

# 'Doe' Still Out There

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By J.D. Cash and Jeff Holladay

DENVER, Colo. — It was a hearing scheduled to argue the constitutionality of a new federal death penalty statute. But lawyers for bombing defendant Timothy McVeigh spice the otherwise dull proceedings with startling evidence from the Justice Department:

"John Doe No. 2" is alive and well somewhere — and the government knows about it.

Here's the significance of the event, which went unreported in this morning's editions of the state's metro newspapers in Oklahoma City and Tulsa:

Despite earlier comments made by federal prosecutors that the government had apprehended all the "masterminds" involved in the Oklahoma City bombing, defense attorney Stephen Jones (McVeigh's attorney) released two letters signed by special prosecutor Joseph Hartzler that clearly contradict those earlier statements by the Justice Department.

Jones obtained letters dated March 25 and April 15 of this year in which Hartzler admits two key witnesses who worked at the Ryder truck rental establishment in Junction City, Kan., are sticking to their story — that another person accompanied McVeigh when the vehicle allegedly used in the bombing was rented.

Last June, the Justice Department discounted a second person being with McVeigh when allegedly rented a Ryder truck.

Instead, Justice Department officials said it was a matter of confusion by witnesses.

They said Army Private Todd Bunting had returned a Ryder rental truck to Elliot's Body Shop in Junction City, Kan., on the day following McVeigh's alleged rental of a truck — and that Bunting's description had confused those witnesses into believing there was a second person involved with McVeigh.

Shortly thereafter, the apparent hunt for other conspirators by the government apparently either ended or assumed a low priority.

But as the McCurtain Daily Gazette has been reporting since the August 1995 indictment of defendants Terry Nichols and Timothy McVeigh, the Justice Department assertions were apparently at odds with the truth.

All of the witnesses in Junction City, Kan., and in Oklahoma City cited by the newspaper have consistently maintained that other individuals were seen with Timothy McVeigh in

the days and minutes before the terrible blast which killed 168 people and left hundreds injured.

The Hartzler letters were filed Wednesday by Jones to support a motion by the defense that claims the government is not providing all the evidence it possesses which could establish the existence of other bombing conspirators. McVeigh's lead attorney also told U.S. District Court Chief Judge Richard P. Matsch that the government's own admissions clearly prove that the federal prosecutors also believe there were others involved in what is widely considered this nation's worst domestic terrorist attack in history.

Judge Matsch deferred until a later date his decision on the evidentiary question, as well as motions to throw out the death penalty statute which the defense contends is overly broad and vague.

Among state news media, the Gazette is the only one to have uncovered compelling evidence suggesting federal authorities had prior knowledge that a bombing attempt would be made on the federal building in Oklahoma City last year — and that others besides those charged were involved in the conspiracy.