

Gazette Reporter Is Excluded from Carol Howe Trial

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By J. D. Cash

With most of the state's median in attendance, and some national media including the New York Times in the courtroom, the kickoff of the long-awaited trial of Carol Howe began in earnest Monday.

The Tulsa World called the federal case against Carol Howe the most important to come to Tulsa in seven years.

But no sooner had the government begun calling witnesses in the conspiracy trial of the former Bureau of Alcohol, Tobacco and Firearms informant than this reporter was barred from the courtroom by the prosecution.

Citing a subpoena delivered to The McCurtain Gazette early this month, Assistant U. S. Attorney Neal Kirkpatrick told Judge Burrage that the Gazette's reporter was in Tulsa under a government's subpoena to testify.

It was the Gazette which first broke an unrelated story about Carol Howe's work for the BATF.

That story concerned warnings Howe gave the BATF about a plan persons at a religious compound, called Elohim City, had to bomb federal buildings.

Howe's handler at the BATF had already said that such warnings were passed on prior to the disaster that struck in Oklahoma City.

After that Gazette story ran, the defense team for convicted mass-murderer Timothy McVeigh called Carol Howe to Denver, but the trial judge there ruled her testimony "irrelevant" and barred her from testifying. Under federal rules, if a judge grants a motion by either party to a criminal action to bar potential witnesses from the courtroom because they are expected to testify in the trial, then such witnesses cannot appear in court until after they have appeared on the stand.

When Kirkpatrick noticed this reporter in the courtroom, he told the judge that the Gazette reporter was still under a government subpoena and must leave. Whether or not the government really intends to call this reporter to the stand is in doubt, though.

During a bench conference, Kirkpatrick was overheard saying, "Cash is the one who started all this and I don't want him in the courtroom."

National attention has focused on Carol Howe since the Gazette stories earlier this year revealed her warnings to the government.

There were warnings that Justice Department officials today deny were detailed enough to act upon before the bombing of the Murrah building. After the mid-afternoon incident in Tulsa, the case proceeded with the government putting forward the same arguments against Carol Howe as they did her former housemate, James Dodson Veifhaus, who stood trial last week. Veifhaus was charged in the indictment with Howe for allegedly conspiring to make a bomb threat and possession of an unregistered destructive device.

Monday, the head of the FBI's domestic terrorism unit played tapes for the jury of messages confiscated at the Veifhaus-Howe residence.

Those tapes were originally played on the couple's "hotline" in the weeks before the Dec. 13th raid on their home. The government alleges one of those tapes represents a threat to bomb 15 cities. The defense is expected to say that Howe was simply fulfilling her obligations to the BATF by appearing to be a legitimate neo-Nazi and thereby, sympathetic to that "movement."

The tapes confiscated contain few racial slurs. They consisted mainly of stories taken from news articles and repeated on the pair's "hotline" they called the Aryan Information Network.

The superseding indictment against Howe also alleges she possessed an unregistered destructive device. Easy-to-purchase items were found at the Tulsa residence which the government says could be used to construct a pipe bomb.

Howe's records with the BATF show that she gathered most, if not all these items, and turned them in to the BATF months before the raid.

Special agent Angela Graham testified in the Veifhaus trial that Howe obtained racist literature and bomb-making components from Tulsa radical Dennis Mahon, who was a subject of the bureau's investigation that Howe was once assigned to.

Graham also testified that she returned those items to Howe because they were not illegal to possess unless combined to make a bomb.

Veifhaus was found guilty of all charges against him last week.

But Howe's trial is expected to be the more difficult to prove because her voice is not on the tape the government contends was a bomb threat.

Moreover, her name was still on a list of informants the BATF used when her home was raided.

The Gazette will continue to cover the trial from other reporter's notes.