McVeigh Did Not Act Alone In Oklahoma Bombing

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Justice lawyers recommend delay in execution Imagine this scene in Oklahoma City, in the early morning of 19 April 1995. Timothy McVeigh is driving into town in a rented removal lorry that contains a deadly fertiliser bomb: more than 6,000lbs of ammonium nitrate soaked in nitromethane fuel, supplemented by several sausage-shaped strings of commercial Tovex explosive, all of it wired up to blasting caps and shock tube.

McVeigh has driven down from Kansas, where he spent the previous day making the bomb with his old army buddy and fellow right-wing survivalist Terry Nichols. And now, the deadly plan he has worked on for so long, his gigantic, foolhardy act of revenge against his own government, is about to come to fruition. The front of his T-shirt bears the slogan shouted by John Wilkes Booth as he assassinated Abraham Lincoln, "Sic semper tyrannis". The back carries a quote from Thomas Jefferson: "The tree of liberty must be refreshed from time to time with the blood of patriots and tyrants."

Shortly before 9am, as he approaches the Alfred P Murrah federal building in improbably sunny weather, McVeigh pops in a pair of earplugs. He lights one five-minute fuse and another two-minute one. He parks in a handicapped-parking zone, right beneath the America's Kids infant daycare centre on the first floor, hops out of the truck and walks away into a series of alleys and streets, taking him safely out of his target's immediate shadow.

His getaway car, a busted-up 18-year-old Mercury Marquis, is parked several blocks away, exactly where he left it four days earlier (again, with Nichols's help). But he has covered barely 150 yards when the deafening roar of the explosion lifts him off his feet, knocks out the glass of the windows all around him, sets off hundreds of car alarms and causes the buildings, even at this distance, to shake violently, sending cascades of brick and stonework into the streets. One-third of the Murrah building has been obliterated, and 168 people - including 19 children - have been killed, in the deadliest peacetime assault on American soil.

That, at least, is Tim McVeigh's version of events. It is the story he gave to two journalists from his hometown of Buffalo, New York, in an extensive series of interviews that forms the centrepiece of the recent book American Terrorist: Timothy McVeigh & the Oklahoma City Bombing. It is clearly the way he would like his act to be remembered, as he prepares for death by lethal injection at a federal penitentiary in Indiana next Wednesday. It is an account that, for all the media hullaballoo surrounding his execution, has gone largely unquestioned by the US's raucous punditocracy.

It is also, give or take a few details, the official version presented by the Federal Bureau of Investigation and government lawyers at his trial in 1997. McVeigh, the argument ran, had some help from Nichols and another friend from army days, Michael Fortier, but essentially he carried out the bombing alone. No accomplices, no broader network of conspirators, nothing. Case closed, as far as the government was concerned.

Now imagine the scene all over again, this time with extra details supplied by eyewitnesses interviewed in the immediate aftermath of thebombing and by the investigative work of a handful of journalists, lawyers and academics who have spent the past six years going over every detail of the calamity to try to wheedle out its mysteries.

Suddenly, the picture is very different. McVeigh is still driving the yellow Ryder removal truck, but he is not alone. The truck contains the unmixed bomb components, minus the detonators and caps which are being transported separately, either in a brown 1970s-era Chevy pick-up or possibly another vehicle.

In the early morning, the vehicles pull up in a derelict section of Bricktown, a mile from the Murrah building, where the accomplices make the bomb at high speed, IRA-style. After filling nine of the 13 barrels in the back of the truck, they run out of nitromethane and switch to diesel fuel. McVeigh cuts open the Tovex sausages to insert the blasting caps (explaining why traces of PETN, or pentaerythritol tetranitrate, are later found on his clothing).

Then, according to the accounts of at least 10 eyewitnesses, there is a flurry of activity across Oklahoma City in the hour before the bombing. Just after eight o'clock, the brown pick-up roars out of the Murrah building car park with McVeigh and another man inside. Half an hour later, the Ryder truck drives from Bricktown to the top of a hill a mile or so to the north. It is followed along part of the route by both the pick-up and the Mercury Marquis, the latter with three men inside. The truck waits at a tyre store, possibly for a radio signal giving the all-clear (hence the choice of a high altitude). McVeigh, identified once again as the Ryder driver, allays immediate suspicion by asking the store owner for directions to the Murrah building.

At about 8.45am, the Ryder pulls up across from the Regency Apartments, within sight of the target. Again, at least one person is seen with McVeigh, who goes into a convenience store on the ground floor of the building to buy two Cokes and a pack of cigarettes, even though he does not smoke.

At 8.57am, McVeigh pulls into the handicapped zone of the federal building, walks across the street and gets into the Mercury with another man. From the passenger side of the Ryder truck emerges yet another man, who jumps into the brown pick-up parked just in front and drives away. By the time the bomb explodes at 9.02am, both the Mercury and the pick-up are on the freeway heading north back up to Kansas.

Fact or fantasy? The result of confusion among traumatised eyewitnesses, or an elaborate scheme in which decoys and rapid place-shifting among vehicles are all part of the plan? And who are these supposed accomplices exactly? How many of them are there?

These are the questions that have been gnawing away at investigators and victims of the bombing from day one. The government itself spent more than a year hunting for a so-called "John Doe 2", a second bombing suspect, before giving up and switching its story to the lone-bomber theory. The original grand jury indictment named McVeigh, Nichols "and others unknown" in what it called a "conspiracy to use a weapon of mass destruction". When the defence team put McVeigh through a polygraph test, he passed on all questions concerning his own role; when asked whether anybody else was involved, however, he failed.

The FBI now says the supposition of a wider plot was simply wrong. Before one dismisses the alternate theory as the stuff of conspiratorial fantasy, however, it is worth examining the deep flaws in the government's side of the story and asking why its early lines of investigation into John Doe 2, the brown pick-up and the rest all came to naught. The reasons are neither as mysterious nor as murkily conspiratorial as one might think.

The government's problem is neatly summarised by Stephen Jones, who, as McVeigh's trial lawyer, had the advantage of examining every document and witness statement gathered by the prosecution. "They got very lucky very early, then their luck turned sour," he said. McVeigh was found in just 48 hours, largely thanks to the fact he had been pulled over on the freeway for a missing back licence plate and remanded in police custody for possession of an illegal concealed weapon. Nichols gave himself up in Kansas, and Fortier was a logical port of call because McVeigh had stayed extensively at his house in Arizona.

But the wider conspiracy proved maddeningly difficult to crack. The people who will be named in this article are well known to the authorities; indeed, most are by now either behind bars for other crimes or dead. At the time of the McVeigh and Nichols trials, however, their relationship to the bombing was either unknown or unsupported by sufficient evidence. Even the case against McVeigh was riddled with holes, leading several commentators at the time to speculate that he might be acquitted. The government team had to ask itself: should we dilute our case against McVeigh by admitting we can't nail his co-conspirators? Or should we simply pretend they don't exist? They plumped for the latter, and the fact that McVeigh was convicted and sentenced to death suggests it was indeed a smart strategy to bring to court. That, however, does not make it anything close to the full truth.

The government did not call a single eyewitness who saw McVeigh, either in Oklahoma City or in Junction City, Kansas, where the Ryder truck had been rented two days earlier. Why not? Because every one of them saw McVeigh with someone

else. At Elliott's Body Shop, the rental agency, there are strong doubts whether McVeigh was seen at all. Although it was his alias, Robert Kling, that was used to secure the rental agreement, neither of the two men described by employees entirely fit McVeigh's profile. McVeigh had been filmed by a security camera at a nearby McDonald's 24 minutes before the time stamped on the rental agreement, wearing clothes that did not match either of the men seen at Elliott's. There is also no plausible explanation of how he travelled the mile and a quarter from McDonald's to the rental agency, carless and alone as he claims, without getting soaked in the rain. The three people interviewed agreed John Does 1 and 2 were dry.

According to Stephen Jones, who has seen the interview transcripts, it took 44 days for the FBI to convince the car rental agency owner that John Doe 1 was Timothy McVeigh. And in the end they did not dare put him on the witness stand, for fear of what might happen under cross-examination.

Jones, a man widely criticised - notably by his client - for his apparently gutless handling of the trial, could have called many of the eyewitnesses himself if he had wanted. His problem was that for all the evidence he could have presented about John Doe 2 (not to mention Does 3, 4, 5 and up), few if any of the witnesses would have proved exculpatory to McVeigh. The one person he did call, Daina Bradley, had seen a second man from inside the Murrah building; her credibility, however, was demolished under cross-examination when she admitted a history of mental problems and continuing trauma after the bombing, in which she lost two children and her mother and had to have her right leg hacked off without anaesthetic by rescue workers after it became trapped in rubble.

Jones was more successful in attacking the internal logic of the government's lone-bomber theory. It beggared belief that McVeigh would drive the Ryder truck several hundred miles with the bomb fully loaded, he argued, particularly given the history of car bombers inadvertently blowing themselves up in Northern Ireland. McVeigh himself had a close call with a car crash in Michigan in December 1994, when he was carrying detonators in his car; he swore at the time to be more careful around explosives.

And then there was the mystery of the extra leg. The rescue teams who cleaned up after the bombing had found nine severed left legs, but only eight bodies to match them with. The government's medical examiner confirmed this in court. Moreover, the state of the extra leg was consistent with someone who had been extremely close to the source of the blast. Who could it belong to? Jones is convinced it must be one of the bombers. In the course of his research he talked to the former chief state pathologist for Northern Ireland who had conducted more than 2,500 autopsies on bombing victims, and told him: "In the Western world, there is no such thing as an unclaimed innocent victim. Everyone gets claimed, sooner or later, unless there is a particular reason not to."

There are other questions for which the official account has no satisfactory answer, notably how McVeigh managed to support himself financially after he stopped regular paid work in late 1992. The bomb itself was not particularly expensive, no more than a few thousand dollars once you consider that the Tovex and blasting caps were stolen from a quarry in Kansas. But McVeigh led an extraordinarily itinerant lifestyle, particularly after November 1994, when he barely stopped moving, frantically criss-crossing the country in his car and staying in motels at almost every turn. Somehow, he paid cash for everything.

After he left the army, McVeigh actually fell heavily in debt, partly because of his habit of gambling on the Buffalo Bills football team. Terry Nichols, meanwhile, accumulated about $50,000 in credit-card bills by mid-1993. These are not problems that can be explained away by the pair's occasional selling activities at gun shows; numerous gun-show participants have testified they were usually so broke, they could not afford an exhibition table.

According to the official version of the bombing, the major source of funding was a November 1994 robbery at the Arkansas home of Roger Moore, a gun collector and self-made businessman who knew McVeigh from the gun-show circuit. Although McVeigh did not commit the robbery himself - who did is a source of some mystery - he has admitted being behind it, netting $8,700 in cash and an estimated $60,000 in silver bars, gold bullion, jewellery and firearms.

It is not clear, however, how much of this loot was put to use. Some of the weapons were later sold, but much of the rest was recovered untouched from a storage locker in Las Vegas where it had been stashed by Nichols. The Moore robbery only helps to account for one of several plane trips Nichols made to his mail-order bride's home in the Philippines, for which he paid cash every time. And it does not begin to explain how McVeigh - to take one example of many - repaid a $4,000 debt to his father in $100 bills a full year before the robbery.

From the start, there has been no lack of conspiracy theories about the Oklahoma City bombing, many of them absurd and many displaying the same government-hating bias that drove McVeigh. There was one claim that the bombing was a federal sting operation gone horribly wrong; another that there were explosive packs strapped to the internal pillars of the Murrah building, timed to go off at the same time as the fertiliser bomb. There is no credible evidence for either claim.