

# **Judge Orders James Nichols to Be Freed No Direct Link to Oklahoma Bombing Found; `Identity' Group Probed**

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A federal judge in Detroit yesterday ordered James Douglas Nichols freed without bond, holding that the government had failed to show that the Michigan farmer was directly linked to last month's terrorist bombing in Oklahoma City.

Assistant U.S. Attorney Robert Cares contended at the daylong hearing that Nichols was involved in the Oklahoma City explosion. "James Nichols himself engaged in the rhetoric of violence," Cares said, according to the Associated Press. "If it was just rhetoric, we wouldn't be here today. But he and Terry Nichols turned those words into action."

But James Nichols's lawyer, Robert Elsey, objected to the assertion and the judge sustained the objection, noting that the government had offered no evidence directly connecting James Nichols to the bombing.

Nichols, 41, has been held in jail for the past month, first as a material witness and then on charges that he conspired with his brother, Terry, and their friend, Timothy James McVeigh, to make and detonate small explosives on the Nichols farm in Decker, Mich.

Both Terry Lynn Nichols, 40, and McVeigh, 27, have also been charged with blowing up the Alfred P. Murrah Federal Building in Oklahoma City April 19, killing at least 167 people. They are being held at a nearby federal prison following separate rulings that there is probable cause to believe them guilty.

But the government was unsuccessful in pressing for James Nichols's continued detention. U.S. District Judge Paul Borman ordered him released at noon today and placed under the supervision of Rhonda Roggenbeck, who with her husband has a farm near Nichols's home in Decker.

In Oklahoma City, federal authorities were looking into reported ties between McVeigh and a "Christian Identity" group located in a wilderness compound in southeastern Oklahoma and headed by a spiritual leader named Robert G. Millar. He is said to espouse separatist rhetoric, anti-government sentiment and survivalist training techniques.

Two senior law enforcement sources said McVeigh phoned one of Millar's sons on April 14, "four minutes" after a man calling himself "Bob Kling" made a telephone

reservation for a Ryder rental truck at a Junction City, Kan., outlet. On Monday, April 17, McVeigh, using the name "Kling," picked up the truck, which was used to blow up the federal building two days later. The bombing took place on the same day that Richard Wayne Snell, an Oklahoma man who considered Millar his spiritual adviser, was executed in Arkansas for murder.

Millar, 69, has strenuously denied reports of a link with McVeigh. He told the Muskogee Daily Phoenix that McVeigh and Terry Nichols "are complete strangers to me, entirely." He said he has never talked with McVeigh on the phone, never visited with McVeigh in person and doesn't know him. Millar, who has four sons, could not be reached by telephone yesterday; a daughter-in-law said he was on his way to Fort Smith, Ark., "to make some response to the baloney that's going on."

McVeigh was ticketed by an Arkansas state trooper on Oct. 12, 1993, on a state highway a few miles from the Millar compound for driving his Chevrolet over a double yellow line to pass another vehicle. He was subsequently cited for failing to appear to answer the charge.

While authorities remain uncertain about what, if any, connection McVeigh had with Millar's group, their inquiries reflect a strategy of examining all of McVeigh's associations, especially in the year before the bombing. Federal officials have subpoenaed telephone records for McVeigh, the Nichols brothers and other associates in an attempt to ascertain the scope of a possible conspiracy case, compiling a list of more than 66,000 phone calls in the process.

Investigators also were continuing their inquiries about David Paulsen of Chicago, the 21-year-old son of a Wisconsin gun dealer. A business card from Paulsen's Military Supply of Antigo, Wis., was found in the back of the squad car in which McVeigh rode after he was arrested for a motor vehicle violation within 90 minutes of the bombing. The card had the name "David" written on the back.

The Paulsen family has denied any relationship with McVeigh, saying he probably picked up the card at one of the gun shows they worked, but senior law enforcement officials said yesterday that David Paulsen had failed two recent polygraph tests. Attempts to reach him by telephone yesterday were unsuccessful.

At yesterday's hearing, FBI agent Patrick Wease testified that a confidential source quoted James Nichols as having said a group called "the Patriots" would take over the government by force, once it had enough members. Wease also testified about a letter believed to have been written by McVeigh to Nichols months before the bombing that said in part, "Please keep me posted on any `trouble.' "

In Washington, the Justice Department announced a new eight- person team to handle the bombing case, headed by Assistant U.S. Attorney Joseph Hartzler.

Officials flown in to handle the initial investigation were sent home. Hartzler, 44, based in Springfield, Ill., spent 10 years in the department's Chicago office.

Police in Oklahoma City said they suspect another victim may be buried in the wreckage of the Murrah building, scheduled for demolition today.