

Nichols' lawyers used jailed man

BY JUDY L. THOMAS
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KANSAS CITY, Mo. — Records show that a former Kansas militia leader was in jail the day a witness reportedly saw him at the lake where authorities say the Oklahoma City bomb was assembled.

Defense lawyers for Terry Nichols, the Lapeer native convicted of conspiracy in the 1995 federal building bombing, showed the court a photo of militia leader Morris Wilson at the trial but didn't identify the man. The lawyers called a witness who reported seeing a man who resembled Wilson at Geary Lake State Park on April 18, 1995, the day federal investigators say Nichols and convicted bomber Timothy McVeigh were there building a bomb.

The defense strategy was to raise the possibility of other people being involved with McVeigh. Nichols and McVeigh were the only people charged in the bombing, but prosecutors never produced a witness who placed Nichols at the lake.

Osage County, Kan., Sheriff Ken Lippert told the Kansas City Star that he told the defense Wilson was in his jail on April 18, 1995, on weapons charges, but defense lawyers used Wilson's photo in court anyway.

"This bothers me . . . a lot," Lippert said. "They knew he couldn't have been there."

Nichols' attorney, Michael Tigar, declined to comment on defense tactics.

But some Nichols jurors were disturbed to hear about it.

"It is frustrating," said Chris Seib of Morrison, Colo. "I feel we were misled. They wanted to put doubt there any way they could. . . . Some of this stuff could have made a difference. Who knows?"

The jury acquitted Nichols of murder, but convicted him of manslaughter and then deadlocked on a sentence, leaving it up to U.S. District Judge Richard Matsch, who has not set a sentencing date.

Wilson, 59, the former commander of the Kansas Unorganized Citizens Militia, didn't know until last week that his photo had been shown in court.

Wilson was released from jail at 10:27 a.m. April 19, more than an hour after the Oklahoma City blast.