

Witness Retracted McVeigh Case Statements



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Byline: Associated Press

WASHINGTON -- A prominent FBI science witness told federal investigators that his lab colleagues had performed shoddy work in the Timothy McVeigh case, then abruptly retracted several statements before appearing as a prosecution witness at trial, a transcript shows.

Explosives expert Steven Burmeister, who since has risen to become the FBI lab's chief of scientific analysis, initiated a meeting Dec. 19, 1996, with the Justice Department inspector general to whom he made the original allegations 18 months earlier.

"There are several statements in the interview I would like to clarify or correct," Burmeister told the investigators in a taped interview. The Associated Press obtained a copy of the transcript.

After receiving a Miranda warning about his constitutional rights, Burmeister proceeded for 68 pages of the transcript to correct or retract earlier statements he made that colleagues who worked on the bombing evidence did not use proper techniques or were unqualified to do some of the tests they performed.

"I'm not sure why I would have said that," Burmeister said at one point when retracting an earlier statement that a knife with possible explosive residue should not have been swabbed at the lab.

FBI officials defended Burmeister, saying the lab witness asked to make the changes after seeing a summary of his first interview and that he was under no pressure to change any testimony to help the McVeigh prosecution.

"I can state categorically that Steve Burmeister has never felt pressure to change any testimony, any report from lab officials, the FBI, prosecutors or anyone else," FBI lab director Dwight Adams said.

"He made the effort because he is such a meticulous, honest person that he wanted the IG report to be correct," Adams said. "He truly is one of our best."

Legal experts said, however, the transcript might pose a longer term problem for the FBI. Since the McVeigh trial in 1997, Burmeister has appeared as a witness in several other prominent cases.

The experts said the transcript could be considered to be exculpatory evidence that prosecutors were legally obligated to turn over to defense lawyers in any

cases where Burmeister is testifying about the lab techniques involved in his interviews because it speaks to the core issues of his credibility and expertise.

FBI officials said they did not know whether Burmeister's interviews have ever been turned over in any case, including cases of McVeigh and bombing conspirator Terry Nichols.

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