

McVeigh's Lawyers Keeping Eye On Bomb Threat Trial in Tulsa



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Until her arrest this spring for threatening to bomb federal buildings, Carol Howe was known here as a troubled former debutante from a prominent family who fell in with a bad crowd and had a swastika tattooed on her arm.

But since then, she has become a cause celebre for lawyers of convicted Oklahoma City bomber Timothy J. McVeigh and far-right conspiracy theorists, who claim that prior to the 1995 Oklahoma City blast, Howe had warned authorities that others were talking about blowing up federal buildings. What has made her case particularly intriguing is the fact that Howe was an informer for the federal Bureau of Alcohol, Tobacco and Firearms (ATF).

On Monday, Howe, 26, is scheduled to go on trial in federal court here, and her relationship with the federal government has become the centerpiece of her defense. Her live-in boyfriend, James Viefhaus, who is on trial this week, was indicted last December on identical charges. But because the government waited three months after that to indict Howe, her attorneys claim she was only charged to silence her on the eve of McVeigh's trial. McVeigh was condemned to death last month for truck-bombing the Alfred P. Murrah Federal Building, which killed 168 people. Prosecutors counter that the Oklahoma City attack has no bearing on the charges against Howe and have asked U.S. District Judge Michael Burrage to bar all references to it at her trial. Both sides declined to comment today because a "gag" order is in place. But in a pretrial hearing last week, Howe's attorney told Burrage that Howe had reported to the ATF "dangerous, apocalyptic statements" by white separatists living at Elohim City, a compound in eastern Oklahoma. Furthermore, Clark O. Brewster said that incriminating evidence found at Howe's home was related to her duties as a federal informer, not a federal lawbreaker. She was so concerned about the bomb threats that she had reported, Brewster asserted, that Howe began collecting photographs of potential targets, such as various federal buildings in Tulsa. Whatever Burrage decides, Howe's trial promises to be good theater. Brewster said that Howe will likely testify in her own defense. A petite, well-dressed blond, Howe looks more like the debutante she once was than a racist terrorist. She attended a local Christian high school. Her father, Robert, is the former president of Mapco Inc., a Fortune 500 energy company here, and her mother, Aubyn, is a well-known socialite and a civic activist. Howe was released on bond to her parents immediately after her arrest and fitted with an electronic monitoring device; Viefhaus was denied bond. Those who know her family say that Howe had long been rebellious. Those who met her

later say she seemed to be searching for something. "I think she was looking for excitement," said Dennis Mahon, a self-described racist from Tulsa and one-time Howe friend, who is among those with whom Howe traveled to Elohim City. Mahon has denied talking of bombing federal buildings. Mahon said that he first met Howe in 1993 when she wrote him to say that she was interested in the a white supremacist group in which Mahon has been active. By August 1994, however, Howe was reporting to the ATF about Mahon's activities. It is unclear when -- or even if -- she went from sympathizer to informer. An ATF agent has testified that she terminated Howe in 1995 because Howe was associating with skinheads and appeared to be mentally unstable. Howe's story generated national attention this spring when the federal judge in McVeigh's trial refused to allow her to testify and raise the specter that others were involved in the Oklahoma City bombing. McVeigh's lawyers since have cited U.S. District Judge Richard P. Matsch's decision in their appeal for a new trial. Federal prosecutors in the McVeigh case have said privately that Howe never reported useful specific information in advance of the Oklahoma City bombing. The ATF claims that Howe initially was an active agent for about seven months, until March 1995, one month before the bombing. Her ATF handler, Angela Graham, confirmed during a pretrial hearing that during that time Howe did tell her "in general" that certain Elohim City residents spoke of bombing buildings. According to the transcript of the closed hearing, unsealed last week, Graham said that Howe contacted her the day after the April 19, 1995, Oklahoma City blast to say that she thought she could identify the elusive John Doe No. 2. Graham said that Howe then was "reactivated" as an informer. Graham also acknowledged that although the ATF had little contact with Howe after the summer of 1995, she remained an active source in agency files. As Howe's case plays out here, 100 miles away in Oklahoma City a new grand jury this month began reinvestigating the bombing. The state grand jury, in recess until Aug. 11, has interviewed at least 10 witnesses, several of whom claim to have seen another man with McVeigh the day of the bombing. The grand jury came about after a petition drive led by state Rep. Charles Key, who believes McVeigh and co-defendant Terry L. Nichols had accomplices. Nichols goes on trial in federal court this fall.