

HAUNTING IMAGE OF JOHN DOE NO. 2 FANS FLAMES OF DOUBT

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Tuesday's conviction of Terry L. Nichols brings to a conclusion perhaps the most exhaustive criminal investigation in U.S. history.

Yet even after more than 30,000 interviews of witnesses, the expenditure of tens of millions of dollars and countless hours by federal law enforcement officials, nagging questions linger: Has the case really been completely solved? Did Nichols and his coconspirator, Timothy J. McVeigh, have other accomplices who are still at large?

If anything, the mixed verdict by a 12-member jury -- unlike the McVeigh jury, it declined to find the defendant guilty of first-degree murder -- may only encourage further speculation on those questions. As with other searing moments in U.S. history, such as the assassinations of President John F. Kennedy and civil rights leader Rev. Martin Luther King Jr., the horrific Oklahoma City bombing has spawned an industry of conspiracy theories that may occupy the public consciousness for years, if not decades. Neither McVeigh nor Nichols has ever implicated anyone else in their plot. But their attorneys eagerly fanned the flames of conspiracy, conjecture and government misconduct during the two trials, and if the past is any guide, it will take more than their convictions to douse them. Even the government acknowledges, in a fashion, that the bombing case remains open. Its indictment of McVeigh and Nichols referred to "others unknown." And a spokesman for the Justice Department, Chris Watney, said that "the investigation will continue, and Justice and the FBI will continue to follow any and all leads." Exploiting that opening, Nichols' attorneys brought in nearly a dozen witnesses who swore that they saw a Ryder truck at a rural Kansas state fishing lake in the days before April 18, 1995 -- the day the government says McVeigh and Nichols built the bomb in the cargo compartment of a rented 20-foot Ryder truck. The notion that the defense was trying to convey was that there might have been multiple trucks driven by multiple suspects -- none of them Nichols. Most unsettling for victims, conspiracy buffs and even law enforcement officials has been the haunting specter of onetime suspect John Doe No. 2, whose identity never was known, and who was never found despite the largest manhunt in U.S. history and dozens of reported sightings across Kansas and Oklahoma. More than 10,000 tips about him poured into the Justice Department hot line set up immediately after the bombing. Today, the government says he was a figment of some overzealous imaginations and is no longer being sought. At the McVeigh trial, which concluded in June with his conviction and death sentence, U.S. District Judge Richard P. Matsch sharply limited any testimony about John Doe No. 2. Similarly, Matsch blocked testimony about other conspiracy theories, including McVeigh's reported contacts with a shadowy group of armed anti-

government zealots at an Oklahoma compound known as Elohim City. But it would take more than a court declaration to bury John Doe No. 2. For one thing, the FBI's high-profile search for him made him perfect fodder for the defense lawyers appointed to represent McVeigh and Nichols, even with the judge's restrictions. For another, he fed Americans' almost insatiable appetite for murky conspiracy theories of government coverups, an appetite that is most voracious on the right and left wings of American politics. "Because of what we have learned about the government in the past 30 years or so, we are, as a society, much more suspicious of what the government tells us," said presidential historian and author Michael Beschloss. "The idea is that there are wheels within wheels that we don't see. And so the swarthy, stocky figure in the blue ball cap drawn by a sketch artist at times loomed larger than Nichols in the second bombing trial. Matsch allowed chief defense attorney Michael E. Tigar to introduce numerous witnesses who offered often-conflicting testimony about seeing him either with McVeigh in Oklahoma City on the day of the bombing or a few days earlier in central Kansas, where the bomb truck was rented. John Doe No. 2 was born at Elliott's Body Shop in Junction City, Kan., in the early hours of April 20, 1995, when the FBI flew in an artist to work with the three employees of the Ryder rental outlet where McVeigh rented a 20-foot truck to house the 4,000-pound fertilizer and fuel oil bomb. Proprietor Eldon Elliott, clerk Vicki Beemer and mechanic Tom Kessinger all remembered McVeigh being accompanied by another man -- not Nichols -- when he picked up the truck on April 17. It was Kessinger who provided the description that led to the sketch that exploded into the nation's consciousness. "Each of them said that McVeigh was not alone, he was with a somewhat stocky man with a dark complexion," Tigar said as the second bombing trial opened Nov 3. "And independently, they all agreed on the description of the second person. This other person was not Terry Nichols, . . . and, later, a lot of people saw that Ryder truck with Tim McVeigh and this other person in and near it." By the fall of 1996, though, prosecutors preparing to try McVeigh said in court papers that Kessinger -- a man whose past and demeanor were not likely to make him a sterling witness in court -- had changed his tune. It was a case of mistaken identity, the government declared. John Doe No. 2, prosecutors said, was Army Pvt. Todd Bunting, who had rented a truck at Elliott's the day after McVeigh. They withdrew the warrant for his arrest. Still, defense attorneys produced scores of witnesses -- many culled from the government's own files -- who begged to differ. They said they saw McVeigh with short men, tall men, Hispanic men and mean-looking men -- many resembling the infamous sketch. Hilda Sostre, a maid, said she saw a man resembling John Doe No. 2 at the Dreamland Hotel in Junction City, where McVeigh stayed before the blast. Shane Boyd, a guest at the hotel, also saw a John Doe. No. 2 look-alike at the motel. Estella Weigel of Salina, Kan., said she saw McVeigh in a Ryder truck April 18, accompanied by a man who resembled John Doe No. 2. Rosa Zinn, a grocery store clerk, swore she saw man who resembled the suspect on April 17 in Lincolnton, Kan. Darwin Bates of Duncan, Okla., testified that he might have hired John Doe No. 2 as a dishwasher a month after the bombing.