

**Thursday, June 5, 1997 (afternoon)**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Criminal Action No. 96-CR-68

UNITED STATES OF AMERICA,  
Plaintiff,  
vs.

TIMOTHY JAMES McVEIGH,  
Defendant.

REPORTER'S TRANSCRIPT  
(Trial to Jury - Volume 135)

Proceedings before the HONORABLE RICHARD P. MATSCH,  
Judge, United States District Court for the District of  
Colorado, commencing at 1:25 p.m., on the 5th day of June,  
1997, in Courtroom C-204, United States Courthouse, Denver,  
Colorado.

Proceeding Recorded by Mechanical Stenography, Transcription  
Produced via Computer by Paul Zuckerman, 1929 Stout Street,  
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APPEARANCES

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Defendant McVeigh.

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PROCEEDINGS

(Reconvened at 1:25 p.m.)

THE COURT: Please be seated.

(Jury in at 1:25 p.m.)

THE COURT: Next witness, please.

MR. HARTZLER: The Government calls Greg Sohn.

Mr. Goelman will question him.

THE COURTROOM DEPUTY: Raise your right hand, please.

(Gregory Sohn affirmed.)

THE COURTROOM DEPUTY: Would you have a seat, please.

Would you state your full name for the record and spell your last name.

THE WITNESS: My name is First Sergeant Gregory Paul Sohn, S-O-H-N.

THE COURTROOM DEPUTY: Thank you.

DIRECT EXAMINATION

BY MR. GOELMAN:

Q. Good afternoon, Mr. Sohn.

A. Good afternoon, sir.

Q. You wouldn't happen to be in the military, would you?

A. Yes, I would, sir.

Q. What branch are you in?

A. The U.S. Army.

Q. What's your rank?

A. First sergeant.

Q. How long have you been in the Army?

A. Almost 17 years now.

Q. Mr. Sohn, are you married?

A. I'm a widower.

Q. Your wife was a victim of the Oklahoma City bombing?

A. That's correct.

Q. And what was her name?

Gregory Sohn - Direct

A. Her name was Victoria Lee Sohn.

Q. Do you have any children?

A. I have five children.

Q. And are they all your biological children?

A. No, they're not.

Q. Can you please explain that briefly.

A. Three are my biological children from a previous marriage, and two are from my wife's previous marriage. We were married and were as one family and were in the process of adopting each other's children.

Q. I want you to take a look at what's going to come up on your screen there. It's Government's Exhibit 1457. And tell me if you recognize that.

A. That is a picture of my entire family.

MR. GOELMAN: Move to admit, your Honor.

MS. RAMSEY: No objection, your Honor.

THE COURT: Received. It may be displayed.

MR. GOELMAN: Thank you, your Honor.

BY MR. GOELMAN:

Q. Okay. Mr. Sohn, I think I can figure out which one is you.

Can you tell me who the rest of these people are.

A. Down to my left arm there is my little boy, John Michael; and to his right is Victoria, daughter. To her right is Stephen Allen. To his right is Greg, Jr. To my right is Jessica, and to her right is Victoria.

Gregory Sohn - Direct

Q. Which of those children are yours from a previous marriage?

A. The Victoria, little Vickie there with the ponytail, Stephen, and Greg, Jr.

Q. And then Jessica and John Michael were your wife's children from a previous marriage?

A. That is correct.

Q. Would you tell the jury about what Vickie was like.

A. Yes. Vickie -- everybody called her Vickie. That's what she was known by -- was a very persistent, stubborn, perfectionist who gave every minute of her day to something. There was no wasted time for the day. And she at nighttime, after the kids went to sleep, cross-stitched little sayings for their room. She . . . look at some of the school papers and stuff, and we'd all kind of pitched in together with the homework, checked out the homework. And we discuss about activities going on the next day.

We . . . well, just another thing is balancing the checkbook. I remember for two days she had a penny gone somewhere, and she finally found that penny; but that's how much a perfectionist she was.

She is assistant Brownie leader, and I remember the Brownies had their little indoctrination process and she was right there with -- little Vickie was looking down into the mirror; and as she was coming in to Brownies, she was right there with her.

Gregory Sohn - Direct

She was -- I used to think that I gave 50-50 to the relationship and the family, and then you discover that once she's not there, she gave 75 percent, probably.

Q. Mr. Sohn, when is your oldest son's birthday?

A. Sir, it was April 19.

Q. And did you have arrangements made on April 19, 1995, to celebrate his 12th birthday?

A. That's correct.

Q. Were you at work on April 19?

A. Yes, I was.

Q. Do you remember finding out about the bombing?

A. Yes, sir.

Q. Where was your place of work at that time?

Q. Where was your place of work at that time?

A. I was working at the Capitol Hill recruiting station on Western and 240, which is 6 or 7 miles south of downtown.

Q. And how did you first come to find out about the bombing?

A. It was relayed that there was a building that was blown up; nobody knew exactly what it was. But it was relayed from one office to my office, and I stepped outside and looked at the plume of smoke and briefed my troops and jumped in my truck and took off.

Q. Did you hear the blast?

A. I did not hear the blast.

Q. Where did you go in your truck?

A. Straight to the smoke.

Gregory Sohn - Direct

Q. And what did you do when you got there?

A. I jumped out and ran as hard as I could. I got within a few blocks and started running up to the building and seen what

a mess this was and tried to assess what was going on. And primarily I was interested in looking for my wife. But then other things were along the way that I helped a couple of folks. And I ran from triage to triage, just looking for her. And they started building a barricade up around the area where you couldn't get close.

Q. Did you find your wife at any of the triage stations?

A. No, sir. I even ran down to the Coliseum, downtown, the convention center, looking at maybe she had went down there or something. I ran, I just ran and ran and ran.

Q. What did you do when you couldn't find her?

A. I saw a couple of the people that was left and asked them, and they said they had looked. And at that point, I couldn't get back in any further. I just went back to my vehicle and went down and found the nearest phone.

Q. When you say you saw a couple of people that were left, you

mean from --

A. That were in the office. And they could not -- they said they had not seen my wife.

Q. Where did Vickie work at the time of her death?

A. She worked in -- she is a master sergeant in operations for

the Army recruiting battalion. And she worked right up on the

Gregory Sohn - Direct

front glass, on the 4th floor.

Q. When you were unable to find your wife on April 19, did you

make arrangements for somebody to pick the kids up?

A. Yes, I did. I called a friend and told them: "Please, don't tell them what's going on. Just get them and bring them

to your house."

And earlier that morning, about 8:30, I talked with Vickie, and she says she already took care of the birthday cake, and I'd left it at that. So I also asked this person to get another birthday cake because I wanted everything to go as smooth as possible in hopes that we was going to find my wife.

Q. Did you tell this friend what exactly to tell your kids you were doing?

A. Well, I told her -- she is a religious person and didn't want to lie to them. But I told them, I said, "Just make sure that they don't watch the TV, they don't look in the newspaper," and that what I told her is that somehow get across to them that mommy and daddy had to work a little bit later that night.

Q. And what did you tell her about having Greg's birthday party?

A. To have that birthday party and go on as smooth as possible and like nothing has happened and make sure this was a good day for him.

Q. Did you see your kids on April 19?

Gregory Sohn - Direct

A. I did that morning.

Q. Did you see your kids that evening?

A. I did not. I didn't even return back.

Q. When did you see your kids again?

A. The following afternoon I had the chaplain and a couple of people bring them over to the house, and then that's when I sit down with them and held hands in the living room floor; and I started to tell them about how strong she is, that she would drink gasoline and eat concrete if she was there. That's just how she was. If she was alive, if there was somebody alive in there, it's going to be her and to always think that we're going to find her.

Q. And did you yourself have hope that you were going to find your wife alive?

A. I guess everybody has a little bit of hope. But I was down there looking at that place, and it was just a ghastly sight. And I saw where the building was, where she worked at. So I was realistic, realistically looking at it, she wasn't coming back.

Q. And did you later find out that Vickie had indeed died in the bombing?

A. I found out six days later.

Q. On April 25?

A. April 25.

Q. Can you tell us a little bit about that.

Gregory Sohn - Direct

A. That was Stephen's birthday party. And I was helping Stephen open up some of his presents 'cause the hard plastic -

-  
he just wanted Rollerblades and we got him some Rollerblades for his birthday. And the informing crew, sergeant major, colonel, chaplain, and a mortuary affairs officer, come walking up to the front door.

Q. Mr. Sohn, what's an informing crew?

A. It's the people that I work for. They're coming to let me know that -- when they're coming in their Class A's, dressed up, they're coming to let me know that they've found my wife or identified her body.

Q. So when you saw them approaching your house, you pretty much knew what they were there for?

A. That's right. And that's when I told the little ones, "I think you guys need to go out and play right now." And I told them -- I kind of just dispersed the birthday party and told them to go outside.

Q. What happened after that?

A. They came in, and they told me exactly what I thought they were going to come in and tell me. But it didn't really hit me real hard until they said it, and I broke down very, very hard and that's -- I didn't want the children in there at the time because I was one thing that they were leaning on for security, 'cause they had been having bad dreams and "Daddy, are they going to blow up our house next?"

Gregory Sohn - Direct

I said, "Not as long as I'm here."

And I didn't want them to see me breaking down like that.

Q. And in the days and weeks and months that followed, did you try to maintain strength when you were in your kids' presence?

A. Yes, I did. I most certainly did. Maybe a couple of times

they saw a tear come out of my eye, but I usually dismissed myself to the garage or something where they couldn't see me because they were having problems sleeping. Sometimes all of them are in the bed with me at night, and they couldn't sleep in their rooms by themselves. And they'd all get their sleeping bags and go on the living room floor and sleep together because they felt more secure that way.

Q. Your youngest son's name is John Michael; is that correct?

A. That's correct.

Q. Does he still have problems sleeping?

A. He still has problems.

Q. What kind of problems?

A. He's dreaming about monsters in the night. You might consider that as just a lot of young men, young babies, dream that way. Also he's still just -- he just asked the other day to . . . he just, you know, asked about his mommy. He was scared about his mommy. Sometimes it hits him as, well, Mommy's not there, and sometimes it . . . he knows she's not going to ever be back, but he still thinks about Mommy.

Gregory Sohn - Direct

Q. Did your wife's death have any effect on your kids' academic performance?

A. Most certainly did. I had to get tutors. The counselors helped out tremendously from the school and the tutors helped, and the grades plummeted almost to -- two letter grades. And I

can understand that; you know, their focus was not really on school at that time.

Q. What's your workday like now?

A. My workday usually runs from -- I drop off the children at 7:30 at school, and then I get to work by 8 and I go home at 2,

or back to the school at 2 and pick up the three little ones. The two older ones ride the bus. And then I wait around for the older two to get back to the school -- or back to the house. And then I go back to work and usually work till around

6 or 8. And that's usually a regular workday for me.

Q. You said earlier that even though you thought it was pretty

much 50-50 in your marriage, turns out that Vickie was doing a little bit more work than you thought.

A. You just never realize till she's -- you just never know.

Q. Who does that work now?

A. That's me.

Q. What about your kids, do they have any additional chores?

A. They probably have more chores than most children their age. One vacuums, one does the cooking, the kitchen, the laundry, they all split it up. Everybody contributes. But

Gregory Sohn - Direct

that's how we make it as a family.

Q. When you and Vickie first met, you both had children from a previous marriage; is that right?

A. Yeah, that's correct.

Q. What was it like to merge these two families into one?

A. Well, obviously there's differences in beliefs, but we moved into a little three-bedroom trailer 'cause that's what I had in my previous marriage. And the close quarters. They

and in my previous marriage. And the cross quarters, they didn't have a choice, you know, they kind of got to where they liked each other and believed in each other and looked out after one another, pretty quick like. And before you know, they're looking out after and taking out after each other.

Q. Did they also bond together in reaction to this discrimination that they faced?

A. Yes, they did, they sure did.

Q. Can you describe that.

A. We were in -- living -- the children were going to school in Guthrie, Oklahoma, and my daughter -- my children were told that they were . . . nigger lovers. And the daughter was suspended from school because she turned around and knocked, coldcocked the guy. And I went to the school, and that's when I found out what was going -- and kind of accepted what things were going on in that school and put a stop to it right then and there. But the other one all fell in suit with me and stopped it, would not tolerate this kind of thing. This was a

Gregory Sohn - Direct

brother and sister. This was not anything else but a brother and sister.

Q. What did your biological children call Vickie before her death?

A. They called her Mommy.

Q. And what do her biological children call you?

A. Daddy.

Q. Before Vickie was killed, had you officially adopted each other's biological children?

A. No, sir, we hadn't. The adoption process that we started -- we always thought about the future and thought about

what would happen if something happened to one of us or both of

us, who would take over, who would raise the children. And we

went and tried to take care of that during a will, putting it together, and then we found out that they have to be adopted first before we could say what would happen to them. That was the law.

So the end of March, 27th, 28th, somewhere in there, we started the adoption process by applying through a lawyer down in Norman, and he put the wills in action for us.

Q. And when was that adoption supposed to be finalized?

A. It was on 1 May it was supposed to be finalized.

Q. May 1, 1995?

A. That's correct.

Q. When was the adoption actually finalized?

Gregory Sohn - Direct

A. July 18, 1996.

Q. And why the year and two months' delay, three months' delay?



A. It had to be started all over again. She was buried on April 27 -- or April 29. So she just missed that adoption time. They tried to go through with the process, but they said because she wasn't there -- and there's no case study that would back it up, going through with the adoption, so we started all over with just me adopting those other two because I knew what the lifestyle of those children would have been like if they had not been with me, and it was a family. I couldn't bear the thought of losing anybody else.

Q. And were you successful in keeping your family together?

A. Yes, I was. Through a lot of stuff through court, yes, I was.

Q. Mr. Sohn, we've talked a little bit about the impact of your wife's death on your children, your family. What kind of impact has her loss had on you?

A. I just try to focus all my energies on the children and work and trying -- you think about trying to have a relationship again, and you just -- there's no time, nobody understands; and you keep the picture on the wall. I guess unless somebody has gone through that, they just don't understand. It's just . . . you lose a friend, you lose a companion, you lose your wife, your lover.

Gregory Sohn - Direct

Q. Mr. Sohn, when did you get to Denver?

A. I came to Denver two days ago.

Q. And what do you have on the TV in your hotel room?

A. I have my wife's coffee cup that the children bought for her that says "No. 1 Mommy." Inside of that is our marriage license, two rings, and a death certificate. Sitting across the top of the table -- or across the TV is the cap that they were able to salvage that was her headgear while in uniform.

Q. Are these things that you take with you pretty much wherever you go?

A. Everywhere I go.

MR. GOELMAN: I don't have anything further, your Honor. Thank you.

THE WITNESS: Yes, sir.

MS. RAMSEY: No questions, your Honor.

THE COURT: All right.

Sergeant, you may step down. You're excused.

THE WITNESS: Thank you, sir.

THE COURT: Next, please.

MR. HARTZLER: Government calls Mike Lenz. Miss Behenna will question him.

THE COURT: Thank you.

THE COURTROOM DEPUTY: Raise your right hand, please.

(Michael Lenz affirmed.)

THE COURTROOM DEPUTY: Would you have a seat, please.

Would you state your full name for the record and spell your last name.

THE WITNESS: Michael J. Lenz, Jr., L-E-N-Z.

THE COURTROOM DEPUTY: Thank you.

DIRECT EXAMINATION

BY MS. BEHENNA:

- Q. Mr. Lenz, where do you live?  
A. Checotah, Oklahoma.  
Q. How long have you lived there?  
A. Five years.  
Q. Are you employed?  
A. Yes, ma'am, I am. I have my own business.  
Q. Do you run it out of your house are, or do you have an office there in Oklahoma City where you run it out of?  
A. Midwest City.  
Q. Midwest City. Mr. Lenz, are you married?  
A. No, I'm widowed.  
Q. Who were you married to?  
A. Carrie Ann Lenz.  
Q. How long have you been married?  
A. Four years.  
Q. How long had you known Carrie?  
A. 10 years.  
Q. Okay.  
A. 10 years.

Michael Lenz - Direct

- Q. Can you tell the jury how you and Carrie met.  
A. It was -- I met her at a drag race. It was cold, it was in the winter; and I could see her. She was shaking, and I had loaned her my jacket, and that started the best relationship and friendship of my life.  
Q. And you dated for some time?  
A. Yes. She attended school and I worked out of town; and it was real important that she get her education, and she wanted to finish that.  
Q. And you eventually get married?  
A. Yes, ma'am.  
Q. Do you remember the date of your wedding?  
A. Yeah. September 14, 1991.  
Q. Did you and Carrie want to have any children?  
A. At first, no; but as we were married longer and things kind of started to go our way and we felt like we were responsible adults, yes, we definitely wanted to have children. As a matter of fact, we worked at it, actually worked at it for almost two years.  
Q. You'd been trying to have a baby?  
A. Yes.  
Q. During that two-year period, had Carrie gotten pregnant?  
A. Yes, ma'am. She had been pregnant once before, and the pregnancy was complicated. They had to terminate the pregnancy because of the nature of where the fetus was and it just wasn't

Michael Lenz - Direct

going to work, it stopped growing.

And after that -- I don't know much about medical terms -- but when she got pregnant with my son, she wasn't even supposed to be able to get pregnant. The doctors said, no way, don't worry about it. It was just one of those things that happened.

Q. And that was in response to the first pregnancy that had been terminated --

A. Yes.

Q. -- because of the problem pregnancy?

A. Right.

Q. But in fact, she did go ahead and get pregnant?

A. Yes.

Q. And told you about it when; do you remember?

A. We took a home-pregnancy test and I was there with her, and

one of the happiest days of my life.

Q. Pretty excited about it?

A. Oh, yeah.

Q. I'm going to direct your attention now to April 18, 1995. Do you recall any special event happening on that particular day?

A. Yes, I do. That is the day that we went to have our second

ultrasound and find out the sex of the child.

Q. And you went --

A. That my wife was carrying.

Michael Lenz - Direct

Q. And you went with Carrie to the doctor's office?

A. Yeah, we met at the doctor's office about 4:00. I went in with her. We went into the ultrasound room, and she got up on the table; and I remember she was complaining about the cold jelly. I guess they don't warm that stuff up. But she --

they fooled around, and finally there it was, up on the TV screen.

I could see a baby, and then pretty soon I could see that it was going to be a baby boy. And at that particular point, Carrie and I looked at each other, and we already knew that if we had a son, that was going to be Michael James Lenz III. So at that point, we give our son a name.

Q. You named him right then?

A. Michael James Lenz III.

Q. Carrie worked in the Murrah Building, didn't she, Mr. Lenz?

A. Yes, ma'am.

Q. She worked for the DEA?

A. Yes.

Q. On the 9th floor of the Murrah Building?

A. Yes.

Q. And she was at work on April 19, 1995?

A. Yes, she was.

Q. Do you recall when she left for work that morning?

A. Yeah. She -- to the best of my recollection, she left about 30 minutes early. Whenever you go have ultrasounds -- we asked that they would furnish us with some pictures, so the

Michael Lenz - Direct

previous evening we had spent the evening talking to all of our friends and relatives; and she actually had photographs of our son. And she left for work, I believe, about 30 minutes early.

She was excited and she wanted to share those photographs with her co-workers.

Q. On the morning of April 19?

A. Yes.

Q. You later learned at some point in time that Carrie and your unborn son died that day; is that right?

A. Yes, I did.

Q. Can you tell the jury what impact her death and your unborn son's death has had on you.

A. I can -- I can say this: That going through -- it's easy at first. There's lots of people, there's support, you've got arrangements that need to be made; and for me I didn't really realize until maybe three weeks, a month after the fact, but . . . I spent 10 years developing a relationship, getting to a point in the relationship where we felt like as a couple we could be good parents; we were ready to raise a child, it was going our way. And in one fell swoop, I went from being a husband and a daddy to maybe a month after this event realizing

that everything I'd worked for was gone, there was nobody coming home, there was nobody going to be in the driveway.

And

I had to make some tough decisions regarding, you know, what do

you do with the rest of your life.

Michael Lenz - Direct

Q. And as a matter of fact, the rest of your life, for the next two months after Carrie's death, was pretty bad, wasn't it?

A. Yes, ma'am, I did things that I'm certainly not proud of. Probably drank more than I should, caused trouble. I had no regard for -- for anything. I'd lost everything. There was nothing. I mean a house, it's bricks, mortar. Without a family in it, it's not a home.

Q. Did you want to continue with your own life?

A. There was a point when I -- I contemplated, definitely not being in the best of my judgment, but -- there was a point

where I actually stuck a pistol in my mouth. I couldn't pull the trigger, thank God, but . . . .

There is -- if I may, I will say this: That when I reached that low point in my life, there is nothing, nothing more dangerous than a man who has no reason to live. I've been there.

MS. BEHENNA: That's all I have, your Honor.

MR. TRITICO: No questions.

THE COURT: All right. You may step down. You're excused.

Next.

MR. HARTZLER: Cindy Ashwood. Mr. Ryan will question her.

THE COURTROOM DEPUTY: Raise your right hand, please.  
(Cynthia Ashwood affirmed.)

THE COURTROOM DEPUTY: Would you have a seat, please.

THE WITNESS: Yes.

THE COURTROOM DEPUTY: Would you state your full name for the record and spell your last name.

THE WITNESS: Cynthia Ferrell Ashwood, A-S-H-W-O-O-D.

THE COURTROOM DEPUTY: Thank you.

THE COURT: Mr. Ryan.

MR. RYAN: Thank you, your Honor.

DIRECT EXAMINATION

BY MR. RYAN:

Q. Good afternoon.

A. Good afternoon.

Q. Mrs. Ashwood, would you tell us where you live.

A. Chandler, Oklahoma.

Q. And were you born and raised there?

A. No, I was born in Oklahoma City, and then we moved to Chandler in 1962, and I was two years old.

Q. And who is the "we"? Would you tell us about your family.

A. Yes. My mother and father, who are Don and Sally Ferrell, who also live in Chandler; and my older sister, Susan Ferrell, who is three years older than I. I was born in 1957. She was five and I was two when we moved to Chandler.

Q. Would you tell us a little bit about where you lived in Chandler and growing up with your sister, Susan.

Cynthia Ashwood - Direct

A. We moved to Chandler. We lived two years in town. My folks rented a house. They purchased the Lincoln County News, which was what took us to Chandler, a local newspaper. Then my

mom and dad built a house a mile outside of Chandler, out in the country, in October of 1964. I was four and Susie was seven, and we grew up out there on the farm.

Q. Just you and your sister, the only two children?

A. That's correct.

Q. You are a lawyer, are you not?

A. I am.

Q. And your sister, Susan, what was her occupation?

Q. And your sister, Susan, what was her occupation?

A. Susie -- I call her Susie. Susie was also a lawyer. She was three years older than I.

Q. Where did you all go to school -- take us, if you would, through high school and college and law school for both you and your older sister.

A. We both graduated from Chandler High School. Susie graduated in 1975. I graduated in 1978. Susie then went on to Tulsa University, and she graduated from undergraduate in 1982.

I went on to OU, the University of Oklahoma, where I got my undergraduate degree. Susie graduated from law school at TU, Tulsa University Law School in 1982. I graduated from OU Law School in 1985.

Q. Let's first talk about you for a moment, and then we'll turn to your sister.

Cynthia Ashwood - Direct

Are you married?

A. I am.

Q. And you live in Chandler?

A. Yes. With my husband.

Q. What does your husband do there?

A. My husband, Albert Ashwood, is a deputy director of the Oklahoma Emergency Management Agency in Oklahoma City. He commutes back and forth.

Q. And do you practice law in Chandler?

A. I do. I'm a solo practitioner, have a private practice in Chandler.

Q. And do you have children?

A. I do. I have two children: My son, Donald, who is eight, and Rachael, who is three years old.

Q. Now, let's turn to your sister, Susan. Where did she work in April of '95?

A. She worked on the legal staff for the U.S. Housing and Urban Development department, otherwise known as HUD.

Q. Was she married?

A. She was not married at the time, no.

Q. She have children?

A. No, sir.

Q. Who were her children?

A. Pardon me?

Q. Who were her children?

Cynthia Ashwood - Direct

A. No, she didn't --

Q. Who did she treat as her children?

A. My two kids. Yes, she was very proud of her job as an aunt; she took it very seriously.

Q. Were you and your sister close growing up?

A. Oh, yes. You know, we did everything together, from Girl

Scouting to taking in stray animals. We shared bedrooms for about three years and until I was about seven and she was ten. And, you know, Christmas mornings, we had our own Morse code to get up. In fact, we got caught one time in getting up early to open presents until my dad tied our doors together with bells and that didn't work anymore.

Q. I'd like to talk about Susie a little bit. I'd like for the jury to understand something of her personality, her qualities. What can you share with us or what qualities come to your mind when you think about your sister?

A. Well, I think first and foremost, my sister had such a zest and zeal for life; and she -- she loved her neighbors and her family and her friends. In fact, the week of the bombing, on Friday, she was to host a wedding shower for one of the HUD employees, Kimberly Clark, who was also a victim in the blast. And she was busy planning that shower; and unfortunately Kim also died. But I talked to her earlier in the week, and she was very busy doing that.

She was very, very loyal to her friends, high school

Cynthia Ashwood - Direct

friends, even. In fact, one of her high school friends who had had a child after her divorce, my sister was her birthing coach. From -- Susie lived in Oklahoma City, and at the time her friend lived in Tulsa, and she attended all the Lamaze classes and was there when her child was born. And she was -- she loved people, she loved her friends, and she was very -- she wanted nothing more than -- I think in this life than happiness and peace.

Q. I understand she had a variety of interests.

A. Oh, yes, she did. She loved -- I mean above being a lawyer, she loved dance. She danced since she was a very young child, from ballet and tap as a young child on through college and then even as an adult continued taking classes and then went into all different kinds of dance. Dance was her passion.

She loved it. That's how -- as she would tell me, that's how she would express herself and her feelings from flamenco to African dance to Middle Eastern dance, and she was very active in that at the time that she died.

Q. Did she also have an interest in helping women?

A. She did. In fact even in college, she worked for a crisis line, which was for all people, but particularly for battered women. She worked at a battered women's shelter. And sometimes when either my parents or I would call her in Tulsa, she would answer "Crisis line," until we would tell her who it was.

Cynthia Ashwood - Direct

Q. At her home you're talking about?

A. At her home, yes, at her home.

Q. Since her -- since Susan's death, have you found out things

about her that you didn't know while she was alive?

A. Well, we -- my mother and father and I always knew that she

was not only charitable in her actions, but she donated to a number of different charities; but we never knew how many until

we began going through her personal effects. And we figure she

probably donated about half of her paycheck to different charities from the Jesus House to World Neighbors to the Girl Scouts, the American Cancer Society, and the list goes on and on and on. And it was even greater than we ever realized.

Q. Did you also find some savings bonds that you were not aware of after she died?

A. We did. Of course, she was buying savings bonds for my children, and then it turned out that she was also buying savings bonds for a woman who I just described who she helped in the birth of her child. She was kind of helping support, in a way, her friends' children.

Q. When was the last time that you saw Susan?

A. I saw Susie on Easter Sunday, which was April 16, 1995. I

spent all day with her, went to church with her, and we spent all day out at the farm where we grew up, which is now where my

husband and my family and I live.

Q. You took a photograph that day of Susan with your children?

Cynthia Ashwood - Direct

A. Yes, we did.

MR. RYAN: Your Honor, that photograph is Exhibit 1471. We would offer it and request permission to publish.

MR. JONES: No objection.

THE COURT: Received. And you may publish it.

MR. RYAN: Thank you, your Honor.

THE WITNESS: Yes, that's Susie, and she is sitting on

a tree well that is out in the front yard of the farm, I call it, where we now live. And she is embracing my two children, Rachael, who at that time was one; and Donald at that time was six. And they loved her very, very much.

This has been very difficult for my son.

BY MR. RYAN:

Q. Mrs. Ashwood, could you tell us what impact Susan's death has had upon you and your children?



A. Well, the -- I think other than waiting through the initial days in Oklahoma City and after we returned home, probably of course with my parents and I, with I being the only other child, you know, it's been so difficult for my parents; and I really -- to know how to help each other to deal with each other. But I think -- I think initially the most difficult thing was to explain what had happened to Donald.

Q. Your father?

A. No, to my son, Donald. They're both Dons. To, at that time, my six-year-old son. Albert and I decided to tell him

Cynthia Ashwood - Direct

together, and I think one of the -- the hardest things for me to do, to not only help myself through this, is to help my son through it. And, you know -- and he's only eight now, and he has his bouts with crying. And I know he was not her child, but she was such an important person to him, and like many children probably do, will turn around and ask me, "Well, Aunt Susie, is she dead?" And of course I have to explain yes.

And with myself -- I have a solo practice -- I have no one else to turn to at my work. And I did seek counseling for about a year, which just really started after -- my sister's birthday is in August. In August of 1995 -- I didn't realize how hard birthdays were. And it's just extremely difficult. And not seeing my sister, our not seeing her was -- has been very haunting. That's been very difficult.

Q. Have there been times since her death that you started to pick up the telephone?

A. Yes. We always talked, most often we talked from my office, and there have been several times that I did -- as I did many times before, I'd wheel around; and I've just -- I've just reached for it and realized I can't do that.

MR. RYAN: That's all I have, your Honor.

THE COURT: Questions?

MR. JONES: No questions.

THE COURT: You may step down. You're excused.

Next.

MR. HARTZLER: Government calls Kay Ice. Mr. Mackey will question her.

THE COURT: Thank you.

THE COURTROOM DEPUTY: Would you raise your right hand, please.

(Kay Ice affirmed.)

THE COURTROOM DEPUTY: Would you have a seat, please. Would you state your full name for the record and spell your last name.

THE WITNESS: Sharon Kay Ice, I-C-E.

THE COURTROOM DEPUTY: Thank you.

DIRECT EXAMINATION

BY MR. MACKEY:

Q. Good afternoon, Ms. Ice.

A. Good afternoon.

Q. How are you?

Q. How are you.  
A. I'm okay.  
Q. Are you from Oklahoma?  
A. Yes, sir, I was born and raised.  
Q. In Oklahoma City?  
A. Yes, sir.  
Q. And came from a family of how many children?  
A. Five children.  
Q. And how many girls, how many boys?  
A. Four girls and one boy.

Kay Ice - Direct

Q. And what was that one boy's name?  
A. Paul Douglas Ice.  
Q. And was he bordered on either side by two girls?  
A. Yes, sir, he was. Sandwiched right in the middle.  
Q. Where were you on that sandwich?  
A. I'm the youngest.  
Q. Paul Ice was your brother, and he was killed in the Oklahoma City bombing.  
A. Yes, sir.  
Q. I want to talk a little bit about his background, if you wouldn't mind, Ms. Ice, and a little bit about his career and the impact his loss has had on you and your family.  
A. Uh-huh.  
Q. Tell the members of the jury what Paul did after graduating from high school there in Oklahoma City.  
A. He first joined the United States Army, which he served between a reserve and active duty for about four years. And during this time, he also graduated from college at Oklahoma City University. And at that time he joined the Marine Corps when he was -- was commissioned as a second lieutenant.  
Q. And how long did he serve with the Marines, either active duty or in reserve status?  
A. He attained his 20 years with the Marine Corps on March 3, 1995.  
Q. And when he was -- when he retired, what rank did he have?

Kay Ice - Direct

A. Lieutenant colonel.  
Q. What did he do when he was a Marine?  
A. In his -- in the last about five years or so, when he was in the reserves, he served with an intelligence unit in Hawaii.  
Q. And was he also a Marine pilot?  
A. Yes, sir, he was. He flew a A-6 Intruder.  
Q. Did he join federal law enforcement at some point in time?  
A. Yes. He joined -- let me check. It was -- he first started with the Criminal Investigation Division of the IRS in December of '84. And he was with them for three years before he joined the U.S. Customs Service.  
Q. Did you tell me that you were afraid I might ask you some

dates?

A. Yes, sir.

Q. So you came prepared?

A. That's right.

Q. Okay. How long did he work for the IRS again?

A. He was with them for three years.

Q. And then where did he go after working for IRS?

A. He joined U.S. Customs Service in December of '87.

Q. And served as a special agent for Customs until the time of his death?

A. Correct. He started as a special agent and was promoted to senior special agent.

Q. Where was he physically when he was a Customs agent?

Kay Ice - Direct

A. He was -- his assignment was always in Oklahoma City. He was one of the first special agents assigned to the Oklahoma City office when they opened that office, and he -- that was the only station he ever had.

Q. Now, over the years, did you get familiar with some of the cases that Paul worked on as a Customs agent?

A. Yes.

Q. Do you recall one concerning the seizure of a large sum of currency?

A. Yes. It was in a smaller town west of Oklahoma City called

El Reno and there was a large bust that involved, I believe, money laundering and gambling money, and over a million dollars was seized in this -- in this raid.

Q. And Paul Ice had had a principal role in that seizure?

A. Yes, he did.

Q. And under federal law, did any of that money then go to the community of El Reno, Oklahoma?

A. Yes; since it was a joint local bust and a federal bust, the community received half of it, which came to about \$650,000.

Q. How did they put that money to work, at least in part?

A. In this police department, they built a firing range which is now called the Paul Ice Memorial Firing Range. My brother was the -- one of the . . . the gun experts with the U.S. Customs Service in his office.

Kay Ice - Direct

Q. He was a good shot?

A. Yes, sir.

Q. All right. Was Paul Ice married?

A. He was divorced.

Q. How long had he been married before his divorce?

A. 20 years.

Q. And did he have children by that marriage?

A. Yes, he had two daughters.

Q. And how old were they at the time of the bombing?

A. At the time of the bombing, around 14 and 17.

Q. And were they still living there in or around Oklahoma City

at the time of his death?

A. Yes.

Q. Ms. Ice, let me show a photograph --

MR. MACKEY: I'll move for admission, Exhibit 1449.

It's been previously displayed to defense counsel.

THE COURT: Any objection to 1449?

MR. JONES: No, your Honor.

THE COURT: Received. May be displayed.

BY MR. MACKEY:

Q. And who is this man in this photograph?

A. That's my brother, Paul.

Q. And tell us what he's holding there.

A. Just some model airplanes. He was a pilot. Outside of the

Marine Corps, he had his own small plane; and of course ever

#### Kay Ice - Direct

since he was a little boy, he loved models and had all kinds of

models. And it was -- it gave him a lot of joy.

Q. Flying was important to him, even as a youngster?

A. Oh, yes; he got his pilot's license when he was probably in

his early 20s, and he had -- in his lifetime, had had -- owned several planes of his own. He just -- he just loved to fly.

Q. Miss Ice, where were you living in the fall of 1994?

A. I had just moved back to Oklahoma City, and I was living about a half a mile away from my brother.

Q. And at that time he was divorced and so he was living alone?

A. Correct.

Q. And if you're alone and he's alone, what do two brothers and sisters do on Friday night in Oklahoma City?

A. When I moved back to Oklahoma City, Paul was so excited because he had just gone through a divorce and was living alone

for the first time in 20 years; and when he found out that I was moving back to our hometown, he bought season football tickets to our high school football game. And the stadium was in walking distance of my house, so he would ride his bike over

to my house on Friday night and we would cook out or cook dinner and then walk to -- to the game, which he just loved the

Midwest City Bombers because they inevitably ranked first in our state. They were very good, and he was very proud of them.

Q. And that's the school where you and he had both attended?

Q. And that's the school where you and he had both attended?

Kay Ice - Direct

A. Correct.

Q. Miss Ice, we've seen a photograph of your brother. Could you give the jury a verbal picture of who Paul Ice was.

A. First and foremost, what I want you to know is what a patriot my brother was. He was so proud of being an American, ever since he was a little boy. He loved this country. He loved being a government agent. He loved being a Marine. He was -- he was so proud of his accomplishments and what he did, and he was so good at it, and he was so highly regarded amongst

his colleagues. We had no idea the impact his life made on others until after his murder. And the letters that my parents

received from -- from Marines in Hawaii or from other federal agents in New York or Texas, it was overwhelming the impact that his love and devotion to his God and his country and his family; it was, it was incredible.

Q. And I take it he probably helped out his little sister on occasion?

A. He was -- he was the consummate big brother. There -- there -- I could not have ever imaged, if I had made a list or painted a picture, that one thing would have been different than my big brother.

Q. When did you last see Paul Ice?

A. I was so fortunate to be able to see him the night before the bombing. It was April 18. And I had borrowed his car that

day, and my parents had picked me up at the shop to get the

Kay Ice - Direct

car --

THE COURT: This is an area that we're not going to go into.

MR. MACKEY: All right.

THE WITNESS: Okay.

BY MR. MACKEY:

Q. Miss Ice, did you see your brother Tuesday evening, the 18th?

A. Yes I did.

Q. When you parted company, was he going over to Special Olympics events?

A. Yes, he was.

Q. That was the last occasion you saw him?

A. Yes, it was.

Q. Were you working downtown in Oklahoma City on the 19th?

A. Yes, I was.

Q. What distance?

A. I was about three blocks south of the Murrah Building.

Q. What floor was your office at the time?

-  
A. I was on the 26th floor.

Q. Were you able to see the explosion when it happened in downtown city -- Oklahoma City that morning?

A. Yes, I had just turned and I was facing the window looking straight north when I saw the east end of the building blow out.

Kay Ice - Direct

Q. After learning that that explosion was linked to the federal Murrah Building -- the federal building called the Murrah Building, did you join your parents in Oklahoma City?

A. Yes, after about an hour. I worked in the office leasing section of our building. We had to take care of our tenants first; and then as soon as I could get out, I went to my parents' home.

Q. And how long did you and your parents wait before you were officially notified of Paul's death?

A. It was eight days before they found Paul's body. It was actually about a day before we -- or half a day before we knew that Paul had been in the office at the time of the bombing.

Q. Miss Ice, I have only one final question. We've talked a little about your parents, who I take it are still residing in Oklahoma City.

A. Yes.

Q. Could you tell the jury what impact Paul's death has had on your parents.

A. My parents had four daughters and one son; and again if you could have made a better son in the world, it could have not been anyone other than Paul Ice. Other than the fact that he loved this country and what he did, he loved his parents so much, he called my parents every single day to see how they were. He visited three or four times a week. He was always there. Paul was always going to be there to take care of my

Kay Ice - Direct

parents.

Q. Miss Ice, has Paul's death been especially hard on your father?

A. Yes, it has.

MR. MACKEY: I have nothing else.

THE COURT: Any questions?

MR. JONES: No, your Honor.

THE COURT: You may step down. You're excused.

Next, please.

MR. HARTZLER: Melissa Webster. Mr. Mendeloff will question her.

THE COURT: Thank you.

THE COURTROOM DEPUTY: Raise your right hand, please.

(Melissa Webster affirmed.)

THE COURTROOM DEPUTY: Would you have a seat, please.

Would you state your full name for the record and spell your last name.

THE WITNESS: Melissa Webster, W-E-B-S-T-E-R.

THE COURTROOM DEPUTY: Thank you.

MR. MENDELOFF: Thank you, your Honor.

DIRECT EXAMINATION

BY MR. MENDELOFF:

Q. Where do you live, ma'am?

A. In Oklahoma City.

Q. Are you married?

Melissa Webster - Direct

A. Yes, I am.

Q. Do you have any children?

A. I have two.

Q. On April 18 -- April 19, 1995, were you employed?

A. Yes, I was.

Q. Where?

A. At EMSA AMR Ambulance Service in Oklahoma City.

Q. I'm sorry. Can you say that a little slower.

A. It's EMSA, AMR. It's Emergency Services Authority, American Medical Response.

Q. That's the name of the company?

A. Yes.

Q. It's an ambulance service in Oklahoma City?

A. Yes, it is.

Q. What were your responsibilities at EMSA?

A. My primary responsibilities, I'm a scheduling coordinator for the ambulance company. I'm also qualified to work the streets, so when the streets get real busy, then they send us out to help cover.

Q. When you say "work the streets," as a paramedic?

A. Yes, I'm an intermediate medic.

Q. You said you're an intermediate paramedic?

A. Yes.

Q. What is an intermediate paramedic?

A. We have three levels in Oklahoma. We have a basic, which

Melissa Webster - Direct

is basic. We have an intermediate who can do a little bit more

than the basic. And then you have the paramedic who can run -

-

you know, use the heart monitor and push all the drugs that you

need pushed out in the field.

Q. So the different levels are just connected to how much service you can provide?

A. Exactly, how much education you have.

Q. Now, let me direct your attention to the morning of April 19. Were you in your offices at EMSA that morning?

A. Yes, I was.

Q. And how many times did you go to the hospital that day?

Q. And where were those offices located?

A. They were at 10th and North Walker.

Q. And where is that in relation to the Murrah Building?

A. It's northwest of there, about six blocks.

Q. Now, at about 9:02 that morning, do you recall what happened?

A. Yeah. I was sitting at my desk and I heard this real loud rumble, explosion, rumble, vibrated our building. And we all jumped up and ran outside. We thought it was our building. I mean it was that loud. So we went outside, and then we saw the smoke coming from downtown.

Q. Did you get into emergency vehicles right at that time?

A. I started back in to get my keys, and my partner was on his way out; and he already had the keys. And he and I and about seven other paramedics that were in a class at headquarters

Melissa Webster - Direct

there jumped in and headed towards the smoke.

Q. Did you stop when you got downtown at some point?

A. We headed south on Robinson, and we got to 6th Street. At that point there were hundreds of people in the street, lots of debris. We really couldn't go any further, and we assumed that's where it was. We stopped right in front of the Journal Record Building. We cleared that intersection and stopped on the corner right there at the edge of the Journal Record Building.

Q. On 6th and Robinson?

A. On 6th and Robinson.

Q. That's one block north of the Murrah Building?

A. Correct.

Q. Let me show you what's already been admitted as Government Exhibit 940.

So we can get our bearings. And ask you to tell me if

I'm pointing to about the right location where you stopped.

A. Yes. That's right.

Q. Right at the Journal Record Building?

A. Right on that corner.

Q. What is the reason you thought the explosion had come from the Journal Record Building?

A. First of all, it was the amount of people in the streets. They all basically looked the same, they were all bleeding, the debris, the chunks of concrete that was in the street; and

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looking at the Journal Record Building, it looked like it had exploded from the inside. There was stuff hanging out the windows, and then there was smoke -- smoke from the parking lot



was coming up from behind the building, and it blocked our view of the federal building.

Q. Smoke in the parking behind the Journal Record Building and across the street from the Murrah Building?

A. Right.

Q. Could you see the Murrah Building from your location?

A. No, we couldn't.

Q. And accordingly you thought the explosion was the Journal Record Building?

A. Exactly.

Q. What did you and the other paramedics do?

A. At that point we knew it was a disaster situation; we had to get our triage area set up.

Q. Before you go on, just tell us what triage is for those of us who don't know.

A. Triage is where you sort patients into categories of their severity of injuries. You put -- we have four sections. We have the green section, which we call the walking wounded, which are people that have lacerations that can wait a while to go to the hospital. And then we have the yellow section, which is the people that are more severely injured, they need to go, but they can wait at least an hour to go. And then we have the

Melissa Webster - Direct

red section, which are the severely injured people who need to be at the hospital as soon as possible.

Q. And you treat them first?

A. And you treat those first.

Q. And do you have a fourth section?

A. The fourth section is the black section, and we would put anybody deceased.

Q. And the idea behind triage is to give attention to the people who need it most first?

A. Exactly, to try to treat as many people as possible.

Q. After you set up triage, did you have occasion to have numerous people come to you for treatment?

A. Yes, very many.

Q. How long did you work at that location before you realized that the damage was not primarily to the Journal Record Building but to the Murrah Building?

A. I was there for an hour before I found out it was not that building.

Q. During that hour, did you have occasion to treat a little boy named James Green?

A. Yes, I did.

Q. Can you tell us about that.

A. I was bandaging a patient at that time, and I heard someone behind me yell that they had a child. And it caught my

attention 'cause at that point I hadn't had any children.

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Q. Let me just ask you to do one thing for us.

A. Okay.

Q. Talk a little slower.

A. Okay.

Q. And do that for the court reporter as well because you see her fingers turning purple there.

A. Okay. I hadn't had any children at that time, so I turned around and a man was carrying this child. And I walked over to

him, and he handed him to me and he said, "He's from the YMCA day care."

Q. Are you familiar with the fact that the YMCA had a day-care center in the facilities?

A. Yes, I am familiar with that. I knew that.

Q. Did he tell you how old the little boy was?

A. He didn't.

Q. Did you subsequently learn?

A. Yes, I did.

Q. How old was he?

A. He was three.

Q. And what was wrong with him?

A. He was bleeding from the head. He was -- he had -- his eye

was messed up. I couldn't really tell the extent of it. I needed to lay him down, because he handed him to me, and the little boy grabbed my shirt. I mean, he was really scared. And all I could do was just hang onto him until I could find a

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place to lay him down at. I went over and found a back board and started to lay him down on the back board, and he wouldn't let go. I couldn't get him to let go of me.

And I noticed a woman watching me real closely, and I

asked her if she knew him. And she said, yes, she was his teacher. So I had her get down there so he could see her, so maybe he would relax and let loose of me.

Q. Did he?

A. Yeah. Once she got down in his face -- there was so much going on, you had to be right in someone's face to understand what was going on; and once she did that, he let loose of me, and I laid him on the back board and got him wrapped up and strapped to the back board.

Q. This back board was the size of a back board for adults; is that correct?

A. Correct.

Q. After you strapped him to the back board, did the teacher

ask you anything?

A. She asked me if I knew where his brother was. And I told her I hadn't seen any other children there. And we just kind of looked up, and there he was. He was about 5 foot from us. A man was sitting on the ground holding him. So we got him.

And he was real small, too; so I went ahead and him on the other end of the back board. I put them feet to feet on the back board. Because they were both so small, they both fit

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and so at least we could keep them together, because they were both scared to death.

Q. They were two little brothers --

A. They were two brothers, yes.

Q. -- on the same back board. Were they then taken to the hospital?

A. Yes, put them in the ambulance and they were transported to the hospital.

Q. Let me ask you to look at Government Exhibit 1382, which should come up in front of you.

What is that?

A. That's a picture of the triage area at 6th and Robinson.

Q. Are you depicted in this photograph?

A. Yes, I am.

MR. MENDELOFF: I move the admission of 1382, your Honor.

MR. JONES: No objection.

THE COURT: Received and may be published.

BY MR. MENDELOFF:

Q. Let me ask you to focus your attention on the upper left-hand corner of the picture. And what are we looking at there?

A. Upper left-hand corner?

Q. Focused in, what are we looking at?

A. I'm kneeling just about in the center of that picture, and

Melissa Webster - Direct

that's James Green I'm taking care of there.

Q. And that's a photograph of you doing exactly what you just described?

A. Yes.

Q. Let me pan back out and ask you to look and explain to us what this general triage -- what are we looking at with the general triage setup.

A. Okay. This is looking south on Robinson. The truck you see there in the background is where our ambulances were coming through, they were loading them and they were taking them on out that way.

Q. Now your zones that you just mentioned were they set up --

Q. Now, your zones that you just mentioned were they set up

-

A. Yes. I'm basically in the red zone at this point. That's just the first back board I saw. Whenever he handed me the little boy, that's the first back board I saw; so I just stopped right there. The green section was over on -- would be

down in that left-hand corner.

Q. And the black zone?

A. No, that would have been the green zone.

Q. Where would the black zone have been?

A. The black zone would have been behind me where those people were standing.

Q. Now, let me ask you: After you got done treating James Green and his brother, did you have occasion to treat another woman?

Melissa Webster - Direct

A. Yes, I did.

Q. Tell us about that.

A. Once again, I was bandaging someone else; and one of my co-workers -- I heard her yell at me and say, "Melissa, I've got a critical over here," and which means she's real serious; so I turned around and went over there. They were laying her down on the ground on the back board; and she was real combative. And she was flailing her arms, and she was covered in blood.

I knelt down beside her, because there was a lot of other people kind of just went to her, too. So I couldn't get to her head. I wanted to immobilize her head, because they didn't have her head strapped down or anything yet. So I was at the side of her; so I slipped my hand kind of underneath her

head to try to hold her head still, 'cause she was still flailing around. And people were trying to get her arms tied down. And at that point, I realized that she had a real bad head injury; that the back of her skull basically had no structure to it.

Q. Did you ever learn whether that woman survived?

A. We tried to check later. We called the hospital and described her injuries, and they told her that if that was the woman that we're thinking of, that she had died in surgery.

Q. Finally, after that woman was removed, did you handle still another case?

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A. Yes. It happened pretty much the same way. I heard someone yell that they had a critical; and I turned around and started -- she was about 20 foot from me. And I started walking that way, and they laid her down on the back board on the ground. And she wasn't moving. And the closer I got, the

more I thought, She's dead; she's just too messed up.

Q. Did you learn what building this woman had come from?

A. Yes. They had brought her out of the Journal Record Building.

Q. And did you later learn the woman's name?

A. Yes, I did.

Q. What was her name?

A. Her name was Royia Sims.

Q. When you first looked at Royia Sims, your initial reaction was that she was dead?

A. Yes, it was.

Q. Can you tell us why?

A. Her face was covered in blood. There was a lot of trauma to her face. Her mouth was filled with blood; and one of the indications when someone's unconscious to see if they're alive or not is to check their breathing. And with that much trauma to her face, there would have been, you could tell with the blood in there, there would have been bubbles if she was breathing.

I knelt down to see if I could hear anything, and I

Melissa Webster - Direct

couldn't hear anything. And I looked up, and everybody was looking at me and asking me if she was dead; and my hand just kind of automatically went to her neck to feel for a pulse.

Q. What did you find?

A. It shocked me. She had a pulse. It was real strong.

Q. At that point, you were an intermediate paramedic?

A. Yes.

Q. What was the correct procedure to handle the situation for an intermediate paramedic?

A. The correct procedure in a disaster situation is you don't have time to make someone breathe or do CPR, you have to try to

save as many people as you can; and to start someone breathing again would take too much time and take time away from people who could be saved.

Q. So the correct procedure is if she's not breathing --

A. -- I should have pronounced her and put her in the black section.

Q. Pronounced her dead. What did you do?

A. I wasn't comfortable not working her. I looked up, and I saw a co-worker who was a paramedic.

Q. A full paramedic?

A. A full paramedic was running by and hollered at him and asked him to come look at her. And he stopped, and he couldn't

really get to her because there were too many people there.

And he knelt over and he said, "She's not breathing, is she?"

Melissa Webster - Direct

And I said, No. He says, "You need to call her, pronounce

her."

Q. Pronounce her dead?

A. Pronounce her dead. And he left.

Q. What did you do?

A. My finger was still on her pulse, and it was still beating.

And I still didn't feel comfortable not. I kept looking at her

face to see if she was -- you know, maybe she was trying to breathe, and she wasn't. At that point another paramedic, a co-worker of mine ran by and I hollered at him and had him come

check her. And he walked over there, and he looked at her and he said, "She's not breathing, is she?" And I said no. He said, "You need to pronounce her dead." And he left.

Q. Again, this was because the way triage is set up; you need to give the attention to the people who need it first.

A. Exactly. Exactly. And she wasn't breathing at that time.

Q. What happened next?

A. At that point, I thought, Oh, gosh, I can't do it, I can't call her. And I looked over, and there was an ambulance parked

just a few feet from me; and there was -- the back doors were open. And there was a paramedic in there working on a patient on the cot. And I looked at some bystanders; and I said, "Let's put her in the truck." So we picked her up and put her on the bench seat in the ambulance. And I told the paramedic in there, I said, "She's not breathing, but her pulse is as

Melissa Webster - Direct

strong as mine. Let's give her a chance."

And he said, "Okay, give me somebody to ventilate her."

And I turned around, and one of our paramedics ran by.

And I grabbed him and I said, "You need to get in there. You need to ventilate this lady." So he jumped in the truck and I shut the doors and they took off.

Q. Did she live?

A. She did.

Q. Let me ask you to look at Government Exhibit 1394, which is already in evidence.

Who is that?

A. That's Royia Sims.

Q. She's alive today.

A. She is.

Q. Let me ask you to look at Government Exhibit 1392. This is

not in evidence yet. Do you recognize that person?

A. That's her before the bomb.

MR. MENDELOFF: Move the admission of Government Exhibit 1392, your Honor.

MR. JONES: Same announcement we made before, your Honor

HONOR.

THE COURT: Yes. I'll receive it. 1392. May be published.

BY MR. MENDELOFF:

Melissa Webster - Direct

Q. Same woman before the bombing?

A. Yes, it is.

MR. MENDELOFF: Nothing further, your Honor.

THE COURT: Any questions?

CROSS-EXAMINATION

BY MR. JONES:

Q. Did you know Mrs. Sims before the bombing?

A. No, I didn't.

MR. JONES: No further questions.

THE COURT: You may step down.

Next, please.

MR. HARTZLER: Peggy Broxterman. Mr. Mackey will question her.

MR. JONES: At sometime I would like to approach the bench, but it's whenever you feel comfortable.

THE COURT: All right.

THE COURTROOM DEPUTY: Raise your right hand, please.

(Peggy Broxterman affirmed.)

THE COURTROOM DEPUTY: Have a seat, please.

Would you state your full name for the record and spell your last name.

THE WITNESS: Peggy Godby Broxterman.

B-R-O-X-T-E-R-M-A-N.

THE COURTROOM DEPUTY: Thank you.

MR. MACKEY: Thank you, your Honor.

Peggy Broxterman - Direct

DIRECT EXAMINATION

BY MR. MACKEY:

Q. Good afternoon, Mrs. Broxterman.

A. Good afternoon, Mr. Mackey.

Q. Mrs. Broxterman, where do you reside?

A. Las Vegas, Nevada.

Q. And how long have you lived in Las Vegas?

A. 20 years.

Q. And are you married to a man named David?

A. Yes, I am.

Q. How long?

A. 42 years.

Q. Do the three of you -- the two of you have three children?

A. We have four children.

Q. Total of four?

A. Yes.

Q. My apology. Would you tell the members of the jury who those children are by name.

A. Yes. Paul Gregory and David, Jr., and Mark James and Janna

-----  
Lynn.

- Q. Three boys and a girl?
- A. Yes.
- Q. And the oldest child was Paul?
- A. Was Paul.
- Q. And Paul Broxterman died in the Oklahoma City bombing?

Peggy Broxterman - Direct

- A. Yes.
- Q. Mrs. Broxterman, where did you and your husband grow up?
- A. Kansas.
- Q. Is that where Paul Broxterman was reared?
- A. He was born there and lived some of his years there, yes.
- Q. Your husband for many years was in the Air Force?
- A. Yes.
- Q. And when did he retire?
- A. About 1985.
- Q. And through those Air Force years, did he have occasion to serve at an Air Force base in or around Las Vegas?
- A. Yes, he did.
- Q. And that drew you all back after retirement?
- A. Back, yes.
- Q. What does he do now?
- A. He's with the Clark County School District. He's an administrative manager.
- Q. When your son Paul Broxterman finished high school, did he go into the military?
- A. Yes, he did, he chose to go into the Navy.
- Q. And how long did he serve in the Navy?
- A. Six years.
- Q. Do you remember what his assignment was?
- A. Yes. He was on the aircraft carrier, the Enterprise.
- Q. And was he stationed in the Gulf of Tonkin during the

Peggy Broxterman - Direct

- Vietnam war?
- A. Yes, he was.
- Q. At least for a period of time?
- A. Yes.
- Q. Was Paul Broxterman married at the time of his death?
- A. Yes, he was; and he had three children.
- Q. What was his wife's name?
- A. Camie.
- Q. And their children's names?
- A. Aaron, Cassandra, and Jerod.

MR. MACKEY: Your Honor, I'd like to show the jury at this time, move to admit and publish Exhibit 1451.

MS. RAMSEY: No objection, your Honor.

THE COURT: All right. You may -- it's received,  
and  
you may show it.

BY MR. MACKEY:



Q. Mrs. Broxterman, could you tell the jury who is shown in this photograph? Let's start with the woman here on the left.

A. That's Cassie (sic) and Paul, and Aaron is in front of Paul and Cassie and Jerod.

Q. The youngster in the center of the photograph is Aaron?

A. Yes.

Q. The older of the three?

A. The oldest of three.

Q. How old was he at the time of the bombing?

Peggy Broxterman - Direct

A. 12.

Q. And Cassandra: How old was she at the time of the bombing?

A. She was ten.

Q. And Jerod?

A. Seven.

Q. How old was Paul at the time of his death?

A. 42.

Q. After his discharge -- I take it it was an honorable discharge?

A. Yes.

Q. Did Paul Broxterman start a career in federal law enforcement?

A. Yes, he did. He got out of the -- out of the Navy and started working for the IRS. And then he went to junior college and graduated cum laude; and then he went to Weber State in Utah and graduated cum laude in criminal justice.

Q. That college is in Utah?

A. Yes.

Q. And his degree was in law enforcement?

A. Yes.

Q. And did he pursue that degree, then, with other employment?

A. Yes, he did. He went into the BIA and the USDA and then into his last one, which was HUD.

Q. The BIA would be the Bureau of Indian Affairs?

A. Yes.

Peggy Broxterman - Direct

Q. Where was he assigned while he was with BIA?

A. In Arizona with the Navajo Reservation, and then up on the Idaho, Washington border.

Q. And what kinds of cases did Paul Broxterman investigate as a BIA agent?

A. BIA, he worked mostly with drugs and with the teenagers. He liked working with the teenagers and drugs. And just the regular cases you find on Indian reservations, everything from murder to incest to rape.

Q. And after that, he went to work for the Department of Agriculture?

A. Yes, USDA.  
Q. And did that require he and his family to move?  
A. They moved to Phoenix.  
Q. How long did they reside there?  
A. In Phoenix? Probably about seven or eight years.  
Q. What kind of work did he do for the Department of Agriculture?  
A. He was an undercover agent for the department. Food stamps and stuff like that.  
Q. And did there come a time that he went -- that he went to work for the Office of Inspector General for HUD?  
A. Yes.  
Q. When was that?  
A. This was in 1995.

Peggy Broxterman - Direct

Q. Shortly before the bombing?  
A. Two weeks before his death.  
Q. Do you know how long Paul Broxterman had been reporting to work at the Murrah Building in downtown Oklahoma City before April 19?  
A. Yes. He was three days on the job.  
Q. Wednesday was the third day he had been at that building?  
A. Right.  
Q. Mrs. Broxterman, how did you learn about the explosion in downtown Oklahoma City on the 19th?  
A. My son called me from Dallas. He had seen the explosion on television and called me and asked me if I had seen, had been watching television; and I said no. And he said, "Turn it on."  
He said, "There's a federal building that had been bombed."  
And I said -- I said, "That's absolutely horrible."  
And he said, "But, Mom, I think that's the one that Paul was in." And I didn't really know which one Paul was in at the time.  
Q. After learning that in fact your son may have been in that building, what did you and your husband do?  
A. Well, all the children came. David in Dallas went up to be with Camie, and my daughter from LA came to our house, and Mark came to our house. And we had a sort of a vigil there.  
Q. Did you eventually go to Oklahoma City?  
A. Yes. After the third day when they didn't find his body,

Peggy Broxterman - Direct

we went to Oklahoma City.  
Q. How long did you and your husband and Paul's family members wait before his body was found?  
A. We waited 13 days. And they found him on his birthday

A. We waited 15 days. And they found him on his birthday.

Q. Mrs. Broxterman, could you tell the jury about who Paul Broxterman was?

A. Who Paul Broxterman was -- well, he was a happy fellow. And he loved life, and he loved his family. He had joined the Mormons religion, Latter-day Saints, after he got out of the Navy. And he loved his religion, God, country, family. Just a

happy fellow. And very adventuresome. Got really heavy into genealogy and just researched it all the time. All the time.

Q. Was he interested particularly in Native American matters?

A. Yes. I had Indian blood in my background; so therefore, Paul chose to be, go to the Potawatomi meetings and so forth like that. Potawatomi Indians.

Q. Mrs. Broxterman, could you tell the jury a little bit about

what Paul's death has meant to you as his mother.

A. Wow. That's a loaded question, sir.

Paul was a very good, good son, very loyal, very happy-go-lucky. And he was very good with his family. Took them all over the United States. He wanted to introduce them to all the historical monuments, which he did. He took them on

a seven-day trip one time. And on that trip, he picked out his

funeral plots for some reason. I don't know. For some reason,

Peggy Broxterman - Direct

he wanted to be buried in Topeka, Kansas. And he was just always introducing his children to things about America and historical places.

Q. And how about on behalf of your husband, his father? What impact has Paul's death had on David?

A. It's been a very heavy impact on Mr. Broxterman. He -- he's a very stoic man, very reserved; but it's been very rough on him, very rough.

MR. MACKEY: Thank you, Mrs. Broxterman.

MS. RAMSEY: No questions, your Honor.

THE COURT: You may step down, you're excused.

THE WITNESS: Thank you, sir. God bless you. God bless America.

THE COURT: Next witness.

MR. HARTZLER: Miss Behenna will present one of the videotapes that have been presented for stipulation.

THE COURT: What exhibit number?

MS. BEHENNA: 1425, your Honor.

THE COURT: And what's the length of it?

MS. BEHENNA: About eight minutes.

THE COURT: All right.

(Exhibit 1425 was played.)

THE COURT: Do you have another witness?

MR. HARTZLER: Robbie Maroney. Mr. Mackey will question her.

THE COURTROOM DEPUTY: Raise your right hand, please.

(Robbie Maroney affirmed.)

THE COURTROOM DEPUTY: Would you have a seat, please.

Would you state your full name for the record and spell your last name.

THE WITNESS: Robbie Lee Maroney, M-A-R-O-N-E-Y.

THE COURTROOM DEPUTY: Thank you.

MR. MACKEY: Thank you, your Honor.

DIRECT EXAMINATION

BY MR. MACKEY:

Q. Mrs. Maroney, where do you live?

A. In Oklahoma City.

Q. And how long have you lived in Oklahoma City?

A. I've live there all my life.

Q. And are you employed currently?

A. I'm a realtor for Jim Harris Better Homes and Gardens.

Q. Let me ask you whether you once were married to a man named

Mickey Maroney.

A. Yes, I was.

Q. And when did you and Mickey Maroney become married?

A. May 22, 1981.

Q. Where was Mickey Maroney from?

A. Wichita Falls, Texas.

Q. And as a youngster, was he a pretty good football player?

A. Yes, he was.

Robbie Maroney - Direct

Q. And where did he go to college?

A. He went to the University of Arkansas.

Q. How big a guy was Mickey Maroney?

A. 6' 5", 225, 220.

Q. In college, did he play defensive end?

A. Yes, he did.

Q. For a pretty good football team back in the mid-60s?

A. Right. They were national champs in 1964.

Q. Did he have any famous teammates?

A. Well, he played -- he played ball with Jerry Jones, Jimmy Johnson, Kenny Hatfield. That's all I can remember right now.

Q. Names that might mean something to Dallas Cowboy fans?

A. Right. And Barry Switzer recruited him to the University of Arkansas.

Q. How old was Mickey Maroney when he died in the Murrah Building?

A. He was 50 years old.

Q. Did you and Mickey have children together?

A. No, we did not.

Q. Did you have children from previous marriages?

A. Yes. I have one son from a previous marriage.

Q. And how about Mickey?

A. Mickey has two children. His daughter, Alice, and she's 22 -- 29; and Mickey Paul. He's 24.

Q. How old were the three children at the time you and Mickey

Robbie Maroney - Direct

were married?

A. 13, 12, and 9, I believe.

Q. And after those years, did Mickey Maroney play a role as a father to each and every one of those children?

A. Yes, he was. He was a wonderful father. It was very important to him to be around to direct them. And he stayed in

Oklahoma City for that reason, rather than being transferred.

Q. Do you know how many years Mickey Maroney had worked for the United States Secret Service at the time of his death?

A. It was -- in June of that year, it would have been 24 years.

Q. And could you tell the jury a little bit about his background for those many years as a Secret Service agent? What kind of assignments did he have?

A. Mickey worked counterfeit cases, forgery of government checks, and he was assigned to a task force in Cyprus. He rotated in and out of that area every three to four months. He

was there four to five weeks at a time.

Q. Was that on a counterfeiting investigation?

A. Yes, sir.

Q. In addition to those crimes that he would assist in investigating, did he also act as a part of the protection details for --

A. Yes, he did.

Q. -- president and vice president?

Robbie Maroney - Direct

A. Yes, he did. And foreign digs.

Q. That's an expression for foreign dignitaries that travel to this country?

A. Yes, sir. Yes, sir.

Q. Did he travel a lot?

A. He really did. He was gone a lot. You know, campaign year

was -- you know, he would be home, he would be home, but still have assignments about every three to four weeks. And then when necessary, he would be called to -- in the other years, he

would be called to different areas to help with the protection.

Q. Let me show you at this time a photograph that's been already admitted into evidence. Exhibit No. 1171B.

THE COURTROOM DEPUTY: 1171.

MR. MACKEY: B.

THE COURTROOM DEPUTY: Has not been admitted.

MR. MACKEY: Your Honor, it's a portrait from the chart previously admitted as 1171.

THE COURT: Yes.

MR. JONES: No objection.

THE COURT: All right. You may display

THE COURT: All right. You may display.

BY MR. MACKEY:

Q. And who is the gentleman depicted in that photograph?

A. That's my husband, Mickey Maroney.

Q. Mrs. Maroney, in April of '95, were you working near the Murrah Building?

Robbie Maroney - Direct

A. Yes, sir, I was. I worked at McBride Clinic, which is at 10th and Dewey. It's about five blocks north and maybe two blocks west of the Murrah Building.

Q. Were you working there the morning of April 19?

A. Yes, I was.

Q. Now, had you left early from home that morning?

A. I had left early that morning, and I probably arrived at work at about 6:00 that morning. I called Mickey at 7:30 to make sure that he had -- was up and ready for work because I knew that he was pretty tired. It was the last time I spoke with him.

Q. To your knowledge, did he then go downtown to the Oklahoma City building?

A. Yes, he did.

Q. Do you remember feeling the explosion shortly after 9:00 that morning?

A. Yes, I did. We felt the explosion. I thought possibly it was a boiler in the Bone & Joint Hospital, which was connected to McBride Clinic. I ran out into the hall. The ceiling tiles

in my office were, you know, just turned every which way. All the patients and the doctors were out in the hall. All the windows on the south side of the clinic were blown out. We felt it.

Q. When did you first learn that the explosion may have originated from the Murrah Building?

Robbie Maroney - Direct

A. Well, the doctors were looking out the window, and I asked,

you know, what had happened. And they told me they thought it was a building a couple blocks away. A nurse turned the radio on, and they said it was the federal courthouse. But I knew it

wasn't the federal courthouse and I knew Mickey was there, and I got myself up and I ran down there.

Q. And how close to the Murrah Building --

A. Well, I only got within two blocks before they turned me around and wouldn't let me go any further.

Q. Were you able to get a glimpse of the damage that had happened to the building?

A. When I saw the building, because of the damage and I knew that Mickey was there, I just thought there was no hope.

Q. What did you do after seeing the building?

A. Well, I had ran down there; but when I turned around --

they turned me around, I walk -- I just walked back. I was in shock. I was numb. I couldn't believe it was real.

Q. Did you come back to your office?

A. Yes, I did.

Q. What did you do there?

A. I called my church thinking that a police officer that my husband worked with -- that they could get in touch with him so he could find Mickey, you know, not really thinking logically, that he was already there. My pastor and my children then came to where I was, and we waited until about 1:30 or 2. Because I

Robbie Maroney - Direct

kept thinking -- because he was so big and strong, I was hoping that he was just trapped and that he was going to get out and he would give me a call on my private line, because he did things like that.

Q. You waited there until early afternoon?

A. Yes.

Q. And then went home?

A. Went home.

Q. How many days did you wait, Mrs. Maroney, before you were officially notified that your husband had been killed?

A. I was notified Friday morning.

Q. Would be two days after the explosion?

A. Yes, sir.

Q. And how were you notified?

A. By Secret Service, and my pastor was there. They came to my home. I had gone. My sister had taken me to run an errand;

and when I came back, they were there. Don Newsom, his partner, was there, and he came to me and told me.

Q. Mrs. Maroney, I'd like for you to tell the jury a little

bit about how you might describe Mickey Maroney as a man and as a husband.

A. Well, my husband was my earthly everything. He was my love of my life, my protector, my provider, and my very best friend.

And we were one. We have -- our children are adults now, and we had just begun to live our lives because we had gotten or

Robbie Maroney - Direct

tried to get them through school. He -- he was a godly man. He taught Sunday school in the college and career department at our church.

And he was very good at what he did. I mean he was also a very good Secret Service agent. I got so many letters, and everybody said the same, that he always made their job fun and interesting, they got the job done very well. And he always -- when they left, he always made them feel so good about themselves. He was that way as a father, as a friend, and as my husband.

He was a role model to the boys that he taught in the Sunday school class, you know. It was great.

Q. Mickey came from a large family?

A. Yes, he was the No. 11 child. And he was raised in a wonderful Christian home. Mickey was -- always had a smile on his face and had a joke for everyone, so --

Q. Just have one final question. When Mickey was growing up, did his family include a youngster in the neighborhood to --

A. Oh, yes.

Q. -- to live with them?

A. When Mickey was in high school, I believe it was his sophomore year, one of his friends -- and his name was Mickey, also -- was sort of -- he was abandoned, and the Maroneys took him into their home, and he finished high school. When Mickey signed with the University of Arkansas to play football, he had

Robbie Maroney - Direct

been approached by several schools, but he would not sign with them because of his friend Mickey. He wanted a full ride for his friend, also. And the University of Arkansas gave this particular person a scholarship in baseball, which he could play baseball, but that's why Mickey went to the University of Arkansas.

Q. With his friend?

A. Yes.

MR. MACKEY: Thanks, Mrs. Maroney.

THE WITNESS: Thank you.

MR. JONES: No objection -- no questions.

THE COURT: All right. You may step down. You're excused.

We'll be taking the afternoon recess now; but before giving you the usual caution, I want to mention, members of the jury, Mrs. Broxterman, when she left the witness stand, volunteered "God bless America," you will recall. Inappropriate conduct by her, you recognize that. She wasn't asked any such question. She volunteered it, undoubtedly in an effort to perhaps attempt to influence you. And of course you must not be influenced by that. Witnesses cannot give you their opinions even in an indirect fashion like that, and you can't let anything like that affect you in the decision that you're going to have to make on the findings that you're going to have to make. So you must disregard that effort, if it was an effort, to influence you.



NOW OF course you'll also not discuss anything that you have been seeing and hearing during the time of this recess, remembering that you have to wait until you hear it all before making your own judgments and making your collective judgment.

You're excused now, 20 minutes.

(Jury out at 3:09 p.m.)

THE COURT: Mr. Jones, you wanted to approach?

MR. JONES: Yes. Thank you, your Honor.

(Bench Conference 135B1 is not herein transcribed by court order. It is transcribed as a separate sealed transcript.)

(In open court:)

THE COURT: We'll recess to 3:30.

(Recess at 3:11 p.m.)

(Reconvened at 3:29 p.m.)

THE COURT: Please be seated.

(Jury in at 3:30 p.m.)

THE COURT: All right. Next witness, please.

MR. HARTZLER: Jeannine Gist. Mr. Goelman will question her.

THE COURTROOM DEPUTY: Would you raise your right hand, please.

(Jeannine Gist affirmed.)

THE COURTROOM DEPUTY: Would you have a seat, please.

Would you state your full name for the record and spell your last name.

THE WITNESS: Jeannine Gist, G-I-S-T.

THE COURTROOM DEPUTY: Thank you.

THE COURT: Mr. Goelman.

MR. GOELMAN: Thank you your Honor.

DIRECT EXAMINATION

BY MR. GOELMAN:

Q. Good afternoon, ma'am.

A. Hello.

Q. Where do you live?

A. I live in Midwest City, Oklahoma. 1201 South Caldwell,

Jeannine Gist - Direct

Midwest City, Oklahoma.

Q. Where is Midwest City?

A. It's about 12 miles on the outskirts of Oklahoma City.

... TO 3 ABOUT 12 MILES ON THE EASTSIDE OF OKLAHOMA CITY.  
Q. Which direction?  
A. East.  
Q. Do you work?  
  
A. Yes. I work at Tinker Air Force Base.  
Q. What do you do there?  
A. I'm a logistics management specialist. I write course materials.  
Q. Are you married?  
A. Yes.  
Q. And how long have you been married?  
A. 43 years.  
Q. What does your husband do?  
A. He's retired from Tinker Air Force Base.  
Q. What did he do at Tinker while he was working?  
A. He was a mechanic, jet airplane mechanic.  
Q. And did you and your husband have children?  
A. Yes. We have five daughters.  
Q. Was your youngest daughter killed in the Oklahoma City bombing?  
A. Yes.  
Q. I want to show you a picture, Government's Exhibit 1535. It will come up on your screen.

Jeannine Gist - Direct

A. Okay.  
Q. Do you see that?  
A. Yes.  
Q. Is that a picture of you, your husband and your five daughters?  
A. Yes, it is.  
MR. GOELMAN: Move to admit, your Honor.  
MR. TRITICO: No objection.  
THE COURT: Received and may be published.  
BY MR. GOELMAN:  
Q. Can you just identify the people portrayed in that picture.  
A. This is my husband in the middle here. This is myself on the left.  
This is my daughter, Karen, that was killed.  
This is my fourth daughter, Peggy.  
This is -- excuse me. This is second daughter, Peggy.  
Q. Mrs. Gist, we can't see you pointing.  
A. I'm sorry.  
Q. You can go underneath the glass and draw directly on the screen if you want, if you want to point.  
A. This is my husband, J. L. This is myself.  
Q. Still can't see.  
Why don't you just describe verbally who you're talking about. Okay?  
A. Okay.

Jeannine Gist - Direct

THE COURT: Maybe you can left or right or something like that.

THE WITNESS: Okay. I'll start on the left. On my left -- can you see my pointer?

BY MR. GOELMAN:

Q. No.

A. On my left is my daughter Peggy, who is my second daughter.

Right next to her on her right in the picture is my daughter Karen, the one that was killed in the blast.

And then there is myself and my husband.

And then to the right of him is Lynn, my fourth daughter. And next to her is Shirley, my oldest daughter.

And

next to her on the far right is Sandra, my third daughter.

Q. What's the age range amongst your five daughters?

A. There is six years between the oldest child and the youngest child. At one time they were all five in the same grade school.

Q. Were they pretty close growing up?

A. Yes, they were close. They had a lot in common.

Q. And did you work when the girls were little?

A. No. I stayed home and raised the girls by myself -- I mean

with my husband and I. I didn't work.

Q. Did you eventually go back to school?

A. I went to school when I was 35 after my children were all in school, and I got a college education; and then after Karen,

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my youngest one, was in high school, I went to work teaching.

Q. Do you also get another degree?

A. I have a master's degree.

Q. What's that in?

A. It's in business education.

Q. When your daughters grew up and moved out, where did they live?

A. All my daughters -- my first three daughters moved out when

they got married; but Karen, my youngest one, she -- she was a national cheerleading instructor; so she moved out right after high school and toured the country instructing cheerleaders. And then when she came home, she got an apartment and moved out

and went to college.

Q. Did all your girls live right there in Midwest City near you?

A. Yes. They all live about a mile and a half. I do have one daughter now that is a traveling physical therapist, so she

comes home about every four months.

Q. Do any of your daughters have children of their own?

A. Yes. Two of my daughters each have a daughter.

Q. And how old are your granddaughters?

A. They're 12 and 9.

Q. Ms. Gist, I want to talk a little bit about Karen.

A. Uh-huh.

Q. Can you just describe what kind of person she was briefly.

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A. Karen was a very energetic, animated girl. She loved sports; and she was real active, was a goal setter, was just a real cheerful girl.

Q. What kind of sports did she play?

A. She played basketball and she was a cheerleader. And she roller-skated. She liked most everything.

Q. Did she like sports just for herself, or was she also pretty active in --

A. She thought that sports was -- everybody should take part. She really believed in physical education, and she tried to encourage her friends and her mother to get active and exercise.

Q. What were her attempts to encourage her mother -- were they successful?

A. For a while. She asked me many, many times to join her aerobics class which she taught part-time at the college and at the YMCA. And I kept telling her I couldn't keep up with her in aerobics, so I finally agreed to take water exercises at her insistence; so she felt like it was good for me, and she kept on till I did it.

Q. Once you started taking water exercise, did Karen pretty much leave you alone and trust you to go to class?

A. Well, she taught aerobics at the same time that I went to water exercises, and she would come into the pool every Tuesday and Thursday and wave to me and make sure that I was there.

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Q. What did your classmates think about that?

A. Well, if she couldn't catch my eye, she'd walk up to the edge of the pool until some of the other people in the pool caught her eye, and they'd tell me she was there. And then when I'd wave to her, she'd wave to me, and she'd be off to teach her classes.

Q. Did your classmates tease you about your daughter checking on you?

A. Yeah.

Q. Did Karen have any physical ailments?

A. She had asthma. She had asthma pretty bad.

Q. Did that keep her from exercising at all?

Q. DID THAT KEEP HER FROM EXERCISING AT ALL:

A. No. She felt like exercising made her asthma better.

Q. You said that when Karen graduated from high school, she went on some kind of national cheerleading --

A. Yes.

Q. Did -- how long did she do that for?

A. She did that for a year. She was chosen among the cheerleaders in the nation. Just the top ones were selected to

be cheerleading instructors, and she'd go around at the various

colleges and teach cheerleading.

Q. What did she do after that year?

A. She went to work for a lawyer. She got herself an apartment, and then she quit the law firm after about five months and she went to work then for Army Recruiting.

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Q. Did she go to college at some point?

A. She went to Central State University, is what it was called at the time.

Q. And did she graduate?

A. Yes.

Q. With a degree in?

A. In marketing.

Q. Do you remember when she graduated?

A. Must have been about -- let's see, '80, '81 -- probably about '85.

Q. And did Karen get married at some point?

A. Karen got married in '87.

Q. Who did she marry?

A. She married Gregory Dale Carr.

Q. How did she meet him?

A. She met him country dancing. She was an avid country and western dancer, and he was real good. And they did a lot of country and western dancing.

Q. What was your and your husband's relationship with Greg and

Karen once they were married?

A. They were two kids that came to see their parents pretty often, both his parents and her parents. They'd come over once

a week at least and just -- sometimes it wouldn't be for very long; but she'd just pop in the door and stay a little while, sometimes only 30 minutes, but they always came by.

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Q. Did you and Mr. Gist approve of Greg?

A. Yes. We liked him.

Q. Did Karen and Greg have any kids of their own?

A. No. They hadn't. She had two miscarriages at very early stages, and she was undergoing tests at the time of her death

to see what the problem was.

Q. Did Karen tell you a short time before the bombing that she

and Greg were going to try to have kids again?

A. Yes.

Q. And what was your reaction to this?

A. I would loved to have one of her --

Q. You don't have any objection to having more grandchildren?

A. No.

Q. I want to turn to the events of April 19, 1995. Were you at work that morning?

A. Yes.

Q. And how did you first hear about the bomb?

A. We heard the boom. Everybody in my office heard the boom, and we wondered what it was. And so I went and turned on my radio, and we heard that it was the federal building first. And then we heard it was the Journal Records Building. And there was a lot of confusion about which building it was, and I

just got real shaky and had to go home.

Q. Did you know then what building Karen worked in?

A. I knew she worked in the federal building, but I didn't

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know that it was called the Murrah Building; and I knew there was a chance it was her building.

Q. Do you remember when you first learned that it indeed was her building that had been destroyed?

A. Her husband called me at home. He was just frantic and wanted to know if Karen was at my house. He knew it was her -

he was calling from downtown. He knew it was her building.

Q. When was Karen's body found?

A. 10 days later.

Q. And what were those 10 days like?

A. Just a trance. I mean I just -- I couldn't believe that anything like that would really happen, you know. I mean, not to your girl, you know.

Q. Did you have some specific health concerns about Karen during those 10 days?

A. Karen, with her asthma, you know, I kept thinking maybe they'd turn over a big clump of cement and find her there and she'd be all right. But she had asthma, and I was worried about her as if it wasn't bad enough to be under all that rubble, to have asthma problems, too; and I was concerned. I just kept thinking she'd be found.

Q. During this period -- and I don't want to talk about the memorial service itself, but did you have occasion with your family to go downtown to a memorial service on April 23?

A. Yes. We went to the Billy Graham service.

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Q. And did your daughters go with you?

A. Yes. All my family.

Q. Did you see someone there who knew Karen?

A. There was a girl that worked in the concession stand in the Murrah Building, and she rushed over to my second daughter Peggy; and she says, "Oh, Karen, I'm so glad you made it."

And then she realized it wasn't Karen; and you know, she felt really bad and everybody felt really bad. But they look so much alike that, you know, it wasn't her fault. She just thought it was Karen.

Q. What did Peggy say to this woman --

A. She says, "I'm not Karen," you know.

Q. Do you know how Karen's body was finally found?

A. Yes. I was told by the firefighter who found her, you know. I was told that she was still sitting in her chair.

Q. I mean, did -- the firefighter who found her: Did he know Karen?

A. Yeah. Karen had gone to high school with her (sic); and when he found out that she was in there, he figured out about where she'd be. And he went in there and found her that night.

And he had subsequently sent us a card and told us if we wanted

to talk to him, you know, that he would be glad to talk to us.

Q. I want to talk a little bit about how you and your family's

lives have changed since Karen was killed. How often in general would you see Karen and Greg before the bombing?

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A. About once a week.

Q. And would this generally be just her and Greg, or would your other daughters also be there?

A. Well, her and Greg came over pretty regularly, every week, usually on Sunday but sometimes in the evenings. We never really knew for sure, but they came over on a regular basis. My other daughters came over, too; but normally, it is not planned. They just show up, you know.

Q. How has Karen's death affected her four sisters?

A. They're devastated. I mean, they've been so close and they've had so much in common, they're just kind of like a unit, you know. Everybody knows who they are, and it's just -

- they're really devastated.

Q. Did your daughters have a tradition of taking a studio photograph of themselves for you and your husband?

A. Yes. They took a studio family picture of the five of them

about every five years, and it was about time for another one. And they felt bad because they hadn't gotten the other picture taken, so we didn't have a real recent one of the five of them.

Q. What was your reaction when they expressed that to you?

Q. What was your reaction when they expressed that to you?

A. I told them they couldn't have had a more beautiful picture

than the one they had four years before, five years before, because it was -- it was just a gorgeous picture of them.

Q. In addition to those studio pictures that they would have taken, did you also take pictures of them when the family got

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together?

A. Yes.

Q. Do you do that anymore?

A. I haven't taken a picture since she died.

Q. What are family gatherings like since Karen died?

A. Well, Karen was so lively and animated and you always knew she was around; and it seems like with her gone, it's like two or three people are gone. It's like, you know -- it's just so much of our family is not there. And it's just, you know -- but we always remember her.

Q. You mentioned that you have two granddaughters?

A. Yes.

Q. What was their relationship like with Karen?

A. They were real close to Karen. They're trying to be cheerleaders now.

Q. What kind of impact has her death had on them?

A. They were pretty devastated. They were pretty fearful at first that something would happen to them, too; but they -- they draw me pictures of Karen as an angel in the sky and, you know, they don't -- they let me know that they haven't forgotten her.

Q. Have -- has your family remained close with Karen's husband, Greg?

A. Yes. We see him not real often, but he's pretty good to come by.

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Q. And did he tell you when he started trying to date someone else?

A. Yes, he did.

Q. Describe that.

A. He said he started seeing someone on New Year's Eve, and he

said that she was just like Karen. He said that her name was Karen. She was about the same size as Karen. She was a goal-setter. She had brown hair. He just went -- a bunch of adjectives about how much she was like Karen, except that her eyes were blue.

Q. And what was your reaction when Greg told you that he was starting to date someone else?

A. Well, you know, it hurts to have him date, you know; but I try to put myself in his mother's place. And if he was my son,

I would be telling him to find, you know -- to have a new



life.

But, you know, it hurt; but I didn't -- I tried not to show it, because I -- I think a lot of him and I think he has to go on.

Q. Did that relationship work out for Greg?

A. No.

Q. Can you describe real briefly what Karen's relationship was like with her father.

A. With her father?

Q. Yes.

A. Karen was close to her father.

Q. And how has he dealt with her death?

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A. He's pretty devastated. He said right now -- I mean -- he's pretty shaky even now.

Q. What does he do during the days?

A. He's retired, so he works a lot out in the garden and in the yard; and he goes to the cemetery pretty often, just by himself.

Q. Do you and your husband have any pets?

A. Yeah. I have a little dog named Rica. It was Karen's dog.

Q. What kind of dog?

A. A little Chihuahua, black and tan.

Q. How does your husband feel about this dog?

A. He loves the dog. He does not like house dogs; but when Greg asked us if we wanted Karen's dog, we said yes. And he's just real close to the dog now.

Q. You talked a little bit about what Karen's death has done to the rest of your family. I want to turn real briefly to how

you've dealt with the loss of your daughter.

Can you please tell the Court and jury basically what kind of impact this has had on your life.

A. It's so hard for me because Karen was my youngest child. She was only 32. She had not had a chance to have her babies or have her life, and I -- I'm 61 years old. And I'm her mother, and I just should have gone before she did. And I -- it's hard for me, because I've had everything and she didn't have a chance. And it's -- that's what hurts the most is that

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she didn't have a chance to live on.

Q. Do you still exercise regularly, Mrs. Gist?

A. I try. I've enrolled in -- every semester since she died and I go to water exercises, and I just don't last. I'll stay -- I'll go two or three times, and then I'll wind up dropping out. It's just so hard because I see the gal doing the exercises in the next room that she used to do; and a lot of the people in the pool knew her and knew of the bombing,

and

it's just hard to go.

Q. Have you noticed a change in your weight since Karen's death?

A. I've gained 40 pounds.

Q. How long have you lived in the house that you live in now in Midwest City?

A. Since 1963.

Q. Can you describe your plot of land a little bit.

A. We have 10 acres. We have two 5-acre tracts really in the heart of town right now. And we built the house in 1963. All the girls were brought up in the house.

Q. Did you and your husband decide to give a little bit of that land away?

A. Yes.

Q. Why is that?

A. Because when Karen died, I just felt really bad because we really never did anything to help them financially. And her

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and Greg, you know -- they didn't have enough money for anything. They couldn't fix their boat, they couldn't paint their car. She would like to have had a vacation. They couldn't do anything like that. And after she died, I had a \$5,000 bond for each one of my kids. And I gave it to Greg, and I felt so bad that I didn't give it to them while she was alive. And so I decided why wait till we die before we do something for the kids; so we gave them each a half an acre of land, and I think they're going to all build right there.

Q. So you're going to have your four daughters living right on the same plot of land?

A. Yeah. Probably. But if they don't, I mean they can sell it. They can do what they want to with it.

Q. Sure. Do you have -- have you since Karen's death had any dreams about Karen that you remember, that you can talk about?

A. I've had two dreams. They were -- my girls and I go shopping a lot, you know. We'll just pile in the car some Saturday and go shopping. And I dreamed that I walked out to the car to go shopping with my kids and there was Karen sitting in the car. And I remember thinking, Well, you know, you're dead.

And she looked at me and she says, I don't know how long I can stay. And then I woke up. There -- they haven't been real bad dreams. It's just -- just weird ones.

I dreamed another one where she popped in my door and

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said Hi, you know. She always just popped in the door and said

h1. And she came in and sat down on the couch and put her ankles up on her knee. And I said, Karen -- she had on these little shoes that had a bunch of little, tiny straps that went clear up above the ankles. And I said -- I says, Karen, those shoes.

And she says, What's the matter with my shoes?

I said, They're so ugly.

And then we just laughed, you know.

Q. Ms. Gist, how often do you think about Karen?

A. She's in my mind all the time, just every minute. It's never gone.

Q. How has your work practice changed at all since Karen died?

A. Yeah. I really need to retire, because I don't concentrate very well anymore. I don't roll with the changes very well, and I'm going to retire the end of this year. I just -- I don't feel like I am doing, you know, my job the way I should.

Q. Is there anything else about the impact of losing Karen that you want to tell us?

A. I -- it's hard for me to think about a future anymore.

And

I think about my future and my family's future, and I -- it's just like -- it's like a -- like a star with one of the points gone. And it's going to always be that way.

MR. GOELMAN: Thank you, Mrs. Gist. I don't have any questions.

THE COURT: No questions?

You may step down. You're excused.

Next, please.

MR. HARTZLER: Clifford Cagle.

THE COURT: Thank you.

THE COURTROOM DEPUTY: Would you raise your right hand, please.

(Clifford Cagle affirmed.)

THE COURTROOM DEPUTY: Would you have a seat, please. Would you state your full name for the record and spell your last name.

THE WITNESS: Clifford Russell Cagle, C-A-G-L-E.

THE COURTROOM DEPUTY: Thank you.

THE COURT: Mr. Hartzler.

MR. HARTZLER: Thank you, your Honor.

DIRECT EXAMINATION

BY MR. HARTZLER:

Q. Good afternoon, Mr. Cagle.

A. Good afternoon.

Q. How are you doing?

A. Okay.

Q. Tell us first of all where you live now.

A. I live in El Reno, Oklahoma.

Q. And about how long have you lived in El Reno?

A. About four years.

- Q. Is that a commutable distance to Oklahoma City?
- A. Yes.
- Q. El Reno is where the federal penitentiary in that area is located; is that right?
- A. Yes.
- Q. About how long did you live in the area?
- A. In El Reno, about four years.
- Q. And how old are you now?
- A. 49.
- Q. Where did you attend high school?
- A. Cocoa, Florida.
- Q. And you graduated in what year?
- A. 1967.
- Q. After you graduated from high school, what did you do?
- A. I enlisted to the Air Force.
- Q. That was during the Vietnam years?
- A. Yes, it was.
- Q. And you enlisted; you weren't drafted?
- A. No, I enlisted.
- Q. How long did you remain in the Air Force?
- A. 21 years, 1 month and 19 days.
- Q. How many minutes was that?
- A. I don't know.
- Q. Was that a good experience for you?
- A. Yes, it was.

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- Q. And what was your career field in the Air Force?
- A. I started out as a fireman. I cross-trained to be a contract specialist.
- Q. What's a contract specialist do with the Air Force?
- A. They buy construction services and supplies.
- Q. In what year, Mr. Cagle, did you leave the Air Force?
- A. 1988.
- Q. I'm sure you got a honorable discharge.
- A. Yes, I did.
- Q. After you left the Air Force, what did you do?
- A. A couple months, I worked with a friend; and we weren't making enough money, so I -- there was a job opening in Tulsa, and I applied for it as a contract specialist with the Department of Housing and Urban Development.
- Q. That's in Tulsa, Oklahoma?
- A. Yes, it was.
- Q. So about when did you start your job with HUD in Tulsa?
- A. In January 1, 1989.
- Q. Can you tell us a little bit about that job, what you did, what responsibilities you had.
- A. We had project managers and single-family managers to manage our inventory until we sold the properties or sold the houses and people to cut grass and clean up.
- Q. Okay. Let me suggest if you lean forward a little bit, I think your voice will be picked up a little more by the

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microphone. Is that comfortable?

A. Yes.

Q. Are you okay?

A. Yes.

Q. Are you married, sir?

A. Yes, I am.

Q. How many years have you been married?

A. 28 years.

Q. And do you have children?

A. I have three daughters.

Q. What are their ages?

A. 27, 23, and 18.

Q. Are any of them married, and do you have any grandchildren?

A. I have one grandson from my oldest daughter.

Q. Mr. Cagle, where did you work on April 19, 1995?

A. I worked in the Alfred P. Murrah Building with the Department of Housing and Urban Development on the 7th floor.

Q. And how long had you worked there in the Murrah Building?

A. About four years.

Q. Were you working on the day of the bombing?

A. Yes, I was.

Q. Could you describe for us what you recall about that experience.

A. What I remember is I was working at my desk; and the next thing I knew, I woke up on the floor soaking in blood; and I

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rolled over to let it run out, and I heard someone call my name. And I just wiggled my fingers so they knew who I was.

And then I felt them come in and put the stretcher under me and carry me downstairs.

Q. So you were conscious as you were carried out of the building?

A. No, I was in and out of consciousness the whole time.

Q. When you got outside the building, where were you taken on the stretcher?

A. Out to the plaza, I think; and somebody asked me what hospital. I said VA, and they said no.

So I said Presbyterian, and that's where they took me, to Presbyterian Hospital.

Q. Did you slip in and out of consciousness during that experience?

A. I slipped back in and when they were taking an X ray of me, and then I was out until I woke up in ICU at that time.

Q. The intensive care unit?

A. Yes.

Q. When you woke up at Presbyterian Hospital and you were being x-rayed, were you able to assess the extent of your injuries at that point?

A. No, I wasn't.

Q. When did you discover what your injuries were?

A. A couple days later after -- after I was in my regular

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room, I guess it was. They came in and told me what happened.

Q. So you were out of intensive care and you were in a room at

the hospital?

A. Yes.

Q. Well, tell us what injuries you suffered as a result of the bombing.

A. The left side of my face was crushed. I had a hole in my -- in the skull up here. Glass was in the skull -- in that

membrane between the skull and the brain. I had glass and concrete in my neck here, just barely missed an artery and a vein.

My eye was hanging out, cut in five pieces.

Q. So the doctors could not recover and replace your eye?

A. No, they couldn't.

Q. What other injuries did you have?

A. That's all I had.

Q. Did you -- did you say you had a hole in your skull?

A. Yes. The doctors also told me I lost 4 1/2 pints of blood.

Q. How long were you in surgery that first day when you arrived at the hospital?

A. Nine hours.

Q. How many surgeries have you had since that first day?

A. 10.

Q. And what is the nature of those surgeries?

A. Most of them was reconstruction of my face and my eye,

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around my eye.

Q. You've had some plastic surgery to in effect lift the left side of your face?

A. Yes, I have.

Q. What are your -- what permanent injuries do you have?

A. Loss of my eye, and that's the only one I have that I know of.

Q. What about your jaw? Did you have some injury to your jaw?

A. Yes. The jaw joint also got damaged, and I have to have my jaw broke sometime this year.

Q. Explain that. Why are they going to break your jaw? What's the problem?

A. The problem is that the jaw joint was damaged in the bombing, and I have to correct the problem. I have an

overbite, and I have to correct the overbite; and they have to

overbite, and I have to correct the overbite; and they have to break my jaw to correct the overbite to fix the joint.

Q. So you're hopeful that you will not have permanent damage to your mouth and jaw; that it can be corrected? Is that right?

A. That's right.

Q. After the bombing, were you physically able to return to work?

A. I went to -- back to work on October 15.

Q. Full-time?

A. Half-time.

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Q. And did you ever go back full-time?

A. Yes. I went back 1st of November of '96 -- or '95.

Q. Tell us a little bit about that experience.

A. I had some problems when I first went back, and I had to see my psychologist; and they gave me some medication. And after a while, I didn't have to take it.

And then in September and October of last year, I started getting so bad I couldn't -- I couldn't function correctly; so I applied for a medical disability retirement.

Q. Before you describe the diagnosis, tell us what symptoms you experienced.

A. I just get on I-40 and start going to work; and by the time

I got to work, I had a big, old knot in the back of my shoulder. My arm would be numb and my muscles in my neck would

be tense where I couldn't hardly turn my neck.

Q. How effective were you at work during this period of time?

A. I wasn't very good.

Q. You told me a story about having a -- some 24-page write-up or something that I didn't understand. Could you explain that to us.

A. Well, I had two and a half pages of write-up on a solicitation that I had.

Q. Two and a half pages?

A. Yes. And for a veteran of 24 years in contracting with the government, you should not have that many -- I couldn't

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concentrate on what I was doing to do it correctly.

Q. You can see how I switched the numbers there. You've been a veteran for 24 years. And explain what the two-and-a-half-page write-up means.

A. It means mistakes that's in the solicitation before it was issued to the public.

Q. So it's your responsibility to write it up?

A. Yes.

Q. And you -- obviously submitted it to a reviewer or

supervisor of some sort?

A. Yes, I did.

Q. And you had two and a half pages of corrections and mistakes.

A. Yes. In my 24 years, I've never had that many mistakes in my life.

Q. So obviously you were having difficulty performing your job?

A. Yes, I was.

Q. And you saw a doctor and received a diagnosis. Is that right?

A. Yes.

Q. What was that diagnosis?

A. Posttraumatic stress syndrome.

Q. As a result of that diagnosis, what did you do?

A. I filed for my disability retirement.

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Q. And so you're now on disability retirement for HUD?

A. Yes, I am.

Q. How has that affected your income?

A. It's gone from about 55,000 down to about 25,000.

Q. So you only receive a percentage of your income on disability retirement.

A. Yes.

Q. Are you working at all now?

A. I'm doing -- I'm helping a friend of mine out on his farm doing mostly labor or driving a tractor or something like that.

Q. Do you make much money?

A. \$5 an hour.

Q. And does the loss of sight or loss of one eye affect your depth perception?

A. Yes, it does.

Q. Are there -- go ahead.

A. Any time I think I'm 6 or 7 inches or a foot away --

Q. That's a good example.

A. -- I'm 4 or 5 feet away from where I want to be.

Q. What about hammering a nail and things like that? Is that a problem for you?

A. It is. Because you have to be more careful and not to hit your hand, to hit that, because you can't tell exactly where you're hitting it.

Q. You have some scars, but it looks like your face is healed

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fairly well.

A. Yes, it has.

Q. So -- and you expect your jaw to heal completely?

A. Yes, I do.

Q. Have you had some difficulty eating -- did you?

A. Yes. You know, I can't open my mouth all the way; so if I



eat a hamburger or something, I have to squash it or cut it up to be able to eat it, get it in my mouth.

Q. You expect that to improve?

A. Yes, after this surgery.

Q. Mr. Cagle, for you personally, what's been the worst consequence of this bombing?

A. The loss of my job, loss of my eye, and my kids -- my grandson sees me like this.

MR. HARTZLER: Take your time, Mr. Cagle.

I have no further questions, though. Thank you.

THE COURT: All right. You may step down, and

you're  
excused.

THE WITNESS: Thanks.

THE COURT: Next witness, please.

MR. MACKEY: Your Honor, we'll call Sharon  
McCullough.

THE COURT: Thank you.

THE COURTROOM DEPUTY: Would you raise your right  
hand, please.

(Sharon McCullough affirmed.)

THE COURTROOM DEPUTY: Would you have a seat, please.

Would you state your full name for the record and  
spell your last name.

THE WITNESS: Sharon Kay McCullough,  
M-C-C-U-L-L-O-U-G-H.

THE COURTROOM DEPUTY: Thank you.

DIRECT EXAMINATION

BY MR. MACKEY:

Q. Good afternoon, Mrs. McCullough. How are you?

A. Okay.

Q. I want to spend a few minutes this afternoon talking about  
Kenneth McCullough. He was your husband for a number of  
years.

A. 16.

Q. And he was killed in the Oklahoma City bombing?

A. Yes.

Q. When were you and Kenneth McCullough married?

A. August 18, 1979.

Q. So how many years had you been married at the time of his  
death?

A. It would have been 16 years, four months after the  
bombing.

Q. And did the two of you have and raise a couple children?

A. Yes. Two.

Q. And who are they?

A. Jessica, who is 15, and Patrick, who is 12 now.

Q. Where did you meet Kenneth McCullough?

Sharon McCullough - Direct

A. Texas A & M University.

Q. Texas A & M?

A. Yes.

Q. He was a student there, as were you?

A. Yes.

Q. After Mr. McCullough graduated from Texas A & M, did he go into the Army?

A. Yes. He was commissioned on the day he graduated.

Q. When he was in college, what was his scholarship for?

A. ROTC scholarship.

Q. Went in immediately to the Army?

A. Yes.

Q. How long did he serve in the U.S. Army?

A. Six years active duty. I think four reserves.

Q. It was during those years that your two children were born?

A. Yes.

Q. Did you travel much as a military family in those six years?

A. Yes. We moved about once every year.

Q. And did some of those travels take you to Oklahoma, or near there?

A. Yes. Our first -- his first duty station was Fort Sill. That's where my daughter was born.

Q. That would be in Lawton, Oklahoma?

A. Right.

Sharon McCullough - Direct

Q. What sort of assignments did Kenneth McCullough have when he was in the military?

A. He started off as a field artillery officer, and he did -- he was the intelligence officer. I don't know what he did. He

never talked about it.

And then he branch-transferred to infantry. He went to Korea and he was in charge of a unit. I don't know what that's called. I don't remember all those military terms.

Q. Were the McCullough family together in Korea together as well?

A. He had an unaccompanied tour, but my daughter had just been

born when he was sent; and when she was six months old, I went over for nine months. He had a year's duty, but I went over.

Q. What was his rank at the time he was discharged from the U.S. Army?

A. Captain.

Q. And did he stay in the Army reserves?

A. He stayed in until -- he was about -- he never had an end date, so he -- he never resigned his commission. He was about to resign it when the Persian Gulf war came up; and so he waited till after that and then resigned it; so I don't know when it was. Maybe '93.

Q. After he got out of the Army, he made a mistake in life.

A. Yes. He went to law school for a little while.

Q. How long did he attend law school?

Sharon McCullough - Direct

A. One year.

Q. And one year was enough.

A. Yes.

Q. One year was enough?

A. They had a mutual agreement. He didn't want to go back, they didn't want him back.

Q. So he chose another path?

A. Yes. He went to work for the Defense Investigative Service for a while.

Q. Drawing upon his military experience?

A. Yes.

Q. And where was he assigned as an agent for the Defense Investigative Service?

A. Fort Sill, Oklahoma, which is in Lawton.

Q. You'd been there before?

A. Yes.

Q. How long did he work for DIS?

A. About 18 months. He had applied for DEA, and DIS at the same time, so he was waiting to hear about the DEA job.

Q. And DEA is the Drug Enforcement Administration?

A. Yes.

Q. Eventually, he got that job?

A. Yes, he did.

Q. And how long did he work for the Drug Enforcement Administration?

Sharon McCullough - Direct

A. Almost five years. His fifth anniversary date would have been May 18.

Q. Could you tell the jury why Kenneth McCullough wanted to be a DEA agent.

A. Because he felt drugs were a real problem in the U.S. And even though he -- they told him at the time, because they talked about that, that it's really hard to stop the flow, he thought he should do something. And that's what he chose to do.

Q. And in those five-some-odd years with DEA, is that exactly what he was doing on a day-to-day basis?

A. Yes.

Q. And was he involved in the arrest of people for drug violations?

A. Yes. Lots of people. I'm not sure how many.

Q. And the execution of search warrants for such offenses?

A. Yes, sir.

Q. Did he have occasion over the years to arrest people who had firearms?

A. Yes, he did.

Q. And in the course of those five years, did he become interested in representing the DEA overseas?

A. Yes, he did.

Q. Tell the jury about that.

A. He wanted to go overseas. We had been in Korea and he

Sharon McCullough - Direct

enjoyed other cultures, and he thought it would be a good educational experience for our children to see other cultures firsthand so they could appreciate ours that much better.

Q. And was Kenneth McCullough happy in his work as a DEA agent?

A. For the most part, yes. He didn't like the paperwork, but everything else he enjoyed about it. I mean, it depressed him at times going into homes where there were small children, doing drug busts, going into houses where there would be a Bible by the bed and they were selling drugs.

Q. Experiences that he shared with you?

A. Yes.

Q. Did he work with a man named Phil Long?

A. Yes. It's not officially his partner, but that was the man

he did most of his drug cases with.

Q. And in fact, the night before the bomb, he and Phil Long were out on some drug enforcement work?

A. Yes.

Q. Ms. McCullough, in 1995, were you pursuing a degree in education?

A. Yes. I was -- I have a degree in business. I was pursuing

a certification. I didn't get an additional degree, but a certification to teach elementary education.

Q. And were you in the spring semester doing your student teaching?

Sharon McCullough - Direct

A. Yes, sir, I was.

Q. And where was that?

A. Charles Haskell Elementary in Edmond, Oklahoma.

Q. Is that near downtown Oklahoma City?

A. No -- well, yes --

Q. Relatively?

A. Right. Edmond and Oklahoma City butt together. You can't tell where one ends and one begins. It's probably about 12, 15 miles from downtown Oklahoma City.

Q. Were you close enough on April 19 as a student teacher to become aware early that morning of a bombing that had taken place?

A. Yes. I felt that. My students asked me what it was. I said it was thunder, and then it dawned on me it was a nice day. It wasn't thunder.

Q. In the course of that morning, shortly thereafter did you learn that the bomb was at your husband's place of business?

A. Yes, I did.

Q. What did you do when you learned that?

A. I had walked my students down to the music room, and my supervising teacher asked me what building my husband was working in.

I said, "The federal building."

She said, "Come and look at the TV."

They had the TVs on in the library so I went and

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looked for a while. And I have a terrible sense of direction, so I didn't know where it was. And they said the FBI building.

And I knew that Ken did not work where the FBI was, so it didn't dawn on me. And then they said it was the Alfred P. Murrah Building, so I knew it was his.

So I probably stood there and watched TV for about 10

or 15 minutes, and then I tried to call him on his beeper and the phone, and there -- you couldn't get through to anything.

Q. Did you at this time reach out for your children?

A. Well, first I called the Dallas home center to see if they had heard anything; and they said they didn't. They didn't know who was in the building and who wasn't.

So I called my children's schools and asked them that they keep them away from any television sets and that I was going to be leaving my school and going home; and so they said okay, they would. And so then I went to my house.

Q. In the course of the early morning, did you link up then with your children?

A. Later that day. I went to my house. My phone was ringing.

It was my sister-in-law. They had seen it. She was in Corpus, and she was asking how Ken was.

I said: "I don't know. I haven't heard from him."

So I hung up the phone, and another DEA agent called right away; and they said they were waiting at Special Projects, which was an Oklahoma City Police Department

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building. And she gave me directions, and I went down there and waited.

Q. Let me show you, Mrs. McCullough, Government's Exhibit 1450

that I'd move to admit and publish.

MR. COYNE: No objection, your Honor.

THE COURT: All right. It's received, may be published.

BY MR. MACKEY:

Q. Ms. McCullough, can you tell the members of the jury who this young girl is seated next to you in this photograph.

A. That's my daughter, Jessica.

Q. And that's you next to her?

Q. And that's you next to her:

A. Yes.

Q. And in the center of the picture, is that Kenneth McCullough?

A. Yes.

Q. And right behind him is who?

A. Our son, Patrick.

Q. How old were these two children at the time of this photograph?

A. Patrick was 10, Jessica was 12.

Q. On the afternoon or early evening of April 19, did you take

Patrick and Jessica downtown to Oklahoma City?

A. Yes. I went to their schools. I went to Jessica's school and picked her up, and she had known about the bombing because

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somehow they had a television on. So she said, "Where are we going?"

I said: "Dad's office. There has been an explosion.

We're going to go down and see if we can find out something."

We went to get Patrick, and he was very surprised to see me, because they had kept him away from the televisions. So he was, "Why are you here, Mom? Why are you here?"

And so I said, "There was an explosion and we can't find your dad," and he started crying.

And we got in the car and went to the Fifth Season Hotel where the DEA had set up a command headquarters to try and gather information.

Q. While you were there, what happened?

A. They had set up an area in the bar of the hotel, and we went in there and they had the TVs on. And Patrick started screaming. He was really upset, and he was upsetting the other

people, because he said: "I don't want my dad to be dead. I don't want my dad to be dead." And so he was seeing all the pictures on TV.

So they took us up to a room so the other people wouldn't be so upset. And we got in there and he was crying. And he said, "Mom, let's say a prayer," so I said okay.

He got down and he said, "God, I don't want my father to be dead; but if he is, that's okay because I know he's with you. But take care of my mom and me and my sister." And then

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he kind of calmed down after that, but we couldn't watch TV.

Q. And for the next few days, you and your children stayed downtown in Oklahoma City?

A. Yes, and my mother-in-law came that afternoon and she was with us.

Q. And you were waiting for what?

A. To hear word, to see where he was or if they had found him yet.

Q. When did that word come?

A. About 3:00 on Friday afternoon.

Q. Ms. McCullough, tell the jury in your own words who Kenneth McCullough was.

A. He was a man with a very sane sense of humor. He was very honorable. That's the one thing he always tried to teach my son, is that the only thing a man has is his integrity. They can take anything away from you, but they cannot take that; so be honest and reliable in everything you do. And he was always

like that, very trustworthy. He was a good father.

Q. In the last couple years, have you observed the impact of his death on your two children?

A. Yes, I have.

Q. Could you just in brief fashion describe what you've seen.

A. Well, I would say the first thing is that the magic is gone from their life. I mean, he was the magic maker. He was the Tooth Fairy and the Easter Bunny and Santa Claus. So they lost

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the magical portion of their childhood, I think. They had to kind of grow up a little faster and accept bad things can happen to you.

Q. And how about for you?

A. Yes, I did.

Q. How would you describe the impact of your husband's death on you as a person?

A. I'm sorry?

Q. How would you describe the impact of your husband's death on you as a person?

A. It's been hard. I never thought I would be a single parent. I -- you need two people to balance, I think, for your children especially; and I've been sad that I know he won't be there for certain things in the kids' lives. And there are things they do and I say, "I know he would be so proud of his children."

Q. Your children know that his parents, Ken's parents, died at a relatively young age?

A. Yes, and that's one thing Patrick kept saying. It's not like he -- he's possessed (sic) with it, but in the back of his mind he doesn't think he will live very long. He's the last remaining McCullough. His grandmother died at 42, his grandfather died at 57, his father died at 36; and so my children aren't one of those that think that bad things happen to other people. They know it can happen in your life. And my

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daughter, I mean -- thinks that I will die young.

MR. MACKEY: Thanks, Ms. McCullough.

MR. COYNE: No questions, your Honor.

THE COURT: All right. You may step down, and  
you're  
excused.

MR. HARTZLER: Debbie Pippin. Mr. Ryan will question  
her.

THE COURTROOM DEPUTY: Would you raise your right  
hand, please.

(Debbie Pippin affirmed.)

THE COURTROOM DEPUTY: Would you have a seat, please.

Would you state your full name for the record and  
spell your last name.

THE WITNESS: My name is Debbie Pippin, and it's  
P-I-P-P-I-N.

THE COURTROOM DEPUTY: Thank you.

THE COURT: Please.

DIRECT EXAMINATION

BY MR. RYAN:

Q. Good afternoon, Mrs. Pippin.

A. Hello.

Q. Where do you live?

A. I live in south Oklahoma City.

Q. Are you married?

A. Yes. Married to Bob Pippin for 22 years.

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Q. Are you employed?

A. Southwestern Bank for eight years.

Q. What do you do at Southwestern Bank?

A. I'm a commercial loan officer.

Q. Do you have children?

A. I have Michelle, who is 22 years old, and then Christy,  
who  
would be 25.

Q. Christy worked at the federal credit union in the Murrah  
Building?

A. Right.

Q. And she died on April 19?

A. Exactly.

Q. I want to show you --

MR. RYAN: Actually, this picture has already been  
admitted. It was on the chart, your Honor. It's been  
re-marked in single format as 1091A.

THE COURT: Yes. I understand. You can display it.

MR. RYAN: Thank you.

BY MR. RYAN:

Q. Would you please describe the photograph.

A. It's my daughter, Christy Rosas.

Q. And how old was Christy at the time of her death?



Q. And how old was Christy at the time of her death?  
A. 22.  
Q. Where was she born?  
A. She was born in Baton Rouge, Louisiana, on July 19, 1972.

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Q. Where was she raised and went to high school?  
A. Most of her life was -- she went to school most of the time at -- in Moore, Oklahoma; and she graduated from Moore High School in 1990.  
Q. Was she married?  
A. Yes, she married Chris Rosas in May of '91.  
Q. Did she have any children?  
A. Beautiful little boy named Shane.  
Q. How old is Shane?  
A. Shane is now seven.  
Q. Would you tell the jury what your relationship was with your daughter, Christy.  
A. Okay. Christy and I had worked together at Southwestern Bank for about five years, so we saw each other frequently, went to lunch as often as we could. She was a big part of me, a big part of my life. We spent just about every weekend together, took trips together. Probably my best friend.  
Q. What would you and Christy do on weekends?  
A. Depends on our mood. Sometimes we'd go shopping. Sometimes we would take in a movie, just -- just different things.  
Q. How much did you talk to Christy?  
A. Oh, daily. Daily.  
Q. If we could, I'd like to have you tell the jury a little bit about Christy and what qualities she had and things that

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you think about as you look back and think about your daughter.  
A. Okay. When I think about Christy, probably the best definition of her is just she was so exciting and such a happy person. She could make anything fun. I depended on her for everything from buying, you know, Christmas gifts to just taking care of most minute tasks. She had great taste. She was creative.

Being young, they didn't have a lot of money; but she had a knack for decorating and putting things together. She was a fantastic mother. Any time Shane's birthday rolled around, we didn't have just a party, we had a whole theme; and she went all out to make sure everything was just what he wanted.

She was very family-oriented. She put us first, you know, all of us. And we did a lot of things together, took trips together. And just a marvelous person.

Q. Let's talk about April 18. Did you see your daughter on the day prior to the bombing?

--- --? ----- -- --- - - - - -  
A. Yes. Got home from work that day, and my husband was out mowing the yard; and I decided to bake, which was unusual. So I made a cake, and I called her and asked her if she'd like to come over and have some cake. And we lived about 15 miles from them, and she said no but she'd sure like some.

So we loaded it up in the car and went into town and had cake and coffee with them, just visit for a while; and that

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was the last time I saw her.

Q. And how did you learn about the events of the 19th?

A. Went to work as usual, and my first stop every morning when

I went to work was to go in and check overdrafts. And I went in there to do that; and when I got up to leave, I just had a real severe pain through my stomach. And to make a long story short, I ended up going to Southwest Medical Hospital.

When I was at Southwest Medical, they had an announcement come over the speaker. It seemed like they said it was a code black, or something like that. And then it just got real busy there; and several ambulances started coming in, and they were just bringing out just lots and lots of people. Some were walking, some in wheelchairs and some -- there was one lady on a gurney. And I asked them what was going on; and since Christy had just started work, all I had ever heard was that she worked at the Murrah Building.

And they kept saying that there was an explosion downtown. And I got up because I thought there were so many people coming in, they need my bed. All they had done was hooked up an i.v. on me, and I thought I need to get out of here and let them have my bed.

And I was visiting with some of the people, and it was about that time that I discovered that the Murrah Building and the federal building were one and the same.

So my husband ran to a TV to find out what was going

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on; and naturally, I got dressed and we left and headed downtown.

And of course, downtown had already been blocked.

Q. Did -- I take it they unhooked the i.v.?

A. Yeah, they did do that for me; but it was hard to find anybody. Everybody was so excited. But we got dressed and we headed downtown; and as I said, the streets were blocked off, and we kind of found a way in and ended up at St. Anthony's. Don't really know why we went there, but we did. That's where we ended up.

Q. What did you do while you were there?

A. We walked up to the hospital and they had greeters

outside,  
just -- there was so much going on. They had people outside  
wanting to know why you were there. I guess they were just  
trying to figure out if you belonged or not. And they took us  
to a basement-like area downstairs where they had set up a  
place for everybody to check and see if your loved one was  
here

or, you know, just to give you a place to check in while you  
were trying to find out some information.

Q. Were you able to find anything out about your daughter?

A. No. At one point while we were waiting, they described a  
Jane Doe. They said she was 22, brown shoulder-length hair  
with hazel eyes; and if you're looking for someone that fits  
that description, would you come forward.

And we did; and they took us over to an ICU waiting

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area, and it turned out not to be Christy.

At that point, since everybody -- when you checked in  
at this hospital, you signed your name and who you were  
looking

for. And when they took us over to ICU, we had to let these  
people know where we were going; so we just decided to stay  
there, because we thought as long as they know where we are,  
they'll find us.

Q. And how long did you stay there?

A. All day. As it turned out, I heard a gentleman at one of  
the receptionists' desks asking about "Christy Rose"; and I  
walked up and I said, "Are you looking for Christy Rosas?"

And he said, "Well, my daughter, Ellen Young, is  
here  
and she was training Christy and she asked us to find out what  
happened to her."

And when I found out that Ellen was there in the  
hospital, I thought, Well, Christy is probably here; but since  
the woman doesn't have identification on her, it's just going  
to take them a while to figure out who she is.

So we stayed there -- oh, we were probably there  
till  
about 6:30, didn't know what else to do, so we just stayed  
there; and then they told us that the ambulances would  
probably -- would probably not be any more; and they suggested  
we go to Red Cross to fill out some papers there, missing  
persons.

Q. How long had Christy worked at the credit union?

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A. She was starting her sixth day of work.

Q. Did there come a time when the medical examiner came and  
talked to you about Christy and her body?

A. Well, while he were waiting, they called and asked for  
dental records and things like that.

Q. Did you ultimately go home that evening?

A. Yes. When we were at the Red Cross, it looked like the activity was kind of dying down; so we all, Christy's husband and my family -- we all went back to her house because we thought, you know, that will be the first place that they call if they find her; and we all wanted to be together so that we could get to her as quickly as possible, because we knew she'd be scared to death.

So we just went back to her house.

Q. Did you receive any word that night?

A. We got a phone call about 2:30 or 3 in the morning, and the individual told us that they were with -- I think it was the Red Cross. Anyway, they said that Christy was at Presbyterian Hospital. So they said, "You need to call up there."

So we called up there and they didn't -- they didn't have her anywhere; so I called back to the Red Cross number. And the lady that I spoke to said, "Call back over there and tell them that there is a typed list that has all of these individuals, and the last name on the list is handwritten, and it's Christy Rosas." She said, "That will help them figure it

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out," because they had been faxing the lists back and forth.

So I called back over there. So they put her name on the wrong list. She was still missing instead of being admitted to the hospital.

Q. They were supposed to put her on the "still missing" list?

A. Right.

Q. How long did you wait before you heard some word from the medical examiner's office?

A. We waited at the First Christian Church.

Q. I mean after that. How many days did you have to wait there at the church and -- before you heard anything?

A. The day that they called off the search. I don't know the number of days, but I think it was May 4, the date that the search stopped. And we went in that morning; and we had called

our families in from out of town, because since the search had ended, we knew this was going to be the day to get our notification. And that morning, one of the counselors came over and asked us to go with them. And we went over to an area

where the elevator was, and you knew that when you got to the elevator, you were going upstairs to get your news.

So it was a real emotional time. It was like something that you wanted to be over; but your hope was shattered at that point, you know, if you had to face that. But they ended up taking us to a chapel, and we had heard on the way over that there was two people that they didn't find.

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And my husband and I were talking; and I said: "You

and my husband and I were talking, and I said. You know, it's amazing the job that these people did. They have identified all these people, but those poor two families, you know."

And when we got to the chapel, my husband and I were there, and we were waiting on the rest of the family; and we were just real antsy because nobody would tell us anything.

And my husband just finally said, "Did you find her?"

And they said no.

Q. So what happened after that?

A. At that point, the whole family got there. We told everybody that she wasn't found. It was one of those things where you didn't think anything could get worse, and it did. And we -- I felt an urgency to -- because she was still in the building, I felt an urgency to get down there and get as close as I could to her, so I requested that I be taken to the building.

Q. And was your request granted?

A. Yes, sir.

Q. Do you recall when the Murrah Building was imploded?

A. Yes, sir. On May 23, I remember it very well, because it was also my mother's birthday.

Q. Was your daughter's body in the building at the time of the implosion?

A. Yes, sir.

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Q. Was that difficult for you and your family?

A. It was. My husband and I went to watch it from the Regency Towers, and I don't know -- I didn't think it was going to be as hard as it was; but once the implosion started, things would come through your mind like "I wonder if that's what it was like," or "I wonder if that's what she heard." It was really eerie.

Q. When was her body recovered?

A. It was recovered on May 29, which was Memorial Day that year.

Q. You waited six weeks?

A. Yes, sir.

Q. Now, you have one grandson?

A. Yes, sir.

Q. Shane?

A. Yes.

Q. Do you see him often?

A. Almost daily. We have been very active in his life, and we keep him probably about three nights a week; and we take him to ball practice and help him with school and go to grandparents' days and go to his school to read. We've just had a real active part in his life.

Q. What has Shane's reaction been, the impact on him from his mother's death?

A. He's been really angry and he's been really confused. I

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don't think -- he was five at the time it happened, and I don't

think that a child can really understand the finality of it all.

Q. Does he talk about his mother?

A. He does. On the anniversary this year, he walked in the house and just looked at one of the pictures of her on one of the cabinets that I have in there. And he just stopped and he said, "Mom was just so pretty."

And later that afternoon, they showed the films, and it was all of the victims; and it was one that was shown on the

first anniversary where it was just the pictures, just a steady

stream of the pictures with their names under it.

And he said -- I was going to turn it because I didn't

want to upset him. And he said, "Leave it there."

And it took awhile to get to the Rs, so he said,

"I'm

going to go back to my room to play, but when mom's picture comes on, call me."

So we hollered at him and he came back in there, and he just sat there so still and looked at her picture; and then he just got up and walked out.

Q. How has your daughter's death impacted you?

A. It's been really tough. She -- she was so much a part of who I am and our whole family and -- she was just so bubbly and

so exciting an individual; and she brought so much to our family. And it's just -- it's just something that's really

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hard to put into words.

Q. Do you have nightmares?

A. Yes, sir. Most of them are situations where Christy is in trouble and she's wanting me to help her and I can't.

MR. RYAN: That's all, your Honor. Thank you.

MR. COYNE: No questions your Honor.

THE COURT: All right. You may step down, and you're excused.

Next, please.

MR. HARTZLER: Gary Campbell. Mr. Mackey will question him.

THE COURT: Thank you.

THE COURTROOM DEPUTY: Would you raise your right

hand.

(Gary Campbell affirmed.)

THE COURTROOM DEPUTY: Would you have a seat, please.

Would you state your full name for the record and spell your last name.

THE WITNESS: Gary Campbell, C-A-M-P-B-E-L-L.

THE COURTROOM DEPUTY: Thank you.

DIRECT EXAMINATION

BY MR. MACKEY:

Q. Good afternoon, Mr. Campbell. I know you've been waiting for a while, and we appreciate your patience. I want to spend just a few minutes this afternoon to have you tell this jury a

Gary Campbell - Direct

little bit about Cindy Campbell-Brown. Can you do that?

A. Yes.

Q. Let's start with you. How old are you?

A. 53.

Q. And where were you born?

A. I was born in Marshalltown, Iowa.

Q. Where is that?

A. It's about 40 miles north of Des Moines in the central part of the state.

Q. And you grew up there in Iowa?

A. Yes. Small --

Q. Excuse me?

A. Small town called Laurel, about 350 people.

Q. After growing up there, did you go off to the military?

A. Yes. I joined the Air Force in 1966.

Q. And did the Air Force send you to a base named Chanute in Rantoul, Illinois?

A. That's correct.

Q. And while there, did you happen to meet your wife?

A. Yes.

Q. And who was that?

A. Linda McNew Webb was her name.

Q. Had Linda been married previously?

A. Yes, she had.

Q. And did she have two children by that previous marriage?

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A. Yes.

Q. And who were they by name?

A. Kim Webb and Raymond Webb.

Q. Did you in short order adopt those two children?

A. Yes.

Q. Did you and your wife then have a daughter?

A. Yes, we did.

Q. And what was her name?

A. Cynthia Lynn Campbell.

Q. When was Cindy born?

Q. when was Cindy born:

A. 19 -- April 15, 1968 -- or '69. I'm sorry.

Q. Let me show you, Mr. Campbell, a photograph that's a portion of an exhibit previously admitted, Exhibit 1171A.

MR. MACKEY: Ask permission to publish.

THE COURT: Yes, you may.

BY MR. MACKEY:

Q. Who is that woman, please.

A. It's my daughter, Cynthia Lynn Campbell-Brown.

Q. Mr. Campbell, what do you do for a living?

A. I'm a supervisor in the cold-storage distribution facility for Oscar Mayer Foods.

Q. And how long have you worked for Oscar Mayer?

A. 27 years.

Q. Did you start working for them in Perry?

A. Yes. Perry, Iowa.

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Q. And did they transfer you at some point in time?

A. Yes. After about five years, they transferred me to Sherman, Texas.

Q. And is that where you live now?

A. Yes.

Q. Have you lived there continuously since 1976?

A. Yes.

Q. Did you move your family there to Sherman, Texas, in that year?

A. Yes, I did.

Q. Including your three children and your wife?

A. That's correct.

Q. In the course of time, were you and your wife divorced?

A. Yes.

Q. And when was that?

A. 1987.

Q. And how old was Cindy at that time?

A. 18.

Q. At that time, did she choose to continue to reside with you

there in Sherman, Texas?

A. Yes. Her mother was going to move out of state, and Cindy decided to stay with me because she chose to go to school in Texas.

Q. And did you stay in touch with her then both because she lived with you and because of her education there in Texas

over

Gary Campbell - Direct

the next several years?

A. Yes.

Q. Could you give the jury a little bit of an idea of what a young Cindy Campbell was like, the interests that she had as a youth in high school at that age.

A. Cindy was an athletic girl. She loved to play softball,



both slow-pitch and fast-pitch. She was a cheerleader throughout high school.

She was interested a little in school politics. She ran for president of the seventh-grade class and was elected and was always active in student council, student government, that type of thing.

Q. As a youth, was she active in her church?

A. Yes, she was.

Q. In what way?

A. For a number of years, she was the nursery girl. She took care of the babies in the nursery until about her senior year, and then she came to me and said, "Dad, I think it's time that I go to church, rather than be outside of church."

I said: "That's fine. I think you should, too."

Q. Was she active in the Girls Club?

A. Yes. In fact, throughout high school, she worked for the local Girls Club as one that helped with the activities and then later on was assistant program director.

Q. Tell the jury a little bit about her education. Where did

Gary Campbell - Direct

she get her schooling?

A. She went to grade school and high school in Sherman, Texas;

and after she graduated from high school in Sherman, she went to the local community college for two years, graduated from there and then finished her education at Baylor University in Waco, Texas.

Q. What degree did she receive?

A. Political science.

Q. Do you recall the year she graduated?

A. 1991.

Q. While she was in college, was she active in the Big Sisters program?

A. Yes, she was.

Q. Was that consistent with the kind of woman you knew at that age?

A. Yes, it was. She was always very active in organizations to -- to try and help other children. She was very interested in that.

Q. To that end, the first job she took was as a juvenile probation officer?

A. That's true.

Q. Tell the jury about that.

A. When she graduated, she went to work for the Tri-County Juvenile Probation office in Sherman, worked there until she was approached by Secret Service and asked if she'd be

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interested in pursuing a career with the U.S. Secret Service.

Q. How long was she a probation officer in her hometown there?

A. Approximately two and a half years.

Q. Could you tell the jury a little bit about that experience.

What did she tell you about it was like being a probation officer?

A. Her kids, as she called them, were very important to her. She saw a lot of good in all the kids that she had. I think she wore the halls out at school making sure that her kids were in class. She rode with the city police at night to make sure that those of her kids that were on curfew were, in fact, home.

And it just seemed to me she made the extra effort to give the kids every chance that they (sic) could and to support and be there and say, hey, you need to be home, you need to be in school, whatever the case may be.

Q. And you know from her stories and those told by former workers that she accomplished much as a probation officer. Is that correct?

A. Yes, that's true.

Q. Could you relate one episode that -- where a former client of hers returned to the probation office?

A. It was only a couple months ago. The -- Cindy's former boss told me that a young man had come into the probation

office and was not the typical young man that usually came into their office. He had his hair cut nicely, had on a white shirt

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and a tie.

And he walked in and he said, "I need to see Cindy Campbell."

And the receptionist called Cindy's boss out to explain to him that Cindy was no longer there.

And he said, "Well, I just wanted to come by and tell

Cindy I made it." He said: "I have a job. I've graduated from high school. I'm married and have a young son. And I just wanted Cindy to know that thanks to her help, I made it."

And Cindy's boss told her (sic) that Cindy, in fact, knew that he had made it.

Q. This was an event that had happened just in the last couple --

A. Last two months, yes.

Q. Mr. Campbell, what was the link between the probation office in Sherman, Texas, and the United States Secret Service?

How did that happen?

Q. And the name of Cindy's boss had said that -- that -- that --

A. Again, one of Cindy's kids had written a threatening letter, threatening the life of the president. And the Secret Service -- Cindy reported it to the Secret Service and came up to interview the young man and I think to impress upon him the seriousness of what he had done.

And through the course of interviewing the youngster and Cindy, obviously, to find out about the boy and his family, they were impressed and asked Cindy if she would consider

Gary Campbell - Direct

coming down and visiting their office and the possibility that she would one day be an agent.

Q. Did she do that?

A. Yes, she did.

Q. And when did she begin work, then, for the United States Secret Service as a special agent?

A. I think in March of 1994 was when she initially left for training.

Q. And as part of the entrance to being a special agent, they have to go off for a long period of training?

A. Yes.

Q. And did anything special happen to Cindy Campbell-Brown during that time period?

A. Yes. She met her future husband.

Q. Who was that?

A. Ron Brown.

Q. And who was he at the time?

A. He was also an agent in training.

Q. So she met her future husband, who was also a new agent, in the same training class?

A. Yes, that's correct.

Q. At that time, where was Cindy's office assignment? Where was she supposed to report for work?

A. Oklahoma City.

Q. And how about Ron?

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A. Phoenix, Arizona.

Q. After -- well, let me ask you, when were they married?

A. They were married March 11.

Q. Of what year?

A. 1995.

Q. About a year later?

A. Yes.

Q. After their marriage, did they put in for a transfer so that they could be assigned to the same city?

A. Yes, they did.

Q. To your knowledge, had that transfer been approved?

A. Yes, it had.

Q. And were the two of them scheduled to be assigned to a new city within 30 or 60 days following the bombing?

day, within 30 or 60 days following the bombing.

A. That's correct.

Q. Did you learn in conversations with your daughter, Mr. Campbell, what it was like to be a Secret Service agent, at

least as she described to you?

A. Yes. To some extent. Cindy took her oath very seriously and I think purposely did not tell me a lot of things about what went on in the Secret Service because she was sworn not to, but she did share stories that she could with me.

Q. And as a father, knowing that she was going to this office in Oklahoma City, what was your reaction to the group of men that she was now being assigned to work with each day?

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A. We were very happy -- at least I was as a father. Cindy, I

think, would have rather gone to a, quote, "more exciting," unquote, field office. But I was excited because there were a lot of senior agents at Oklahoma City, surrogate fathers, I thought, that would be good to take Cindy under their wing, show her the ropes, look out for her, and help her get off on the right foot as an agent.

Q. And in time, did you drive to Oklahoma City on occasion and

visit the office?

A. Yes.

Q. And did you meet then like Larry Kingry?

A. Yes.

Q. And Don Leonard?

A. Yes.

Q. Mickey Maroney?

A. Yes.

Q. Mr. Campbell, when did you learn that Cindy's building had been bombed?

A. It was the morning of the 19th. I was in my office; and one of our supervisors that works on third shift was home and happened to be watching TV, and he called. And not being for sure what office Cindy was in, he called me to alert me to the fact that a building, a federal building, had been bombed in Oklahoma City.

Q. With that news, what did you do?

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A. I just sat at my desk for a short period, not really knowing what to do. And then I eventually decided that I needed to go home. I got up and went home; and by then, I -- the TV reports and my friends had gathered at my home, and we made arrangements to drive to Oklahoma City.

Q. And the bombing, as you know, took place on April 19?

A. Yes.

Q. Wednesday. When had you last seen your daughter?

A. It was the Sunday -- not the Sunday before but the Sunday

before that. It would have been, I think, April 8, if I'm not mistaken. It was a Sunday afternoon.

Q. And did you in that trip to Oklahoma City visit the office again?

A. Yes.

Q. What happened then?

A. It was kind of the birthday celebration because Cindy's birthday was the next week and she was going to Phoenix to be with her husband.

So I went up to take her out to dinner; and after we had dinner, she took us by the office and was so proud to show me that, you know, here is where Alan Whicher works, here's Mickey Maroney's office, etc., here's my office, and was just kind of proud to show me where she worked and where her cohorts worked.

Q. Did she point out plaques and other mementos that these

Gary Campbell - Direct

senior agents had acquired in the course of their careers?

A. Yes.

Q. And talked to you about her desires to do the same?

A. Yes, that's right.

Q. After the announcement of the bombing, did you travel then to Oklahoma City?

A. Yes.

Q. And did you meet other family members there?

A. Yes, we did.

Q. How long did you and the family members of Cindy Campbell-Brown wait till you were notified officially of her death?

A. We were officially notified at around 7:00 at night on the 20th.

Q. Just the day following the explosion?

A. Right. I understand that Cindy's body was one of the first ones found.

Q. Mr. Campbell, can you tell the jury first of all what kind of relationship your daughter had with her siblings.

A. Cindy was, I guess, the glue that held us all together. She had a very, very good relationship with her brother, very good relationship with her sister. Cindy was wise beyond her age, and I think she was an inspiration not only to her brother and sister but also to me and her mother.

Q. What impact has Cindy's death had on your ex-wife, her

Gary Campbell - Direct

mother?

A. I guess probably devastating would be what I would say. Cindy's mother tends to be a very emotional person, and it's been very difficult for her.

Q. And how about for yourself? Can you tell the jury what impact your daughter's death has had on you?

A. Cindy and I had a relationship not unlike any other father/daughter. It was special. But I think the fact that we spent the last eight years basically together supporting one another through her college and my work and then her work, it -- it has left just a big hole in the future, because I'd reached that point in life where I'd put so much emotion and energy and money to get her through school, on her way, and that was -- that was my goal. And I was looking forward to my life starting again that now all my children were where they needed to be; and so I could concentrate on myself again a little bit and do some fun things and the things that I've looked forward to by having successfully raised my family.

And now that -- that's kind of a hollow

accomplishment, I guess.

Q. Did your daughter know that you cared about her and were concerned for her safety as a special agent for the Secret Service?

A. Yes. Cindy and I talked about that. She would never show her gun around me, because she knew that that was a part of her

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job that I didn't care for. I'm not a gun person. And -- but we remarked how lucky we were that she got Oklahoma City because it would be so much safer than, say, Miami, Detroit, New York City, the cities that you think that there is more danger for a peace officer.

Q. How old was your daughter at the time of her death?

A. She had just turned 26 years old.

MR. MACKEY: Thank you.

THE COURT: No questions?

MR. NIGH: No.

THE COURT: All right. Mr. Campbell, you may step down. You're excused.

It's about 5:00, so I think we'll take the recess at this point, members of the jury, until 9:00 tomorrow.

And of course, I must caution you again for the record, as I'm sure you understand. You've been hearing testimony going to what the Government has asserted are aggravating factors in this case. You will hear more of that tomorrow, and then also we'll be moving into the defense case with respect to mitigating factors. Wait till you've heard it all.

And I'll talk to you also about the law in detail. I've told you a little bit about it before we started this penalty phase hearing. I'll tell you a great deal more about it when we conclude, because the law does require that you analyze the issues in a particular way.

Wait, therefore, until we're ready for that. Keep open minds.

Also tomorrow our schedule will be a little bit

ALSO, TOMORROW OUR SCHEDULE WILL BE A LITTLE BIT different, in that I have a commitment unrelated to this case, but a necessary one, with a telephone conference, a more modern technology here, which is going to be involving people on Eastern Standard Time -- or Eastern Daylight Time, two-hour time difference. So I'm going to have to recess a little before 11. We'll move the noon recess up a little, and it might take a little longer. We might take about a two-hour recess tomorrow. So I'll let you know that now.

And, of course, we'll let you scatter, going your separate ways tonight. Let this matter rest in your own minds. Come back to us refreshed tomorrow, and we'll resume at 9:00. You're excused until then.

(Jury out at 4:58 p.m.)

MR. JONES: Judge, could we ask a question at the bench?

THE COURT: Sure.

(At the bench:)

(Bench Conference 135B2 is not herein transcribed by court order. It is transcribed as a separate sealed transcript.)

(In open court:)

THE COURT: Court will be in recess. 9:00 tomorrow morning.

(Recess at 5:07 p.m.)

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PLAINTIFF'S EXHIBITS

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REPORTERS' CERTIFICATE

We certify that the foregoing is a correct transcript from the record of proceedings in the above-entitled matter. Dated at Denver, Colorado, this 5th day of June, 1997.

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Paul Zuckerman

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Kara Spitler