

## **Agent in charge (of McVeigh investigation) accepts criticism**

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DALLAS, Mar 19, 2002 (United Press International via COMTEX) -- The FBI agent in charge of the Oklahoma City bombing investigation Tuesday accepted criticism in an inspector general's report for mishandling documents in the case that delayed Timothy McVeigh's execution.

Danny Defenbaugh, who now heads the FBI office in Dallas, reacted to the report of an inspector general who found the failure of the FBI to turn over hundreds of documents to McVeigh's attorneys was due to human error and an antiquated FBI record system.

"I accept this criticism as it has been presented, and respect the diligence which was exhibited in the investigation which led to the issued findings," he said.

"During the time period under review, I made decisions concerning the documents based on my honest evaluation of the situation, my many years of experience, and out of my desire to do the right thing."

Defenbaugh, a 32-year FBI veteran, said the investigation of the 1995 bombing, which killed 168 people, was the most intensive terrorism investigation ever carried out by the FBI. He said it presented many challenges and was a "Herculean" task.

"As always, I remain committed to the mission of the FBI, and am extremely proud of the efforts of the FBI particularly in regard to (the) investigation," he said.

One week before McVeigh's scheduled execution in June it was revealed that the FBI had failed to turn over more than 700 investigative files to the defense team, as required by the court. The execution was delayed a month while the documents were reviewed.

Although no records were found that would have altered the outcome of McVeigh's trial, Attorney General John Ashcroft ordered Justice Department Inspector General Glenn Fine to investigate the handling of the investigative documents by the FBI.

The report released Tuesday stated that "human error" was the prime reason for the failure to turn the documents over to the McVeigh defense team.

"The FBI's computer system is antiquated and in need of substantial improvement, but we found that human error, not the inadequate computer system, was the chief cause of the failure to provide the defense with these items," it stated.

The report determined that no one at the FBI had intentionally withheld documents from the defense lawyers, as McVeigh's attorneys had alleged.

Defenbaugh said the report's recommendations for improving the computer system and record keeping are "on target" and many of them have already been put in place.

"The FBI is aware of past and present problems in records management capabilities, and is working swiftly to address these problems through the implementation of increased technological assets and systems, and through training," he said.