warring queens, a government plot and a way to silence a spouse seeking her share of the spoils of a broken marriage.

Miller, they said, tracked down Girly Hossencofft, killed her and disposed of her body, leaving a trail of fly-fishing lure fibers that matched those found in his Northeast Heights home.

"The state believes evidence exists that you could conclude that if you want," Assistant District Attorney Jack Burkhead said today.

Miller was indicted Feb. 26, 2001, on charges of kidnapping, four counts of conspiracy and seven counts of tampering with evidence.

Prosecutors returned to the grand jury May 24, 2002, in the hopes of attaining a first-degree murder indictment, this time relying heavily on Diazien Hossencofft's odd and sometimes combative testimony.

Instead, the grand jury came back this time with an indictment of five counts of tampering with evidence against Miller, apparently not giving Hossencofft's testimony any credence.

"That was the first turn of events that led to today's plea," Burkhead said. "The grand jury left us with charges that were relatively minor, essentially gutting our case."

The tampering charges were in connection with several business cards, including Henning's, that Miller was accused of eating, burning or otherwise destroying.

This week, one of the tampering charges was dismissed.

The final blow in the state's case came late Tuesday after a grueling day of jury selection when state District Judge Richard Knowles heard but did not rule on a motion filed by Twohig seeking the exclusion of evidence involving Henning's business card.

The card had been seized from Miller's fireplace by Albuquerque police Detective Nick Gonzales, who is now deceased.

"We had the actual card," Burkhead said. "The problem was we didn't have the witness who found the card."

Rather than face the possibility of no conviction at all, the state offered the plea accepted today, he said.

"It appeared the case was headed for defeat for the prosecution," Miller's attorney Twohig said. "We have always said we would accept a misdemeanor plea."

Miller, who has not been in jail during the trial, faces a maximum sentence of nearly three years of incarceration or a fine of $3,000, but Twohig said he was hopeful his client would be given probation or a conditional discharge.

"This was a man who was facing a murder charge and the death penalty," Twohig said. "In light of that, we believe this is a fair resolution."

Sentencing is tentatively set for Sept. 5, pending the completion of a pre-sentence report on Miller, who until his brush with Hossencofft had a clean record.

"This has been like an albatross around his neck," Twohig said. "He would just like to get back to his life."

Miller said he had been asked by members of the Bethel Christian Church to help the supposedly dying Hossencofft and his 3-year-old son, Demetri, who has since been adopted.

"I knew this man for one month," Miller said.

Prosecutors, however, have said Miller became enamored of Henning after meeting her at a book signing in April 1999. The two of them shared an interest in the paranormal, and both joined a UFO luncheon club, they said.

Henning later introduced Miller to Hossencofft, and the three of them, prosecutors allege, hatched the plan to kill Chew Hossencofft.

Miller, they said, procured firearms for his co-conspirators, taught them to shoot and was familiar with the remote landscape near Magdalena believed to be the dead woman's final and yet uncovered burial ground.

Prosecutors also say Miller was paid for his services in gold coins and more than $10,000 wrapped in foil that he attempted to place in a safety deposit box on the day Chew Hossencofft disappeared but did not after seeing a uniformed police officer in the bank.

Twohig has said the money was Miller's and that he was a longtime coin collector.

Miller could still face charges in connection with Chew Hossencofft's death should new evidence connecting him to the crime arise, Burkhead said.

Hossencofft, 38, is now serving a life plus nearly 61-year sentence after pleading guilty to first-degree murder and other charges. Henning, 50, was found guilty late last year of first-degree murder and other charges and is serving a life plus 43-year sentence. A jury spared her from the death penalty.