



Williams of the General Services Administration. We'll continue with his testimony now this morning.

Please come in and resume the stand. You are under oath, Mr. Williams.

(Richard Williams was recalled to the stand.)

THE COURT: Mr. Goelman, you may proceed.

MR. GOELMAN: Thank you, your Honor.

DIRECT EXAMINATION CONTINUED

BY MR. GOELMAN:

Q. Mr. Williams, you told us yesterday, in April 1995, there were 13 people who worked for the General Services Administration in the Murrah Building.

A. That's correct.

Q. I want to refer you back to the diagram of the General Service Administration space inside the Murrah Building. Taking the light pen that you have on the witness stand, could you display for the jury where your co-workers sat in April 1995?

A. Yes, sir. This was Don Rogers' office, who was my manager at the time. This was my office. This was Sherman Catalone, assistant building manager's, office. Tom Grufman, assistant building manager. Kathy Brady, who at that time was the lease inspector, this was her work station. Just outside my office

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was Joanne Hutchinson's work station. Just a little bit to the east of that column was Pam Briggs, who was federal building fund clerk. This was Dot Hill, work station. Sandy Schultz, Steve Curry, Tom Hall, Mike Loudenslager, and then Melissa McCully was our student aide, worked at the reception desk.

Q. Mr. Williams, would you point out again where the front of the building, where the glass curtain wall, was located?

A. Yes, sir. The glass would encompass the entire area on the front north side of our office.

Q. And that's at the bottom of that particular diagram?

A. That's at the bottom, yes.

Q. Were the work spaces of Mike Loudenslager and Steve Curry right next to each other?

A. No, they were not. Tom Hall's work station was in between these two.

Q. Thank you, Mr. Williams. Let's turn to April 19, 1995. Did you go to work that day?

A. Yes, I did.

Q. You mentioned yesterday that one of your co-workers did not go to work that day?

A. Sandy Schultz, our purchasing agent, was on leave that day.

Q. Was there anyone working in the GSA space that was not usually there?

A. Randy Ledger had come over that morning to make some copies of an application for a job and was in the office that morning.

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Q. What time did you get to work on April 19, 1995?

Q. What time did you get to work on April 19?

A. About 6:30.

Q. What did you do then?

A. I usually come in, as I did that morning. I checked the energy management system computer to make sure the building was on line, make sure that things were up and running. I would check my phone calls from the previous day and start writing memos or answering requests.

MR. GOELMAN: Can we get that -- remove that?

THE COURTROOM DEPUTY: Pardon?

BY MR. GOELMAN:

Q. Do you remember what your schedule was for Wednesday, April 19?

A. That morning we had a meeting at 8:30 in Mr. Rogers' office with myself and Robert Dennis, the clerk of court for the Western District of Oklahoma, along with Sherman Catalone and Tom Hall to discuss some needed repairs for the courtroom.

Q. Mr. Williams, can you click your pen a couple times to remove the . . . .

You said that Mr. Dennis was present at that meeting?

A. That's correct. We were in Mr. Rogers' office.

Q. Did Mr. Dennis work in the Murrah Building?

A. No, sir, he did not. His office was in the federal building courthouse across the street.

Q. What time did the meeting actually begin?

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A. Around 8:30.

Q. And about how long did it last?

A. I believe we broke the meeting up around five minutes till 9.

Q. And what happened after you finished your meeting at about five till 9?

A. Mr. Dennis and Don Rogers left his office, I think Don escorted Mr. Dennis out to the lobby. Mr. Catalone went into his office, and Tom Hall and I went into my office.

Q. What were you and Tom Hall doing?

A. Tom and I were discussing results of the meeting and talking about where we would go from here, what we needed to process, those kinds of things.

Q. So you and Tom Hall are standing in your office talking about the subject of the meeting --

A. Right.

Q. -- about 9:00?

A. That's correct.

Q. What's the next thing that you remember?

A. That's the last thing that I remember until I came to or woke, best I can tell, lying on the floor, lying underneath the rubble pile; and I was lying on my side, and I could visualize my left arm out to my side. I had no idea what had happened, had no idea where I was. At that point I could not feel anything. I don't know if my body was in shock or what the

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situation was, but that's the only thing I remember to that point.

Q. Do you remember seeing your left arm?

A. I remember seeing my left arm. I recognized the pink shirt that I had on that morning with my watch.

Q. What was the first thing that you heard after you came to?

A. The first thing that I could hear was someone saying, "Hang on, I'll be back." And the next thing I remember is seeing this huge gray torso of a body that turned out to be the person who helped dig me out of the rubble pile that I was buried under and carried me out of the building. It turned out to be a Oklahoma City policeman by the name of Terry Yeakey.

Q. And you said that he carried you out of the building?

A. I don't know how he got me out from under where I was buried. I just remember him carrying me to what would have been Mr. Rogers' office, the window mullions, and at that point asking me if I could walk, and I tried. I could not, so he picked me up at that point. Next thing I remember was being laid on a backboard out on the street and someone talking over me, asking me things.

Q. So did Officer Yeakey carry you out of the building, Mr. Williams?

A. That's correct.

Q. How much did you weigh at that time?

A. About 220 pounds.

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Q. What happened after Officer Yeakey carried you outside of what remained of the Murrah Building?

A. The next thing I remember is hearing someone working over me asking me things. I was in and out. I don't recall most of the conversation. I do remember being put in an ambulance, and I remember bits and pieces of the ride to the hospital. And I remember someone screaming and yelling as we went, and it turned out to be Tom Hall --

MR. TIGAR: Objection to who it turned out to be, your Honor.

THE COURT: All right. I think we're going beyond what's relevant here.

MR. GOELMAN: Yes, your Honor.

BY MR. GOELMAN:

Q. Can you briefly tell us what your injuries were from the bombing, Mr. Williams?

A. Yes, sir. I had over 150 stitches from shrapnel wounds. My right ear was evulsed, was torn and sewn back on. I had a fracture to my cheek. I had staples in my head. I had -- my hand was crushed and had subsequent surgeries to that.

Q. Did your body have any other parts of the Murrah Building inside of it besides what you've already described?

A. Yes. I continually have glass coming out of my body.

Q. How long were you in the hospital?

A. I was in the hospital about three days and was released to

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go home and with follow-up doctors' visits.

Q. When were you able to walk again, Mr. Williams?

A. After about two weeks, I could walk without help.

Q. And when did you return to work?

A. I came to work, came back to work after -- it was June the 3d, be about 43 days, I returned to work in the command center.

Q. When was the next time you were able to go see the Murrah Building?

A. About three weeks after April the 19th, I was able to walk enough to go over and was escorted through the building so I could just go see where our office was.

Q. Could you please look inside your folder and see if you can find Government Exhibit 951.

A. 951.

Q. 951.

A. Yes, sir.

Q. Do you recognize that?

A. Yes, I do.

Q. What is it?

A. That's a picture of the Murrah Building looking from the north on an aerial view, looking down on the building.

Q. Is that a fair and accurate depiction of the building when you first saw it after you got out of the hospital?

A. Yes, sir, it is.

MR. GOELMAN: Move to admit Government Exhibit 951,

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your Honor.

MR. TIGAR: No objection.

THE COURT: Received, 951.

MR. GOELMAN: May I publish, your Honor?

THE COURT: Yes.

THE COURTROOM DEPUTY: What is it?

MR. GOELMAN: It's computer.

BY MR. GOELMAN:

Q. Would you please describe for the jury the extent of the damage to the Murrah Building.

A. The building damage was basically the column structures failed, fell; the transfer beam which was the main beam that ran along the front edge of the building failed; and the columns and the roof collapsed.

Q. Okay. Point out for the jury where the GSA offices were located before April 19, 1995.

A. Our offices extended from this column, the circular column, air chase, clear to the east end which would have been the west side of the front entrance, of the lobby.

Q. And where was the Social Security waiting room located before the bomb?

A. Social Security waiting room was just to the east of the front entrance, right in here. And then the rest of the Social

Security extended out to this area.

Q. What was the function of the GSA office located on the

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first floor of the Murrah Building until April 19?

A. The GSA office provided service to our customer tenants throughout the state and alterations work, reimbursable work for their space, custodial, maintenance repairs, just general facilities maintenance to the building.

Q. The GSA obviously could not return to its offices in the Murrah Building?

A. That is correct.

Q. What did GSA do, then?

A. We were provided new space within the old postal building at 215 Dean A. McGee in June.

Q. How did the bombing affect your agency's ability to carry out its function of maintaining government buildings?

A. It severely impacted our ability to function in that we had people who were obviously injured, lost, or emotionally not capable of functioning. We had to bring people in from the outside, from the other regional offices to assist us for a long period of time.

Q. What were the hours of operation for the Murrah Building before it was destroyed?

A. The building was open from 6:00 a.m. to 6:00 p.m.

Q. Does that open mean for the general public or for its employees?

A. Yes, sir, for the public also.

Q. What about for its employees?

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A. Employees could come and go, if they had access, card-key access to the garage, anytime day or night. Social Security would work on weekends. The other agencies would work around the clock. They had access to the building through the garage.

Q. Mr. Williams, was there ever a time of day or week that you could guarantee that there wouldn't be anyone at all inside the Murrah Building?

A. No, sir.

Q. And when was the building most crowded?

A. Generally the building was most crowded around 9:00 a.m. due to the Social Security waiting room, due to the agencies coming in, opening their offices around 9. And the public would come in and do business with VA or HUD or any of the other agencies in the building.

Q. Mr. Williams, did any of your co-workers in the GSA die in the bombing?

A. Yes, sir, they did.

Q. What were their names?

A. Steven Curry and Michael Loudenslager.

Q. Before coming to court today, did you fix name tags of Steve Curry and Mike Loudenslager to a diagram of the first floor?

11001:

A. Yes, sir, I did.

MR. GOELMAN: Your Honor, with the Court's permission, I'd asked Agent Tongate to put the diagram of the first floor

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with the names of the deceased up on the easel.

THE COURT: All right.

THE COURTROOM DEPUTY: Can everybody see?

BY MR. GOELMAN:

Q. Mr. Williams, is that an accurate display of where Mike Loudenslager and Steve Curry worked before the bombing?

A. Yes, sir, there is.

THE COURT: Is there a reference?

MR. GOELMAN: As far as the exhibit number?

THE COURT: Yes.

THE COURTROOM DEPUTY: 951.

MR. GOELMAN: 951.

THE COURTROOM DEPUTY: 952.

THE COURT: Well, however it's marked, somebody look at it and tell me how it's marked.

THE COURTROOM DEPUTY: 952.

MR. GOELMAN: 952, your Honor.

THE WITNESS: All right.

THE COURT: Just a moment. We have an exhibit in front of the jury. It hasn't been admitted.

MR. GOELMAN: My apologies. Move to admit.

MR. TIGAR: We object, your Honor, on the grounds previously discussed in chambers.

THE COURT: That's overruled. You may have a continuing objection for this --

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MR. TIGAR: Thank you.

BY MR. GOELMAN:

Q. Is that an accurate depiction of where Steve Curry and Mike Loudenslager worked before the bombing?

A. Yes, it is.

Q. Did anyone work in the space in between them?

A. Yes. Tom Hall, the planner/estimator who was in our office, worked between the two work stations.

Q. Do you know if Tom Hall was at his desk when the bomb went off?

A. No, sir, he was not. He was in my office with me.

Q. And did Mr. Hall survive the bombing?

A. Yes, he did.

Q. Finally, Mr. Williams, before coming to court today, did you review Government Exhibit 1126, a poster board with two pictures on it?

A. Yes, I did.

Q. And what's depicted in that Government exhibit?

A. Those are pictures of Steve Curry and Mike Loudenslager.

Q. Do those photographs accurately portray those individuals

the way they appeared before the bombing?

A. Yes, they do.

MR. GOELMAN: Your Honor, we'd offer Government Exhibit 1126.

MR. TIGAR: We have an objection, and it is the one

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previously made in chambers and ruled on; and I'm just trying to protect the record.

THE COURT: Overruled. And again, you may have a continuing objection for such photographs when they're offered for other persons.

MR. TIGAR: Thank you, your Honor.

THE COURT: So display 1126.

BY MR. GOELMAN:

Q. Mr. Williams, will you please tell us what Steven Curry did for the GSA.

A. Steven Curry was a maintenance-work inspector. He come to work for GSA in about 1987 as an electrician, and Steve inspected our construction and alteration work throughout the state.

Q. What about Mike Loudenslager?

A. Mike Loudenslager was a planner/estimator. He estimated alterations projects and put together specification packages for our office.

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

THE COURT: All right. Mr. Tigar, do you have questions?

MR. TIGAR: Yes, your Honor.

There are a lot of things on the desk here.

CROSS-EXAMINATION

BY MR. TIGAR:

Richard Williams - Cross

Q. Good morning, sir.

A. Good morning.

Q. My name is Michael Tigar. I'm one of the lawyers appointed to help Terry Nichols in this case, sir.

A. Nice to meet you, sir.

Q. You had worked for GSA for quite some time; is that right, sir?

A. Yes, sir, that's correct.

Q. Now, when you were first describing for us yesterday where the Murrah Building is, you remember that map of the United States where Interstate 40 and Interstate 35 crossed there?

A. Yes, sir.

Q. So Oklahoma City is at the intersection of those two interstates; is that right?

A. To the east -- to the west of those two intersections, yes.

Q. More or less where they cross?

A. Yes, sir.

Q. And if you take I-40 on west, pretty soon you get to



Kingman, Arizona; right? Or after a couple of days?

A. I believe that's correct.

Q. And I-40 east runs to Arkansas; correct?

A. Yes, sir.

Q. Now, there was something that I wanted to clear up. I'm going to put up on the -- this is Government Exhibit 952, which has been admitted in evidence. If we could have that. This is

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the first floor.

A. Yes, sir.

Q. Do you see that, sir?

A. Yes, I do.

Q. And that was a part of that video presentation, and there are some numbers and letters on that diagram. Could you tell us what those are?

A. Those are column line locations for the structure of the building.

Q. I see. And so on the first floor, we would find, what, 37 columns, is that right, across the front?

A. Yes, sir.

Q. All right. And then D, E, F, G, those are columns that support it on the other side?

A. Those would be locations from east to west.

Q. I see. And I'm going to put up another page from that same exhibit, sir. And I see 8, 10, 12, 14. Is that because some of the columns do not rise the full nine floors?

A. I'm not familiar with that part of the structure.

Q. Okay. But at any rate, your understanding is that these do refer to the columns?

A. Yes, sir; that's correct.

Q. Now I want to put up on here Government Exhibit 949A. That's been admitted; and I'll ask you, sir, this -- I'm pointing with this pen. This old post office is connected to

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the Federal Courthouse with a walkway on the third or fourth floor, isn't it?

A. That's correct, it's a walkover.

Q. Right, a walkover, so you can get from one to the other?

A. Yes, sir.

Q. And that's not shown on the plan, is it?

A. No, it's not. That's a crossover across the alley.

Q. And the -- where I'm running my line, that's an alleyway?

A. Yes, sir, that is an alley between the two buildings.

Q. Now, as of that morning, before 9:02, here in the Murrah Building, if somebody wanted to get into the Murrah Building parking lot, where would they go?

A. They would go either to the east or west entrance to the garage, unless they had access to one of these other two buildings themselves, which would have been someone like the court clerk or someone who works in the other two buildings.

Q. But if it was just a civilian person who had business

Q. But if it was just a civilian person who had business, didn't have any kind of a special card, they were just going in the Murrah Building underground parking, what street would they enter off of? Could you just point to that?

A. Either Robinson -- do I need the pointer?

Q. No, that's okay. I can do it. Either Robinson which is on this side --

A. Either Robinson side or the Harvey side.

Q. Or the Harvey side, either way?

Richard Williams - Cross

A. Either way, you can enter through there.

Q. And Harvey, as I understand, is a one-way street?

A. It's one-way north.

Q. Is Robinson two-way?

A. One-way south.

Q. One-way south.

A. Yes, sir.

Q. Okay. And north is up in this direction towards the top; is that right?

A. That's correct.

Q. Now, I'd like to put up, sir, if I could, 951, which has been admitted. I think you talked about that. That's that picture of the building. Now, do you know when this picture was taken?

A. No, sir, I'm not familiar with the date on it.

Q. All right. Well, does it appear from -- you mentioned that it looks like what the building looked like when you were able to -- you know, when you were recovered enough to get back there.

A. Right.

Q. And do these -- are these, what, construction cranes that are removing rubble and so on? Is that what that appears to be?

A. Construction cranes were hauling debris from the upper floors.

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Q. Okay. Turn that off. Thank you.

Now, was GSA in charge of the elevators in the building?

A. We had a contract with the GSA with Midwestern Elevators that maintained our elevators.

Q. Okay. And did you ever receive a report from -- about what happened to the elevators as a result of the explosion?

MR. GOELMAN: Objection, your Honor.

THE COURT: What's the objection?

MR. GOELMAN: Beyond the scope.

THE COURT: Well, shall we call him back at a later time in the trial?

MR. GOELMAN: Withdraw.

THE COURT: You may proceed.

MR. TIGAR: Thank you.

THE WITNESS: I'm sorry, would you read the question.

BY MR. TIGAR:

Q. Sure. Did you ever hear a report of what happened to the elevators as a result of the explosion that happened at 9:02 there?

A. No, sir, I did not personally receive a report there.

Q. Did you ever hear any government employee report to you what, if anything, happened to the elevators?

A. No.

MR. GOELMAN: Objection. It calls for hearsay, your

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Honor.

THE COURT: He said no. That's an answer.

BY MR. TIGAR:

Q. I wanted to ask you about GSA's duties within the building that you were describing. Do you all have a responsibility for cleaning -- does GSA crews -- I'm not saying you personally, but do you all's crews clean the buildings?

A. The contract we have is in Oklahoma City was with NISH, National Institute for Severe Handicapped, through the Goodwill. That was our contract in Oklahoma City.

Q. And who is it that ordered the supplies, the cleaning supplies and so on that would be used in the building, sir?

A. Generally the contractor did. There were some joint ventures that we did with the contractor for recycling. Sometimes we would order some of the materials.

Q. Well, that was going to be my next question. So you did have recycling programs in place?

A. Yes, we did.

Q. Now, did you recycle plastics?

A. No, sir, we only recycled paper at that time.

Q. Okay. And do you know what, then, happened to the plastic containers in which cleaning solutions were delivered to the -- for use by these people that were cleaning the building?

A. Generally the contractor is responsible for disposal of those types of materials.

Richard Williams - Cross

Q. Were those -- I mean was that sort of like the regular trash pickup? The stuff would be put out there and would be taken away every few days or something like that?

A. That would depend on the material in the barrels. If it was a toxic material, they had a specific type of disposal they had to go through. Otherwise, it was their responsibility to dispose of those.

Q. Okay. And then my next question is did cleaning supplies arrive in barrels that you observed while you were there?

A. There were some floor-stripping materials or wax that would come in barrels.

Q. And you're not an expert on plastics, are you, sir?

A. No, sir, I'm not.

Q. Okay. You said your main job was in maintaining the air-conditioning systems; is that right?

A. As a maintenance mechanic early in my career, yes. As a building manager, I was responsible for all of that.

Q. I see. Everything?

A. Right.

Q. Did your expertise extend to what the different kinds of plastics were that were used for different purposes in air-conditioning, heating, water pipes, and so on?

A. No, sir. Because most of our buildings did not have plastic materials in them in terms of plumbing or electrical. Those were all hard-drawn products like metals.

MR. TIGAR: I see. Thank you very much, sir. I have no further questions. I appreciate your answering my questions.

THE COURT: Mr. Goelman, do you have any redirect?

MR. GOELMAN: No.

THE COURT: May the witness be excused, then?

MR. GOELMAN: Yes, your Honor.

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

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

Next, please.

MR. MACKEY: The United States will call Susan Hunt. Miss Beth Wilkinson will present her.

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

(Susan Hunt affirmed.)

THE COURTROOM DEPUTY: Have a seat, please.

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

THE WITNESS: Yes. Susan Gail Hunt, H-U-N-T.

THE COURTROOM DEPUTY: Thank you.

THE COURT: Miss Wilkinson.

MS. WILKINSON: Thank you, your Honor.

DIRECT EXAMINATION

BY MS. WILKINSON:

Q. Good morning, Miss Hunt. How are you doing?

Susan Hunt - Direct

A. I'm fine.

Q. Could you tell the jury where you live?

A. I live in Mustang, Oklahoma. It's a suburb of Oklahoma City, to the southwest of the city.

Q. About how far away is it from downtown Oklahoma City?

A. It's about a 25-minute drive.

Q. And how long have you lived in Mustang?

A. We have lived in Mustang 25 years.

Q. You say "we." Are you married?

A. Yes, I am married. I've been married 30 years. We'll be married 31 in the end of November.

Q. Do you have any children?

A. Yes. We have two sons: Jerry that just turned 30 and Lance that's 27.

Q. And you have one grandchild; is that right?

A. And I have 12-year-old grandson.  
Q. Can you tell the jury where you grew up?  
A. I grew up in Wichita Falls, Texas.  
Q. And did there come a time when you moved to Oklahoma City with your husband?  
A. Yes, ma'am.  
Q. Okay. Go ahead.  
A. We moved in 1967.  
Q. Now, after you had your children, did you start working at a bank?

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A. Yes. First I managed apartments and worked for a commercial leasing company, and then I started a career in banking.  
Q. And how long did you work at a private bank?  
A. I worked at a private bank -- actually two different banks for 12 years.  
Q. And then did you join the government?  
A. Yes. When I left the bank, I was assistant vice president in loans, and so it was a natural evolution. I applied for a job with HUD in the REO or the Real Estate Owned Department and was hired with HUD in 1989.  
Q. HUD is the --  
A. U.S. Department of Housing and Urban Development.  
Q. All right. Tell us what you did for HUD when you were first employed by them.  
A. When I first went to work for them, I went to work in the Real Estate Owned, or at that time it was called Property Disposition. This was the branch of Single Family Housing where foreclosures would have already been completed on FHA loans. We would take the property that was rendered from that foreclosure and ready them for resale. What you would know as HUD homes.  
Q. Are you still employed by HUD today?  
A. Yes, I am.  
Q. What is your current position?

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A. I am single-family housing specialist in the Single Family Division. I act as the underwriter and appraiser for the State of Oklahoma.  
Q. Were you employed by HUD back in April of 1995?  
A. Yes, ma'am, I was.  
Q. What did you do for them back then?  
A. I was the administrative officer. In the real world, we would think of administrative officer as an office manager, basically someone who would take care of all the needs of the office from space, pencils, papers, handbooks, anything that was needed so that the employees could do their job.  
Q. Did you also deal with personnel issues?  
A. Yes. I dealt with personnel. health. all kinds of --

A. Yes. I dealt with personnel, health, all kinds of anything that was specialized for that individual person.

Q. Now, where was the office, the HUD office, located back in April of 1995?

A. The HUD office was located at the Alfred P. Murrah Building, which was on N.W. 5th Street.

Q. And how many men and women were working for HUD in the Murrah Building in April of 1995?

A. The HUD office on 200 N.W. 5th at that time, 124 people were officially assigned to that building.

Q. And where within the building were the HUD employees located?

A. We had three floors. Actually the fifth floor, we had a

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small office where just one person officed. On the seventh floor, we had almost the whole floor except for probably 10 percent at one end. And we had the entire eighth floor. We had been planning an expansion to the sixth floor, but we had not moved our personnel there yet.

Q. Okay, let's talk about that for a moment. You said one of your job duties was to work on space issues; is that right?

A. Yes.

Q. When did you start your plan to increase your space for HUD employees?

A. September of 1994, we started aggressively planning an expansion of our space in the Murrah Building.

Q. And did you work on that plan up until the day of the bombing, April 19, 1995?

A. Yes, ma'am, I did.

Q. In fact, did you -- were you going to work on that plan that day?

A. Yes. I had an appointment at 9:00 with a vendor that was coming in for equipment that we'd be using on the sixth floor.

Q. Let me show you Government's Exhibit 952 so you can tell the jury about the floor plans for your employees. Now, I'm starting you here with the seventh floor. Do you see that on your computer screen?

A. That. I have the first floor.

MS. WILKINSON: Oh, we need the computer. I'm sorry.

Susan Hunt - Direct

THE WITNESS: Yes, ma'am, I do.

BY MS. WILKINSON:

Q. And can you tell the jury about what divisions were located on the seventh floor for HUD?

A. The seventh floor, primarily housing encompassed the full area. We had Asset Management, which was a branch of Single Family Housing, and we also had Multi-family Asset Management. They were in the, in this . . . I hold that down. In this area would be the Asset Management.

We had Contracting, which was really an administrative

function; but Contracting handled housing issues. They were in this area.

We had REO, which would be the Real Estate Owned, both multi-family and single-family; and they encompassed this entire area.

Next to it was Valuation which was the appraisal entity of single-family.

MR. TIGAR: Your Honor --

THE COURT: Excuse me for just a moment.

MR. TIGAR: Object to the narrative and to the detail, I think it's --

THE COURT: Yes, let's go question and answer.

MS. WILKINSON: Yes, your Honor.

BY MS. WILKINSON:

Q. Did you go to the next division that was assigned and

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seated?

A. Yes, public housing.

Q. Do you recall how many people were assigned to the seventh floor on April 19, 1995?

A. There was approximately 80 employees.

Q. Let's move up to the eighth floor. And if you start from the left, can you tell us what agency was there at the front of the building?

A. Yes.

Q. On the left side?

A. On the northwest --

Q. Yes, please.

A. I mean northeast corner?

Q. Yes, please.

A. Legal division --

Q. Can you mark that with the pen.

A. -- are the offices that you see. And to the south of them was the management, which was our area coordinator, deputy management. We also had a labor person, and an economist that sat in this area.

Q. Okay. Can you go back to the legal office there and just put an X where the legal staff resided?

A. Okay. We had a legal library, and we had -- I went over too far, because this part of that was FH and EO. Okay. The three offices here and then right out in front of them was the

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legal staff.

Q. All right. Now, you see the front where you just marked and it has the column numbers?

A. Yes.

Q. That black line along the way: Can you mark that or follow that with your pen?

A. Yes.

Q. Can you tell the jury --

A. That would be --

Q. What's right there along the line?

A. That would be -- 28 to 26 was Legal. The office -- well, I

guess it would be -- I can't hardly read it -- 25. The three offices from 28 to 25 would be where Legal is.

Q. And what kind of structure was there right there, the front of that?

A. That was glass windows.

Q. And was that true for the entire face of the offices of the Housing and Urban Development on the eighth floor?

A. Yes, ma'am.

Q. Okay. Now, can you go over to the right, continue on and tell us who had their offices in the center of that space.

A. The next office would be Fair Housing and Equal Opportunity, which is what we called FH and EO. And that would be the office that would start at where 25 would be if there was a number there.

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Q. Uh-huh.

A. And to 23, if there was a number.

Next to it was an office, and it would be like 23 through 19.

Q. You can just put an X there. You don't have to go through the numbers.

A. Okay. That was Community Planning and Development. Our block grant division.

Q. And what was right there below the computer room and the break room?

A. The Office of Native American Programs took up almost the full rest of the floor, except for the administrative area.

Q. And show us where the administrative area was.

A. The administrative area took in the full southwest corner. These were storerooms back in the back, in the office against the plaza windows.

Q. Did you have an office back in that area?

A. Yes, ma'am, I did. It was the corner office in the southwest corner.

Q. Can you just mark that with a -- you did -- with an X right there in the back corner.

A. Yes, ma'am.

Q. And from there, if you looked out your back window, what did you see?

A. I could see the plaza on the south side of the Murrah

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Building.

Q. Okay, I'm going to switch to the ELMO to show you the fifth floor. You said you had a small office space for an employee down there?



down there:

A. Yes.

Q. Okay. If you can erase those.

That's this yellow area right here where I'm pointing?

A. Yes, ma'am.

Q. Tell us who had an office there.

A. The OIG. The Office of the Inspector General assigned -- he was an investigator, and he was assigned to HUD. And he was the only HUD employee that was officing on the fifth floor.

Q. What was his name?

A. Paul Broxterman.

Q. Was he a law enforcement officer?

A. Yes, ma'am, he was.

MS. WILKINSON: You can go back to the computer.

BY MS. WILKINSON:

Q. Now, you said that one of the floors was too crowded and you were going to be moving employees from that floor. Which floor was overcrowded?

A. The seventh.

Q. And where were you going to move those employees?

A. They were being moved to the sixth floor. We had moved another agency out, and they were preparing the space for HUD

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employees to move.

Q. You told us that there were 124 employees assigned to the building --

A. Yes, ma'am.

Q. -- on April 19; is that right?

A. Yes, ma'am.

Q. How many of those people were present in the Murrah building on that day?

A. There were 82 of the HUD employees present.

Q. Was that typical of HUD, to have that many employees out?

A. Yes. We -- our main emphasis is dealing with community outreach. We dealt with not only lenders but municipalities, state entities, nonprofits. So it -- we had a significant amount that day out on a seminar, a housing seminar. And others on -- meeting with municipalities.

Q. Did you go to work on April 19, 1995?

A. Yes, ma'am, I did.

Q. What time did you arrive at the Murrah Building?

A. I arrived at the Murrah Building a little bit after 7:30.

Q. And did you see people who were present that day in the office?

A. Yes. When I first got in, I chatted with my staff, Freida Bean and Tom Ward; and I -- after I took care of some business that morning, I started out to get a cup of coffee, and I saw Paul Broxterman at the storeroom door. He was --

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Q. Go ahead and show us on this eighth floor map -- or was it on the seventh floor -- you were on the eighth floor; right?

A. Right.

Q. Show us where you saw Mr. Broxterman.

A. Well, the door -- I was standing about where I put the X. But the door to the storeroom was the door just north of where I put the X. He was standing there; but being a new employee to HUD, Oklahoma City, he had not had a chance to get supplies, and he was trying to get ready for a trial; and so he was needing pencil, papers, note cards, and so forth. And I helped him gather those.

Q. Did you ever see Paul Broxterman alive again?

A. No, I did not.

Q. What happened after you saw Mr. Broxterman?

A. After I saw Paul, I got the coffee pot. Freida had made coffee, but grounds had gotten down in it. And the only source of water we had was at the women's rest room on the southeast end of the building. So I left the office and walked on the outer space, the hallway space that on this shows in white.

Q. Who was the next person that you saw?

A. The next person I saw when I -- I came in the security door and turned the corner to walk back through HUD space, and I saw Tony Reyes. We spoke. He offered me a piece of candy for breakfast, and I kept walking.

Q. Who did you see next?

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A. The next person I saw was Ruth Hill. She officed in Native American Programs, and her office would have backed up to the women's rest room about in that area.

Q. Now, did you move on and see some other folks in that area?

A. Yes.

Q. Who did you see?

A. I saw Don Burns, and I saw Lanny Scroggins. Lanny and Don work for Native American Programs, and they were construction analysts. They were dealing with a construction issue and talking to each other, so I just spoke to them briefly and kept walking.

Q. You didn't engage in any conversation with them at that --

A. No, I did not.

Q. Did you ever see Don Burns or Lanny Scroggins alive again?

A. I did not.

Q. What did you do after you left that area?

A. After I left that area, I was still trying to make my way back to the administrative office. When I got even with the door, which was by the break room and the rest of the Native American staff were there, and George Howard called me over to his desk. He was also a fairly new employee to the Oklahoma City HUD office. And we discussed his health insurance that we were trying to convert from California to Oklahoma.

Q. Which division was Mr. Howard assigned to?

A. He was in the Community Planning and Development Branch of

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what we call ONAP which is Office of Native American Programs. It's housing for Native Americans.

Q. Let's move on to 9:00, Miss Hunt. Did you have a meeting planned for that morning?

A. Yes, ma'am. I had a meeting with a vendor that I had set up on Monday.

Q. And what was that vendor supposed to help you with?

A. He was going to help me with some lateral files. Even though the Government is trying to go to a paperless workplace, it became obvious that it was necessary for us to have lateral files.

MR. TIGAR: Excuse me, your Honor, please. I object to the detail which is not really relevant.

THE COURT: Yes, we don't need that much detail.

MS. WILKINSON: Yes, your Honor. I just have one follow-up question on that.

THE COURT: All right.

Please limit your answers to just what's necessary to answer the question.

THE WITNESS: All right.

BY MS. WILKINSON:

Q. Was that part of your plan, from September 1994, to move your employees to the sixth floor?

A. Yes, it was.

Q. Now, did you do anything in preparation for that meeting at

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around 9 a.m.?

A. Yes, I did. I walked back through the HUD space and went to the security door at the other end of the building.

Q. Did you see any employee -- HUD employees at that time?

A. Yes, I did.

Q. Who did you see?

A. I saw Mike Weaver in legal department. He was one of our attorneys. Susan Ferrell, one of our attorneys, walked by me briefly.

Q. Was that the last time you ever saw those two people alive?

A. Yes, it was.

Q. Now, what did you do after you saw those folks?

A. I talked to Lee Sells, who was secretary to the legal department. And talked to Kim Clark. I didn't see them, but we had partitions; so I just talked to them through the partition and asked them to please listen for the security bell to let my person in.

Q. Did Lee Sells and Kim Clark die in the bombing on April 19?

A. Yes, they did.

Q. Now, did you go, head back toward your office for the meeting?

A. Yes, I did.

Q. Did you see other people that morning?

A. I saw Tony Reyes again, but he was standing in the doorway, talking to Peter Avillanoza. Peter and he were discussing a

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issue, so I just said hi to them and kept walking.

Q. Was that the last time that you saw Mr. Reyes and Mr. Avillanoza?

A. Yes, it was.

Q. Did you see David Burkett that morning?

A. Yes. When I got almost even with the administrative hallway, Dave Burkett sat just behind a partition; and George Howard called me back to his desk to talk to him again about the insurance.

Q. Did you see anyone else that day?

A. I did see Jules Valdez. Jules Valdez officed against the windows, just parallel to Dave Burkett and to George Howard.

Q. Was that the last time you saw those three gentlemen alive?

A. Yes, it was.

Q. Did you go back to your area in the administrative division?

A. Yes, ma'am.

Q. And who were you with?

A. When I got back, Freida had called me from that area to take a phone call. I took the phone call; and I chatted with Larry Cook, who was acting chief of Single Family Property Disposition and another Single Family employee.

Q. Miss Hunt, what happened at 9:02 a.m. on April 19?

A. I had left my office. Freida was on the phone with the regional office dealing with a travel problem. There were

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several Native American Program employees in the office. Her break buddy was waiting on her to go to break. I was standing in front of Freida's desk urging her to go ahead and go to break when all of the sudden, everything just started falling in on us. There was so much debris in the air, we couldn't see.

Q. Did you hear anything?

A. No. We really didn't hear anything. We heard some debris falling; but as for the blast, we did not hear the blast.

Q. Can you show the jury on this Government's Exhibit 952 where you and your secretary were at the time of the blast? Just mark an X for us.

A. I had my back to the plaza windows.

Q. What happened to those plaza windows?

A. Although debris was hitting us from the front, the plaza windows sucked back in and the glass hit my back -- and which we now know is good, because it would have blown us out the window. But it knocked us all to the ground.

Q. Were you unconscious?

A. I think for a short period of time.

Q. What did you do after that?

A. After that, when I kind of got my senses back, I unhooked Marla's -- Marla Hornberger from Native American Programs was hooked in all the debris that had fallen from the ceiling, in wiring; so I unhooked her earring; and I looked over and Dianne

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McDonald was lying on the floor, and I helped her up.

Q. Did you see anybody else on the floor?

A. Freida had been knocked under her desk, and a filing cabinet had fallen from -- a whole wall had caved in from behind her.

Q. Were you able to get her out?

A. I'm sure I couldn't have done it by myself; but evidently she helped me, and I was able to lift her.

Q. What did you ladies do after you got yourselves on your feet?

A. Tom Ward, my male clerk, was helping us over the debris. There was a large copier that had blown over into the floor. So we had to climb over the copier to get towards the door where the door used to be. And it was so thick with smoke and debris, we had a hard time seeing. So Tom helped us over that copier.

Q. Where did you go then?

A. We went to the doorway of the administrative office, which would be about right here.

Q. Were you able to get out?

A. At that point, everybody else kind of went ahead. We were trying to make it to the stairwell. I tried to go back into the space because I had just seen so many people there. And Tom stopped me, and that was when I knew that it was pretty bad, 'cause I could see the sky through the smoke.

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Q. What do you mean you could see the sky through the smoke?

A. Where the front of the building had been, I now could look up and see blue sky.

Q. Did you go down the stairs?

A. Yes. Troy Grigsby had been in charge of our escape plan from the building. Like all buildings, we had a fire drill occasionally in GSA, and Troy worked with all the building employees.

Q. Did you follow that escape plan, or try to?

A. Yes, we did. We went to the stairwell which was behind the administrative office.

Q. Did you see anyone as you went down the stairs?

A. By the time I got to the seventh floor, I met a lady from Drug Enforcement that I recognized as Bonnie. And she --

Q. Was that her first name, or her last name, or did you know?

A. I just knew her as Bonnie.

Q. Okay.

A. And the -- she was holding Larry Cook, who had been in my office earlier; and he had a gash on his head and arm. And he was a big guy. And with me being 6-foot tall and her being little, I took Larry from her to try to support him down the stairs.

Q. Did you help him get down?

A. Yes.

Q. Did you get out on the right floor?

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A. First we counted the floors down. Larry was disoriented, and we were trying to -- I was trying to give him hope that we could get out. And when we got to the second floor, I miscounted and went down to the basement.

Q. Did you see anyone else as you were going down the stairs?

A. There were people coming out on all the floors in varying degrees of injury, a lot of them like me that was still walking, and some of them supporting others.

Q. Did you see any rescue workers coming into the building?

A. At that point, no. I saw a man when we came to the -- back up to the second floor, and he asked where the day-care center was, and I told him the second floor.

Q. And did you go on out of the building at that time?

A. I went on out of the building.

Q. What did you do with Mr. Cook?

A. I was still supporting him. And when we got to the plaza area, there's stairways that went down in all directions to the street, and I tried to make my way to one of the -- to the street.

Q. Let me show you Government's Exhibit 954. Do you see that on your screen? It's not before the jury yet.

A. Yes, ma'am, I do.

Q. Do you recognize that photo?

A. Yes. It's the plaza, looking at the Murrah Building from the south.

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Q. Does it fairly and accurately depict what you saw that day?

A. Yes.

MS. WILKINSON: Your Honor, Government would offer 954.

MR. TIGAR: No objection, your Honor.

THE COURT: Received. 954. It may be published.

MS. WILKINSON: Thank you.

BY MS. WILKINSON:

Q. And Miss Hunt, if you could take your pen again and show the jury generally where you came out.

A. The little black dots that are going up the building are really windows that had been blown out. You can't see it from here, but -- the trees are blocking it -- but from the doorway that was right next to the windows, I went to a stairwell that went down to the lower area of the building and to the street.

Q. Is this the -- the front of this photo, is this the plaza area that you talked about that you could see from your window?

A. Yes. My window would have been right here. Well, no, I'm on seven, so it would be the one above it. Eight.

Q. Now, where did you take Mr. Cook?

A. Excuse me. Mr. -- I took Mr. Cook down the stairwell, down to the street, which is on Harvey.

Q. Did he receive medical attention?

A. When I got him down there, I laid him on the sidewalk; and a policeman ran up, and I told him that he needed medical

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attention. And he ran back to his car to get blankets to cover Mr. Cook.

Q. All right. Let me show you another photo. This is Government's Exhibit 1004. You recognize that?

A. Yes.

Q. Is that a close-up of the plaza?

A. Yes, it is.

MS. WILKINSON: Your Honor, Government offers 1004.

MR. TIGAR: No objection, your Honor.

THE COURT: All right. 1004 is received.

BY MS. WILKINSON:

Q. Now, after you left Mr. Cook with the police officer, what did you do, Mrs. Hunt?

A. I came back up the same stairwell, and I went back to the door that I had come out of. I went in for a few minutes, but seeing rubble, I could not get through. I came back out and started back towards the front of the plaza.

Q. Did you see anyone from HUD as you were coming back onto the plaza?

A. When I came back out on the plaza, I heard someone that I know to be V. Z. Lawton, and he was -- worked for ONAP, and I also saw Ken Altizer. He was our economist on the eighth floor, and they were supporting a blond-headed lady that was injured.

Q. Who was that?

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A. That was Ruth Hill that I had seen earlier.

Q. And what happened to Miss Hill?

A. They gave Ruth to me to take her to the triage. They had -- there had started to be some medical personnel kind of setting up a triage on the 4th Street by that point. And Ruth didn't -- wasn't sure who I was, but she recognized my voice and said, "Susan, I know that's you, but I can't see you." And I looked at her and saw that she had lost an eye, and I told her to just come with me, that I would help her to the curb, and I did.

Q. You took her to the triage?

A. Yeah. I sat with her because she was bleeding real bad, and I held her neck and waited for -- in triage for someone to help her.

Q. And did they come and help her?

A. Yes, they did.

Q. Did she survive the bombing?

A. Yes, she did.

Q. And what did you do after she received medical treatment?

A. I went back up to the plaza. There were ledges around that were decorative and a bunch of HUD employees had gathered

were decorative, and a bunch of HUD employees had gathered there, and we all started throwing out information, what HUD employee we had seen go to the hospital, what employee we saw that was one of the walking wounded like we were, who we knew not to be in the building.

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Q. Did you think it was part of your responsibility to determine where your HUD employees were and their condition?

A. As the administrative officer, it was my job to take care of these people.

Q. Did you do that on that day?

A. I tried to.

Q. What did you do that day to determine the location of each HUD employee?

A. We tried to -- all of us just kept looking in the crowds and around, but it became obvious that we were not going to be able to keep up with 124 names unless we had something to write on. So Bob Chumard, although he was worried about his wife that was in the building -- Bob Chumard went down to a building -- or told me he would run down Robinson and try to find somebody that would give him paper and a pen so that we could list the names.

Q. While he was gone, what happened?

A. While he was gone, it was pretty chaotic. We had a lot of people running, looking for people. I think that's when Sheila Schick came up to -- and it's real hard to know the sequence to keep it clear in my mind. But Sheila Schick was our computer specialist, and she had run up to me and told me that Michael Reyes was injured and would I go hunt for his father.

Q. Now, who was Michael Reyes?

A. Michael Reyes was . . . he worked in Single Family Housing

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on the seventh floor, and he -- his father worked in Fair Housing and Equal Opportunity. So Mike had fallen from the seventh floor to the third and was still alive, but Sheila wanted me to find his dad so that Tony would know what hospital he went to.

Q. So what was his father's name?

A. Tony Reyes.

Q. And where -- where was his office located?

A. Tony Reyes's office was located at the windows just next to legal department on the northeast corner of the Alfred P. Murrah.

Q. So what did you do?

A. I ran down the stairs towards the 4th Street, Robinson corner.

Q. When you came around the corner, did you see the parking lot across the street from the Murrah Building?

A. Not at that point. I ran through the crowds. Not until I got up to 5th Street and Robinson.

Q. What did you notice?



A. At that point I saw fire -- cars on fire and a police -- and a fireman in the parking lot.

Q. Okay. Let me show you Government's Exhibit 964. If you can take a look at your screen. You recognize that photograph?

A. Yes.

Q. Does that depict what you just described?

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A. Yes, ma'am, it does.

MS. WILKINSON: Your Honor, we move to admit Government's Exhibit 964.

MR. TIGAR: No objection, your Honor.

THE COURT: Received. 964 may be published.

MS. WILKINSON: Thank you.

BY MS. WILKINSON:

Q. Miss Hunt, tell the jury what you saw that day and what's depicted in this photograph.

A. There were firemen. We could hear sirens. The sirens had been blowing for a long time. It sounded like every police and fire engine in Oklahoma City was coming. But firemen were trying to put the fire out in all the cars. There were three parking lots across the street just north of the Alfred P. Murrah Building, and the cars were all on fire.

Q. At this point had you seen the front of the Murrah Building?

A. No, I had not.

Q. What did you see next?

A. I turned and saw that the front of the building had disappeared, that it appeared to be in rubble all in front of the building and in the building, and there was no more windows or it didn't look like I had known the building to look.

Q. All right. Let me show you Government's Exhibit 957. You recognize that photograph?

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A. Yes.

Q. Is that what you saw that morning?

A. That is what I saw.

MS. WILKINSON: Your Honor, we move for the admission of 957.

MR. TIGAR: No objection, your Honor.

THE COURT: Received. May be published.

BY MS. WILKINSON:

Q. Miss Hunt, is this what you saw as you rounded the corner?

A. Yes, it is.

Q. And did you look for Mr. Reyes's office at that point?

A. No. Because when I saw the building, I knew it was a futile effort.

Q. Can you tell us where Mr. Reyes's office was located? Can you mark with your pen -- or would have been located before the bombing?

A. It would be the seventh floor just right here.

Q. At that point what did you do, Mrs. Hunt?

A. At that point I ran back to the side of the Murrah Building, to the east side. There was a stairwell. Instead of going all the way back to the 4th Street stairwell, I went up a small staircase and came adjacent to the building. And when I got at the back on the plaza, I heard something above me, and I looked up and saw two HUD employees.

Q. Who did you see?

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A. I saw Rhonda Griffin and I saw Glenda Riley.

Q. Where were they?

A. They were on the -- appeared to be at a ledge on the seventh floor, and they were needing help to get out.

Q. Take a look at Government's Exhibit 1017. Do you recognize that photograph?

A. Yes, I do.

Q. And does that depict the two ladies you just described?

A. Yes. This is Glenda Riley. And this is Rhonda Griffin.

MS. WILKINSON: Your Honor, we move for the admission of 1017.

MR. TIGAR: No objection, your Honor.

THE COURT: Received. 1017 may be published.

BY MS. WILKINSON:

Q. Now, Miss Hunt, could you tell the jury who's depicted in this photograph?

A. Yes. Rhonda Griffin is the lady in the bluer color. My pen isn't working.

Q. Which lady has her hand to her mouth?

A. That, Glenda Riley.

Q. Okay. And who's next to her?

A. Rhonda Griffin.

Q. What floor were they on when this photograph was taken?

A. They were on the seventh floor.

Q. Was that where they had offices?

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A. Yes. They officed on the plaza side of the building up against the glass.

Q. Were they later rescued from the building?

A. Yes, they were.

Q. And they survived the bombing?

A. Yes, they did.

Q. Now, back on the plaza, did you work with other HUD employees on the list of names and the locations of the personnel who worked for you?

A. Yes, I did.

Q. And did Mr. Chumard return with a piece of paper?

A. Bob had gone down to an office, and he brought back a piece of paper and a pen. And we stood together on the plaza; and if one HUD employee left, another one would come. Calvin Mosher was there helping, Sonya Key, Robert Roddy, several HUD employees; and if they went to help someone, another one would

employees; and if they went to help someone, another one would come up; and we started making a list.

Q. Did you keep that list?

A. Yes, ma'am, I did.

Q. Did you turn it over to the FBI after the bombing?

A. Yes, I did.

Q. Let me show you Government's Exhibit 955. Do you recognize that?

A. I can't see it.

Now, yes. That's the list I made. It's in my

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handwriting.

MS. WILKINSON: Your Honor, we'd offer 955.

MR. TIGAR: I have no objection, your Honor.

THE COURT: All right. 955's received and may be published.

BY MS. WILKINSON:

Q. Now, Miss Hunt, we're not going to go down the list for every name, but I want you to tell the jury briefly starting on the left-hand of this document, what these three categories indicate.

A. Hospital. If we saw someone that was injured and was taken to the hospital, we tried to list their names under the heading hospital.

Q. And then what's the next column there?

A. The next one was okay. That was not necessarily that they weren't injured, but they were like me, that they were able to get around because there were -- those of us that had injuries that left us mobile, we did not go to the hospital.

Q. And do the checks indicate that you're sure that this is the location of these people or the condition of these people?

A. Yes.

Q. What's the final column on the right-hand side?

A. The final column was unknown. These were the people that -- 12 of them were the people I saw, so I knew for sure that they were in the building. Others were people that we --

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other HUD employees knew were in the building --

Q. When you say "in the building," you mean you knew they were present before 9:02 in the Murrah Building; is that right?

A. Yes.

Q. And now you don't know where they are at the time you were making the list?

A. Right. No one had seen them.

Q. There are a few names crossed out here. Why are those names crossed out?

A. Well, in making our list, of course we were upset. And we would write someone's name down and then someone would tell us that they had found them or they knew that they were not there. Some of our people were in Washington, D.C., and we had their names down. We marked them off when we knew that they were

accounted for.

Q. Did you determine how many people in HUD died in the bombing that day?

A. 35.

Q. Do you recall being on the plaza when other people tried to enter the Murrah Building that day?

A. Yes. I did -- I was. There were parents that were trying to get in. The police and the -- the police and the firemen had asked us, as we were standing there, because we didn't stand one solid time making this list. We were all scurrying around, trying to see what HUD employees we could see.

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Q. Were you told not to let anyone back into the building?

A. Yes, I was.

Q. And did you have to stop someone from going back into the building?

A. Yes. Two young people, young women, were hysterical and trying to get in. They wanted to get in the day care. One of them said that her baby was in the day care.

MR. TIGAR: Objection.

THE COURT: Sustained.

BY MS. WILKINSON:

Q. Did you know who that person was at the time?

A. It's --

Q. Did you know who that person was at that time?

A. I did not.

Q. Now, eventually did you go home that evening?

A. Yes. I did. We had a bomb scare, and they ran us down the Harvey Street, and we kept being pushed further and further away. We got to the parking garage at Harvey and Main Street, and we finally found someone that had a phone that would let us use it, and we asked a family member to come get us.

Q. All right. When you got home, did you continue to talk to other people from HUD to determine where people were and their condition?

A. Yes. Soon after I got home, the phone started ringing. I had people from Washington and from Fort Worth regional office

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and other HUD employees and family members calling, knowing that I was kind of the central -- there were a lot of supervisors that couldn't be accounted for at that time. So I was the prime one for them to call. And I never hung up from one until call waiting would beep in another.

Q. Did you also call your superiors in Washington and in the regional office to report on the status of HUD employees?

A. Yes. I had called from the attorney's office, the regional office, and told them at that point I thought there were 46 unaccounted for.

Q. Did you go to work the next day, Miss Hunt?

A. Yes, I did.

Q. Where did you go?

A. I went to -- we had -- didn't have a office to go to, so we set up -- because we are affiliated with Oklahoma housing authorities, the Oklahoma Housing Authority on N.E. 4th opened their doors to us and allowed us to set up a command center.

Q. Were you able to engage in the business of HUD that day?

A. No. We had lost all of our people, all of our -- I mean it was -- we had no paper, no pencil, no computers, nothing. All we could do is try to account for each other.

Q. How many supervisors were lost in the bombing?

A. There were approximately 14 in the staff meetings each Monday. And of that 14, nine were missing.

Q. Now, Miss Hunt, before coming to court today, did you

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determine which divisions lost what number of employees and how many years of HUD employment experience was lost due to the bombing?

A. Yes, I did.

Q. All right. Let me show you Government's Exhibit 2058. Do you recognize that?

A. Yes, ma'am.

Q. And is this one of the charts that you created?

A. Yes, it is.

MS. WILKINSON: Your Honor, we would move for the series of 2058, 1 through 8, to be admitted.

MR. TIGAR: Objection, your Honor, relevance.

THE COURT: I don't know what we're talking about here.

MS. WILKINSON: This is a list of the divisions and the loss, the interruption of services to HUD, your Honor, broken down by each division and the employees' experience.

THE COURT: All right. So this is showing the effects on the agency.

MS. WILKINSON: Yes, your Honor.

MR. TIGAR: Well, then it's subject to our continuing objection.

THE COURT: Yes. So that objection is overruled and will be shown to continue. You may proceed with this exhibit. How's it marked?

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MS. WILKINSON: It's 2058, 1 through 8, your Honor. It's a series.

THE COURT: Received.

MS. WILKINSON: This is No. 2.

BY MS. WILKINSON:

Q. Briefly, Miss Hunt, does this show the Office of Inspector General, Investigation?

A. Yes, it does.

Q. What does it show?

A. There was one employee killed. There was a hundred percent loss of that division. There were two years of HUD experience lost.

Q. Let's move on to the legal division.

A. The legal division, there were five employees killed, which was 100 percent loss. 58 years of HUD experience was lost.

Q. Please tell the jury how the Housing Division was affected.

A. The Housing Division, 13 employees were killed, which was 24.5 percent loss, 164 years of HUD experience lost.

Q. What about the effect on the Fair Housing Division?

A. Fair Housing and Equal Opportunity lost two employees. That was 50 percent of the division or 32 years of HUD experience lost.

Q. How was the Community Planning Division affected by the bombing?

A. There were three employees killed. That was a 60 percent

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loss of personnel and 47 years of HUD experience lost.

Q. You had a Public Housing Division; is that right?

A. Yes, ma'am.

Q. How were they affected by the bombing?

A. Public Housing lost six employees, 54.5 percent loss, which was 92 years of HUD experience.

Q. And you've talked quite a bit about the Native American Programs Division. How were they affected?

A. Native American Programs lost five employees. That was a 25 percent loss of personnel, which was 93 years of HUD experience lost.

Q. Miss Hunt, did you calculate the total loss to HUD in Oklahoma City as of April 19, 1995?

A. Yes, I did.

Q. Please tell the jury about that.

A. There were 124 employees that were assigned to the Murrah Building. 35 of our employees died. That's 28 percent of the agency or 488 years of experience. There's been 14 people since the bombing that are unable to work, which is 11 percent of the agency, additional 185 years of experience, which is a total of 673 years' experience lost because of bombing.

Q. Now, before coming to court today, did you review a series of photographs of the 35 HUD employees who died that day?

A. Yes, I did.

Q. And could you identify those individuals and tell the jury

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briefly what their responsibilities were for the HUD.

A. Yes, ma'am.

MS. WILKINSON: Your Honor, we'd move for the admission of Government's Exhibit 1129.

THE COURT: With the same continuing objections. Overruled.

MS. WILKINSON: May Agent Tongate step forward to put the charts up?

the charts up.

THE COURT: Yes.

MS. WILKINSON: Thank you.

THE COURT: This is 1129?

MS. WILKINSON: Yes, your Honor.

THE COURT: All right.

BY MS. WILKINSON:

Q. Can you see all those photographs, Miss Hunt?

A. Yes, I can.

MS. WILKINSON: Can everyone on the jury see those photographs?

BY MS. WILKINSON:

Q. Okay. Could you start at the left hand and tell us just briefly the name of the individual --

MS. WILKINSON: Your Honor, may she step down?

THE COURT: Yes.

BY MS. WILKINSON:

Q. Miss Hunt, just keep your voice up please and turn toward

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the jury so they can see you.

A. Okay. Ted Allen. He was acting director of Community Planning and Development.

Q. Who was -- go ahead.

A. Diane Althouse. Diane was a realty clerk for Single Family Asset Management.

Peter Avillanoza was director of Fair Housing and Equal Opportunity.

Andrea Blanton was a realty clerk for mortgage credit, Single Family Housing.

Paul Broxterman was the OIG investigator.

Dave Burkett was in Community Planning and Development, Native American Programs.

Don Burns was construction analyst for Native American Programs.

Kim Clark was the assistant legal assistant for the legal department.

Kim Cousins was a realty clerk in the property disposition or REO Single Family Housing.

Diana Day was a housing specialist for Public Housing.

Castine Deveroux was a realty specialist in mortgage credit, Single Family Housing.

Susan Ferrell was an attorney for HUD in the legal department.

Q. Miss Hunt, while Mr. Tongate is getting the second chart,

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did you know all of those employees while they worked at HUD?

A. Yes, I did.

Q. Could you please continue with the next chart.

A. Judy Fisher was a realty clerk for Single Family Housing.

Linda Florence was secretary for the REO department,

Single Family Housing.

Colleen Guiles; Colleen was the underwriter for

Single  
Family Housing.

Gene Hodges was the acting director of Valuation, a  
branch of Single Family and Multi Family Housing.

George Howard was with Native American Programs,  
Community Planning and Development.

Ann Kreyborg. Ann was a realty clerk for Asset  
Management, Single Family Housing.

Q. Miss Hunt, could you just keep your voice up a little bit  
harder. The court reporter is also trying to record you.

A. I'm sorry.

Q. That's okay.

A. Teresa Lauderdale was secretary to the director of Housing.  
Jim McCarthy was the director of Housing.

Betsy McGonnell was a realty clerk in Single Family  
Asset Management, Single Family Housing.

Trish Nix was a housing specialist in Public Housing.

Terry Rees was a housing specialist in Public  
Housing.

And Mary Rentie was a housing specialist in Public

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Housing. Mary was actually the chief of one of the branches.

Q. Miss Hunt, would you like a drink of water?

A. Please.

Tony Reyes was a housing specialist for Fair Housing  
and Equal Opportunity.

Lanny Scroggins was a construction analyst for Native  
American Programs.

Lee Sells was secretary to the legal department.

John Stewart was chief of one of the branches of  
Public Housing.

Jules Valdez was a supervisor, Community Planning and  
Development in Native American Programs.

John Vaness. John was the appraiser, Single Family  
and Valuation.

Dave Walker was the environmentalist.

Mike Weaver was the attorney in the legal division.

Jo Ann Whittenberg was secretary to Public Housing  
director.

Fran Williams was secretary to the Community Planning  
and Development director.

And Clarence Wilson was the chief counsel of HUD in  
Oklahoma City.

Q. I just have one other question, Miss Hunt. Before you came  
to court today, did you affix the names of each of the HUD  
employees who died on April 19 onto a floor plan so you could

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show where those people were before the time of the bombing?



A. Yes, I did.

MS. WILKINSON: Your Honor, we're not going to display it; we'd just like to move into evidence. It's Government's Exhibit 952B.

THE COURT: With the continuing objection being the only one?

MR. TIGAR: Yes.

THE COURT: It's received, 952B.

MS. WILKINSON: I have no further questions, your Honor.

THE COURT: I think we'll recess before the cross-examination.

You may step down, Ms. Hunt. We'll have you back in 20 minutes.

Members of the jury, we'll be taking now our morning recess; and of course, during the time of this recess, I ask of you that you not discuss the case or any part of it among yourselves or, of course, with anyone else. You won't be seeing anyone else; but it is important for you to recognize,

as I'm sure you do, but also I must repeat for the record, the importance of keeping open minds, recognizing that we're just beginning the evidence in the case and that of course it is a natural tendency for all of us when we're together in a matter like this to -- and I'm speaking of you as jurors of course -- to talk about -- want to talk about with the other jurors what you've seen and heard so far in connection with the case. And, of course, you know that you must not do that. The law requires of you that you maintain open minds until you've heard it all. So while that is a difficult thing to do and which is really contrary to human nature, still and all, you must do it. That's a part of your obligation as jurors.

Also, you know, I can't tell you as each witness comes on here what that witness means to -- and the testimony of that witness means to the overall case; but I do ask of you as we are proceeding with witnesses who were in Oklahoma City and who were there at the time of this explosion and who testify about things that have some emotional content to them to please recognize the limitations of this evidence, what it's being offered for.

For example, with this witness who has testified about how many years of experience, and so forth, are lost here, the purpose of that is, as you will learn ultimately in the case, with respect to one of the charges in this indictment, the effects on the operations of the government may be considered; so that's why this evidence is coming in. But of course, you know, this is a case in which a lot of this evidence that you will be hearing from people who experienced directly the immediate impacts of this explosion, it's -- you have to consider it and not consider the emotions of it. And you will be hearing more from these people who were there and who did experience injuries and saw death. Please understand the importance of putting that in perspective.

Now, also, at this and all other recesses, of course, you must avoid anything outside of their evidence, continuing

you must avoid anything outside of their evidence, continuing to recognize that what may be in newspapers, magazines, publications of all kinds are not something that you can take into consideration in your decisions to be made. I'm sure you'll understand that and cooperate with us.

We're going to take a 20-minute recess. You're excused now from the courtroom for that time.

(Jury out at 10:23 a.m.)

THE COURT: All right. We'll be in recess, 20 minutes.

(Recess at 10:24 a.m.)

(Reconvened at 10:45 a.m.)

THE COURT: Please be seated.

MR. TIGAR: Your Honor, could we have this covered while I'm cross-examining? I think it --

THE COURT: Yes.

MS. WILKINSON: Sure.

MR. TIGAR: I'm not real interesting at the best of times, your Honor; but with that distraction --

THE COURT: All right. Just cover it up.

(Jury in at 10:46 a.m.)

THE COURT: Let's get the witness.

If you'll resume the stand, please, Mrs. Hunt.

Mr. Tigar, you may inquire.

MR. TIGAR: Thank you, your Honor.

#### CROSS-EXAMINATION

BY MR. TIGAR:

Q. Good morning, ma'am.

A. Good morning.

Q. My name is Michael Tigar, and I'm one of the lawyers that's been appointed to help Terry Nichols.

A. Uh-huh.

Q. And I wonder if you could just answer for me a few questions about what you saw from the time the bomb went off until the time that you all had to move down the street because of that second bomb scare.

A. Uh-huh.

Q. That period of time. About -- do you remember about what time it was that that second, you know -- the bomb scare happened?

A. I have no idea.

Q. Okay. But whenever it was, the officers told you to move off from the area where you were, and you did have to leave the area of the Murrah Building; is that right?

A. Yes.

Q. Okay. So I'm going to put up on here what's been received

#### Susan Hunt - Cross

in evidence as Government's Exhibit 949A. It's a chart of the map of the area there. And do you recognize that?

A. Yes, I do.

Q. Okay. Let me zoom in a little.

When you told us -- you left the building by what's called the plaza area on this map; is that right?

A. Yes.

Q. And then did you move across and go north on Harvey Avenue?

A. No.

Q. Okay. How did you go -- well --

A. When?

Q. I'm sorry. When you first came out of the building. You told us --

A. Oh, yes.

Q. Okay?

A. That's true.

Q. Did there come a time when you got to this parking lot that's on N.W. 5th Street here?

A. Yes.

Q. And would you remind me, please, how it was that you walked around there?

A. I was about right here, and I went down the stairwell and this way.

Q. I see. So you went up Robinson Avenue to get to it?

A. Yes, sir.

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Q. All right. Thank you. And I know that -- I guess those details will never leave your mind, will they?

A. No.

Q. I'm going to put up now what's been received in evidence as Government's Exhibit 1004. You saw that during your direct examination.

And this is the plaza area; is that right?

A. Yes, sir.

Q. So you would have gone out towards the lower right of that picture. Is that right? Looking at that?

A. Actually, I came around this way.

Q. I see. All right. Down right at the bottom where those steps are; is that right?

A. We were standing in this area.

Q. Okay. And that picture was taken, was it not, shortly after the bomb exploded; correct?

A. By the debris, it appears so.

Q. Right. Because you notice that the flag is at full staff; correct?

A. Yes.

Q. And you can see a shadow, and the shadow from the flagpole is in a westerly direction, as though the sun were to the east. Is that --

A. Yes.

Q. Okay. Now I'd like to show you 954, which has been

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received in evidence. That's another picture.

Now, do you know when this picture was taken?

A. I have no idea.

Q. Now, if we can look for some clues here on the picture, if you could help me, it appears that the flag on the flagpole is

at half staff. Can you see that?

A. I can't see it.

Q. All right. It does appear that there are construction vehicles around here in this area in the parking lot and a Quonset hut, and so on. You see that on Robinson there?

A. Yes.

Q. Now, that Quonset hut -- and so that would have been set up after the bomb; right? That wasn't -- well, I -- I got ahead of myself. That wasn't usually on Robinson Street before the bombing, was it, the Quonset hut?

A. No.

Q. Okay. Finally, I'd like you to look at this picture, which is 964. It's been received in evidence. And you described that as the scene that you had witnessed, or something like it, in that parking lot across the street from the Murrah Building. Correct?

A. Right.

Q. And when you got there, did you -- had the firefighters already arrived when you came around the corner?

A. There was a firefighter.

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Q. Okay. And had they laid their hoses out?

A. I don't remember.

Q. Okay.

A. I'm sorry.

Q. Please, I'm -- I'm not here to quarrel with you. You understand how important this is because you were -- you were on the scene.

A. Sure.

Q. And we need to get as much detail as we can. Okay.

Would you look at the picture and see at the bottom there if you can tell if that is a fire hose stretched out there, if that refreshes your recollection as to what you saw by that firefighter?

A. It looks like it could be.

Q. Okay. Now, as you saw the firefighters there, were they attacking those car fires with anything other than their water out of their fire hoses? Did you see them using other kinds of equipment, and so on?

A. No. My focus was on finding my people.

Q. I understand. I understand. And the problem of trying to find your people was made more difficult by all of this smoke that was going on from all of these fires. Is that fair to say?

A. Yes.

Q. Did you happen to -- did you notice the crater, the big

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hole that was in the front of the Murrah Building?

A. I didn't -- I didn't.

Q. You didn't see it? You didn't see it?

Q. You didn't pay -- I understand.

A. I was probably in shock like everybody else.

Q. I understand. I understand.

A. I didn't.

MR. TIGAR: All right. Well, I want to thank you very much for sharing these details with us. I thank you very much.

I don't have any further questions of the witness, your Honor.

THE COURT: Ms. Wilkinson, any follow-up?

MS. WILKINSON: None, and she's dismissed, your Honor.

MR. TIGAR: Of course, your Honor, the witness may be excused.

THE COURT: You may step down. You are now excused. Next, please.

MR. MACKEY: The United States will call James Elliott. Ms. Wilkinson will question.

THE COURT: All right.

THE COURTROOM DEPUTY: Raise your right hand.

(James Elliott affirmed.)

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

THE WITNESS: Thank you.

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

THE WITNESS: James F. Elliott, E-L-L-I-O-T-T.

THE COURT: Proceed, yes.

MS. WILKINSON: Thank you, your Honor.

DIRECT EXAMINATION

BY MS. WILKINSON:

Q. Mr. Elliott, where were you employed until very recently?

A. Federal Bureau of Investigation.

Q. Did you just retire?

A. Yes, ma'am.

Q. When did you retire?

A. August 1.

Q. And how many years did you work for the FBI?

A. 32 years.

Q. What was your job at the FBI?

A. I was a special agent.

Q. And can you tell us where you were born?

A. McAlester, Oklahoma.

Q. Have you lived there most of your life?

A. A portion.

Q. And where were you stationed with the FBI before you retired?

A. McAlester, Oklahoma.

Q. And did there come a time when you were assigned to the Task Force investigating the Oklahoma City bombing?

A. Yes, ma'am.

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Q. When did you get assigned to the Task Force?

A. I was assigned to the Task Force actually from April 19, 1995. but on a full-time basis from August, 1995.

1995, was on a full time basis from August, 1995.

Q. Okay. Now, you told us at that time you were assigned to McAlester; is that right?

A. Yes, ma'am.

Q. What type of office is -- does the FBI have in McAlester, Oklahoma?

A. We have a resident agency.

Q. What is a resident agency?

A. A resident agency is essentially a sub office from a headquarters office, in this case Oklahoma City, which -- and from the resident agency, we handle violations assigned to the FBI in a specific geographical area.

Q. Does that mean you handle all types of investigations conducted by the FBI?

A. Yes, ma'am.

Q. What type of investigations have you worked on during your career?

A. During my career, I've worked reactive crimes such as auto theft, bank robbery, white-collar crime, drugs, civil rights.

Q. When you worked on stolen car cases and those type of cases, did you become familiar with vehicles and vehicle identification numbers?

A. Yes, ma'am.

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Q. During your career with the FBI, were you ever assigned to the Oklahoma City office?

A. Yes, ma'am.

Q. When was that?

A. From July, 1966, to I think November of 1977.

Q. Were there other times during your career when you worked or did investigations in the Oklahoma City area?

A. Yes, ma'am. From -- from 1966 to 1977 and then from 19 -- November of 1977 till March of 1978, I was assigned to the Enid, Oklahoma, resident agency; and the seat of the courts is Oklahoma City.

Q. During your tenure as an FBI agent, did you become familiar with the downtown Oklahoma City area?

A. Yes, ma'am.

Q. Now, when you were with the FBI, did you have any specialized responsibilities?

A. Yes, ma'am. I was part of the Evidence Response Team.

Q. What is an evidence response team?

A. Evidence Response Team is a group which goes to major crime scenes, collects evidence.

Q. And did you have any type of special training?

A. Yes, ma'am. There is an 80-hour course.

Q. Had you completed that prior to the bombing?

A. Approximately six weeks prior.

Q. Now, turning your attention to April 19, 1995, where were

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you that morning?

A. I was in my office in McAlester, Oklahoma.

Q. And what did you do when you heard about the bombing?

A. I initially tried to call the Oklahoma City office but could not get through. I then went downstairs to my car, turned on the car radio, and determined there had been an explosion of undetermined origin at that point at the federal building in Oklahoma City.

I assumed that the Evidence Response Team would be called; so I went to my residence, got my clothing, went back to my office, picked up crime-scene kit and cameras; and at that point there was a message on my answering machine to respond to Oklahoma City.

Q. What type of clothing did you go get when you went home?

A. Utility clothing, military-type battle-dress uniform.

Q. What type of shoes?

A. Boots.

Q. And what type of equipment did you pick up from your office?

A. I picked up crime-scene equipment, fingerprinting-type equipment, containers for evidence collection, tools to remove evidence.

Q. Were all --

A. And my camera.

Q. Excuse me. Were all of these items new?

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A. Yes, they were.

Q. They had never been used before?

A. Never have.

Q. Were your boots clean?

A. Boots were clean, yes.

Q. Did you leave immediately thereafter?

A. Yes. I left, I would estimate, at about 10:15 to 10:30.

Q. Approximately what time did you arrive in downtown Oklahoma City?

A. Arrived in downtown Oklahoma City somewhere between 12:30 and 12:45.

Q. What did you see when you arrived?

A. I saw a great deal of devastation.

Q. Did you notice what was on the streets?

A. It was debris. Yes. That was --

Q. What type of debris?

A. Well, there was a great deal of debris. Building debris. Rock, metal.

Q. Did you see any glass?

A. Oh, yes.

Q. Now, where did you go when you got to the downtown area?

A. I reported to our mobile command center, which was located at 8th and Harvey, I believe.

Q. What is a mobile command center?

A. A mobile command center is a motor home which has telephone

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lines and radio equipment installed.

Q. What was the purpose of that mobile command center at that time?

A. Well, to maintain contact with the agents who were responding to the scene.

Q. Did you have any difficulty in getting access to the command post?

A. I went through several checkpoints.

Q. Now, once you arrived at the crime scene on April 19, 1995, did you stay in Oklahoma City over the next few weeks?

A. Yes, ma'am.

Q. What were your general duties and responsibilities?

A. I was assigned after the first day or actually on the first day to assist in the coordination of the collection of the physical evidence.

Q. And what did you do in that capacity? What did you do on a day-to-day basis?

A. On a day-to-day basis, I would report to our evidence collection center, assist in the -- in categorizing and storing evidence. I was also assigned as liaison with the property room of the Oklahoma City Police Department as well as the on-scene rescue command post for the fire department.

Q. Now, what is an Evidence Control Center?

A. Evidence Control Center is a point where we enter the evidence as it is brought to us, after it is collected, place

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it -- categorize it and store it.

Q. Is it a secure location?

A. It is very secure.

Q. Tell us how.

A. The building was alarmed. During working hours, there were six to seven people there. At night it was -- the alarm was set, and the Oklahoma City Police Department maintained heightened surveillance on that area.

Q. Now, as part of your responsibilities of managing the Evidence Control Center, did you have an opportunity to walk through the crime scene?

A. Yes, ma'am. Daily.

Q. And during that time, did you become familiar with the streets and buildings and the damage that had occurred due to the bombing?

A. Yes, ma'am.

Q. Did you observe the damage to the Murrah Building?

A. Yes, I did.

Q. Did you observe the damage to the surrounding buildings?

A. Yes, ma'am.

Q. How large was the area damaged by the explosion on April 19?

A. I would estimate about 16 blocks.

Q. Did you walk all of those blocks?

A. Not all of them.



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Q. Was evidence recovered from virtually all those blocks?

A. Yes, ma'am.

Q. Now, during the course of this investigation, did you and others create a model of the downtown Oklahoma City area?

A. Yes.

Q. How was that model created?

A. The model was created by individuals from our headquarters in Washington, D.C., Special Projects Unit, who came to Oklahoma City after the bombing -- I think the day after -- made exact measurements of downtown Oklahoma City and of the building and created -- buildings, rather -- and created a model from scale -- or to scale.

Q. Have you examined the model that was constructed prior to coming to court today?

A. Yes, I have.

Q. Is it a fair and accurate representation of downtown Oklahoma City shortly after the bombing?

A. Yes, it is.

MS. WILKINSON: Your Honor, we would move for the admission of Government's Exhibit 642 as a demonstrative exhibit.

MR. WOODS: There is no objection, your Honor.

THE COURT: All right. 642 is received as a demonstrative exhibit.

Members of the jury, that means to illustrate

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testimony, as opposed to being an exhibit which in itself is evidence.

MS. WILKINSON: Your Honor, may the witness step down so he can point out the model to the jury?

THE COURT: Yes, he may.

You may need a microphone there.

MS. WILKINSON: Mr. Elliott, do you need a microphone, or can you keep your voice up?

THE WITNESS: I'll try to talk loudly.

THE COURT: It may be that members of the jury in the back row or next have trouble seeing that. If you want to stand up, you can feel free to do that.

MS. WILKINSON: Let me hand you a pointer.

MR. WOODS: Your Honor, may I stand over here?

THE COURT: You may. Sure.

BY MS. WILKINSON:

Q. If you can tell the members of the jury starting with the legend what this model depicts.

A. This model depicts downtown Oklahoma City from approximately the Santa Fe tracks, which would be at the east side of Oklahoma City, to Hudson Avenue on the west. The Murrah Building is located in the middle. Its direction is north, east, west, and south.

There are dots on the model. These dots demonstrate

positions where pieces of truck, which are yellow -- I'm

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sorry -- yes, truck, which is yellow. Green are parts of the box, the rear of the truck. Blue are plastic, and there is a purple dot which depicts a sign across from the Murrah Building.

Q. When you say blue for plastic, are you talking about plastic fragments that were recovered at the crime scene?

A. Plastic fragments, yes.

Q. Let's start by orienting the jury.

A. This is N.W. 5th Street, which is one way to the east.

This is Robinson, which is one-way south.

Harvey, which is one-way north.

Broadway is a two-way street.

Q. Let's start down here.

A. All right.

Q. This building is what building?

A. This is the Regency Tower, which is a high-rise apartment -- is and was a high-rise apartment building.

Q. Now, the jury heard testimony from Mr. Nichols who was here. Can you show the jury how far the Regency Towers is from the Murrah Building?

A. The Regency Tower is here. The Murrah Building is here.

Q. And if you were traveling from the Regency Tower to the Murrah Building and you were following the traffic pattern, which way would you go?

A. You would be traveling this direction, on a one-way street.

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Q. This shows the Murrah Building intact. Is that right?

A. That's correct.

Q. And back here?

A. Is a courtyard area, which is actually the front of the building.

Q. Let me remove this portion.

Does this depict the damage to the building and the crater after the bombing at 9:02 on April 19, 1995?

A. Yes, it does.

Q. And can you describe briefly for the jury what it depicts?

A. All right. It depicts -- if I may swing around here, please.

Q. Sure.

A. It depicts the crater where the explosion occurred. The collapsed part of the building collapsed back to this what would actually be the front wall.

Q. Why don't I lift this up and then you can --

A. And then this whole area here collapsed into rubble probably this high.

Q. Now, what about this yellow hole?

A. This yellow hole is a crater where the main force of the explosion dug into the sand and concrete underneath.

Q. Mr. Elliott, what's across the street from the Murrah Building?

A. Across the street was a parking lot. Directly behind this

James Elliott - Direct

parking lot is the Journal Record Building. Yes. The roof from the Journal Record Building was taken off and laid down in that parking lot.

Q. Caused by the explosion?

A. Caused by the explosion.

Q. What is this building right here?

A. This is the Athenia Building; and the Athenia Building also sustained considerable damage, depicted by this portion of the building being destroyed.

Q. What's next to the Athenian Building?

A. Next to the Athenia Building is the Water Resources building, which also sustained a great deal of damage that's not depicted here.

Q. When this model was constructed, were only these three buildings, the federal building, the Athenian Building and the Journal Record Building, depicted for damage?

A. That's correct.

Q. As we go along, could you explain if other buildings had some damage?

A. Yes.

Q. We started with the Water Resources building.

A. Well, the Journal Record Building had extensive glass breakage on this side.

The Water Resources building had pitting and debris -- shrapnel holes in the front of it as well as structural damage

James Elliott - Direct

inside.

Across from it is the U.S. Post Office, which sustained a good deal of structural damage to the roof; however it was still -- was used later as a rescue center.

Q. How about across 5th Street?

A. Across 5th Street was Saint Joseph's Rectory, which sustained extensive structural damage and was later destroyed, torn down.

Then we have the Regency Tower -- excuse me -- the Firestone building, all of which sustained glass damage and blast damage.

A garage behind the Regency Tower sustained blast damage, structural damage, as did this Law Office Building which was later torn down.

Q. All right. Let's go back across Robinson and over there --

A. Across Robinson is the Kirkpatrick Hotel, which sustained a lot of shrapnel damage as well as glass breakage and structural damage inside the building. A series of stores along here suffered considerable amount of structural damage.

Q. When you say "along here," could you tell us --

A. Yes. The corner. It actually fronts on 6th Street and is

A. Yes, I'm sorry. It actually fronts on 6th Street and is directly behind the YMCA.

Office furnishings building which also sustained some damage. This was an old -- I think at the time of the blast it was empty, but it was an old car dealership which sustained

James Elliott - Direct

glass and some structural damage.

Q. And you're talking about a building that's on the alley?

A. It's on the alley.

Q. And 5th Street?

A. And the corner 5th and Broadway.

Q. What about Bentley Carpets?

A. Bentley Carpets sustained damage from shrapnel going through the front of the building as well as some pockmarking on the brick on the side. It's located on Broadway just south of 5th Street.

Q. I think we didn't describe the YMCA.

A. We did not describe the YMCA. The YMCA suffered extensive structural and glass damage. There was debris along the -- both the south side and the west side. I didn't go in the interior, so I can't tell you what damage there appeared in the interior; but from the outside, it appeared that there was a good deal of damage inside.

Q. You can take your seat.

You told us, Mr. Elliott, that you arrived at the command post sometime midday on April 19. Is that correct?

A. That's correct.

Q. What happened when you got there?

A. I reported to the command post and asked them if they had any assignment for me. They told me to stand by.

Q. And did you get an assignment?

James Elliott - Direct

A. Not long after that, I -- within minutes -- I encountered FBI Agent Jim Norman, who gave me a number that he had taken from a piece of debris and asked if I could identify this number.

Q. Did he tell you the number, or did he write it down for you?

A. He gave it to me and I wrote it down.

Q. What was the number that he initial --

A. He gave me 6.4PVA26077.

Q. Now, based on your training and experience, did you know what that number indicated?

A. It indicated to me that -- the PVA26077 indicated to me it was a confidential vehicle identification number.

Q. What did you do when you got that number from Agent Norman?

A. I called the National Crime Insurance Bureau in Dallas, Texas, gave them that number so that it could be traced.

Q. You said you gave it to --

A. An employee there at the National Crime Insurance Bureau in Dallas, Texas.

-----, -----  
Q. And what is the National Crime Insurance Bureau?

A. The National Crime Insurance Bureau is an agency funded, to my knowledge, principally by insurance companies, which maintains records of all automobiles manufactured and sold within the United States.

Q. Now, you gave them a series of numbers and letters that

James Elliott - Direct

were eight characters? Is that right?

A. That's correct.

Q. You believe that to be the confidential VIN number?

A. Appeared to be a confidential vehicle identification number to me, yes.

Q. What is a confidential vehicle identification number?

A. Confidential Vehicle -- CVIN is an easier way to say it. It's a number which is stamped at various places on hard parts of a vehicle as it's being manufactured and is essentially hidden from public view, so that should the vehicle be stolen and the public vehicle identification number changed, the vehicle can be traced.

Q. What is a public vehicle identification number?

A. The public vehicle identification number is a 17-digit number which is displayed on most vehicles -- well, it's displayed on all vehicles on the dashboard and on most vehicles also on the driver's side post.

Q. Is a public VIN unique to each car or truck manufactured in the United States?

A. Yes, it is.

Q. And is the confidential VIN also unique to each car or truck manufactured in the United States?

A. Yes, it is.

Q. Does the confidential VIN relate in any way to the VIN?

A. The confidential vehicle identification number are the last

James Elliott - Direct

eight characters of the public vehicle identification number.

Q. Does that include the sequential numbers as the vehicle comes off the assembly line?

A. In this case, the last five numbers are the sequential production numbers.

Q. Is it common practice in your investigations to use a confidential vehicle identification number to determine the public vehicle identification number of a car or truck?

A. It's very common.

Q. Now, once you called into the National Insurance Crime Bureau, what did you do?

A. I then went down to the place where Mr. Norman had told me he had seen this truck part, because the 6.4 didn't make sense to me. I did not believe it was part of the confidential vehicle identification number, and I wanted to verify the number.

Q. Where did you go to look for this truck part?

A. I went directly in front of the Regency Tower Apartments.  
Q. What did you see when you got there?  
A. I saw a rear axle -- what appeared to me to be a rear-axle housing lying in the street next to a red Ford Festiva.  
Q. Okay. Let me show you Government's Exhibit 631, which I believe has been previously moved into evidence.  
A. Yes, ma'am.  
Q. Do you recognize that photograph?

James Elliott - Direct

A. Yes, I do.  
Q. What did you see when you came down to the Regency Tower and if you --  
A. I actually approached the Regency Tower from the direction this photograph shows from the east. And this photograph is to the west, but I saw this rear-axle housing in the 5th Street next to this red Ford Festiva.  
Q. And did you cause someone to take photographs, close-up photographs of this rear-axle housing?  
A. I didn't actually cause it, but it was done, yes.  
Q. And have you reviewed those photographs --  
A. Yes, I have.  
Q. -- prior to coming to court today?  
Let me show you what's been marked as Government's Exhibit 635.  
A. Yes.  
Q. Do you recognize that?  
A. Yes.  
Q. Is that a closeup --  
A. That is a close-up photograph of the rear-axle housing that I saw on April 19.  
MS. WILKINSON: Your Honor, we move for the admission of 635.  
MR. WOODS: No objection.  
THE COURT: Received. 635 may be shown.

James Elliott - Direct

BY MS. WILKINSON:  
Q. Tell the jury what they're seeing from this angle.  
A. From this angle, they're seeing the -- there is a dot down here. They're seeing the Ford -- or the rear-axle housing and a portion of the bumper of the Ford Festiva.  
MS. WILKINSON: Your Honor, this other television, we turned off during the break to move it. It's not on again. I wonder if I can just go on up and turn it on.  
THE COURT: Sure.  
MS. WILKINSON: If I can do it.  
Thank you.  
BY MS. WILKINSON:  
Q. Now, can you just use your pen, and see that little bump there in the middle on the rear-axle housing?  
A. Right here?

Q. Yes. What is that?

A. This is the area -- well, that's a little low.

This is the area where the confidential vehicle identification number would be located.

Q. Okay. Let me show you Government's Exhibit 636.

A. Whoops. Okay.

Q. You recognize that?

A. Yes.

Q. And what is that?

A. Well, that is the confidential vehicle indication number.

James Elliott - Direct

It is upside down.

Q. Okay. But that's a closeup of that number?

A. That is a closeup of the confidential VIN located on that rear-axle housing.

Q. And is that what you saw on April 19, 1995?

A. That's exactly what I saw as I saw it.

MS. WILKINSON: We'd move for the admission of Government's 636.

MR. WOODS: No objection, your Honor.

THE COURT: Received.

BY MS. WILKINSON:

Q. Mr. Elliott, with your pen can you try and circle for the jury the number that you saw that day.

A. Here we go. Okay.

Q. Now, do you see the other number that Agent Norman gave you?

A. I -- really, I don't on here.

Q. Did you see it that day?

A. I saw it that day, yes.

Q. Okay. Now, what did you do once you saw this confidential VIN number on the rear-axle housing?

A. As soon as I saw that, I received a radio message that I had a telephone call awaiting at the command post. I returned to the command post and talked -- well, actually, called back that number, which was the National Crime Insurance Bureau in

James Elliott - Direct

Dallas.

Q. Was the rear-axle housing that you saw that day taken into custody by the FBI?

A. Yes. It was under guard.

Q. And have you reviewed that item before coming to court today?

A. Yes.

MS. WILKINSON: Your Honor, may I move the exhibit so Mr. Elliott can examine it?

THE COURT: All right.

BY MS. WILKINSON:

Q. Mr. Elliott, could you step down, please.

A. Yes, ma'am.

Q. Now, is the rear-axle housing that you saw that day on

Q. Now, is the rear axle housing that you saw that day on April 19, 1995, in front of the Regency Tower underneath this cover?

A. Yes, it is.

MS. WILKINSON: Your Honor, we'd move into admission Government's Exhibit 630.

MR. WOODS: No objection, your Honor.

THE COURT: 630 is received. Display it.

BY MS. WILKINSON:

Q. Mr. Elliott, is this the rear-axle housing you saw that day?

A. Yes, it is.

James Elliott - Direct

Q. Now, show the jury where the confidential VIN number is.

A. Confidential VIN number is right here, PVA26077.

To the left is a number 6.4. I don't know the significance of 6.4.

Q. But it's not part --

A. It is not part of -- absolutely not part of the confidential VIN.

Q. Okay. Now, can you describe to us what you saw that day in terms of the condition of this rear-axle housing?

A. Well, it's exactly as it's shown here. It's ripped through this housing here. The axle portion is severely twisted in this direction. I don't know whether that's front or back, frankly.

The other axle or wheel area is right here, and you can see the bolts where the wheel would be attached.

Q. What about this piece of metal that's bent back this way?

A. That's a piece of the axle housing which is severely twisted back toward the wheel.

Q. Go ahead and point that out.

A. Okay. This is the -- a piece of the -- of the axle housing which is -- force of explosion, I would assume -- was forced back toward the wheel.

Q. And was this the same condition it was in when you saw it on April 19?

A. Exactly.

James Elliott - Direct

Q. Now, can you just show the jury on the model where you saw Government's Exhibit 630.

A. Yes. It was located right here where this yellow dot --

Q. I'll move this back out of the way.

Go ahead.

A. Okay. Right here where the yellow dot is located in front of the Regency Towers Apartments.

Q. Okay. You can take your seat, Mr. Elliott.

Mr. Elliott, did you calculate approximately how heavy Government's Exhibit 630 is, the rear-axle housing?

A. I believe it's around 250 pounds.

Q. And how far did it travel that day from the Murrah Building



to get to the Regency Tower?

A. 575 feet.

Q. Now, once you found out that you had a phone call and you had seen the rear-axle housing, what did you do?

A. I returned to the command post and called the National Crime Insurance Bureau office in Dallas.

Q. Did they give you information about the identification of the truck from which this rear-axle housing had come?

A. Yes, they did.

Q. What did you learn?

A. I learned the true vehicle identification number of the vehicle; that it was registered to Ryder Rental, Incorporated, in Miami, Florida, and was a current rental.

James Elliott - Direct

Q. Did they give you the public vehicle identification number?

A. Yes. Public number was F --

Q. Why don't we do it this way. Did they give you the entire number?

A. Yes, they did.

Q. Did you turn it over to people in the command post?

A. Yes, I did.

Q. And did they use that to contact Ford and Ryder?

A. Yes, they did.

Q. Okay. What else did you learn about the vehicle?

A. I learned that it had a gross vehicle weight of 19 to 26,000 pounds.

Q. What did you do with all of that information once you received it?

A. I furnished it to the duty agent at the command post, who in my presence called and gave that information to FBI headquarters.

Q. Did you assume your other duties at that time?

A. Actually, at that point I had not been assigned any other duties. I then went -- went outside to wait further instructions and was assigned later in the day to work in the Evidence Control Center.

Q. Did you go down to the location of the Evidence Control Center?

A. Yes, I did, in the afternoon.

James Elliott - Direct

Q. Where was it located?

A. Located between Classen and Western on 4th Street.

Q. How far was this from the Murrah Building?

A. It's approximately eight blocks.

Q. What did you do after you went down to the Evidence Control Center?

A. We started setting up computers, cleaned the floors, moved some -- it was a facility that the FBI already owned or rented, area, cleared out some evidence that had been there so we would have room to store as evidence came in and set up bins, as they

were, on the floor so we could separate evidence.

Q. To your knowledge, had any ammonium nitrate ever been stored in that area before then?

A. Not to my knowledge.

Q. And did you have segregated storage areas within that facility?

A. They were segregated -- there were three different rooms that we used. They were segregated to the extent in each room that we essentially took masking tape or duct tape, actually, on the floor and made bins so that we could trace where we stored things.

Q. Did you control access to the Evidence Control Center?

A. It was strictly controlled.

Q. How did you control that?

A. Only a limited number of people -- well, to the Evidence

James Elliott - Direct

Control Center itself?

Q. Yes, sir.

A. Yes, to an extent. People would bring evidence in, and we would allow them in a large common area; but no one but the people employed in the Evidence Control Center were allowed in the facility -- the places where we stored the evidence -- unless they signed in and had specific good reason to be there.

Q. So they could come to turn in evidence, but they couldn't gain access to the actual evidence unless they had some specific purpose for doing that. Is that right?

A. Exactly.

Q. And you kept track of the people who had access to that center?

A. Absolutely.

Q. All right. Did you --

A. Well, actually, we kept a record of everyone who came into the Evidence Control Center.

Q. And then further sign-in sheets?

A. And then further sign-in sheets in each room.

Q. Did you go back to the crime scene that afternoon or evening?

A. Yes, I did. Around 6:30, I went back to the crime scene to determine what, if any, evidence would be brought to us that evening.

Q. And what did you find when you got back there?

James Elliott - Direct

A. I found they were clearing the area in front of the street, actually, in front of the Murrah Building from about Hudson to Broadway and along Robinson.

Q. What did you see? What did you see?

A. I saw agents picking up evidence.

Q. And did you --

A. Collecting evidence.

Q. Did you collect evidence that --

A. Yes, I did.

A. Yes, I did.

Q. From whom?

A. I saw two Oklahoma County auxiliary sheriffs at the corner of the Athenia Building looking at a piece of twisted metal. I stopped and examined that metal and saw that it contained what appeared to be a Florida license tag. I seized it as evidence and placed it in evidence in the Evidence Control Center.

Q. So you don't have to step down, let me point: This is the Athenian Building. Is that right?

A. Yes.

Q. Right here in front of the Murrah Building?

A. In front of the Murrah.

Q. Is this where you --

A. I can't actually see, but I assume -- it's the corner of it.

Q. Right in front of that building?

A. Well, the southeast corner of the building.

James Elliott - Direct

Q. Okay. Now, I'm going to show you Government's Exhibit 637A. Have you seen this before?

A. Yes, ma'am.

Q. How do you recognize it?

A. I recognize it from the twisted nature of the piece of metal, a piece that I collected on April 19, 1995, in which the Florida license was entrapped.

Q. Okay. There should be an envelope up there which should have Government's Exhibit 637, a license plate. Do you see that?

A. Yes.

Q. When you found 637A, the piece in your hand, was the license plate attached to it in some way?

A. It was trapped inside the twisted metal, yes.

MS. WILKINSON: Okay. Your Honor, we'd move for the admission of Government's Exhibit 637 and 637A.

MR. WOODS: No objection.

THE COURT: They are received.

BY MS. WILKINSON:

Q. You can set that back down, Mr. Elliott, if you want to put it on the cover there.

You told us that when you first found those two pieces, the license plate was trapped inside of the bumper; is that right?

A. Yes, ma'am.

James Elliott - Direct

Q. Is there a picture depicting that?

A. Yes, there is.

Q. Take a look at your screen, Government's Exhibit 638. Do you recognize that?

A. Yes, I do.

Q. Is that a photograph of the license plate trapped in the bumper as you've just described?

A. Yes, it is.

MS. WILKINSON: Your Honor, we'd move for the admission of 638.

MR. WOODS: No objection.

THE COURT: 638 is received.

BY MS. WILKINSON:

Q. Mr. Elliott, tell the jury what they're seeing.

A. What they see is the piece that we just looked at. In it is a portion, the only readable portion, of what appeared to be a Florida license tag. You can see what appears to be a 26R.

Q. At a certain point, did you want to extract the license plate so you could read the entire thing?

A. Yes.

Q. Did you do that?

A. We did that.

Q. Did you cause a photograph to be taken of that?

A. Yes, ma'am.

Q. Let me show you Government's Exhibit 639.

James Elliott - Direct

MS. WILKINSON: Computer just went off.

THE COURTROOM DEPUTY: It did?

639 is not admitted.

MS. WILKINSON: I'm sorry.

BY MS. WILKINSON:

Q. Mr. Elliott, do you recognize that photograph as the one you just described?

A. Yes, I do.

MS. WILKINSON: Move for the admission of 639.

MR. WOODS: No objection.

THE COURT: Received. May be shown.

BY MS. WILKINSON:

Q. Mr. Elliott, were you able to determine the full license plate number from this license in this photograph?

A. Yes. It is NEE26R.

Q. What else is depicted in this photograph?

A. It's a Florida license which expires in December of 1995.

Q. Now, you were in Oklahoma City for all of April 19; is that right?

A. Yes, ma'am.

Q. Do you recall it raining that evening?

A. Yes.

Q. And how hard did it rain?

A. Well, it rained several times. It started raining at around 4 and rained moderately, and then later -- and I can't

James Elliott - Direct

recall what time -- it rained very hard.

MS. WILKINSON: No further questions, your Honor.

THE COURT: Mr. Woods?

MR. WOODS: Yes, your Honor, thank you.

CROSS-EXAMINATION

BY MR. WOODS:

Q. Good morning, Mr. Elliott.

A. Good morning.

Q. My name is Ron Woods. I represent Terry Nichols.

A. Yes, sir.

Q. You and I are acquainted; right?

A. Yes, we are.

Q. Even though we both joined the FBI in '65, we never served with each other. Is that correct?

A. That's correct, sir.

Q. Okay. Did you help the Special Projects Unit build this, take the measurements?

A. I did not help them take the measurements, no, sir.

Q. Did you witness them take measurements to make sure it's to scale?

A. I saw them out making measurements when I was out doing work; but I did not assist them or -- nor was I with them when they did it.

Q. Okay. But to your understanding, it is to scale; is that correct?

James Elliott - Cross

A. Yes, that's correct.

Q. Okay. If you wouldn't mind just stepping down one minute.

Can you remove the Federal Building so the jury can see the parking lot.

A. Sure.

Q. And can you give us an estimation about what the size of that parking lot was?

A. Well, it's -- to this alley, it's a half a block in this direction. I would say it's closer to two-thirds of a block in this direction.

Q. Can you give us in feet?

A. Feet, I really can't.

Q. Okay. You got there about 12:30.

You can take your seat back.

You got to Oklahoma City about 12:30?

A. Yes.

Q. And you went down to the scene to the mobile command unit.

A. Correct.

Q. And where was that parked?

A. It was up at 8th and Harvey.

Q. Okay. Approximately what time was it when you got to the parking lot across from the building? You did walk the scene and go down near the building and the parking lot across the street?

A. Well, it was about 6:30.

James Elliott - Cross

Q. 6:30 that night?

A. Yes.

Q. Did you see it at all before 6:30 that night, the fires?

A. No. When I arrived there, there was no fire.

Q. Had the fire department already put out the fires of the automobiles that were in the parking lot?

A. I assume so, sir. They weren't burning when I was there.

Q. Okay. Had you -- in connection with your duties with the FBI, have you seen the photographs of all the cars that were on fire then?

A. Yes, sir, I have.

Q. When you first saw it at 6:30, how many cars were still there that you recall?

A. I don't know how many cars were there, but I know that all of the vehicles that were parked there at the time of the explosion were there because none had been moved.

Q. Okay. Later on, they were moved, were they not?

A. That's correct.

Q. Do you recall how they were moved? Were you present when they were moving them?

A. I was not actually present when they were moving most of them. I was again in and out of that area. They were taken to Robinson Street, where -- in my understanding -- and I didn't actually observe this. My understanding, they were examined at that point.

James Elliott - Cross

Q. Okay. Okay. But back to the scene that day, the time you got there at 6:30, all the fires were out, but the cars were still there?

A. Yes.

Q. Can you give the jury just a rough estimation of how many cars were there?

A. 30 to 40, I would guess.

Q. Okay. Do you know how the fire department put out those fires? Was it with a regular fire hose to a fire hydrant, or was it chemicals, or dirt, or do you know?

A. I have no knowledge of that.

Q. Okay. Did you go down and examine the area at that time at 6:30? You mentioned to the jury that you had gone out to the Evidence Control Center and got that set up and working and then came back to help in collection of the evidence. Did you focus your collection within that parking lot?

A. No. I wasn't in the parking lot. No.

Q. Where were you collecting evidence?

A. I actually -- I collected only one piece of evidence.

Q. Oh, just that bumper and license plate?

A. Yes. Yes. By happenstance, actually.

Q. I'm sorry. Okay.

Did you see the other agents that were searching that parking lot?

A. I don't recall anyone being in a parking lot at that time.

James Elliott - Cross

Q. Okay. And was it -- you said it started raining about 4 p.m.

A. Yes.

A. Yes.

Q. And at 6, when you got back there and found that bumper, was it raining pretty hard then?

A. I don't believe so. My recollection is it wasn't raining. It rained two or three different times during the day; and the best of my recollection, it was not raining at that time.

Q. Okay. What about the next day on the 20th? Was it raining during that day?

A. I can't recall. It rained several days during the period of collection. Whether it rained the 20th or not, I don't recall.

Q. Didn't a bunch of agents come in from Washington right after the bombing on the 19th and the 20th?

A. Yes.

Q. Do you recall that their plane was diverted because of the rainstorm there that night?

MS. WILKINSON: Objection, your Honor. This is not his personal knowledge.

THE COURT: All right. Sustained.

BY MR. WOODS:

Q. You told the jury that it rained on the 19th; is that correct?

A. That's correct.

James Elliott - Cross

Q. Do you know how long it rained, to what hour?

A. No, sir, I don't. It was into the night.

Q. How long were you on the scene there on the 19th?

A. I wasn't actually on the scene very long that evening, maybe 30 minutes at the most.

Q. That's that 6:30 period you're talking about?

A. Yes.

Q. Where did you go then?

A. I went to the Evidence Control Center.

Q. And you set up a control mechanism to take in the evidence that was being removed from the scene; is that correct?

A. Yes, sir.

Q. Okay. Now, that's just a big, old warehouse, isn't it?

A. Yes, it is.

Q. In fact, you and I have spent a lot of time in that warehouse?

A. Quite a lot.

Q. What was it used before -- used for before the FBI rented it?

A. I don't know that.

Q. Do you know when they rented it?

A. No, sir, I don't.

Q. Now, you told the jury that there was some evidence in there before you took it over --

A. That's correct.

James Elliott - Cross

Q. -- that day.  
A. That's correct.  
Q. Now, there were some automobiles in there, weren't there?  
A. Yes.  
Q. Do you remember how many?  
A. About -- three horse trailers and I think four automobiles.  
Q. Okay. Now, the horse trailers -- were those the big trailers that handle two horses at a time, or what size were they?  
A. One was a stock trailer -- actually two. One was a stock trailer, and one was I believe a four-horse trailer.  
Q. Where did you move those automobiles and the horse trailers?  
A. They stayed where they were.  
Q. Okay.  
A. On the opposite side of the building.  
Q. You just moved them or kept them segregated within that building?  
A. Yes.  
Q. Can you give the jury an idea about how big this building was, this warehouse where you're storing the evidence?  
A. I'm pretty poor at that, but 30,000 feet, something like that.  
Q. Okay. Did the Special Projects Unit make a model of that building for us?

James Elliott - Cross

A. No, they did not.  
Q. Okay. Now, what else was in there besides your automobiles and the horse trailers? What other evidence did you have in there on the 19th, when you took it over?  
A. There were some purses that were knock-off-type purses.  
Q. Trademark violation?  
A. Trademark violations, yes.  
Q. So you had those gathered up somewhere?  
A. Yes.  
Q. All right.  
A. And I believe there were some slot machines and some gambling machines of some sort and then some other miscellaneous items.  
Q. All right. Now, you told the jury that you swept the place out?  
A. Yes.  
Q. It was pretty dirty, wasn't it?  
A. Yes.  
Q. Did you use any cleaning equipment to clean that floor or try to disinfect --  
A. No.  
Q. -- the place? Or lay down a new covering or anything in the warehouse to put all this evidence on?  
A. No, sir.  
Q. Okay. In fact, sweeping it didn't get everything out, did



James Elliott - Cross

it?

A. Still pretty dirty.

Q. Yes, sir. Now, what kind of doors did you have opening up into that warehouse?

A. From the outside?

Q. Yes, sir.

A. It was an overhead-type garage door in the front, or two of them, one which was barred and did not open. And there was a -- just a regular door, 6-foot door, 8-foot door.

Q. Now, that big door that lets cars drive in: That remained opened when you were there during the day if the weather permitted?

A. When it got warm, yes, sir.

Q. And the 4th Street -- was that 4th or Classen that ran right by the door?

A. 4th Street.

Q. 4th Street. Okay. So anything from the street could blow in while that door is open; is that correct?

A. Possible.

Q. You recall how many times -- did you have to sweep out every day when you began the day down there?

A. No.

Q. Okay.

A. Not really.

Q. Did you ever sweep again after that first time?

James Elliott - Cross

A. Yes. Yes.

Q. Can you give us an idea how many times you had to sweep out while the evidence was there before it was sent to the lab in Washington?

A. Three, four times at the most.

Q. But never did anything further as to cleaning the area?

A. No.

Q. Okay. Now, you told the jury that you put this evidence in bins. "Bins" to you means you designate an area on the concrete floor and you separated it out with duct tape. Is that correct?

A. That's correct.

Q. So whatever evidence they brought in, you just put on the floor within the parameters of duct tape.

A. That's correct.

Q. Okay. There was a lot of stuff being brought in, wasn't there?

A. Yes, sir.

Q. In fact, didn't you at one time make an estimation about how many thousands of pounds of evidence came in?

A. Approximately 7,000.

Q. Okay. Now, can you give the jury an idea of what kind of evidence was being brought in to you there at the Evidence Control Center?

A. It was principally truck parts, pieces of twisted metal,

James Elliott - Cross

plastic. Essentially, that's it.

Q. Didn't you recover the -- the agents recover a lot of the pieces of the box from the Ryder truck?

A. Not a great --

Q. By pieces, I mean -- well, can you give the jury, based on what you saw of the evidence that was recovered -- can you give the jury an idea of what that box was made of that sits behind the cab of a Ryder truck?

A. Well, it's a fiberglass and appears to me to be some sort of pressed -- like pressed wood.

Q. Okay. Didn't you all bring a truck to the scene to make a comparison?

A. Yes, sir.

Q. Did you look inside of the Ryder truck that was the same size for comparison purposes?

A. To my knowledge.

Q. Was the floorboard wooden, or was it a metal -- by floorboard, I mean inside the box.

A. I don't know that I ever looked in there, sir.

Q. You didn't look in the Ryder that they brought to the scene to show the agents what they may be looking for?

A. The Ryder they took to the scene?

Q. Right. Didn't ATF bring a Ryder truck with mock bomb inside of it?

A. I didn't see it.

James Elliott - Cross

Q. You didn't see that?

A. No.

Q. Okay. Well, did you ever look inside of a Ryder truck to see how it was constructed inside?

A. Yes.

Q. Do you remember what the floorboard was?

A. I think it's wood, but I wouldn't be absolutely certain of that.

Q. Okay. And then the walls, the interior walls of a Ryder truck: What they were made of?

A. I think it's a part of that whole pressed piece of wood that has a Tevlar (phonetic) exterior and then pressed wood inside.

Q. Didn't the agents bring to you just sacks, garbage sacks full of wood splinters in boxes?

A. Yes, sir.

Q. And you all just had that spaced throughout that warehouse, didn't you?

A. There was -- it was most of it in one spot, but yes, sir.

Q. So you designated a bin for all the pieces?

A. Not necessarily. We designated a bin for each day essentially.

Q. Oh, you were segregating it by days rather than type of evidence?

A. Yes.

James Elliott - Cross

Q. So you would have all types of evidence in one bin?

A. Could have, yes.

Q. And they were just intermingled there together there on the floor, the concrete floor?

A. Well, they were packaged; but yes, sir, they were stored.

Q. Well, by "packaged," there were a bunch of torn garbage sacks that this stuff was sticking out of and falling out of, wasn't there?

A. Not at that time, no, sir. Not the time it was stored, they weren't torn, no, sir.

Q. Are you saying that there was a plastic protection bag around every single piece --

A. Oh, no.

Q. -- of wood or metal that came in there, Mr. Elliott?

A. No.

Q. You're not telling the jury that, are you?

A. No.

Q. Okay. Can you tell us about what time you were able to get that VIN number to NCIB, National Crime Information Bureau, and then determine that it was a Ryder truck? About what time in the afternoon did that occur?

A. It was around 1:00.

Q. Okay. And then were you -- do you recall based on your involvement there about what time the FBI was able to determine that it was rented in Junction City?

James Elliott - Cross

A. I actually -- no, I can't. I didn't hear that till later in the day.

Q. Okay. What time did you hear about it?

A. 4, 5:00.

Q. Okay. So by that time, it was information within the FBI that the truck had been rented in Junction City; is that correct?

A. Best of my recollection.

Q. Okay. And you told the jury that people could come to that warehouse and inspect the items as long as they signed in. Is that correct?

A. If --

Q. If they had a purpose?

A. If they had a purpose, they could inspect the items. They could come to the warehouse; and again if they had a purpose, they had to sign in, yes.

Q. Did you keep that log?

A. Yes.

Q. How many notebooks does it fill?

A. I don't know. I've never -- I didn't personally maintain it, but yes, we keep every day's log.

Q. You had about six people working with you there?

A. Yes.

Q. And you had a big, thick notebook every day that I happened to come, didn't you?

James Elliott - Cross

A. There was a sign-in sheet, yes, sir.

Q. Right. And there were agents from every federal agency known to man that signed in and wanted to look through that evidence, weren't there?

A. Not indiscriminately, no, sir.

Q. Well, perhaps Social Security didn't look through, but you had a lot of people that came and inspected that group of items there in your warehouse, didn't you?

MS. WILKINSON: Objection, your Honor. This is argumentative.

THE COURT: Well, no. Is the question "a lot of people"?

MR. WOODS: Yes, your Honor.

THE COURT: You may answer that.

BY MR. WOODS:

Q. Did you have a lot of people sign in to inspect that?

A. A matter of semantics. Yes, several people.

Q. Who has those notebooks that shows that sign-in period from April 19 to the period that you shipped it to Washington? How long did you keep it there at the warehouse, the Evidence Control Center, before you shipped it to Washington for examination by the lab?

A. The evidence?

Q. Yes, sir.

A. I think it was around March 5. I'm sorry. May 5, but the

James Elliott - Cross

exact date, I can't recall, but it was in that area.

Q. Okay. So we're looking at a week to two weeks, something like that?

A. Yeah. Closer to three, probably.

Q. And there is a sign-in sheet for that period of time that would show everybody that had access to --

A. Yes.

Q. -- to the evidence? Okay.

Now, how did you ship it to Washington?

A. It was placed on over-the-road trailers, 60-foot trailers, I guess they are -- placed in one actually and shipped and driven by FBI personnel to Washington -- Quantico and then to Washington.

Q. Okay. By trailer, can you give the jury a little description what you mean here? Just a regular commercial --

A. Commercial tractor trailer.

Q. One of these enclosed things that you see on the road all the time?

A. Correct.

Q. So you removed everything that you had in your Evidence Control Center and put it in a truck?

Control Center and put it in a truck:

A. A trailer, yes.

Q. In one trailer?

A. Yes.

Q. And drove it to Washington and then to the lab?

James Elliott - Cross

A. That's my understanding. I wasn't present.

Q. Okay. Now, the Mercury Marquis: When did that come to the Evidence Control Center? By the Mercury Marquis, I'm talking about the one that was recovered up near Perry, Oklahoma, that McVeigh was in.

A. I -- from the top of my head, I can't tell you the contact date. But it was the day it was recovered in Noble County.

Q. Now, if Mr. McVeigh was taken into custody on Friday, April 21, were you there when the Mercury Marquis was brought into the Evidence Control Center?

A. Yes, I was.

Q. Okay. And I'm not trying to tell you what date it was. Does that refresh your memory at all?

A. I still would not know the exact -- I don't recall the exact date. I remember the events, but I don't recall the date.

Q. With the bombing being the 19th, could you tell the jury about how many days it was before the car was brought in?

A. Well, if he was taken into custody the 21st --

Q. Yes, sir.

A. Then it would have been the 21st.

Q. Again, I'm not trying to tell you what the dates are, but just get your recollection.

A. Two or three days. Three days or four.

Q. Now, were there other vehicles that were brought in there

James Elliott - Cross

at the Evidence Control Center before you shipped everything out to Washington?

A. Not that I -- yes, there was another vehicle.

Q. What vehicle was that?

A. It was a Chevrolet truck, yellow Chevrolet truck.

Q. And what -- what vehicle was that in connection with this case?

A. It was recovered -- it was a stolen vehicle, as it turned out, and was returned to an individual. I don't know all the ins and outs of why it was brought there. I know it was examined, and the vehicle -- I was present when it was being examined. The vehicle identification numbers and all the identification numbers had been destroyed except for one number.

Q. I assume it had nothing to do with this case, and then you all removed it from this warehouse?

A. That's correct.

Q. Any other vehicle come in there before you shipped everything to Washington?

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A. Not that I recall.

Q. Okay. When was it that the blue vehicle that McVeigh had traded in for the Mercury Marquis -- when was that brought to your Evidence Control Center?

A. I don't know that date, and I wasn't present when that vehicle was brought there.

James Elliott - Cross

Q. But it was there a couple of months later, certainly when we began to inspect the evidence --

A. Yes, it was.

Q. -- inspect the items?

And Mr. Nichols' car, the GMC pickup with the topper: When was that brought to your Evidence Control Center?

A. Again, I was not present when that occurred, and I don't know the date.

Q. Did you ever check to see when it was checked into the Evidence Control Center?

A. Not that I recall.

Q. You were in command of the control center, weren't you?

A. During the post-bomb era, yes.

Q. Right.

A. Well, for a period. Then I left the Task Force for a period.

Q. You were assigned -- you got assigned on April 19.

A. Right.

Q. Sort of informally and then they created a Task Force and you were assigned to it; is that correct?

A. That's correct. I was there till May 7. Then I returned for the post-implosion investigation. Then I was not directly in contact -- probably once a week I was in Oklahoma City until August of '95.

Q. And that's when you took over the Evidence Control --

James Elliott - Cross

A. Evidence Control Center.

Q. -- Center? Who was in command of it before then?

A. During the post bomb, Special Agent Jeff Hayes was.

Q. Okay. Okay. Well, do you recall seeing Mr. Nichols' vehicle there at the Evidence Control Center?

A. Oh, yes.

Q. Do you, based on your knowledge that you have, being connected with the investigation -- do you know how that vehicle got to your Evidence Control Center from Herington, Kansas?

A. No, sir, I don't know.

Q. Were you aware that it was taken to Washington first for analysis?

A. No, I wasn't.

Q. And then didn't you and I discuss this before, that it had been flown to Washington? Weren't you informing me about how it was flown to Washington?

MS. WILKINSON: Objection, your Honor, to hearsay.

THE COURT: Sustained.

MR. WOODS: Okay.

BY MR. WOODS:

Q. Do you recall any discussion about Mr. Nichols' vehicle going from Herington to Washington and back to Oklahoma City?

A. No, sir, I don't.

Q. Do you recall a discussion about the broken -- the window

James Elliott - Cross

and the back door being broken out?

MS. WILKINSON: Objection, same.

THE COURT: He's asking if he recalls a discussion.

That's not hearsay.

BY MR. WOODS:

Q. Do you recall you and I discussing this broken-out window?

A. Yes.

Q. In the back?

A. Yes, I do.

Q. Do you know how that window happened to be broken out?

A. No, I don't.

Q. Okay. And you don't know whether or not that car was flown to Washington in a C130?

A. No, sir, I don't.

MR. WOODS: Your Honor, may I have the witness exhibit some photographs -- examine some photographs?

THE COURT: Sure.

MR. WOODS: And I have copies for the Court and for the Government.

BY MR. WOODS:

Q. That's my only set of originals that you have there.

A. Okay.

Q. And these are Xerox copies.

If you would, Mr. Elliott, if you'd just look through those, which are marked F1 through F16, and I'll ask you if you

James Elliott - Cross

recognize the items photographed or depicted by photograph to see if they are true and accurate depictions of what's placed there in the photograph.

A. Yes, sir.

Q. And you very kindly allowed us to take photographs while we're in there, did you not?

Okay. Are those -- can you tell us what those photographs depict?

A. Photograph 1 appears to be a photograph or is a photograph of Mr. Nichols' truck from the right front.

Q. Well, let me -- before we describe them: Are they accurate photographs depicting the interior and the items within your warehouse?

A. Yes.

MR. WOODS: The defense would move into evidence F1 through F16 before we get into the description of them.

MS. WILKINSON: No objection, your Honor.

THE COURT: All right. They're received.

MR. WOODS: May I exchange the originals for the Xerox so I can show the originals?

THE COURT: Sure.

May we have the date when these were taken?

MR. WOODS: That's a good question, your Honor. We --

THE COURT: Well, an approximate date.

MR. WOODS: Well, if I could ask Mr. Elliott a few

James Elliott - Cross

questions.

BY MR. WOODS:

Q. You took over in August, '95.

A. That's correct, yes.

Q. And we were there for months on end. It came onto winter and we had to dress up --

A. Yes.

Q. -- in coats. You told us never to wear clean clothes over there because it was so dirty.

A. Yes.

THE COURT: Should we swear you as a witness, Mr. Woods?

MR. WOODS: Well, the Court asked for a date, your Honor. I'm uncertain. It's late '95, early '96.

THE COURT: Okay.

MR. WOODS: I'm sorry.

THE COURT: Do you agree with that?

THE WITNESS: Yes.

THE COURT: All right. Go ahead.

MR. WOODS: Thank you.

If I may publish to the jury one at a time and have the witness explain?

THE COURT: Yes.

BY MR. WOODS:

Q. Now, Mr. Elliott, I want to get this zoomed.

James Elliott - Cross

Can you tell the jury what that is?

A. That's Mr. Nichols' truck, or what's identified to me as Mr. Nichols' truck.

THE COURT: It's in front of you, I think. It should be.

THE WITNESS: No, sir.

MR. WOODS: And this is F1. It's on all the other screens.

THE COURT: It's not on the screen in front of you?

THE WITNESS: No, sir.

THE COURTROOM DEPUTY: Somebody turned it off.

THE COURT: Now is it?

THE WITNESS: Not yet.



THE WITNESS: Not you.

Now it is.

THE COURT: Okay. I just want to save you craning your neck looking behind you.

MR. WOODS: Thank you, your Honor.

BY MR. WOODS:

Q. Mr. Elliott, can you describe for the jury what that is?

A. That is what was identified to me as Mr. Nichols' truck. It's a right front view.

Q. Okay. And what's in the background, if you could just tell the jury.

A. Well, there is a wire fencing. Is that what you're talking about?

James Elliott - Cross

Q. Is that the interior of your warehouse?

A. It's the interior of the warehouse, yes.

Q. What's on the concrete floor there?

A. It looks like some sort of fluid.

Q. Okay. I'm going to show you what's been marked and admitted as F2. And can you tell the jury what you recognize F2 to be?

A. It's a yellow Mercury Marquis which was identified to me as belonging to Terry Nichols. I'm sorry. To Tim McVeigh.

Q. Okay. Now, when -- is this the vehicle that was brought in on April 21?

A. If that's the date, yes, sir.

Q. And again, I don't want to suggest names (sic) to you. Was it brought in the same day that Mr. McVeigh was arrested?

A. Yes.

Q. And what's in the background there, sir?

A. That's the interior of the warehouse, the rear interior.

Q. Okay. And what's on the floor, the concrete floor?

A. Looks like a fluid, probably leakage from that vehicle.

Q. Okay. I'm going to show you what's marked for identification purposes as F3.

THE COURT: These are in evidence now, so --

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

THE COURT: Okay.

BY MR. WOODS:

James Elliott - Cross

Q. This is F3 in evidence. Can you tell the jury what view that is?

A. It's a front view of the vehicle and the interior of the warehouse.

Q. Now, what is this located over here to the side, these items to the side there?

A. Those are items that have nothing to do with this case. They are items that apparently had been forfeited.

Q. So that's evidence from another case that's kept separate?

A. Either evidence or forfeiture, yes.

Q. What's on the concrete floor here?

A. That same fluid.

Q. All right. Now I'm going to skip over some of these that have the same view.

I want to show you what's in evidence as F8. And can you tell the jury what that is?

A. That's a left rear view of the GMC pickup truck.

Q. Yes, sir. And the back window: Can you tell the jury whether or not there is a window in that vehicle?

A. It's broken out. Appears to be broken out.

Q. Okay. And I'm going to show you a closer-up view, which is F7.

A. Yes, sir.

Q. You see this caved-in part down here on the metal?

A. Yes, sir.

James Elliott - Cross

Q. Do you have any idea how that window was broken and the back caved in?

A. No, sir.

Q. Was it that way when it was brought to you back from Washington?

A. As I said, I wasn't there when it was brought in.

Q. Yes, sir.

A. But it was that way when I first saw it, yes, sir.

Q. And do you know how long it had been in your evidence control center before you first saw it?

A. No, I don't.

Q. Days? Hours?

A. I really don't know.

Q. I'm going to show you what's in evidence as F11. Can you tell the jury what that is?

A. It's a box of wood fragments.

Q. You recall seeing that there in your warehouse?

A. Yes, sir, I do.

Q. Now, is that evidence that was recovered from the scene?

A. Yes, sir.

Q. These were kept in a cardboard box; is that correct?

A. That's correct, yes, sir.

Q. Okay. I'm going to show you F12. And that's your axle on the cart that you use, isn't it?

A. Yes, sir.

James Elliott - Cross

Q. And what's in the background there, sir?

A. That's evidence that's been laid out for discovery purposes.

Q. And doesn't that show a bunch of grocery sacks and some boxes?

A. Yes, sir.

Q. And you recall what was in those things?

A. Evidence that had been collected.

Q. Okay. And by evidence, you're speaking of generic,

anything that was collected at the scene?

A. Well, items that had been collected at the crime scene.

Q. Okay. Now I'm going to show you F14. Can you describe for the jury what that is, sir?

A. It's a blue -- I believe it's a Pontiac station wagon.

Q. And based on your knowledge of the case, what piece of evidence is that?

A. Honestly, I don't know who that belongs to.

Q. Okay.

A. It was never discussed with me. It was there when I came back in August.

Q. But they just put this stuff in there and say, "You're responsible for it," and don't tell you what it is?

A. Well, I suppose they'd have told me if I had asked.

Q. Okay. What's in the background there, sir?

A. The yellow Mercury and the blue GMC pickup.

James Elliott - Cross

Q. And the yellow Mercury shows some primer paint or distortion or a different paint job on the rear left; is that correct?

A. Yes. Yes.

Q. Okay. Okay. Thank you.

Now, on the 20th, the next day --

A. Yes, sir.

Q. -- had some agents fly in from the laboratory, some FBI agents came in from Washington?

A. From everywhere, yes.

Q. Did you go back to the scene on the 20th, Thursday?

A. Yes.

Q. Did you take part in searches for evidence at that time?

A. No, sir.

Q. Okay. What did you do on the 20th at the scene?

A. On the 20th and every other day thereafter, I would respond to requests from the fire department when rescue workers would locate pieces of or items they thought might be of evidentiary nature or belong to certain government agencies. And I would consult with them about what should be done with them, with those items.

Q. Okay. On the 20th -- did you see the parking lot on that day?

A. I probably did, but I don't have a distinct recollection of it.

James Elliott - Cross

Q. Can you give the jury a description, since you were there, of what the parking lot looked like on the 20th, either the evening of the 19th or the day of the 20th?

MS. WILKINSON: Your Honor, could I object to the 20th, since Mr. Elliott said he didn't have a specific recollection of the parking lot.

MR. WOODS: He said he was there, your Honor.

THE COURT: Do you have a recollection of seeing the

THE COURT: Do you have a recollection of seeing the parking lot on the 20th?

THE WITNESS: Not necessarily, no, sir.

BY MR. WOODS:

Q. Okay. What about the 21st?

A. Well, I saw it several times. Whether -- I didn't pay that specific attention to it.

Q. You didn't go over there and pick up any piece of evidence --

A. No, I did not.

Q. -- that anybody was pointing out to you?

A. Not in that area. The area I'm talking about when I would respond to the -- was the building.

Q. Oh, okay. Which is right across from the parking lot?

A. Well, yes, sir.

Q. Would it be fair to say that that parking lot was a mess?

A. Yes, sir.

MR. WOODS: Thank you, your Honor. No further

James Elliott - Cross

questions.

THE COURT: Do you have any redirect?

MS. WILKINSON: Yes, your Honor.

THE COURT: All right.

REDIRECT EXAMINATION

BY MS. WILKINSON:

Q. Mr. Elliott, how many thousands of pounds of debris did the FBI recover and turn in for you to control in the Evidence Control Center during the investigation?

A. Approximately 7,000.

Q. And did you receive every piece of evidence that was collected at the crime scene?

A. Personally? No, ma'am.

Q. No. Did the Evidence Control Center receive and store --

A. Yes, yes. They did.

Q. -- every single piece?

A. Well, they received it. They didn't necessarily store it.

Q. Okay. Mr. Woods asked you about portions of the box of the Ryder truck. Do you recall that?

A. Yes.

Q. And you know that certain portions of the box were recovered at the crime scene. Is that right?

A. Right.

Q. And are you aware of a piece of evidence marked or called Q507?

James Elliott - Redirect

A. Yes, ma'am.

Q. Was Q507 ever stored in the Evidence Control Center?

A. No, ma'am.

Q. Was it sent directly back to the laboratory?

A. Yes, ma'am.

Q. Now, the photographs that you were shown by defense

counsel: Those were taken, what, six to eight months after the initial recovery of the evidence? Is that right?

A. That would be correct.

Q. So those photos don't depict the storage room on the days that followed the bombing; is that right?

A. No, ma'am, they don't.

Q. Now, you talked about the ways that you stored items, and you showed the jury the rear axle. Were there other items like that that were ripped and torn pieces of metal?

A. Yes.

Q. Were they difficult to store or put in containers?

A. Yeah. They weren't put in containers because they couldn't be.

Q. Other pieces like the box of fragments in Defendant's Exhibit F17 that were storable in that way: Did you store them in boxes or other containers?

A. Yes.

Q. All right. And did you send all of those items to the laboratory for testing before defense counsel reviewed them?

James Elliott - Redirect

A. Yes.

Q. So the photos that you were shown by defense counsel show items after they'd been tested by the laboratory; is that correct?

A. That's correct.

Q. You also said that you responded to the building, the Murrah Building, to consult with the fire department. Is that right?

A. And rescue workers, yes.

Q. And where were the items that they were finding? Where were they located that they were asking you questions about?

A. They were located in the collapsed floors and the rubble.

Q. You didn't respond to the recovery of evidence outside the building; is that right?

A. No, ma'am.

Q. So you're not familiar. That's why you don't have a specific recollection of the parking lot or other areas?

A. That's correct.

Q. When you did see the parking lot, could you determine just from a visual inspection that there had been some damage, not how it was caused but some damage to the cars in the parking lot?

A. Oh, yes.

MS. WILKINSON: No other questions, your Honor.

MR. WOODS: No further questions, your Honor.

THE COURT: All right. Is Mr. Elliott going to return, or --

MS. WILKINSON: I hope not, your Honor. We're not going to call him.

THE COURT: He's excused, then?

MS. WILKINSON: He's excused.

MR. WOODS: We have no further questions for Mr. Elliott, your Honor.

THE COURT: Then, Mr. Elliott, you are excused.

I think we'll take our recess at this time, members of the jury. And again, you know, we take a recess here about an hour -- well, that clock and my watch are different, unfortunately. We'll have to do something about that; but we'll recess till 1:40.

And again, you know, I realize sometimes you get impatient: Why are we taking so long? But I want to again remind you that there are things that need to happen so that we can keep the evidence coming, as it were, and the witnesses in succession and so forth, so please bear with us with that.

Also, of course, during this time, you must continue to do, as at all other recesses, keep open minds, avoiding talk with others about anything connected with this case, and of course continue to be careful about anything that you may come into contact with and any publications and so forth, to stay away from anything that could relate to the case.

There has been mention here in this last witness' testimony about discovery, and you heard Mr. Woods referring to a time when he was there. I just want to mention what "discovery" means. Discovery is an opportunity -- there are rules that govern this; but there is an opportunity for defense counsel to examine, or their representatives -- to examine physical evidence in a case before the trial. And, of course, that's again a part of the fairness that is required of us; so when there is reference to "discovery," it means this process by which the Government must give access to physical evidence. There can also be discovery of some other things; and that may come up, too from time to time. But that's what "discovery" means, the opportunity before trial to get some information.

Also, you hear me refer to "you may publish." That seems like a strange word to you, when what it really means is you can see these pictures or see these exhibits. That's just another one of these rather arcane expressions, I guess. "Publish" means to us, as lawyers and judges "show it," exhibit it to the jury. So I just -- I'll try to explain some of these things as we go along so that you can understand some of the expressions we use, because they don't seem to be everyday expressions. They are to us, but they may be strange to you.

So we'll excuse you now until 1:40 with these cautions.

Sometimes I'm tempted to just say keep your minds open and your mouth shut, but that's pretty harsh. But you know what I mean.

You're excused now till 1:40.

(Jury out at 12:12 p.m.)

THE COURT: Mr. Tigar.

MR. TIGAR: Yes, your Honor. I wanted to make two things very briefly of record.

I didn't want to make a speaking objection on Exhibit 2058. That was the series of exhibits about the HUD employees and how many years of experience they had. We would object to that as other than a demonstrative exhibit; that is to say, we do not believe it's something that should go to the jury for their deliberation. The witness did read out each one of those

things. It's a form or summary exhibit. We just don't think it's otherwise appropriate.

THE COURT: All right.

MR. TIGAR: The other matter I wanted to bring to the Court's attention was the Government has on a couple of occasions raised hearsay objections to our interrogation of Government witnesses about conversations they've had with other government employees within the scope of their duty. It's -- it was our view that that is covered by Federal Rule of Evidence 801; that is to say, if a government employee gave information to someone within the scope of the declarant's duties that that would be non-hearsay.

THE COURT: Well, I don't agree with that, your interpretation of 801.

MR. TIGAR: Well, I wanted to make -- I gathered that; and I understand the Court makes the rulings. I wanted to make our position clear so that we did not get into evidentiary disputes unnecessarily.

THE COURT: What was it? 2058?

MR. TIGAR: 2058, yes, your Honor.

THE COURT: I think that should be demonstrative and not go to the jury. I agree with you on that.

MR. TIGAR: Thank you for the clarification.

MR. MACKEY: One matter on behalf of the Government.

THE COURT: Yes.

MR. MACKEY: Speaking of discovery, as a general matter we're not going to object to the offer and admission of defense exhibits during the course of the Government's case; however, this is the first time we saw any of those photographs. We'd ask for better cooperation for the production of those exhibits.

MR. WOODS: Your Honor, Counsel is correct. We are in the process of getting our exhibit list in within the next couple of days. We've given him everything, but those photos had not been shown; and we didn't anticipate using those until Mr. Elliott's testimony. And I apologize to Counsel for doing it.

THE COURT: All right. Well, I'm sure you accept that apology.

MR. MACKEY: I do.

THE COURT: It is necessary, obviously, that opposing counsel have these so that they can formulate any objections, if there be any.

Okay. 1:40.

(Recess at 12:15 p.m.)

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PLAINTIFF'S EXHIBITS

Exhibit	Offered	Received	Refused	Reserved	Withdrawn
630	6700	6700			
635	6697	6697			
636	6699	6699			
637-637A	6707	6707			
638	6708	6708			
639	6709	6709			
642	6687	6687			
951	6617	6618			
952	6621	6621			
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Exhibit	Offered	Received	Refused	Reserved	Withdrawn
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955	6660	6660			
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2058	6664	6665			

DEFENDANT'S EXHIBITS

Exhibit	Offered	Received	Refused	Reserved	Withdrawn
F1-F16	6731	6731			

\* \* \* \* \*

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 4th day of November, 1997.

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Paul Zuckerman

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Kara Spitler

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