

# **Okla. Bombing Judge Refuses to Step Aside Jurist Changes Venue to Ensure Fair Trial**

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The judge in the Oklahoma bombing case on Thursday rejected a request from both the defense and the prosecution that he step aside.

But he ordered the trial moved to a smaller town 90 miles away.

Both sides had wanted U.S. District Judge Wayne Alley to remove himself in favor of a judge who was more removed from the April 19 blast, which ripped apart the Alfred Murrah Federal Building and damaged Alley's chambers across the street.

"The allegations of bias and the appearance of lack of impartiality presented by the defendants are lacking," Alley said. "Preparing for and trying this case will be a difficult task in the coming months, and I cannot merely ask another judge to shoulder the burden when the law does not require that."

Alley conceded, however, that the trial should not be held in the courthouse in Oklahoma City. He set the trial of Timothy McVeigh and James Nichols for May 17 in Lawton, a military town of about 80,000 people near the Texas state line.

"The United State courthouse in Oklahoma City is too close to the bombing target, the Murrah building. Jury selection from a pool in the Oklahoma City area would be chancy," he said.

Lawton, he said, is "close enough to be convenient for local witnesses and for affected persons who want to be spectators. It is far enough to provide a trial setting appropriate for detached and dispassionate deliberation."

Alley was not in the courthouse when the federal building was bombed, but his chambers and courtroom were damaged.

Attorneys for McVeigh and Nichols had argued that Alley was too affected by the bombing to remain impartial. Prosecutors disagreed but asked the judge to step aside anyway to avoid repeated court battles over the issue.