

Some Witnesses Leery Of Bombing Grand Jury

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The owner of a restaurant and motel in Herington, Kan., said she regrets ever telling the news media that she saw Timothy McVeigh, Terry Nichols and a third man in her restaurant the day before the Oklahoma City bombing. "It has turned my life upside down. We've had to get out of the restaurant business because people are afraid to come here. They're afraid this place could be bombed," said Barbara Whittenberg, former owner of the Santa Fe Diner.

Whittenberg, who still owns the Santa Fe Trail Motel, is one of at least 11 witnesses who have been subpoenaed to appear this week before the Oklahoma County grand jury when it reconvenes Monday. Whittenberg did not testify in the federal trial of McVeigh, who was found guilty and sentenced to death in the bombing of the Alfred P. Murrah Federal Building on April 19, 1995.

Nichols is set to go to trial Sept. 29 in Denver. During McVeigh's 11-week trial, federal prosecutors did not call any witnesses who saw McVeigh with the bomb-carrying Ryder truck in Oklahoma City.

Nichols is accused of helping to buy fertilizer and racing fuel to make the bomb. But prosecutors concede that Nichols was in Kansas when the bomb went off.

State Rep. Charles Key spearheaded the petition drive for a county grand jury to investigate the bombing. Key, R-Oklahoma City, wants the grand jury to hear people the federal government did not call in the McVeigh trial.

Whittenberg has told newspaper and television reporters she remembered that a Ryder truck pulled up in front of her restaurant a day or so before the bombing. Her restaurant was two blocks from Nichols' home. She said McVeigh and Nichols were with a third man described as muscular and dark-skinned. The three ordered coffee and left after the unidentified man said they were going to Oklahoma, Whittenberg said. Whittenberg said she has had threats on her life since she went public with what she saw before the bombing. "I've started to regret I ever said a thing," Whittenberg told The Oklahoman. "I don't do telephone interviews any more. I used to not be that way. I'm sorry. And you have a really nice day. But this telephone conversation has ended."

Whittenberg, Tom Kessinger of Junction City, Kan., Dennis "Rodney" Johnson of Grand Prairie, Texas, and Richard Sinnott of Kingman, Ariz., are also expected to appear this week.

Other witnesses include people from the Oklahoma City metropolitan area. Those witnesses are Germaine Johnston, Tony Brasier, Debbie Nakanashi, Bruce Shaw, Gary Antene, Vance DeWoody and Pat Houser.

Whittenberg is not the only witness who is unhappy about being thrown into the media spotlight more than two years after the bombing. Many of the witnesses who have been called to testify before the grand jury said they have suffered threats against their lives or been harassed since their stories have been made public.

Shaw's wife worked in the federal credit union on the third floor of the Murrah Building. Key told the grand jury that Shaw went to the bomb site immediately following the explosion to look for his wife. Shaw and his job supervisor, Tony Brasier, reportedly came upon a federal Bureau of Alcohol, Tobacco and Firearms agent, who told them bureau agents were told not to come to work on the morning of April 19, 1995.

Shaw claims the agent told him ATF had prior knowledge of the bombing. When asked if the report was accurate, Shaw replied it "was as accurate as it's going to get." "I tried to talk to people two years ago and no one would listen to me, and now everybody and their dog wants to talk to me," Shaw said.

Since his story was made public, Shaw said he and his wife have taken a lot of flak over it, and it has created a hardship for them. "There's us that knows the truth and those who hate us. The ones that hate us are the ones trying to cover it up," Shaw said. Brasier could not be reached for comment. The agent Shaw said he saw has never been identified, and Shaw did not testify in the McVeigh trial.

There was testimony in McVeigh's trial that four ATF agents were in Murrah Building when it exploded, but all survived. Agent Luke Franey testified about being trapped on the ninth floor of the Murrah Building. Franey also testified that two of the five bureau employees in the building that morning were seriously injured. Agent Jim Staggs was hospitalized with head wounds. Agent Vernon Buster and the office manager, Valerie Rowden, were also badly injured. And Agent Alex McCauley was in an elevator inside the building when the bomb exploded, Franey said.

DeWoody, owner of Opal's Answering Service, and his employee, Pat Houser, were also reluctant to talk to The Oklahoman. According to Key, Houser received an anonymous telephone call saying that a bomb was going to go off in the office of the U.S. Secret Service on the ninth floor of the Murrah Building. She and DeWoody declined to be interviewed. "I don't know what's going on. I don't have anything to say. I don't feel comfortable talking about it. I don't want to talk," Houser told The Oklahoman.

Antene told The Oklahoman he was angry his name had been revealed to the news media. Antene said he saw McVeigh and another man inside Danny's Remote Control Planes Hobby Shop at 7329 NW 23 on or about April 16 or 18, 1995. He said the two men asked him if Danny's carried 100 percent nitromethane model airplane fuel. "I explained that no one in the RC (remote-

controlled) airplane hobby used 100 percent nitromethane as a fuel, that at most we generally used nothing over 20 percent," Antene said in a written statement.

Antene said he reported it to the FBI a couple of times, but he never was called to testify in McVeigh's trial. He said the other man he saw with McVeigh matched the first composite drawing of John Doe 2 released by the FBI. Antene claims that he and his wife also saw Michael Fortier, who testified against McVeigh under a plea agreement with federal prosecutors, driving a Ryder truck one evening when they went to dinner before the bombing.

Johnston, a federal Housing and Urban Development employee who was injured in the blast, said she was frightened about testifying before the county grand jury. "It's kind of scary. There's no telling what all is out there. They've already tried to kill us once. What's to stop them from trying again?" Johnston said. She said she does not believe the federal government had any prior knowledge of the bombing or is involved in any kind of cover-up.

Johnston said she saw a man she believed was McVeigh and another person in the alley between Dean A. McGee and NW 4 about 15 to 20 minutes after the explosion. "They were just standing there watching," Johnston said. She said the second man did not match any of the John Doe drawings she has seen. She said the man she saw was shorter and darker than McVeigh. Johnston said she talked to FBI agents about what she saw, but she never testified in McVeigh's trial. "I was kind of surprised, too," she said.

Nakanashi was a postal clerk stationed at the post office on Fifth Street when the bombing occurred. Unlike other witnesses, she is anxious to testify before the grand jury. She said two days before the bombing, McVeigh and another man entered the post office and asked where to go to fill out a federal job application. She pointed out the Murrah Building.

As they were leaving, McVeigh said something to his companion and laughed, Nakanashi said. "Well, I know now he said, 'We almost blew up the wrong building' or something of that nature. Of course, I didn't hear any of that." She said she was first interviewed by the Oklahoma State Bureau of Investigation and then frequently by the FBI in the months following the bombing. "I met always with two men, always a different set of men, four, five, six times. I picked McVeigh out of a photo lineup, but I did admit I had seen him on television.

"Then they asked about John Doe No. 2, the guy I spoke with. I told them the guy they had a composite sketch of was not my guy at all." Nakanashi said the FBI later released a sketch of suspect John Doe 2 based on her description. "My John Doe No. 2 was the second sketch with the side view with the high cheek bones - that is my guy, the guy I saw." She described John Doe 2 as being in charge of McVeigh that day. "That is the man they need to catch and try for the murder of those people. I don't feel like McVeigh was the mastermind of this at all. This guy was the guy with authority. He was the one in command of that particular

situation." Nakanashi said the FBI dismissed her story. "It got dropped and nothing more was said. ... I would love to go before the grand jury so I could tell this once and for all to a group of people who I feel like would at least be interested to listen to me."

FBI agents dismissed her account because of photos and other evidence proving McVeigh was in Kansas two days before the bombing. Also, agents have testified that the sketches of John Doe No. 2 were solely based on the recollection of a mechanic, who now thinks he described an innocent Army private renting a different Ryder truck.

Kessinger, the former mechanic at Elliott's Body Shop in Junction City where McVeigh rented the Ryder truck, testified at a pretrial hearing in Denver. Kessinger testified a second man was with McVeigh when the truck was picked up April 17, 1995. Kessinger provided the descriptions that led the FBI to release three sketches of suspect John Doe 2. He has since admitted he made a mistake and was actually describing Army Priv. Todd Bunting, who was helping a friend rent a truck one day later, April 18, 1995.

Sinnett, a convenience store manager in Kingman, Ariz., claims McVeigh and another man were in his store seven hours before the bombing. He also told *The Oklahoman* it is only a three-hour drive from Kingman to Oklahoma City. "They had plenty of time to get down there," he said. Kingman is 1,011 miles from Oklahoma City. At an average speed of 65 miles per hour, the trip takes 15 hours and 47 minutes.

Johnson told reporters in June during the closed-circuit trial telecast at the Federal Aviation Administration center that he saw McVeigh with another man the day of the bombing. "I kept my mouth shut for two years," Johnson said at the time. "He (John Doe 2) was dark-skinned, shorter, probably about 5-8 and maybe 160 pounds. He was wearing blue jogger pants with a stripe across the side. He had slicked-black hair." Johnson, who was driving a catering truck in Oklahoma City in 1995, said he had to brake to miss the two men who were running from the Murrah Building into the parking lot across the street. "They were in a fast march, in step, one behind the other," he said.

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