

Reopening of McVeigh probe urged

Investigators react after seeing files not used in court

The Associated Press

WASHINGTON — FBI agents destroyed evidence and failed to share other information that raised the possibility that a gang of white supremacist bank robbers may have assisted Timothy McVeigh during the Oklahoma City bombing, according to documents never introduced at McVeigh's trial.

Both the FBI supervisor who ran the Oklahoma City investigation and the veteran agent who was in command at the bombing scene say the new evidence, detailed in documents obtained by The Associated Press, is serious enough to warrant reopening the inquiry nine years later.

The evidence, never shared with Oklahoma City investigators or defense lawyers, includes documents showing the Aryan Republican Army bank robbers possessed explosive blasting caps similar to those McVeigh stole and a driver's license possibly stolen during the bombing plot.

"If the evidence is still there, then it should be checked out," said Dan Defenbaugh, the now-retired FBI chief of the McVeigh investigation who re-

viewed the documents at the request of AP. "If I were still in the bureau, the investigation would be reopened."

Danny Coulson, the FBI scene commander for the Oklahoma bomb site, agreed.

"There is some unanswered questions here. A lot of things happened that were inappropriate," Coulson said. "I think it needs to be reopened, but I don't think it should be reopened by the FBI. It needs to be a special investigator, a lawyer, totally independent. He needs to have subpoena power and the ability to use a grand jury."

The agents said there could be plausible explanations for each piece of evidence — blasting caps are plentiful and the bank robbers were experts in identification fraud — but those questions need to be answered.

The investigative documents also shed new light on evidence the Justice Department did not introduce at McVeigh's 1997 trial, including that McVeigh may have sought to recruit additional help around the time he called a white supremacist compound in Oklahoma where several of the bank robbers stayed.

For instance, an FBI headquarters teletype stated McVeigh called the compound on "a day that he was believed to have been attempting to recruit a second conspirator to assist in the OKBOMB attack."

The April 19, 1995, bombing killed more than 160 people, and McVeigh was put to death for it in 2001. His co-defendant, Terry Nichols, will stand trial in Oklahoma next week on state

charges that could carry the death penalty.

Peter Langan, one member of the robbery gang, said he plans to testify at Nichols' trial and that federal prosecutors several years ago offered and then withdrew a plea deal for information he had about the Oklahoma City bombing.

The gang "had some liability problems as it related to Oklahoma City," Langan alleged in a phone interview from federal prison, where he is serving life sentences for a robbery spree involving nearly two dozen Midwest banks in the 1990s. Langan said at least three fellow gang members were in Oklahoma around the time of the bombing, and one later told him that they had become involved.

McVeigh's ex-lawyer, Stephen Jones, said government officials "simply turned their backs on a group of people for which there is credible evidence suggesting they were involved in the murder of 160 people."

FBI and Justice Department officials declined comment, citing the upcoming trial.

Agents who worked both the McVeigh bombing and the bank robbery spree said they suspected a link between the two because of physical evidence as well as statements made by the robbers and a girlfriend.

The agents said they ruled out a connection when the bank robbers denied their involve-

ment and provided an alibi showing they left Oklahoma three days before McVeigh's bomb detonated outside the Alfred P. Murrah federal building on April 19, 1995.

That alibi, however, was contradicted by information Langan offered prosecutors and by car sales records showing the bank robbers were still in the Oklahoma area after they claimed to have left, FBI documents show.

Defenbaugh said his investigators never were told about the license, the blasting caps or problems with the robbers' alibi.

McVeigh in 1994 stole from a quarry hundreds of construction blasting caps, some which he used to explode the Oklahoma City bomb. The FBI spent months unsuccessfully trying to locate many of the other stolen caps.

Agents collected witness testimony that McVeigh had placed some of the extra caps in two boxes wrapped in Christmas paper in the back of his car along with mercury switches and duffel bags.

One electric and five non-electric blasting caps were found in the Aryan Republican Army robbers' Ohio hideout in January 1996, along with mercury switches, a duffel bag and two items described as a "Christmas package," FBI records show. The FBI allowed firefighters to destroy the caps at the scene.

The destruction "in itself was in total violation of the FBI's regulations and the rules of evidence," Defenbaugh said.



Nichols



McVeigh