

Man changes testimony on Nichols

Fortier now says McVeigh didn't implicate defendant

DENVER (AP) — A key prosecution witness against Terry Nichols claimed Wednesday that he never heard Timothy McVeigh, the convicted Oklahoma City bomber, say he and Nichols were thinking of blowing up a building.

During McVeigh's trial, the witness, Michael Fortier, directly connected Nichols to the bombing, testifying then that McVeigh "told me that he — him and Terry — were thinking of blowing up a building."

But on Wednesday, Fortier said on the witness stand that McVeigh told him "they were planning on bombing a building," but said he did not know who "they" were.

Fortier said McVeigh urged Nichols to stop and visit Fortier's home in Kingman, Ariz., in 1994. He said Nichols showed up with his wife, Marife, and their baby.

Fortier said McVeigh asked him to rent a storage shed under a fictitious name in the fall of 1994, but he was unable to find one. He said McVeigh showed up in November 1994 and



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Michael Fortier is shown in this courtroom drawing as he testifies in the Oklahoma City bombing trial of Terry Nichols.

said not to worry, "he already had one."

The witness also said he followed McVeigh and Nichols to a storage shed outside town. "Tim showed me some explosives," Fortier said, and quickly added, "it was either Tim or Terry, I'm not sure." He said he saw a box marked explosives, hidden un-

der a blanket with other boxes. Fortier said that, while he looked inside the shed, Nichols was busy loading something into his truck. "That's all I remember him doing was loading something from the storage shed into his truck."

Fortier had testified in McVeigh's trial that McVeigh and Nichols began orchestrating the bombing after watching the government's deadly raid on the Branch Davidian compound near Waco, Texas, on television. About 80 people were killed in the confrontation exactly two years before the Oklahoma City bombing. Fortier said McVeigh was upset about the raid and felt that federal agents were guilty of murder.

Fortier, an Army buddy of McVeigh's, is expected to return to the stand today. He is testifying under an agreement in which he may get a reduction in a sentence for lying to the FBI and failing to warn authorities of the bomb plot, among other charges.

Nichols, 42, could be sentenced to death if convicted of murder and conspiracy in the April 1995 bombing of the Oklahoma City federal building in which 168 people were killed. McVeigh was convicted of identical charges in June and sentenced to die. His appeal is pending.