

## **RULING DEALS BLOW TO `PLOT' DEFENSE JUDGE DECLINES TO LET INFORMANT TELL OF OTHERS WHO HAD WISH TO BOMB MURRAH FEDERAL BUILDING**

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A cornerstone of Timothy McVeigh's defense was removed Tuesday when a judge barred testimony from an undercover informant about a plot to bomb federal buildings.

In pre-trial pleadings, McVeigh's attorneys had claimed a larger conspiracy was responsible for the Oklahoma bombing.

U.S. District Judge Richard Matsch ruled in a closed-door session with attorneys that Carol Howe's planned testimony was irrelevant to the charges against McVeigh.

Howe, of Tulsa, Okla., was a paid informant for the federal Bureau of Alcohol, Tobacco and Firearms. Prosecutors said her information was unreliable and unrelated to the bombing.

Howe's attorney, Clark Brewster, said the judge thought Howe's account of right-wing extremists talking about blowing up federal buildings ``could confuse or mislead the jury."

But Brewster said Howe would have given ``compelling" testimony that others had motive and opportunity to bomb the Alfred P. Murrah Federal Building.

``It would have allowed this jury to consider at least how some other people had not only the intent to bomb buildings but also the means to carry it out," he said.

Howe, subpoenaed by the defense, was returned immediately to Tulsa under a U.S. marshal's escort on a government Lear jet for security reasons.

Howe, 26, a former debutante and daughter of wealthy Tulsa parents, infiltrated a white separatist compound in eastern Oklahoma called Elohim City in 1994.

That fall she told her government handler that several people there were becoming more militant in their talk about taking action against the government.

The government's own evidence already admitted against McVeigh indicates he placed a call to Elohim City immediately after calling a Ryder truck rental agency in Arizona on April 5, 1995, two weeks before the bombing.

Howe's information is relevant, argued Oklahoma State Rep. Charles Key, who has pursued theories about a broad conspiracy.

``The government is shutting this case down fast, and it raises questions in a lot of people's minds," Key said. ``Let's not kid ourselves; they're covering up something very significant here."

Glen Wilburn of Oklahoma City, who lost two grandchildren in the bombing, said he wasn't surprised that Matsch had barred Howe's testimony.

``You bring Carol Howe in, let her tell her story, well, the federal government doesn't look too good," he said.

In her FBI statement, Howe said two people - former Tulsa Ku Klux Klan leader Dennis Mahon and German army veteran Andreas Strassmeir, an undocumented alien living at Elohim City - made several trips to Oklahoma City and had talked about taking action against the government.

Each denied involvement in the Oklahoma bombing.

Mahon, Howe said, talked with her in late 1994 about bombing such targets as the Oklahoma City federal building.

Strassmeir is the person McVeigh was trying to reach with that Elohim City phone call, leaders there said. Strassmeir returned to Berlin in January 1996 without speaking to the FBI.

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Caption: Color PhotoLead defense attorney Stephen Jones returns to the federal courthouse in Denver for Tuesday afternoon's session. Jones' team had argued that the Oklahoma City bombing was part of a broad conspiracy and had sought to call witnesses who would support that. But Judge Richard Matsch blocked that portion of the defense strategy. By Glenn Asakawa / Rocky Mountain News.

FILE: TEMP - ASAKAWA (MAY)

Memo: THE MCVEIGH TRIAL