

MCVEIGH 'LIED FROM DAY ONE'

Rocky Mountain News

Rocky Mountain News (Denver, CO)

May 7, 2001 | Flynn, Kevin; Kilzer, Lou

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Timothy McVeigh failed a lie detector test when he denied there was a "John Doe 2," the Oklahoma City bomber's former attorney says.

That test, four months after the crime, was the beginning of what Stephen Jones calls McVeigh's deception and manipulation aimed at portraying himself as the ultimate American anti-hero.

McVeigh is also covering up for a still-unidentified accomplice, Jones says.

Speaking out with specifics for the first time as his former client faces death by lethal injection in nine days, Jones told the Rocky Mountain News of several instances in which he says McVeigh was caught changing his story when evidence surfaced of others involved.

McVeigh's intent, Jones said, was to claim the entire responsibility for the bombing that killed 168 people, while protecting others involved beyond convicted co-conspirator Terry Nichols and friends Michael and Lori Fortier. The Fortiers cooperated with the FBI, and Michael Fortier is in prison for his role.

"The greatest obstacle to defending Tim McVeigh was Tim McVeigh," Jones said. "He lied from day one. He will go to his grave saying there was no one else."

Attorney confidentiality normally prohibits these unusual disclosures. But Jones said he believes McVeigh has waived that privilege by attacking him in his new biography, *American Terrorist*, written by two reporters for The Buffalo News near McVeigh's hometown in New York.

Jones has written an updated version of his own book, *Others Unknown*, adding material from his extensive talks with McVeigh. It will be in bookstores next week;

the Rocky Mountain News received an advance copy.

Chiefly, Jones says McVeigh admitted in early defense interviews that there was a second person who walked into the Junction City, Kan., Ryder truck rental shop behind McVeigh when he rented the vehicle that carried the bomb.

``The way he put it, the other person came in behind him, stood next to him and behind him, smoking a cigarette, and Tim talked to him briefly," Jones said.

But McVeigh adamantly denied that this second person - the never-identified John Doe 2 of the bombing case - was with him. He explained him away to Jones as just a bystander.

All four other people who were at the Ryder shop that afternoon, two days before the bombing, saw McVeigh enter with this second man. Business records show there was no other transaction than McVeigh's that afternoon and the Ryder employees assumed the man was with McVeigh.

Yet the FBI and prosecutors, unable to come up with an identity for him, later resolved it by simply saying the witnesses were mistaken and that McVeigh was alone.

In a polygraph test given by a defense expert on Aug. 31, 1995, in El Reno, Okla., McVeigh was asked a series of questions about the crime.

Three of them dealt with whether some as-yet-unknown person had given him any help and whether he was lying in the test. On those three, out of a dozen, McVeigh showed ``indications of deception," the polygraph examiner reported.

Jones listed several other instances in which he said McVeigh covered up. In one, McVeigh insisted he had not accompanied Nichols to a farm store to buy explosive ammonium nitrate.

But after learning that a clerk at the store identified Nichols and said there was a second man with him - ironically, the clerk insisted it wasn't McVeigh - McVeigh changed his story and told Jones it was him.

Jones criticized the authors of American Terrorist, journalists Lou Michel and Dan Herbeck, saying they accepted McVeigh's word uncritically simply because he was making damaging admissions, including that he acted only with those already known.

``They didn't do any critical investigation," Jones said. ``Had they challenged him,

he would have shown them the door like he did the defense. They knew the rule was to report what he said. They had to tell his story. This is his biography."

``We made every effort to check out what he said," Herbeck said. ``We didn't have a \$15 million budget like Mr. Jones, but I think we came up with the same conclusions the FBI did after their \$82 million investigation."

Herbeck said McVeigh explained his problem with the polygraph by saying he was upset that attorneys asked him if his younger sister, Jennifer, was involved.

Jones said, however, the questions McVeigh flubbed didn't involve Jennifer.