

A Year After Oklahoma City Bombing, Many Mysteries Remain



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In the frantic days following the bombing of a federal building here -- even after the FBI had two prime suspects in custody -- dozens of witnesses continued to insist that another man was involved. John Doe No. 2 was seen driving the yellow truck allegedly used in the blast and even emerging from the vehicle just moments before it exploded.

But a massive hunt for this mystery man with olive skin and a baseball cap turned up nothing. And today, the government admits it still has no idea who John Doe No. 2 is, or whether he even exists.

This is just one of the many mysteries and unanswered questions that swirl around the April 19, 1995, bombing of the Alfred P. Murrah Federal Building, in which 168 people were killed in the worst case of domestic terrorism in U.S. history. Timothy James McVeigh, 27, and Terry Lynn Nichols, 41, await trial on 11 counts of conspiracy and murder in Denver. A judge moved the case there after deciding the two men could not get a fair trial in Oklahoma. A trial date has not been set. With no consistent eyewitnesses from the scene and no confessions, the enigmas loom large. Among them: Was a second truck involved in the bombing and, if so, who drove it? If Nichols was part of the conspiracy, why do two friends, who have turned state's evidence, say Nichols wanted out of the conspiracy months before the bombing? If Nichols and McVeigh orchestrated a robbery to finance their plot, as the government alleges, then why is the case officially unsolved and no robber identified? Government sources acknowledge that unresolved questions could create doubt in the minds of a death-penalty case jury, when the case eventually comes to trial later this year or early next year. But after interviewing thousands of witnesses, combing through reams of telephone records and sifting tons of debris from the wreckage, government officials believe they have a powerful circumstantial case against the suspects. Among

the government's more compelling evidence is McVeigh's fingerprint on a receipt found in Nichols's house for fertilizer of the type used in the bomb, witnesses who can identify McVeigh as the man who rented the truck used in the explosion, and phone records showing intensive contact between the two men in the days leading up to the blast. Still, as the O.J. Simpson trial and acquittal memorably demonstrated, mounting a circumstantial case with no eyewitnesses to the crime can be tricky in today's criminal courtroom. McVeigh's lawyer, Stephen Jones, has already served notice that he intends to cast doubt on the government's case by introducing countless other potential suspects, from international terrorists to American white supremacists. He has even suggested a possible defense that could spare McVeigh the death penalty: If he were involved at all, he would have been only a minor player in a larger conspiracy. How all this will play out before a jury is far from clear. "In order to prove a case, you have to tell a story and the story has to fit together," said District of Columbia criminal lawyer Victoria Toensing. "If the government can't tell the story in a logical sequence, the jurors get troubled." John Doe No. 2 McVeigh, who may hold the answer to the John Doe No. 2 mystery, has shed no light on it, according to his attorney Jones. But this much is known: On April 20, the day after the bombing, law enforcement officials released sketches of suspects John Doe No. 1 and John Doe No. 2, drawn from descriptions by eyewitnesses who said they saw the men together in Kansas, and others who claimed to have seen them near the Murrah building just before the 4,800-pound bomb exploded. When McVeigh was discovered on April 21 in a Perry, Okla., jail on an unrelated firearms charge, his resemblance to the composite sketch of John Doe No. 1 was uncanny. But the second composite bore no resemblance to Terry Nichols, who turned himself in to authorities in his home town of Herington, Kan., the same day, denying involvement. Thousands of calls flooded the FBI, reporting John Doe No. 2 sightings, and most were unfounded, as often happens when a sketch is publicized in a high-profile case. But several credible witnesses in Kansas and in Oklahoma City have told the FBI that they saw McVeigh in the company of a stocky, olive-skinned man with dark hair. Many identified the FBI sketch as the person they saw. At the Dreamland Motel in Junction City, Kan., where McVeigh stayed from April 14 until April 18, housekeeper Hilda Sostre gave authorities a description of a man who strongly resembled a sketch of John Doe No. 2. Sostre said she saw this man walking toward a Ryder truck in the motel's parking lot. She said that, when shown the sketch, she told the FBI: "My God, who did this sketch? It looks just like him." According to documents provided to The Washington Post, Connie Hood, a visitor to the motel, told the FBI that over that Easter weekend she saw a man resembling the John Doe No. 2 sketch open the door of a motel room. Her husband, Donald, told the FBI of seeing a Ryder truck at the motel on Monday, April 17, with a man whom he identified as McVeigh in the passenger's side and a

man matching John Doe No. 2's sketch on the driver's side. At Elliott's Body Shop in Junction City, three employees told the FBI that McVeigh, using the alias of Bob Kling, came in on the 17th with a second man to rent the Ryder truck that the government says carried the bomb to Oklahoma City. It was in part from their descriptions that the sketch of John Doe No. 2 was created. Thirty miles away at the Santa Fe Diner in Herington, owner Barbara Whittenberg told the authorities that three men -- whom she identified as McVeigh, Nichols and John Doe No. 2 -- came into her restaurant for breakfast Tuesday, April 18. The FBI has taken possession of the diner's records and receipts from that morning. Sightings of John Doe No. 2 in Oklahoma City on the day of the bombing are also plentiful. Mike Moroz, then a service station employee, told authorities that McVeigh, driving a Ryder truck, pulled into the station about 30 minutes before the blast to ask for directions to the Murrah building. He said John Doe No. 2 was sitting in the passenger side. Moroz later identified McVeigh in a lineup. A woman who survived the blast has told authorities that she saw John Doe No. 2 get out of the passenger side of the truck in front of the Murrah building several minutes before the 9:02 a.m. explosion. With so many sightings, the government has been careful not to dismiss John Doe No. 2 for fear of hurting the credibility of witnesses who may be needed to identify McVeigh. Nor will they duck the issue in court. Said a federal source: "We have to tell the jury there may be others involved, but we know beyond a doubt we have two of them." Terry Nichols Government officials acknowledge that the case against Nichols is weaker than the case against McVeigh. The prosecution's star witnesses, Michael Fortier, 26, and his wife, Lori, place McVeigh squarely in the middle of the plot but they also say Nichols had made it clear he wanted out. Michael Fortier, who served in the Army at Fort Riley, Kan., with McVeigh and Nichols and had been implicated in the conspiracy, agreed to testify for the government in return for lesser charges. He pleaded guilty last summer to transporting stolen firearms, making false statements to authorities and knowing about the conspiracy but failing to report it. Fortier has told authorities that McVeigh informed him that he and Nichols planned to bomb the Murrah building. Fortier also has said that he visited the building with McVeigh four months before the blast and that McVeigh identified it as the target. But a recent letter from the prosecution to defense attorneys revealed that both Fortiers also claim that Nichols was backing away from the plans. It said Lori Fortier, who has received full immunity, testified that McVeigh became "upset" in early 1995 because Nichols no longer wanted to mix the bomb; Michael Fortier testified that McVeigh approached him in early 1995 because "Nichols was expressing reluctance." While this may help Nichols's defense, there is other evidence linking him to the conspiracy. A co-conspirator cannot simply declare himself out of a conspiracy; there is a legal requirement for disengaging that involves thwarting the actual crime. Nichols, by his

own admission to authorities, drove five hours from his Kansas home to pick up McVeigh in Oklahoma City, near the Murrah building, three days before the blast. The government has evidence that he rented storage lockers in late 1994 under aliases to conceal incriminating items. In addition, before he went on a trip to the Philippines in November 1994, he gave his ex-wife, Lana Padilla, a note to be given to McVeigh in the event of Nichols's death. The government views the note as incriminating. Nichols instructs McVeigh to clear out the lockers and he writes: "Your {sic} on your own. Go for it!" Witnesses have reported that a pickup truck matching the description of one Nichols owned was at Geary Lake State Park in Herington, along with a Ryder truck, on April 18. The government charges the men constructed the bomb there. A Second Ryder Truck Authorities are certain that a Ryder truck rented from Elliott's Body Shop was used in the explosion. A piece of its axle with a partial vehicle identification number was found not far from the destroyed Murrah building. But statements from witnesses suggest that there may have been a second truck used in the crime and authorities have been unable to track it down. Lea McGown, owner of the Dreamland Motel, said she saw McVeigh with a Ryder truck on Easter Sunday last year, a day before authorities say he rented the Elliott's truck. McGown said the truck she saw did not have the Ryder logo on the back doors, suggesting that it was privately owned and no longer in the company's fleet. A federal official close to the case said the FBI "has looked at every Ryder truck rental and nothing comes up." But authorities have not dismissed the possibility that an accomplice might have been driving an additional truck. In an interview, McGown recalled that in the afternoon after Easter services she saw a Ryder truck backing into the parking lot. McGown believed the driver was McVeigh at a glance because when he checked in on Friday, April 14, he had inquired about where to park the truck. "I looked up and said to my son, 'There's Mr. McVeigh in the truck. Go tell him where to park,'" she recalled. "I'm a motel person. I've learned to see faces. He was right in front of my office." Eric McGown, 16, told the FBI that he, too, saw McVeigh driving the Ryder on that Easter Sunday. Others at the motel also reported seeing a large yellow truck in the parking lot before late Monday afternoon, when McVeigh is suspected of getting the truck from Elliott's. It is possible the McGowns were mistaken about the day they saw the truck but law enforcement officials have not discounted their testimony because it was Easter Sunday, a distinctive day, and they both have such clear recollections. The Robbery The government has charged that McVeigh and Nichols arranged to have the home of Arkansas gun dealer Roger Moore robbed on Nov. 5, 1994, in order to finance the bombing. Moore, who has said he knew McVeigh casually, told authorities that he was bound with duct tape while a masked perpetrator ransacked his home. The robbery, however, has stymied investigators, who have no evidence placing either suspect at the scene and still do not know who actually stole the

\$60,000 in guns and cash. Because Moore knew McVeigh through gun shows, some have suggested it wasn't a robbery at all. Moore has said he is certain that he was not robbed by McVeigh. And Moore's description of the assailant does not fit Nichols. But at least one of Moore's guns and a key to Moore's bank safe-deposit box were reportedly found in Nichols's possession. If McVeigh and Nichols did not rob Moore, it again raises the question of another person in the conspiracy. A Last Mystery One remaining mystery concerns two brief telephone calls McVeigh made to someone in Elohim City, an anti-government, white separatist compound in eastern Oklahoma, days before the blast. Jones, McVeigh's attorney, has suggested that McVeigh might have been trying to contact Andreas Strassmeir, the son of a prominent German politician, who bears some resemblance to John Doe No. 2. Strassmeir, in public statements, has denied any involvement with McVeigh other than meeting him once at a gun show. Jones also points out that the leader of Elohim City, the Rev. Robert Millar, served as the death row "spiritual adviser" to Richard Wayne Snell, a white supremacist executed in Arkansas on the very day of the Oklahoma City bombing for a murder he committed years before. Snell, according to a government informant in the mid-1980s, had plotted back then to bomb the Murrah building. "Maybe they were all trying to give Snell a going-away gift," Jones said. Government officials concede that these lingering mysteries could raise doubts with a jury, making it that much more difficult to get a conviction and, if the men are convicted, to get the death penalty the government desires. As Jones said, "There are still so many questions out there. Who is the mastermind? Who financed it? All this leaves the jury some room to say don't execute them because their testimony might be needed in another trial for the ringleader."